

RESOLUTION No. 18-142

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, TRANSMITTING WITHOUT A RECOMMENDATION, AN AMENDMENT TO THE CITY OF DORAL LAND DEVELOPMENT CODE SECTION 53-184(e) "ZONING WORKSHOP"; 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, 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 2015 the City adopted Ordinance No. 2015-40, establishing the "Zoning Workshop" regulations to provide residents with an opportunity to participate in the development approval process of site plans, rezoning, major modifications of previously approved site plans, variances, special exceptions and any application deemed necessary by the city manager or his or designee; and

WHEREAS, the goal of the "Zoning Workshop" increases public participation in the development approval process by creating a forum to ask questions of, and provide feedback to developers regarding the proposed project(s) during the planning review process; and

WHEREAS, in 2016 the City adopted via Ordinance No. 2016-16 a series of revisions to the “Zoning Workshop” regulations; and

WHEREAS, the City of Doral has hosted a series of Zoning Workshop meetings consistent with Section 53-184(e) of the Land Development Code;

WHEREAS, to further the legislative intent of the Zoning Workshops staff has recommended an amendment to Section 53-184(e) to expand notices to properties around the properties that are the subject of a Zoning Workshop, which is provided in the attached proposed ordinance, attached hereto as Exhibit “A”; and

WHEREAS, the City Council sitting as the Local Planning Agency has conducted a duly noticed hearing on this

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, 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 text amendment to Section 53-184 of the Land Development Code of Ordinance, as provided in the attached ordinance, which is incorporated herein and made a part hereof by this reference, is consistent with the City’s Comprehensive Plan, and, as such, it is recommended that the City Council transmit this resolution without a recommendation.

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

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

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

TRANSMITTED WITHOUT A RECOMMENDATION TO THE LOCAL GOVERNING BODY (CITY COUNCIL) THIS 22 DAY OF AUGUST, 2018.



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. 2018-16

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO SECTION 53-184(e), "ZONING WORKSHOP" OF THE LAND DEVELOPMENT CODE, PROVIDING FOR THE ISSUANCE OF COURTESY NOTICES TO PROPERTY OWNERS AND HOMEOWNER ASSOCIATIONS WITHIN A 500-FOOT RADIUS FROM SUBJECT PROPERTIES; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR IMPLEMENTATION; 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 2015 the City adopted Ordinance No. 2015-40, establishing the "Zoning Workshop" regulations to provide residents with an opportunity to participate in the development approval process of site plans, rezoning, major modifications of previously approved site plans, variances, special exceptions and any application deemed necessary by the city manager or his or designee; and

WHEREAS, the goal of the "Zoning Workshop" increases public participation in the development approval process by creating a forum to ask questions of, and provide feedback to developers regarding the proposed project(s) during the planning review process; and

WHEREAS, in 2016 the City adopted via Ordinance No. 2016-16 a series of revisions to the “Zoning Workshop” regulations; and

WHEREAS, the City of Doral has hosted a series of Zoning Workshop meetings consistent with Section 53-184(e) of the Land Development Code;

WHEREAS, to further the legislative intent of the Zoning Workshops staff has recommended an amended to Section 53-184(e) to expand notices to properties around the properties that are the subject of a Zoning Workshop; 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 53 – ADMINISTRATION

* * *

ARTICLE III – DEVELOPMENT PROCEDURES

* * *

DIVISION 2. – DEVELOPMENT ORDER AND DEVELOPMENT PERMIT

* * *

Sec. 53-184(e) – Zoning Workshop.

(3) Notices Advertisement. An advertisement shall be published in a local newspaper and courtesy notice shall be mailed to property owners within 500-foot radius of the property at least 5 days prior to a zoning workshop. The advertisement shall state the date, time, and place of the zoning workshop. In addition, the advertisement shall provide a description and the location of the proposed development. The cost of publishing an advertisement and courtesy notices for a zoning workshop shall be paid by the applicant. The applicant shall be responsible for contacting the Homeowner Associations (HOAs) within the 500-foot radius of the property via register mail.

* * *

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 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 Ana Maria Rodriguez | _____ |
| Councilman Pete Cabrera | _____ |
| Councilwoman Christi Fraga | _____ |
| Councilwoman Claudia Mariaca | _____ |

PASSED AND ADOPTED on FIRST READING this 22 day of August, 2018.

PASSED AND ADOPTED on SECOND READING this ___ day of _____, 2018.

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

CODING: Words in ~~struck through~~ type are deletions from existing law;
Words in underscoring type are additions.