



## **BUSINESS IMPACT ESTIMATE<sup>1</sup>**

Meeting Date: September 10, 2025

Agenda Item No. 10.1

### **Summary of Proposed Ordinance and Statement of Public Purpose to be Served**

The attached Ordinance proposes to amend the Town Code to update and clarify the permitted uses, development standards, and related provisions for the M-1 (Light Industrial) zoning district. The purpose of these amendments is to modernize the zoning language, ensure consistency with the Town's Comprehensive Plan, address outdated or ambiguous provisions, and better reflect current and anticipated business, industrial, and technological trends. This update is intended to promote orderly development, provide clear guidance to property owners and businesses, and encourage economic activity within the M-1 district while maintaining compatibility with surrounding areas.

### **Estimate of Direct Economic Impact on Private/For Profit Businesses**

#### **a. Estimate of Direct Business Compliance Costs:**

The ordinance may have minimal compliance costs for businesses only if proposed uses or site improvements must be modified to conform to updated M-1 zoning requirements. Most existing, lawfully established uses will not be required to make changes unless they seek redevelopment or expansion.

#### **b. New Charges/Fees on Businesses Impacted:**

The ordinance does not impose new fees. Any development-related fees would remain those already established under existing Town ordinances.

#### **c. Estimate of Regulatory Costs:**

Potential minor regulatory costs may occur for businesses undertaking new construction, renovations, or changes of use, as they will be required to meet updated M-1 zoning standards. These are expected to be similar to current zoning compliance costs.

**Good Faith Estimate of Number of Businesses Likely Impacted:** The ordinance will apply to all properties within the M-1 zoning district. Existing businesses in compliance with current regulations are expected to have no immediate impact. Businesses proposing new projects or changes in use may be subject to updated standards.

### **Any Additional Information:**

This Business Impact Estimate statement is provided as a courtesy. This Ordinance is exempt from the Business Impact Estimate statement requirements under Florida Law as an ordinance required for compliance with federal or state law or regulation under Section 166.041(4)(c)(1), Florida Statutes.

<sup>1</sup> Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;
7. Ordinances enacted to implement the following:
  - a. Part II of Chapter 163, F.S.;
  - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
  - c. Sec. 553.73, F.S. (Fla. Building Code);
  - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).

**ORDINANCE NO. 2025-004**

**AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "ZONING;" BY SPECIFICALLY AMENDING ARTICLE III, DIVISION 6, ENTITLED "M-1 INDUSTRIAL DISTRICT;" AMENDING SEC. 28-211, ENTITLED "INTENT AND DEFINITIONS;" AMENDING SEC. 28-211.5, ENTITLED "PERMITTED USES;" AND AMENDING SEC. 28-218, ENTITLED "SPECIAL HOURS OF BUSINESS OPERATIONS;" PROVIDING FOR A TEXT AMENDMENT TO THE M-1 (INDUSTRIAL) ZONING DISTRICT TO ALLOW FOR CERTAIN LARGE RETAIL USES WITHIN THE DISTRICT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission of the Town of Pembroke Park (the "Town") seeks to amend the M-1 Industrial Zoning District to allow for certain large retail uses within the District; and

**WHEREAS**, the Town's Planning Board, acting as the local planning agency, at its meeting of July 21, 2025, found that the proposed amendments to Chapter 28 of the Town's Code of Ordinances are consistent with the Town's Comprehensive Plan and the Planning Board recommended approval of these amendment to the Town Commission; and

**WHEREAS**, in accordance with Sec. 166.041, F.S., the Town Commission has considered the ordinance at duly noticed public hearings as required by Florida law; and,

**WHEREAS**, the Town Commission hereby finds that amending the Town's Code of Ordinances as set forth herein is in the best interest of the health, safety and welfare of the Town of Pembroke Park, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:**

**Section 1. RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. CHAPTER 2 OF TOWN CODE AMENDED.** Article III, entitled “District Regulation,” of Chapter 28 of the Town Code, entitled “Zoning,” is hereby amended by specifically amending Section 28-211, entitled “Intent and Definitions,” Section 28-211.5, entitled “Permitted Uses,” and Section 28-218, entitled “Special Hours of Business Operation,” as follows:

**Sec. 28-211. - Intent and definitions.**

The M-1 Industrial District is intended for industrial uses and certain large retail uses not in conflict with any ordinance of the Town regulating nuisances and for such uses not involving the use of materials, processes or machinery likely to cause undesirable effects upon neighboring or adjacent residential or business property. The M-1 Industrial District may directly abut a residential or business district and the activities allowed in an M-1 Industrial District are intended to be such as may be compatible with such neighboring districts under the requirements provided in this division to minimize conflict, and to preserve the M-1 Industrial Districts for its primary purpose, to wit: industrial development. Residential uses are not allowed therein.

For purposes of the regulations of the M-1 Industrial District "Residential" shall be deemed to include not only single-family residences but multifamily residential use and mobile home park use in addition thereto; furthermore, "residential zoning" shall also be deemed to include zoning classifications where single-family residences, multi-family residences, or mobile home park use is allowed.

For purposes of applying the regulations of the M-1 Industrial District in Sections 28-212, 28-213, 28-214, and the regulations of the M-1 Zoning District as applicable to non-conforming uses and structures, the word "expand" or "expansion" shall not be limited to an increase in land area, but shall also include an increase in building or structure envelope, an increase in off-street parking utilization, or an intensification to the use evidenced by improvements or alterations made to the site or building since the date the use became non-conforming (alterations and improvements made without permits from the last set of plans on file with the Town shall be conclusively presumed to have been made

after the date the use became non-conforming), or evidenced by a discernible increase in adverse secondary effects in terms of noise, vibration, objectionable odors, air or water pollution, light, traffic congestion, adverse impacts to public safety, or like adverse effects.

...

**Sec. 28-211.5. - Permitted uses**

Except as provided in Section 28-212 and Section 28-213, no building or structure, or part thereof, shall be erected, altered, occupied or used, or land or water area occupied or used, in whole or in part, in the M-1 Industrial District for other than one (1) or more of the following permitted uses:

...

(m) Retail uses with a minimum building square footage of 75,000 square feet as part of a unified development site with direct access to Hallandale Beach Boulevard. Such uses will require an allocation of commercial flexibility from the Town Commission concurrent with the site plan application. Retail uses approved under this section will not be subject to the special hours restrictions set forth in Section 28-218.

...

**Sec. 28-218. - Special hours of business operation.**

All uses in the M-1 Industrial District located within two hundred fifty (250) feet of any residentially zoned district may only operate during the following hours:

(a) Monday through Saturday: 7:00 a.m. to 7:00 p.m.; Sunday 9:00 a.m. to 4:00 p.m.

(b) Clerical, bookkeeping and related administrative activities and retail uses permitted by Section 28-211.5(m) are not subject to the hours of operation set forth in the preceding paragraph, and may be conducted at any time.

**Section 3.** It is the intention of the Town Commission of the Town of Pembroke Park that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the Town of Pembroke Park, 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 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.

(REMAINDER INTENTIONALLY LEFT BLANK)

S

**PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE FIRST READING, THIS 21<sup>st</sup> DAY OF AUGUST, 2025.**

**PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE SECOND AND FINAL READING, THIS 10TH DAY OF SEPTEMBER, 2025.**

ATTEST:

\_\_\_\_\_  
MAYOR GEOFFREY JACOBS

\_\_\_\_\_  
CYNTHIA GARCIA-LIMA  
Town Clerk

Approved as to form and legal sufficiency:

\_\_\_\_\_  
JACOB G. HOROWITZ  
Town Attorney