

ORDINANCE No. 2021-26

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING OF A TEXT AMENDMENT TO THE CITY'S LAND DEVELOPMENT CODE, BY AMENDING CHAPTER 74, "MISCELLANEOUS AND SUPPLEMENTARY REGULATIONS," ARTICLE XVI, "LOW IMPACT DEVELOPMENT PRACTICES," UPDATING EXISTENT LID REQUIREMENTS; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 2, 2016, the Mayor and City Council adopted the City's Low Impact Development (LID) Master Plan via Resolution No. 16-229, to protect natural drainage features and the quality of waters from degradation by uncontrolled stormwater; and

WHEREAS, recent development and redevelopment require the City to prepare for higher demand on Doral's drainage and stormwater infrastructure; and

WHEREAS, on June 21, 2019, the City of Doral retained ADA Engineering to update Section 74-881, "Low Impact Development (LID) Practices" of the City's Land Development Code and update the City's Low Impact Development Master Plan to further assist the City in maximizing implementation of LID integrated management practices; and

WHEREAS, Section 74-881, "Low Impact Development Practices" and the 2021 Update to the LID Master Plan have been completed by City Staff and consultant to achieve greater consistency with citywide policy goals and adopted master plans; and

WHEREAS, on August 25, 2021, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony

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and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, on August 25, 2021, the City Council of the City of Doral at a properly advertised hearing (First Reading) received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, on September 22, 2021, the City Council of the City of Doral at a properly advertised hearing (Second Reading) received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, the Mayor and City Council finds that the adoption of the text amendment to the City's Land Development Code is in the best interest of the health, safety and welfare of the residents and citizens of the City of Doral.

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

Section 1. Recitals. 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. Code Amended. The City Council of the City of Doral hereby approve the text amendment to Chapter 74, "Miscellaneous and Supplementary Regulations," Article XVI, "Low Impact Development Practices," Section 74-881, "Low Impact Development (LID) Practices" to update existent LID requirements. The Land Development Code of the City of Doral, Florida, is hereby amended to read as follows¹:

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Chapter 74 – MISCELLANEOUS AND SUPPLEMENTARY REGULATIONS

* * *

ARTICLE XVI. LOW IMPACT DEVELOPMENT PRACTICES

* * *

Section 74-881. – Low impact development (LID) practices.

The following describe the goals of Low Impact Development practices:

- (a) Identify and preserve sensitive areas that affect site hydrology.
- (b) Evaluate potential site development options to reduce, minimize and disconnect total impervious area.
- (c) Employ integrated management practices (IMPs) to allow for distributed control of stormwater throughout entire site.
- (d) First minimize and then mitigate the hydrologic impacts of land use activities at or close to the source of generation.
- (e) Integrate stormwater controls into multifunctional landscape features such as bioretention cells where runoff can be micromanaged and controlled at the source.
- (f) Limit clearing and grade selectively to minimize hydrologic impacts on existing site land cover.
- (g) Use site drainage and hydrology as a design element.
- (h) Modify and increase drainage flow path.
- (i) Ensure the water quality and quantity requirements are met, per Section 11.0 of the 2021 LID Master Plan update and the SFWMD ERP Applicant's Handbook Volume II.
- (j) Ensure the post-development annual runoff volume does not exceed the pre-development runoff volume, per Section 11.0 of the 2021 LID Master Plan update and the SFWMD ERP Applicant's Handbook Volume II.
- (k) Implement erosion and sediment control best management practices during and after construction.

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- (l) Encourage a maintenance program and a 5-year permit recertification process to be included in the approval conditions, where the City has the authority to request maintenance records of the site's LID practices every five (5) years.

New buildings and redevelopment sites ~~shall~~ must incorporate the following low impact development (LID) practices into project design, site and building plans:

Developers shall implement the following non-structural LID practices to the maximum extent practical**:

a.) Preservation of Site Topography and Soil Profile

- i. Selectively grade and clear land in order to maintain the natural flow path and reduce soil disturbance and compaction.
- ii. Prioritize placement of impervious surfaces on clays (if any) and disturbed soils, and placement of infiltration-requiring LID features on highly permeable soils.
- iii. Incorporate soil amendments that increase infiltration capacity, storage capacity, or pollutant removal capacity of the soil, and add the nutrients needed for vegetation to stabilize sandy soils.

b.) Preservation and Use of Native and Local Vegetation

- i. Preservation and incorporation of conservation areas and wetland habitats
- ii. Removal of exotic and invasive vegetation
- iii. Retention of existing native vegetation and introduction of native vegetation appropriate to existing site conditions
- iv. Conservation of existing native tree canopy

c.) Open Space Design and Conservation

- i. Increase the amount of vegetation on the site
- ii. Maximize use of open swale systems
- iii. Maximize overland sheet flow
- iv. Avoid total site clearing

d.) Minimization of Total Impervious Areas

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- i. Utilize alternative roadway, sidewalk, parking lot, and driveway designs to minimize imperviousness and promote natural infiltration.
 - ii. Utilize stabilized grass or other similar surfaces for parking spaces provided above the minimum requirement
 - iii. Design buildings to maximize the ratio of square footage to roof area.
- e.) Reduction of Directly Connected Impervious Areas
- i. Direct the site drainage to stabilized vegetated areas
 - ii. Design site layout to break-up flow directions from large, paved surfaces
 - iii. Design roof drains to drain to vegetated areas
 - iv. Locate impervious areas so that they drain to permeable areas

**If not practical, developers must demonstrate that these practices cannot be implemented because of site constraints.

Developers shall implement a minimum of two (2) structural LID practices from the following list, where one meets the water quantity requirement and the other meets the water quality requirement, per Section 11.0 of the 2021 LID Master Plan Update and the SFWMD ERP Applicant's Handbook Volume II. **

- a.) Bioretention Basins or Rain Gardens
- b.) Tree Box Filters or Infiltration Planters
- c.) Vegetated Swales
- d.) Filter Strips or Vegetated Buffers
- e.) Infiltration Trenches
- f.) Exfiltration Trenches or French Drains
- g.) Green Roof or Rain Barrels/Cisterns
- h.) Permeable Pavement
- i.) Retention Pond
- j.) Detention Pond
- k.) Wet Detention or Retention Pond with Aquatic Vegetation

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I.) Parking Stormwater Chambers

**Developers may introduce or propose other LID practices not included in this list for review and consideration by the City.

Recommended design criteria, inspection, operation and maintenance requirements, and approaches for storage and infiltration calculation for the aforementioned LID practices are described in greater detail in the City of Doral Low Impact Development Master Plan Update (2021).

Section 74-882. – Maintenance of LID Practices.

Maintenance is required to preserve the efficacy of the implemented LID practice(s). The LID practice shall be maintained per manufacturer’s recommendations. If the practice has no manufacturer’s recommendations for maintenance, then a maintenance plan shall be provided with the LID design as part of the building permit application submittal.

Section 74-883. Incentives.

To encourage developers to design site plans using more than the minimum required LID practices, the City may offer the following incentives:

- 1) Expedited review of permits
- 2) Implementation of open space credit
- 3) Reduced application fee or alternative fee schedule for LID projects
- 4) Developer/Builder award or recognition program

Section 74-884 – LID Provisions where Infeasible

Where implementation of LID practices is technically infeasible, developers must demonstrate that LID practices cannot be implemented because of site constraints and not financial impacts and shall propose more than the minimum requirement of 2 LID BMPs that they will implement at a park or other public facility in order to obtain the aforementioned incentives.

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Section 3. Codification. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made part of the City of Doral Code; that the sections of this Ordinance may be renumbered or relettered to

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accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4. Severability. 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 5. Conflicts. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be effective immediately upon passage by the City Council on second reading.

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

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 25 day of August, 2021.

PASSED AND ADOPTED on SECOND READING this 22 day of September, 2021.



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

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