

ORDINANCE No. 2021-39

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING A TEXT AMENDMENT TO THE CITY OF DORAL COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT POLICY 2.1.2 ENTITLED “DORAL DÉCOR DISTRICT” (DDD); MODIFYING PERMITTED USES; ELIMINATING RETAIL AND SERVICE PERCENTAGE RESTRICTIONS; AND ESTABLISHING TOTAL NUMBER OF RESIDENTIAL DWELLING UNITS PERMITTED; ELIMINATING THE “COMMUNITY MIXED USE OPPORTUNITY AREA” LAND USE CATEGORY; AUTHORIZING THE TRANSMITTAL OF THE TEXT AMENDMENT ADOPTION PACKAGE TO THE STATE LAND PLANNING AGENCY IN THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND OTHER REQUIRED GOVERNMENTAL REVIEWING AGENCIES PURSUANT TO THE PROVISIONS OF SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Doral Design District Master Plan was adopted pursuant to Ordinance No. 2010-28; and

WHEREAS, the Doral Design District Core Future Land Use Designation was adopted pursuant to Ordinance No. 2012-07; and

WHEREAS, the City of Doral (the “City”) adopted land development regulations implementing the Doral Design District Plan and the Doral Design District Core Future Land Use Designation pursuant to Ordinance No. 2012-26; and

WHEREAS, the Comprehensive Plan guides the future economic, social, physical, environmental, and fiscal development of the City; and

WHEREAS, the City should regularly update its Comprehensive Plan to reflect changes in local conditions; and

WHEREAS, the City Council passed and adopted Resolution No. 20-190, approving an agreement with Tindale-Oliver and Associates, Inc. to create a Doral Décor

District Action Plan (the “Action Plan”) and develop corresponding Land Development Code and Comprehensive Plan amendments; and

WHEREAS, the Doral Décor District (the “District”) is generally bounded by NW 36 Street on the north, NW 25 Street on the south, NW 82 Avenue to the west and SR 826 (Palmetto Expressway) on the east, as graphically depicted in “Exhibit A”; and

WHEREAS, on August 2, 2021, the City of Doral staff and Tindale-Oliver & Associates, LLC, conducted City Council and Stakeholder Workshops to identify potential refinements to the City’s Land Development Code and Comprehensive Plan and to develop the Action Plan to better guide the growth of the District; and

WHEREAS, based on study conducted and input from the City Council, property owners, business owners, and stakeholders, the City of Doral staff has prepared text amendments to the City’s Comprehensive Plan, Future Land Use Element, Policy 2.1.2 entitled “Doral Décor District” (DDD), to (i) modify permitted uses, eliminate retail and service percentage restrictions, and establish total number of dwelling units permitted, and (ii) to eliminate the Community Mixed Use (CMU Opportunity Area land use category; and

WHEREAS, City of Doral staff finds that the procedures for reviewing and recommending on a proposed comprehensive plan amendment are provided in Section 53-213 of the City’s Land Development Code and that the proposed text amendment to the City’s Comprehensive Plan has met those criteria and standards; and

WHEREAS, on October 27, 2021, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony

and evidence related to the text amendment to the City's Comprehensive Plan as required by state law and local ordinances; and

WHEREAS, on October 27, 2021, the City Council of the City of Doral at a properly advertised hearing (First Reading) received testimony and evidence related to the text amendment to the City's Comprehensive Plan as required by state law and local ordinances; and

WHEREAS, the amendment to the text of the City's Comprehensive Plan is subject to Expedited State Review and was transmitted on November 8, 2021, to the Department of Economic Opportunity (DEO) and other reviewing agencies for review prior to consideration by the Mayor and City Council on second reading; and

WHEREAS, the Department of Economic Opportunity (DEO) and other reviewing agencies reviewed the text amendment to the City's Comprehensive Plan, offered no comments, and requested the City of Doral to adopt the proposed amendment; and

WHEREAS, on March 23, 2022, the City Council of the City of Doral at a properly advertised hearing (Second Reading) received testimony and evidence related to the text amendment to the City's Comprehensive Plan 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 Comprehensive Plan is in the best interest of the health, safety and welfare of the residents 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. Adoption. The Mayor and City Council of the City of Doral hereby approve a text amendment to the City’s Comprehensive Plan, Future Land Use Element, Policy 2.1.2 entitled “Doral Décor District” (DDD), to (i) modify permitted uses, eliminate retail and service percentage restrictions, and establish total number of dwelling units permitted, and (ii) to eliminate the Community Mixed Use (CMU Opportunity Area land use category as provided in “Exhibit B,” which is attached hereto and made part thereof.

Section 3. Authorization to Transmit. The City Manager or his/her designee is hereby authorized to transmit the text amendment to the City’s Comprehensive Plan to the State Land Planning Agency in the Florida Department of Economic Opportunity and other required governmental agencies for their review consistent with Section 163.3184, Florida Statutes.

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 effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the State

Land Planning Agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the State Land Planning Agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

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

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

PASSED AND ADOPTED on FIRST READING this 27 day of October, 2021.

PASSED AND ADOPTED on SECOND READING this 23 day of March, 2022.

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