

PROPOSED ORDINANCE NO. 2017-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 OF THE CITY'S CODE OF ORDINANCES ENTITLED "ZONING CODE," BY AMENDING SECTION 155.146 ENTITLED "COMMUNITY BUSINESS (B-2) DISTRICTS" TO PROVIDE FOR CLARIFICATIONS RELATING TO OUTPARCEL STANDARDS WITHIN 155.146 (H); PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, City planning staff periodically reviews the City's Code of Ordinances and makes recommendations on amendments to the Land Development Code pursuant to staff observations during implementation and requests from the City Commission and City Boards; and

**WHEREAS**, City planning staff is proposing code amendments which will provide for consistency to the existing outparcel standards in Community Business (B-2) and General Business (B-3) zoning districts; and

**WHEREAS**, City Staff believes the following amendments and revisions to outparcel standards within the Community Business (B-2) zoning district is in the best interests of the City; and

**WHEREAS**, the City Commission has considered City staff's proposed recommendations to update the City's Land Development Code and finds that it is in the best interests of the City to adopt this ordinance.

{00208761.1 1956-7601851}

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF  
THE CITY OF PEMBROKE PINES, FLORIDA, THAT:**

**Section 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2.** Chapter 155 of the City' s Code of Ordinances entitled "Zoning Code," by amending Section 155.146 entitled "COMMUNITY BUSINESS (B-2) DISTRICTS," as follows:

**§ 155.146 COMMUNITY BUSINESS (B-2) DISTRICTS**

(H) Outparcels.

(1) The establishment of commercial outparcel tracts to serve freestanding structures may be permitted whereby they complement and serve to better define the principal commercial development. To provide for their appropriateness, site standards are identified for outparcel development. The objectives of these standards are as follows:

(a) To assure that principal developments are to visually obscured by outparcel development;

(b) To maintain architectural continuity with the principal design features of surrounding buildings and signage:

(c) To encourage complementary amenities:

(d) To embellish the adjacent public right-of-way with landscaping and other pedestrian features;

(e) To provide convenient and safe pedestrian connection with the principal development structures;

(f) To provide on site parking and circulation system that can sufficiently serve the outparcel;

(g) To permit restrained signage in the form of monument or building signage to occur.

(2) Standards.

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(a) Number of outparcels. The number of outparcels permitted on any commercial or office tract shall be no more than one outparcel for every ten acres of total site area. Likewise, there shall be no less than 500 lineal feet of street frontage per outparcel.

(b) Building coverage and distance.

1. Total building square footage for outparcels shall not occupy more than ten of the square footage of the principal shopping or office facility.

2. There shall be a minimum of 300 lineal feet of open space between outparcels except on adjacent properties where there may be 300 lineal feet between buildings when separated by a roadway of sorts.

3. No more than one building may be permitted on each approved outparcel.

(c) Height. Height shall be scaled to surrounding areas; however, not to exceed one story with a maximum height of ~~48~~ 30 feet and shall not exceed the height of the principal building as measured from the crown of the road.

(d) Access, storage services. Access to the outparcel shall be as direct as possible avoiding excessive movement across parking aisles and queueing across surrounding parking and driving aisles. All access to the outparcel must be internalized utilizing the main access drive of the principal retail center. Storage and service facilities for all outparcels shall be integrated within the building zone and preferably constructed as an integral part of the structure. Drive-in facilities shall be provided on the outparcel site exclusively. In no instance shall the circulation and access of the principal commercial facility and its parking and service be impaired.

(e) Reserved.

(f) Architectural compatibility design. Outparcel buildings may incorporate design elements, including colors or materials, consistent with their individual business brand, but shall not incorporate design elements, including colors or materials, which the architectural review board determines detract architecturally from the theme of the principal building. ~~The design of all structures on outparcels associated with principal commercial tracts shall be compatible with the architectural format of the principal buildings comprising the development, colors, materials, finishes, and building forms shall be coordinated with the owner and the city so they are consistent with the principal elevation of the overall center.~~

(g) Additional requirements. Each outparcel must provide all their required parking on their particular site and conform to all landscaping requirements and setbacks of the particular zoning district.

(3) Scope of application.

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(a) The development of any property for retail store, restaurant or other commercial use which is located on the same platted parcel of land where a principal structure either exists or is planned to exist (i.e. an outparcel), regardless of different ownership of the principal structure, shall be subject to, and developed in accordance with, the requirements of this sub-section (H).

(b) If title to an outparcel is transferred after a master plan or site plan is approved by the city for the platted parcel where the principal structure and outparcel are to be located, then the seller is obligated to disclose to the buyer, by covenants in the deed, the applicability of the requirements of this subsection (H) and any additional requirements imposed by the city in connection with the master plan or site plan approval to the property being sold.

**Section 3.** It is the intention of the City Commission of the City of Pembroke Pines that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pembroke Pines, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

**Section 4.** All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 5.** If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall

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be considered as eliminated and so not affecting the remaining portions or applications remaining in full force and effect.

**Section 6.** This Ordinance shall become effective upon passage and adoption.

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS \_\_\_ DAY OF \_\_\_\_\_, 2018.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_ DAY OF \_\_\_\_\_, 2018.**

CITY OF PEMBROKE PINES, FLORIDA

By: \_\_\_\_\_

ATTEST:

MAYOR FRANK C. ORTIS

\_\_\_\_\_  
MARLENE D. GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

APPROVED AS TO FORM:

CASTILLO \_\_\_\_\_

SCHWARTZ \_\_\_\_\_

MONROIG \_\_\_\_\_

\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

SIPLE \_\_\_\_\_

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