

**PROPOSED ORDINANCE NO. 2017-23  
ORDINANCE NO. 1897**

**AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 ENTITLED "ZONING CODE," BY AMENDING SECTION 155.149, ENTITLED "GENERAL BUSINESS (B-3) DISTRICTS," TO AMEND SECTION 155.149 (B) TO REMOVE MINI-WAREHOUSE USES; TO AMEND SECTION 155.149 (I) TO PROVIDE FOR CONSISTENCY IN STANDARDS RELATED TO GENERAL OUTPARCELS; TO AMEND SECTIONS 155.149 (J) TO PROVIDE FOR NEW DEFINITIONS, GUIDING PRINCIPLES AND DEVELOPMENT STANDARDS RELATING TO THE REGIONAL MALL AND OUTPARCEL DEVELOPMENT, TO CREATE SECONDARY CLASSIFICATION, TO CORRECT EXISTING NON-CONFORMITIES, TO ALLOW FOR DEVELOPMENT WITHIN PARCEL A OF THE UNDERLYING DEVELOPMENT OF REGIONAL IMPACT WITH ASSOCIATED STANDARDS AND IMPOSE A CAP ON NUMBER OF OUTPARCELS ON SITE; 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**, the regional mall and outparcel development code sections do not currently allow for outparcel type development within the ring road; and

**WHEREAS**, additional review by City planning staff of the Outparcel Master Plan, revealed that three (3) of the mall properties initially designated as outparcels do not actually meet the mall outparcel definition given their size; and

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**WHEREAS**, City planning staff is proposing code amendments which will clarify standards and guidelines with regards to mall property and provide for uniformity in implementation; and

**WHEREAS**, the mini-warehouse uses in General Business (B-3) Districts has not been used is over twenty (20) years and has been superseded by the storage warehouse use provided for in §155.150 of the City Code, entitled "Commercial (C-1) Districts;" and,

**WHEREAS**, City Staff believes eliminating the mini-warehouse uses in General Business (B-3) is in the best interests of the City; and

**WHEREAS**, the Planning and Zoning Board for City of Pembroke Pines has reviewed and approved the removal of the mini-warehouse uses in General Business (B-3) Districts; 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.

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

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**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" is amended as follows:

**Sec. 155.149. General (B-3) Business Districts**

The following regulations shall apply in all B-3 Districts:

(A) Purpose of district. The B-3, General Business District, is intended to apply to arterial streets and traffic ways where business establishments, primarily not of a neighborhood or community service type, may properly locate to serve large sections of the city and metropolitan area. These businesses generally require considerable ground area, do not cater directly to pedestrians, and need a conspicuous and accessible location convenient for motorists.

(B) Uses permitted. No building, structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, provided, however, that no more than one of the specified uses will be permitted on a single parcel of property except as permitted by subsection (I) "Out Parcels":

(1) Any use permitted in a B-1 or B-2 District.

(2) Automobile dealership.

(a) New or used automobile, truck, and trailer sales, and repairs providing the use is located on a minimum lot size of 10 acres.

(b) Display and storage of not more than 15 utility trailers or trucks for rental purposes providing these uses are located in the rear of the principal building, and the trucks are screened from pedestrian and vehicular traffic.

(c) All automobile dealerships must include an enclosed showroom and all repair facilities must be enclosed.

(d) No temporary signs, banners, or pennants will be allowed except as expressly approved on the site plan.

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- (e) No signs on or within automobiles shall be visible from any public street.
- (f) Customer and employee parking areas shall be shown on the site plan. No vehicles for sale may be located within these areas.
- (g) Accessory automatic car wash.
- (h) Accessory manual car wash/detail.
- (i) No elevated vehicle display(s) for sales of vehicles.
- (j) Elevated storage of vehicles shall be located to minimize visibility from street frontages and adjacent properties.
- (3) Boat sales in a fully enclosed building.
- (4) Home appliance repair; hand laundry; job printing shop; locksmith; sharpening and grinding; radio, television, and phonograph repair; newspaper printing plant.
- (5) Boxing or sports arena, golf driving range, miniature golf course, bowling alley, skating rink, swimming pool, drive-in theater.
- (6) Tire and battery store, retail plumbing and electrical fixtures; lawnmower rental, sales, and service; ship chandlery; upholstering shop utilizing the services of not more than four persons on the premises and occupying not more than 4,000 square feet of floor space; offices of electrical and plumbing contractors, including not over 4,000 square feet of enclosed storage and shop space; with no outside or open air storage of supplies or materials; used furniture and household appliances entirely within a fully enclosed building.
- (7) Accessory uses and structures.
- (8) Sale of used auto parts or motorcycles, inside of a fully enclosed building. Sign painting, inside of a fully enclosed building. Glass and mirror shop, awning and canvas shop, furniture repair shop, upholstering shop.
- (9) Service Stations, which may include the following ancillary uses:
  - (a) Convenience store
  - (b) Food services
  - (c) Automatic car washes
  - (d) Manual car wash/detailing
  - (e) Automobile repair, minor
  - (f) Outdoor storage for ~~up to~~ liquid propane tank exchange service
  - (g) Electric vehicle charging stations
  - (h) Ice vending machines
  - (i) Other uses that are approved through the city's Planning and Zoning process

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Parking for Service Stations shall be according to Retail – General standards in § 155.251 of the Code of Ordinances.

(10) Car washes. All car washes shall be reviewed by the Planning & Zoning Board through the city's site plan review procedures.

(a) Self-service car wash. A structure where equipment and/or facilities are provided for the self-service application of cleaner, rinse water, waxes or polishes and other vehicle treatments to automobiles and other motor vehicles.

1. Equipment. No equipment shall be permitted except as necessary to permit self-service car-washing, drying, vacuuming directly and solely by the customer. All equipment shall be within an enclosed portion of the building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property.

2. Parking.

a. A minimum of three off-street storage (stacking) spaces shall be provided at both the entrance and exit of each wash bay.

b. A minimum of two off-street parking spaces shall be provided per vacuum cleaning unit, not including exiting stacking spaces.

3. Employees. No employees shall be permitted other than one person to maintain and service equipment and grounds.

4. General design standards.

a. No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.

b. Foundation planting, a minimum of seven feet wide shall be provided adjacent to the non-vehicular access sides of the building which are in the public view.

c. The landscape buffering and separation requirements provided in the City Code shall apply.

(b) Accessory automatic car wash. An accessory structure containing facilities for washing automobiles, using production line, automated or semi-automated application of cleaner, brushes, rinse water, steam-cleaning and heat for drying, whether or not employing a chain or other type of conveyor.

1. Equipment. All washing facilities shall be within an enclosed building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property. All washing facilities shall also be equipped with a water recycling system.

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2. Employees. No employees shall be permitted other than one attendant to maintain and service equipment and grounds who must be present during all hours of operation. This attendant requirement shall not apply where the laundry facility is an integral and accessory part of a service station operation and attendants serve both the laundry and service station facilities.

3. Parking.

a. A minimum of two off-street storage spaces shall be provided per vacuum cleaner.

b. A minimum of eight stacking spaces shall be provided on the entrance side of the facility.

c. A minimum of three stacking spaces shall be provided on the exit side of the facility.

4. General design standards.

a. No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.

b. The car wash facility must demonstrate architectural compatibility with the principal structure.

c. Foundation planting, a minimum of seven feet wide shall be provided adjacent to the non-vehicular access sides of the building which are in the public view.

d. The landscape buffering and separation requirements provided in the City Code shall apply.

(c) Attended automatic car wash. A structure containing facilities for washing automobiles, using production line, automated or semi-automated application of cleaner, brushes, rinse water, steam-cleaning and heat for drying, whether or not employing a chain or other type of conveyor.

1. Equipment.

a. All washing facilities shall be within an enclosed building except that vacuuming facilities may be outside the building where the subject property is located at least 500 feet from any residentially zoned or used property.

b. No outside loudspeakers or radios are permitted. Radio station promotions and/or other activities utilizing loudspeakers or broadcasting equipment are prohibited.

c. No electrical or air driven hand tools, including but not limited to polishers and buffers, shall be utilized outside of the required building enclosure,

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unless the subject property is located at least 500 feet from any residentially zoned or used property.

d. All washing facilities shall be equipped with a water recycling system.

2. Parking.

a. One parking space per employee shall be provided.

b. Five parking spaces shall be provided at the exit side of the facility for final hand drying and interior cleanup and as a customer pickup area.

c. A minimum of 18 stacking spaces shall be provided on the entrance side of the facility.

3. General design standards.

a. No tunnel entrance or exit of a car wash operation shall face an adjacent residentially used or zoned property, not including those across an intervening right-of-way or street.

b. Foundation planting, a minimum of seven feet wide shall be provided adjacent to the non-vehicular access sides of the building which are in the public view.

c. The landscape buffering and separation requirements provided in the City Code shall apply.

(d) An applicant who proposes to locate electrical or air-driven hand tools or vacuuming facilities outside the building but within 500 feet from any residentially zoned or used property shall apply for Planning and Zoning Board consideration. The applicant must demonstrate and prove with substantial and competent evidence that such equipment shall not exceed the ambient noise levels as provided in the Pembroke Pines noise abatement chapter.

(e) Manual car wash/detailing. Permitted only as an accessory use to Service Stations, automobile dealerships and golf courses.

1. General design standards.

a. Manual car wash/ detailing shall be conducted under a permanently installed canopy aesthetically compatible with the primary structure.

b. The operation of such manual car wash shall not create any standing water and shall not drain directly into drainage system.

c. Required parking and site circulation for existing use(s) shall be maintained.

d. Sign(s) for car washes are restricted to car wash canopies only and are counted as part of the total allowed building signage of 36 square feet.

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2. Parking. Two parking spaces are required per work station for storage, stacking, pick-up, or drop-off.

~~(11) Mini-warehouse as a zoning exception granted only after a public hearing before the City Commission. A zoning exception under this subdivision may be granted if the proposed facility meets the following criteria:~~

~~— (a) The facility is included within an existing or proposed shopping center that exceeds 250,000 square feet of gross building area;~~

~~— (b) The gross floor area of the proposed mini-warehouse does not exceed more than 15% of the gross building area of the shopping center where the facility is located;~~

~~— (c) The mini-warehouse bays do not have direct access to the exterior of the building in which it is located, but have access only to interior hallways. No direct access between retail areas and a mini-warehouse shall be permitted.~~

~~— (d) The mini-warehouse shall comply with all other applicable requirements of this code, including, but not limited to, site plan and off-street parking requirements.~~

~~(112)~~ Electronic nicotine device retail store ~~setre~~ and tattoo parlor, subject to §§ 155.310 through 155.313.

~~(123)~~ Storage of rental vehicles. Outside accessory storage of rental vehicles may be permitted as described below:

(a) Site plan. A site plan, or site plan amendment, describing with particularity the specific storage areas for rental vehicles for each proposed and/or existing use, must be submitted to the Planning and Zoning Board for review and approval in accordance with § 155.395 of this code. All parking for the storage of rental vehicles shall be in excess of required parking for the center. The Planning and Zoning Board must determine that the location for the storage of vehicles does not interfere or impede with the use of the parking lot for the customers, employees or owners of the other businesses in the center.

(b) Type of vehicles. Stored rental vehicles may not have more than two axles. Only vehicles that may be driven with a non-commercial driver's license issued by the Florida Department of Motor Vehicles may be stored on-site. Rental and storage of construction and heavy equipment shall not be permitted.

(c) Restrictions. No vehicles with advertising, other signage, or greater than 5,000 pounds may be parked in the front. Any such vehicles must be parked in the rear of the building and screened from adjacent residential development.

~~(134)~~ Home improvement centers.

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(145) Outdoor sale and display of utility trailers and barbeques accessory to home improvement centers subject to Planning and Zoning Board site plan approval.

(156) Wholesale sales, but only as an accessory use to those permitted uses enumerated in § 155.145(B)(1) or § 155.146(B)(3).

(167) Pet hotels, subject to the following limitations:

(a) **PET HOTELS** shall be limited to mean any place of business where dogs or cats are kept for boarding, and shall only be permitted as an accessory use for businesses whose principal operations include the sale of pets and pet supplies, and whose store is at least 15,000 square feet.

(b) Adequate soundproofing in any area where animals are boarded. Sleeping quarters shall be limited to 15% of the total square footage of the business.

(c) No exterior cages.

(d) Shall contain an approved air-handling system for disinfection and odor control.

(e) Shall contain adequate waste control facilities, such as a flush system or equal.

(C) Uses prohibited. The permissible uses enumerated in division (B) above shall not be construed to include, either as a principal or accessory use, any of the following, which are listed for emphasis:

(1) Open air sale or display of machinery, farm implements, or construction equipment.

(2) Manufacturing, except as accessory to a permitted use.

(3) Wholesale, warehouse, or storage uses, except as provided in subdivision (B)(11) or (B)(15) above.

(4) Pawn shop.

(5) Flea market.

(6) Any use first permitted in a less restricted district.

(D) Limitation on uses. All products produced incidental to a permitted use shall be sold at retail on the premises. All activities of permitted uses, including sale, display, preparation, and storage, shall be conducted entirely within a completely enclosed building; however, 1) drive-in type retail stores may conduct sales through open doors or windows; 2) accessory garden centers may store and conduct sales within a screened area as approved by the Planning and Zoning Board; 3) building materials may be stored within a screened area as approved by the Planning and Zoning Board.

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(E) Height. No building or structure shall be erected or altered to a height exceeding 100 feet; nor shall any building abutting within 100 feet from single family zoning districts exceed two stories or 35 feet.

(F) Plot size. Plots shall have not less than 150 feet of frontage on the primary traffic artery, and not less than 100 feet in depth, nor less than 15,000 square feet in area.

(G) Yards.

(1) Front or side. Every plot shall have a front or street side yard of not less than 30 feet in depth. For buildings exceeding 35 feet in height, front yards or street side yards must be increased one foot for every two feet in height in excess of 35 feet.

(2) Side yards. Every plot shall have a side yard not less than ten feet in width, which shall be totally landscaped. For buildings exceeding 35 feet in height, side yards must be increased one foot for every five feet in height in excess of 35 feet.

(3) Rear yards. Every plot shall have a rear yard not less than 15 feet in depth.

(4) Front and street side yards. The first fifteen feet of all front and street side yards adjacent to the property line shall be fully landscaped with sod, ground shrubbery, and trees, except where crossed by permitted access driveways or walkways. The balance of the required yards may be used for parking.

(5) Alleys. Where a plot abuts a dedicated alley, one-half of the width of that alley may be considered part of the plot for the purpose of computing the depth of the minimum yards.

(6) All plots abutting a residential district or use shall have yards in accordance with § 155.056.

(H) Minimum floor area. The minimum floor area of a dwelling unit shall be 325 square feet. The minimum floor area of a rental sleeping room in a hotel, lodging house, tourist home, or similar use shall be 150 square feet.

(I) Outparcels.

(1) Subject to the requirements set forth in Section 155.146 (H).~~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:~~

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- ~~—— (a) To assure that principal developments are not 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.~~
  - ~~—— (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 percent 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 18 feet 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~~

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circulation and access of the principal commercial facility and its parking and service be impaired.

~~— (e) Reserved.~~

~~— (f) Architectural design: 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.~~

~~— (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 (l).~~

~~— (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 (l) and any additional requirements imposed by the city in connection with the master plan or site plan approval to the property being sold.~~

~~(J) Regional Mall and Outparcel Development. Outparcel development on regional mall properties. Notwithstanding the provisions of division (l) above, tThe following additional provisions shall govern development on properties which been approved for the construction and development of a regional mall.~~

~~(1) Definitions. For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~**REGIONAL MALL.** For purposes of this section, the term regional mall shall mean a development of not less than 600,000 square feet containing not less than two department stores.~~

~~**SECONDARY BUILDING.** A commercially detached building, also referred as an outbuilding greater than 15,000 square feet in size and occupied by either single or multiple tenants, which is constructed within the mall property. The~~

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building shall be architecturally compatible with but subordinate to, the principal building on site.

(2) Guiding Principles

(a) All building elements shall be aesthetically and architecturally compatible throughout the site;

(b) Regional mall and secondary building placement shall maximize parking, open space, safety and access to the facility;

(c) Placement of buildings shall not hinder the operations of the regional mall;

(d) The road network shall be designed to enable efficient vehicular flow;

(e) Building uses shall be supportive and complementary to the principal use.

(2) Regional Mall and Secondary Building Development Standards:

(a) Regional mall and secondary building height, width, setback and landscaping must meet the requirements set forth in the provisions of this division.

**REGIONAL MALL OUTPARCEL DEVELOPMENT.** Regional Mall Outparcel development shall be defined as development of a freestanding commercial building containing no more than 15,000 square feet of gross floor area, occupied by a single tenant which is often not constructed concurrently with the principal structure on the parcel.

(2)(3) Site Development Standards for Regional Mall Outparcels.

(a) Mall outparcel plan requirements. A mall outparcel master plan shall be submitted by any applicant proposing to add a new outparcel to the mall property. Applicant shall provide a site plan of the entire mall property as well as the location of all existing and proposed principal, secondary and outparcel buildings.

(b) Mall Outparcels shall be permitted within parcels A, B & C as defined within the Mall Development of Regional Impact.

(c) The Maximum number of outparcels is equal to 13.

(d) (a) Maximum outparcel building width. In order to ensure that the development of the outparcel buildings does not obscure the identity of the principal commercial uses located behind the outparcels, outparcel buildings shall not exceed 125 feet in width measured parallel to the abutting public right-of-way or access road excluding roof overhangs, porte cocheres and other similar projections. Further, the combined width of all outparcel buildings shall not exceed 50% of the road frontage.

(e) (b) Maximum outparcel building height. The maximum outparcel building height shall be one story not to exceed 25 feet above the crown of the road for the portion of the property located between the regional mall structure

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and Pines Boulevard and two stories not to exceed 35 feet above the crown of the road for the remainder of the property.

- (f) ~~(e)~~ Setbacks. All buildings along Pines Boulevard shall comply with Pines Boulevard landscape buffer requirements. All other parcel lines shall provide a minimum 10' landscape buffer and 30 feet setback from the mall access and/or mall ring road. Buildings shall comply with the setback and landscape buffer requirements shown on Exhibit A.
- (g) ~~(d)~~ Landscape requirements. Mall Outparcel development sites shall comply with the city's landscaping requirements for the number, type, size and quality of both trees and ground cover. Any area not devoted to structured or paved parking must be landscaped and irrigated in accordance with the minimum standards set by the city. All landscaped areas shall be protected from vehicular encroachment by a continuous curb and gutter.
- (h) Signage: Outparcels within Parcels B and C, located along Pines Boulevard pursuant to the Mall Development of Regional Impact, shall comply with the sign requirements of Section 155.324 (C) (3). Parcel A, located within the main mall parcel pursuant to the Mall Development of Regional Impact, shall be required to amend the Mall Master Sign Plan with standards compatible with the existing development subject to review and approval by the Planning and Zoning Board.
- (i) ~~(e)~~ Pedestrian access. The owner/developer of an outparcel site should be conscious of providing an open space network of pedestrian walkways, open areas and buffers throughout the site.
- (j) ~~(f)~~ Walls and fences. No wall, fence or screen enclosure shall be constructed within any landscape buffer along a property line with a height of more than six feet above the ground level of adjoining property, and no hedge or shrubbery shall be permitted with a height of more than eight feet. All proposed fences, walls, and screens shall be constructed of materials and utilize colors that are compatible with the principal structure on the site. There shall be no wooden fences or walls permitted.
- (k) ~~(g)~~ Parking. Each mall outparcel must provide sufficient parking on-site to meet the city zoning code requirements in accordance with its use.
- (3) ~~(4)~~ Use restrictions.
  - (a) Accessory buildings. No accessory buildings shall be permitted on outparcel development sites, except that a drive-in teller or drive-up window and associated menu boards, and the like shall not be considered as accessory

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buildings so long as they are integrated with the principal building. Garbage and trash dumpsters may be kept in freestanding locations, except that they shall not be permitted along Pines Boulevard, and they must be completely screened from view by a combination of fences, walls, screens and landscaping and shall be submitted as part of and shall be subject to site plan review. There shall be no freestanding kiosk type buildings or small light structures permitted in the parking areas or service areas outside of the main buildings.

(b) Service and delivery. All service and deliveries to any building shall be to the rear of the building where physically possible. There shall be no outside display or storage of materials, products or goods. No truck or commercial vehicle of any kind shall be permitted to be parked on the property for a period of more than four hours between 9:00 a.m. and 9:00 p.m. unless said vehicle are temporarily present and necessary and incident to the business on the property.

(c) Limitation on recreational vehicles. No recreational vehicle of any kind shall be parked overnight and no boats, boat trailers or trailers of any kind, or campers or mobile homes shall be permitted to park overnight on or near the property at any time unless kept inside a screened enclosure. No vehicles shall be used as a domicile or residence, either permanent or temporary.

(d) Screening of service and mechanical equipment. All garbage and trash containers or compactors, oil tanks, bottled gas tanks and irrigation system pumps must be underground or places in walled-in areas or landscaped screened areas. All air-conditioning units, mechanical equipment, and the like, whether roof mounted or at grade shall be shielded and hidden so that they shall not be visible from a point six feet above the ground from any abutting public or private right-of-way and/or property line. Wood may not be used as a screening material.

(4 5) Reserved.

(56) Architectural compatibility.

(a) Mall 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 following architectural compatibility standards are not intended to require any particular architectural style, design, color or material on outparcel buildings, but is intended to establish an overall goal of visual harmony and compatibility between the mall and the outparcel buildings and between the outparcel buildings themselves.~~

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~~1. Architectural design of the buildings on outparcel sites shall be architecturally compatible with one another. Superior design and quality materials are required.~~

~~2. Architectural design of all buildings on outparcel sites shall be architecturally compatible with the regional mall.~~

~~3. The buildings on the outparcel shall be designed using the materials which are architecturally compatible with the mall's materials.~~

~~4. Color compatibility between the mall and the outparcel buildings shall be mandatory.~~

~~5. The facade of all outparcel buildings facing Pines Boulevard, the mall entrance roads, and the mall ring road shall be designed so as to minimize service functions in these areas.~~

(67) Scope of Application.

(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 (J).

(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 (J) and any additional requirements imposed by the city in connection with the master plan or site plan approval to the property being sold.

(K) Scope of Application. Notwithstanding any of the provisions herein, the provisions of divisions (G)(2) through (6) of this section shall not apply to any parcel of property under one ownership or control that does not meet the minimum depth or width requirements as set forth in division (F) on the effective date of this section, October 23, 1969.

(L) Each structure having a permitted use or combination of permitted uses shall not be less than 1,500 square feet in ground floor area. However, existing outparcels delineated on a plat recorded prior to 2-6-85 for a shopping facility shall be exempted from providing a building of the above minimum square footage.

CODING: Words in ~~strike-through~~ type are deletions from existing law;  
Words in underlined type are additions.



**PROPOSED ORDINANCE NO. 2017-23  
ORDINANCE NO. 1897**

**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 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.

**[THE REMAINDER OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK]**

CODING: Words in ~~strike-through~~ type are deletions from existing law;  
Words in underlined type are additions.

**PROPOSED ORDINANCE NO. 2017-23  
ORDINANCE NO. 1897**

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 17th DAY OF JANUARY, 2018.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS 7th DAY OF MARCH, 2018.**

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

  
MARLENE D. GRAHAM 3/8/18  
CITY CLERK

By:   
MAYOR FRANK C. ORTIS

ORTIS AYE


CASTILLO AYE

SCHWARTZ AYE

MONROIG AYE

SIPLE AYE

APPROVED AS TO FORM:

  
OFFICE OF THE  
CITY ATTORNEY



**CODING:** Words in ~~strike-through~~ type are deletions from existing law;  
Words in underlined type are additions.





# City of Pembroke Pines, FL

601 City Center Way  
Pembroke Pines, FL  
33025  
www.ppines.com

## Agenda Request Form

**Agenda Number: 13.**

**File ID:** 2017-23

**Type:** Ordinance

**Status:** Passed

**Version:** 2

**Agenda  
Section:**

**In Control:** City Commission

**File Created:** 01/08/2018

**Short Title:** Regional Mall, Outparcel Development,  
Mini-Warehouse

**Final Action:** 03/07/2018

**Title:** MOTION TO ADOPT PROPOSED ORDINANCE NO. 2017-23 ON  
SECOND AND FINAL READING.

PROPOSED ORDINANCE NO. 2017-23 IS AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA AMENDING CHAPTER 155 ENTITLED "ZONING CODE," BY AMENDING SECTION 155.149, ENTITLED "GENERAL BUSINESS (B-3) DISTRICTS," TO AMEND SECTION 155.149 (B) TO REMOVE MINI-WAREHOUSE USES; TO AMEND SECTION 155.149 (I) TO PROVIDE FOR CONSISTENCY IN STANDARDS RELATED TO GENERAL OUTPARCELS; TO AMEND SECTIONS 155.149 (J) TO PROVIDE FOR NEW DEFINITIONS, GUIDING PRINCIPLES AND DEVELOPMENT STANDARDS RELATING TO THE REGIONAL MALL AND OUTPARCEL DEVELOPMENT, TO CREATE SECONDARY CLASSIFICATION TO CORRECT EXISTING NON-CONFIRMITIES, ALLOW FOR DEVELOPMENT WITHIN PARCEL A OF THE UNDERLYING DEVELOPMENT OF REGIONAL IMPACT WITH ASSOCIATED STANDARDS AND IMPOSE A CAP ON the NUMBER OF OUTPARCELS ON SITE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**\*Agenda Date:** 03/07/2018

**Enactment Date:** 03/07/2018

**Agenda Number:** 13.

**Enactment Number:** 1897

**Internal Notes:** Proposed Ordinance 2017-23

**Attachments:** 1. 2017-23-Regional Mall, Outparcel Development Mini-Warehouses (00219214xC4B6A), 2. Mall

Parcel Maps, 3. Draft excerpts from Planning and Zoning Minutes (12/14/17)

- |       |   |            |                                      |      |
|-------|---|------------|--------------------------------------|------|
| 1     | City Commission   | 01/17/2018 | pass on First<br>Reading             | Pass |
|       | <b>Action Text:</b> A motion was made by Commissioner Monroig, seconded by Commissioner Siple, to pass on First Reading. The motion carried by the following vote:<br>Aye: - 5 Mayor Ortis, Vice Mayor Castillo, Commissioner Schwartz,<br>Commissioner Siple, and Commissioner Monroig<br>Nay: - 0 |            |                                      |      |
| <hr/> |   |            |                                      |      |
| 2     | City Commission   | 03/07/2018 | adopt on Second<br>and Final Reading | Pass |
|       | <b>Action Text:</b> A motion was made by Vice Mayor Castillo, seconded by Commissioner Monroig, to adopt. The motion carried by the following vote:<br>Aye: - 5 Mayor Ortis, Vice Mayor Castillo, Commissioner Schwartz,<br>Commissioner Siple, and Commissioner Monroig<br>Nay: - 0                |            |                                      |      |
- 

**SUMMARY EXPLANATION AND BACKGROUND:**

1. City planning staff periodically reviews the City Code of Ordinances and makes recommendations on amendments to the Land Development Code. Staff recommendations for amendments may be spurred by requests from the City Commission, City Boards, or internal staff observations during implementation. The following Ordinance addresses / amends the following three sections of the B-3 (General Business) zoning district:

- ☐ **Mall Parcels: (Section 155.149 (J))**
- ☐ **General Outparcel regulations (Section 155.149 (I) (1))**
- ☐ **Mini-warehouse standards (Section 155.149 (B) (11))**

2. **Mall Parcels** - The Planning and Economic Development Department has been approached by mall management to update City Code relating to Regional Mall development. Mall management requests that the City review the applicable Code Section 155.149 (J) to allow for the development of mall outparcels within Parcel A of the mall.

3. **Mall Parcelization Plan History** - The Pembroke Lakes Mall parcelization plan (SP 92-29) was approved by City Commission on December 16, 1992. The approved 1992 parcelization plan permitted a maximum of 12 out parcels on Parcels 'B' and 'C' of the mall. Parcels 'B' and 'C' cover a majority of the Pines Boulevard mall frontage (from Flamingo Road to the west to the Olive Garden restaurant to the east). The City Commission later approved a 13th outparcel (SP 2011-10 - Chick fila) at its September 7, 2011 meeting.

4. **Mall Parcel Request** - Mall management approached the City in late 2016 looking to develop two outparcel buildings within the Mall ring road (Parcel A). The Mall plat / DRI contain enough developable rights for these two outparcel buildings. As part of the due diligence efforts, staff reviewed the existing Mall Outparcel ordinances as well as the latest approved master outparcel plan. The current Mall outparcel Ordinance as written does not currently allow for outparcel type development within the mall ring road (Parcel A). Upon review of the Mall



Outparcel Master Plan, the City realized that 3 of the mall properties (El Dorado, Toys R' US, Golfsmith) that were designated as outparcels do not actually meet the mall outparcel definition because the buildings on those parcels exceed 15,000 square feet in area (legal non-conforming structures).

5. The following clarifying / corrective improvements to the Code are proposed as it relates to Mall property:

1. A definition be created for secondary mall buildings (outbuildings) on site. (El Dorado, Toys R' US, Golfsmith)
  - a. Secondary mall buildings to be those exceeding 15,000 sf in area.
  - b. Secondary mall buildings to closely match the colors and architecture of the main building.
  - c. Height of outbuildings not to exceed height of principal mall building.
2. A formal provision be added to the Regional Mall section of the Code establishing a mall outparcel master plan requirement for the addition of Mall outparcels with the following criteria:
  - a. Mall outparcels to be permitted inside the main mall parcel (Parcel A) as well existing locations along Pines Boulevard (Parcels B and C) upon review and approval of the Planning and Zoning Board.
  - b. Maximum number of outparcels to remain at 13.
    - i. The conversion of El Dorado, Toys R' US, and Golfsmith buildings to secondary buildings would allow for the future development of 3 outparcels. The three outparcels would be subject to future site plan review at Planning and Zoning Board.
  - c. Mall outparcels buildings within Parcel A to require a minimum 10' landscape buffer and 30 foot setback from the mall ring road.
  - d. Mall outparcel buildings may incorporate design, colors and materials consistent with their individual business brand, but shall not incorporate design, colors or materials of which the architectural review board determines detract architecturally from the theme of the principal mall building (consistent with city practice).
  - e. Mall outparcel signs for outparcels on Parcel A shall be reviewed by the Planning and Zoning Board as part of the Mall Master Sign Plan.
  - f. Building heights to be consistent with current allowances for Mall Outparcels.

6. **General Outparcel Regulations** - The City has also been in discussion with the Planning and Zoning Board regarding height restrictions for non-mall outparcel buildings as well as an update general architectural standards for non-mall out parcel buildings conforming to historical architectural review criteria. The following recommendations are proposed for general outparcels by reference :

1. Staff recommends the City allow outparcel buildings to develop up to 30 feet in height from grade, but may not exceed the height of the principal building on site.

2. City outparcel buildings may incorporate design, colors and materials consistent with their individual business brand, but shall not incorporate design, colors or materials of which the architectural review board determines detract architecturally from the theme of the principal building (consistent with city practice).
7. **Mini-warehouse** - Section 155.149 (General Business B-3) of the Code of Ordinances currently allows for mini-warehouse use (155.149 (B) (11)) to be permitted in the General Business Districts. Mini-warehouse use was added to the B-3 district as a result of input from a developer in the late 1980's / early 1990's. Staff finds no instance where mini-warehouse use as defined in the Code has been used or applied for well over ten years. Storage Warehouse is currently permitted within the Commercial (C-1) district. Staff therefore recommends removing mini-warehouse use from the Code of Ordinances and utilizing the provisions for self storage as allowed in C-1.
8. The Planning and Zoning Board at its December 14, 2017 meeting voted to transmit this Ordinance to the City Commission with a favorable recommendation.
9. A related ordinance proposed no. 2017-26 is being heard concurrently at tonight's meeting which will formally incorporate the same general outparcel regulation changes for the Community Business B-2 district.
10. Staff recommends approval of this amendment. The proposed ordinance was revised for typographical errors.

**FINANCIAL IMPACT DETAIL:**

- a) **Initial Cost:** None.
- b) **Amount budgeted for this item in Account No:** Not Applicable.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.