

ORDINANCE NO. 2025-03

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA AMENDING THE CODE OF ORDINANCES AT ARTICLE I, IN GENERAL, ARTICLE III, DISTRICT REGULATIONS, ARTICLE IV, SUPPLEMENTAL DISTRICT REGULATIONS, ALL OF CHAPTER 16, ZONING REGULATIONS, TO ADD PRESCRIBED PEDIATRIC EXTENDED CARE USE, STANDARDS, AND CRITERIA FOR APPROVAL OF THE SAME; TO MOVE CRITERIA FOR THERAPEUTIC ADULT DAY CARE CENTERS FROM ARTICLE I TO ARTICLE III, OF CHAPTER 16; AND FOR OTHER PURPOSES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Greenacres City Council, as the governing body of the City of Greenacres (the “City”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (Zoning Code); and

WHEREAS, the City Council finds that this Ordinance is necessary for the preservation of the public health, safety and welfare of the City’s residents;

WHEREAS, the City Council finds it periodically necessary to amend its Land Development Regulations to ensure consistency with the City’s goals, enhance regulatory clarity, and accommodate evolving community needs; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

SECTION 1. Chapter 16, Zoning Regulations, Article I, In General, Division 1, of the City of Greenacres Code of Ordinances is hereby amended as follows (additions are indicated by underlining and deletions are indicated by strikethrough):

Section 16-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[The definitions for Building through Premises storage unit have been omitted for brevity.]

Prescribed Pediatric Extended Care (PPEC) Center shall mean a center, whether operated for profit or not, that provides basic nonresidential services to three (3) or more medically or technologically dependent Medicaid eligible children from birth through age 20 with medically complex conditions to receive licensed medical care, such as nursing services, personal care, developmental therapies, and caregiver training, pursuant to §400.901, Florida Statutes, as amended, in a non-residential setting, up to a maximum of 12 hours per day.

[The definitions for Principal building through Theater recycling collection have been omitted for brevity.]

~~Therapeutic adult day care center shall mean an establishment for the care and therapeutic treatment of adults who need a protective setting during the day. Services may include social activities, self-care training, nutritional meals, a place to rest, and respite care. This definition does not include medical or dental office. Such an establishment shall meet the following criteria:~~

- ~~(1) A registered nurse or physician shall be on duty supervising therapy sessions.~~
- ~~(2) A clinical staff trained in therapy shall be on duty.~~
- ~~(3) There shall be daily structured therapeutic activities for all patients.~~
- ~~(4) All patients shall have an individualized care plan.~~
- ~~(5) A regular physician shall have on hand a report detailing the patient's condition.~~
- ~~(6) A current, valid license from the agency for health care administration or successor agency as an "adult day care center" shall be obtained.~~
- ~~(7) Hours of operation shall be 8:00 a.m. to 6:00 p.m.~~
- ~~(8) There shall be no overnight accommodation of patients (no sleeping quarters).~~

[The definitions for Tire store through Zoning map have been omitted for brevity.]

SECTION 2. Chapter 16, Zoning Regulations, Article III, District Regulations, Division 10, Commercial General, and Division 11, Commercial Intensive of the City of

Greenacres Code of Ordinances are hereby amended as follows (additions are indicated by underlining and deletions are indicated by strikethrough):

[Section 16-471 has been omitted for brevity.]

Section 16-472. Permitted principal uses.

The permitted principal uses and structures in the commercial general (CG) district shall be:

[Sections 16-472(1) through 16-472(22) have been omitted for brevity.]

(23) Therapeutic adult day care center, ~~subject to the requirements of section 16-764.~~

a. Use standards. The following requirements shall apply to the use:

1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
2. A clinical staff trained in therapy shall be on duty.
3. There shall be daily structured therapeutic activities for all patients.
4. All patients shall have an individualized care plan.
5. A regular physician shall have on hand a report detailing the patient's condition.
6. A current, valid license from AHCA or successor agency as an "adult day care center" shall be maintained and, operations kept in compliance with their requirements.
7. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
8. There shall be no overnight sleeping quarters and no overnight stays.
9. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
10. Subject to the requirements of section 16-764.

b. Site circulation. The following requirements shall apply to site circulation:

1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

(24) Prescribed Pediatric Extended Care (PPEC) Center.

a. Use standards. The following requirements shall apply to the use:

1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
2. A clinical staff trained in therapy shall be on duty.
3. A regular physician shall have on hand a report detailing the patient's condition.
4. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., not to exceed a maximum of 12 hours.
5. There shall be no overnight sleeping quarters.
6. A current, valid license from AHCA or successor agency shall be obtained. Separate licenses are required for PPEC centers maintained on separate premises, even though they are operated under the same management pursuant to § 400.905, Florida Statutes, as amended.
7. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
8. Subject to the requirements of section 16-764.

b. Site circulation. The following requirements shall apply to site circulation:

1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

[Sections 16-473 through 16-481 have been omitted for brevity.]

~~Sec. 16-482. Reserved.~~

~~Secs. 16-483—16-495. Reserved.~~

[Section 16-496 have been omitted for brevity.]

Section 16-497. Permitted principal uses.

The permitted principal uses and structures in the commercial intensive (CI) district shall be:

[Sections 16-497(1) through 16-497(29) have been omitted for brevity.]

(30) Therapeutic adult day care center, ~~subject to the requirements of section 16-764.~~

a. Use standards. The following requirements shall apply to the use:

1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
2. A clinical staff trained in therapy shall be on duty.
3. There shall be daily structured therapeutic activities for all patients.
4. All patients shall have an individualized care plan.
5. A regular physician shall have on hand a report detailing the patient's condition.

6. A current, valid license from AHCA or successor agency as an "adult day care center" shall be maintained and, operations kept in compliance with their requirements.
7. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
8. There shall be no overnight sleeping quarters and no overnight stays.
9. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
10. Subject to the requirements of section 16-764.

b. *Site circulation.* The following requirements shall apply to site circulation:

1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

(31) Prescribed Pediatric Extended Care (PPEC) Center.

a. *Use standards.* The following requirements shall apply to the use:

1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
2. A clinical staff trained in therapy shall be on duty.
3. A regular physician shall have on hand a report detailing the patient's condition.
4. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., not to exceed a maximum of 12 hours.

5. There shall be no overnight sleeping quarters.
 6. A current, valid license from AHCA or successor agency shall be obtained. Separate licenses are required for PPEC centers maintained on separate premises, even though they are operated under the same management pursuant to § 400.905, Florida Statutes, as amended.
 7. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
 8. Subject to the requirements of section 16-764.
- b. Site circulation. The following requirements shall apply to site circulation:
1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
 2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
 3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

[Sections 16-498 through 16-506 have been omitted for brevity.]

Sec. 16-507. Reserved.

Secs. 16-508—16-524. Reserved.

SECTION 3. Chapter 16, Zoning Regulations, Article IV, Supplementary District Regulations, Division 11, of the City of Greenacres Code of Ordinances is hereby amended as follows (additions are indicated by underscoring and deletions are indicated by strikeout):

[Section 16-763 has been omitted for brevity.]

Section 16-764. Requirements For Specific Uses.

[Sections 16-764(1) through 16-764(3) have been omitted for brevity.]

- (4) *Therapeutic adult day care center.* On-site dispensing of controlled substances that are identified in Schedule II, III, or IV in § 893.03, and as further amended by §§ 893.035, 893.0355, or 893.0356, Florida Statutes, shall be limited to that administered directly to a patient in an amount adequate to treat the patient during that particular treatment session.
- (5) *Prescribed Pediatric Extended Care (PPEC) Center.* On-site dispensing of controlled substances that are identified in Schedule II, III, or IV in § 893.03, and as further amended by §§ 893.035, 893.0355, or 893.0356, Florida Statutes, shall be limited to that administered directly to a patient in an amount adequate to treat the patient during that particular treatment session.

[Sections 16-765 through 16-767 have been omitted for brevity.]

SECTION 4. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

SECTION 5. Severability. If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 6. Inclusion in the Code. It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

SECTION 7. Effective Date. The provisions of this Ordinance shall become effective immediately upon adoption.

[Remainder of the page intentionally blank.]

Passed on the first reading this 3rd day of March, 2025.

PASSED AND ADOPTED on the second reading this 17th day of March, 2025.

Voted:

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor, *District III*

Attest:

Voted:

Quintella Moorer, City Clerk

John Tharp, Council Member, *District I*

Voted:

Peter Noble, Council Member, *District II*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney