



Agenda

Planning and Zoning Meeting/Local Planning Agency

6:00 PM - Tuesday, April 28, 2026
Commission Chambers

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of the Meeting Minutes**
 - 4.1 Approval of the Meeting Minutes:

Planning & Zoning Board Meeting - March 5, 2026
5. **Additions, Deletions, Withdrawals and Continuances**
6. **Applications/Public Hearings**
 - 6.1 Consideration and approval of a M-1 Text Amendment for Data Centers and Artificial Intelligence (AI) Facilities and Fee Schedule - Sponsored by Town Planner Consultant Von der Meulen
File No: 26-Z-01
Applicant: Town of Pembroke Park
Address: Citywide
Amend Article III, Division 6, M-1 Industrial District, Sec. 28-211 Intent and definitions, Sec. 28-11.5 Permitted uses and Sec. 28-212 Uses requiring approval by special exception of the Pembroke Park Code of Ordinances for Data Centers and Artificial Intelligence (AI) Training Facilities within the M-1 zoning district.
ORDINANCE NO: 2026-XXX
AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 ENTITLED "ZONING", ARTICLE III ENTITLED "DISTRICT REGULATIONS", DIVISION 6 ENTITLED "M-1 INDUSTRIAL DISTRICT", SECTION 28-211 ENTITLED "INTENT AND DEFINITIONS", SECTIONS 28-211.5 ENTITLED "PERMITTED USES" AND SECTION 28-212 ENTITLED "USES REQUIRING A SPECIAL EXCEPTION" TO ALLOW FOR THE REGULATION DATA CENTERS AND ARTIFICIAL

INTELLIGENCE TRAINING FACILITIES; ESTABLISHING DEFINITIONS ; PROHIBITING DATA CENTERS AS A PERMITTED USE; REQUIRING SPECIAL EXCEPTION USE APPROVAL FOR DATA CENTERS; IMPOSING LOCATION, INFRASTRUCTURE, CLIMATE RESILIENCE, EMPLOYMENT, AND OPERATIONAL STANDARDS; IMPOSING VARIOUS FEES, AND FINANCIAL ASSURANCES; REQUIRING DECOMMISSIONING; PROVIDING FOR ENFORCEMENT, PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO: 2026-XXX

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR DATA CENTERS AND ARTIFICIAL INTELLIGENCE TRAINING FACILITIES WITHIN THE TOWN OF PEMBROKE PARK, PURSUANT TO THE CODE OF ORDINANCES OF THE TOWN OF PEMBROKE PARK, FLORIDA, SECTION 28-212; PROVIDING FOR SEVERABILITY; SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

7. Discussion

8. Adjournment

In accordance with the provisions of F.S. Section 286.0105, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at this meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may call the town clerks office at 954-966-4600 at least two calendar days prior to the meeting. If you are hearing or speech impaired please contact the florida relay services by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD)

Decorum — All comments must be addressed to the commission as a body and not to individuals. Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the commission, shall be barred from further audience before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the commission chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. persons exiting the chamber shall do so quietly.

Cynthia Garcia-Lima
Town Clerk



Agenda Item Report

Subject:	Approval of the Meeting Minutes: Planning & Zoning Board Meeting - March 5, 2026
Meeting Date:	Planning and Zoning Meeting/Local Planning Agency - April 28, 2026
Prepared For:	Planning & Zoning Board
Staff Contact:	
Dept/Group:	Planning & Zoning
Recommendation for Counsel to Consider:	
Background Information:	
Staff Recommendations:	
Procurement:	
Financial Implications:	
Alternatives:	

Attachments:

1. 03.05.2026 - Planning and Zoning Board Meeting - draft



PLANNING AND ZONING BOARD MEETING

6:00 PM – Thursday March 5, 2026
Commission Chambers

The PLANNING AND ZONING BOARD MEETING of the Town of Pembroke Park was called to order on Thursday, March 5, 2026, at 6:00 PM, in the Commission Chambers, with the following members present:

PRESENT: Paulette Walker, Board Member, Gary Schrader, Vice Chair and Evelyn Cunningham, Board Member

1 CALL TO ORDER

The meeting was called to order at 6:00pm

2 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3 ROLL CALL

The meeting was called to order at 6:00 pm by Vice Chair Gary Schrader. Present at the meeting were Vice Chair Schrader, Board Member Cunningham, and Board Member Walker all present. A quorum was established.

Additional staff in attendance were Brian Sherman, Town Attorney; Cynthia Garcia-Lima, Town Clerk, and David Lynch, Town Manager.

Before proceeding with the regular agenda, Town Manager David Lynch addressed the board to express appreciation for their voluntary service. Town Manager Lynch noted that many municipalities struggle to maintain planning and zoning boards due to lack of participation, and he emphasized the critical importance of the board's work in reviewing development applications. He announced plans to request the Town Commission prepare a resolution of appreciation for the board members and mentioned

that they are now eligible for a car wash benefit program at SudStop. Town Manager Lynch also discussed efforts to expand board membership, indicating that the Commission would be asked to appoint additional members.

Board Member Cunningham inquired about recruiting more members, and Town Manager Lynch confirmed they were working on identifying candidates to ensure the board could function even if members were occasionally absent.

4 APPROVALS OF THE PREVIOUS MEETING MINUTES

4.1 Approval of Minutes

Planning & Zoning Board Meeting - July 21, 2025

ACTION: Board Member Walker moved to approve of the minutes. Board Member Cunningham seconded the motion and the motion passed unanimously.

5 ADDITIONS, DELETIONS, WITHDRAWALS AND CONTINUANCES

There were no deletions or withdrawals to the agenda.

6 APPLICATIONS/PUBLIC HEARINGS

6.1 Consideration and approval of Special Permit Application - Town Planner Consultant Von der Meulen

File No.: 25-P-01

Applicant: Home Depot USA Inc.

Address: North of W. Hallandale Beach Blvd., west of SW 31st Ave and east of Bryan Road

Request: The applicant is requesting special permit approval as required by Section 28-187.01 of the Town's Code of Ordinances in order to permit outdoor storage in a B-1 and M-1 zoning district.

RESOLUTION NO: 2026-016

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, APPROVING AN APPLICATION FOR 25-SP-02 SPECIAL PERMIT FOR THE PROPERTY LOCATED AT THE NORTH OF WEST HALLANDALE BEACH BLVD, WEST OF SW 31ST AVE AND EAST OF BRYAN ROAD, PEMBROKE PARK, FL IN THE B-1 DISTRICT TO ALLOW "OUTDOOR DISPLAY, SALE, AND STORAGE OF

**GOODS, PRODUCTS AND EQUIPMENT ON THE PROPERTY".
SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN
EFFECTIVE DATE.**

Town Planner Consultant Mike Von Der Meulen presented three related applications for a proposed Home Depot development, explaining that while one presentation would cover all items, three separate motions would be required. Assistant Town Attorney Brian Sherman clarified that the public hearing could address all three items simultaneously, but each approval must be handled separately.

Von Der Meulen described the project as a Home Depot retail store on the former Wells Fargo property and self-storage facility on Hallandale Beach Boulevard. The consolidated site totals 9.35 acres and is zoned B1 and M1. The proposed 107,874 square foot store includes a 28,000 square foot garden center, with a maximum building height of 37 feet and 283 parking spaces provided.

Key site features include:

- 12 to 25 feet of landscaping with an 8-foot masonry wall buffering the adjacent Lakeshore Mobile Home Park
- Access from Bryant Road to the rear of the site
- Landscape buffers between roadways ranging from 11 to 30 feet
- Royal Palm trees along Hallandale Beach Boulevard
- A new bus shelter and bench
- FDOT-required right turn lane into the project

Board Member Cunningham asked about traffic impacts on mobile home park residents. Von Der Meulen explained that current buildings would be demolished and replaced with better buffering, and that the roads (JP Lyons and Bryant Road) would be improved with sidewalks and curbing. The main mobile home park entrance is located in the far corner and would benefit from these improvements.

Board Member Walker inquired about traffic delays on Hallandale Beach Boulevard. Von Der Meulen noted that Home Depot typically generates traffic during off-peak hours (weekends, early morning contractors, after-work shoppers) rather than during rush hour, so the impact should be less than current businesses that operate during peak traffic times.

Tracy Lautenschleger, representing Home Depot through Greenberg Traurig law firm, addressed the board. She explained that FDOT's required

right turn lane would minimize impact on pass-through traffic and that consolidating multiple driveways into one entrance would improve road efficiency. She emphasized that the project would provide comprehensive services to keep residents from traveling to other municipalities for home improvement needs.

Regarding the parking reduction, Lautenschleger noted that their traffic study showed a need for 254 spaces, but they were providing 283 spaces, exceeding their anticipated maximum demand by 29 spaces. She also mentioned that seasonal displays might temporarily use some parking spaces, but those spaces return to customer use when displays are removed.

The applicant presented an economic impact study showing substantial tax and job benefits for the town.

Board members asked about construction timeline. Peter Van Rens from Kimberly Horn indicated they were still working with existing leases, with at least one lease extending another year. Construction would typically take about one year once groundbreaking begins.

Attorney Lautenschlager confirmed that existing businesses would have their leases terminated as Home Depot had acquired the properties.

The public hearing was open for all three items, with no public comment received, and then closed.

ACTION: Board Member Walker moved that the board finds competent substantial evidence has been presented by the applicant and recommends the Town Commission grant the special permit to allow outdoor storage (Resolution 2026-016). Board Member Cunningham seconded the motion, and it passed on unanimously vote.

- 6.2** Consideration and approval of Parking Reduction Application - Town Planner Consultant Von der Meulen
File No.: 25-PR-01
Applicant: Home Depot USA Inc.
Address: North of W. Hallandale Beach Blvd., west of SW 31st Ave and east of Bryan Road 39 - 274
Request: The applicant is requesting a parking reduction approval to reduce parking from 399 parking spaces to 283 parking spaces to redevelop the

site into a 107,874 square foot Home Depot store with a 28,167 square foot garden center.

RESOLUTION NO: 2026-017

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, APPROVING THE PARKING REDUCTION APPLICATION NO. 25-PR-01, ATTACHED HERETO AS EXHIBIT "A," SUBMITTED BY HOME DEPOT USA, INC. FOR THE PROPERTY LOCATED ON THE NORTHWEST CORNER OF HALLANDALE BEACH BOULEVARD AND JOHN P LYONS/SOUTHWEST 31 AVENUE, PEMBROKE PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Board Member Walker moved that the board finds competent substantial evidence has been presented by the applicant and recommends the Town Commission grant the parking reduction as presented (Resolution 2026-017). Board Member Cunningham seconded the motion, and it passed unanimously vote.

6.3 Consideration and approval of Site Plan Application - Town Planner Consultant Von der Meulen

File No.: 25-SP-02

Applicant: Home Depot USA Inc.

Address: North of W. Hallandale Beach Blvd., west of SW 31st Ave and east of Bryan Road

Request: The applicant is seeking site plan approval for a proposed 107,874-square-foot big box retail development, which includes a 28,167-square-foot garden center.

RESOLUTION NO: 2026-018

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, APPROVING A SITE DEVELOPMENT PLAN FOR APPLICATION 25-SP-02 LOCATED ON THE NORTHWEST CORNER OF HALLANDALE BEACH BOULEVARD AND JOHN P LYONS/SOUTHWEST 31 AVENUE, PEMBROKE PARK, FL/ HOME DEPOT RETAIL DEVELOPMENT SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

ACTION: Board Member Walker moved that the board finds competent substantial evidence has been presented by the applicant and recommends the Town Commission approve the site development plan for Home Depot

(Resolution 2026-018). Board Member Cunningham seconded the motion, and it passed on a unanimous vote.

Von Der Meulen confirmed that all three items would proceed to the Town Commission meeting on the following Wednesday.

6.4 Consideration and Approval of Sign Ordinance Amending Chapter 21 titled "Signs and Advertisements" of the Pembroke Park Code of Ordinances to ensure content neutral sign regulations and to provide clearer sign regulations. - Sponsored by Town Planner Von der Meulen File No: 24-Z-04

Applicant: Town of Pembroke Park

Address: Citywide

Request: Sign Code Amendment

ORDINANCE NO: 2026-009

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 21, ENTITLED "SIGNS AND ADVERTISING;" AMENDING ARTICLE II ENTITLED "SIGNS;" PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR AND REMOVING DEFINITIONS; PROVIDING FOR ADDITIONAL EXEMPT SIGNS; 299 - 464 PROVIDING FOR PROHIBITED SIGN LOCATIONS, FABRICATIONS, APPLICATIONS, DESIGNS, AND TYPES; AMENDING SECTION 21- 20 PERMANENT SIGN REGULATIONS; AMENDING SECTION 21-21 TEMPORARY SIGN REGULATIONS; AMENDING SECTION 21-22 NONCONFORMING SIGN REGULATIONS; AMENDING SECTION 21- 23 PERMIT REQUIREMENTS; AMENDING SECTION 21-24 CONSTRUCTION, MAINTENANCE AND LOCATION REQUIREMENTS; AMENDING SECTION 21-25 REINSPECTION FEES; AMENDING SECTION 21-26 REMOVAL OF NUISANCE SIGNS; AMENDING 21-27 PENALTY FOR VIOLATION; REMOVAL OF DIVISION 3 ENTITLED "POLITICAL SIGNS"; AMENDING DIVISION 4 ENTITLED "VARIANCE"; AMENDING SECTION 21-71 APPLICATION FEE; DEPOSIT FOR CONSULTANTS; SECTION 21- 74 FILING FOR REQUEST; AMENDING SECTION 21-75 APPLICATIONS – REVIEW; RETURN IF INCOMPLETE OR FEE NOT PAID.; SECTION 21-76 ISSUANCE OF RECEIPT; DISTRIBUTION OF COPIES; SECTION 21-77 PLACEMENT ON COMMISSION AGENDA; SECTION 21-78 HEARING; NOTICE TO APPLICANT; REMOVAL OF SECTION 21-79 WAIVER OF TIME SCHEDULE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Planning Consultant Von Der Meulen presented a comprehensive overhaul of the town's sign code, developed over more than a year in collaboration with Town Commission members. The revision aims to be more business-friendly and reduce the frequent sign-variance requests that appear on most commission agendas.

Key changes include Added changeable copy, electronic digital signs, and murals while removing redundant definitions and relocating others. Exempt Signs: Added clarification for government signs, holiday decorations, notice boards, plaques, public notice signs, and traffic warning signs. Prohibited Signs: Enhanced language about distracting signs, flashing signs, animated signs, noise-emitting signs, signs attached to trees, private signage on public property, and abandoned signs. Content Neutrality: Removed regulations about specific text content (like "open" signs) to comply with First Amendment requirements. Assistant Town Attorney Sherman explained that courts now allow regulation only of time, place, and manner—meaning size, location, and duration—but not the content of signs. Road-Based Sizing: Established maximum sign face sizes based on street categories (local streets, collectors, arterials), allowing larger signs on bigger roadways. Monument Sign Promotion: Encouraged ground-mounted monument signs over pole signs by making pole structures count toward sign area calculations.

Building-Mounted Signs: Allowed 10% of a tenant's facade to be signage, with a 200 square foot maximum, providing much more flexibility for business owners. New Provisions: Added regulations for canopy signs, murals (allowing artistic displays on building sides), and maintained existing billboard and municipal sign regulations with minor edits to gasoline pricing signs.

Administrative Changes: Moved fees from ordinance to resolution format for easier adjustment, relocated political signs into the main temporary sign section, and removed variance waiver provisions.

The public hearing was opened with no public comment and then closed.

ACTION: Board Member Walker moved that the board finds the proposed text amendment consistent with the goals, objectives, and policies of the Town of Pembroke Park and recommends the Town Commission approve the sign code amendment. Board Member Cunningham seconded the motion, and it passed unanimously vote.

- 6.5** Consideration and approval to Amend chapter 28 – “Zoning” to establish section 28-339 in order establish clear regulations for residential accessory structures, including defined standards for setbacks and height to ensure consistency - Sponsored by Town Planner Von der Meulen

File No: 25-Z-05

Applicant: Town of Pembroke Park

Address: Citywide

Request: Accessory Structure Zoning Text Amendment

ORDINANCE NO: 2026-010

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 – ZONING TO ESTABLISH SECTION 28- 339 REGULATING ACCESSORY STRUCTURES IN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR DEFINITIONS, PERMITTED TYPES, LOCATION, HEIGHT, AND DESIGN STANDARDS; AND AN EFFECTIVE DATE.

Town Planning Consultant Von Der Meulen explained that the town had no regulations for accessory structures in residential areas, necessitating this new code section. The ordinance defines and regulates common accessory structures including carports, detached garages, screened enclosures, sheds, canopies, decks, patios, gazebos, pergolas, traditional Seminole/Miccosukee chickee huts, pools, trellises, sculptures, statues, and ground-mounted equipment like AC units and generators.

Key provisions include: Preservation of front setbacks by prohibiting most structures within 25 feet of the street (except trellises and statues), Requirement that structures be placed behind the principal building, 5-foot minimum setback from property lines for side and rear yards, 12-foot maximum height for most structures, Required compliance with all building and fire codes, Acknowledgment that HOA, condominium, and mobile home park rules take precedence.

Board Member Cunningham confirmed that permits were already required for these structures, and Von Der Meulen explained that while permits were required, there were previously no zoning guidelines for placement.

The public hearing was opened with no public comment and then closed.

Motion: Board Member Walker moved that the board finds the proposed text amendment consistent with the goals, objectives, and policies of the Town of Pembroke Park and recommends the Town Commission approve the accessory structure text amendment. Board Member Cunningham seconded the motion and it passed unanimously.

- 6.6** Consideration of approval for a Self-Storage Zoning Text Amendment for an ordinance
File No: 24-Z-05
Applicant: Town of Pembroke Park
Address: Citywide
Request: Self-Storage Zoning Text Amendment

Town Planning Consultant Von Der Meulen presented regulations for self-storage facilities, noting that despite the town's small size, it currently has eight such facilities, mostly in the M1 zoning district. The industry is evolving from single-story facilities to five and six-story buildings, prompting the Commission's concern about proliferation.

The proposed regulations include, New definition for self-storage facilities, Specific provisions for truck rental operations with proper space allocation, Additional landscape screening requirements for truck storage areas, Two-acre minimum lot size requirement, Half-mile distance separation from existing facilities (increased from 1,200-1,500 feet based on Commission direction), Enhanced landscaping and screening requirements, Operational guidelines for truck rental services.

Town Planning Consultant Von Der Meulen showed a revised map indicating existing facilities in green, undersized M1 properties in light blue, and qualifying M1 properties (over 2 acres) in dark blue. The distance separation requirements significantly limit where new facilities could be located, with only areas around Coca Cola, Amazon, and Pro Lodge remaining viable. He noted that one existing facility would be removed with the Home Depot development.

The public hearing was opened with no public comment and then closed.

ACTION: Board Member Walker moved that the board finds the proposed text amendment consistent with the goals, objectives, and policies of the Town of Pembroke Park and recommends the Town Commission approve the self-storage text amendment as revised by staff with the half-mile radius. Board Member Cunningham seconded the motion and it passed unanimously.

7 DISCUSSIONS

No further discussion was discussed.

8 ADJOURNMENT

With no further business at 7:11pm.

ATTEST:

Cynthia Garcia-Lima, Town Clerk

Commission approved on:

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may call the Town Clerks Office at 954-966-4600 at least two calendar days prior to the meeting. If you are hearing or speech impaired please contact the Florida Relay Services by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (tdd).

DECORUM - All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.



Agenda Item Report

<p>Subject:</p>	<p>Consideration and approval of a M-1 Text Amendment for Data Centers and Artificial Intelligence (AI) Facilities and Fee Schedule - Sponsored by Town Planner Consultant Von der Meulen File No: 26-Z-01 Applicant: Town of Pembroke Park Address: Citywide Amend Article III, Division 6, M-1 Industrial District, Sec. 28-211 Intent and definitions, Sec. 28-11.5 Permitted uses and Sec. 28-212 Uses requiring approval by special exception of the Pembroke Park Code of Ordinances for Data Centers and Artificial Intelligence (AI) Training Facilities within the M-1 zoning district. ORDINANCE NO: 2026-XXX AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 ENTITLED "ZONING", ARTICLE III ENTITLED "DISTRICT REGULATIONS", DIVISION 6 ENTITLED "M-1 INDUSTRIAL DISTRICT", SECTION 28-211 ENTITLED "INTENT AND DEFINITIONS", SECTIONS 28-211.5 ENTITLED "PERMITTED USES" AND SECTION 28-212 ENTITLED "USES REQUIRING A SPECIAL EXCEPTION" TO ALLOW FOR THE REGULATION DATA CENTERS AND ARTIFICIAL INTELLIGENCE TRAINING FACILITIES; ESTABLISHING DEFINITIONS ; PROHIBITING DATA CENTERS AS A PERMITTED USE; REQUIRING SPECIAL EXCEPTION USE APPROVAL FOR DATA CENTERS; IMPOSING LOCATION, INFRASTRUCTURE, CLIMATE RESILIENCE, EMPLOYMENT, AND OPERATIONAL STANDARDS; IMPOSING VARIOUS FEES, AND FINANCIAL ASSURANCES; REQUIRING DECOMMISSIONING; PROVIDING FOR ENFORCEMENT, PROVIDING FOR</p>
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	<p>CODIFICATION, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.</p> <p>RESOLUTION NO: 2026-XXX A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR DATA CENTERS AND ARTIFICIAL INTELLIGENCE TRAINING FACILITIES WITHIN THE TOWN OF PEMBROKE PARK, PURUSUANT TO THE CODE OF ORDINANCES OF THE TOWN OF PEMBROKE PARK, FLORIDA, SECTION 28-212; PROVIDING FOR SEVERABILITY; SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.</p>
Meeting Date:	Planning and Zoning Meeting/Local Planning Agency - April 28, 2026
Prepared For:	Planning & Zoning Board
Staff Contact:	
Dept/Group:	Planning & Zoning
Recommendation for Counsel to Consider:	
Background Information:	<p>In February, the Town Commission authorized the Town Planner and the Town Attorney to prepare a comprehensive local regulatory framework governing data centers and artificial intelligence training facilities in the Town of Pembroke Park in anticipation of potential pending state-level regulation of data centers. Florida Senate Bill 484 (2026) affirms local governments retain authority to exercise power and responsibility over comprehensive planning and land development regulations related to large-load customers, including large-scale data centers.</p> <p><u>TEXT AMENDMENTS</u> The proposed text amendments aim to provide a framework governing data centers and artificial intelligence (AI) training facilities. The amendment aims to ensure any future development related to data centers and artificial intelligence (AI) training facilities</p>

	<p>are consistent with the Town’s Zoning Code, Comprehensive Plan, infrastructure capacity and long-term fiscal stability. The proposed text amendments are as follows:</p> <p>Sec. 28-211. - Intent and definitions. Data Centers and Artificial Intelligence Training Facilities are defined as well as their impacts.</p> <p>Sec. 28-211.5. - Permitted uses (M-1) Development or distribution of artificial intelligence has been removed from the code and Data Centers and Artificial Intelligence Training Facilities have been placed under the special exception category.</p> <p>Sec. 28-212. - Uses requiring approval by special exception. Data Centers and Artificial Intelligence Training Facilities criteria for special exception approval are established as well as associated fees.</p>
Staff Recommendations:	
Procurement:	
Financial Implications:	
Alternatives:	

Attachments:

1. 001 - 26-Z-01 Staff Report
2. 002 - Data Centers Ordinance- DRAFT
3. 003 - Fee Schedule Resolution- DRAFT

Town of Pembroke Park

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TO: Planning & Zoning Board

FROM: Michael Vonder Meulen, AICP, Consultant Town Planner, KEITH

MEETING DATE: April 22, 2026

SUBJECT: 26-Z-01 / M-1 Text Amendment for Data Centers and Artificial Intelligence (AI) Facilities

APPLICANT: Town of Pembroke Park

REQUEST:

Amend Article III, Division 6, M-1 Industrial District, Sec. 28-211 Intent and definitions, Sec. 28-11.5 Permitted uses and Sec. 28-212 Uses requiring approval by special exception of the Pembroke Park Code of Ordinances for Data Centers and Artificial Intelligence (AI) Training Facilities within the M-1 zoning district.

RECOMMENDED ACTION:

The Consultant Town Planner recommends approval of this amendment.

ITEM TO BE CONSIDERED BY THE TOWN COMMISSION:

- 26-Z-01 / M-1 Text Amendment

BACKGROUND:

In February, the Town Commission authorized the Town Planner and the Town Attorney to prepare a comprehensive local regulatory framework governing data centers and artificial intelligence training facilities in the Town of Pembroke Park in anticipation of potential pending state-level regulation of data centers. Florida Senate Bill 484 (2026) affirms local governments retain authority to exercise power and responsibility over comprehensive planning and land development regulations related to large-load customers, including large-scale data centers.

TEXT AMENDMENTS

The proposed text amendments aim to provide a framework governing data centers and artificial intelligence (AI) training facilities. The amendment aims to ensure any future development related to data centers and artificial intelligence (AI) training facilities are consistent with the Town's Zoning Code, Comprehensive Plan, infrastructure capacity and long-term fiscal stability. The proposed text amendments are as follows:

Sec. 28-211. - Intent and definitions.

Data Centers and Artificial Intelligence Training Facilities are defined as well as their impacts.

Sec. 28-211.5. - Permitted uses (M-1)

Development or distribution of artificial intelligence has been removed from the code and Data Centers and Artificial Intelligence Training Facilities have been placed under the special exception category.

Sec. 28-212. - Uses requiring approval by special exception.

Data Centers and Artificial Intelligence Training Facilities criteria for special exception approval are established as well as associated fees.

ATTACHMENTS

Exhibit A – Proposed Ordinance

ORDINANCE NO. 2026-XXX

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 ENTITLED “ZONING”, ARTICLE III ENTITLED “DISTRICT REGULATIONS”, DIVISION 6 ENTITLED “M-1 INDUSTRIAL DISTRICT”, SECTION 28-211 ENTITLED “INTENT AND DEFINITIONS”, SECTIONS 28-211.5 ENTITLED “PERMITTED USES” AND SECTION 28-212 ENTITLED “USES REQUIRING A SPECIAL EXCEPTION” TO ALLOW FOR THE REGULATION DATA CENTERS AND ARTIFICIAL INTELLIGENCE TRAINING FACILITIES; ESTABLISHING DEFINITIONS ; PROHIBITING DATA CENTERS AS A PERMITTED USE; REQUIRING SPECIAL EXCEPTION USE APPROVAL FOR DATA CENTERS; IMPOSING LOCATION, INFRASTRUCTURE, CLIMATE RESILIENCE, EMPLOYMENT, AND OPERATIONAL STANDARDS; IMPOSING VARIOUS FEES, AND FINANCIAL ASSURANCES; REQUIRING DECOMMISSIONING; PROVIDING FOR ENFORCEMENT, PROVIDING FOR CODIFICATION, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2(b), Florida Constitution, Chapter 166 Florida Statutes (Municipal Home Rules Powers Act); grants municipalities the power to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Florida Senate Bill 484 (2026) affirms local governments retain authority to exercise power and responsibility over comprehensive planning and land development regulations related to large-load customers, including large-scale data centers;

WHEREAS, the Town Commission has determined that data centers and artificial intelligence training facilities present unique and substantial demands on electrical, water, sewer, stormwater, transportation, and emergency response systems, and may create long-term fiscal, environmental, and climate resilience risks; and

WHEREAS, the Town Commission desires to regulate such facilities to ensure fiscal

neutrality, infrastructure protection, climate adaptation, compatibility with surrounding land uses, and consistency with the Town’s Comprehensive Plan; and

WHEREAS, the Town’s Planning and Zoning Board recommended approval of this ordinance at its **April XX, 2026**, meeting; and

WHEREAS, the general purpose and intent of this ordinance is to provide proper regulations in the best interest of the health, safety, welfare, and aesthetics of the community and the proper administration of its government; and

WHEREAS, the Town Commission has conducted a public hearing in accordance with the requirements of Florida law; and

WHEREAS, the Town Commission finds it to be in the best interests of the citizens and residents of the Town to amend the zoning code to regulate data centers and artificial intelligence training facilities.

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

Section 1: That each of the above stated recitals is hereby adopted and confirmed.

Section 2: That the Town Code of Ordinances, Chapter 28 entitled “Zoning”, Article III entitled “District Regulations”, Division 6 entitled “M-1 Industrial District”, Section 28-211 entitled “Intent and Definitions,” Section 28-211.5 entitled “Permitted Uses,” and Section 28-212 entitled “Uses requiring approval by special exception” are hereby amended as follows:

Sec. 28-211. Intent and definitions.

The M-1 Industrial District is intended for industrial 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 the regulations of the M-1 Industrial District "artificial intelligence" or "computer and telecommunications software" shall be deemed to include Data Centers and Artificial Intelligence (AI) Training Facilities. The Town finds that data centers and artificial intelligence (AI) training facilities impose unique and disproportionate demands on electrical, water, sewer, stormwater, transportation, and emergency service systems; generate limited on-site employment; and present long-term climate, fiscal, and infrastructure risks. Data Centers shall mean any facility primarily contains electronic equipment used to process, store, and transmit digital information, which may be: A free-standing structure or a facility within a larger structure which uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. Inclusive of data centers, Large Scale Data Center shall mean a single location or building, with a data center on site, expected to reach a high monthly peak power use during any 15-minute period. This applies only to the power load at one location, not the combined load of multiple sites owned by the same entity. Large Data Centers include all customers or organizations sharing the same site through collocation or similar agreements if, together, the center reaches the required peak load at the location. Artificial Intelligence (AI) Training Facility means a data center primarily used for artificial intelligence or machine learning model training characterized by sustained, high-intensity computing loads and continuous energy demand.

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:

...

~~(b) Development or distribution of artificial intelligence or computer and telecommunications software.~~

(eb) Medical and biomedical educational or scientific research, testing, or development facilities (not schools) or laboratories.

(dc) Warehouse and storage buildings associated with manufacturing, assembly and distribution of goods and equipment, including self-storage facilities; provided however, that in addition to all other requirements of the Town, adequate areas are available for the storage of trucks used in the operation so that they are not parked in streets, driveways, automobile parking spaces or landscaped areas.

(ed) Storage in bulk within warehouse and storage buildings of: brick, building materials, cement, clay products, concrete products, contractors' equipment, cotton, grain, gravel, hay, lead, plaster, pipe, lumber, machinery, roofing materials, rope, sand, stone, terra cotta, timber, wood or wool.

(fd) The following service and trade establishments:

Bakery;

...

Buildings for telecommunications and utility operations (except communications towers which are regulated elsewhere under this Code).

(gf) Employee-based offices that do not serve the general public including, but not limited to, the following use categories (subject to applicable restrictions on and limitations as may be provided in the Town's Comprehensive Plan):

Medical billing and processing;

...

Property management or landscape maintenance services.

(hg) Exercise and gym and sport training facilities that are noise controlled.

(ih) The following repair and shop uses:

Awning and canvas;

...

Automotive, truck, motorcycle or boat engine repair, maintenance or testing (no body work, frame repairs, or painting unless approved pursuant to Sec. 28-212 of this Code).

(ji) Blacksmith and welding.

(kj) Carpet and rug cleaning.

(lk) Wholesale meat, poultry, and fish distribution.

Sec. 28-212. Uses requiring approval by special exception.

- (a) Except as provided in subsection (c), the following uses may be allowed on property located within the M-1 Industrial District, provided such uses (and every subsequent change, alteration or expansion or relocation thereof) are approved by Special Permit as provided in subsection (b) below or by Special Exception in accordance with the provisions contained in Division 6 of this Chapter:

...

(15) Data Centers and Artificial Intelligence (AI) Training Facility.

...

- ~~(c) The Town Commission may approve, or conditionally approve, by granting a Special Permit a Data Center and/or Artificial Intelligence (AI) Training Facility provided such uses meet the following criteria:~~

(1) Applicants shall demonstrate no adverse impact to electric, water, sewer, stormwater, transportation, or emergency services. Theoretical demands on water and sewer facilities shall be confirmed in writing by the franchise utility and confirmed by the Public Works Director who shall use the Town's Large Water User Agreement as a guide.

(2) All on-site and off-site infrastructure upgrades shall be fully funded by the applicant.

(3) Electrical demand shall be calculated at maximum theoretical load. Theoretical load shall be confirmed with the electrical franchise utility.

(4) Priority utility reservation or guaranteed capacity agreements are prohibited.

(5) Shall not be abutting or adjacent to: Residential zoning districts; Mixed-use, entertainment district, Schools, parks, childcare facilities, or places of worship.

(6) Noise and Vibration: Continuous noise generated by mechanical equipment shall not exceed: 95 dBA during daytime hours and 60 dBA during nighttime hours as measured from the property line. Backup generators shall be tested only during weekday business hours, except during emergencies.

(7) Water Use and Cooling Plan: Potable water used for cooling the facility is prohibited unless expressly approved by Town Commission. Closed loop or reclaimed water systems shall be required where feasible. Applicants shall submit a Water Use and Cooling Plan identifying:

(i) Cooling technology (air cooled, liquid cooled, evaporative);

(ii) Estimated annual water consumption of water prepared by a qualified mechanic, electrical and plumbing designer/contractor;

(iii) Water conservation measures.

(8) Employment Standards: A minimum three (3) jobs-per-megawatt ratio shall be required, or an employment-job-per-megawatt fee equivalent shall be paid to the Town. Only permanent, on-site employment shall be counted. The employment-job-per-megawatt fee shall be established by Resolution. The number of employees and/or employment-job-per-megawatt fee shall be reviewed and calculated annually with the renewal of the business tax receipt.

(9) Expansion and Modification: Any proposed expansion or increase in electrical load, cooling capacity, backup generation, or floor area shall require full approval/re-approval by the Town Commission.

(10) Decommissioning and Abandonment: A decommissioning plan shall be submitted at the time of site plan approval. If a data center ceases operation for more than 12 consecutive months, the owner shall: Remove all unused equipment, Secure or demolish the structures; or convert the structure to a permitted use.

(11) Fee Schedule: All application fees, business tax fees, climate impact related fees, and financial security requirements associated with the project shall be provided under a separate fee schedule by Resolution.

(12) Enforcement: Non-payment or non-compliance may result in suspension, revocation, fines, injunctive relief, and forfeiture of bonds or escrows.

(ed) Whenever the Town enacts an amendment to this section which makes or classifies certain previously permitted uses as being allowable in the M-1 Zoning District by Special Exception, then such uses may continue without obtaining a Special Permit or a Special Exception; however, they may not change their primary operation, alter, or expand without obtaining such approval.

Section 3: It is the intention of the Town Commission of the Town of Pembroke Park that the provisions of the Ordinances 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

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CODE: ~~Strikethrough~~ indicates deletion. Underline indicates additions.

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 TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE FIRST READING, THIS ___ DAY OF _____, 202_.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ON THE SECOND AND FINAL READING, THIS ___ DAY OF _____, 202_.

ATTEST:

GEOFFREY JACOBS
Mayor Commissioner

CYNTHIA GARCIA-LIMA
Town Clerk

Approved as to form and legal sufficiency

Jacob G. Horowitz
Interim Town Attorney

VOTE

RESOLUTION NO. ____

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR DATA CENTERS AND ARTIFICIAL INTELLIGENCE TRAINING FACILITIES WITHIN THE TOWN OF PEMBROKE PARK, PURSUANT TO THE CODE OF ORDINANCES OF THE TOWN OF PEMBROKE PARK, FLORIDA, SECTION 28-212; PROVIDING FOR SEVERABILITY; SUPERSEDING CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Pembroke Park (“Town”) Town Commission (“Commission”) is authorized by various sections of the Town Code to establish fees for certain development applications for data centers and artificial intelligence training facilities; and

WHEREAS, it is in the best interest of the general public to charge the costs associated with processing such applications to the applicant and not the general public, thereby placing the burden of such costs directly on the part benefiting from such application; and

WHEREAS, the Town desires to offset the cost to the Town for development applications for data centers and artificial intelligence training facilities by establishing a Fee Schedule and charging fees to development applicants for the review, processing and other related fees by Town staff of such applications; and

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

Section 1: The attached Fee Schedule, Exhibit A, is adopted and incorporated into the master fee schedule by Town Commission and shall be amended from time to time.

Section 2: One copy of the Fee Schedule as set forth herein and established by resolution of the Town Commission shall be identified as an official copy and shall be kept on file

with the Town Clerk for public use, inspection, and examination.

Section 3: One digital copy of the official copy of the Fee schedule as set forth herein shall be posted to the Town's website with development applications.

Section 4: That if any clause, section, other part or application of this Resolution is held by any Court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

Section 5: That all Resolutions or parts of Resolutions in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 6: That this Resolution shall be in force and take effect immediately upon its passage and adoptions.

PASSED AND ADOPTED, this ____ day of _____, 2026

ATTEST:

GEOFFREY JACOBS
Mayor Commissioner

CYNTHIA LIMA-GARCIA
Town Clerk

Approved as to form and legal sufficiency

JACOB G. HOROWITZ
Town Attorney

Development Application Fees for Data Centers and Artificial Intelligence Training
Facilities

DATA CENTERS	
Application Fee/ Special Exception Fee	\$10,000 plus \$100 per 1,000 SF
Application Fee/ Site Plan Fee	\$10,000 plus \$100 per 1,000 SF
Cost Recovery	\$10,000 per review
Public Works Water Review Fee	\$10,000
OTHER RELATED FEES	
Electrical / Community Impact Fee	\$1,000,000 per megawatt of total approved electrical demand
Water Capacity Mitigation Fee	\$500,000 per acre
Emergency Services Fee	\$250,000 plus any additional amount required for specialized equipment or training
High-Demand Utility Surcharge	\$250,000
Backup Generation Fee	\$100,000 per megawatt of installed backup generation capacity, payable annually
Climate/ Resilience Offset Fee	\$500,000
Performance Bond/ Letter of Credit	\$10,000,000 minimum
Decommissioning Bond	\$5,000,000
Annual Infrastructure Monitoring Fee	\$250,000
Annual Employment-Job-Per Megawatt Fee	\$100,000 per employee