

## PROPOSED ORDINANCE NO. 2019-18

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF PEMBROKE PINES, FLORIDA ADOPTING THE PROPOSED REGULAR SCALE LAND USE PLAN AMENDMENT AMENDING THE CITY'S LAND USE ON AN APPROXIMATE 558-ACRE PARCEL OF PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF SW 172 AVENUE AND PINES BOULEVARD, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, FROM 509 ACRES OF IRREGULAR RESIDENTIAL (2.243 DU/ACRE) PLUS 49 ACRES OF COMMERCIAL (WITHIN A DASHED LINE) TO 527.6 ACRES OF IRREGULAR RESIDENTIAL (2.621 DU/ACRE) PLUS 30.6 ACRES OF COMMERCIAL WITHIN A DASHED LINE FOR THE PURPOSE OF DEVELOPING A MAXIMUM OF 211 TOWNHOME UNITS; RECOMMENDING AN AMENDMENT TO THE BROWARD COUNTY LAND USE DESIGNATION ON THE AFOREMENTIONED PROPERTY; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE AND PROPOSED LAND USE PLAN AMENDMENT TO THE BROWARD COUNTY PLANNING COUNCIL, THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITIES; REQUESTING THE COUNTY ADMINISTRATOR TO AMEND THE BROWARD COUNTY LAND USE MAP; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Applicant, DR Horton submitted a Regular Scale Land Use Plan Amendment application for the approximate 558-acre parcel of property generally on the southeast corner of SW 172 Avenue and Pines Boulevard, as more particularly described in **Exhibit "A"**, attached hereto; and

**WHEREAS**, the Applicant proposes to change the land use on this parcel from 509 acres of irregular residential (2.243 du/acre) plus 49 acres of commercial (within a dashed line) to 527.6 acres of irregular residential (2.621 du/acre) plus 30.6 acres of commercial within a dashed line for the purpose of developing a maximum of 211 dwelling units on the property; and

## PROPOSED ORDINANCE NO. 2019-18

## ORDINANCE NO. \_\_\_\_\_

**WHEREAS**, the Applicant proposes to amend both the City of Pembroke Pines' (the "City") and Broward County's (the "County") land use plan designations for the above-referenced property; and

**WHEREAS**, an analysis conducted on the Public Facilities and Services indicates that such land use change will result in an increase in impacts on all public facilities and services except traffic circulation and solid waste, and the **applicant has provided letters** regarding the available capacity of the Public Facilities and Services and **will** mitigate any increased impacts prior to adoption to accommodate the proposed amendments; and

**WHEREAS**, The applicant will complete the unfinished 1.35 of wetlands mitigation are subject to Broward County Requirements and will submit an update to the City's affordable housing study in compliance with Broward County Land Use Plan policy 2.16.2; and

**WHEREAS**, the applicant originally requested a maximum of 256 townhome units, then amended their application to reduce the density of the project to a maximum of 234 townhome units; and

**WHEREAS**, at its regular meeting on September 12, 2019, the Planning and Zoning Board, acting as the City's Local Planning Agency considered the proposed Regular Land Use Plan Amendment, and the proposed Amendment is being transmitted to the City Commission with a favorable recommendation, subject to staff

**PROPOSED ORDINANCE NO. 2019-18****ORDINANCE NO. \_\_\_\_\_**

recommendations, and a reduction of the number of townhomes from 234 units to 220 units; and

**WHEREAS**, the Applicant accepted the recommendations of staff as well as of the Local Planning Agency, and voluntarily reduced the maximum number of townhome units further to 211; and

**WHEREAS**, City Staff recommends the approval of the proposed Regular Land Use Plan Amendment with a favorable recommendation and no additional comments were received after transmitting the proposed Regular Land Use Plan Amendment to the Broward County Planning Council, the Department of Economic Opportunity, and any other interested governmental entities following this ordinance's first reading which occurred on May 20, 2020; and

**WHEREAS**, the Broward County Commission adopted the proposed Regular Land Use Plan Amendment January 26, 2021.

**WHEREAS**, the City Commission has held the required public hearings and desires that the Regular Land Use Plan Amendment be transmitted to the Broward County Planning Council for recertification of the City's Future Land Use Plan; and

**WHEREAS**, the City Commission of the City of Pembroke Pines finds the adoption of the Regular Land Use Plan Amendment to be in the best interests 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:**

## PROPOSED ORDINANCE NO. 2019-18

## ORDINANCE NO. \_\_\_\_\_

**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. All exhibits attached hereto are hereby incorporated herein by this reference.

**Section 2.** The City Commission hereby adopts this Regular Land Use Plan Amendment for the approximate 558-acre parcel of property generally on the southeast corner of SW 172 Avenue and Pines Boulevard, as more particularly described in **Exhibit "A"**, attached hereto, attached hereto, by amending the land use on this parcel from 509 acres of irregular residential (2.243 du/acre) plus 49 acres of commercial (within a dashed line) to 527.6 acres of irregular residential (2.621 du/acre) plus 30.6 acres of commercial within a dashed line for the purpose of developing a maximum of 211 dwelling units on the property.

**Section 3.** The City Commission of the City of Pembroke Pines, Florida, hereby directs that the proposed Regular Land Use Plan Amendment for the approximate 558-acre parcel of property generally on the southeast corner of SW 172 Avenue and Pines Boulevard, as more particularly described in **Exhibit "A"**, attached hereto, be transmitted to the Broward County Planning Council and the Department of Economic Opportunity with a favorable recommendation. The City Commission hereby further recommends that the Broward County Planning Council approve the land use for the subject property.

## PROPOSED ORDINANCE NO. 2019-18

## ORDINANCE NO. \_\_\_\_\_

**Section 4.** The City's Land Use Map and Certified Land Use Plan are hereby amended to include the amendments and re-designation described herein.

**Section 5.** The City Commission hereby further requests that the County Administrator amend the Broward County Land Use Map for the subject property.

**Section 6.** The City Clerk is directed to transmit a certified copy of this Ordinance to the Broward County Planning Council, the Department of Economic Opportunity, and any other interested governmental entities with a request that the Council re-certify the City of Pembroke Pines Land Use Plan.

**Section 7.** All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 8.** 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, such unconstitutional or invalid part or application shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance remaining in full force and effect.

**Section 9.** This Ordinance shall become effective immediately upon its passage and adoption.

(REMAINDER INTENTIONALLY LEFT BLANK)

PROPOSED ORDINANCE NO. 2019-18

ORDINANCE NO. \_\_\_\_\_

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 20 DAY OF  
MAY, 2020.

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: \_\_\_\_\_  
MAYOR FRANK C. ORTIS

ATTEST:

\_\_\_\_\_  
MARLENE GRAHAM, CITY CLERK

ORTIS \_\_\_\_\_

APPROVED AS TO FORM:

CASTILLO \_\_\_\_\_

GOOD \_\_\_\_\_

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

SCHWARTZ \_\_\_\_\_

SIPLE \_\_\_\_\_