

**ORDINANCE No. 2021-27**

**AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A TEXT AMENDMENT TO THE CITY'S LAND DEVELOPMENT CODE, BY AMENDING CHAPTER 68 "LAND USES AND ZONING DISTRICTS," ARTICLE V, "MIXED USE DISTRICTS," DIVISION 3, "DOWNTOWN MIXED USE DISTRICT," DIVISION 4, "COMMUNITY MIXED USE DISTRICT," AND DIVISION 5, "PLANNED UNIT DEVELOPMENT," AMENDING DMU, CMU, AND PUD DISTRICT REGULATIONS; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral Comprehensive Plan and Land Development Regulations are intended to maintain public health, safety, and welfare of the citizens of Doral and to strengthen our local government capability to manage land use and development; and

**WHEREAS**, the City's Land Development Regulations currently provide for Planned Unit Developments (PUD) which are intended to promote the planned development of large projects, by allowing greater design flexibility, fostering creativity and innovation in land development, reducing the costs through a more efficient use of land, and providing the City Council a greater opportunity to be involved in the site development stages of development; and

**WHEREAS**, subsequent to the effective date of the City's Land Development Code and PUD regulations, it has been determined that amendments are warranted in order to maintain the public health, safety and welfare of the citizens of Doral; and

**WHEREAS**, on July 22, 2020, the Mayor and City Council adopted Ordinance No. 2020-02 establishing a one-year moratorium to allow staff time to review, study and prepare and adopt an amendment or amendments to the City of Doral Comprehensive Plan and/or Land Development Code; and

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**WHEREAS**, on June 23, 2021, the Mayor and City Council adopted Emergency Ordinance No. 2021-24, extending the moratorium for an additional sixty (60) days after the initial expiration date of July 22, 2021, as established by Ordinance No. 2020-02; and

**WHEREAS**, on August 25, 2021, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing 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; and

**WHEREAS**, on August 25, 2021, the City Council of the City of Doral 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; and

**WHEREAS**, on September 22, 2021, the City Council of the City of Doral 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; and

**WHEREAS**, the Mayor and City Council finds 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 of Doral.

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

**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. Code Amended.** The City Council of the City of Doral hereby approve/deny the text amendment to Chapter 68, “Land Uses and Zoning Districts,” Article V, “Mixed Use Districts,” Division 3, “Downtown Mixed Use District,” Division 4, “Community Mixed Use District,” and Division 5, “Planned Unit Developments (PUD),” amending DMU, CMU and PUD zoning district regulations. The Land Development Code of the City of Doral, Florida is hereby amended to read as follows:

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## **CHAPTER 68 – LAND USES AND ZONING DISTRICTS**

### **ARTICLE V. - MIXED USE DISTRICTS**

#### **DIVISION 3. - DOWNTOWN MIXED USE DISTRICT**

##### **Sec. 68-554. - Intent and purpose.**

The intent of the Downtown Mixed Use (DMU) District is to provide for the horizontal and vertical integration of urban-oriented uses in the city center. Reserved.

The purpose of this district is to promote the planned development of large mixed use projects in Downtown Doral, by allowing greater freedom of design, improving the opportunity for flexibility, creativity and innovation in land development, limiting the expenditure of public funds, and achieving the intent of land use regulations, in exchange for the provision by the developer of substantial community benefits beyond increased tax base and employment.

##### **Sec. 68-555. - Permitted and prohibited uses.**

(1) (a) *Permitted.* This district allows business/retail, office and residential uses. A mix of uses is permitted and required for every DMU site. Hotel and hospitality uses are allowed as part of the commercial mix, which shall include a combination of at least two (2) of the following uses: (i) business/retail; (ii) office, and (iii) residential. The development plans (Site Plan) and community connectivity plans for DMU sites shall identify strategic locations where vertical mixed use shall occur to facilitate multimodal options. At these locations, retail/service businesses are encouraged to be located on the ground floor with office/residential uses above. This shall not preclude horizontal mixed use where the Site Plan and community connectivity plans demonstrate that the functional arrangement of such uses achieves the purpose of this district. Parks, public facilities and recreational facilities are also permitted in this district.

~~Downtown mixed use district is intended to permit a combination of uses within one development with proportionate use mix as required in the underlying future land use~~

~~category. Such uses are permitted only if they are allowed by the city's comprehensive plan and further provided that the combination of uses shall be subject to strict site plan approval review for compatibility of uses.~~

- ~~(2) (b) Prohibited. In no instance shall~~ The following commercial uses are not be permitted in the downtown mixed use district:
- ~~(a) (1) Big box retail stores.~~
  - ~~(b) (2) Industrial uses.~~
  - ~~(c) (3) Adult entertainment uses.~~
  - ~~(d) (4) Boat sales.~~
  - ~~(e) (5) Fortunetellers, astrologers, and palm readers.~~
  - ~~(f) (6) Funeral homes.~~
  - ~~(g) (7) Greenhouses and nurseries (wholesale).~~
  - ~~(h) (8) Laundry and dry cleaning plants.~~
  - ~~(i) (9) Motor vehicle repair facilities.~~
  - ~~(j) (10) Motor vehicle service centers.~~
  - ~~(k) (11) Pawnshops.~~
  - ~~(l) (12) Tattoo parlors.~~
  - ~~(m) (13) Veterinary clinics.~~

**Sec. 68-556. – Density, Floor Area Ratio, Open Space and Height.**

(1) Density. Density in this district is limited to no more than 25 units per gross acre. Additional density up to 35 units per gross acre may be granted for projects that exhibit creative excellence in exceeding the minimum standards contained in Section 86-83 of City Code. In addition, a workforce housing density bonus of up to 30% of total units may be granted for the provision of at least two-thirds (2/3) of the bonus units as workforce housing in compliance with Miami-Dade County Code Chapter 17, Article IX.

(2) Floor Area Ratio (FAR). FAR shall be limited to 0.5 for the first floor and 0.25 for each additional floor, exclusive of structured parking.

(3) Open Space. Landscaped open space must comprise a minimum of 10% of the project site.

(4) Height. Maximum building height is eight (8) stories. Additional height greater than eight (8) stories may be granted for projects that exhibit creative excellence in exceeding the minimum standards contained in Section 86-83 of City Code.

~~Development shall not exceed the maximum permitted gross density, intensity and open space requirements determined by the underlying land use as shown in the adopted future land use map. Gross acreage shall consist of the entire site including internal roads, internal water bodies, and environmentally protected areas.~~

**Sec. 68-557. - Standards.**

All developments in the downtown mixed use zoning district shall develop as a planned unit development (PUD) with the following standards:

- (1) Location and minimum site area. . In order for a parcel to be rezoned to DMU, it must be designated in the Downtown Mixed Use land use category. The minimum site area is ten (10) acres of contiguous land area, except parcels adjacent to an existing DMU parcel and located south of NW 58th Street, east of NW 87th Avenue, north of NW 33rd Street, and west of NW 79th Avenue may contain a minimum site area of five (5) acres.

~~less than ten acres but not less than five acres unless otherwise provided herein. A parcel with an area less than five acres of contiguous land and located adjacent to an existing DMU parcel and within the geographic area delineated by streets above may be designated DMU by approval of the city council, provided that the requirements of section 68-708 of the Code are met, including, but not limited to, the establishment of a master development agreement. The development program of the contiguous property seeking the DMU designation must be compatible and consistent with the development program of the existing, adjacent DMU property and with the standards of the Code. The owner of such a contiguous property so designated DMU may either (1) enter into a master development agreement with the city or (2) join the master development agreement the adjoining DMU to reflect the inclusion of such contiguous property as a DMU. In circumstances where the contiguous property chooses to join the master development agreement of the adjoining DMU, then the acquiescence of the contiguous property owner and approval by the city council shall be required. The approved DMU shall provide a master development agreement consistent with section 68-708 of the Land Development Code. One or more non-contiguous areas of any size may be included within, or subsequently added to, a DMU development, provided that:~~

- ~~a. Each such non-contiguous area is located not more than 1,500 feet from the largest of the areas included in such DMU, as measured by a straight line between the external boundaries of the two areas at the points that such external boundaries are at their closest proximity;~~
- ~~b. Each such non-contiguous area is designated downtown mixed use opportunity area on the city's future land use map;~~
- ~~c. The total contiguous area of such DMU exceeds 50 acres;~~
- ~~d. The addition of a non-contiguous area to an existing DMU shall require the consent of the developer or its successor in interest of such DMU; and~~
- ~~e. If a non-contiguous area is added to an existing DMU, the owner of the non-contiguous area shall join in the master development agreement applicable to the DMU to reflect the inclusion of such non-contiguous area in such DMU and with such other modifications as are agreed to by the parties to such agreement.~~

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- (2) Perimeter development requirements. Existing residential development along the perimeter of the DMU development shall be protected by setbacks, landscape buffers, landscaped walls and other techniques provided for in chapter 71 (Landscaping and Buffers) of City Code.

~~The perimeter development requirements shall be in accordance with section 68-665 in planned unit developments (PUD).~~

- (3) Internal development requirements. The internal development requirements for DMU developments are as follows:

(a) Minimum lot size shall be consistent with the lot size requirements for the building type proposed based on zoning regulations for similar building types in the City Code. The lot size to be used in a proposed DMU development will be determined by the planning and zoning director.

(b) The minimum distance between on-site structures shall be in compliance with the standards of the Miami-Dade County Fire Department.

(c) Minimum building setbacks shall be in compliance with the setback standards for the zone(s) in the City Code permitting similar building types. The setbacks to be used in a proposed DMU development will be determined by the planning and zoning director.

~~Internal development requirements shall be in accordance with section 68-666 in planned unit developments (PUD).~~

- (4) Off-street parking. Parking for DMU projects must be in compliance with Chapter 77, Division 2, of the City Code, except in the special circumstances provided herein. With the intent to promote the use of multimodal transportation and the reduction of automobile traffic, and recognizing that developments in the DMU with more than 1,500 residential dwelling units and over 500,000 square feet of commercial/office space will encourage visitors to park once and visit multiple destination in a single project, the off-street parking requirements for projects in the DMU with more than 1,500 residential dwelling units and more than 500,000 square feet of commercial/office space shall be as follows:

- a. For residential uses, one space per dwelling unit;
- b. For live/work uses, one space per 1,000 square feet of net floor area;
- c. For hotel or motel uses, one space per three lodging units;
- d. For theaters, one space per eight fixed seats;
- e. For all other uses, one space per 500 square feet of net floor area.

f. Section 77-140 (C) entitled "Adjustments to requirements" that allows for reductions for mixed or joint use of spaces shall be limited to only DMU projects which meet the special circumstances delineated in this section Sec. 68-557 (4) above. DMU projects that do not satisfy the criteria in this subsection shall not be permitted reductions for mixed or joint used of spaces.

~~Off-street parking shall be in accordance with section 68-667 in planned unit developments (PUD), except as differed herein.~~

- (5) Landscaping and buffering. The landscaping shall meet all requirements of chapter 71 (Landscaping and Buffers) of the Land Development Code. A landscape buffer strip at least ten (10) feet in width is required along the frontage with all public streets. This buffer shall contain landscaping only; parking spaces, signage, above ground utilities and other structures are not allowed.

~~Landscaping and buffering shall be in accordance with section 68-668 in planned unit developments (PUD).~~

- (6) Underground utilities. To the maximum extent possible, all on-site utilities shall be installed underground. Existing overhead power lines shall be underground. The developer shall provide adequate landscaping to screen all above ground facilities which are not possible to place underground.

~~Underground utilities shall be in accordance with section 68-669 in planned unit developments (PUD).~~

- (7) Connectivity and Walkability

(a) Every residential unit or permitted use shall have direct access to a public street via private road, common easement or other area dedicated or reserved for public use.

(b) To provide for interconnectivity between developments, the DMU development must provide logical connections to surrounding properties. If the surrounding properties are vacant, then the project shall contain viable road and/or pedestrian stub-outs to the neighboring residential and/or commercial properties in anticipation of future development.

(c) Each DMU Site Plan must incorporate the applicable connectivity and walkability standards contained in the "FDOT Context Classification Guide", dated July 2020, as amended.

~~Accessibility shall be in accordance with section 68-670 in planned unit developments(PUD).~~

- (8) Common space requirements. The minimum open space area required for a DMU development is established in Section 68-556 of this division. No area shall be accepted as common open space unless it satisfies the following standards:

(a) Common open space shall consist entirely of pervious landscaped area and be usable by all residents of the planned development.

(b) Common open space shall be suitably improved for intended use. Such use may include aesthetic, amenity, buffering or recreational purposes, or the preservation of natural resources, natural features or listed species habitats.

(c) Common open space set aside for preservation shall remain undisturbed and be protected by conservation easements.

(d) The location, shape, size and character of common open space shall be depicted on the Site Plan.

(e) Common open space shall not be used for the construction of any structures other than recreational facilities.

(f) Common open space contains a private park equal in size to 25% of the City's parks level-of-service standard as applied to the DMU project, developed with passive and active recreation facilities. Indoor recreation gymnasiums containing exercise equipment and ancillary workout rooms can be counted toward meeting up to 50% of this requirement. This requirement applies only to the residential portions of DMU projects.

~~Common space requirements shall be in accordance with section 68-671 in planned unit developments (PUD).~~

~~(9) *Prohibited signs.* Prohibited signs shall be in accordance with section 80-102.~~

(9) (10) *Transit Improvements. Coordination with county public transit.* The applicant must provide a transit shelter with internal lighting, and/or bus pull-out lane on any public streets fronting the development if the location is recommended by the Miami-Dade County and/or the city transit agencies. The transit shelter design must be approved by the City. Bus benches and signage must also be provided if recommended by the agencies. The developer is responsible for coordinating with the transit agencies to identify and implement recommended transit improvements

~~Coordination with county public transit shall be in accordance with section 68-672 in planned unit developments (PUD).~~

(10) (11) *Coordination with city police department.* The applicant must coordinate with the city police department and implement crime prevention and enhanced safety features within the project. The Site Plan must demonstrate compliance with the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, access control, territorial reinforcement and space management.

~~Coordination with city police department shall be in accordance with section 68-673 in planned unit developments (PUD).~~

(12) *Council input.* The city council shall reserve the right to make a final determination to approve and to modify the urban design guidelines, dimensional requirements, landscaping, landscape buffers, signage and any other site feature applicable at the time of the DMU rezoning. The Site Plan shall be presented during a zoning workshop as part of the rezoning application for the DMU rezoning, pursuant to section 53-184

~~Council input shall be in accordance with section 68-705 in planned unit developments (PUD) and section 53-184, approval of development plans.~~

(13) *Compliance with regulations in effect at the time of development.* Unless otherwise specifically described within the master development agreement, the



Site Plan and development permits, uses and structures within the DMU development shall comply with regulations, ordinances and resolutions in effect at the time of plan approval or permit application. If there are no prevailing regulations, the city manager or his designee shall reserve the right to make final determination on any site design regulation. This provision shall be included in all master development agreements.

~~Compliance with regulations in effect at the time of development shall be in accordance with section 68-706 in planned unit developments (PUD).~~

**Sec. 68-558. Application submittal requirements.**

Upon application for rezoning to the downtown mixed use district, the applicant shall provide the following information, as applicable:

- (1) Recent aerial photograph with project boundaries clearly marked.
- (2) Recent boundary survey with north arrow and scale.
- (3) Full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
- (4) Names and addresses of the owners of the property to be rezoned and evidence of unified control of the property.
- (5) Names and addresses of all property owners within 500 feet of the proposed project boundaries.
- (6) Map indicating the location and dimensions of the following existing features on the property:
  - (a) Vegetation;
  - (b) Land uses;
  - (c) Buildings;
  - (d) Structures;
  - (e) Utilities;
  - (f) Drainageways;
  - (g) Easements;
  - (h) Public street rights-of-way;
  - (i) Railways;
  - (j) Transit facilities;
  - (k) Property lines and recorded plats, and
  - (l) Docks, bulkheads and other water-related structures.
- (7) Statement as to how the proposed project conforms to the city's adopted comprehensive plan.

(8) Scaled and fully-dimensioned set of plans (“Site Plan”) containing the following sheets and information (as applicable):

(a) Property boundary, building locations, parking, driveways, internal roads, drive aisles, landscaped open space, utilities, internal lot lines and size of lots, building setbacks, on-site retention areas, pedestrian walkway system, recreational areas, garbage dumpsters, sidewalks, water features, loading areas, public art location(s), community benefit areas and features, perimeter roads with full right-of-way cross-sections, proposed road improvements, right-of-way dedications proposed, typical size of parking spaces, and area map showing project location.

(b) Zoning legend with proposed zoning district, gross/net site area, number of dwelling units, gross and net density, amount of commercial/industrial square footage, building height in stories and feet, floor area ratio, interior size of dwelling units in square feet, number of bedrooms, lot coverage, setbacks, open space in % of lot and square feet, and parking calculations. Where applicable, show both the required and provided value for the zoning parameters above.

(c) Landscape plan showing location, species, size at installation, quantity, landscaped area in green shading, landscape buffer areas, bufferyard calculations, and planting/maintenance instructions for all landscaping. Landscaping shall meet or exceed the standards set forth in Chapter 71 of the City’s Code.

(d) Floor plans.

(e) Exterior photometric plan.

(f) Color elevations of all buildings visible from public streets.

(g) Signage plan for all stand-alone and building signs showing location, sign face area, height, width, setback from nearest property line and any proposed lighting. Signs in the DMU project shall be in accordance with Chapter 80 of the City’s Code.

(h) Phasing plan with commencement and completion dates for each phase, and final build out date of entire project.

(i) Plan sheet showing with notes and arrows how the project complies with the City’s Low Impact Development requirements.

(j) Plan sheet(s) showing with notes and arrows how the project complies with Chapter 86 (Urban Design and Architectural Standards). This sheet(s) must be specifically approved by the City’s Planning and Zoning Department.

(k) Plan sheet(s) showing with box notes and arrows how the project complies with the CPTED principles of natural surveillance, access control, territorial reinforcement and space management.

(l) Plan sheet(s) showing with box notes and arrows how the project complies with the applicable connectivity and walkability standards contained in the “FDOT Context Classification Guide”, dated July 2020, as amended.

(m) Plan sheet showing the traffic circulation system, including arterial, collector, and local streets; off-street parking areas and facilities; loading areas; and points of access to adjacent public right-of-ways.

(n) Plan sheet showing the pedestrian and bike path circulation system, including trails, and its interrelationship and proposed treatment of points of conflict with the traffic circulation system.

(9) Letter of landscape compliance sealed by a Florida-registered landscape architect certifying that the landscape plan is in compliance with Chapter 71 of the City Code.

(10) Statement describing how the project will comply with the City's Public Arts Program (Chapter 75).

(11) Traffic impact analysis.

(12) Any other information deemed pertinent by the planning and zoning director or city council. The planning and zoning director may waive any of the site plan submittal items or portions of items upon a showing of good cause.

**Sec. 68-559. Community Benefits.**

Each DMU development must commit to provide community benefits beyond increased tax base and employment. The potential community benefits are listed below. A minimum of two (2) benefits must be included in the DMU Site Plan.

(1) Neighborhood or pocket park a minimum of one-half (1/2) acre in size and located adjacent to a public street.

(2) 'LEED Gold ' certification for all buildings or an equivalent certification.

(3) Transit shelter if recommended by the County or City transit agency.

(4) Community garden a minimum of one-half (1/2) in size and located adjacent to a public street.

(5) Public plaza containing at least one (1) civic/cultural feature and comprising a minimum of 25% of the project frontage on the street with a depth of at least 40 feet.

(6) A minimum of 20% of the total dwelling units in the DMU project qualify under the City's standard as "workforce housing."

(7) Any other project feature determined by the City Council to be a community benefit.

All community benefit features approved for a DMU project must be improved and maintained by the property owner in perpetuity.

**Sec. 68-560. Master development agreement.**

Upon application for rezoning to the downtown mixed use district, the applicant shall provide a master development agreement (MDA). The agreement shall contain and address the following information, when applicable:

- (1) Project location, legal description and description summarizing the information contained in section 68-582(8)(a) of this division.
- (2) Zoning specifications contained in section 68-582(8)(b) of this division.
- (3) Detailed description of the community benefit features and public art to be installed and building permit issuance deadline when each one will be in place.
- (4) Description and specifications for any roadway and transit improvements to be built by the developer and building permit issuance deadline when each one will be completed.
- (5) Project phasing with commencement and completion dates for each phase, and final build-out date for entire project. Include statement that any variation from a phasing plan date that exceeds 4 months will require administrative approval by the Planning and Zoning Director.
- (6) Technical statement showing how the City's public facility level-of-service standards are being met and/or exceeded by the project.
- (7) Statement of the manner in which all city and county concurrency requirements are met.
- (8) Reduced copy of Site Plan approved by city council.
- (9) Final page of agreement stating the owner(s) is in agreement with all specifications and requirements contained in the MDA. The owner(s) signature(s) must be notarized.
- (10) Any other information deemed pertinent by the planning and zoning director or city council.

**Section 68-561. Homeowners and condominium association documents.**

The homeowners and/or condominium association documents for the residential portions of the DMU must be submitted with the DMU rezoning application for review by the planning and zoning director and city attorney.

**Sec. 68-562. Progress reports and failure to begin DMU development.**

- (1) The applicant and all successors or assigns in interest shall submit yearly progress reports to the planning and zoning director.
- (2) If no construction has been initiated in the DMU development within 12 months from time of rezoning, the applicant must apply to the planning and zoning director for a time extension. If the director does not find adequate justification for a time extension, the city manager shall bring the matter before city council for either a time extension

of the DMU or termination of the DMU zoning. However, if the applicant does not apply for an extension of time within the 12 month period, the city manager shall bring the matter before city council, which may, after public hearing, declare that the approved Site Plan and master development agreement (MDA) are of no force and effect.

**Sec. 68-563. Preapplication conference.**

Before submitting an application for rezoning to the DMU district, the applicant shall meet with the Planning and Zoning Department to determine the feasibility for the proposed plan and its relationship to the city's adopted comprehensive plan.

**Sec. 68-564. Professional service requirement.**

Any plan or exhibit as part of an application for a DMU development shall certify that the services of two or more of the following professionals were utilized in the design or planning process:

- (1) An urban planner who is a member of the American Institute of Certified Planners;
- (2) A landscape architect registered by the state;
- (3) An architect licensed by the state; and
- (4) A professional civil engineer registered by the state.

**Sec. 68-565. Planning and zoning department review.**

All information required in Section 68-558 for DMU rezoning shall be submitted to the planning and zoning department. Six copies of the Site Plan are required.

**Sec. 68-566. Development review committee.**

All applications shall be reviewed by the development review committee (DRC), and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the development review committee (DRC) shall be transmitted in writing to the applicant no later than three (3) working days after the meeting.

**Sec. 68-567. Resubmittal of the revised Site Plan and master development agreement.**

Resubmittal of the Site Plan and master development agreement reflecting revisions required by development review committee (DRC) comments shall be made within two (2) weeks DRC meeting for expedited processing. The revised Site Plan and master development agreement shall be reviewed by the appropriate DRC members.

**Sec. 68-568. Approval from other jurisdictions.**

Prior to the application being scheduled for the city council, the applicant must submit the Site Plan and master development agreement and obtain approval from the county department of environmental resources management (DERM), county fire rescue, county school board, county public works department, city police department, county transit authority and any other relevant agency as determined by the planning and zoning director.

**Sec. 68-569. City council review.**

- (1) Upon receiving the recommendation of the planning and zoning director, and following a zoning workshop pursuant to section 53-184, the city council shall, at a regularly scheduled public meeting, review said recommendation and either approve, approve subject to conditions, or disapprove the application.
- (2) In the event the rezoning is approved by the city council, the approved master development agreement and Site Plan shall be certified by the city clerk and said certified copy shall be filed as a permanent record.

**Sec. 68-570. Conformance to approved Site Plan and master development agreement.**

(1) No permits shall be issued and no development shall commence unless they are in conformance with approved Site Plan and master development agreement unless a change or deviation is approved.

(2) The planning and zoning director may approve minor changes and deviations from the approved Site Plan which are in compliance with the provisions and intent of this Land Development Code, and which do not depart from the principal concept of the approved Site Plan.

(3) Should the planning and zoning director determine that a requested change or deviation from the approved Site Plan does not comply with the provisions and intent of this Land Development Code, or departs from the principles of the approved Site Plan and the criteria below are met as applicable. All other changes and deviations must be approved by the city council.

1. The change will not reduce the landscaped open space, natural area or parking area; and
2. The change will not increase the density of the Site Plan; and
3. The change will not modify approved uses; and
4. The change will not add commercial or industrial square footage; and
5. The change will not result in any structure, internal street, or parking area being moved by more than five (5) feet in any direction; and
6. The change will not reduce any approved setback; and
7. The change will not result in an increase in the height of any structure; and

8. The change does not result in any significant adverse impacts beyond the site.

**Sec. 68-571. Execution of master development agreement.**

The second reading of the ordinance for rezoning of any land to the downtown mixed use district shall not take place until the developer has provided an executed copy of the master development agreement to the city clerk. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. If there are no additional requirements, corrections or conditions attached by the city council at the second reading, the executed document shall be signed by the city clerk and mayor and forwarded to the county clerk for recording. If there are additional requirements, corrections or conditions attached by the city council at the second reading, the applicant shall revise the agreement and Site Plan, and return the documents to the city clerk within 30 days for execution and recording. The requirement to return the document within 30 days shall be specified by the city council as a condition for approval of the rezoning.

**DIVISION 4. - COMMUNITY MIXED USE DISTRICT**

**Sec. 68-578. Intent and purpose.**

The intent of the community mixed use district (CMU) is to provide a flexible, multi-use zoning palette for high intensity, urban activity nodes north, south and west of Doral's downtown, and at other special locations such as the gateways to the City. Reserved.

The purpose of this district is to promote the planned development of large mixed use projects which support and compliment downtown development, by allowing greater freedom of design, improving the opportunity for flexibility, creativity and innovation in land development, limiting the expenditure of public funds, and achieving the intent of land use regulations, in exchange for the provision by the developer of substantial community benefits beyond increased tax base and employment.

**Sec. 68-579. Mixed uses permitted and prohibited uses.**

(1) Permitted Uses. The community mixed use district is intended to permit a combination of uses within one development with a proportionate use mix as required in the underlying Community Mixed Use future land use category. This district allows retail, service, office and residential uses. A mix of commercial and residential uses are required on CMU sites. Single use parcels within a CMU project are permitted provided no building is greater than 330 feet from another building containing a different single use type or mixed use, and located on the same side of the street. Parks, public facilities and recreational facilities are also permitted. Such uses are permitted only if they are allowed by the city's comprehensive plan and further provided that the combination of uses shall be subject to strict site plan approval review for compatibility of uses.

(2) Prohibited Uses. In no instance shall The following commercial uses are not be permitted in the community mixed use district:

CODING                      Words in underscored type are additions  
                                      Words in ~~strikethrough~~ type are deletions

- (a) ~~(1)~~ Industrial uses.
- (b) ~~(2)~~ Adult entertainment uses.
- (c) ~~(3)~~ Boat sales.
- (d) ~~(4)~~ Fortunetellers, astrologers, and palm readers.
- (e) ~~(5)~~ Funeral homes.
- (f) ~~(6)~~ Greenhouses and nurseries (wholesale).
- (g) ~~(7)~~ Laundry and dry cleaning plants.
- (h) ~~(8)~~ Motor vehicle repair facilities.
- (i) ~~(9)~~ Motor vehicle service centers.
- (j) ~~(10)~~ Pawnshops.
- (k) ~~(11)~~ Tattoo parlors.
- (l) ~~(12)~~ Veterinary clinics.

**Sec. 68-580. Density, Floor Area Ratio, Open Space and Height.**

(1) Density. Density in this district is limited to no more than 19 units per gross acre. Additional density up to 25 units per gross acre may be granted for projects that exhibit creative excellence in exceeding the minimum standards contained in Section 86-83 of City Code. In addition, a workforce housing density bonus of up to 30% of total units may be granted for the provision of at least two-thirds (2/3) of the bonus units as workforce housing in compliance with Miami-Dade County Code Chapter 17, Article IX.

(2) Floor Area Ratio (FAR). FAR shall be limited to 0.5 for the first floor and 0.25 for each additional floor, exclusive of structured parking.

(3) Open Space. Landscaped open space must comprise a minimum of 15% of the project site.

(4) Height. Maximum building height is eight (8) stories. Additional height up to ten (10) stories may be granted for projects that exhibit creative excellence in exceeding the minimum standards contained in Section 86-83 of City Code.

~~Development shall not exceed the maximum permitted gross density, intensity and open space requirements determined by the underlying land use as shown in the adopted future land use map. Gross acreage shall consist of the entire site including internal roads, internal water bodies, and environmentally protected areas.~~

**Sec. 68-581. - Standards.**

All developments in the community mixed use zoning district shall develop as a ~~planned unit development (PUD)~~ with the following standards:

- (1) Location and minimum site area. In order for a parcel to be rezoned to CMU, it must be designated in the Community Mixed Use land use category. The minimum site area ~~for all other mix of uses~~ is ten (10) acres of contiguous land



area, except for parcels with frontage on Doral Boulevard which can be seven (7) acres or greater in size.

- (2) Perimeter development requirements. Existing residential development along the perimeter of the CMU development shall be protected by setbacks, landscape buffers, landscaped walls and other techniques provided for in chapter 71 (Landscaping and Buffers) of City Code.

~~The perimeter development requirements shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

- (3) Internal development requirements. The internal development requirements for CMU developments are as follows:

(a) Minimum lot size shall be consistent with the lot size requirements for the building type proposed based on zoning regulations for similar building types in the City Code. The lot size to be used in a proposed CMU development will be determined by the planning and zoning director.

(b) The minimum distance between on-site structures shall be in compliance with the standards of the Miami-Dade County Fire Department.

(c) Minimum building setbacks shall be in compliance with the setback standards for the zone(s) in the City Code permitting similar building types. The setbacks to be used in a proposed CMU development will be determined by the planning and zoning director.

~~Internal development requirements shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

- (4) Off-street parking. Parking for CMU projects must be in compliance with Chapter 77, Division 2, of the City Code. In addition, parking facilities must adhere to the following guidelines:

(a) Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets.

(b) The interior of all parking lots shall be landscaped to provide shade and visual relief.

(c) Parking lot layout shall provide for safe and efficient pedestrian circulation and depict pedestrian crosswalks where necessary and appropriate.

(d) Bicycle parking spaces must be provided evenly throughout the site and meet minimum requirements pursuant to the Land Development Code.

(e) Section 77-140 (C) entitled "Adjustments to requirements" that allows for reductions for mixed or joint use of spaces shall not apply to CMU projects.

~~Off-street parking shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

- (5) Landscaping and buffering. The landscaping shall meet all requirements of chapter 71 (Landscaping and Buffers) of the Land Development Code. A landscape buffer strip at least 15 feet in width is required along the frontage with

all public streets. This buffer shall contain landscaping only; parking spaces, signage, above ground utilities and other structures are not allowed.

~~Landscaping and buffering shall be in accordance with section 68-668 in planned unit developments (PUD).~~

- (6) Underground utilities. To the maximum extent possible, all on-site utilities shall be installed underground. Existing overhead power lines shall be underground. The developer shall provide adequate landscaping to screen all above ground facilities which are not possible to place underground.

~~Underground utilities shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

- (7) Connectivity and Walkability.

(a) Every residential unit or permitted use shall have direct access to a public street via private road, common easement or other area dedicated or reserved for public use.

(b) To provide for interconnectivity between developments, the CMU development must provide logical connections to surrounding properties. If the surrounding properties are vacant, then the project shall contain viable road and/or pedestrian stub-outs to the neighboring residential and/or commercial properties in anticipation of future development.

(c) Each CMU Site Plan must incorporate the applicable connectivity and walkability standards contained in the "FDOT Context Classification Guide", dated July 2020, as amended.

~~Accessibility shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

- (8) Common space requirements. The minimum open space area required for a CMU development is established in Section 68-580 of this division. No area shall be accepted as common open space unless it satisfies the following standards:

(a) Common open space shall consist entirely of pervious landscaped area and be usable by all residents of the planned development.

(b) Common open space shall be suitably improved for intended use. Such use may include aesthetic, amenity, buffering or recreational purposes, or the preservation of natural resources, natural features or listed species habitats.

(c) Common open space set aside for preservation shall remain undisturbed and be protected by conservation easements.

(d) The location, shape, size and character of common open space shall be depicted on the Site Plan.

(e) Common open space shall not be used for the construction of any structures other than recreational facilities.

(f) Common open space must contain a private park equal in size to 50% of the City's parks level-of-service standard as applied to the CMU project, developed

with passive and active recreation facilities. Indoor recreation gymnasiums containing exercise equipment and ancillary workout rooms can be counted toward meeting up to 50% of this requirement. This requirement applies only to the residential portions of CMU projects.

~~Common space requirements shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

~~(9) *Prohibited signs.* Prohibited signs shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

(9) (10) *Transit Improvements Coordination with county public transit.* The applicant must provide a transit shelter with internal lighting, and/or bus pull-out lane on any public streets fronting the development if the shelter location and/or lane is recommended by the Miami-Dade County and/or the City transit agencies. The transit shelter design must be approved by the City. Bus benches and signage must also be provided if recommended by the agencies. The developer is responsible for coordinating with the transit agencies to identify and implement recommended transit improvements.

~~Coordination with county public transit shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

(10) (11) *Coordination with city police department.* The applicant must coordinate with the city police department and implement crime prevention and enhanced safety features within the project. The Site Plan must demonstrate compliance with the Crime Prevention Through Environmental Design (CPTED) principles of natural surveillance, access control, territorial reinforcement and space management.

~~Coordination with city police department shall be in accordance division 5 of this article in planned unit developments (PUD).~~

(12) *Council input.* The city council shall reserve the right to make a final determination to approve and to modify the urban design guidelines, dimensional requirements, landscaping, landscape buffers, signage and any other site feature applicable at the time of the CMU rezoning. The Site Plan shall be presented during a zoning workshop as part of the rezoning application for the CMU rezoning, pursuant to section 53-184.

~~Council input shall be in accordance with division 5 of this article in planned unit developments (PUD) and section 53-184, approval of development plans.~~

(13) *Compliance with regulations in effect at the time of development.* Unless otherwise specifically described within the master development agreement, the Site Plan and development permits, uses and structures within the CMU development shall comply with regulations, ordinances and resolutions in effect at the time of plan approval or permit application. If there are no prevailing regulations, the city manager or his designee shall reserve the right to make final determination on any site design regulation. This provision shall be included in all master development agreements.

~~Compliance with regulations in effect at the time of development shall be in accordance with division 5 of this article in planned unit developments (PUD).~~

**Sec. 68-582. Application submittal requirements.**

Upon application for rezoning to the community mixed use district, the applicant shall provide the following information, as applicable:

- (1) Recent aerial photograph with project boundaries clearly marked.
- (2) Recent boundary survey with north arrow and scale.
- (3) Full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
- (4) Names and addresses of the owners of the property to be rezoned and evidence of unified control of the property.
- (5) Names and addresses of all property owners within 500 feet of the proposed project boundaries.
- (6) Map indicating the location and dimensions of the following existing features on the property:
  - (a) Vegetation;
  - (b) Land uses;
  - (c) Buildings;
  - (d) Structures;
  - (e) Utilities;
  - (f) Drainageways;
  - (g) Easements;
  - (h) Public street rights-of-way;
  - (i) Railways;
  - (j) Transit facilities;
  - (k) Property lines and recorded plats, and
  - (l) Docks, bulkheads and other water-related structures.
- (7) Statement as to how the proposed project conforms to the city's adopted comprehensive plan.
- (8) Scaled and fully-dimensioned set of plans ("Site Plan") containing the following sheets and information (as applicable):
  - (a) Property boundary, building locations, parking, driveways, internal roads, drive aisles, landscaped open space, utilities, internal lot lines and size of lots, building setbacks, on-site retention areas, pedestrian walkway system, recreational areas, garbage dumpsters, sidewalks, water features, loading areas, public art location(s), community benefit areas and features, perimeter roads with

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full right-of-way cross-sections, proposed road improvements, right-of-way dedications proposed, typical size of parking spaces, and area map showing project location.

(b) Zoning legend with proposed zoning district, gross/net site area, number of dwelling units, gross and net density, amount of commercial/industrial square footage, building height in stories and feet, floor area ratio, interior size of dwelling units in square feet, number of bedrooms, lot coverage, setbacks, open space in % of lot and square feet, and parking calculations. Where applicable, show both the required and provided value for the zoning parameters above.

(c) Landscape plan showing location, species, size at installation, quantity, landscaped area in green shading, landscape buffer areas, bufferyard calculations, and planting/maintenance instructions for all landscaping. Landscaping shall meet or exceed the standards set forth in Chapter 71 of the City's Code.

(d) Floor plans.

(e) Exterior photometric plan.

(f) Color elevations of all buildings visible from public streets.

(g) Signage plan for all stand-alone and building signs showing location, sign face area, height, width, setback from nearest property line and any proposed lighting. Signs in the CMU project shall be in accordance with Chapter 80 of the City's Code.

(h) Phasing plan with commencement and completion dates for each phase, and final build out date of entire project.

(i) Plan sheet(s) showing with box notes and arrows how the project complies with the City's Low Impact Development requirements.

(j) Plan sheet(s) showing with box notes and arrows how the project complies with Chapter 86 (Urban Design and Architectural Standards). This sheet must be specifically approved by the City's Planning and Zoning Department.

(k) Plan sheet(s) showing with box notes and arrows how the project complies with the CPTED principles of natural surveillance, access control, territorial reinforcement and space management.

(l) Plan sheet(s) showing with box notes and arrows how the project complies with the applicable connectivity and walkability standards contained in the "FDOT Context Classification Guide", dated July 2020, as amended.

(m) Plan sheet showing the traffic circulation system, including arterial, collector, and local streets; off-street parking areas and facilities; loading areas; and points of access to adjacent public right-of-ways.

(n) Plan sheet showing the pedestrian and bike path circulation system, including trails, and its interrelationship and proposed treatment of points of conflict with the traffic circulation system.

(o) For CMU projects greater than 100 acres in size, the Site Plan may designate an area of the site for "Future Development" when there are no current development plans for said area. When the Future Development area is ready for development, the property owner must file for a CMU amendment and meet all provisions of this division.

- (9) Letter of landscape compliance sealed by a Florida-registered landscape architect certifying that the landscape plan is in compliance with Chapter 71 of the City Code.
- (10) Statement describing how the project will comply with the City's Public Arts Program (Chapter 75).
- (11) Traffic impact analysis.
- (12) Any other information deemed pertinent by the planning and zoning director or city council. The planning and zoning director may waive any of the site plan submittal items or portions of items upon a showing of good cause.

**Sec. 68-583. Community Benefits.**

Each CMU development must commit to provide community benefits beyond increased tax base and employment. The potential community benefits are listed below. A minimum of two (2) benefits must be included in the CMU Site Plan.

- (1) Neighborhood or pocket park a minimum of one-half (1/2) acre in size and located adjacent to a public street.
- (2) 'LEED Gold ' certification for all buildings or an equivalent certification.
- (3) Transit shelter if recommended by the County or City transit agency.
- (4) Community garden a minimum of one-half (1/2) in size and located adjacent to a public street.
- (5) Public plaza containing at least one (1) civic/cultural feature and comprising a minimum of 25% of the project frontage on the street with a depth of at least 40 feet.
- (6) A minimum of 20% of the total dwelling units in the CMU project qualify under the City's standard as "workforce housing."
- (7) Any other project feature determined by the City Council to be a community benefit.

All community benefit features approved for a CMU project must be improved and maintained by the property owner in perpetuity.

**Sec. 68-584. Master development agreement.**

Upon application for rezoning to the community mixed use district, the applicant shall provide a master development agreement (MDA). The agreement shall contain and address the following information, when applicable:

- (1) Project location, legal description and description summarizing the information contained in section 68-582(8)(a) of this division.

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- (2) Zoning specifications contained in section 68-582(8)(b) of this division.
- (3) Detailed description of the community benefit features and public art to be installed, and building permit issuance deadline when each one will be in place.
- (4) Description and specifications for any roadway and transit improvements to be built by the developer and building permit issuance deadline when each one will be completed.
- (5) Project phasing with commencement and completion dates for each phase, and final build-out date for entire project. Include statement that any variation from a phasing plan date that exceeds six (6) months will require administrative approval by the Planning and Zoning Director.
- (6) Technical statement showing how the City's public facility level-of-service standards are being met and/or exceeded by the project.
- (7) Statement of the manner in which all city and county concurrency requirements are met.
- (8) Reduced copy of site plan approved by city council.
- (9) Final page of agreement stating the owner(s) is in agreement with all specifications and requirements contained in the MDA. The owner(s) signature(s) must be notarized.
- (10) Any other information deemed pertinent by the planning and zoning director or city council.

**Section 68-585. Homeowners and condominium association documents.**

The homeowners and/or condominium association documents for the residential portions of the CMU must be submitted with the CMU rezoning application for review by the planning and zoning director and city attorney.

**Sec. 68-586. Progress reports and failure to begin CMU development.**

- (1) The applicant and all successors or assigns in interest shall submit yearly progress reports to the planning and zoning director.
- (2) If no construction has been initiated in the CMU development within 12 months from time of rezoning, the applicant must apply to the planning and zoning director for a time extension. If the director does not find adequate justification for a time extension, the city manager shall bring the matter before city council for either a time extension of the CMU or termination of the CMU zoning. However, if the applicant does not apply for an extension of time within the 12 month period, the city manager shall bring the matter before city council, which may, after public hearing, declare that the approved Site Plan and master development agreement (MDA) are of no force and effect.

**Sec. 68-586. Preapplication conference.**

Before submitting an application for rezoning to the CMU district, the applicant shall meet with the Planning and Zoning Department to determine the feasibility for the proposed plan and its relationship to the city's adopted comprehensive plan.

**Sec. 68-587. Professional service requirement.**

Any plan or exhibit as part of an application for a CMU development shall certify that the services of two (2) or more of the following professionals were utilized in the design or planning process:

- (1) An urban planner who is a member of the American Institute of Certified Planners;
- (2) A landscape architect registered by the state;
- (3) An architect licensed by the state; and
- (4) A professional civil engineer registered by the state.

**Sec. 68-588. Planning and zoning department review.**

All information required in Section 68-582 for CMU rezoning shall be submitted to the planning and zoning department. Six copies of the Site Plan are required.

**Sec. 68-589. Development review committee.**

All applications shall be reviewed by the development review committee (DRC), and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the development review committee (DRC) shall be transmitted in writing to the applicant no later than three (3) working days after the meeting.

**Sec. 68-590. Resubmittal of the revised Site Plan and master development agreement.**

Resubmittal of the Site Plan and master development agreement reflecting revisions required by development review committee (DRC) comments shall be made within two (2) weeks DRC meeting for expedited processing. The revised Site Plan and master development agreement shall be reviewed by the appropriate DRC members.

**Sec. 68-591. Approval from other jurisdictions.**

Prior to the application being scheduled for the city council, the applicant must submit the Site Plan and master development agreement and obtain approval from the county department of environmental resources management (DERM), county fire rescue, county school board, county public works department, city police department, county transit authority and any other relevant agency as determined by the planning and zoning director.

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**Sec. 68-592. City council review.**

- (1) Upon receiving the recommendation of the planning and zoning director, and following a zoning workshop pursuant to section 53-184, the city council shall, at a regularly scheduled public meeting, review said recommendation and either approve, approve subject to conditions, or disapprove the application.
- (2) In the event the rezoning is approved by the city council, the approved master development agreement and Site Plan shall be certified by the city clerk and said certified copy shall be filed as a permanent record.

**Sec. 68-593. Conformance to approved Site Plan and master development agreement.**

(1) No permits shall be issued and no development shall commence unless they are in conformance with approved Site Plan and master development agreement unless a change or deviation is approved.

(2) The planning and zoning director may approve minor changes and deviations from the approved Site Plan which are in compliance with the provisions and intent of this Land Development Code, and which do not depart from the principal concept of the approved Site Plan.

(3) Should the planning and zoning director determine that a requested change or deviation from the approved Site Plan does not comply with the provisions and intent of this Land Development Code, or departs from the principles of the approved Site Plan and the criteria below are met as applicable. All other changes and deviations must be approved by the city council.

1. The change will not reduce the landscaped open space, natural area or parking area; and
2. The change will not increase the density of the Site Plan; and
3. The change will not modify approved uses; and
4. The change will not add commercial or industrial square footage; and
5. The change will not result in any structure, internal street, or parking area being moved by more than five (5) feet in any direction; and
6. The change will not reduce any approved setback; and
7. The change will not result in an increase in the height of any structure; and
8. The change does not result in any significant adverse impacts beyond the site.

**Sec. 68-594. Execution of master development agreement.**

The second reading of the ordinance for rezoning of any land to the community mixed use district shall not take place until the developer has provided an executed copy of the master development agreement to the city clerk. The document shall be a fully corrected

copy which addresses all issues discussed prior to the scheduled second reading. If there are no additional requirements, corrections or conditions attached by the city council at the second reading, the executed document shall be signed by the city clerk and mayor and forwarded to the county clerk for recording. If there are additional requirements, corrections or conditions attached by the city council at the second reading, the applicant shall revise the agreement and Site Plan, and return the documents to the city clerk within 30 days for execution and recording. The requirement to return the document within 30 days shall be specified by the city council as a condition for approval of the rezoning.

## **DIVISION 5. - PLANNED UNIT DEVELOPMENTS (PUD)**

### **Subdivision I. - In General**

#### **Sec. 68-611. - Intent and purpose.**

The purpose of this district is to promote the planned development of large projects, by allowing greater freedom of design, by improving the opportunity for flexibility, creativity and innovation in land development, by limiting the expenditure of public funds, and by achieving the intent of land use regulations, in exchange for the provision by the developer of substantial community benefits beyond increased tax base and employment. Specifically, this district shall:

- (1) Allow diversification of uses, structures, and open spaces when not in conflict with existing and permitted land uses on abutting properties.
- (2) Reduce improvement costs through a more efficient use of land and a smaller network of utilities and street than is possible through the application of standards contained in conventional land development regulations.
- (3) Conserve the natural amenities of the land by encouraging the preservation of environmentally significant, scenic and functional open space.
- (4) Provide maximum opportunity for the application of innovative site planning concepts to the creation of aesthetically pleasing environments for living, shopping, and working on properties of adequate size, shape and locations.
- (5) Ensure that development will occur according to the limitations of land use, site design, population density, building coverage, improvement standards, and construction phasing as authorized through the approval of a Site Plan.  
~~conceptual development plan~~
- (6) Provide city council a greater opportunity to be involved in the site development stages of development and to enforce the goals, objectives and policies of the comprehensive development master plan on site-specific projects.
- (7) Provide for other limitations, restrictions and requirements as deemed necessary impacts.
- (8) To reduce the effects of hurricane damage and to provide for safer environments through strategic urban design.

- (9) Provide substantial community benefits beyond increased tax base and employment.

## **Subdivision II. - Permitted Uses, Density, Open Space and Height**

### **Sec. 68-641. – Planned Residential Projects ~~Gross density.~~**

Planned residential projects shall not exceed the maximum ~~permitted~~ gross density or maximum height, or be less than the minimum open space, permitted ~~determined~~ by the underlying land uses category(s) as shown on the adopted future land use map. Gross acreage shall consist of the entire site, including internal roads, internal water bodies, and environmentally projected areas. Where open space is not addressed in a land use category, a minimum of 15% of the development site is required to be in open space.

### **Sec. 68-642. – Planned commercial projects.**

Planned commercial projects shall not exceed the maximum floor area ratio ~~and or~~ maximum height, or be less than the minimum open space requirement, permitted as determined by the underlying future land use category as shown on the adopted future land use map.

The following uses are permitted in planned commercial projects:

- (1) Offices;
- (2) Retail and wholesale businesses;
- (3) Personal and professional services;
- (4) Hospitals and clinics;
- (5) Nursing homes;
- (6) Hotels and motels;
- (7) University and college facilities;
- (8) Medical buildings;
- (9) Entertainment venues;
- (10) Cultural facilities; and
- (11) Residential where permitted by underlying land use category.

### **Sec. 68-643. - Planned industrial projects.**

Planned industrial projects shall not exceed the maximum floor area ratio or maximum height, or be less than the minimum open space requirement, permitted by the underlying future land use category as shown on the adopted future land use map.

The following uses are permitted in planned industrial ~~commercial~~ projects: ~~shall permit~~

- (1) Warehouses;
- (2) Distribution centers;

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- (3) Manufacturing and assembly facilities;
- (4) Research and development facilities;
- (5) Automobile, shop, aviation and marine manufacturing ~~and repair; and~~
- (6) Aviation and marine manufacturing usage;
- (7) Offices;
- (8) Flex-space showrooms;
- (9) Merchandise marts;
- (10) Hospitals;
- (11) Convention facilities;
- (12) Hotels; and
- (13) University and college facilities;

~~Sec. 68-644. - Planned special projects.~~

~~This category shall permit the following:~~

- ~~(1) Recreation, amusement, exhibition, and education centers;~~
- ~~(2) Community facilities and utilities; and~~
- ~~(3) Stadium and arenas for athletic events.~~

**Sec. 68-645. – Planned Mixed Uses Projects permitted and prohibited uses.**

Planned mixed use projects shall not exceed the maximum gross density or maximum height, or be less than the minimum open space, permitted by the underlying land uses category(s) as shown on the adopted future land use map. Gross acreage shall consist of the entire site, including internal roads, internal water bodies, and environmentally projected areas. Where open space is not addressed in a land use category, a minimum of 15% of the development site is required to be in open space.

(1) (a) Permitted. The following uses are permitted in planned mixed use projects:

(a) Residential uses;

(b) Commercial uses listed in Sec. 68-642 of this division; and

(c) Industrial uses listed in Sec. 68-643 of this division provided the site is located in the Doral Décor District.

~~This article is intended to permit within planned projects a combination of the uses permitted in the planned unit development (PUD) district provided that such uses are permitted by the city's comprehensive plan and further provided that the combining of uses shall be subjected to strict site plan approval review for compatibility of uses.~~

(2) (b) Prohibited. In no instance shall the following commercial uses be permitted in any mixed use planned unit developments (PUDs):

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- (1) Adult entertainment.
- (2) Boat sales.
- (3) Fortunetellers, astrologers, and palm readers.
- (4) Funeral homes.
- (5) Greenhouses and nurseries (wholesale).
- (6) Laundry and dry cleaning plants.
- (7) Motor vehicle repair facilities.
- (8) Motor vehicle service centers.
- (9) Pawnshops.
- (10) Veterinary clinics.

### **Subdivision III. - Area Requirements**

#### **Sec. 68-664. - Minimum site area.**

The minimum site area for a PUD project is ten (10) acres of contiguous land area, except as may be permitted for parcels of land designated downtown mixed use (DMU) or community mixed use (CMU) on the city's comprehensive plan future land use map. Minimum site area for parcels designated DMU shall be in accordance with section 68-557 and minimum site area for parcels designated CMU shall in accordance with section 68-581. A PUD may have a lot size of less than ten (10) acres, but not less than five (5) acres, if the city council finds that:

- (1) An unusual physical or topographic feature of importance to the City, such as wetlands, exists on the site or in the surrounding neighborhood that will contribute to and be protected by the PUD; or
- (2) The proposed PUD is adjacent to an approved PUD that has been completed and will contribute to the amenities and values of the neighboring PUD including road and pedestrian connections to the adjacent PUD; or
- (3) The PUD is located in master planned area that is being redeveloped and the PUD will implement the policies of the redevelopment plan; or
- (4) The property fronts Doral Boulevard, is within one-quarter (1/4) mile of a transit station or stop, and the proposed PUD is in compliance with the Doral Boulevard Beautification Master Plan, and any other City-sponsored master plan for the Boulevard.

#### **Sec. 68-665. - Perimeter development requirement.**

~~No housing type, use, setback, height, and coverage requirements for planned unit developments are established. However, Existing residential development along the perimeter of the planned unit development shall be protected by setbacks, landscape buffers, landscaped walls and other techniques provided for in chapter 71 (Landscaping~~

~~and Buffers) of City Code. buffers to be established as part of the site development plan review.~~

**Sec. 68-666. - Internal development requirements.**

The following are the minimum internal development requirements for planned unit developments:

- (1) Minimum lot size shall be consistent with the lot size requirements for the building type proposed based on zoning regulations for similar building types in the City Code. The lot size(s) to be used in a PUD project will be determined by the planning and zoning director. ~~No minimum lot sizes shall be required.~~
- (2) The No minimum distance between on-site structures shall be required in compliance with the standards of the Miami-Dade County Fire Department.
- (3) Minimum building setbacks shall be in compliance with the setback standards for the zone(s) in the City Code permitting similar building types. The setbacks to be used in a PUD project will be determined by the planning and zoning director. ~~No minimum yard setbacks shall be required.~~

**Sec. 68-667. - Off-street parking.**

Parking for PUDs must be in compliance with Chapter 77, Division 2, of the City Code. ~~Because of the unique land uses and design characteristics of projects zoned planned unit by case basis; however, In addition,~~ parking facilities must adhere to the following guidelines:

- (1) Parking lot layout, landscaping, buffering and screening shall prevent direct views of parked vehicles from streets.
- (2) The interior of all parking lots shall be landscaped to provide shade and visual relief.
- (3) Parking lot layout shall provide for safe and efficient ~~take into consideration pedestrian circulation and depict~~ pedestrian crosswalks shall be provided where necessary and appropriate.
- ~~(4) The proposed number of parking spaces must have sufficient reference material to support the proposition such as a parking impact analysis including public transit ridership statistics for the proposed project.~~
- ~~(4) (5) Bicycle parking spaces must be provided evenly throughout the site and meet minimum requirements pursuant to the Land Development Code.~~
- (5) Section 77-140 (C) entitled "Adjustments to requirements" that allows for reductions for mixed or joint use of spaces shall not apply to PUD projects.

**Sec. 68-668. - Landscaping and buffering.**

The landscaping shall meet all requirements of chapter 71 (Landscaping and Buffers) of the Land Development Code. A landscape buffer strip at least 15 feet in width is required along the frontage with all public streets. This buffer shall contain landscaping

~~only; parking spaces, signage, above ground utilities and other structures are not allowed. Modification the Land Development Code may be applied for under the planned unit development (PUD) rezoning application and must obtain approval by the city council. These modifications must be explicitly expressed in the master development agreement and conceptual site plan.~~

**Sec. 68-669. - Underground utilities.**

~~To the maximum extent possible, all on-site utilities shall be installed underground. Large transformers shall be placed on the ground within pad amounts, enclosures or vaults. The developer shall provide adequate landscaping to screen all above ground facilities which are not possible to place underground.~~

**Sec. 68-670. – Connectivity and Walkability Accessibility.**

- (a) Every residential unit or permitted use shall have direct access to a public street via private road, common easement or other area dedicated or reserved for public use.
- (b) To provide for interconnectivity between developments, the planned unit development (PUD) must provide logical connections to surrounding properties. If the surrounding properties are vacant, then the project shall contain viable road and/or pedestrian stub-outs to the neighboring residential and/or commercial properties in anticipation of future developments. ~~Roads within the city's downtown development that stub-out to the industrial properties to the north do not have to connect until those lands are redeveloped with compatible uses.~~
- (c) If the development abuts a city park and/or planned linear park, the planned unit development (PUD) must provide for a viable and logical connection to such park.
- (d) Each PUD Site Plan must adhere to the connectivity and walkability standards and requirements for "Context Zones" published by the Florida Department of Transportation.

**Sec. 68-671. - Common open space requirements.**

~~The A minimum open space area required for a PUD development is established in subdivision II of this article based on the type of development proposed. of five percent of the total project area shall be established and maintained as common open space or common facilities. All minimum open space requirements shall be in pursuant to underlying land use designation. No area shall be accepted as common open space unless it satisfies the following standards:~~

- (1) Common open space shall consist entirely of pervious landscaped area and be usable by all residents of the planned development.
- (2) Common open space shall be suitably improved for intended use. Such use may include aesthetic, amenity, buffering or recreational purposes, or the preservation of natural resources, natural features or listed species habitats.
- (3) Common open space set aside for the preservation of ~~natural features or listed species habitats, or for buffering purposes~~ shall remain undisturbed and be protected by conservation easements ~~dedicated to the city.~~

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- (4) The location, shape, size and character of common open space shall be depicted on the Site Plan ~~conceptual~~.
- (5) Common open space shall not be used for the construction of any structures other than recreational facilities ~~and incidental maintenance buildings~~.
- (6) Common open space must contain a private park equal in size to 50% of the City's parks level- of-service standard as applied to the PUD project, developed with passive and active recreation facilities. Indoor recreation gymnasiums containing exercise equipment and ancillary workout rooms can be counted toward meeting up to 50% of this requirement. This requirement applies only to residential PUDs and the residential portions of mixed use PUDs.
- ~~(6) All designated common open spaces shall be preserved by one or more of the following methods:~~
  - ~~a. Public dedication, subject to acceptance by the city council.~~
  - ~~b. Conveyance to a property owner and association or nonprofit corporation.~~
  - ~~c. Retention of ownership, control and maintenance by the developer.~~

**Sec. 68-672. – Transit improvements** ~~Coordination with county public transit.~~

The applicant must provide a transit shelter with internal lighting for transit patrons and/or bus pull-out lane on any public streets fronting the development if the shelter location and/or lane is recommended by the Miami-Dade County and/or City transit agencies. The transit shelter design must be approved by the City. Bus benches and signage must also be provided if recommended by the agencies. The developer is responsible for coordinating with the transit agencies to identify and implement recommended transit improvements. ~~coordinate with county transit and provide the necessary infrastructure for future public transportations improvements and/or additional routes.~~

**Sec. 68-673. - Coordination with city police department.**

The applicant must coordinate with the city police department and implement crime prevention and enhanced safety features within the project. The Site Plan must demonstrate compliance with the Crime Prevention through Environmental Design (CPTED) principles and standards.

**Subdivision IV. - Review Process**

**Sec. 68-705. - Council input.**

The city council shall reserve the right to make a final determination to approve and to modify the urban design guidelines, dimensional requirements, landscaping, landscape buffers, signage any other site ~~designed~~ feature applicable at the time of the planned unit development (PUD) rezoning. The conceptual Site Plan shall be presented during a zoning workshop as part of the rezoning application for a PUD rezoning, pursuant to section 53-184.

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**Sec. 68-706. - Compliance with regulations in effect at the time of development.**

Unless otherwise specifically described within the master development agreement, the Site Plan ~~final development plans~~ and development permits for uses and structures within the planned unit development (PUD) shall comply with regulations, ordinances and resolutions in effect at the time of plan approval or permit application. If there are no prevailing regulations, the city manager or his designee shall reserve the right to make final determination on any site design regulation. This provision shall be included in all master development agreements.

**Sec. 68-707. – Application submittal requirements.** ~~Conceptual development plan~~

Upon application for rezoning to the planned unit development (PUD) district, the applicant shall provide ~~a site conceptual development plan and (CDP).~~ The agreement shall ~~contain and/or address~~ the following information, as ~~when~~ applicable:

- (1) A recent aerial photograph with project boundaries clearly marked.
- (2) A recent boundary survey with north arrow and scale.
- (3) A full legal description of the property with attached copies of any instruments referred to such as deeds, plats, covenants or restrictions.
- (4) The names and addresses of the owners of the property to be rezoned and evidence of unified control of the property.
- (5) The names and addresses of all property owners within 500 feet of the proposed project boundaries.
- ~~(6) The total area of the site in acres and square feet.~~
- (6) ~~(7)~~ A map indicating the location, ~~agreement~~ and dimensions of the following existing features on ~~within or immediately adjacent to~~ the property:
  - (a) Vegetation;
  - (b) Land uses;
  - (c) Buildings;
  - (d) Structures;
  - (e) Utilities;
  - (f) Drainageways;
  - (g) Easements;
  - (h) Public street rights-of-way;
  - (i) Railways;
  - (j.) Transit facilities;
  - (k) ~~(j.)~~ Property lines and recorded plats, and
  - (l) ~~(k.)~~ Docks, bulkheads and other water-related structures.

- ~~(7)~~ ~~(8)~~ A statement as to how the proposed project conforms to the city's adopted comprehensive plan.
- ~~(8)~~ ~~(9)~~ A scaled and fully-dimensioned set of plans ("Site Plan") containing the following sheets and information (as applicable):
- (a) Property boundary, building locations, parking, driveways, internal roads, drive aisles, landscaped open space, utilities, internal lot lines and size of lots, building setbacks, on-site retention areas, pedestrian walkway system, recreational areas, garbage dumpsters, sidewalks, water features, loading areas, public art location(s), public art location(s), perimeter roads with full right-of-way cross-sections, proposed road improvements, right-of-way dedications proposed, typical size of parking spaces, and area map showing project location.
  - (b) Zoning legend with proposed zoning district, gross/net site area, number of dwelling units, gross and net density, amount of commercial/industrial square footage, building height in stories and feet, floor area ration, interior size of dwelling units in square feet, number of bedrooms, lot coverage, setbacks, open space in % of lot and square feet, and parking calculations. Where applicable, show both the required and provided value for the zoning parameters above.
  - (c) Landscape plan showing location, species, size at installation, quantity, landscaped area (in light green or gray shading), landscape buffer areas, bufferyard calculations, and planting/maintenance instructions for all landscaping. Landscaping shall meet or exceed the standards set forth in Chapter 71 of the City's Code.
  - (d) Floor plans.
  - (e) Exterior photometric plan.
  - (f) Color elevations of all buildings visible from public streets.
  - (g) Signage plan for all stand-alone and building signs showing location, sign face area, height, width, setback from nearest property line and any proposed lighting. Signs in the PUD shall be in accordance with Chapter 80 of the City's Code.
  - (h) Phasing plan with commencement and completion dates for each phase, and final build out date of entire project.
  - (i) Plan sheet showing with notes and arrows how the project complies with the City's Low Impact Development requirements
  - (j) Plan sheet showing with notes and arrows how the project complies with Chapter 86 (Urban Design and Architectural Standards). This sheet must be specifically approved by the City's Planning and Zoning Department.
  - (k) Plan sheet showing with notes and arrows how the project complies with the applicable CPTED principles and standards.
- ~~(9)~~ Letter of landscape compliance sealed by a Florida-registered landscape architect certifying that the landscape plan is in compliance with Chapter 71 of the City Code.

- (10) Statement describing how the project will comply with the City's Public Arts Program (Chapter 75).
- (11) ~~(18) A Traffic impact analysis or evidence that vehicular trips are vested.~~
- (12) Plan sheet showing the traffic circulation system, including arterial, collector, and local streets; off-street parking areas and facilities; loading areas; and points of access to adjacent public right-of-ways.
- (13) A pedestrian and bike path circulation system, including trails, and its interrelationship and proposed treatment of points of conflict with the traffic circulation system.
- (14) For PUDs greater than 100 acres in size, the Site Plan may designate an area of the site for "Future Development" when there are no current development plans for said area. When the Future Development area is ready for development, the property owner must file for a PUD amendment and meet all provisions of this division.
- (15) ~~(19) Any other information deemed pertinent by the planning and zoning director or city council. The planning and zoning director may waive any of the site conceptual development plan submittal items or portions of items upon a showing of good cause.~~

~~Plans showing the location, agreement and dimensions of all proposed land uses, including the number of floor per buildings; the height of all buildings above finished grade; building setbacks from perimeter boundaries and from public right-of-way; a proposed traffic circulation plan showing the location and dimensions of all streets, driveways, walkways, bikeways, parking spaces, and loading areas; and all proposed common elements including utilities, open spaces and recreation areas.~~

- (10) ~~A plan or statement showing the manner of improving common spaces, together with provisions, restrictions and conditions anticipated for the use, maintenance, and operation of such common elements.~~
- (11) ~~A statement, in tabular form, of the anticipated gross residential density and net residential density, the total number of dwelling units by type, size and number of bedrooms, and gross floor area devoted to business or other nonresidential uses. Gross density shall be computed as set forth in section 68-641 for planned residential projects. Net density shall be based upon the number of residential units for the entire site excluding public and private roads, water bodies, and environmentally protected areas.~~
- (12) ~~A statement as to the percentage of the developed site to be covered with buildings, sidewalks, parking areas, roofed structures, and other impervious surfaces; percentage of the site to be covered with water bodies; percentage of the site to be landscaped; and percentage of the site to be left in a natural or undisturbed condition.~~
- (13) ~~Proposals for providing stormwater drainage and on-site retention areas, including approximate size of retention areas, methods of pollutant removal,~~

~~conceptual location of berms, swales, culverts and sewers, anticipated finished grades, and proposed slopes and grades adjacent to bodies of water.~~

- ~~(14) Conceptual proposals for connection with existing potable water supply and waste water collection system.~~
- ~~(15) A statement, when applicable, as to the sequence of construction by phases, the approximate completion date for each phase, and the estimated cost of all common or dedicated improvements within each phase.~~
- ~~(16) One copy of the computer disks depicting the proposed subdivision layout (if applicable), including the streets and lots, for projects prepared on an appropriate computer-aided drafting system.~~
- ~~(17) An axonometric or isometric rendering of the project showing all roads, water features, landscaping, buildings and any other feature deemed pertinent by the department, land planning associate or city council.~~

### **Sec. 68-707.5 Community Benefits**

Each PUD project must commit to provide community benefits beyond increased tax base and employment. The potential community benefits are listed below. A minimum of two (2) benefits must be included in the PUD.

- (1) Neighborhood or pocket park a minimum of one-half (1/2) acre in size and located adjacent to a public street.
- (2) 'LEED Gold ' certification for all buildings or an equivalent certification.
- (3) Transit shelter if recommended by the County or City transit agency.
- (4) Community garden a minimum of one-half (1/2) in size and located adjacent to a public street.
- (5) Public plaza containing at least one (1) civic/cultural feature and comprising a minimum of 25% of the project frontage on the street with a depth of at least 40 feet.
- (6) A minimum of 20% of the total dwelling units in the PUD qualify under the City's standard as "workforce housing."
- (7) Any other project feature determined by the City Council to be a community benefit.

All community benefit features approved for a PUD must be improved and maintained by the property owner in perpetuity.

### **Sec. 68-708. - Master development agreement.**

Upon application for rezoning to the planned unit development (PUD) districts, the applicant shall provide a master development agreement (MDA). The agreement shall contain and address the following information, when applicable:

- (1) Project location, legal description and description summarizing the information contained in section 68-707(8) (a) of this division.

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- (2) Zoning specifications contained in section 68-707(8) (b) of this division.
- (3) Detailed description of the community benefit features and public art to be installed, and building permit issuance deadline when each one will be in place.
- (4) Description and specifications for any roadway and transit improvements to be built by the developer and building permit issuance deadline when each one will be completed.
- (5) Project phasing with commencement and completion dates for each phase, and final build-out date for entire project. Statement that any variation from a phasing plan date that exceeds six (6) months will require administrative approval by the Planning and Zoning Director.
- (6) Technical statement showing how the City's public facility level-of-service standards are being met and/or exceeded by the project.
- (7) A statement of the manner in which all city and county concurrency requirements are met.
- (8) Reduced copy of site plan approved by city council.
- (9) Final page of agreement stating the owner(s) is in agreement with all specifications and requirements contained in the MDA. The owner(s) signature(s) must be notarized.
- ~~(10) (13) Any other information deemed pertinent by the planning and zoning director or city council. The planning and zoning director may waive any of the master development agreement submittal items or portions of items.~~
  - ~~(1) Permitted uses and special exceptions.~~
  - ~~(2) Minimum dimensional requirements. Such requirement shall include lot area and width, setbacks, building height, minimum floor area, accessory structures and other dimensional information pertinent to the planned unit development (PUD).~~
  - ~~(3) Landscaping, parking and signage requirements.~~
  - ~~(4) Urban design guidelines. The applicant shall submit as a requirement of the master development agreement, an urban vocabulary "pattern book" that illustrates the urban design and appearance of the project. Understanding that each planned unit development (PUD) is unique, the depictions and elements of urban design for the pattern book will vary from one development to another. Prior to the submittal of the rezoning application, the applicant must submit to the planning and zoning department, a table of contents and a detailed summary explaining what facets of urban design will be included in the pattern book. Upon the director's satisfaction with the summary and table of contents, the applicant may formally submit the pattern book. Due to the nature of the proposed development, the planning and zoning director may waive any of the below mentioned items for the pattern book the pattern book shall include, but not limited to, the following:
    - a. A statement of the general designs the project.~~

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- ~~b. Pedestrian and vehicular circulation.~~
- ~~c. Streetscapes plans and controls (including sectionals).~~
- ~~d. Detailed controls for the scale and proportion of the built form.~~
- ~~e. Detailed controls for the scale and design of the open space.~~
- ~~f. Parking lot design and controls.~~
- ~~g. Overall landscape controls.~~
- ~~h. Architectural design guidelines.~~
- ~~(6) Homeowners', condominium and/or community development district association document. An association or unified collection of individual associations shall be established to provide for maintenance of common area facilities and to enforce the specific restrictions established by the association.~~
- ~~(7) Maximum number of dwelling units and overall planned unit development (PUD) density.~~
- ~~(8) Improvements to infrastructure which may be required in addition to those specified by this Land Development Code or at an earlier time than would otherwise be determined by this Land Development Code.~~
- ~~(10) Statement that compliance with environmental preservation code may necessitate modification of the conceptual plan.~~
- ~~(11) Expiration date.~~
- ~~(12) Statement of ownership and legal description.~~

### **Section 68-708.5 Homeowners and condominium association documents**

The homeowners and/or condominium association documents for the residential portions of the PUD must be submitted with the PUD rezoning application for review by the planning and zoning director, and city attorney.

### **Sec. 68-709. - Progress reports and failure to begin planned unit development.**

- (a) The applicant or its successor in interest shall submit yearly progress reports to the planning and zoning director.
- (b) If no construction has been initiated ~~or no use established~~ in the planned unit development within 12 ~~18~~ months from time of rezoning, ~~in addition to any time during which rezoning was subject to appellate review,~~ the applicant must apply to the planning and zoning director for a time extension. If the director does not find adequate justification for a time extension, the city manager shall bring the matter before city council for either a time extension of the PUD or termination of the PUD zoning. ~~may bring the matter before the city council and request a time extension, which may, after a public hearing extend time for 18 additional months. However, if the applicant does not apply for a an extension of time within the 12 month period,~~ the city manager shall bring the matter before city council, which may, after public

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hearing, declare that the approved conceptual development plan (CDP) and master development agreement (MDA) are of no force and effect.

#### **Subdivision V. - Application Procedures**

~~Sec. 68-732. - Required for rezoning.~~

~~The procedures in this subdivision shall be required when applying for rezoning to a planned unit development district~~

#### **Sec. 68-733. - Preapplication conference.**

Before submitting an application for rezoning to a planned unit development district, the applicant shall meet with the Planning and Zoning Department ~~confer with the director of planning and zoning~~ to determine the feasibility for the proposed plan and its relationship to the city's adopted local government comprehensive plan.

#### **Sec. 68-734. - Professional service requirement.**

Any plan or exhibit as part of an application for a planned unit development shall certify that the services of two or more of the following professionals were utilized in the design or planning process:

- (1) An urban planner who is a member of the American Institute of Certified Planners;
- (2) A landscape architect registered by the state;
- (3) An architect licensed by the state; and
- (4) A professional civil engineer registered by the state.

#### **Sec. 68-735. - Planning and zoning department review.**

~~All review information required in this division for PUD rezoning site development plan shall be submitted to the planning and zoning department. Six copies of the Site Plan are required. All applications for rezoning to a planned unit development district shall include two main components:~~

- ~~(1) Six copies of the conceptual development plan; and~~
- ~~(2) Master development agreement.~~

#### **Sec. 68-736. - Development review committee.**

All applications shall be reviewed by the development review committee (DRC), and members' comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the development review committee (DRC) shall be transmitted in writing to the applicant no later than three (3) working days after the meeting.

#### **Sec. 68-737. - Resubmittal of the revised Site ~~conceptual development Plan~~ and master development agreement.**

~~Resubmittal of the Site conceptual development Plan and master development agreement reflecting revisions required by development review committee (DRC) comments shall be made within two (2) one weeks of the development review committee (DRC) meeting for expedited processing ~~before the city council~~. ~~The revised plan and agreement may be resubmitted up to one week after a regularly scheduled development review committee (DRC) meeting for inclusion on the subsequent city council agenda;~~ however, no revised plan or agreement shall be submitted later than 60 days after the original development review committee (DRC) meeting review. The revised Site conceptual development Plan and master development agreement shall be reviewed by the appropriate development review committee (DRC) members. ~~with findings reported by the department of planning and zoning to the city council for their consideration.~~~~

**Sec. 68-738. - Approval from other jurisdictions.**

Prior to the application being scheduled for the city council, the applicant must submit the site conceptual development plan and master development agreement and obtain approval ~~and/or a relevant statement~~ from the county department of environmental resources management (DERM), county fire rescue, county school board (if residential), county public works department, city police department, county transit authority and any other relevant agency as determined by the planning and zoning director. ~~Federal Emergency Management Association (FEMA), and the Corps of Engineers.~~

**Sec. 68-739. - City council review.**

- (a) Upon receiving the recommendation of the planning and zoning director, and following a zoning workshop pursuant to section 53-184, the city council shall, at a regularly scheduled public meeting, review said recommendation and either approve, approve subject to conditions, or disapprove the application.
- (b) In the event the rezoning is approved by the city council, the approved master development agreement and Site conceptual Plan shall be certified by the city clerk and said certified copy shall be filed as a permanent record.

**Sec. 68-740. - Conformance to approved Site conceptual development Plan and master development agreement.**

- (a) ~~After rezoning to a planned unit development district, the applicant shall submit for detailed administrative site plan approval for the portions of the site that will be developed or the site in its entirety. No permits shall be issued and no development shall commence unless they are the site plan is in conformance with approved Site conceptual development Plan and master development agreement unless a change or deviation is approved.~~
- (b) ~~The site conceptual development plan may be used in lieu of site plan approval if the following conditions are met:~~
  - (1) ~~The property is equal to or less than 20 acres in size.~~



- ~~(2) The property is not within the downtown mixed use district as shown on the future land use map; and~~
- ~~(3) The project consists of any one phase of development where all proposed buildings and structures are under construction within two years of the approval date.~~

~~(b) (c)~~ The planning and zoning director may only approve minor changes and deviations from the approved Site conceptual development Plan which are in compliance with the provisions and intent of this Land Development Code, and which do not depart from the principal concept of the approved Site conceptual development Plan and the criteria below are met as applicable. All other changes and deviations must be approved by the city council.

1. The change will not reduce the landscaped open space, natural area or parking area; and
2. The change will not increase the density of the Site Plan; and
3. The change will not modify approved uses; and
4. The change will not add commercial or industrial square footage; and
5. The change will not result in any structure, internal street, or parking area being moved by more than five (5) feet in any direction; and
6. The change will not reduce any approved setback; and
7. The change will not result in an increase in the height of any structure; and
8. The change does not result in any significant adverse impacts beyond the site.

~~(c) (d)~~ Should the planning and zoning director determine that a requested change or deviation from the approved Site conceptual development Plan does not comply with the provisions and intent of this Land Development Code, or departs from the principles of the Site Plan ~~planned of such change or deviation~~, the applicant shall submit a new Site conceptual development Plan which depicts the revisions to the existing approved plan and includes a new amended and restated master development agreement. Upon appeal for change or deviation from the approved plan, the city council may take such action as it deems appropriate. ~~This may include referring the requested change or deviation to the local planning agency for study and recommendations, or requiring that a new development plan be filed.~~

#### **Sec. 68-741. - Execution of master development agreement.**

The second reading of the ordinance for rezoning of any land to the planned unit development (PUD) district shall not take place until the developer has provided an executed copy of the master development agreement to the city clerk. The document shall be a fully corrected copy which addresses all issues discussed prior to the scheduled second reading. ~~The document shall also include reduced copies of the revised conceptual plan exhibits.~~ If there are no additional requirements, corrections or conditions

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attached by the city council at the second reading, the executed document shall be signed by the city clerk and mayor and forwarded to the county clerk for recording. If there are additional requirements, corrections or conditions attached by the city council at the second reading, the applicant shall revise the agreement and Site ~~conceptual~~ Plan and return the documents to the city clerk within 30 days for execution and recording. The requirement to return the document within 30 days shall be specified by the city council as a condition for approval of the rezoning.

\*\*\*

**Section 3. Codification.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made 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 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. Conflicts.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**Section 6. Effective Date.** This Ordinance shall be effective immediately upon passage by the City Council on second reading.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	No

PASSED AND ADOPTED on FIRST READING this 25 day of August, 2021.

PASSED AND ADOPTED on SECOND READING this 22 day of September, 2021.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, 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:

  
\_\_\_\_\_  
LUIS FIGUEREDO, ESQ.  
CITY ATTORNEY

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