

ORDINANCE NO. 462

AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA DECLARING A ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR REZONING, ZONING TEXT AMENDMENT, SITE PLAN APPROVAL, CHANGE IN LAND USE UNDER THE COMPREHENSIVE PLAN, AND THE SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS (CHAPTER 54 OF THE TOWN OF HAVERHILL CODE OF ORDINANCES) UNTIL JULY 27, 2018; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Town of Haverhill is in the process of amending its Subdivision, Platting and Required Improvements Code (Chapter 54) and creating a new airport zoning district in order to provide for the expansion, growth, development and redevelopment of the Town; and

WHEREAS, in order to foster orderly growth, ensure for adequate public facilities, and avoid nonconforming uses, the Town enacted a moratorium (Ord. No. 454) on November 16, 2017, concerning the acceptance and processing of any new applications for subdivision, and would now include any applications for rezoning, change in zoning text, or a change in land use; and

WHEREAS, the Town has authority to enact the moratorium pursuant to the home rule powers vested in municipalities by virtue of the Florida Constitution, chapter 166, Florida Statutes, and the authority granted the Town in the charter and otherwise provided by state law; and

WHEREAS, the Town recognizes that extending this moratorium is in the best interest of the public health, safety and welfare of the Town:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. These clauses represent the legislative findings of the Town Council. It is the purpose and intent of this Ordinance to promote the health, safety and welfare of the residents of Haverhill. It is also the purpose of this ordinance to preserve the status quo and enable sufficient time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the Code of Ordinances for the Town of Haverhill Subdivision Code (Chapter 54) relating to such matters as parking, landscaping, right-of-way, irrigation, and other requirements, and concurrently declaring a moratorium for any new applications for rezoning, zoning text amendments, or change in land use while a new district is considered for land most affected by airport noise.

Section 2. Moratorium and Extension: Until July 27, 2018, a moratorium is hereby extended on the acceptance and processing of new applications under Chapter 54, Code of Ordinances, relating to Subdivision, Platting and Required Improvements, and a new moratorium imposed on accepting or processing any new applications relating to rezoning, zoning text amendment, site plan approval, or change in land use. This moratorium ordinance may be extended by resolution of the Town Council for no more than three (3) months from the date of expiration hereunder.

Section 3. Severability. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 4. Conflicts. All ordinances or parts of ordinances, resolutions or part of resolutions in conflict herewith are to the extent of such conflicts hereby repealed.

Section 5. Effective Date. This ordinance shall take effect immediately upon its passage.

FIRST READING this 12th day of April, 2018.

THE SECOND AND FINAL READING was held this 26th day of April, 2018. Vice Mayor **LAWRENCE GORDON** offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Council member **REMAR HARVIN**, and upon being put to a vote, the vote was as follows:

JAY G. FOY, Mayor	AYE
LAWRENCE GORDON, Vice Mayor	AYE
MARK C. UPTOGRAPH, Council Member	ABSENT
REMAR HARVIN, Council Member	AYE
DANIEL H. SOHN, Council Member	AYE

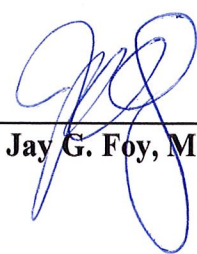
The Mayor thereupon declared this Ordinance approved and duly adopted by the Town Council of the Town of Haverhill, Florida.

Attest:

TOWN OF HAVERHILL, FLORIDA



Janice C. Rutan, Town Admin.



Jay G. Foy, Mayor