

**ORDINANCE NO. 2025-003**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, APPROVING THE REZONING APPLICATION FOR THE PROPERTIES LOCATED AT 4100 AND 4250 NORTHWEST 74 STREET FROM A-1 (AGRICULTURAL) TO P (PARKS AND RECREATION) TO FACILITATE THE EXPANSION OF THE EXISTING OAK TRAILS PARK FACILITY, LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the applicant, The City of Coconut Creek, is requesting rezoning approval to rezone from A-1 (Agricultural) to P (Parks and Recreation) the property generally located on the south side of NW 74 Street and west of NW 39 Avenue, legally described in Exhibit "A," attached hereto and made a part hereof; and

**WHEREAS**, the City of Coconut Creek Future Land Use Map designates the property located at 4100 NW 74 Street as E1 (Residential Estate 1 DU/Ac) and the property located at 4250 NW 74 Street as L5 (Residential 5 DU/Ac); and

**WHEREAS**, Parks and Open Spaces are permitted land uses within the E1 (Residential Estate 1 DU/Ac) and L5 (Residential 5 DU/Ac) Future Land Use Designations in the City's Comprehensive Plan; and

**WHEREAS**, the proposed rezoning will be consistent with the City of Coconut Creek Comprehensive Plan and Future Land Use Map; and

**WHEREAS**, the proposed rezoning to P (Parks and Recreation) is compatible with the surrounding existing zoning designations and uses for the properties in this vicinity; and

**WHEREAS**, at its public hearing held on December 11, 2024, the Planning and Zoning Board heard, reviewed, and duly considered the reports, findings, and

recommendations of the City Staff, together with the opinions and testimony stated at the public hearing and has recommended approval of this item to the City Commission; and

**WHEREAS**, the City Commission has determined that the above described rezoning is in the best interest of the City and serves a public purpose based upon all the Development Review Committee comments and minutes, Planning and Zoning Board minutes, City staff reports, and findings of fact pertaining to this project located within the official City Development/Project file kept within the Department of Sustainable Development.

**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. All exhibits attached hereto are incorporated herein and made a specific part of this ordinance.

**Section 2: Finding.** That the City Commission finds and determines that the above described rezoning meets the requirements of the City’s Land Development Code and is consistent with the City of Coconut Creek Comprehensive Plan and Future Land Use Map and that the rezoning meets the requirements of Section 13-36, “Zoning map amendments,” Subsection (c), “Standards for decision,” in the City of Coconut Creek Land Development Code.

**Section 3: Approval.** That the City Commission, having reviewed the application, recommendation of the Planning and Zoning Board, and the City staff report, hereby approves the rezoning from A-1 (Agricultural) to P (Parks and Recreation) for the property legally described in Exhibit “A.”

**Section 4: Other Approvals.** That this approval does not in any way create a right on the part of the applicant to obtain a permit from a county, state, or federal agency, and does not create liability on the part of the City for issuance of the approval if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a county, state, or federal agency or undertakes action that result in a violation of state or federal law.

**Section 5: 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 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: Effective Date.** That this ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS 23<sup>RD</sup> DAY OF JANUARY, 2025.**

**PASSED SECOND READING THIS 13<sup>TH</sup> DAY OF FEBRUARY, 2025.**

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Sandra L. Welch, Mayor

Attest:

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Joseph J. Kavanagh, City Clerk

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

file:///N:/Common/Documents/PLANNING%20&%20ZONING/Project%20Coordinator/Ordinances/2025/ORD%202025-007%20Oak%20Trails%20Park%20Site%20Plan.docx

JP:ae

## EXHIBIT "A"

### **Legal Description:**

TRACT 42, BLOCK 83 OF PALM BEACH FARMS PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45-54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TRACT 44, BLOCK 83 OF PALM BEACH FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED PLAT BOOK 2, PAGE 53, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.