

ORDINANCE No. 2026-22

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTER 53, “ADMINISTRATION,” ARTICLE III, “DEVELOPMENT PROCEDURES,” DIVISION 2, “DEVELOPMENT ORDER AND DEVELOPMENT PERMIT,” OF THE CITY’S LAND DEVELOPMENT CODE; AMENDING SECTION 53-183, “REQUIREMENTS; EXCEPTIONS,” TO PROVIDE FOR LIMITED DEVELOPMENT APPROVAL FOR CERTAIN DEVELOPMENT ACTIVITIES THAT DO NOT REQUIRE A BUILDING PERMIT; AMENDING SECTION 53-184, “APPROVAL OF DEVELOPMENT PLANS,” TO ESTABLISH LIMITED DEVELOPMENT AS A STREAMLINED ADMINISTRATIVE DEVELOPMENT APPROVAL AND TO PROVIDE FOR APPLICABILITY, APPLICATION REQUIREMENTS, REVIEW, AND APPROVAL; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the “City”) is authorized by Article VIII, Section 2(b) of the Florida Constitution, Chapter 166, Florida Statutes, and the City Charter to exercise municipal home-rule powers and regulate the use and development of land within its jurisdiction; and

WHEREAS, the Florida Legislature adopted House Bill 803 during the 2026 Regular Session, which was approved by the Governor and enacted as Chapter 2026-63, Laws of Florida (“HB 803”); and

WHEREAS, HB 803 became effective on July 1, 2026, and amended Section 553.79, Florida Statutes, to require a local government that issues building permits to exempt the owner of a single-family dwelling, or the owner’s contractor, from obtaining a building permit for qualifying work valued at less than \$7,500; and

WHEREAS, the exemption of certain work from building-permit requirements does not exempt such work from otherwise applicable zoning, land-use, drainage, easement, setback, landscaping, impervious-surface, or other lawfully adopted development

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regulations that are independent of the Florida Building Code and building-permitting process; and

WHEREAS, Section 53-183 of the City's Land Development Code presently requires development activity to be authorized by a development permit and establishes certain exceptions to the requirement for a development order; and

WHEREAS, Section 53-184 of the City's Land Development Code presently classifies development plans as either major or minor development and establishes procedures for review and approval thereof; and

WHEREAS, the City Council finds that certain limited improvements and installations that do not require a building permit nevertheless require review by the City to ensure compliance with applicable provisions of the Land Development Code; and

WHEREAS, the City Council further finds that requiring such limited improvements to undergo the development-review procedures otherwise applicable to major or minor development is unnecessary and that establishing a streamlined administrative review process within the City's existing development approval framework will facilitate efficient review while ensuring compliance with applicable development regulations; and

WHEREAS, the City Council therefore desires to establish Limited Development as a third category of development approval for certain limited improvements and installations that do not require a building permit but remain subject to the requirements of the Land Development Code and to establish a streamlined administrative Zoning Improvement Permit ("ZIP") process for the review and approval of such Limited Development.

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

Section 1. **Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference as legislative findings and reflect the intent and purpose of the City Council.

Section 2. **Amendment to Chapter 53 of the City Code.** Article III “Development Procedures” of Chapter 53 “Administration” of the City of Doral Code of Ordinances is hereby amended as follows:

ARTICLE III. DEVELOPMENT PROCEDURES

DIVISION 2. DEVELOPMENT ORDER AND DEVELOPMENT PERMIT

Sec. 53-183. Requirements; exceptions.

- (a) *Required.* No development activity shall be undertaken unless the activity is authorized by a development permit. A development permit may not be issued unless authorized by a development order reflecting conformance with the requirements of this Land Development Code.
- (b) *Exceptions to the requirement of a development order.* ~~A building permit may be issued in the absence of a development order for the following activities, when the~~ The following development activities shall not require a development order, provided that the proposed development conforms to the standards and permitting requirements of this Land Development Code:
 - (1) The construction, alteration, or enlargement of a one-family dwelling or a townhouse.
 - (2) The construction of an accessory structure on a previously developed single-family lot or townhouse.
 - (3) The alteration of an existing structure which does not enlarge the effective size or capacity of the structure, with the exception of alterations to a one-family dwelling or two-family dwelling.
 - (4) Demolition of a structure.
 - (5) Erection of signs or fences on a previously developed site and when independent of other development activity on the site.

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- (6) The clearing of trees or vegetation or changing of grade when independent of other development activity on the site.
- (7) The construction of agricultural accessory structures.
- (8) The resurfacing of a vehicle use area.
- (9) The installation of an antenna on a communication tower or alternative support structure in compliance with the requirements of chapter 74 articles IX—XI.
- (c) Development activity not requiring a building permit. The exemption of any development activity, improvement, or installation from the requirement to obtain a building permit shall not exempt such activity, improvement, or installation from compliance with this Land Development Code. Where an activity, improvement, or installation does not require a building permit but requires review for compliance with applicable zoning, land use, setback, lot coverage, landscaping, drainage, easement, impervious-surface, or other requirements of this Land Development Code, such activity shall require limited development approval pursuant to a Zoning Improvement Permit (ZIP) under Section 53-184, unless otherwise exempt from development approval under this Land Development Code.
- (d) Effect of ZIP Approval. A ZIP approval issued pursuant to Section 53-184 shall constitute the development order and development permit required by subsection (a) solely with respect to the activity, improvement, or installation identified therein. A ZIP approval shall not authorize any other development activity or amend, modify, supersede, or otherwise alter any existing development order, approved site plan, master development agreement, or other development approval applicable to the property.

Sec. 53-184. Approval of development plans.

- (a) *Designation of ~~plans as major or minor development~~.* For purposes of review and approval under this Land Development Code, all plans shall be designated as minor development, ~~or major development~~ or limited development (ZIP) as outlined in this section.
 - (1) *Major development.* A development plan shall be designated as a major development if it meets one or more of the following criteria:
 - a. The plan includes the final plat for the subdivision of land.
 - b. The plan is a required conceptual development plan for the rezoning to the planned unit development (PUD) district, or is so deemed a major development in the development agreement of the planned unit development (PUD).
 - c. The plan is part of a larger development proposal, or poses special development issues that, in the opinion of the administrative official, require the additional review of a major development.
 - (2) *Minor development.* A development plan shall be designated as a minor development if it fails to meet the criteria for major development, is not designated as a limited development subject to a ZIP pursuant to subsection

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(a)(3), and is not otherwise exempt from the requirement for a development order under subsection (a)(1)b section 53-183(b) of this section.

(3) Limited development subject to a Zoning Improvement Permit (ZIP). Limited development subject to a ZIP consists of development activity, improvements, or installations of a limited nature or scope that do not require a building permit but remain subject to one or more requirements of this Land Development Code and may be reviewed administratively without the development-review procedures applicable to major or minor development.

- a. Unless otherwise exempt from review under this Land Development Code, the following activities, improvements, and installations may be processed as limited development:
 1. Artificial turf;
 2. Driveways, walkways, and other impervious surfaces;
 3. New landscaping or modifications to existing landscaping, excluding irrigation, lighting, or other improvements requiring separate permits or approvals;
 4. Nonstructural impervious or surface improvements, including:
 - i. Pavers;
 - ii. Gravel;
 - iii. Compacted fill;
 - iv. Patios at grade;
 - v. Whirlpool baths, provided no electrical or plumbing work is required; and
 - vi. Decorative garden-type water fountains or water features, provided no electrical or plumbing work is required.
- b. Additional limited development. The Planning and Zoning Director may designate other development activities, improvements, or installations as limited development subject to a ZIP when the Director determines that:
 - i. The activity, improvement, or installation does not require a building permit;
 - ii. Review is necessary to determine compliance with one or more provisions of this Land Development Code; and
 - iii. Based upon the nature, scope, and potential impacts of the proposed activity, improvement, or installation, review under the procedures applicable to minor or major development is not warranted.
- c. Director determination. Notwithstanding paragraphs a. and b. above, the Planning and Zoning Director may determine that a proposed activity, improvement, or installation does not qualify as a limited development and does not require a ZIP, where, because of its nature, scale,

cumulative impact, relationship to other existing or proposed development on the property, or potential modification of an existing development approval, the proposed development warrants review as a minor or major development or pursuant to another applicable procedure of this Land Development Code.

- (b) *Preapplication conference.* Prior to filing for development plan approval, the developer or the developer's representative shall meet with the administrative official or his designee, in order to verify the steps necessary for application and review, and discuss potential issues regarding the development proposal. Comments made at the preapplication conference are intended to provide guidance and are nonbinding on the formal review of the development plans, except that an applicant may request a written confirmation of the designation of the proposal as a major or minor development. A preapplication conference shall not be required for an application for a ZIP approval.
- (c) *Application for development plan approval.* Application for development plan approval shall be made to the planning and zoning department utilizing the form provided by the planning and zoning department for that purpose, and accompanied by the appropriate review fee. Application shall be accompanied by the appropriate number of proposed plans, as determined by the administrative official. Plans shall be signed and sealed by a registered engineer, architect, and/or landscape architect, where required by this Land Development Code. Plans shall be prepared according to the standards of this Land Development Code.
 - (1) *Review of application materials.* Within two working days of the receipt of an application, the planning and zoning department shall determine whether the submittal is complete. Incomplete submittals shall be returned to the applicant with the deficiencies noted in writing. Reapplication shall be accompanied by a reapplication fee as adopted by resolution of the city council.
 - (2) *Initiation of development review.* When an application is determined to be complete, it shall be scheduled for the next available staff development review committee (SDRC) meeting.
 - (3) *Providing new standards for site plan review.*
 - a. Consistency with the Comprehensive Plan;
 - b. Promote better site design;
 - c. Integration of project more effectively into their surrounding environment;
 - d. Enhance property value;
 - e. Ensure harmonies relationship among buildings, uses and adjacent neighborhoods;
 - f. Protect health, safety and welfare of our residents and visitors;
 - g. Address traffic concerns; and
 - h. Consistent with the standards and/or regulations of approved Master Development Agreements, Pattern Books and Conceptual Site Plan associated with CMU, DMU, TND and PUDs projects.

(4) ZIP approval. An application for a ZIP shall include plans sufficient to depict the location, dimensions, nature, and use of the proposed activity, improvement, or installation and to demonstrate compliance with applicable provisions of this Land Development Code. The Planning and Zoning Director or designee may require such additional information or documentation as is reasonably necessary to determine compliance with applicable regulations, including an affidavit or other documentation establishing the legality of an existing use or improvement.

(d) *Development review process.*

- (1) *Staff development review committee (SDRC).* Except for applications for a ZIP pursuant to subsection (d)(4), ~~All~~all applications shall be reviewed by the staff development review committee, and member's comments shall be delivered and discussed at a regularly scheduled meeting. Formal comments of the staff development review committee shall be transmitted in writing to the applicant no later than three working days after the meeting.
- (2) *Minor development approval.* Minor development projects may resubmit plans in response to the staff development review committee comments. The plans shall be reviewed by appropriate staff development review committee members, based on the original findings. Based on the outcome of this second review, the administrative official shall take one of the following actions:
 - a. If previous comments were not addressed, or the plan modifications result in additional code discrepancies, such comments shall be transmitted along with a reasonable deadline for resubmission based on the number and magnitude of outstanding issues. However, in no case shall resubmittal be made more than 30 days after the transmittal of comments.
 - b. If all comments are satisfactorily addressed, a development order shall be issued. All development orders approved by the city for properties within one-half mile of the county's resource recovery facility boundary shall contain a condition requiring development order applicants, successors and assigns to place in all land and building transaction documents a notice to buyers, users, lessees and renters informing them the subject property be located adjacent to, or near, the resource recovery facility and describing the potential unpleasant impacts that could impact the property and submission of a waiver and release of liability. That waiver and release of liability, in subsection (d)(3)b of this section, shall be executed and recorded in the public records of the county.
- (3) *Major development approval.* Major development projects must resubmit plans in response to staff development review committee comments. The plans shall be reviewed by the appropriate staff development review committee members. Projects shall be submitted by the department to the city council only after staff technical review is deemed complete in addition to the review of applicable agencies and jurisdictions.

(4) ZIP approval.

- a. Administrative review. Applications for a ZIP shall be reviewed administratively by the Planning and Zoning Department for compliance with the applicable requirements of this Land Development Code. Limited development projects subject to a ZIP shall not require review by the Staff Development Review Committee, a zoning workshop, public hearing, or City Council approval unless otherwise expressly required by this Land Development Code.
- b. Other departmental review. The Planning and Zoning Director may refer an application to another City department or governmental agency for review when reasonably necessary to determine compliance with applicable requirements concerning drainage, utilities, easements, rights-of-way, landscaping, life safety, or other matters within the jurisdiction or expertise of such department or agency. Such referral shall not, by itself, cause the application to be classified as minor or major development.
- c. Action by Director. Upon completion of review, the Planning and Zoning Director or designee shall:
 1. Approve the application upon determining that the proposed limited development complies with the applicable requirements of this Land Development Code;
 2. Approve the application with conditions necessary to ensure compliance with the applicable requirements of this Land Development Code;
 3. Deny the application upon determining that the proposed limited development does not comply with the applicable requirements of this Land Development Code; or
 4. Determine that the proposed activity does not qualify as a limited development subject to a ZIP and must instead be reviewed under the applicable procedures for minor development, major development, modification of an existing development order, or other applicable development approval.
- d. Scope of review. Review of an application for ZIP approval shall be limited to determining compliance with applicable provisions of this Land Development Code and other development regulations within the City's authority and shall not constitute review under, or require compliance with, the Florida Building Code where such review is precluded by applicable law.
- e. Effect of approval. A ZIP approval authorizes only the activity, improvement, or installation expressly identified in the approval. Approval shall not constitute authorization for any work requiring a building permit or other permit or approval required by law.

Section 3. Repeal of Conflicting Provisions. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Severability. That if any section, subsection, sentence, clause, phrase, word 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. Incorporation into the Code. It is the intent of the Mayor and City Council that the provisions of this Ordinance be incorporated into the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to achieve such intent.

Section 6. Effective Date. This Ordinance shall become effective ten (10) days after adoption on second reading.

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

Mayor Christi Fraga	_____
Vice Mayor Digna Cabral	_____
Councilman Rafael Pineyro	_____
Councilwoman Maureen Porras	_____
Councilwoman Nicole Reinoso	_____

PASSED AND ADOPTED on FIRST READING this 9 day of September, 2026.

PASSED AND ADOPTED on SECOND READING this ____ day of _____, 2026.

CHRISTI FRAGA, 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:

LORENZO COBIELLA
GASTESI, LOPEZ, MESTRE & COBIELLA, PLLC
CITY ATTORNEY