

ORDINANCE No. 2021-28

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A TEXT AMENDMENT TO THE CITY'S LAND DEVELOPMENT CODE, BY AMENDING CHAPTER 77, "ROADS AND VEHICULAR USE AREAS," ARTICLE IV, "PARKING AND LOADING AREAS," DIVISION 2, "OFF-STREET PARKING," CREATING A NEW SECTION, SECTION 77-141, "ELECTRIC VEHICLE (EV) CHARGING STATIONS," ESTABLISHING EV CHARGING EQUIPMENT REQUIREMENTS; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, according to the Florida Department of Transportation (FDOT), there were 66,685 plug-in hybrid electric vehicles (PHEV) and battery electric vehicles (BEV) in 2020; and

WHEREAS, FDOT projects that approximately 35 percent of light-duty vehicles registered in the State of Florida will be electric vehicles by 2040; and

WHEREAS, in 2020, Senate Bill 7018 was signed by Governor Ron Desantis to enact Florida Statute 339.287 titled "Electric vehicle charging stations; infrastructure plan development" and

WHEREAS, the statute required the FDOT to coordinate, develop and recommend a master plan for the development of electric vehicle charging station infrastructure along the State Highway System; and

WHEREAS, there has been expressed interest from constituents to have electric vehicle infrastructure available at the locations they frequent, including, but not limited to, multifamily residences, hotels, mixed use centers, commercial centers, and municipal and office buildings; and

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WHEREAS, the City should continue its support of plug-in electric vehicles and its efforts in constructing EV charging infrastructure as this further supports the City's sustainability goals; and

WHEREAS, on August 25, 2021, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, on August 25, 2021, the City Council of the City of Doral at a properly advertised hearing (First Reading) received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, on September 22, 2021, the City Council of the City of Doral at a properly advertised hearing (Second Reading) received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, the Mayor and City Council finds that the adoption of the text amendment to the City's Land Development Code is in the best interest of the health, safety and welfare of the residents and citizens of the City of Doral.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

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Section 2. Code Amended. The City Council of the City of Doral hereby approve the text amendment to Chapter 77, “Roads and Vehicular Use Areas,” Article IV, “Parking and Loading Areas,” Division 2, “Off-Street Parking,” creating a new section, Section 77-141, “Electric Vehicle (EV) Charging Stations,” of the City’s Land Development Code. The Land Development Code of the City of Doral, Florida, is hereby amended to read as follows¹:

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CHAPTER 77 - ROADS AND VEHICULAR USE AREAS

* * *

ARTICLE IV. - PARKING AND LOADING AREAS

* * *

DIVISION 2. - OFF-STREET PARKING

* * *

Sec. 77-141 – Electric Vehicle Charging Stations.

Parking spaces specifically designed for charging of Electric Vehicles shall be required in accordance with the following provisions for all municipal buildings, public parks, medical campuses, public buildings, higher education institutions, mixed use centers, commercial uses, leisure destinations and public garages.

(A) Definitions.

- (1) *Electric Vehicle (EV).* A device which is considered a vehicle that uses electricity as its primary source of power, such as a plug-in electric vehicle or a plug-in hybrid electric vehicle.
- (2) *Electric Vehicle Supply Equipment (EVSE).* A unit of fueling infrastructure that supplies electric energy for the recharging of electric vehicles and plug-in hybrids.

- (3) EVSE-Installed. A parking space having such electric vehicle supply equipment and electric vehicle supply infrastructure installed so as to be EVSE-Ready, including an installed electric vehicle charging station.
 - (4) EVSE-Ready Space. A parking space with full circuitry in accordance with the Florida Building Code and adopted reference texts (e.g., national electrical code) and ready for the charger to be connected.
 - (5) EVSE Space. A space intended for future installation of EVSE and charging of electric vehicles.
 - (6) Level 1 EVSE. An EVSE on dedicated 15 or 20 ampere circuit at 120V, which can be implemented with a dedicated hardwire unit or with a mobile charging cord plugged into an outlet.
 - (7) Level 2 EVSE. An EVSE on a circuit of 40 amperes or greater at 208 or 240 Volt AC, which can be implemented with a dedicated hardwire unit or with a mobile charging cord plugged into an outlet.
- (B) Location. To the greatest extent, EVSE-Ready and EVSE-Installed Spaces shall be installed near security stations or be monitored by camera to decrease the chance of vandalism. EVSE-Ready Spaces shall be located in the same lot as the principal use and located as close to a primary entrance of the principal building as possible. In order to ensure the public safety and reduce potential hazards, EVSE-Ready and EVSE-Installed shall not obstruct:
- (1) Building access (including ingress, egress, common path of travel, etc.);
 - (2) Rights-of-Way;
 - (3) Sidewalks or pathways;
 - (4) Bicycle areas;
 - (5) Parking space and parking lanes;
 - (6) the Safe Sight Distance Triangle.
- (C) Signage and Markings. All electric vehicle parking spaces shall be prominently designated with a permanent above-ground sign. The bottom of the sign must be at least 5 feet above grade when attached to a building, or 7 feet above grade for

a detached sign. The parking spaces shall be marked by painted lines, indicating the individual parking spaces or stalls.

(D) Fees. The EVSE operator may charge a fee for electric vehicle charging in accordance with local, county and/or state law.

(E) Required Number of Electric Vehicle Charging Stations.

(1) New construction of a single-family residential building shall provide one (1) Level 1 EVSE-Ready Space per dwelling unit.

(2) New construction of a multi-family residential building containing five or more dwelling units where on-site parking is provided shall install equipment so that at least 2%, and no less than one, of the parking spaces are either Level 2 EVSE-Ready or Level 2 EVSE-Installed.

(3) The number of Level 2 EVSE-Ready or Level 2 EVSE-Installed spaces shall be 2% of the total number of parking spaces provided for municipal buildings, public parks, medical campuses, public buildings, higher education institutions, mixed use centers, commercial centers, leisure destinations and public garages with 50 or more parking spaces. Fractional numbers derived from this calculation must be rounded up to the nearest whole number.

(4) EVSE-Ready or EVSE-Installed spaces shall count toward the minimum required number of parking spaces.

(5) Level 1 and Level 2 electric vehicle charging stations are allowed in all zoning districts.

(F) Non-electric vehicles are prohibited from stopping or parking in designated EVSE-Ready and EVSE-Installed parking spaces.

(G) EVSE electrical installations must be according to the Florida Building Code and require a building permit.

(H) Amortization. Uses specified in subsection (E) which are nonconforming to the requirements of this Section, shall conform by no later than September 22, 2026. Such nonconforming uses shall qualify for expedited review of building permits.

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Section 3. Codification. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made part of the City of

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Doral Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4. Severability. That if any section, subsection, sentence, clause, phrase, word or amount of this Ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 5. Conflicts. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be effective immediately upon passage by the City Council on second reading.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilmember Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 25 day of August, 2021.

PASSED AND ADOPTED on SECOND READING this 22 day of September, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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