

PROPOSED ORDINANCE NO. 2025-06

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

**AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE LAND DEVELOPMENT CODE OF THE CITY OF PEMBROKE PINES, BY AMENDING SECTION 155.401, ENTITLED “ZONING MAP,” TO AMEND THE CITY’S ZONING DISTRICT MAP TO RE-ZONE AN APPROXIMATE 40-ACRE PARCEL OF LAND GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND WEST OF SOUTHWEST 145 AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”; RE-ZONING THE PARCEL FROM THE CURRENT ZONING OF PLANNED COMMERCIAL DEVELOPMENT (PCD) TO MIXED USE DEVELOPMENT (MXD); APPROVE THE ALLOCATION OF FORTY-FOUR (44) FLEXIBILITY UNITS; APPROVE AFFORDABLE HOUSING RESIDENTIAL DENSITY BONUSES; AND APPROVE A RESTRICTIVE COVENANT, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “B,” LIMITING RENTS FOR FORTY-FOUR (44) UNITS TO MODERATE LEVEL IN COMPLIANCE WITH BROWARD COUNTY POLICY 2.16.3 AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “C”; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, FR Pembroke Gardens LLC (the “Applicant” or “Pembroke Gardens”) owns the approximate 40-acre parcel of land generally located generally located south of Pines Boulevard and west of Southwest 145 Avenue, as more particularly described in **Exhibit “A,”** and was approved as Shops at Pembroke Gardens Planned Commercial Development, with Design Guidelines, (“Shops at Pembroke Gardens”) on March 1, 2006, in Ordinance No. 1539; and,

**WHEREAS**, the Shops at Pembroke Gardens Design Guidelines were later amended by the City Commission in Ordinance No. 1571 adopted on February 7, 2007, Ordinance No. 1655 adopted on December 9, 2009,

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Ordinance 1843 adopted on March 16, 2016, and Ordinance No. 1926 on June 5, 2019; and,

**WHEREAS**, the Applicant has requested to change the zoning of the Shops at Pembroke Gardens from Planned Commercial Development (PCD) to Mixed Use Development (MXD); and

**WHEREAS**, the proposed zoning change request is to accommodate 308 multi-family residential units on a designated +-2.7-acre parcel within the site; and

**WHEREAS**, the applicant must first rezone the property from Planned Commercial Development (PCD) to Mixed-Use Development (MXD) zoning through a map amendment and update the existing development standards to reflect the new residential use and MXD criteria; and,

**WHEREAS**, the Applicant is required to obtain all related approvals, including a zoning text change to create the MXD guidelines; and

**WHEREAS**, the applicant requests, through this zoning map change request, that the City approves:

- The allocation of allocate 44 flexibility units in compliance with Broward County Administrative rules;
- Affordable housing residential density bonuses under Broward County Policy 2.16.3;
- A restrictive covenant limiting rents for 44 units to moderate level to ensure compliance with Broward County Policy 2.16.3.

The Restrictive Covenant Document is attached hereto as **Exhibit “B,”** and incorporated herein.

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Broward County Policy 2.16.3 is attached hereto as **Exhibit “C,”** and incorporated herein.

**WHEREAS,** on May 8, 2025, the Planning and Zoning Board of the City of Pembroke Pines, Florida, in accordance with the law held a public hearing for the purpose of making its recommendations regarding a zoning change to the property and recommended denial to the City Commission of this map of re-zoning of the Property as requested; and

**WHEREAS,** the City Commission, is in receipt of the recommendations of Staff and the Planning & Zoning Board, has held further public hearings, in accordance with the law; and

**WHEREAS,** the City Commission of the City of Pembroke Pines, Florida deems it to be in the best interest of the citizens and residents of the City of Pembroke Pines, Florida to approve the re-zoning of the approximate 40-acre parcel of land generally located south of Pines Boulevard and west of Southwest 145 Avenue, as more particularly described in **Exhibit “A,”** known as the Shops at Pembroke Gardens from Planned Commercial Development (PCD) to the Pembroke Gardens Mixed Use Development (MXD), and approve the allocation of forty-four (44) flexibility units, affordable housing density bonuses, and a restrictive covenant, attached hereto as **Exhibit “B,”** and incorporated herein, which limits rents in compliance with Broward County Policy 2.16.3, attached hereto as **Exhibit “C,”** and incorporated herein.

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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 incorporated herein and made a part hereof. All exhibits attached hereto are incorporated herein and made a specific part hereof.

**Section 2.** The City Commission of the City of Pembroke Pines, Florida hereby approves the re-zoning of the approximate 40-acre parcel of land generally located south of Pines Boulevard and west of Southwest 145 Avenue, as more particularly described in **Exhibit "A,"** known as Pembroke Gardens from Planned Commercial Development (PCD) to Mixed Use Development (MXD).

**Section 3.** The City Commission of the City of Pembroke Pines, Florida hereby approves:

- The allocation of allocate 44 flexibility units in compliance with Broward County Administrative rules;
- Affordable housing residential density bonuses under Broward County Policy 2.16.3;
- A restrictive covenant limiting rents for 44 units to moderate level to ensure compliance with Broward County Policy 2.16.3.

The Restrictive Covenant Document is attached hereto as **Exhibit "B,"** and incorporated herein.

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Broward County Policy 2.16.3 is attached hereto as **Exhibit “C,”** and incorporated herein.

**Section 4.** It is the intention of the City Commission of the City of Pembroke Pines, Florida that the provisions of this Ordinance shall become and be made a part of the Land Development Code and the City’s Zoning District Map of the City of Pembroke Pines, Florida. The sections of this Ordinance may be re-numbered or re-lettered and the word “Ordinance” may be changed to “Section”, “Article” or other such word or phrase in order to accomplish such intention.

**Section 5.** 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 6.** 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 be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

**Section 7.** This Ordinance shall become effective immediately upon its passage and adoption.

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**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS \_\_\_ DAY  
OF \_\_\_\_\_, 2025.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING,  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2025.**

CITY OF PEMBROKE PINES, FLORIDA

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

ATTEST:

MAYOR ANGELO CASTILLO

\_\_\_\_\_  
DEBRA ROGERS, CITY CLERK

CASTILLO \_\_\_\_\_

APPROVED AS TO FORM:

GOOD \_\_\_\_\_

HERNANDEZ \_\_\_\_\_

RODRIGUEZ \_\_\_\_\_

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

SCHWARTZ \_\_\_\_\_