



**Cooper City Commission Meeting
Agenda Item Request Form**

Commission Meeting/Workshop Date: February 20, 2019

Requesting Department: Growth Management

Subject: Ordinance No. 19-2-2 Administrative Approval of Revised Architectural Elevations

Section:

Presentation

Consent

Regular

Discussion

Background and Recommendation (attach backup material to Item Request Form):

First Reading of Ordinance for Text Change to Section 25-67 of the Code of Ordinances relative to allowing administrative approval of new architectural elevation(s) where a site plan has been previously approved for a building with an approved floor plan.

The City Commission is advised that this ordinance will be followed up with a Commission workshop to receive further policy direction for future Code Amendment efforts.

General Ledger Account Number(s) and Amount(s):

Approvals:

Finance Director _____

City Manager

City Clerk _____

ORDINANCE NO. 19-2-2

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 24 “SUBDIVISION AND SITE PLAN REVIEW,” ARTICLE IV “FINAL SITE DEVELOPMENT PLAN,” SECTION 24-67 “SITE PLAN REVISIONS”; CONCERNING ARCHITECTURAL ELEVATION CHANGES; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City desires to update and amend the City Code, as provided herein; and

WHEREAS, the City Commission has held a public hearing in accordance with Florida law; and

WHEREAS, following proper notice to the public and after having received input and participation by interested members of the public and staff, the City Commission finds that this Ordinance is in the best interest of the citizens, residents, and business establishments in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA:¹

Section 1. **RECITALS ADOPTED.** That each of the above-stated recitals is hereby adopted and confirmed.

Section 2. **CHAPTER 24 OF CITY CODE AMENDED.** That Section 24-67 “Site Plan Revisions” of Article IV “FINAL SITE DEVELOPMENT PLAN” of Chapter 24

¹ Additions to existing City Code text are shown in underline; deletions to existing text are shown in ~~strikethrough~~.

“Subdivision and Site Plan Review” of the City Code of the City of Cooper City, Florida, is hereby amended by adding Section 24-67 (d) to read, as follows:

ARTICLE IV. FINAL SITE DEVELOPMENT PLAN.

Sec. 25-67. Site Plan Revisions.

* * *

(d) Where a site plan has been previously approved by the City Commission and is proposed by the applicant to be revised to only include new architectural elevation(s) for an approved floor plan, the revised elevation(s) may be approved administratively by the Growth Management Director or his/her designee. In the event of an administrative denial of such revised elevation(s), the applicant may appeal pursuant to the procedures described in sections (a) through (c) above.

* * *

Section 3. PENALTY. That any person who violates any provisions of this Ordinance shall, upon conviction, be punished by a fine not to exceed \$500.00 or imprisonment in the County jail not to exceed sixty (60) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate violation. This Ordinance shall also be subject to enforcement under the Local Government Code Enforcement Act, Chapter 162, F.S., as amended, and City Code Chapter 13, Article VI., as amended. Enforcement may also be by suit for declaratory, injunctive, or other appropriate relief in a court of competent jurisdiction or as authorized by Section 162.22, F.S.

Section 4. It is the intention of the City Commission of the City of Cooper City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Cooper City, Florida, and that the Sections of this ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or such other word or phrase in order to accomplish such intention.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 6. If any clause, section, or other part or application of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and so not affecting the validity of the remaining portions or applications remaining in full force and effect.

Section 7. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2019.

**PASSED AND FINAL ADOPTION on Second Reading this __ day of _____,
2019.**

GREG ROSS
Mayor

ATTEST:

Kathryn Sims
City Clerk

Approved As To Form:

JACOB G. HOROWITZ
Interim City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Curran _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____



MEMORANDUM

To: City Commission Members
From: Matt Wood, Growth Management Director
Thru: Marie Elianor, Acting City Manager
Date: January 11, 2019
Re: Proposed Code Change

This item is a Code change to address allowing administrative approval of new architectural elevations for buildings with previously approved floor plans. This is presented for Commission approval now as it has already be recommended for approval by the Planning and Zoning Board.

On occasion, a developer or architect will propose a relatively minor revision(s) to architectural building elevations incorporated in previously approved site plans. As it stands now, the Code would require that such revisions are brought back through the development review process to include review by the Planning and Zoning Board and approval by the City Commission. The subject code change would alleviate the need for this time consuming process by providing for staff approval through an expedited administrative approval process.

PLANNING AND ZONING BOARD RECOMMENDATION: At the meeting on June 4, 2018, the Planning and Zoning Board unanimously recommended APPROVAL of the proposed Code revision.