

PROPOSED ORDINANCE NO. 2022-02

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, PERTAINING TO THE SUBJECT OF ZONING AND LAND DEVELOPMENT; AMENDING CHAPTER 155 OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES TO UPDATE PROVISIONS AND USE TABLE; CORRECTING SCRIVENER ERRORS; AND IMPROVING THE CLARITY OF THE CHAPTER AND FACILITATING THEIR CORRECT INTERPRETATION NECESSITATED FROM 2021 TRANSITION TO NEW LAND DEVELOPMENT CODE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2(b) of the Florida Constitution; Chapter 166 Florida Statutes (Municipal Home Rules Powers Act); Section 163.3161 Florida Statutes (Community Planning Act) and the Charter of the City empower and require the City to establish a land development code and provide for its administration, enforcement and amendment; and

WHEREAS, in 2018 the City of Pembroke Pines undertook the project to update the City's Land Development Code (LDC); and

WHEREAS, following numerous public meetings, the City Commission of the City of Pembroke Pines adopted the updated LDC at its March 3, 2021 City Commission meeting; and

WHEREAS, the newly adopted LDC became effective April 26, 2021; and

WHEREAS, the City of Pembroke Pines City Staff, as part of the project to update the LDC, anticipated the need to incrementally review, revise and update the LDC following the effective date of the LDC and its integration into the City's land development process; and

WHEREAS, the City Commission of the City of Pembroke Pines has considered the adoption of the proposed updates to Chapter 155 of the LDC at properly advertised public hearings held on **May 18, 2022 and June 15, 2022**; and;

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WHEREAS, the City Commission of the City of Pembroke Pines finds that the adoption, administration and enforcement of the updates to Chapter 155 of the LDC serves to implement the adopted Comprehensive Plan and the Elements thereof; and

WHEREAS, the Director of Planning and Economic Development has reviewed the item and determines that the approval of the updated Chapter 155 of the LDC attached hereto as Exhibit “A” are consistent with the goals, objectives and policies of the City of Pembroke Pines Comprehensive Plan as amended; and

WHEREAS, the City Commission desires to approve and adopt the updated Chapter 155 of the LDC.

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

SECTION 1: That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance. All exhibits attached hereto and referenced herein are hereby incorporated by this reference.

SECTION 2: Chapter 155 of the Land Development Code – City of Pembroke Pines Florida is hereby amended as set forth in both the physical and digital forms of the document which are attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 3: SEVERABILITY.

If any portion of the City’s Land Development Code or this Ordinance or the application thereof to any person or circumstance is held invalid, unconstitutional or unenforceable, such invalidity shall not affect other provisions or applications of this Ordinance that can be given affect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

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SECTION 4: CONFLICT.

All ordinances or parts of ordinances or resolutions of the City Commission, in conflict with this Ordinance are hereby repealed to the extent such conflict, and are superseded and replaced in their entirety by this Ordinance.

SECTION 5: The appropriate officers and agents of the City are authorized and directed to codify, include and publish the provisions of this Ordinance. Section numbers may be assigned and changed whenever necessary or convenient, and staff is directed to promptly furnish a digital or physical copy of the LDC to the Florida Department of Economic Opportunity.

SECTION 6: EFFECTIVE DATE.

This Ordinance shall become effective immediately upon adoption.

[SIGNATURES TO FOLLOW]

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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 MAY,
2022.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE
PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS __ DAY OF JUNE,
2022.**

CITY OF PEMBROKE PINES, FLORIDA

By: _____

ATTEST:

MAYOR FRANK C. ORTIS

MARLENE GRAHAM, CITY CLERK

ORTIS _____

APPROVED AS TO FORM:

GOOD _____

CASTILLO _____

SCHWARTZ _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____