

ORDINANCE No. 2017-09

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN AMENDMENT TO THE CITY OF DORAL COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TEXT FOR THE DOWNTOWN MIXED USE (DMU); REVISING THE ALLOWABLE LAND USE CATEGORIES, EXPANDING THE MIX OF USES PERMITTED IN THE DMU, AND ALLOWING DEVELOPMENT PROGRAMS TO USE A COMBINATION OF AT LEAST TWO (2) OF THE FOLLOWING USES: BUSINESS/RETAIL, OFFICE USE, AND RESIDENTIAL USE; PROVIDING FOR REVISIONS; PROVIDING FOR TRANSMITTAL; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to the Local Government Comprehensive Planning Act, in accordance with all of its terms and provisions, staff has reviewed the Application to amend the City of Doral Comprehensive Plan Land Use Element text for the Downtown Mixed Use (DMU) to amend the allowable land use categories, expand the mix of uses permitted in the DMU and allow development programs to use a combination of at least two (2) of the following uses (i) business/retail, (ii) office use; and (iii) residential use; 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 Use Element text for the Downtown Mixed Use Category; 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 August 23, 2017, the City Council conducted a duly advertised public hearings on the amendment to the City's Comprehensive Plan Land Use Element text for the Downtown Mixed Use Category, and has considered all evidence and comments received concerning the proposed amendment to the Plan 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 Comprehensive Land Use Element text for the Downtown Mixed Use Category; and

WHEREAS, the City Council finds that the proposed text amendment 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:

Section 1. Recital. The above recitals are true, correct, and incorporated herein and made a part thereof by this reference.

Section 2. Amendment. The City's Comprehensive Plan Land Use Element for the Downtown Mixed-Use Category is hereby amended as follows:

* Downtown Mixed Use (DMU) - This land use category allows ~~retail, service,~~ business/retail, office and residential uses. It is limited only to parcels 10 acres or greater in size and is designed to provide for the horizontal and vertical integration of a diversity of urban-oriented uses at the city center. The City Council may consider DMU applications less than 10 acres in size if the property is 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. A mix of ~~commercial and residential~~ uses are permitted and required for every DMU site. Hotel and related hospitality uses are allowed as part of the commercial mix, which said mix shall include a combination of at least two (2) of the following uses: (i) business/retail; (ii) office use, and (iii) residential use. In terms of location, areas designated as DMU should be within the city center area defined

above for parcels less than 10 acres in size. Other DMU sites can be considered west of NW 87th Avenue provided they are located at major intersections along Doral Boulevard and meet or exceed the 10-acre size minimum. The conceptual site design 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/commercial service businesses are encouraged to be located on the ground floor with office/residential uses above. This shall not preclude horizontal mixed use development where the conceptual site design and community connectivity plans demonstrate that the functional arrangement of such uses achieves the purpose of the DMU category.

The base density allowed in the DMU category is limited to no more than 25 dwelling units per gross acre and maximum building height is eight (8) stories. All DMU project land use applications must be accompanied by a conceptual site design and community connectivity plan. Additional density up to 35 dwelling units per gross acre and height greater than 8 stories may be granted by the City Council for projects that exhibit creative excellence in exceeding the minimum standards contained in Section 86-83 of the City's Code. A workforce housing density bonus of up to 30% of total units may be granted by the City Council for the provision of at least two-thirds (2/3) of the approved bonus units as workforce housing in compliance with Miami-Dade County Code Chapter 17, Article IX, as amended, or applicable workforce housing regulations adopted by the City in the future. Landscaped open space in DMU must comprise a minimum of 10% of a project site. Floor area ratio (FAR) shall be limited to 0.5 for the first floor and 0.25 for each additional floor above, exclusive of structured parking.

Governmental and non-profit offices, parks, public facilities and recreational facilities are allowed in DMU. All zoning applications seeking to develop or redevelop within this category must be accompanied by a site-specific master development plan showing, at a minimum, the proposed uses, residential density, non-residential intensity, public realm improvements, building mass, internal transportation system, parks and open space, art-in public place typical building street orientation and elevation, and external public connectivity of the proposed development

Section 3. Revisions. The Director of Planning and Zoning is further authorized to make the necessary changes as required to the Comprehensive Plan to reflect the above stated change.

Section 4. Transmittal. The Planning and Zoning Department is hereby authorized to transmit this Ordinance to the Department of Economic Opportunity pursuant to the provision of the Local Government Comprehensive Planning and Land Development Regulation Act.

Section 5. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provision of this Ordinance.

Section 6. Effective Date. This Ordinance shall not become effective until the State Land Planning Agency or the Administration Commission issues a Final Non-Appealable Order determining the adopted amendment to be in compliance and in accordance with Section 163.3187, Florida Statutes, or until the Administration Commission issues a Final Order determining the adopted amendment to be in compliance in accordance with Section 163.3187(10), Florida Statutes.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED on FIRST READING this 24 day of May, 2017.

PASSED AND ADOPTED on SECOND READING this 23 day of August, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY