

ORDINANCE NO. 2021-020

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 1, "GENERALLY," SECTION 13-295, "DEFINITIONS," TO PROVIDE FOR DEFINITIONS AND AMENDING DIVISION 2, "ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS," BY CREATING A NEW SECTION 13-323, "HOTELS," AND AMENDING DIVISION 4, "ACCESSORY USES AND STRUCTURES," SUBDIVISION II, "PARKING REGULATIONS AND REQUIREMENTS," SECTION 13-400, "RESIDENTIAL USE PARKING SPACE REQUIREMENTS," TO PROVIDE UPDATED HOTEL AND EXTENDED STAY HOTEL PARKING REQUIREMENTS AND SECTION 13-409, "OFF-STREET LOADING REQUIREMENTS", TO PROVIDE UPDATED LOADING SPACE REQUIREMENTS; AND BY AMENDING DIVISION 8, "MASTER BUSINESS LIST," SECTION 13-621, "MASTER BUSINESS LIST B-2, B-3, AND B-4," AND SECTION 13-623, "MASTER BUSINESS LIST O-2, O-3," TO IDENTIFY SPECIAL LAND USE REQUIREMENTS AND PROVIDE FOR EXTENDED STAY HOTELS AS SPECIAL LAND USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes that changes to the adopted code of ordinances are periodically necessary in order to ensure that the City's regulations are current and consistent with the City's regulatory needs; and

WHEREAS, the City's Land Development Code currently does not provide sufficient requirements to ensure that new hotels and extended stay hotels meet minimum standards, parking, and amenities desired by the residents and visitors of Coconut Creek; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has determined that this proposed ordinance is consistent with and furthers the goals, objectives, and policies of the City's Comprehensive Plan; and

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WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed text amendment at a public hearing held on August 11, 2021, and voted to recommend that the changes be approved; and

WHEREAS, after reviewing the Local Planning Agency's recommendations, the recommendations of City staff, and comments from the public, the City Commission finds that the proposed amendments to its Code of Ordinances and Land Development Regulations are in compliance and consistent with Florida law and its adopted Comprehensive Plan; and

WHEREAS, the City Commission finds this ordinance is in the best interest of the health, safety and welfare of the City and its residents.

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 1, "Generally," Section 295, "Definitions," to add the following definitions as follows:

Sec. 13-295. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Fixed Cooking Appliances means a stove top burner, a hotplate that does not serve as an integral part of an appliance designed solely to produce coffee, a conventional oven, a convection oven, or any oven producing heat using resistance heating elements, induction heating, or infrared heating sources; provided, however, a microwave shall not be considered a fixed cooking appliance.

Hotel means a public lodging establishment licensed by the Florida Department of Business and Professional Regulation offering transient lodging accommodations to the

public containing hotel room accommodations for twenty five (25) or more guests providing daily housekeeping and providing fixed cooking appliances and kitchens in less than five percent (5%) of the hotel rooms; and other services generally provided by a hotel and recognized as a hotel in the community in which it is situated or by the hotel industry. For the purposes of this Chapter, hotel and motel shall be synonymous. A hotel is not a “vacation rental” as defined by Section 13-295, as may be amended. On any parcel designated residential on the Future Land Use Map, for calculating the maximum density consistent with the Broward County Land Use Plan, two (2) hotel rooms shall be equal to one (1) dwelling unit.

Hotel, Extended Stay means a hotel that offers transient or nontransient lodging accommodations that contains fixed cooking appliances in more than five percent (5%) of the hotel rooms. Where a regulation or standard is applied to or required for a hotel, and there is not a similar type of regulation or standard for extended stay hotels, then the regulation or standard applicable to Hotels is also applicable to Extended Stay Hotels.

Hotel Room means a bedroom, with a bathroom in a hotel for overnight accommodations.

Hotel Room Suite means a hotel room with separate bedrooms connected by a door interior to the suite, which may or may not have a separate living area.

Section 3: 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 2, “Zoning Classifications and General Requirements,” to create Section 13-323, entitled “Hotels,” to read as follows:

Sec. 13-323. - Hotels.

- (a) Purpose. This section is intended to establish minimum standards for hotels and extended stay hotels, address public safety and security impacts, and site design, and outline specific requirements for hotels and extended stay hotels based on their unique respective characteristics, in order to preserve the public health, safety, and general welfare.
- (b) Applicability: This Section, 13-323, “Hotels,” shall apply to all Hotels and Extended Stay Hotels in all zoning categories, including B3, B4, O2, O3, PUD, and PCD zoned properties where Hotels, Motels, or Extended Stay Hotels are allowed as a permitted or special land use.
- (c) Hotel and extended stay hotel minimum standards:
 - (1) Subject to zoning district regulations in Article III, Division 3, “Zoning District Regulations and Tables,” as applicable, in Section 13-331, “General Provisions,” Subsection (d), “Commercial and Industrial District,” Subsection (2).

- (2) The minimum floor area of the hotel room, which includes all areas to be individually rented by a guest, shall be three hundred (300) square feet.
- (3) At least one (1) hotel employee shall staff a registration desk on site twenty-four (24) hours per day.
- (4) On-site parking of oversized vehicles or trailers is not permitted. Oversized vehicles or trailers are those that do not fit in the typical commercial parking space dimensions as defined in Division 4, Subdivision II: Parking Regulations and Requirements. Registered guests with oversized vehicles or trailers are exempt from this subsection when responding to a natural disaster or state of emergency, which has been declared by the Florida Governor pursuant to state law or the President of the United States pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(d) Public safety and security:

- (1) The hotel or extended stay hotel shall install and maintain, in proper operating order, surveillance cameras in the interior areas of the lobby/lounge and at each exterior door. The cameras shall be placed in order to provide visibility to the building access points and public gathering areas. Monitors shall be provided for security and other hotel personnel so that on-site activities may be viewed at all times. Surveillance cameras shall be in operation 24 hours a day and records of images and videos recorded shall be kept a minimum of sixty (60) days.
- (2) The owner, operator, keeper, proprietor, or manager of any hotel or extended stay hotel shall immediately report all violations of law to the City of Coconut Creek Police Department that were either witnessed or made known to them by an employee, patron, guest, visitor, or other person on the premises.

(e) Site Design Standards:

- (1) ~~Central air conditioning shall be provided for the entire building; no through-the-wall air conditioner units are permitted~~ Exterior wall mounted or through-the-wall air-conditioning units are prohibited.
- (2) Buildings shall be designed so that interior corridors or hallways lead to and from hotel rooms. No "catwalk" exterior hallways to hotel rooms shall be permitted.
- (3) Active outdoor recreation areas including swimming pools shall be screened from view and located at least twenty-five (25) feet from the plot line of any abutting residential zoning district.

(f) Additional Extended Stay Hotel standards.

- (1) Extended stay hotels shall feature at a minimum a health or fitness facility, swimming pool, and a business meeting room.
- (2) Extended stay hotels must have an enclosed and air conditioned laundry space for guests. Extended stay hotels that offer laundry service to their guests shall be exempt from this provision.

(3) Housekeeping service shall be provided no less than ~~two (2)~~ one (1) times per week for each occupied guest room as part of the standard room rate at any extended stay hotel when there exists a reservation of seven (7) days or longer.

Secs. 13-~~322324~~-13-330. – Reserved.

Section 4: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 13, “Land Development,” Article III, “Zoning Regulations,” Division 4, “Accessory Uses and Structures,” Subdivision II, “Parking Regulations and Requirements,” to read as follows:

Sec. 13-400. - Residential use parking space requirements.

The minimum number of parking spaces to be provided and maintained for each residential use or occupancy shall be as follows:

(4) ~~Hotels and motels~~: One (1) parking space for each ~~sleeping hotel~~ room, plus one (1) parking space per two (2) people on shift of greatest employment. If, in addition to hotel rooms, there are other uses operated in conjunction with and/or as part of the hotel/~~motels~~, additional off-street parking spaces shall be provided for such other uses as would be required by this subdivision.

(5) Hotels, Extended Stay: One (1) parking space for each hotel room and one (1) parking space for each bedroom in a hotel room suite, plus one (1) parking space per two (2) people on shift of greatest employment. If there are other uses operated in conjunction with and/or as part of the extended stay hotel, additional off-street parking spaces shall be provided for such other uses as would be required by this subdivision.

~~(5 6)~~ Housing for elderly: One (1) parking space for each unit.

~~(67)~~ Club houses and other amenity buildings: [Club houses and other amenity buildings] accessory to one-family, two-family, multifamily, mobile home and other residential developments shall provide one (1) parking space for two hundred (200) square feet of floor area.

Sec. 13-409. - Off-street loading requirements.

(b) Loading space requirements. Off-street loading spaces shall be provided and maintained in accordance with the following schedule:

- (3) Hotels and motels and Extended Stay Hotels:
 - a. Twenty-five (25) to fifty (50) units, one (1) space.

- b. Over fifty (50) to two hundred (200) units, two (2) spaces.
- c. Over two hundred (200) units, three (3) spaces.

Such loading space shall not be located in the required front yard.

Section 5: Amendment. That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 13, “Land Development,” Article III, “Zoning Regulations,” Division 8, “Master Business List,” to read as follows:

Sec. 13-621. - Master business list—B-2, B-3, and B-4.

Master Business List	B-2	B-3	B-4

Hotel/ Motels		<u>§(8)</u>	<u>§(8)</u>
<u>Hotel, Extended Stay</u>		<u>§(8)</u>	<u>§(8)</u>

(8) Subject to supplemental regulations listed in Section 13-323, “Hotels.”

Sec.13-623. - Master business list—O-2, O-3.

Master Business List	O-2	O-3

Hotels	<u>§(1)</u>	<u>§(1)</u>
<u>Hotel, Extended Stay</u>	<u>§(1)</u>	<u>§(1)</u>

(1) Subject to supplemental regulations listed in Section 13-323, "Hotels."

Section 6: 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 7: 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 8: 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 conform with the Code of Ordinances.

Section 9: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 23RD DAY OF SEPTEMBER, 2021.

PASSED SECOND READING THIS 28TH DAY OF OCTOBER, 2021.

Rebecca A. Tooley, Mayor

Attest:

Marianne Bowers, Interim City Clerk

	<u>1st</u>	<u>2nd</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Aye</u>
Railey	<u>Aye</u>	<u>Aye</u>

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