

PROPOSED ORDINANCE NO. 2018-19

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA, AMENDING CHAPTER 155, THE COMPREHENSIVE ZONING CODE OF THE CITY OF PEMBROKE PINES, BY SPECIFICALLY AMENDING SECTION 155.027, ENTITLED “ZONING MAP”, TO RE-ZONE THE STELLAR PINES TOWNHOMES PARCEL LOCATED GENERALLY SOUTH OF PINES BOULEVARD BETWEEN SW 184TH AVENUE AND SW 186TH AVENUE, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”, RE-ZONING FROM THE CURRENT ZONING “B-3” (GENERAL BUSINESS) / A-1 (LIMITED AGRICULTURAL DISTRICT) TO “TH-12” (TOWNHOUSE DISTRICT) / A-1 (LIMITED AGRICULTURAL DISTRICT); PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, at the May 3, 2000 meeting, the City Commission approved the +/- 26 acre, 184th Plaza Plat (SUB 98-7), which included the Stellar Pines Townhomes Parcel. The applicant failed to record the 184th Plaza Plat which subsequently expired. Thereafter, the various properties within the expired plat were subdivided and platted separately. The Stellar Pines Townhomes Parcel remains vacant and unplatted; and

WHEREAS, the applicant requests the change in zoning in order to develop townhomes on the subject parcel; and

WHEREAS, on June 7, 2017, the City Commission adopted Ordinance 1873, approving the land use plan amendment for the Stellar Townhomes Parcel from Commercial to Irregular Residential 7.9du/ac (PH 2016-03); and

WHEREAS, the contemplated townhome development cannot be developed under the current “B-3” (General Business) zoning; and

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WHEREAS, townhome development is permitted under the “TH-12” (Townhouse District); and

WHEREAS, the Stellar Pines Townhomes parcel is currently zoned “B-3” (General Business) and “A-1” (Limited Agricultural); and

WHEREAS, the Applicant desires to amend the Stellar Pines Townhomes Parcel zoning category from “B-3” (General Business) to “TH-12” (Townhouse District); and

WHEREAS, the Applicant will retain the existing “A-1” (Limited Agricultural) designation on the property to serve as a buffer to the Estancia Residential Community to the south of the Stellar Pines Townhomes Parcel; and

WHEREAS, at the August 9, 2018 Planning and Zoning Board meeting, the city planning and zoning board reviewed the proposed zoning change and voted to transmit this item to the City Commission with a favorable recommendation; and

WHEREAS, after presentation and discussion of the item, the city planning and zoning staff requested the City Attorney's Office to draft a proposed ordinance updating the City Code as it pertains to the zoning classification of the Stellar Pines Townhomes Parcel; and

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WHEREAS, the city planning and zoning staff believes the following amendments, revisions and additions to the City Code are in the best interest of the City; and

WHEREAS, the City Commission of the City of Pembroke Pines has determined that the following amendments promote and protect the general health, safety, and welfare of the 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 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 Stellar Pines Townhomes Parcel located generally south of Pines Boulevard between SW 184th Ave. and SW 186th Ave, as more particularly described in Exhibit "A" attached hereto, from "B-3" (General Business) / "A-1" (Limited Agricultural District) to "TH-12" (Townhouse District) / "A-1" (Limited Agricultural District);

Section 3. 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 Comprehensive Zoning Code of the City of Pembroke

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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 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 validity of the remaining portions or applications remaining in full force and effect.

Section 6. This Ordinance shall become effective 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 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:

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_____	ORTIS	_____
MARLENE GRAHAM, CITY CLERK	CASTILLO	_____
APPROVED AS TO FORM:	SCHWARTZ	_____
	GOOD	_____
_____	SIPLE	_____
OFFICE OF THE CITY ATTORNEY		