

ORDINANCE No. 2016-19

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, MODIFYING CHAPTER 68 BY CREATING A NEW HOTEL/MOTEL MIXED USE CATEGORY IN OFFICE, CORRIDOR COMMERCIAL, NEIGHBORHOOD COMMERCIAL, INDUSTRIAL COMMERCIAL AND INDUSTRIAL DISTRICTS; UPDATING SECTION 74-157, "HOTEL AND MOTEL USE" BY REVISING SPECIAL DEVELOPMENT REGULATIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

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, the Mayor and City Council have supported mixes of uses and mixed-use developments that provide better business and community amenities, reduce dependency on vehicular movement, and foster increased pedestrian activity; and

WHEREAS, the Mayor and City Council desire to achieve the same objective with hotel and motel developments in the City; and

WHEREAS, the Mayor and City Council believe that adoption and implementation of this Ordinance will promote the general public health, safety, and welfare, and be in the best interest of, the community.

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 68 – LAND USE AND ZONING DISTRICT

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ARTICLE III. – OFFICE DISTRICTS

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DIVISION 2. – OFFICE O-1, O-2, AND O-3 DISTRICTS

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Sec. 68-303. - Permitted uses—Generally.

The following uses are permitted in all the three office districts (O-1, O-2 and O-3), while all other uses are conditional or prohibited:

- (1) Professional and medical offices. (Refer to chapter 53 for a detailed list of uses.)
- (2) Art galleries, theaters and museums.
- (3) Hotels and motels with a maximum density of 75 units per acre.
- (4) Hotels and motels with retail uses integrated into the project, in an amount no less than ten percent (10%) of the total project floor area ratio, as calculated in 74-157, with a maximum density of 95 units per acre.
- (5) Retail services with no more than five percent of the total floor area. If the property's future land use designation is office and residential, then ten percent of the floor area may be used for retail services. (Refer to chapter 53 for a detailed list of uses.)
- (6) Public schools.

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ARTICLE IV. - COMMERCIAL DISTRICTS

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DIVISION 2. - NEIGHBORHOOD COMMERCIAL DISTRICT (NC)

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Sec. 68-351. - Same—With special development requirements.

The following uses are permitted in the neighborhood commercial (NC) district, under the special development requirements and/or specified herein. 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 regulations for the following uses:

- (1) Wine cafes pursuant to chapter 74, article IV.
- (2) Wine cafes with retail sales pursuant to chapter 74, article IV.
- (3) Billiards pursuant to chapter 74, article IV.
- (4) Hotels and motels (mixed use) pursuant to section 74-157, with retail uses integrated into the project, in an amount no less than ten percent (10%) of the total project floor area ratio, as calculated in 74-157, with a maximum density of 95 units per acre.
- (5) Hotels and motels (stand-alone) with a maximum density of 75 units per acre.

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DIVISION 3. - CORRIDOR COMMERCIAL DISTRICT (CC)

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Sec. 68-384. - Same—With special development requirements.

The following uses are permitted in the corridor commercial (CC) district, under the special development requirements and/or specified herein. 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 regulations for the following uses:

- (1) Nightclubs pursuant to chapter 74, article IV.
- (2) Hotels and motels (mixed use) pursuant to section 74-157, with retail uses integrated into the project, in an amount no less than ten percent (10%) of

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the total project floor area ratio, as calculated in 74-157, with a maximum density of 95 units per acre.

- (3) Hotels and motels (stand alone) with a maximum density of 75 units per acre.
- (4) Auto/truck/van sales pursuant to section 74-152.
- (5) Miniwarehouses and self-storage facilities pursuant to conditions mentioned in section 52-5.
- (6) Passenger service facilities.

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ARTICLE VI. - INDUSTRIAL DISTRICTS

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DIVISION 2. - INDUSTRIAL COMMERCIAL DISTRICT (IC)

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Sec. 68-785. - Permitted uses—Generally.

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):

- (1) Residential uses as a watchman's or caretaker's quarters in connection with an existing industrial use located on the premises concerned.
- (21a) Residential, maximum 20 units per acre if located within the district core of the Doral Design District Plan. Residential units may consist of work/live, multi-family condominium/apartment house and lofts.
- (32) Professional offices.
- (43) Medical office.
- (54) Restaurants.
- (65) Hotels and motels with a maximum density of 75 units per acre.

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- (~~76~~) Hotels and motels with retail uses integrated into the project, in an amount no less than ten percent (10%) of the total project floor area ratio, as calculated in 74-157, with a maximum density of 95 units per acre.
- (~~87~~) Retail and services, only 15 percent of the entire development and could be independent from the principal use.
- (~~97a~~) Retail and services, up to 100 percent of the parcel if located within the District Core of the Doral Design District Plan. The District Core shall contain no more than 10 percent retail and service uses.
- a. Exceptions:
1. All other uses permitted pursuant to this section, regardless of the nature of the use, shall not be counted towards the 10 percent retail District Core maximum.
 2. In the event that the District Core reaches its 10 percent retail and services maximum, retail and services are still permitted on an individual site up to 15 percent of the development.
- b. Calculations:
1. Only retail and services uses pursuant to (6a) shall be calculated toward the maximum 10 percent based on all building square footage within the district core.
 2. Retail and services pursuant to (6a) shall not be added to the overall building square footage of the district core in which retail and services, pursuant to (6a), is calculated.
 3. The city's Planning and Zoning Department will maintain an inventory of remaining allocation for retail and services permitted within the district core.
 4. Retail and service uses that are located within either a mixed use or commercially zoned property and that fall within the district core, shall not contribute to the overall 10 percent maximum retail and services allocation. Additionally, building area within these zoning districts shall not contribute to the overall square footage within the district core for the purposes of the aforementioned calculations.
- (~~107~~) Educational facilities.

- (~~118~~) Public schools.
- (~~129~~) Trade schools.
- (~~1340~~) Religious facilities.
- (~~1444~~) Day care facilities.
- (~~1542~~) Warehouses.
- (~~1643~~) Showrooms.
- (~~1744~~) Manufacturing, light (see section 52-5 for definitions).
- (~~1845~~) Places of assembly (banquet halls, private clubs, convention and auditoriums).
- (~~1946~~) Recreation facilities.
- (~~2047~~) Automotive rental.
- (~~2148~~) Mini-warehouses.
- (~~2249~~) Motion picture production studios.
- (~~2320~~) Parking lots.
- (~~2424~~) Bars.
- (~~2522~~) Nightclubs.
- (~~2623~~) Wine cafes.
- (~~2724~~) Kennels.
- (~~2825~~) Banks.

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DIVISION 2. - INDUSTRIAL DISTRICT (I)

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Sec. 68-821. - Same—With special development requirements.

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The following uses are permitted in the industrial (I) district, under the special development requirements and/or specified herein. 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 regulations for these uses permitted in the industrial district (I).

- (1) Hotels and motels (mixed use) pursuant to section 74-157, with retail uses integrated into the project, in an amount no less than ten percent (10%) of the total project floor area ratio, as calculated in 74-157, with a maximum density of 95 units per acre.
- (2) Bars pursuant to chapter 74, article IV.
- (3) Nightclubs pursuant to chapter 74, article IV.
- (4) Auto dealerships and truck sales pursuant to section 74-152.
- (5) Auto repair, painting, top and body works pursuant to section 74-148.
- (6) Manufacturing, heavy pursuant to section 74-158.
- (7) Manufacturing, medium pursuant to section 74-158.

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Chapter 74 - MISCELLANEOUS AND SUPPLEMENTARY REGULATIONS

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ARTICLE III. - SPECIAL SETBACKS AND USES

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DIVISION 4. - SPECIAL DEVELOPMENT REGULATIONS FOR CERTAIN USES

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Sec. 74-157. - Hotel and motel use.

Hotel and motel use, mixed use, i.e., connected with, and attached to a structure containing another use as permitted in the neighborhood commercial, corridor commercial, industrial, industrial commercial and office zoning districts, with retail uses integrated into the project, in an amount specified in the corresponding district, shall be permitted to construct to the maximum density of the

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corresponding district; ~~where the use is permitted it shall be subject to conditions such as the maximum number of units shall not exceed 75 units per acre for 60 percent of the entire building area provided that the project meets the following conditions:~~

- (1) *Consistency.* The proposed development shall be consistent with the adopted goals, objectives, and policies of the Comprehensive Development Master Plan.
- (2) *Integration.* The retail uses shall be located within, connected with, or attached to the hotel/motel's principal structure for the purpose of promoting a viable and functional commercial and mixed-use development. Integrated interior and exterior spaces are also encouraged. Where the retail space is not located within the main structure of the hotel/motel, the structure containing the different uses must be connected through plazas and pedestrian promenades.
- (3) *Community.* The mix of uses shall be developed to promote pedestrian activity consistent with surrounding neighborhood character, provide places for people to meet and socialize, and enhancing the area's overall quality of life. Site plan and landscape design should incorporate pedestrian-oriented amenities, including walkway connections, outdoor seating areas, and outside dining areas for restaurants, if applicable. The scale, size, and mixture of uses will vary based upon the character of the surrounding areas. Retail and services ancillary to the hotel shall not be detrimental to, interfere with or adversely affect existing uses or character of adjacent properties located within 500 feet of a residential community, the public health, safety, and general welfare.
- (4) *Design.* The project design shall incorporate shade trees, shade structures, small fountains, resting areas, misters, and similar techniques that make outdoor areas comfortable year-round.
- (5) *Connectivity.* The retail component shall have direct access to transit stops and provide for alternative modes of transportation.

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

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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 Councilmember Rodriguez who moved its adoption. The motion was seconded by Councilmember Cabrera and upon being put to a vote, the vote was as follows:

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

PASSED AND ADOPTED on first reading this 18 day of May, 2016.

PASSED AND ADOPTED on second reading this 8 day of June, 2016.



LUIGI BORIA, 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

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