

ORDINANCE NO. 2024-___

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF COCONUT CREEK BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 2, "ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS," SECTION 13-319, "ZONING OVERLAY AREAS," BY ENACTING SUBSECTION 13-319(c)(4), "VINKEMULDER EQUESTRIAN NEIGHBORHOOD OVERLAY AREA," ADOPTING A ZONING OVERLAY AREA FOR THE AREA GENERALLY LOCATED SOUTH OF WILES ROAD, WEST OF TRADEWINDS PARK, NORTH OF THE FLORIDA POWER AND LIGHT EASEMENT, AND EAST OF LYONS ROAD, AND NOT INCLUDING THE SAN MELLINA SUBDIVISION OR THE COQUINA SUBDIVISION, CHANGING THE LIST OF PERMITTED USES, SPECIAL LAND USES, AND PROHIBITED USES, AND IMPLEMENTING THE STANDARDS AND POLICIES THAT GUIDE DEVELOPMENT OF THE VINKEMULDER NEIGHBORHOOD WITHIN THE PROPERTY LEGALLY DESCRIBED IN THE ENACTING LANGUAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Coconut Creek has the authority to protect the health, safety, and welfare of its citizens; and

WHEREAS, the City of Coconut Creek has the authority to make regulations pertaining to land use and development within the City of Coconut Creek; and

WHEREAS, the City Commission desires to amend Chapter 13 of the Code of Ordinances, "Land Development Code," Article III, "Zoning Regulations," Division 2, "Zoning Classifications and General Requirements," Section 13-319, "Zoning overlay areas," by enacting Subsection 13-319(c)(4), "Vinkemulder Equestrian Neighborhood

Overlay Area,” to change the list of permitted, special, and prohibited uses and implement standards and policies that will guide development of the Vinkemulder Neighborhood in order to preserve the neighborhoods integrity and character; and

WHEREAS, the official zoning map of the City of Coconut Creek shall be amended to delineate the boundaries of the Vinkemulder Equestrian Neighborhood Overlay Area; and

WHEREAS, the City Commission has determined that it is in the City’s best interest to create a Vinkemulder Equestrian Neighborhood Overlay Area to implement the standards and policies that guide the development of the Vinkemulder Neighborhood, preserving and enhancing its unique equestrian character and rural ambiance within the specified area; and

WHEREAS, the Planning and Zoning Board reviewed the proposed zoning map amendment and text amendment at a public hearing held on December 11th, 2024, and recommended _____ of the changes; and

WHEREAS, the Planning and Zoning Board has determined that the changes [are/are not] consistent with and further the goals, objectives, and policies of the Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

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: That the City’s Code of Ordinances shall be amended by amending Chapter 13, “Land Development Code,” Article III, “Zoning Regulations,” Division 2, “Zoning Classifications and General Requirements,” by amending Section 13-319 by enacting a new Subsection 13-319(c)(4), “Vinkemulder Equestrian Neighborhood Overlay Area,” to read as follows:

Sec. 13-319. - Zoning overlay areas.

(c) *Specific designation.*

(4) Vinkemulder Equestrian Neighborhood Overlay Area. The Vinkemulder Equestrian Neighborhood Overlay Area is generally located south of Wiles Road, west of Tradewinds Park, north of the Florida Power and Light easement, and east of Lyons Road, excluding the San Mellina subdivision and the Coquina subdivision, and includes the following properties:

<u>Folio Number</u>	<u>Address</u>	<u>Legal Description</u>
484208070020	<u>NW 39 AVE</u>	BANYAN TRAILS 154-3 PB PARCEL B
484217010080	<u>4101 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TRACT 8 E1/2 BLK 88
484217010081	<u>4201 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TRACT 8 W1/2 BLK 88
484217010100	<u>4551 NW 39 AVE</u>	PALM BEACH FARMS 2-54 PB TR 10 LESS W 165 BLK 88, LESS N 5 FOR R/W PER MISC MAP 3-33 B
484217010101	<u>4000 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 10 W 165 LESS N 10 FOR RD BLK 88
484217010110	<u>4060 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 11 LESS E 165 LESS N 10 FOR RD BLK 88
484217010111	<u>4020 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 11 E 165 LESS N 10 FOR RD BLK 88
484217010120	<u>4100 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 12 LESS N 10 FOR RD BLK 88
484217010130	<u>4200 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 13 LESS E1/2 BLK 88
484217010140	<u>4300 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 14 LESS N 10 FOR RD BLK 88
484217010150	<u>4360 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TR 15 LESS E1/2 LESS N 10 FOR RD BLK 88
484217010151	<u>4320 VINKEMULDER RD</u>	PALM BEACH FARMS 2-54 PB TRACT 15 E1/2 BLK 88
484217010210	<u>NW 43 ST</u>	PALM BEACH FARMS 2-54 PB TRACT 23 BLK 88
484217010220	<u>4211 NW 43 ST</u>	PALM BEACH FARMS 2-54 PB TR 24 W1/2 BLK 88
484217010221	<u>NW 43 ST</u>	PALM BEACH FARMS 2-54 PB TR 24 E1/2 BLK 88
484217010230	<u>4161 NW 43 ST</u>	PALM BEACH FARMS 2-54 PB TR 25 W1/2 BLK 88

CODING: Words in *struck through* type are deletions from existing text.
 Words in underscored type are additions to existing text.
 A line of *** indicates existing text not shown.

<u>484217010231</u>	<u>4161 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 25 E1/2 LESS S 15 BLK 88</u>
<u>484217010240</u>	<u>4061 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TRACT 26 LESS N1/2 BLK 88</u>
<u>484217010241</u>	<u>4065 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 26 N1/2 BLK 88</u>
<u>484217010250</u>	<u>4341 NW 39 AVE</u>	<u>PALM BEACH FARMS 2-54 PB TR 27 LESS S 231 & LESS POR DESC AS:BEG NE COR SAID TR 27,W 506, S 222,E 240,SE 105.6,E 165,N 246 TO POB BLK 88</u>
<u>484217010251</u>	<u>4301 NW 39 AVE</u>	<u>PALM BEACH FARMS 2-54 PB TR 27,S 231 LESS W 188.58 BLK 88</u>
<u>484217010252</u>	<u>4361 NW 39 AVE</u>	<u>PALM BEACH FARMS 2-54 PB POR OF TR 27 DESC AS:BEG NE COR SAID TR 27,W 506,S 222,E 240, SE 105.604,E 165,N 246 TO POB BLK 88</u>
<u>484217010253</u>	<u>4301 NW 39 AVE</u>	<u>PALM BEACH FARMS 2-54 PB TR 27,W 188.58 OF S 231 BLK 88</u>
<u>484217010260</u>	<u>3900 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB PT OF TR 28 DESC AS BEG NE COR OF SAID TR 28,S 658.98 TO SE COR OF TR 28,WLY 184.98,NLY 659.05 TO N/L OF TR 28,ELY 180.86 TO POB BLK 88</u>
<u>484217010270</u>	<u>4000 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 28 WLY1/2 AC,TR 29 E1/2 OF TR BLK 88</u>
<u>484217010271</u>	<u>4070 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 29 W1/2 BLK 88</u>
<u>484217010272</u>	<u>3920 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB PORTION OF TR 28 DESC AS COMM AT NE COR OF SAID TR 28,WLY 316.10 TO POB,CONT WLY 162.18,SLY 659.13 TO PT ON S/L OF SAID TR, ELY 162.18,NLY 659.07 TO POB BLK 88</u>
<u>484217010273</u>	<u>3910 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 28 W 135.24 OF E 316.10 BLK 88</u>
<u>484217010280</u>	<u>4100 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 30 BLK 88</u>
<u>484217010290</u>	<u>4350 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 31 E1/2 BLK 88</u>
<u>484217010291</u>	<u>4250 NW 43 ST</u>	<u>PALM BEACH FARMS 2-54 PB TR 31 W1/2 BLK 88</u>
<u>484217010460</u>	<u>WILES RD</u>	<u>PALM BEACH FARMS 2-54 PB PORTION OF BLOCK 88 AS DESC IN OR 49412/338</u>
<u>484217050010</u>	<u>4150 VINKEMULDER RD</u>	<u>THE SAINTS ESTATE 153-32 B TRACT 'A'</u>

- a. Purpose and intent. The purpose of the zoning overlay area is to implement the standards and policies that guide the development of the Vinkemulder Neighborhood, preserving and enhancing its unique equestrian character and rural ambiance. This purpose will be fulfilled by:
- Ensuring that any new development or redevelopment within the area aligns with the community's vision;

2. Balancing sustainable development with preserving the neighborhood's cultural identity;
3. Emphasizing equestrian activities and amenities; and
4. Promoting a safe, environmentally responsible, and equestrian-focused community.

The Vinkemulder Equestrian Neighborhood Zoning Overlay Area seeks to maintain the neighborhood's residential and recreational nature while enhancing traffic safety and circulation infrastructure, and environmental quality, ensuring a harmonious and vibrant community for its residents.

- b. Adoption of the Vinkemulder Equestrian Neighborhood Master Plan. The City Commission adopts and incorporates by reference the neighborhood master plan entitled "Vinkemulder Equestrian Neighborhood Master Plan," dated December 12th, 2024 including its assumptions, conclusions, and findings in the master plan.
- c. Applicability. The regulations for the overlay area shall be applicable within the specified boundaries of the overlay area, as identified on the zoning map. Where conflicts may occur with this overlay and the other requirements of the Land Development Code, this section shall govern. Where no conflicts occur, the regulations in the underlying zoning district and the Land Development Code shall be applicable and supplement this section.
- d. Definitions.
 1. Bona fide agricultural purposes. Means good faith commercial agricultural use of the land, as further defined in section 193.461(3)(b), Florida Statutes.
 2. Farm. Means the land, buildings, support facilities, machinery, and other appurtenances used in the production of farm or aquaculture products.
 3. Farm sign. Means a sign erected, used, or maintained on a farm by the owner or lessee of the farm which relates solely to farm produce, merchandise, or services sold, produced, manufactured, or furnished on the farm.
 4. Nonresidential farm building. Means any temporary or permanent building or support structure that is classified as a nonresidential farm building on a farm under section 553.73(10)(c), Florida Statutes, and that is used primarily for bona-fide agricultural purposes, is located on land that is an integral part of a farm operation and is classified as agricultural land under section 193.461, Florida Statutes, and is not used or intended to be used as a residential dwelling. The term may include,

- but is not limited to, a barn, greenhouse, shade house, farm office, storage building, or poultry house.
5. Plant and Tree Wholesale Trade. The business of bulk purchasing, storing, and distributing plants, trees, shrubs, and related horticultural products primarily for resale to retailers, landscapers, nurseries, and other commercial entities.
 6. Plant Nursery. A place where plants are propagated, grown, and cultivated to a desired size before being sold to consumers, landscapers, or other nurseries. Nurseries may sell both retail and wholesale, and typically offer a wide range of plants, trees, and shrubs, along with related horticultural products.
- e. Uses. Except as provided herein, all uses permitted by right or those uses requiring special approvals within the overlay area shall comply with those in the underlying zoning district.
1. For A-1 Agricultural District, refer to Section 13-332 (b) – (c) of the Land Development Code.
 2. For RS-1 Residential Single-Family District, refer to Section 13-333 (b) – (c) of the Land Development Code.
 3. For P Parks and Recreation District, refer to Section 13-353 (b) of the Land Development Code.
 4. For PUD, Banyan Trails Planned Unit Development, refer to Ordinance 106-98 adopting the Banyan Trails Planned Unit Development, Parcel “B” as open space.
 5. Prohibited Uses. The following uses shall be prohibited within the overlay area.
 - a. Landscape and lawn maintenance as a principal or accessory use;
 - b. Plant and tree nurseries, including sales operations;
 - c. Public and private schools;
 - d. Golf courses;
 - e. Hunt Clubs;
 - f. Places of assembly.
 2. Exemptions for Existing Business Uses. Notwithstanding the provisions outlined in Division 6. – Nonconforming Uses and Structures, any business legally operating with a valid business tax receipt at the time of the adoption of this ordinance shall be exempt from the prohibitions stipulated herein, to the extent that their current operations conflict with the new prohibitions. This exemption applies only to the operations as they existed at the time of adoption and does not permit expansion

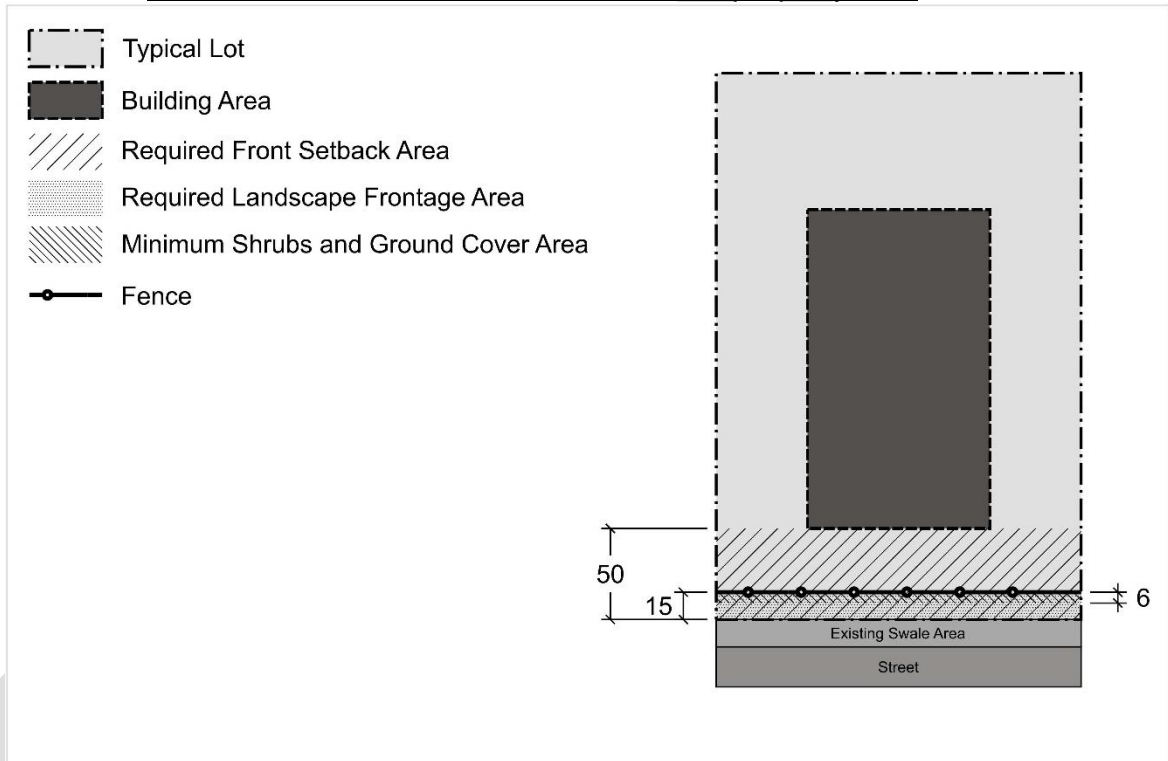
or significant alteration of the business in a manner that increases the conflict with this ordinance, nor conversion to another prohibited use as identified in subsection five (5) above.

Furthermore, such businesses may continue their existing operations and may also be sold or transferred to new owners, provided that the business remains on the same parcel as it was located at the time of the adoption of this ordinance and is not expanded or significantly altered except in a way which makes the property more compliant with these regulations. These businesses must continue to comply with all other applicable local, state, and federal regulations.

- f. Density. Single-family detached homes are permitted on lots, which are a minimum of two (2) acres in area. A variance from this minimum lot size is prohibited.
- g. Development Regulations. All development regulations for the underlying zoning districts, except as stated in this ordinance, shall apply, including the following:
 - 1. For A-1 Agricultural District, refer to Section 13-332 (d), "Development regulations," of the Land Development Code.
 - 2. For RS-1 Residential Single-Family District, refer to Section 13-333 (d), "Development regulations," of the Land Development Code.
 - 3. For P Parks and Recreation District, refer to Section 13-353 (c) of the Land Development Code.
 - 4. For PUD, Banyan Trails Planned Unit Development, Parcel "B" as open space.
 - 5. For non-residential, non-agricultural uses in agricultural and residential districts, refer to Section 13-339, "Development regulations for nonresidential non-agricultural uses in agricultural and residential districts."
 - 6. Applicable landscaping regulations, refer to Subdivision IV, "Landscape Standards and Requirements," of Division 4, "Accessory Uses and Structures," of Article III, "Zoning Regulations" of the Land Development Code.
 - 7. Additional Development Regulations. For all new development pursuant to the uses permitted within the o, or other site improvements requiring compliance with Section 13-446(h), "Nonconforming landscaping," of the Land Development Code, the following shall apply:
 - a. The first 15'-0" (minimum) of the required front setback area along the right-of-way within the District shall be planted as a Landscape Frontage Area.

1. The required Landscape Frontage Area shall be planted with sod, and a combination of groundcover, shrubs, and canopy trees.
2. The design concept for the placement of trees within the Landscape Frontage Area required by this section shall emphasize increased shade along the property frontage, to create a naturalistic environment along the right-of-way.
 - I. Trees within the Landscape Frontage Area shall be selected in compliance with Right-Tree-Right-Place principles.
 - II. Where overhead utilities do not exist. Trees shall be planted according to the standards provided in Section 13-443, "Minimum landscape requirements for zoning districts," except for the following:
 - i. Canopy trees shall be planted a minimum average of 25'-0" and maximum average of 35'-0" on center.
 - ii. Canopy trees shall be of a species that have an inherent mature canopy diameter of not less than 50'-0".
 - III. Where overhead utilities do exist. Trees shall be planted according to the standards provided in Section 13-443, "Minimum landscape requirements for zoning districts," of the Land Development Code.
3. Shrubs and groundcover shall be planted continuously across the property's frontage, within the Landscape Frontage Area, and may only be interrupted where driveway access to the property occurs.
 - I. No less than two (2) shrubs and groundcover species shall be planted for the full length of the Landscape Frontage Area, and provide a layered effect, with taller shrubs at the back of the Landscape Frontage Area, and smaller plants located at the front.
 - i. The minimum depth of shrubs and groundcover massing shall be no less than 6'-0".
 - ii. All shrubs and groundcover shall be native species subject to diversification requirements in the landscape code, requiring minimal irrigation and maintenance once established.
 - II. Shrubs shall be no less than 36" in height at the time of installation and shall be spaced no more than 30" on-center.

- III. Groundcover plants shall be no less than 12" x 12" at the time of installation and shall be spaced a maximum of 18" on-center, triangular spacing.
- IV. Fences, walls, and enclosures shall be permitted within this Landscape Frontage Area, and subject to Section 13-379, "Fences, walls, and enclosures," of the Land Development Code, provided that fences and walls shall be located on the backside of the landscape described herein, no closer than 15 feet to the front property line.



- b. The placement of vehicle parking, storage of vehicles or commercial equipment shall be limited to areas beyond the required 15'-0" Landscape Frontage Area and subject to all other setbacks, buffer requirements, and other limitations in the Land Development Code.
 - 1. All surface parking, storage of vehicles or open storage areas shall be screened, at a minimum, by a landscape hedge, which shall grow to a minimum six (6'-0") feet tall, which buffers view from the public right-of-way.
 - 2. For non-residential uses:

Section 4: 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 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: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS _____ DAY OF _____, 2025.

PASSED SECOND READING THIS _____ DAY OF _____, 2025.

Sandra L. Welch, Mayor

Attest:

Joseph J. Kavanagh, City Clerk

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