

ORDINANCE No. 2015-07

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING THE MODIFICATION OF CHAPTER 68, ARTICLE V, DIVISION 3, DOWNTOWN MIXED-USE (DMU) DISTRICT STANDARDS TO ESTABLISH THE MINIMUM AREA FROM 15 ACRES TO 10 ACRES OF CONTIGUOUS LAND AREA, AND ELIMINATING DEVELOPMENT LIMITATIONS ON THE DEVELOPMENT PROGRAM FOR PARCELS BETWEEN 10 ACRES AND 15 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, has reviewed the Application to amend the City of Doral Land Development Code Downtown Mixed Use Zoning District (Section 68-557) to establish the minimum site area from 15 acres to 10 acres of contiguous land area and eliminate the development limitations on the development program for parcels between 10 acres and 15 acres in size; and

WHEREAS, the City Council has been designated as the Local Planning Agency ("LPA") for the City pursuant to Section 163.3174, Florida Statutes, and has held a duly advertised public hearing and recommended approval of the Application to amend the City's Comprehensive Plan's Land Development Code Downtown Mixed Use Zoning District; and

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

WHEREAS, on March 17, 2015, the City Council conducted a duly advertised public hearings on the amendment to the City's Land Development Code Downtown

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Mixed Use Zoning District, and has considered all evidence and comments received concerning the proposed amendment to the Code as required by state law and local ordinances; and

WHEREAS, the City Council has reviewed the City staff's report, incorporated herein, which contains information supporting the amendment to the City's Land Use Code Downtown Mixed Use Zoning District; and

WHEREAS, the City Council finds that the proposed text amendment to the Land Development Code is consistent with the City's Comprehensive Plan as adopted and supported by staff and the City Council.

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

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

Section 2. Section 68-557 of the Land Development Code of the City of Doral is hereby amended to read as follows:

(1) *Minimum site area.* ~~The minimum site area for developments that have a maximum residential use component of 20 percent and a minimum office use component of 60 percent is ten acres of contiguous land area.~~ The minimum site area for all other mix of uses is 15 10 acres of contiguous land area. 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

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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 fifty (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.

Section 3. This Ordinance shall be effective upon adoption of the Final Non-Appealable Order approving Ordinance No. 2015-06 (the "Comprehensive Plan Amendment Ordinance") if the Comprehensive Plan Amendment Ordinance is not ultimately approved this ordinance shall be void ab initio.

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

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

PASSED AND ADOPTED on first reading this 28 day of January, 2015.

PASSED AND ADOPTED on second reading this 17 day of March, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, INTERIM CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE SOLE USE
OF THE CITY OF DORAL



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY

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