



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **Council Zoning Hearing** meeting on **Wednesday, January 29, 2020, beginning at 6:00 PM**, to establish a one-year moratorium on the acceptance and approval of Planned Unit Development (PUD) and Downtown Mixed Use (DMU) rezoning applications within the jurisdictional boundaries of the City of Doral. The City Council will consider this item for **FIRST READING**. This meeting will be held at the **City of Doral, Government Center, Council Chambers located at 8401 NW 53rd Terrace, Doral, Florida, 33166**.

The City of Doral proposes to adopt the following Ordinance:

ORDINANCE No. 2020-02

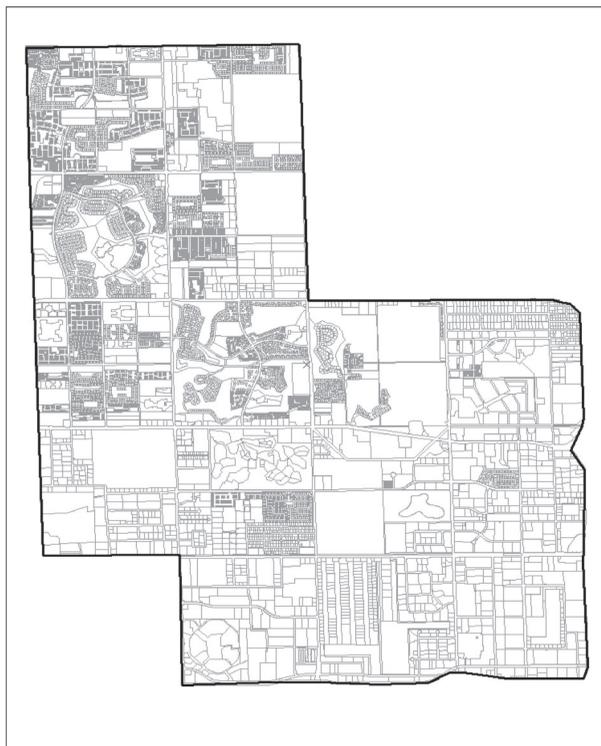
AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ESTABLISHING A ONE-YEAR TEMPORARY MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF PLANNED UNIT DEVELOPMENT (PUD) AND DOWNTOWN MIXED USE (DMU) REZONING APPLICATIONS WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF DORAL; PROVIDING FOR EXEMPTIONS; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 20-01-DOR-03

APPLICANT: City of Doral

REQUEST: The City of Doral (the "Applicant") is requesting Mayor and City Council approval to establish a one-year temporary moratorium on the acceptance of Planned Unit Development (PUD) and Downtown Mixed Use (DMU) rezoning applications within the jurisdictional boundaries of the City of Doral.

Location Map



Information relating the subject application is on file and may be examined in the City of Doral, Planning and Zoning Department Located at **8401 NW 53rd Terrace, Doral, FL. 33166**. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the City Clerk, **8401 NW 53rd Terrace, Doral, FL. 33166**. Maps and other data pertaining to these applications are available for public inspection during normal business hours in City Hall. Any persons wishing to speak at a public hearing should register with the City Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

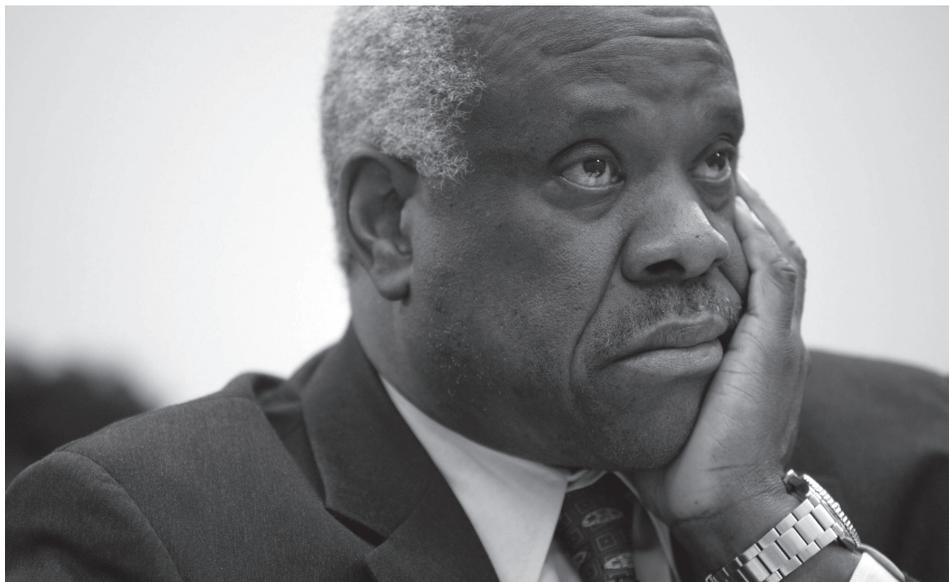
NOTE: If you are not able to communicate, or are not comfortable expressing yourself, in the English language, it is your responsibility to bring with you an English-speaking interpreter when conducting business at the City of Doral during the zoning application process up to, and including, appearance at a hearing. This person may be a friend, relative or someone else. A minor cannot serve as a valid interpreter. The City of Doral DOES NOT provide interpretation services during the zoning application process or during any quasi-judicial proceeding.

NOTA: Si usted no está en capacidad de comunicarse, o no se siente cómodo al expresarse en inglés, es de su responsabilidad traer un intérprete del idioma inglés cuando trate asuntos públicos o de negocios con la Ciudad de Doral durante el proceso de solicitudes de zonificación, incluyendo su comparecencia a una audiencia. Esta persona puede ser un amigo, familiar o alguien que le haga la traducción durante su comparecencia a la audiencia. Un menor de edad no puede ser intérprete. La Ciudad de Doral NO suministra servicio de traducción durante ningún procedimiento durante el proceso de solicitudes de zonificación.

Connie Diaz, MMC
City Clerk
City of Doral

FROM THE COURTS

Circuits Split, Judges Squabble as Courts Face National Injunctions



DIEGO M. RADZINSCHI

Justice Clarence Thomas has written that universal injunctions are legally and historically dubious.

by Jacqueline Thomsen

A pair of federal appeals courts last week issued diverging rulings on national injunctions blocking President Donald Trump's policies, highlighting the ways circuit courts are confronting the nationwide orders issued by trial judges.

The U.S. Court of Appeals for the Second Circuit on Wednesday rejected the Justice Department's request to lift a stay on a district court's national ruling blocking the Trump administration's "public charge" rule, which would make it more difficult for immigrants who require public assistance to obtain legal status.

Hours later, the U.S. Court of Appeals for the Fifth Circuit, in a divided ruling, lifted a district court injunction blocking the administration from using certain military funds to build a border wall.

The use of the national orders has exploded in recent years under both the Obama and Trump administrations. But Trump's wielding of executive power, particularly in enacting immigration policies, has triggered a tidal wave of the orders from district courts.

That means appeals judges are repeatedly confronted with deciding whether a policy should be paused as the litigation moves forward. And for a president running for reelection whose personal legal strategy leans heavily on delay tactics, that stay ruling can make all the difference.

Zachary Clopton, a professor at Northwestern Law, said cases involving injunctions are often high-profile matters that have a national or international impact.

"Part of that new attention has brought increased scrutiny on these injunctions and in particular conservative judges and justices have started to object to the whole practice of issuing injunctions that protect nonparties, in ways that even those same judges and justices have not raised objections before this recent period," Clopton said.

The Second Circuit's ruling on the public charge injunction split with the U.S. Courts of Appeals for the Fourth Circuit and the Ninth Circuit, meaning the New York-based appeals court's order is the only one halting the policy nationwide.

The three-judge panel at the Second Circuit offered few details in its one-page order keeping the stay, instead suggesting that the merits panel of the court could pick up the issue if it wanted.

The Fifth Circuit, in its border wall ruling, also didn't provide much in terms

of reasoning for throwing out the stay. They pointed to the U.S. Supreme Court agreeing to lift an injunction in a similar lawsuit, and said there's a "substantial likelihood" the parties—El Paso County and the Border Network for Human Rights—lack standing in the case.

In a dissenting opinion, Judge Stephen Higginson wrote "that the government presently has shown either a likelihood of success on the merits or irreparable harm in the absence of a stay."

This isn't the first time members of a circuit court panel have publicly squabbled over whether a lower court's injunction should stay in place. Judges on the Ninth Circuit publicly split in August over a national order on asylum policies.

Two judges on the panel said that while they didn't think the Justice Department had made the showing needed to stay the ruling, they also believed "the nationwide scope of the injunction is not supported by the record as it stands." And they narrowed the reach of the order to the geographic bounds of the Ninth Circuit.

In his dissent, Senior Judge A. Wallace Tashima said the need for a national order was "obvious." "Should asylum law be administered differently in Texas than in California? These issues and problems illustrate why tinkering with the merits on a limited stay motion record can be risky," he wrote.

It's the kind of action—orders that seek to minimize confusion over policies that are being litigated in multiple courts and have a reach far outside of the plaintiffs in a lawsuit—that defenders of national injunctions have cited in their arguments.

In a 2018 law review article, American University law professor Amanda Frost argued the orders "are sometimes the only practicable method of providing relief and can avoid the cost and confusion of piecemeal injunctions."

"In at least some cases, efficiency and judicial economy support a nationwide injunction over dozens (or more) lawsuits challenging the same practice," Frost wrote.

But other legal scholars have said national injunctions should be thrown out. Samuel Bray, a professor at the University of Notre Dame, has argued that injunctions are relatively recent phenomenon that warp a district court's powers.

Jacqueline Thomsen covers Washington, D.C., courts and the legal side of politics. Contact her at jathomsen@alm.com. On Twitter: [@jacq_thomsen](https://twitter.com/jacq_thomsen).