



Memorandum

Date: May 8, 2024

To: Honorable Mayor and Councilmembers

From: Kathie Brooks
Interim City Manager

Department: Michelle Lopez
Interim Planning and Zoning Director

Subject: **Text Amendment to the City of Doral Land Development Code, Chapter 74, Article IV, “Alcoholic Beverages” to revise Alcoholic Beverage Regulations, providing for Repealer, providing for incorporation into the Code (First Reading)**

Introduction

The Mayor is requesting approval of a text amendment to the City of Doral Land Development Code, Chapter 74, Article IV, “Alcoholic Beverages,” to revise alcoholic beverage regulations.

Public Advertisement

Pursuant to City Code Section 53-211 of the City’s Land Development Code, public notice of the Council Zoning Meeting to consider the proposed text amendment to the City of Doral Land Development Code was provided to city residents and interested stakeholders at least 14 calendar days prior to the proceeding (Council Zoning Meeting). This public notice was advertised (legal advertisement) in the *Miami Herald*, on April 24, 2024. A copy of the legal advertisement is provided in “Attachment A.”

Background

Chapter 74, Article IV, Alcoholic Beverages, of the City Code of Ordinances provides for local regulatory framework as it relates to Alcohol Beverages for establishments within the City of

Doral. The local regulations were initially established on August 22, 2007 via Ordinance 2007-12. The regulations have been amended since the initial adoption via Ordinance 2016-23, Ordinance 2021-35, and most recently Ordinance 2022-04. The most recent amendment to Chapter 74, Article IV, Alcoholic Beverages occurred in 2022.

Pursuant to s. 562.14, Fla. Stat., a municipal government may develop additional regulations for the time for sale of alcoholic and intoxicating beverages. The intent for doing so is to preserve the public health, safety, and welfare of the community. Further, adjusting time of sales will balance resources city-wide, while allowing the sale of alcoholic beverages between the hours of midnight and 1:00 a.m. Therefore, the Mayor proposes a comprehensive revision of adopted regulations to reflect the current and long-term objectives of the City. The proposed text amendments to Chapter 74, Article IV of the Code of Ordinances seek to:

1. Amend Sec. 74-183, Classification of Vendors to provide clarifications and better define Alcoholic beverage establishment, Entertainment establishment and hours of sale and operation for entertainment venues.
2. Amend hours of sale and consumption for New Years Eve, Extended Hours Permits, and Restaurants.
3. Amend Sec. 74-184, Administrative Review; Special Exception by City Council, to establish criteria for Entertainment establishments, and alcoholic beverage establishments to obtain an alcohol license and a business tax receipt from the City, per the rights set forth in subsection 13 of Sec. 74-195.
4. Further amend Sec. 74-184 to Require *Safety and Security Plan*: Within 30 days of the passage of this Ordinance the establishment shall provide a security plan to the City Manager or his or her designee for approval. That security plan shall include the following personnel and requirements.
 - a. Enhanced Public Safety Measures
 - b. Security Cameras
 - c. Police Protection and Security
 - d. Weapons Detection System
 - e. Identification checks
 - f. Secured Area
 - g. Training for personnel and Vendors pursuant to F.S. 561.705
 - h. Occupancy load Monitoring
 - i. Intrusive exterior lighting
 - j. Compliance with local, state, or federal law
5. Provide for regulations and procedures for fines, permit suspension or imposition of conditions and enforcement measures.
6. Provide for clarification throughout and striking scrivener's errors.
7. Amend Sec. 75-195(5)(c)(5) with date of expiration for annual extended hours permit; adding criteria for public safety measures, intrusive exterior lighting, compliance with all laws, closing requirements and revised times, grounds for suspension of permit; and clarifying enforcement violations.

These proposed amendments are intended foster a safe and vibrant nightlife and to protect the quality of life of the residents.

Staff Analysis

In accordance with Section 53-213 of the City's Land Development Code, the Planning and Zoning Staff shall determine whether the proposed text amendment to the City of Doral Land Development Code is consistent with the Comprehensive Plan. The following is a review of the proposed text amendment to the land development code using the criteria provided in Section 53-213.

Consistency with Comprehensive Plan

The proposed text amendment to the land development code is consistent with the city's comprehensive plan.

Consistency with Land Development Code

The proposed text amendment is consistent with the remainder of the city's land development code. The amendment does not create conflicts.

Fiscal Impact

The resolution has no fiscal impact on city revenues or expenditures.

Strategic Plan Alignment

The proposed project may further the revenue growth strategic goal and/or strategic initiatives of the City of Doral Strategic Plan (2023). It is important to note that the intent of the Strategic Plan is to establish the overall mission and vision for the community to ensure sustainable and resilient growth. This vision is incorporated in the Comprehensive Plan Goals, Objectives, and Policies (GOPS) supported by the minimum requirements set forth in the Land Development Code. Additionally, taxes and fees are one of the most significant revenue streams used by the city to finance the operating budget, debt service and unfunded mandates. It is imperative that the city continues to develop and maintain a positive business environment through fostering a safe environment conducive to business growth.

Recommendation

Staff is not in opposition to the proposed text amendments. Staff recommends that the Mayor and City Councilmembers CONSIDER the proposed text amendment to the City of Doral Land Development Code, Chapter 74, Article IV, "Alcoholic Beverages," to revise alcoholic beverage regulations in accordance with the terms and conditions stated in the Ordinance.