

ORDINANCE No. 2017-10

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A TEXT AMENDMENT TO CHAPTER 68, ARTICLE V, DIVISIONS 3 AND 5, SECTIONS 68-557 AND 68-664, DOWNTOWN MIXED USE (DMU) DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) STANDARDS TO ESTABLISH THE MINIMUM AREA FOR EXISTING DMU PARCELS LOCATED SOUTH OF NW 58 STREET, EAST OF NW 87 AVENUE, NORTH OF NW 33 STREET, AND WEST OF NW 79 AVENUE TO BE LESS THAN TEN (10) ACRES BUT NO LESS THAN FIVE (5) ACRES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the “City”) finds it periodically necessary to amend its Code of Ordinances (“Code”) in order to update regulations and procedures associated with changing technologies; and

WHEREAS, the purpose of this Ordinance is to establish the minimum area for existing DMU parcels located south of NW 58th street, east of NW 87th avenue, north of NW 33rd street, and west of NW 79th avenue to be less than 10 acres but no less than five (5) acres; and

WHEREAS, Mayor and the City Council conducted a duly advertised public hearings and considered all comments received from residents and interested stakeholders; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of the public hearings; and

WHEREAS, the Mayor and City Council find that adoption of this Ordinance is in the best interest of the City.

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

Section 1. Recital. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

Section 2. Code Amended. The Code Ordinances of the City of Doral is hereby amended as follows:

CHAPTER 68 – LAND USES AND ZONING DISTRICTS

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ARTICLE V. – MIXED USE DISTRICTS

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DIVISION 3. – DOWNTOWN MIX USE

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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) Minimum site area. The minimum site area is ten 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 site area less than ten (10) acres but not less than five (5) acres unless otherwise provided herein. One or more non-contiguous areas of any size may be included within, or subsequently added to, a DMU development, provided that:

* * *

DIVISION 5. – PLANNED UNIT DEVELOPMENT

Sec. 68-664 - Minimum site area

The minimum site area is ten 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.

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Section 3. Implementation. The City Manager, City Clerk, and City Attorney are hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions as may be appropriate by their position to execute the purpose of this Ordinance.

Section 4. Incorporation into the Code. The provisions of this Ordinance, to the extent appropriate, shall become and be made a part of the Code of Ordinances of the City of Doral. The City Clerk is authorized to take all actions necessary to incorporate the provisions of this Ordinance into the Code of Ordinances, including but not limited to, renumbering or re-lettering sections and to change and what the word “ordinance” may be changes to “section,” “article,” or such appropriate word or phrase in order to accomplish such intention.

Section 5. Severability. The provisions of this Ordinance are declared to be severable ad if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, if being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 6. Conflicts. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. Effective Date. This Ordinance shall become effective immediately.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	No
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

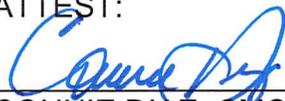
PASSED AND ADOPTED on FIRST READING this 24 day of May, 2017.

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 SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



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