

**ORDINANCE #2013-21**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTERS 52 AND 74 OF THE CITY'S LAND DEVELOPMENT CODE, INCORPORATING REGULATIONS FOR HELISTOPS; PROVIDING FOR INCLUSION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City's Land Development Code is silent with regards to Helistops; and

**WHEREAS**, the Mayor and City Council wishes to permit helistops within the City and to regulate them in a manner to reduce the impact such use has on the community; and

**WHEREAS**, the Mayor and City Council has reviewed the proposed amendment to the Land Development Regulations and finds the amendment to be in the best interest and welfare of the City and its residents; and

**WHEREAS**, the City Council of the City of Doral has reviewed the proposed revisions to the Land Development Regulations to confirm consistency with the City's Comprehensive Plan, and has conducted all necessary public hearings for the adoption by the City of the Land Development Regulations;

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

Section 1. Recitals. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Chapter's 52 and 74 of the City of Doral Land Development Code, shall be and is hereby amended as appropriate by the following:

**Sec. 52-5. - Definitions.**

*Heliport: Any land area used by helicopters which, in addition, includes all necessary passenger and cargo facilities, maintenance and overhaul, fueling, service storage, tie-down areas, hangars, and other necessary buildings and open spaces.*

Helistop: Any landing area for the purpose of taking off or landing of private helicopters for the purpose of picking up and discharging passengers or cargo. This facility is not open to use by any helicopter without prior permission having been obtained from the city and all other local, state and federal agencies if required. The surface, in which a helicopter lands, is called a helipad.

**Sec. 74-865. - Heliport and helistop.**

- (a) Heliports, as defined pursuant to Section 52-5, are prohibited.
- (b) Permanent helistops are permitted subject to City Council approval and must meet the following requirements:
  - (1) The helistop landing site when located on structures must be a minimum of fifty (50) feet by fifty (50) feet.
  - (2) Each helistop must be located at one thousand (1,000) feet from all residential uses, residentially zoned property or property with a residential land use designation, as measured in a straight line from the helistop to the closest point of the nearest residential structure. In the event no structures are present, the measurement shall be from the helistop to the property line of the closest residentially zoned property or property with a residential land use designation.
  - (3) Individual properties within a DMU, CMU or PUD shall be considered residential or non-residential based on the currently approved Conceptual Development Plan and/or Pattern Book on file with the Planning and Zoning Department.
  - (4) Specifications, design and operation of helistops shall be conducted in accordance with, and obtain approval by the Federal Aviation Agency and the Florida Department of Transportation.
  - (5) To the greatest extent possible, the flight path shall minimize flight exposure over residential uses.
  - (6) The City Council may impose any requirements judged necessary to insure a safe operation which will not be offensive to nearby properties or residential areas, such as, but not limited to flight path and hours of operation.
  - (7) Helistops are not permitted on residentially zoned property, unless it is located on a commercial use as part of a Downtown or Community Mixed Use Development.

- (8) The City Manager may permit the landing of helicopters in alternate locations for a temporary period of time in the event a currently approved landing spot is impeded or unsafe to the public. For no more than 7 consecutive days and twice per calendar year, the City Manager may permit a temporary location no less than 750 feet from residential units. All other standards, except for the separation requirement shall be the same for temporary landing spots. An approval of a temporary landing spot shall be approved for a specific duration and is valid only during the specific times outlined in the approval. The City Manager may approve temporary landing spots for reoccurring events.
- (9) In addition to the public notice requirements of section 2-353 of this Code, notice of any application relating to helistops shall be mailed to all real property owners within 2000 feet of a proposed helistop.
- (10) In the event that the terms of the approval by the City, Federal Aviation Agency and the Florida Department of Transportation are violated by the applicant, the City Manager shall reserve the right to revoke the permit.

Section 3. Repeal of Conflicting Provisions. To the extent any provisions of the Code conflict with this Ordinance, those provisions are repealed in its entirety.

Section 4. Severability. The provisions of this Ordinance are declared to be severable and 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, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of City of Doral, Florida; 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.

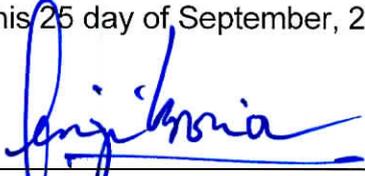
Section 6. Effective Date. This Ordinance shall be effective upon adoption on second reading.

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

Mayor Luigi Boria	Yes
Vice Mayor Bettina Rodriguez Aguilera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Ana-Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	No

PASSED AND ADOPTED on first reading this 25 day of June, 2013.

PASSED AND ADOPTED on second reading this 25 day of September, 2013.

  
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LUIGI BORIA, MAYOR

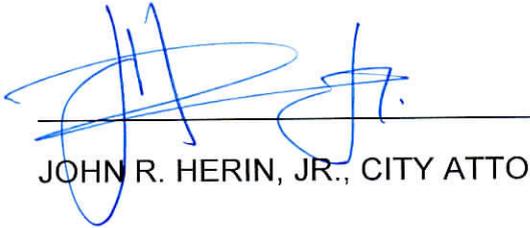
ATTEST:

  
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BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY:

  
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JOHN R. HERIN, JR., CITY ATTORNEY