

ORDINANCE NO. 2013-31

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 2.1.1 TO PROVIDE FOR A RESTRICTION OF RESIDENTIAL DWELLING UNITS WITHIN 500 FEET OF THE MIAMI-DADE RESOURCE RECOVERY FACILITY WHICH ARE LOCATED IN THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT FUTURE LAND USE DESIGNATION; 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 provide for adequate and consistent buffers from the Miami-Dade Resource Recovery Facility 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 2.1.1 to provide for a restriction of residential dwelling units within 500 feet of the Miami-Dade Resource Recovery Facility and;

WHEREAS, the proposed text amendment was approved on first reading by the City Council on September 25, 2013, and

WHEREAS, the proposed amendment was transmitted to the Florida Department of Community Affairs for review; 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. 13-09-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. 13-09-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. Recitals. The above recitals are true, correct, and incorporated herein by this reference.

Section 2. Approval. The future land use element of the City of Doral comprehensive plan policy 2.1.1 is hereby amended as follows:

Traditional Neighborhood Development (TND) - The TND concept incorporates a broad mixture of uses, unique design, hierarchy of streets, and focus on pedestrian activity, low scale community support activities, and use of community buildings and open spaces as the focal point of the neighborhood. TND areas mandate the vertical and horizontal integration of uses such as residential, business, office, civic, public facilities, education and childcare, artisan and home occupations. Residential density cannot

exceed 18 dwelling units per gross residential acre and all types of housing are allowed, including detached single-family units. Building height is limited to no more than eight (8) stories. The floor area ratio shall not exceed 4.0. A conceptual master development plan is required for zoning approval. No residential dwelling units shall be permitted within 500 feet of the Miami-Dade Resource Recovery Facility. The use mix for the entire TND category is anticipated to be within the following range: residential 51 % - 90%, office 5% - 40%, and retail/services 1% - 20%.

Section 3. 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 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 Councilmember Ruiz who moved its adoption. The motion was seconded by Councilmember Rodriguez Aguilera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Ana-Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED on first reading this 25 day of September, 2013.

PASSED AND ADOPTED on second reading this 27 day of November, 2013.



LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

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



JOHN R. HERIN, JR., CITY ATTORNEY