

**ORDINANCE No. 103-97**

**AN ORDINANCE OF THE CITY OF COCONUT CREEK, FLORIDA AMENDING CHAPTER 13, CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT CODE", BY AMENDING ARTICLE II THEREOF, ENTITLED "SUBDIVISION REGULATIONS"; BY AMENDING DIVISION 1 THEREOF, ENTITLED "GENERALLY"; BY AMENDING SECTION 13-164.1 THEREOF, ENTITLED "PLAT IMPROVEMENT ENGINEERING PLAN"; BY AMENDING ARTICLE III THEREOF, ENTITLED "ZONING REGULATIONS"; BY AMENDING DIVISION 3 THEREOF, ENTITLED "ZONING DISTRICT REGULATIONS AND TABLES"; BY AMENDING SECTION 13-331 THEREOF, ENTITLED "GENERAL PROVISIONS"; BY AMENDING SECTION 13-346 THEREOF, ENTITLED "IO-1 INDUSTRIAL OFFICE DISTRICT"; BY AMENDING SECTION 13-347 THEREOF, ENTITLED "IM-1 INDUSTRIAL MANUFACTURING DISTRICT"; AND BY AMENDING DIVISION 4 THEREOF, ENTITLED "ACCESSORY USES AND STRUCTURES"; BY AMENDING SUBDIVISION II THEREOF, ENTITLED "PARKING REGULATIONS AND REQUIREMENTS"; BY AMENDING SECTION 13-374 THEREOF, ENTITLED "LIGHTING STANDARDS AND REQUIREMENTS"; BY AMENDING SUBDIVISION IV THEREOF, ENTITLED "LANDSCAPE STANDARDS AND REQUIREMENTS"; BY AMENDING SECTION 13-443 THEREOF, ENTITLED, "MINIMUM LANDSCAPE REQUIREMENTS FOR ZONING DISTRICTS"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Planning and Zoning Board of the City of Coconut Creek reviewed the City's land development regulations and recommended updating to certain development standards at its January 8, 1997 meeting; and

**WHEREAS**, the City Commission of the City of Coconut Creek, Florida finds and determines the subdivision regulation governing the submittal of a plat improvements engineering plan is in need of revision; and

**WHEREAS**, the City Commission finds and determines that uses within Section 13-635 "Wholesale trade uses having moderate external impact" and Section 16-636 "Warehousing having moderate external impact" need to be subject to a special land use approval depending whether the IO-1 (Industrial Office District) or IM-1 (Industrial Manufacturing District) districts is chosen; and

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**WHEREAS**, the City Commission finds and determines that the standards for thoroughfare landscape buffers are in need of enhancement; and

**WHEREAS**, the City Commission finds and determines that the minimum site illumination standards need to be increased and "point to point" lighting plans for all proposed developments are necessary for the health, safety and welfare of the residents of the City of Coconut Creek.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That Chapter 13, Code of Ordinances entitled Land Development Code is hereby amended by amending Article II thereof, entitled "Subdivision Regulations"; by amending Division 1 thereof, entitled "Generally"; by amending Section 13-164.1 thereof, entitled "Plat Improvement Engineering Plan"; by amending Article III thereof, entitled "Zoning Regulations"; by amending Division 3 thereof, entitled "Zoning District Regulations And Tables"; by amending Section 13-331 thereof, entitled "General Provisions"; by amending Section 13-346 thereof, entitled "IO-1 Industrial Office District"; by amending Section 13-347 thereof, entitled "IM-1 Industrial Manufacturing District"; and by amending Division 4 thereof, entitled, Accessory Uses And Structures"; by amending Subdivision II thereof, entitled "Parking Regulations and Requirements"; by amending Section-374 thereof, entitled "Lighting Standards And Requirements"; by amending Subdivision IV thereof, entitled "Landscape Standards and Requirements"; by amending Section 13-443 thereof, entitled "Minimum Landscape Requirements For Zoning Districts" to read and provide as follows:

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**ARTICLE II: SUBDIVISION REGULATIONS**

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**DIVISION 1. GENERALLY**

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**Section 13-164.1 Plat improvements engineering plan.**

(a) A plat improvements engineering plan shall be submitted with the preliminary plat application to the ~~city engineer~~ Development Services Department for review and approval. ~~At the~~

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developer's option, said plat improvements engineering plan may be submitted concurrently with the preliminary plat application. However, the developer shall not be required to submit said plat improvements engineering plan until at least 30 days prior to the city commission meeting date at which the final plat is scheduled for approval by the city commission. If the plat improvements engineering plan is not approved by the city engineer Development Services Department at least ~~fifteen (15)~~ seven (7) days prior to the ~~scheduled date~~ planning and zoning board meeting date at which the plat is scheduled for approval by the planning and zoning board, the final plat shall not be placed on the agenda, but shall be placed on the next available ~~city commission~~ planning and zoning board agenda after the city engineer Development Services Department has approved the plat improvements engineering plan. Cost estimates shall be prepared by the developer and reviewed and approved by the city engineer Development Services Department during the review of the plat improvements engineering plan. However, at the developer's option, cost estimates may be prepared by the developer during the preliminary plat application process. Cost estimates shall serve as the basis of bond amounts required in Section 13-186.

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### ARTICLE III: ZONING REGULATIONS

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#### DIVISION 3. ZONING DISTRICT REGULATIONS AND TABLES

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##### Section 13-331 General Provisions

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- (g) ~~Setbacks from Landscape buffers along major or minor streets~~
- (1) Where a lot of record existing at the time of passage of this article has frontage upon a street designated as a collector or higher classification by the comprehensive plan, the required front setback for any proposed building or structure shall be measured from the proposed right-of-way line of such street.
- (2) (1) The setbacks between structures and/or to parking lots and travelways and proposed right-of-ways shall be increased as noted below to provide for u Unencumbered roadway buffers shall

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be provided per the schedule below. The buffers shall be delineated on plats and site plans as separate parcels and be noted as being the perpetual maintenance responsibility of the owners and/or assigns. Required setbacks for proposed buildings, structures and vehicular areas as stated in this Code shall be measured from the interior line of said buffers. These setbacks shall be a minimum, but in the event that other zoning regulations require a higher setback dimension, then the more restrictive shall apply.

The following ~~setback~~ landscape buffers are required in all zoning districts per right-of-way width:

<i>Right-of-Way</i>	<i>Setback <u>Landscape Buffer</u></i>
200' or greater	35'
120' - 199'	25'
60' - 119'	20' <u>*</u>
50' - 59'	15' <u>*</u>

\*These buffers do not apply to front yards of single-family homes and duplexes along interior subdivision local streets.

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**Section 13-346. IO-1 industrial office district**

(1) Uses permitted by right:

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- ~~j. Wholesale trade uses having moderate external impact as listed in Section 13-636.~~
- ~~k. Warehousing uses potentially having a relatively moderate external impact as listed in Section 13-636.~~
- † j Industrial type service uses potentially having a relatively moderate external impact as listed in Section 13-637;
- m ~~Water supply processing facilities;~~
- n k Research and development facilities as listed in Section 13-633;
- o l High intensity residential care facility as listed in Section 13-652;
- p m Nursing and personal care facilities as listed Section 13-653;

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- q n Health care facilities as listed in Section 13-354;
- r o Low intensity outpatient facilities as listed in Section 13-655.

(2) Uses permitted as special land uses:

- a. Drive through facilities for permitted uses;
- b. Wholesale trade uses having moderate external impact as listed in Section 13-636.
- c. Warehousing uses potentially having a relatively moderate external impact as listed in Section 13-636;
- ~~b. d.~~ Community residential facilities as listed in Section 13-651;
- ~~e. e.~~ High intensity outpatient care facilities as listed in Section 13-655;
- ~~d. f.~~ Institutional care facilities as listed in Section 13-657.

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**Section 13-347. IM-1 industrial manufacturing district.**

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(1) Uses permitted by right:

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- h. Industrial uses potentially having a relatively moderate external impact as listed in section 13-634;
- i. Wholesale trade uses potentially having a relatively moderate external impact as listed in section 13-365;
- ~~j. Warehousing uses potentially having a relatively moderate external impact as listed in section 13-636.~~
- k.j. Industrial type service uses potentially having a relatively moderate external impact as listed in section 13-637;
- ~~h.k.~~ Water supply processing facilities;
- ~~m.l.~~ Industrial uses potentially having a significant external impact as listed in section 16-639;

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- n-m. Wholesale trade uses potentially having a significant external impact as listed in section-640;
- o.n. Motor freight transportation and warehousing potentially having a significant external impact as listed in section 13-641;
- p-q. Research and development facilities as listed in section 13-633;
- q-p. High intensity residential care facility as listed in section 16-652;
- r-q. Nursing and personal care facilities as listed in section 13-653;
- s-r. Health care facilities as listed in section 13-654;
- t.s. Low intensity outpatient facilities as listed in section 13-655;
- u-t. Electric utility substations.

(2) Uses permitted as special land uses:

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- d. Institutional care facilities as listed in section 13-652;
- e. Warehousing uses potentially having a relatively moderate external impact as listed in section 13-636.

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### ARTICLE III: ZONING REGULATIONS

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#### DIVISION 4. ACCESSORY USES AND STRUCTURES

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#### **Section 13-374. Lighting standards and requirements.**

- (3) A "point to point" lighting plan signed and sealed by an engineer registered in the State of Florida shall be submitted by the developer with any site plan application. The lighting system shall not be placed in permanent use until the design engineer has certified in writing that the system has been field tested and has been installed and is functioning per the approved plans and specifications. The light intensity provided at ground level in the area to be illuminated shall be a minimum of five-tenths (0.5) foot candle for residential developments and one (1) foot candle for

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commercial/industrial developments and shall average a minimum of five-tenths (0.5) foot candle over the entire area. The maximum to minimum foot candle level shall not exceed a twelve to one (12:1) ratio.

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### ARTICLE III. ZONING REGULATIONS

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#### DIVISION 4. ACCESSORY USES AND STRUCTURES

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#### SUBDIVISION IV. LANDSCAPE STANDARDS AND REQUIREMENTS

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#### **Section 13-443 Minimum landscape requirements for zoning districts**

(15) *Roadway Landscape Buffer Standards*

The intent of this section is to provide enhanced consistent landscaped roadways. This section shall provide minimum requirements for landscape, berms and irrigation within all roadway buffer areas. Such landscape is to provide safety, consistent appearance, character and aesthetic quality thereby promoting the general welfare of the City.

- a. Roadway landscape buffer widths shall conform to section 13-331(g), Land Development Code.
- b. Roadway landscape buffers shall be shown and delineated as separate parcels on all plats and site plans. All building, structure and vehicular use setbacks shall be measured from the interior parcel line, not the property line. At time of plat and site plan, all buffer parcels shall be noted to include ownership and the perpetual maintenance responsibility of the owner or assigns.
- c. Required landscaping within the buffers shall consist of the following:

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1. Meandering and undulating berms to the highest elevation possible not to exceed a maximum one (1) to three (3) [1:3] slope with a one (1) foot level sod area adjacent to all sidewalks and parking areas.
2. Open space trees shall be required within the buffer area at one (1) tree per two thousand square feet (1:2,000 sf) or portion thereof of total land area where overhead utility lines do not exist. Where overhead utility lines exist, tree species acceptable to Florida Power and Light Company (FPL) shall be required at one (1) tree per each one thousand square feet (1:1,000 sf) or portion thereof of total area. Tree location setbacks from overhead utility lines shall be in conformance with FPL standards. Trees may be clustered, however, trees shall be planted no closer than twenty-five (25) feet and no farther than sixty (60) feet apart. Palms may be spaced closer together provided there is adequate stagger in height. Tree sizes shall be in accordance with specifications as provided within the landscape section of this code.
3. Palms, where utilized, shall be counted as one (1) to three (3) [1:3] in place of the requirement for canopy trees. Palms shall also conform to FPL standards as to specie and location. Palms in groupings or greater than one (1), shall be planted with staggered heights and minimum grey wood trunk height starting at eight (8) feet.
4. Hedges shall be provided and planted at twenty-four (24) inches in height with eighteen (18) inch spread.

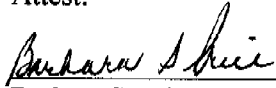
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Attest:

  
Barbara S. Price, CMC  
City Clerk

	1st	2nd
Zehender	<u>Aye</u>	<u>Aye</u>
Goldsmith	<u>Aye</u>	<u>Aye</u>
Greenstein	<u>Aye</u>	<u>Aye</u>
Gerber	<u>Aye</u>	<u>Aye</u>
Mautner	<u>Aye</u>	<u>Aye</u>

TJL/CWC/jl

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roadway. Such said conditions are a consideration for the need of a wall. Fences may not be designed or constructed in the buffer unless decorative and incorporated into the wall feature. If a wall is not determined to be necessary by the Planning and Zoning Board, then a fence, minimum five (5) feet and maximum six (6) in height, shall be required at the interior buffer line.

- e. There shall be no sidewalks and/or pedestrian or vehicular usage within the landscape buffer area.

**Section 2:** That in the event any provision or application of this Ordinance shall be held to be invalid, it is the legislative intent that the other provisions and applications hereof shall not be thereby affected.

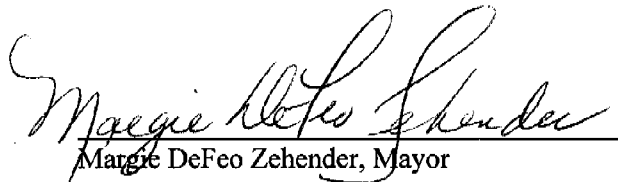
**Section 3:** That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 4:** That all Ordinances or parts of Ordinances in conflict herewith are to the extent of said conflict hereby repealed.

**Section 5:** That this Ordinance shall be in full force and effect immediately upon its passage.

PASSED FIRST READING THIS 23rd day of January, 1997.

PASSED SECOND READING THIS 13th day of February, 1997.

  
Margie DeFeo Zehender, Mayor

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