

**ORDINANCE 2012-05**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY OF DORAL COMPREHENSIVE PLAN; BY AMENDING POLICY 1.1.1 TO PERMIT INCREASED MAXIMUM BUILDING HEIGHT FOR DMU(DOWNTOWN MIXED USE) FUTURE LAND USE CATEGORY FOR PROJECTS DEEMED BY THE CITY TO BE OF EXTRAORDINARY QUALITY AND DESIGN EXCEEDING THE CITY'S DESIGN CRITERIA FOR DMU ;AND AUTHORIZING THE TRANSMITTAL TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY OF THE PROPOSED AMENDMENT TO THE CITY OF DORAL'S COMPREHENSIVE DEVELOPMENT MASTER PLAN PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Doral, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions desires to amend its Comprehensive Plan to encourage projects of extraordinary quality and design; and

**WHEREAS**, in order to encourage such project, the City Council of the City of Doral finds it in the best interests of its citizens to amend policy # 1.1.1 to permit increase maximum building height for downtown mixed use for extraordinary projects.

**WHEREAS**, the proposed text amendment was approved on first reading by the City Council on September 26, 2007, and

**WHEREAS**, the proposed amendment was transmitted to the Florida Department of Community Affairs for review; and

**WHEREAS**, the proposed amendment was not processed by the Florida Department of Community Affairs because the City's Comprehensive Development plan was not effective due to a consistency challenge; and

**WHEREAS**, as a result of the City's Adopted Comprehensive Development Master Plan taking effect and changes to Section 163, F.S., affecting the adoption process of comprehensive plan amendment, this application is being reintroduced; 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 Hearing No. 12-01-DOR-04 to amend the Comprehensive Development Master Plan; and

**WHEREAS**, the City Council of the City of Doral has conducted duly advertised public hearings upon the future land use proposed by Hearing No.12-01-DOR-04 and has considered all comments received concerning the proposed amendment to the Plan as required by state law and local ordinances; and

**WHEREAS**, the City Council has reviewed City staff's proposal, incorporated herein, which contains data involving and analysis supporting the future land use change; and

**WHEREAS**, the City Council finds that the proposed amendments are consistent with the City's Comprehensive Development Master Plan and supported by staff and the LPA, therefore

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

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirm as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

**Section 2.** The future land use element of the City of Doral comprehensive plan police #1.1.1 is hereby amended as follows:

*Downtown Mixed Use (DMU)* – This land use category is limited only to parcels 15 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 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 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.** Severability. That if any section, subsection, sentence, clause, phrase, word 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.** Repeal of Conflicting Provisions. That all ordinances or parts of ordinances or resolutions of the County Code made inconsistent or in conflict herewith shall be and they are hereby repealed in their entirety as there is conflict or inconsistency.

**Section 5.** Inclusion in Code. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Doral Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section " or other appropriate word.

Section 6.      Effective Date. This Ordinance shall become effective as governed by law.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Michael DiPietro	Yes
Councilman Peter Cabrera	Yes
Councilman Luigi Boria	Yes
Councilwoman Ana-Maria Rodriguez	Yes

PASSED AND ADOPTED on first reading this 25 day of January, 2012.

PASSED AND ADOPTED on second reading this 27 day of June, 2012.

  
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Juan Carlos Bermudez, Mayor

ATTEST:

  
\_\_\_\_\_  
Barbara Herrera, City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
Jimmy Morales, City Attorney