

PROPOSED ORDINANCE NO. 2021-01

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 APPROXIMATE 3.98-ACRE PARCEL OF LAND GENERALLY LOCATED SOUTH OF PINES BOULEVARD AND EAST OF 202<sup>ND</sup> AVENUE, LOCATED AT 20170 PINES BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; RE-ZONING FROM THE CURRENT ZONING OF B-2 (COMMUNITY BUSINESS) TO C-1 (COMMERCIAL) FOR TRACT A; ALLOCATING COMMERCIAL FLEXIBILITY TO TRACT A IN ACCORDANCE WITH BROWARD COUNTY ADMINISTRATIVE RULE; RE-ZONING FROM THE CURRENT ZONING OF B-2 (COMMUNITY BUSINESS) TO A-1 (LIMITED AGRICULTURAL) FOR TRACT B, SUBJECT TO THE RECORDATION OF A DECLARATION OF RESTRICTIVE COVENANTS ATTACHED HERETO AS EXHIBIT "B"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Applicant has requested a zoning change from B-2 (Community Business) to C-1 (Commercial) for Tract A and from B-2 (Community Business) to A-1 (Limited Agricultural) for Tract B for the approximate 3.98-acre parcel, generally located south of Pines Boulevard and east of 202<sup>nd</sup> Avenue, as more particularly described in **Exhibit "A"** attached hereto; and

**WHEREAS**, the Applicant has requested that the approximate 3.98-acre of the property be rezoned to C-1 (Commercial) for Tract A and A-1 (Limited Agricultural) for Tract B in order to allow the Applicant to redevelop the site as a Tractor Supply Company store; and

**WHEREAS**, the Applicant has requested an allocation of commercial

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flexibility to Tract A in accordance with Broward County Administrative Rule 3.5(A)(2).

**WHEREAS**, on December 10, 2020, the Planning and Zoning Board of the City of Pembroke Pines, Florida, in accordance with the law held a public hearing for the purpose of making its recommendations regarding a zoning change to the Property; and

**WHEREAS**, the Planning and Zoning Board, at its December 10, 2020 meeting, voted to recommend approval to the City Commission of the re-zoning of the Property as requested, subject to the recordation of the Declaration of Restrictive Covenants, attached hereto as **Exhibit “B”** and incorporated herein; and

**WHEREAS**, the City Commission, in receipt of the recommendations of Staff and the Planning & Zoning Board, has held further public hearings, in accordance with the law; and

**WHEREAS**, the City Commission of the City of Pembroke Pines, Florida deems it to be in the best interest of the citizens and residents of the City of Pembroke Pines, Florida to approve the re-zoning of the property, subject to the conditions set forth herein;

**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

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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 approximate 3.98-acre parcel of land generally located south of Pines Boulevard and east of 202<sup>nd</sup> Avenue, as more particularly described in **Exhibit "A"** attached hereto, from B-2 (Community Business) to C-1 (Commercial) for Tract A with an associated commercial flexibility allocation and from B-2 (Community Business) to A-1 (Limited Agricultural) for Tract B, subject to the recordation of the Declaration of Restrictive Covenants, attached hereto as **Exhibit "B"**, and incorporated herein by reference.

**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 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.

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**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 \_\_\_\_\_, 2021.**

**PASSED ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE SECOND AND FINAL READING, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

CITY OF PEMBROKE PINES, FLORIDA

By: \_\_\_\_\_

ATTEST:

MAYOR FRANK C. ORTIS

\_\_\_\_\_  
MARLENE D. GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

CASTILLO \_\_\_\_\_

APPROVED AS TO FORM:

GOOD \_\_\_\_\_

SCHWARTZ \_\_\_\_\_

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OFFICE OF THE CITY ATTORNEY      SIPLE      \_\_\_\_\_