

PROPOSED ORDINANCE NO. 2022-11

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 "LAND DEVELOPMENT CODE," BY AMENDING SECTION 155.306 ENTITLED "APPLICATION SUBMITTAL PROCEDURES" SUBSECTION (E) ENTITLED "FEES", TO PROVIDE FOR AN UPDATED FEE SCHEDULE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pembroke Pines processes numerous development applications to be brought before the City Commission and the Planning and Zoning Board; and,

WHEREAS, certain fees that the City assesses for review of each development application have been determined to not be consistent with actual processing costs; and,

WHEREAS, applicants should only have to pay fees commensurate with their request and the applicable staff time applied to review each development application; and,

WHEREAS, the Planning and Economic Development Department has determined that an updated fee schedule is necessary, which is attached to hereto and incorporated herein as **Exhibit "A,"** to reflect the City's current development applications and costs; and,

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WHEREAS, the Planning and Economic Development Department publishes in hard copy and posts on the city's website, a fee schedule every year which provides the most accurate fees based on changes to the Consumer Price Index (CPI).

WHEREAS, the any and all fee adjustments outside of CPI increases must be approved by the City Commission;

WHEREAS, the City Commission finds that revising the site development application classification and the City's site development plan fee schedule within the City is in the best interest of the health, safety and welfare of the citizens and residents of the City of Pembroke Pines;

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 155.306, entitled "APPLICATION SUBMITTAL PROCEDURES", subsection (E) entitled "Fees", as follows:

§ 155.306 APPLICATION SUBMITTAL PROCEDURES.

(E) Fees.

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(1) The City Commission establishes application fees and may amend and update those fees as determined necessary.

(2) The fees schedules for any development plan are incorporated herein by reference. A fee schedule is available in the City Clerk's and Planning and Economic Development Department offices upon request.

(3) A surcharge applies to all development and applications that require Planning and Zoning Board consideration. The surcharge can be found in the fee schedule, which is available in the City Clerk's and Planning and Economic Development Department offices upon request.

(4) On October 1 of each year, the fees referred to above may be increased, in accordance with the Consumer Price Index for Urban Consumers in the United States, published by the Bureau of Labor Statistics for the 12 months ending April of each year, unless otherwise instructed by the City Commission. All other proposed changes to the fees referred to above shall be set by resolution of the City Commission by separate resolution.

(5) Advertising fees. The applicant bears the cost of the advertisement for any displayed advertisements or mailings required by state statutes or city ordinances, except as may otherwise be expressly provided herein.

(6) Applicants are responsible for all applicable recording costs where applicable.

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Section 3. The Planning and Economic Development Department shall provide the attached approved fee schedule, attached to hereto and incorporated herein as **Exhibit “A,”** to the City Clerk’s Office.

Section 4. 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 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 remaining portions or applications remaining in full force and effect.

Section 7. This Ordinance shall become effective upon 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
_____, 2022.

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

CITY OF PEMBROKE PINES, FLORIDA

By: _____

ATTEST:

MAYOR FRANK C. ORTIS

MARLENE D. GRAHAM, CITY CLERK

ORTIS _____

CASTILLO _____

APPROVED AS TO FORM:

GOOD _____

SCHWARTZ _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____

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