

PROPOSED ORDINANCE NO. 2018-13

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 155.149, ENTITLED "GENERAL BUSINESS DISTRICTS" TO ALLOW MANUAL CAR WASH AND DETAILING USES WITHIN REGIONAL MALLS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, PW Pembroke, LLC, requested the City consider a text amendment to permit manual car washes and detailing as a permitted use within a Regional Mall development under the City's General Business (B-3) Districts; and

WHEREAS, Car washes are currently permitted with the City's B-3 zoning district, the more specific manual car wash and detailing facilities are permitted as an accessory use to Service, Station, Car Dealership, and Golf Courses; and

WHEREAS, the Petitioner seeks to add manual car wash and detailing facilities as a permitted use within Regional Mall in the B-3 General Business Zoning District; and

WHEREAS, the Applicant further requested adding restrictions for such a use in a Regional Mall which requires a waterless cleaning process and the use of 100% biodegradable cleaning products; and

WHEREAS, City staff reviewed the proposed text change and the Applicant's justification and found no compelling reason to support the change based on the Applicant's submittal; and

WHEREAS, on May 10, 2018, the Planning and Zoning Board, after a public hearing, and presentation from the Applicant, voted to recommend that the City Commission amend the Code of Ordinances to permit manual car washed and detailing services, with certain restrictions, within Regional Malls; and

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

PROPOSED ORDINANCE NO. 2018-13

ORDINANCE NO. _____

WHEREAS, the City Commission of the City of Pembroke Pines that it is the best interests of the health, safety, and welfare of its residents to permit manual car wash and detailing services, with certain restrictions, in Regional Malls located within the City's General Business (B-3) Districts.

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 upon adoption hereof.

Section 2. Section 155.149, of the Code of Ordinances of the City of Pembroke Pines, entitled "GENERAL BUSINESS (B-3) DISTRICTS" is hereby amended as follows:

Section 155.149 GENERAL BUSINESS (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.

...

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

...

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

PROPOSED ORDINANCE NO. 2018-13

ORDINANCE NO. _____

(e) Manual car wash/detailing. Permitted only as an accessory use to Service Stations, automobile dealerships, Regional Malls, 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 and shall meet all applicable building code regulations.

b. The operation of such manual car wash shall not create any standing water and shall not drain directly into drainage system. Manual car wash/detailing facilities located within a Regional Mall shall use a waterless cleaning process and products used shall be 100% biodegradable.

c. Engine cleaning and undercarriage cleaning shall be prohibited within Regional Malls

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.

....

Section 3. Conflicts. 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 4. Severability. If any clause, section, or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5. Codification. 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

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

PROPOSED ORDINANCE NO. 2018-13

ORDINANCE NO. _____

phrase in order to accomplish such intention.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its 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 AND 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: _____
MAYOR FRANK C. ORTIS

ATTEST:

MARLENE GRAHAM, CITY CLERK

ORTIS _____

CASTILLO _____

APPROVED AS TO FORM:

GOOD _____

SCWARTZ _____

OFFICE OF THE CITY ATTORNEY

SIPLE _____

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