

ORDINANCE No. 2024-06

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING SECTION 53-184(e), “ZONING WORKSHOP,” OF CHAPTER 53, “ADMINISTRATION,” OF THE CITY OF DORAL LAND DEVELOPMENT CODE PROVIDING FOR A REVISED TIME FRAME WITHIN WHICH ZONING WORKSHOPS CAN BE SCHEDULED; 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 (“City”) adopted its Land Development Code (“LDC”), providing for land development regulations, and procedures for the acceptance, review, processing, and approval of development activity within the City; and

WHEREAS, in 2015 the City adopted Ordinance No. 2015-40, establishing site plan review and approval procedures; and

WHEREAS, in 2016 the City adopted Ordinance No. 2016-16, which established the requirement that certain categories of zoning applications be presented at a zoning workshop prior to the first City Council or local planning agency (“LPA”) meeting at which the application will be heard (“Zoning Workshop”); and

WHEREAS, in 2018, the City adopted Ordinance No. 2018-16, to require that courtesy notices be mailed to property owners within a 500-foot radius of the property that is the subject of a Zoning Workshop; and

WHEREAS, the purpose of the Zoning Workshop requirement is 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 their

designee; and

WHEREAS, Zoning Workshops also serve to increase 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, currently, the only requirement as to the timing for the scheduling of a Zoning Workshop is that it occur after the applicant completes a pre-application conference, but no fewer than 30 days before the publication of the advertisement for the first City Council or LPA meeting at which the application will be heard; and

WHEREAS, to ensure that applications are sufficiently vetted and reviewed by the Planning and Zoning Department, as well as by the City Attorney's Office, prior to being presented to the public at a Zoning Workshop, it is recommended that Section 53-184(e) of the City's LDC be amended to provide that a Zoning Workshop shall not be held unless and until, in the opinion of the Planning and Zoning Director, staff's technical review is at least 75% complete, and the City Attorney has reviewed the department's comments; and

WHEREAS, on January 10, 2024, the LPA public hearing was duly advertised in the Miami Herald a local newspaper of general circulation in the City of Doral and Miami-Dade County, and of general interest and readership in the community; and

WHEREAS, on January 24, 2024, the City Council of the City at a properly advertised hearing (First Reading) received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances, including the analysis prepared by the City's Planning and

Zoning Department, contained in the staff report dated January 24, 2024; and

WHEREAS, on March 20, 2024, the City Council of the City at a properly advertised hearing (Second Reading) received testimony and evidence related to the proposed text amendment to the City’s Land Development Code as required by state law and local ordinances, including the analysis prepared by the City’s Planning and Zoning Department, contained in the staff report dated January 24, 2024; and

WHEREAS, the Mayor and City Council find that the adoption of the text amendment to the City’s Land Development Code is in the best interest of the health, safety and welfare of the residents and citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL:

Section 1. **Recitals.** The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance upon adoption hereof.

Section 2. **Amending Code.** Chapter 53, Article III, Division 2 of the Code of Ordinances of the City of Doral is hereby amended to read as follows:

Chapter 53 – ADMINISTRATION

* * *

ARTICLE III – DEVELOPMENT PROCEDURES

* * *

DIVISION 2. – DEVELOPMENT ORDER AND DEVELOPMENT PERMIT

* * *

Sec. 53-184(e) – Zoning Workshop

* * *

(e) Zoning workshop.

(1) Applicability. Pursuant to subsection (b), a pre-application conference with the City planning and zoning staff shall be held prior to an application being presented at a zoning workshop. A zoning workshop shall not be held unless and until, in the opinion of the planning director, staff's technical review is at least 75% complete, and the City Attorney has reviewed the application and the department's comments. A zoning workshop shall be held no fewer than 30 days prior to the publication of the advertisement for the first city council or local planning agency meeting at which the application will be heard. A zoning workshop shall be required for the following types of applications:

- a. Rezoning;
- b. Site plan approval;
- c. Major modifications of previously approved site plans;
- d. Variances;
- e. Special exceptions; and
- f. Any application deemed necessary by the city manager or his or her designee.

* * *

Section 3. Repealer. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 4. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. Incorporation Into the Code. It is the intention of the Mayor and the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and

that the word "Ordinance" shall be changed to "Section" or other appropriate word, as required.

Section 6. Effective Date. This Ordinance will become effective ten (10) days after adoption at second reading.

The foregoing Ordinance was offered by Councilmember Cabral who moved its adoption.

The motion was seconded by Councilmember Porras upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED on FIRST READING this 24 day of January, 2024.

PASSED AND ADOPTED on SECOND READING this 20 day of March, 2024.

CHRISTI FRAGA, MAYOR

ATTEST:

CONNIE DIAZ, MMC
CITY CLERK

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

GREENSPOON MARDER, LLP
INTERIM CITY ATTORNEY

CODING: Additions to existing text are shown by underline, changes to existing text on second reading are shown by double underline, and deletions are shown as ~~strikethrough~~.