

ORDINANCE No. 2026-16

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING CHAPTER 74 ENTITLED “MISCELLANEOUS AND SUPPLEMENTARY REGULATIONS”, ARTICLE III ENTITLED “SPECIAL SETBACKS AND USES.” DIVISION 3 ENTITLED “REGULATIONS FOR USES UNDER POWER LINES.”, SPECIFICALLY SECTION 74-123 ENTITLED “PERMITTED USE CONDITIONS”, OF THE CITY OF DORAL CODE OF ORDINANCES; ADDING SUBSECTION 74-123.1 ENTITLED “NURSERIES”; 74-123.2 ENTITLED “DEFINITIONS”; 74-123.3 ENTITLED “PERMITTING AND APPROVALS”; 74-123.4 ENTITLED “PERMITTED FACILITY TYPES AND PORTABLE STRUCTURES.”; 74-123.5 ENTITLED “SETBACKS, BUFFERS, AND STREET DISTINCTION.”; 74-123.6 ENTITLED “ADA AND ACCESSIBILITY REQUIREMENTS.”; 74-123.7 ENTITLED “STRUCTURAL STANDARDS.”; 74-123.8 ENTITLED “PAVING AND DRAINING STANDARDS”; 74-123.9 ENTITLED “ENVIRONMENTAL AND SANITARY REQUIREMENTS.”; AND 74-123.10 ENTITLED “CITY INSPECTION AND ENFORCEMENT.”; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 74-123, of the City of Doral (the “City”) Code of Ordinances provides that nurseries are a permitted use under powerlines; and

WHEREAS, the City’s Code does not provide for the definition or regulation of nursery’s; and

WHEREAS, the purpose of this Ordinance is to permit and regulate commercial plant nursery operations in the City of Doral while ensuring public health, safety, accessibility, environmental protection, and compatibility with surrounding land uses; and

WHEREAS, on June 10, 2026, the City Council of the City of Doral, sitting as the Local Planning Agency (LPA), reviewed the proposed amendment at a duly noticed public hearing and received testimony and evidence related to the proposed amendment, and forwarded a recommendation of approval to the City Council; and

WHEREAS, the City Council of the City of Doral held duly noticed public hearing on June 10, 2026, in accordance with Florida Statutes and applicable law, at which hearing all interested persons were afforded an opportunity to be heard and found that this Ordinance is in the City's best interest.

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 "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. Amendment to Chapter 74 of the City Code. That Chapter 74 of the City of Doral Land Development Code is hereby amended to read as follows:

CHAPTER 74 - MISCELLANEOUS AND SUPPLEMENTARY REGULATIONS

ARTICLE III. - SPECIAL SETBACKS AND USES

DIVISION 3. REGULATIONS FOR USES UNDER POWER LINES

SEC. 74-123. PERMITTED USE CONDITIONS.

Sec. 74-123.1. Nurseries.

Sec. 74-123.2. Definitions.

Portable Office means a mobile or modular structure, shed, cargo trailer, or similar unit used for administrative, sales, or nursery operations, not intended as permanent residential occupancy.

Portable Restroom Unit means self-contained chemical toilet unit, restroom trailer, composting toilet, or similar non-permanent sanitary facility used by staff or customers.

Temporary / Portable Structure means any non-permanent structure (shade house, greenhouse, tent, portable office, restroom unit) used in nursery operations.

Accessible Route, Accessible Toilet Room, Accessible Entry as defined by ADA / FBC accessibility requirements.

Storm Secure / Anchored / Tie down means secured to resist wind loads and prevent displacement during severe weather / hurricanes, per FBC 2023 wind load standards.

Sec. 74-123.3. - Permitting and Approvals.

- (1) All nursery developments (permanent or portable) require submittal of a site plan showing parcel boundaries, adjacent uses / sensitive uses which include but are not limited to educational facilities, childcare nurseries, and churches. Site plans shall indicate and provide for the location of physical structures structure, setbacks, parking, access drives, pedestrian/ADA routes, drainage and stormwater plans, utility layout (water, sewer or septic, electricity), buffer/landscaping, portable structures, and proposed hurricane secure measures.
- (2) All plans must be signed and sealed by a licensed architect or engineer, with structural calculations, wind load design (if applicable), and compliance with FBC 2023, NFPA, and utility code requirements, before issuance of a permit.

Sec. 74-123.4. Permitted Facility types and Portable Structures.

The following facility types / structures are permitted under this ordinance, subject to compliance with all applicable standards below:

- (1) Permanent greenhouses, shade houses, or nursery buildings.
- (2) Non-roofed shade houses or open propagation structures.
- (3) Portable / modular offices (e.g. "TED shed", cargo trailer offices, prefabricated office sheds) for administrative or sales functions.
- (4) Portable restrooms (self-contained chemical toilets, restroom trailers, composting toilets) to serve staff and customers.
- (5) Temporary or seasonal greenhouses, shade houses, or membrane structures, subject to permit and safety code compliance.
- (6) Cargo-trailer based mobile offices with ADA ramp and tie-down anchoring.
- (7) Prefabricated metal or modular office sheds ("TED shed" type), with ADA access and structural anchoring.
- (8) Portable restrooms: self-contained chemical units, restroom trailers, composting toilets — provided waste disposal and sanitary compliance are maintained.
- (9) Temporary membrane or tent structures (shade houses / seasonal sales), when permitted under a temporary structure permit, and when structural, fire, egress, and anchoring requirements are satisfied.

Sec. 74-123.5. Setbacks, Buffers and Street Distinction.

- (1) Nursery structures, portable or permanent, shall comply with setback requirements defined by zoning, or — in the absence of a specific City nursery code — shall observe standard commercial setbacks: minimum front, rear, and side as determined by the City's zoning code for the applicable zoning district.

- (2) Where the nursery parcel is adjacent or proximate to a school or other sensitive use (e.g. the parcel near a high school), a landscape buffer of minimum 15 feet width is required along the shared property boundary, consisting of evergreen trees, shrubs, fencing or hedging to provide visual, acoustic, and light/odor screening.
- (3) Lighting and site signage must be shielded and directed away from the adjacent school and neighboring properties to minimize glare and disturbance.
- (4) Vehicular access, delivery, and loading areas must be designed to avoid interference with school traffic patterns, especially during school drop-off and pick-up times.

Sec. 74-123.6. ADA and Accessibility Requirements.

- (1) All portable offices and restrooms must comply with ADA standards adopted in Florida Building Code. As required by Florida Statutes § 553.73, mobile or modular offices / structures used temporarily must still satisfy accessibility requirements.
- (2) Portable offices shall have accessible entry (ramp or flush threshold), 36-inch minimum clear door width, and interior layout sufficient for wheelchair maneuvering.
- (3) Portable restrooms shall include at least one accessible unit per cluster (e.g. per group of restrooms), with accessible route from parking / pedestrian areas. As observed in analogous local special events / temporary structure guidelines, at least one ADA compliant toilet must be provided when portable restrooms are used.
- (4) Accessible parking shall be provided: at least one ADA compliant parking space, with accessible route to office, restroom, and nursery retail / customer areas.

Sec. 74-123.7. Structural Standards.

- (1) All permanent structures — greenhouses, storage buildings, offices, must meet the Florida Building Code, and all applicable code requirements for structural safety.
- (2) Portable or modular offices and temporary structures must comply with the Florida Building Code.
- (3) Electrical service must be installed in compliance with applicable laws and standards, including those provided by Florida Power and Light.

Sec. 74-123.8. Paving and Draining Standards.

- (1) Parking areas, drive aisles, delivery and loading zones must be constructed with a hardened, stabilized surface, such as asphalt, concrete, compacted aggregate

base, in order to ensure durability and prevent erosion or rutting under vehicle traffic.

- (2) All surfaces must be graded to ensure positive drainage, flowing away from structures and towards approved drainage infrastructure.
- (3) The nursery must submit a drainage/stormwater plan showing compliance with the City's Public Works and any relevant County or water-management district requirements (e.g. retention/detention, swales, exfiltration, runoff management).
- (4) Portable structures (offices, restrooms, shade houses) placed on-site must rest on leveled, stabilized pads (concrete slab, pavers, compacted aggregate) to maintain stability, accessibility, and structural integrity — especially during heavy rain or storm events.

Sec. 74-123.9. Environmental and Sanitary Requirements.

- (1) If the nursery uses portable restrooms, waste must be self-contained and disposed of by a licensed hauler — no ground discharge permitted.
- (2) If irrigation, well water, or septic/onsite sewage treatment is proposed, all permits and approvals must be secured from Miami Dade County DERM or other relevant water management or environmental agencies.
- (3) Fertilizer, soil, and chemical storage must comply with stormwater runoff controls, spill prevention, and environmental protection measures to avoid contamination of stormwater or adjacent properties.

Sec. 74-123.10. City Inspection and Enforcement.

- (1) The holder of any nursery Certificate of Use, or any permit for temporary or permanent structures, shall allow periodic inspections by City or County officials for compliance with this Ordinance, Florida Building Code, all other State and Federal regulations and applicable laws.
- (2) Noncompliance with any section, including setbacks, zoning, ADA standards, drainage, hurricane preparedness, sanitary facilities, may result in revocation of permits, stop work orders, fines, or required removal of non-compliant structures.
- (3) The City may require submission of updated site plans, hurricane plans, or structural plans whenever modifications or expansions are proposed.

Section 3. 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 4. Conflicts. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. Incorporation into the Code. It is the intention of the Mayor and the City Council, that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral, and that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions.

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 _____, 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 10 day of June, 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