

ORDINANCE No. 2016-05

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE CITY OF DORAL LAND DEVELOPMENT CODE CREATIVE EXCELLENCE AND LOW IMPACT DEVELOPMENT STANDARDS; PROVIDING FOR ADDITIONAL REVIEW CRITERIA TO FURTHER THE CITY'S CREATIVE EXCELLENCE DENSITY AND HEIGHT BONUSES IN THE COMPREHENSIVE PLAN IN AN ENVIRONMENTALLY AND COST-EFFECTIVE MANNER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral has identified the need to strengthen its Land Development Code with respect to the evaluation of "creative excellence" pursuant to Section 86-83 for development projects seeking the density and height bonuses contained in the Downtown Mixed Use (DMU) and Community Mixed Use (CMU) land use categories in the adopted Comprehensive Plan; and

WHEREAS, pursuant to the Local Government Comprehensive Planning Act in accordance with all of its terms and provisions, the City has reviewed the additional Code review criteria and standards proposed; 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 to consider the proposed amendment to Section 86-83 of the City's Code; and

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

WHEREAS, on May 18, 2016, the City Council conducted a duly advertised public hearing on the amendment to the City's Land Development Code and considered all

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evidence and comments received concerning the proposed amendment as required by State law and local ordinances; and

WHEREAS, the City Council has reviewed the City staff's report, incorporated herein, which contains information supporting the amendment to the City's Land Development Code; and

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

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

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

Section 2. Decision. Section 86-83 of the City of Doral Land Development Code is hereby amended as provided below. *[Text underlined is proposed to be added; text stricken-through deleted.]*

* * *

Sec. 86-83. Creative excellence standards

In order for development proposals to obtain the aforementioned density and height bonuses, the project must exhibit and comply with the ~~following~~ standards below, which shall be demonstrated by the applicant at the time of ~~rezoning or~~ initial site plan approval and approval of any major site plan modification pursuant to the applicable provisions of the Land Development Code. In the case of major modifications, the creative excellence standards will only apply to the project areas subject to modification.

(1) *Urbanism.*

a. The project shall contribute to creating a neighborhood that is diverse, compact and pedestrian friendly.

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b. The project shall create opportunities for daily living activities within walking distance.

c. The project shall include a civic and/or cultural component reinforcing the community identity.

d. Within one-quarter (¼) mile of major intersections (section line and half section line roads), buildings six (6) stories or higher are strongly encouraged, but not required, to preserve as much of the site as possible for ground level spaces and activities, such as improved plazas, active and passive recreation, shaded walkways and sitting areas, bike paths, and community agriculture.

(2) *Design excellence.*

a. Design and material must be selected that fit with South Florida's natural and urban environment ~~climate~~. Building architecture shall be creative and distinctive with site development incorporating sustainable design concepts. Buildings fronting on public streets shall have an inviting frontage conducive to pedestrian interaction and activities with no expanse of solid wall surface greater than sixteen (16) feet in length unbroken by a functional window or doorway or other appropriate design feature such as a green wall and wall artwork.

b. Materials must contribute to the longevity of the project.

c. The project shall contribute to the encouragement of public arts in a substantial ~~some~~ manner by fully complying with the City's Public Arts Program.

d. The project must demonstrate innovation with respects to architecture, green design, landscaping and urban form. All buildings shall be designed and constructed to the meet, at a minimum, Florida Green Building Coalition (FGBC) Silver, Green Globe 'One Globe' Silver, Leadership in Energy and Environmental Design (LEED) Silver, or an equivalent standard of another recognized green building rating certification approved by the Building Official. Owner will install well-designed landscaping in rights-of-way and easements abutting all internal and adjacent public streets (exclusive of medians) to the project, at no cost to the City. The landscaping plan for these areas must be approved by

the public agency with ownership of the subject right-of-way or control of the easement use.

e. Project shall contain recreation, health and fitness (RHF) areas equal in size to at least fifty percent (50%) of the City's park acreage level-of-service standard, and a minimum of one-half (½) of this area must be located outside. The outside RHF area is over and above the minimum open space requirement contained in the City Code for the applicable zoning district. RHF features may include, but are not limited to, walkways, bike paths, community gardens, passive recreation, swimming pools, plazas, and fitness courses and centers.

f. If a project contains retail uses, they are encouraged to be located on, and serve to activate, the street frontage.

g. Projects shall utilize Low Impact Development design principles and standards in compliance with City Code Section 74-881.

(3) *Scale, connections and context.*

a. The project must integrate into the existing neighborhood by providing vehicular, bicycle and pedestrian connections. At no cost to the City, dedicate rights-of-way and/or grant easements, and construct bicycle and/or pedestrian facilities contained in approved City plans to be located within or abutting the project.

b. The project must incorporate opportunities for public transportation enhancement and connections. At no cost to the City or Miami-Dade County, grant easements and dedicate right-of-ways, as necessary, and/or construct a spacious, lighted, weather-resistant and attractive transit and/or trolley shelter at or near the subject project, if requested by Miami-Dade Transit or the City of Doral, and provided site conditions allow for proper shelter placement.

c. The overall scale of the development shall be consistent with the existing land use patterns or future land uses for the neighborhood.

d. To the greatest extent possible, the project shall connect to the existing ecology, and provide for logical interconnections.

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e. Any roadway, transit, and/or beautification rights-of-way or easements to be dedicated or granted shall be without cost to the City.

* * *

Section 3. Conflicts. All Sections or parts of Sections of the Code or Ordinances, all Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. Severability. 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 5. Authorization. The Director of Planning and Zoning is further authorized to make the necessary changes as required to the Land Development Code to reflect the above stated change.

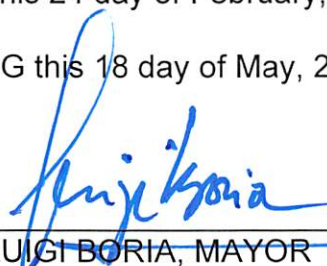
Section 6. Effective Date. This Ordinance shall be effective upon adoption.

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

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

PASSED AND ADOPTED on FIRST READING this 24 day of February, 2016.

PASSED AND ADOPTED on SECOND READING this 18 day of May, 2016.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CMC
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