<u>**ORDINANCE No. 2020-02**</u>

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ESTABLISHING A ONE-YEAR TEMPORARY MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF PLANNED UNIT DEVELOPMENT (PUD), DOWNTOWN MIXED USE (DMU) AND COMMUNITY MIXED USE (CMU) REZONING APPLICATIONS WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF DORAL; PROVIDING FOR EXEMPTIONS; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, conventional zoning ordinances contain site development standards that regulate lot size, lot frontage, lot coverage, setbacks, and height among other items, which can create a rigid form of development standards; and

WHEREAS, Planned Unit Developments (PUDs) as a land-use concept and zoning strategy began in the 1950s and 1960s due to "cookie cutter" types of development and the inefficient use of public infrastructure; and

WHEREAS, conventional zoning places an emphasis on separating uses and nuisances while planned unit development is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and dwelling types, provide for shared services and facilities, and preserve natural resources; and

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, since the city's adoption, the City's Land Development Code has contained standards for Planned Unit Development along with conventional zoning standards; and

WHEREAS, recently, the City of Doral has experienced significant development and redevelopment activity; and

WHEREAS, the city would like to take a comprehensive look at its land development regulations for large mixed-use districts and related infrastructure demands; and

WHEREAS, the City desires to establish a one-year temporary moratorium on the acceptance of any new Planned Unit Development (PUD), Downtown Mixed Use (DMU) and Community Mixed Use (CMU) rezoning applications, while staff reviews and updates the City's Land Development Code with the objective of creating minimum standards for environmental sustainability, urban design, infrastructure, transit, parks, connectivity of streets, and a sense of place; integrating these neighborhoods, focusing growth, and further promoting the quality of life for local residents; and

WHEREAS, after notice of public hearing duly published, a hearing was held before the City Council of the City of Doral on January 29, 2020, at which hearing the item was deferred to the March 18, 2020, Council Zoning Meeting; and

WHEREAS, the Council Zoning Meeting on March 18, 2020 was canceled in line with recommendations by the U.S. Centers for Disease Control and Prevention to limit effects of the coronavirus (COVID-19) pandemic; and

WHEREAS, a public hearing for First Reading was held before the City Council on June 10, 2020, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Mayor and City Council were presented with the proposed moratorium, and after due consideration and discussion, approved the moratorium on First Reading.

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

Section 1. 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. During the time that this Ordinance is in effect as specified in Section 3 below, there shall be a moratorium on the acceptance of all new Planned Unit

Development (PUD), Downtown Mixed Use (DMU) and Community Mixed Use (CMU) rezoning applications within the jurisdictional boundaries of Doral.

Section 3. The moratorium imposed by this Section is temporary and, unless lifted earlier or extended by the City Council, shall automatically cease one-year from the date of adoption of this Ordinance. The moratorium will also be lifted upon the adoption of new land development standards, the formulation of which shall be expeditiously pursued.

Section 4. The moratorium shall apply solely to new Planned Unit Development (PUD), Downtown Mixed Use (DMU) and Community Mixed Use (CMU) rezoning applications. Modifications to approved PUD, DMU and CMU applications on file with the Planning & Zoning Department, shall be exempt from this moratorium and must be approved by the City Council.

Section 5. Nothing in this Ordinance should be construed or applied to abrogate the vested right of existing property owner to develop or utilize his/her property in any other way commensurate with other zoning regulations.

Section 6. 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 7. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 8. This Ordinance shall be effective immediately upon passage by the City Council on second reading.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Christi Fraga	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED on FIRST READING this 10 day of June, 2020.

PASSED AND ADOPTED on SECOND READING this 22 day of July, 2020.

_____
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