

ORDINANCE NO. _____

(24-T-04)

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING ARTICLES 2 AND 4 OF THE ZONING AND LAND DEVELOPMENT REGULATIONS PROVIDING A DEFINITION AND ESTABLISHING PERFORMANCE STANDARDS FOR K-12 SCHOOLS.

WHEREAS, the City has recognized the need to establish performance standards and a definition for K-12 Schools in an effort to provide safety and consistency among school sites citywide; and

WHEREAS, on March 12, 2024, the Planning and Development Board, acting as the Local Planning Agency, held a public hearing and recommended approval with conditions to the City Commission; and

WHEREAS, this item was placed on the May 5, 2024, City Commission agenda for first reading but was withdrawn to allow staff to conduct additional research; and

WHEREAS, this item was approved by City Commission at first reading on January 15, 2025; and

WHEREAS, the City Commission, following a public hearing, accepts the recommendations and finds them to be in the best interest of the citizens of Hollywood.

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

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated into this Ordinance.

Section 2: That Articles 2 and 4 of the Zoning and Land Development Regulations are amended as follows:

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§ 2.2 Terms Defined.

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¹ Coding: ~~Struck through~~ words are deletions from existing text; underscored words are additions to existing text; and words that are shaded and underscored are changes between first and second readings.

K-12 Schools. Public, Charter, or Private schools, educational facilities, or learning centers consisting of elementary (grades K-5), middle (grades 6-8), high school (grades 9-12), or any combination. This definition shall not include DAY NURSERY (daycares), schools/daycares ancillary to churches, trade or business schools, or ADULT EDUCATIONAL FACILITIES.

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§ 4.22 Supplemental Use Regulations.

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- V. K-12 Schools: In addition to the Special Exception requirement pursuant to Article 5.3, the following performance standards and regulations shall be satisfied. However, in accordance with s. 1002(19)(a) and (b), F.S. as may be amended from time to time, a private school may use facilities on property owned or leased or purchased from a library, community service organization, museum, performing arts venue, theatre, cinema, or church facility under 170.201, F.S., which is or was actively used as such within 5 years of any executed agreement with a private school to use the facilities; any facility owned by a Florida College System institution or university; any similar public institutional facility; and any facility recently used to house a school or childcare facility licensed by 402.305, F.S., under any such facility's preexisting zoning and land use designations without obtaining a Special Exception, Rezoning, or Land Use Change, and without complying with any mitigation requirements or conditions. The facility must be located on property used solely for purposes described in this paragraph and therefore, cannot be proposed within a mixed use structure. The facility must meet applicable state and local health, safety, and welfare laws, codes, and rules, including fire safety and building safety. In addition, any library, community service, museum, performing arts, theatre, cinema, or church facility; any facility or land owned by a Florida College System institution or university; any similar public institutional facilities; and any facility recently used to house a school or child care facility licensed under 402.305, F.S., may provide space to charter schools within their facilities under their preexisting zoning and land use designations without obtaining a special exception, rezoning, or a land use change in accordance with s. 1002.33(18)(C), F.S. as may be amended from time to time.
1. Shall not be located within or immediately adjacent to industrial and manufacturing districts.

2. Shall not be located on roadways classified by Broward County Functional Classifications Map as Arterial Roadways, and access to the proposed site shall be from a Collector Road, unless otherwise demonstrated that traffic impacts can be mitigated through formal submission of a Traffic Study prepared to the satisfaction of the City Engineer.
3. Must be located in a freestanding or standalone building, and on a parcel no smaller than 1 acre, unless the K-12 School operations are appropriately sized for the proposed site. All K-12 School operations including but not limited to pick-up and drop-off, parking, and any ancillary recreational uses should be maintained entirely onsite, as demonstrated by a School Operations Plan, prepared to the satisfaction of the Director of Development Services.
4. A Traffic study, to include a traffic operations plan, must be submitted by a professional engineer licensed in the State of Florida and completed to the satisfaction of the City Engineer. K-12 Schools must provide a student drop off and pick up area for motorists that is dedicated to student drop off and pick up activities and does not interfere with onsite parking or roadways adjacent to the school. The study should also include but is not limited to a comprehensive review of the proposed school's site characteristics, context, location, traffic operations, and pedestrian mobility, in accordance with the required methodology provided by the City Engineer.
5. Shall May not be within 1,000 linear feet of preexisting bars, lounges, gun shops, smoke shops, and adult entertainment establishments.
6. In order to allow sufficient time to secure required development orders, building permits, and local business tax receipt approval, a special exception use application and fee should be filed with the Development Services Department at least nine months before the start of the school year. This time requirement cannot be waived or reduced, except at the discretion of the Director of Development Services.

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Section 3: That it is the intention of the City Commission, and it is hereby ordained that the provisions of this section shall be made a part of the Zoning and Land Development Regulations, and the sections of the Regulations may be renumbered to accomplish such intention.

Section 4: That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 5: That all sections or parts of sections of the Zoning and Land Development Regulations, all regulations or parts of regulations, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6: That this Ordinance shall be in full force and effect immediately upon its passage and adoption.

ADVERTISED on _____, 2025.

PASSED on first reading this _____ day of _____, 2025.

PASSED AND ADOPTED on second reading this _____ day of _____, 2025.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DAMARIS HENLON
INTERIM CITY ATTORNEY