

RESOLUTION NO. 2024 - _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, DECLARING "ZONING IN PROGRESS" RELATING TO THE MIXED USE-RESORT (MU-R) DISTRICT, TOWN CENTER DISTRICT (TCD), NEIGHBORHOOD BUSINESS (B1) DISTRICT, AND BUSINESS OVERLAY (BO) DISTRICTS; DETERMINING THAT APPLICATIONS FOR DEVELOPMENT ORDERS AND DEVELOPMENT PERMITS SHALL BE SUBJECT TO THE ZONING IN PROGRESS; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Section 166.021, Florida Statutes, the City has the governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power except when expressly prohibited by law; and

WHEREAS, the City Commission determines that it is in the best interests of its residents, businesses and visitors to enact sufficient zoning regulations to ensure their health, safety, and welfare; and

WHEREAS, recent issues have arisen which require further study and community input to determine the future development of properties located within the Mixed Use-Resort (MU-R) District, Town Center District (TCD), Neighborhood Business (B1) District, and Business Overlay (BO) District (collectively the "Districts"); and

WHEREAS, the City Commission requires time to review, study, hold public hearings, and prepare and adopt revisions to the City's Comprehensive Plan and Land Development Regulations regarding the Districts; and

WHEREAS, until the City Commission has time to review, study and hold public hearings, prepare and adopt revisions, the City Commission finds that it is in the best interests of the City to declare that there is "zoning in progress" relating to these issues for the Districts, and that any application, inquiry or submittal shall be made subject to the ultimate determinations to be made by the City Commission; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SUNNY ISLES BEACH, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals. The foregoing recital paragraphs are hereby confirmed as being true and correct and the same are hereby made part of this Resolution.

Section 2. Zoning in Progress. The City is currently engaged in "zoning in progress" relating to the establishment of criteria for future development and redevelopment in the City's Mixed Use-Resort (MU-R) District, Town Center District (TCD), Neighborhood Business (B1) District, and Business Overlay (BO) District. Any applications for, the processing of, and the issuance of development permits and development orders, as those terms are defined in Section 163.3164,

Florida Statutes, or any other official action of the City relating to the development or redevelopment of properties within the Mixed Use-Resort (MU-R) District, Town Center District (TCD), Neighborhood Business (B1) District, and Business Overlay (BO) District shall be subject to the zoning which is in progress even though not finalized and adopted at the time the particular application was submitted.

Section 3. Deemed Notice. Applicants for such development permits and development orders are hereby deemed to be on notice of the applicability of these provisions.

Section 4. Effective Date. This Resolution shall become effective upon passage.

PASSED AND ADOPTED on this 15th day of February, 2024.

Larisa Svechin, Mayor

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Mauricio Betancur, CMC, City Clerk

Alain E. Boileau, for Nabors, Giblin
& Nickerson, P.A., City Attorney

Moved by: _____ Seconded by: _____

Vote:

Mayor Svechin	_____ (Yes)	_____ (No)
Vice Mayor Lama	_____ (Yes)	_____ (No)
Commissioner Joseph	_____ (Yes)	_____ (No)
Commissioner Stuyvesant	_____ (Yes)	_____ (No)
Commissioner Viscarra	_____ (Yes)	_____ (No)