

**ORDINANCE NO. 2023-017**

**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 13-626, "MASTER BUSINESS LIST – PLANNED MAINSTREET DEVELOPMENT DISTRICT," AND ADOPT THE PERMITTED AND SPECIAL LAND USES FOR THE INFINITI-LINCOLN OF COCONUT CREEK PLANNED MAINSTREET DEVELOPMENT DISTRICT GENERALLY LOCATED ON THE NORTH SIDE OF SAMPLE ROAD BETWEEN NORTH STATE ROAD 7 / U.S. 441 AND NW 54 AVENUE IN THE MAINSTREET PROJECT AREA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, Jay Huebner of HSQ Group, Inc., and the property owner, TT of Sample, Inc., are requesting to amend the City's Land Development Code by creating Section 13-626, "Master Business List – Planned MainStreet Development District," to include the permitted and special land uses for the "Infiniti-Lincoln of Coconut Creek Planned MainStreet Development District" generally located on the north side of Sample Road, between North State Road 7 / U.S. 441 and NW 54 Avenue in the MainStreet Project Area, legally described in Exhibit "A," attached hereto and incorporated herein; and

**WHEREAS**, the creation of Section 13-626, "Master Business List – Planned MainStreet Development District," of the City's Code of Ordinances is proposed in order to include the Master Business List for the Infiniti-Lincoln of Coconut Creek Planned MainStreet Development District (PMDD) in the City's codified Land Development Code; and

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

CODING: Words in ~~strike through~~-type are deletions from existing text.

Words in underline type are additions to existing text.

Asterisk (\*\*\*) indicate existing text not shown.

**WHEREAS**, the City Commission finds and determines that Section 13-626 of the City’s Code of Ordinances should be created as provided herein and same is in the best interest of the City.

**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 13-626, “Master Business List – Planned MainStreet Development 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. 13-626. Master Business List – Planned MainStreet Development District (PMDD)**

<b><u>Master Business List - Planned MainStreet Development District (PMDD)</u></b>	<b><u>Infiniti-Lincoln of Coconut Creek PMDD</u></b>
<u>Auto Dealership</u>	<u>P</u>
<u>Automobile Body Shop (incidental to an automobile dealership only)</u>	<u>P</u>
<u>Automobile Parts (service and installation incidental to an automobile dealership only)</u>	<u>P</u>
<u>Automobile Service (no fuel sales, incidental to an automobile dealership only)</u>	<u>P</u>
<u>Automobile Wash (incidental to an automobile dealership only)</u>	<u>P</u>

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**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 24<sup>TH</sup> DAY OF AUGUST, 2023.

PASSED SECOND READING THIS 14<sup>TH</sup> DAY OF SEPTEMBER, 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>

**EXHIBIT "A"**

Legal Description:

A PORTION OF TRACT "B" OF THE COMMERCE CENTER OF COCONUT CREEK PLAT, AS RECORDED IN PLAT BOOK 131, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.