

**RESOLUTION No. 17-18**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, OR GOING FORWARD WITHOUT A RECOMMENDATION TO SEVERAL AMENDMENTS TO THE CITY OF DORAL LAND DEVELOPMENT CODE INCLUDING CHAPTER 53, "ADMINISTRATION," OF THE LAND DEVELOPMENT CODE OF ORDINANCES BY MODIFYING THE USE COMPATIBILITY TABLE; CHAPTER 68, "LAND USES AND ZONING DISTRICTS," OF THE LAND DEVELOPMENT CODE OF ORDINANCES BY MODIFYING STANDARDS ASSOCIATED WITH DOWNTOWN MIXED USE (DMU) AND INDUSTRIAL (I) ZONING DISTRICT; CHAPTER 77 "ROADS AND VEHICULAR USE AREAS" OF THE LAND DEVELOPMENT CODE OF ORDINANCES BY CORRECTING THE STANDARD ASSOCIATED WITH SOLAR REFLECTIVE INDEX (SRI); AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Local Planning Agency (LPA) has the responsibility for the development and implementation of the comprehensive plan and amendments, review rezoning applications, and review proposed land development regulations consistent with Section 163.3174 of the Florida Statutes; and

**WHEREAS**, the City of Doral Comprehensive Plan was adopted on April 26, 2006, as amended from time to time, pursuant to the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, in 2007, the City of Doral (the "City") adopted its own Land Development Code, after having depended on Miami-Dade County's land development regulations in the initial years following incorporation; and

**WHEREAS**, in 2016, the City adopted an update to the Comprehensive Plan which included text amendments to the introduction and all ten (10) elements of the Comprehensive Plan, after extensive input and participation by the public and the City Council through workshops and public meetings; and

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Words in underscoring type are additions.

**WHEREAS**, certain sections of the “Land Development Code” needs to be revised to incorporate the adopted revisions to the Comprehensive Plan consistent with Section 163.3201 of the Florida Statutes; and

**WHEREAS**, after careful review and deliberation staff has determined that the Ordinance attached hereto as Exhibit “A”, modifying sections of Chapters 53, 68, and 77 of the Land Development Code, is in compliance with the City’s Comprehensive Plan and consistent with Section 163.3184 of the Florida Statutes; and

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

**Section 1. Recitals.** The above Recitals are confirmed, adopted, and incorporated herein and made a part of hereof by this reference.

**Section 2. Decision.** The proposed Ordinance modifying Chapters 53, 68, and 77 of the Land Development Code, attached hereto as Exhibit “A”, which is incorporated herein and made a part hereof by this reference. There was no finding of consistency with the City’s Comprehensive Plan and Land Development Code, and this resolution is, therefore, passed without a recommendation.

**Section 3. Effective Date.** This Resolution shall be effective upon adoption.

The foregoing Resolution was offered by Councilmember Fraga who moved its adoption.

The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Absent/Excused

TRANSMITTED WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY (CITY COUNCIL) THIS 25 DAY OF JANUARY, 2017.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

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

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.  
CITY ATTORNEY

# EXHIBIT “A”

**ORDINANCE No. 2017-04**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AMENDMENTS TO THE CITY OF DORAL LAND DEVELOPMENT CODE INCLUDING: CHAPTER 53, "ADMINISTRATION," BY MODIFYING THE USE COMPATIBILITY TABLE; CHAPTER 68, "LAND USES AND ZONING DISTRICTS," BY MODIFYING STANDARDS ASSOCIATED WITH DOWNTOWN MIXED USE (DMU) AND INDUSTRIAL (I) ZONING DISTRICT; CHAPTER 77 "ROADS AND VEHICULAR USE AREAS" BY CORRECTING THE STANDARD ASSOCIATED WITH SOLAR REFLECTIVE INDEX (SRI); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral Comprehensive Plan was adopted on April 26, 2006, as amended from time to time, pursuant to the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act; and

**WHEREAS**, in 2007, the City of Doral (the "City") adopted its own Land Development Code, after having depended on Miami-Dade County's land development regulations in the initial years following incorporation; and

**WHEREAS**, in 2016, the City adopted an update to the Comprehensive Plan which included text amendments to the introduction and all ten (10) elements of the Comprehensive Plan, after extensive input and participation by the public and the City Council through workshops and public meetings; and

**WHEREAS**, certain sections of the "Land Development Code" needs to be revised to incorporate the adopted revisions to the Comprehensive Plan consistent with Section 163.3201 of the Florida Statutes; and

CODING: Words in ~~struck through~~ type are deletions from existing law;  
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**WHEREAS**, after careful review and deliberation staff has determined that this Ordinance is in compliance with the City's Comprehensive Plan and consistent with Section 163.3184 of the Florida Statutes; and

**WHEREAS**, on January 25, 2017 and \_\_\_\_\_ the City Council conducted a duly advertised public hearing for this application and considered all comments received from the residents and interested stakeholders; and

**WHEREAS**, the City Council has reviewed the City's staff report, incorporated herein, which contains data and analysis supporting this application; and

**WHEREAS**, the Mayor and City Council find that adoption of this Ordinance is in the best interest of the City.

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

**Section 1. Recitals.** The above Recitals are confirmed, adopted, and incorporated herein and made a part of hereof by this reference.

**Section 2. Code Amended.** The Code of Ordinances of the City of Doral is hereby amended as follows:

**Chapter 58 - ADMINISTRATION**

\* \* \*

**ARTICLE II. – PLANNING AND DEVELOPMENT**

\* \* \*

**DIVISION 5. – SUMMARY OF USES AND DEVELOPMENT STANDARDS**

\* \* \*

**Sec. 53-128. – Use Compatibility Table.**

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The uses for each district are as stated in the following table:

- (1) P means permitted use;
- (2) S means permitted with special regulations;
- (3) E means special exception use;
- (4) (-) means not permitted

		O-1	O-2	O-3	NC	CC	IC	I	I-R
Eating Establishments									
	<u>Brewpubs</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>
Warehouse									
	Miniwarehouse or self-storage facilities	-	-	-	-	S	<u>P</u>	<u>P</u>	-
	<u>Vertical In-door farms</u>	-	-	-	-	-	<u>P</u>	<u>P</u>	<u>P</u>
Retail Services									
	Fitness/sports								
	Fitness Center (gyms)	P	P	P	P	P	P	P	P
	Sports membership	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	P	P	<u>P<sup>b</sup></u>	<u>P<sup>a</sup></u>	<u>P<sup>a</sup></u>
	Sports rental	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	P	P	<u>P<sup>b</sup></u>	<u>P<sup>a</sup></u>	<u>P<sup>a</sup></u>
	Indoor sports club	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	<u>P<sup>c</sup></u>	P	P	P	P	P
	Trade Schools (karate, dancing, gymnastic, etc.)	-	-	-	P	P	P	P	P

\* \* \*

## Chapter 68 – LAND USE AND ZONING DISTRICT

\* \* \*

### ARTICLE V. – MIXED USE DISTRICTS

\* \* \*

#### DIVISION 3. – DOWNTOWN MIXED USE DISTRICT

\* \* \*

##### Sec. 68-557. - Standards.

All developments in the downtown mixed use zoning district shall developed as planned unit development (PUD) with the following standards:

- (1) Minimum site area. The minimum site area for developments that have maximum residential use component of 20 percent and a minimum office

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use component of 60 percent is ten acres of contiguous land area. The minimum site area for all other mix of uses is 10 ~~15~~ acres of contiguous land area. One or more non-contiguous areas of any size may be included within, or subsequently added to, a DMU development, provide that:

#### **DIVISION 4. – COMMUNITY MIXED USE DISTRICT**

\* \* \*

##### **Sec. 68-581. – Standards.**

All developments in the community mixed use zoning district shall developed as planned unit development (PUD) with the following standards:

- (1) Minimum site area. The minimum site area for all other mix of uses is 10 ~~15~~ acres of contiguous land area, except for parcels with frontage on Doral Boulevard which can be seven (7) acres or greater in size.

\* \* \*

#### **ARTICLE VI. – INDUSTRIAL DISTRICTS**

\* \* \*

#### **DIVISION 2. – INDUSTRIAL COMMERCIAL DISTRICT (IC)**

\* \* \*

##### **Sec. 68-785. – Permitted Uses – Generally.**

- (a) Permitted Uses. Refer to chapter 53, article II, division 5 for a detailed list of various types of uses and development standards. Refer to chapter 74 for special development requirements for the following uses permitted in the industrial commercial district (IC).

\* \* \*

(21) Miniwarehouses or self-storage facility.

(29) Brewpubs.

(30) Vertical Indoor Farms.



(b) Prohibited Uses. Refer to chapter 53, article II, division 5 for a detailed list of various types of uses and development standards. In no instance shall the following commercial uses be permitted in the industrial commercial district (IC):

- (1) Amusement centers.
- (2) Entertainment centers.
- (3) Health/exercise centers.
- (4) Sport facilities

\* \* \*

### **DIVISION 3. – INDUSTRIAL DISTRICT (I)**

\* \* \*

#### **Sec. 68-820. – Permitted Uses – Generally.**

(a) Permitted Uses. Refer to chapter 53, article II, division 5 for a detailed list of various types of uses and development standards. Refer to chapter 74 for special development requirements for the following uses permitted in the industrial district (I).

\* \* \*

- (18) Miniwarehouses or self-storage facility.
- (23) Brewpubs.
- (24) Vertical Indoor Farms.

\* \* \*

(b) Prohibited Uses. Refer to chapter 53, article II, division 5 for a detailed list of various types of uses and development standards. In no instance shall the following commercial uses be permitted in the industrial district (I):

- (1) Amusement centers.
- (2) Entertainment centers.
- (3) Health/exercise centers.

(4) Sport facilities

\* \* \*

**Chapter 77 – ROADS AND VEHICULAR USE AREAS**

\* \* \*

**ARTICLE IV. – PARKING AND LOADING AREAS**

\* \* \*

**DIVISION 4. – DESIGN STANDARDS**

\* \* \*

**Sec. 77-195. – Pervious or heat-reflective parking surfaces.**

A minimum of 20 percent of all required surface parking on a non-residential development site must be constructed using pervious or heat-reflective material with a solar reflective index (SRI) of 28 or greater ~~not exceeding 28~~ such as open cell pavers, managed turf, porous pavement and/or other proven materials. For residential development, this standard shall only apply to guest parking in multi-family projects.

\* \* \*

**Section 3. Implementation.** The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

**Section 4. Incorporation into the Code.** The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including, but not limited to, renumbering or relettering sections and to change and that the word “ordinance” may be

changes to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intention.

**Section 5.** **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 6.** **Conflicts.** All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

**Section 7.** **Effective Date.** This Ordinance shall become effective immediately upon adoption.

The foregoing Ordinance was offered by \_\_\_\_\_, who moved its adoption. The motion was seconded by \_\_\_\_\_ upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	_____
Vice Mayor Pete Cabrera	_____
Councilwoman Christi Fraga	_____
Councilwoman Claudia Mariaca	_____
Councilwoman Ana Maria Rodriguez	_____

PASSED AND ADOPTED on FIRST READING this 25 day of January, 2017.

PASSED AND ADOPTED on SECOND READING this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

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

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