

**ORDINANCE NO. 2023-005**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," TO CREATE SECTION 13-624, "MASTER BUSINESS LIST – PLANNED COMMERCE DISTRICT" AND ADOPT A LIST OF PERMITTED AND SPECIAL LAND USES FOR THE HALE PLANNED COMMERCE DISTRICT GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COCONUT CREEK PARKWAY AND LYONS ROAD IN THE CITY OF COCONUT CREEK; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, the City of Coconut Creek desires to amend the Land Development Code in the City's Code of Ordinances to create Section 13-624, "Master Business List – Planned Commerce District," to provide for ongoing codification of the permitted and special land uses in the City's Planned Commerce District (PCD) zoning districts, and specifically, to include the permitted and special land uses for the Hale Planned Commerce District (Hale PCD) generally located at the southwest corner of Coconut Creek Parkway and Lyons Road, legally described in Exhibit "A," attached hereto and incorporated herein; and

**WHEREAS**, the creation of Section 13-624, "Master Business List – Planned Commerce District," of the City's Code of Ordinances with the addition of the Hale PCD permitted and special land uses, is proposed in order to include the Master Business List for the Hale PCD in the City's codified Land Development Code; and

**WHEREAS**, the City Commission finds and determines that Section 13-624 of the City's Code of Ordinances should be created and same is in the best interest of the residents of Coconut Creek.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:**

**Section 1: Ratification.** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

**Section 2: Amendment.** That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 13, “Land Development Code,” Article III, “Zoning Regulations,” Division 8, “Master Business List,” to create Section 13- 624, “Master Business List – Planned Commerce District,” to read as follows:

**CHAPTER 13 – LAND DEVELOPMENT CODE**

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**ARTICLE III. – ZONING REGULATIONS**

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**DIVISION 8. - MASTER BUSINESS LIST**

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Sec. 13-624. ~~Reserved.~~ Master Business List – Planned Commerce District

<u>Master Business List - Planned Commerce District</u>	<u>Hale PCD</u>
<u>Adult Day Care Center</u>	<u>S</u>
<u>Ambulatory Surgical Center</u>	<u>P</u>
<u>Animal boarding services</u>	<u>S</u> <sup>(3)</sup>
<u>Animal grooming (no overnight boarding)</u>	<u>P</u> <sup>(3)</sup>
<u>Apparel and accessory stores</u>	<u>P</u>
<u>Arts, crafts and drafting supplies</u>	<u>P</u>
<u>Automobile parts (no service or installation)</u>	<u>P</u> <sup>(2)</sup>
<u>Automobile service (no fuel sales)</u>	<u>S</u>
<u>Automobile tag agency</u>	<u>P</u>
<u>Bake shop and delicatessen</u>	<u>P</u>
<u>Barbershops, beauty/nail salons and tanning salons</u>	<u>P</u>
<u>Birth Center</u>	<u>P</u>
<u>Bowling alleys</u>	<u>S</u>
<u>Business services</u>	<u>P</u>
<u>Child Care Facility</u>	<u>S</u>

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<u>Clinic</u>	P
<u>Convenience stores without fuel sales</u>	P
<u>Dance, musical instruction and martial arts studios</u>	P
<u>Detective and security agencies</u>	<u>P</u> <sup>(6)</sup>
<u>Drug stores and pharmacies</u>	S
<u>Dry cleaners</u>	<u>P</u> <sup>(1)(2)</sup>
<u>Employment agencies</u>	P
<u>Financial institutions, mortgage and stockbrokers</u>	<u>P</u> <sup>(1)(2)</sup>
<u>Florists</u>	P
<u>General retail not otherwise specified</u>	P
<u>Government offices</u>	P
<u>Gyms and exercise clubs</u>	P
<u>Hardware stores</u>	<u>P</u> <sup>(5)</sup>
<u>House of Worship</u>	P
<u>Indoor tennis, racket ball, handball and similar court sports</u>	S
<u>Indoor theaters</u>	S
<u>Jewelry shops with repair (no smelting)</u>	P
<u>Laboratory</u>	S
<u>Lawn and garden supply and equipment</u>	<u>P</u> <sup>(2)(5)</sup>
<u>Main, valet and janitorial services</u>	P
<u>Massage therapist</u>	<u>P</u> <sup>(7)</sup>
<u>Medical marijuana dispensary</u>	S
<u>Medical office</u>	P
<u>Newsstands</u>	<u>P</u> <sup>(2)</sup>
<u>Pet stores</u>	<u>P</u> <sup>(3)</sup>
<u>Photographic and artist studios</u>	P
<u>Printing, lithograph and reproduction</u>	P
<u>Professional offices not otherwise specified</u>	P
<u>Public, elementary, middle and high schools</u>	P
<u>Real estate office</u>	P
<u>Repair shops for small household appliances and locksmiths</u>	<u>P</u> <sup>(2)(5)</sup>
<u>Restaurants, carry-out snack shops, etc.</u>	<u>P</u> <sup>(1)</sup>
<u>Secretarial, data processing and temporary staffing services</u>	P
<u>Self-storage facilities</u>	<u>S</u> <sup>(8)</sup>
<u>Shoe repair</u>	P

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<u>Trade, technical and business schools</u>	<u>P</u> <sup>(4)</sup>
<u>Travel agencies</u>	<u>P</u>
<u>Urgent Care Center</u>	<u>P</u>
<u>Veterinary clinics (no boarding services)</u>	<u>P</u> <sup>(3)</sup>

*P – Indicates permitted use.*

*S – Indicates special land use (see section 13-35, “Special land use”).*

<sup>(1)</sup> Facilities with drive-thrus are special land uses.

<sup>(2)</sup> Permitted use when occupying an in-line bay. Free-standing units are special land uses.

<sup>(3)</sup> Must conduct business wholly within a building, but limited outside dog walking is permitted except that any business which includes animal boarding services and/or outdoor exercise/play areas, shall be subject to the supplemental regulations listed in section 13- 35(j), “Standards for animal boarding facilities,” in addition to the standard requirements in 13-35, “Special land use.”

<sup>(4)</sup> No motor vehicle or marine repair.

<sup>(5)</sup> No outside storage or display of equipment or supplies.

<sup>(6)</sup> Parking spaces for business vehicles must be provided in excess of the required number for the use.

<sup>(7)</sup> Must be licensed by the department of professional regulation.

<sup>(8)</sup> Self-storage facilities may be permitted in areas designated Commercial on the City’s Land Use Plan, if deemed appropriate by the City consistent with the City’s Comprehensive Plan, Plan Implementation Element, Section 2(a)(10), Commercial Use and Broward County Next.

**Section 3: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

**Section 4: Severability.** That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 5: Codification.** 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 confirm with the Code of Ordinances.

**Section 6: Effective Date.** That this ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 27<sup>TH</sup> DAY OF APRIL, 2023.**

**PASSED SECOND READING THIS 11<sup>TH</sup> DAY OF MAY, 2023.**

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Joshua Rydell, Mayor

Attest:

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Joseph J. Kavanagh, City Clerk

	<u>1st</u>	<u>2nd</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>
Brodie	<u>Aye</u>	<u>Aye</u>
Wasserman	<u>Aye</u>	<u>Aye</u>

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**EXHIBIT "A"**

Legal Description of Hale Planned Commerce District (PCD)

TRACT B, THE HALE PLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 137, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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