



Legislation Details (With Text)

File #: ORD 2018-034 **Name:** Chapter 13 Code Amendments (RLUIPA)
Type: Ordinance **Status:** Passed
File created: 10/4/2018 **In control:** City Commission
On agenda: 11/8/2018 **Final action:** 11/8/2018

Title: AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE,” ARTICLE I, “ADMINISTRATION, REGULATIONS AND PROCEDURES,” DIVISION 1, “GENERALLY,” BY ENACTING SECTION 13-5, “SEVERABILITY,” TO PROVIDE FOR GENERAL SEVERABILITY AMONG THE PROVISIONS OF THE LAND DEVELOPMENT CODE; ARTICLE III, “ZONING REGULATIONS,” DIVISION 1, “GENERALLY,” SECTION 13-295, “DEFINITIONS,” TO OMIT THE DEFINITION OF CHURCH AND AMEND THE DEFINITION OF HOUSE OF WORSHIP; DIVISION 3, “ZONING DISTRICT REGULATIONS AND TABLES,” SECTIONS 13-331, “GENERAL PROVISIONS,” 13-348, “PLANNED UNIT DEVELOPMENT DISTRICT,” 13-354, “COMMUNITY FACILITY DISTRICT,” 13-355, “PLANNED COMMERCE DISTRICT,” AND DIVISION 8, “MASTER BUSINESS LIST,” SECTIONS 13-621, “MASTER BUSINESS LIST - B-2, B-3, AND B-4,” 13-622, “MASTER BUSINESS LIST - IO-1, IM-1,” 13-623, “MASTER BUSINESS LIST - O-2, O-3,” TO PROVIDE CONSISTENCY WITH THE FEDERAL RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 (RLUIPA). (SECOND READING)(PUBLIC HEARING)

Sponsors:

Indexes: Chapter 13, House of Worship, Land Development Code, Ordinance

Code sections: Chapter 13 - Land Development Code

Attachments: 1. ORDINANCE 2018-034-Ch 13 Code Amendments (RLUIPA), 2. MINUTES-Draft PZ Minutes Excerpt 2018-1010

Date	Ver.	Action By	Action	Result
11/8/2018	1	City Commission		
10/25/2018	1	City Commission		

AGENDA ITEM REPORT

TITLE:

AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE,” ARTICLE I, “ADMINISTRATION, REGULATIONS AND PROCEDURES,” DIVISION 1, “GENERALLY,” BY ENACTING SECTION 13-5, “SEVERABILITY,” TO PROVIDE FOR GENERAL SEVERABILITY AMONG THE PROVISIONS OF THE LAND DEVELOPMENT CODE; ARTICLE III, “ZONING REGULATIONS,” DIVISION 1, “GENERALLY,” SECTION 13-295, “DEFINITIONS,” TO OMIT THE DEFINITION OF CHURCH AND AMEND THE DEFINITION OF HOUSE OF WORSHIP; DIVISION 3, “ZONING DISTRICT REGULATIONS AND TABLES,” SECTIONS 13-331, “GENERAL PROVISIONS,” 13-348, “PLANNED UNIT DEVELOPMENT DISTRICT,” 13-354, “COMMUNITY FACILITY DISTRICT,” 13-355, “PLANNED COMMERCE DISTRICT,” AND DIVISION 8, “MASTER BUSINESS LIST,” SECTIONS 13-621, “MASTER BUSINESS LIST - B-2, B-3, AND B-4,” 13-622, “MASTER BUSINESS LIST - IO-1, IM-1,” 13-623, “MASTER BUSINESS LIST - O-2, O-3,” TO PROVIDE CONSISTENCY WITH THE FEDERAL RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT OF 2000 (RLUIPA).

(SECOND READING)(PUBLIC HEARING)

BACKGROUND:

This item was approved on First Reading at the October 25, 2018, City Commission Meeting.

The City desires to amend Chapter 13, "Land Development Code," of the City's Code of Ordinances to revise regulations pertaining to religious land uses in order to comply with the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc, et seq., which is a civil rights law that protects individuals and religious assemblies and institutions from discriminatory and unduly burdensome land use regulations.

DISCUSSION:

These amendments seek to explicitly list, as a permitted use, houses of worship in zoning categories that permit comparable assembly uses. The identified districts include: B-2, "Convenience Shopping District," B-3, "Community Shopping District," B-4, "Regional Shopping District," IO-1, "Industrial Office District," O-2, "Local Office District," CF, "Community Facility District," PUD, "Planned Unit Development District," and PCD, "Planned Commerce District." The City of Coconut Creek is committed to ensuring that the rights of houses of worship and religious institutions are protected through the administration of the City's Land Development Code.

RECOMMENDATION:

The Planning and Zoning Board recommended approval of these amendments at its October 10, 2018, meeting.

FISCAL IMPACT: N/A