ORDINANCE No. 2015-06

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING AN AMENDMENT TO THE CITY OF DORAL COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TEXT FOR THE DOWNTOWN MIXED USE CATEGORY TO ESTABLISH THE MINIMUM SITE AREA FROM 15 ACRES TO 10 ACRES AND ELIMINATE THE DEVELOPMENT RESTRICTIONS ON THE DOWNTOWN MIXED-USE (DMU) PARCELS UNDER 15 ACRES IN SIZE; PROVIDING FOR CONFLICTS; PROVIDING AUTHORIZATION AND TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, the City has reviewed the Application to amend the City of Doral Comprehensive Plan Land Use Element text for the Downtown Mixed Use Category to establish the minimum site area from 15 acres to 10 acres and eliminate the development restrictions on the Downtown Mixed-Use parcels under 15 acres in size; and

WHEREAS, the City Council has been designated as the Local Planning Agency ("LPA") for the City pursuant to Section 163.3174, Florida Statutes, and has held a duly advertised public hearing and recommended approval of the Application to amend the City's Comprehensive Plan's Land Use Element text for the Downtown Mixed Use Category; and

WHEREAS, after careful review and deliberation, staff has determined that this application is in compliance with the City's Comprehensive Plan and consistent with Sec. 163.3184 of the Florida Statutes; and

WHEREAS, on March 17, 2015, the City Council conducted a duly advertised public hearings on the amendment to the City's Comprehensive Plan Land Use Element text for the Downtown Mixed Use Category (Policy 2.1.1), and has considered all

---

1. Additions to existing text are shown by <u>underline</u>, changes to existing text on second reading are shown by <u>double underline</u>, and deletions are shown as ~~strikethrough~~.

evidence and comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

WHEREAS, the proposed text amendment was transmitted to the Florida Department of Economic Opportunity for review; and

WHEREAS, the City Council has reviewed the City staff's report, incorporated herein, which contains information supporting the amendment to the City's Comprehensive Land Use Element text for the Downtown Mixed Use Category; and

WHEREAS, the City Council finds that the proposed text amendment is consistent with the City's Comprehensive Plan as adopted and supported by staff and the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS: [1]

Section 1. The above recitals are true, correct, and incorporated herein by this Ordinance upon adoption hereof.

Section 2. The future land use element of the City of Doral Comprehensive Plan Policy 2.1.1 is hereby amended as follows:

Downtown Mixed Use (DMU) – This land use category is limited only to parcels ~~15~~ 10 acres or greater in size and is designed to provide for the horizontal and vertical integration of a diversity of urban-oriented uses at the city center. ~~Parcels between 10 and 15 acres in size may develop under the DMU category provided the residential use component does not exceed 20% (excluding hotels). For these smaller parcels, the use mix must also contain more than 60% office use components. A sustainable component of retail/service uses (1-20%) is required as well. Hotel and related hospitality uses are allowed as part of the retail and/or office mix.~~ In terms of

---

1. Additions to existing text are shown by <u>underline</u>, changes to existing text on second reading are shown by <u>double underline</u>, and deletions are shown as ~~strikethrough~~.

location, areas designated as DMU should be (upon approval of such a designation by the City Council) in relatively close proximity to, and on either side of, Doral Boulevard at the City's primary gateway from the Palmetto Expressway to the west of NW 87th Avenue (Galloway Road). Areas that may be deemed by the City Council as being appropriate for a DMU land use designation and associated DMU-type projects are in the Downtown Mixed Use Opportunity Area (DMUOA), depicted on the FLUM. The conceptual site design and community connectivity plans shall identify strategic locations where vertical mixed use shall occur to facility multimodal options. At these locations, retail/commercial service businesses shall be located on the ground floor with office/residential uses above. This shall not preclude horizontal mixed use development where the conceptual site design and community connectivity plans demonstrate that the functional arrangement of such uses achieves the purpose of the DMU category. Subject to approval by the City Council, the use mix for the entire DMU future land use category is anticipated to be within the following ranges: residential 30%-70%, office 30%-70%, and retail/services 1%-20%.

The base density allowed in the DMU category is limited to no more than 25 dwelling units per gross acre and maximum building height is eight (8) stories. All DMU project land use applications must be accompanied by a conceptual site design and community connectivity plan. Additional density of up to 35 dwelling units per gross acre and height up to 14 stories may be granted by the City Council for projects that exhibit creative excellence in exceeding the minimum standards contained in the City's Design Manual. A height bonus greater than 14 stories may be approved by the City Council for projects that exhibit extraordinary creative excellence with design quality over and above the minimum standards contained in the City's Design

1. Additions to existing text are shown by <u>underline</u>, changes to existing text on second reading are shown by <u>double underline</u>, and deletions are shown as ~~strikethrough~~.

Manual. The building stories comprising the height bonus must utilize a tiered, step-back design concept that significantly reduces the visual impact of the bonus stories from street level. Landscaped open space in the DMU must comprise a minimum of 10% of a project site.

Section 3. That if any section, subsection, sentence, clause, phrase, work 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 4. The Director of Planning and Zoning is further authorized to make the necessary changes as required to the Comprehensive Plan to reflect the above stated change.

Section 5. The Planning and Zoning Department is hereby authorized to transmit this Ordinance to the Department of Economic Opportunity pursuant to the provision of the Local Government Comprehensive Planning and Land Development Regulation Act.

Section 6. This Ordinance shall not become effective until the State Land Planning Agency or the Administration Commission issues a Final Non-Appealable Order determining the adopted amendment to be in compliance and in accordance with Section 163.3187, Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3187(10), Florida Statutes.
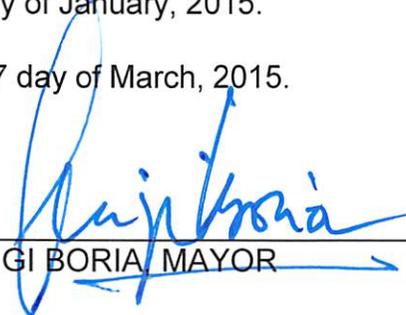
---

1. Additions to existing text are shown by <u>underline</u>, changes to existing text on second reading are shown by <u>double underline</u>, and deletions are shown as ~~strikethrough~~.

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

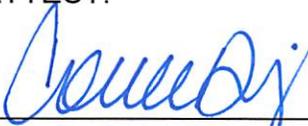|	
Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on first reading this 28 day of January, 2015.

PASSED AND ADOPTED on second reading this 17 day of March, 2015.

LUIGI BORIA, MAYOR

ATTEST:

CONNIE DIAZ, INTERIM CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL

WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY

1. Additions to existing text are shown by <u>underline</u>, changes to existing text on second reading are shown by <u>double underline</u>, and deletions are shown as ~~strikethrough~~.