

ORDINANCE NO. 22-24

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 21, ENTITLED "UNIFIED LAND DEVELOPMENT CODE;" AMENDING CHAPTER 25, ENTITLED "DEVELOPMENT STANDARDS," AMENDING ARTICLE I ENTITLED, "OFF-STREET PARKING AND LOADING," BY SPECIFICALLY AMENDING SECTION 25-10, ENTITLED "PARKING OF COMMERCIAL VEHICLES; RVs AND BOATS" TO REMOVE THE RECREATIONAL VEHICLE REGISTRATION REQUIREMENT; TO PERMIT THE PARKING OF BOATS AND RECREATIONAL VEHICLES IN THE OWNER'S FRONT YARD FOR UP TO THIRTY-SIX (36) HOURS FOR CERTAIN PURPOSES; TO PROVIDE FOR CLARIFICATIONS AND CORRECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City ("City") desires to update, amend and clarify the City Code requirements for boats, trailers, recreational vehicles and commercial vehicles; and

WHEREAS, on March 30, 2021, the City Commission held a public workshop dedicated to commercial vehicles, RVs and boats, at which time the commission considered recommendations from the City's professional staff and input from the public regarding potential amendments to the City's Code of Ordinances; and

WHEREAS, on May, 25, 2021 the City Commission enacted Ordinance 21-14, which addressed the comments and concerns of the public while ensuring that the City's Code of Ordinances continues to maintain a high level of community aesthetic; and

WHEREAS, the City Commission desires to continue to address public concerns regarding the storage of recreational vehicles; and

{00526380.3 3451-0000000 }

Page 1

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

ORDINANCE NO. 22-24

WHEREAS, the City Commission desires to remove the registration requirement for recreational vehicles; 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:

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

Section 2. **CHAPTER 25 OF CITY CODE AMENDED.** That Section 25-10, entitled “Parking of Commercial Vehicles, RVs and Boats” of Article I, entitled “Off-Street Parking and Loading” of Chapter 25, entitled “Development Standards” of the City Code of the City of Cooper City, Florida, is hereby amended to read, as follows:

Sec. 25-10. Parking of commercial vehicles, RVs and boats.

- (a) *Parking in residential districts.* Except as hereinafter provided, no owner or person having the use of a commercial vehicle, recreational vehicle, boat or any type of trailer, as these terms are defined in section 21-8, shall park, store or keep the vehicle or boat or any type of trailer for any period of time in the public street, public right-of-way or privately owned property in residentially zoned districts. This section shall not apply to the following:
 - (1) Vehicles, boats or any type of trailers that are enclosed or screened from public view in one of the following ways. This subsection is not a waiver of setback requirements or any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection.

ORDINANCE NO. 22-24

- a. Vehicles, boats or any type of trailers parked entirely in a covered garage whose door(s) is closed except for actual, active and uninterrupted moving, loading or unloading;
- b. Vehicles, boats or any type of trailers parked entirely in a carport, attached to the home, which is screened on all sides by permanent dense vegetation or other permanent material, and covered by a roof, and that such screening shall screen from view from any right-of-way abutting the property;
- c. Commercial vehicles or any types of trailers which do not exceed ten (10) feet in total height, and which are parked within an area behind a privacy fence with a height of six (6) feet. No portion of a vehicle or trailer parked or stored pursuant to this subsection shall exceed ten (10) feet in height, nor shall it have any signage or lettering visible, or be visible from the public right-of-way.
- d. ~~RVs~~ Recreational vehicles, boats, or boats mounted on trailers owned by the property owner ~~and registered to the property~~ which do not exceed twelve (12) feet in height, and which are parked within an area behind a privacy fence with a height of six (6) feet. No portion of a vehicle or boat parked or stored pursuant to this subsection shall exceed twelve (12) feet in total height and must be maintained in good, clean condition such that there is no fading, tearing or holes in upholstery/fabric and no accumulated dirt, mold or debris.
- ~~(e) All vehicles or boats parked or stored pursuant to this Subsection (1) that exceed the six (6) feet privacy fence must be annually registered with the right to inspect by the city's code enforcement department. Upon registering the vehicle or boat the property owner or occupant must allow the City the right to enter the property to inspect and verify the height and valid state registration of the vehicle or boat. The initial registration fee shall be fifty dollars (\$50.00) payable to the City. The annual registration is not transferable to another vehicle or boat.~~

~~1. All vehicles or boats parked or stored pursuant to this subsection and that exceed the six feet privacy fence must be annually registered with the City's Police Department. Upon registering the vehicle or boat the property owner or occupant must allow the Police Department entry to the property to inspect and verify the height and valid state registration of the vehicle or boat. The initial registration fee, and subsequent annual renewal fees, are to be recommended by the chief of police reflecting the actual costs for the Police Department inspection and verification, and then approved by the City Manager. The annual registration is not transferable to another vehicle or boat.~~

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.

ORDINANCE NO. 22-24

- (2) Vehicles made necessary for individual use by persons with actual physical impairments or disabilities;
- (3) Any boat or RV shall be permitted to remain in the front of the property owner's residence for up to thirty-six (36) hours for the limited purposes of actual, active and uninterrupted loading or unloading, repairs, deliveries or maintenance.
- (4) Any prohibited vehicle or trailer parked in a prohibited area for purposes of actual, active and uninterrupted loading or unloading, repairs, deliveries or maintenance between the hours of 6:00 a.m. and 7:00 p.m.
- (5) Any rowboat, canoe or sailboat not to exceed 14 feet in length, kept by the owner at the rear or interior side yard of the owner's residence or in the waterway adjacent thereto;
- (6) A vehicle performing or used in the performance of a local city, county or state function;
- (7) Commercial vehicles whereby signage is the only cause for classifying the vehicle as a commercial vehicle and where the signage is completely covered with a magnetic cover and provided that the magnetic cover is the same color as the commercial vehicle and the vehicle maintains the standard designed contour of the vehicle;
- (8) Owners and/or occupants of residences are permitted to park or store their boat or recreational vehicle in front of a residence for a period of not more than 36 24 hours within any seven (7) day period. This subsection is not a waiver of any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection;
- (9) Except as provided herein, the use of a tarpaulin (tarp) or other similar covers shall not satisfy the requirements of this section for a recreational vehicle, boat or trailer. A commercial vehicle or private passenger vehicle may use a form-fitting vehicle cover so long as the current automobile license tag may be visible from the right-of-way by means of clear material or an opening or otherwise make view of the tag available and that such cover is designed to conform to the standard designed contour of the vehicle. Under all circumstances covers shall be constructed of sound material and shall be maintained in good, clean condition, such that there is no fading, tearing, or holes in the cover that are not part of its intended design and no accumulated dirt, mold, debris or other material on the cover. Vinyl or canvas tarpaulin or other covers not designed for use to cover a vehicle shall be prohibited.

ORDINANCE NO. 22-24

~~All properties located within the municipal boundaries of the City of Cooper City shall be brought into compliance with the provisions of Cooper City Ordinance No. 05-05-03 no later than November 23, 2005.~~

(10) Any properties who enjoy the protections of the special residential lifestyle overlay district as set forth in section 23-76 of this Code;

(11) In all residential zoning districts, only one boat or one recreational vehicle is permitted per dwelling unit.

Section 3. 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 4. 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 5. 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 6. This Ordinance shall become effective immediately upon its passage and adoption.

THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK

ORDINANCE NO. 22-24

PASSED AND ADOPTED on First Reading this _____ day of _____, 2022.

PASSED AND FINAL ADOPTION on Second Reading this __ day of _____, 2020.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN
City Clerk

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Meltzer _____
Commissioner Pulcini _____
Commissioner Shrouder _____

APPROVED AS TO LEGAL FORM:

JACOB G. HOROWITZ
City Attorney

CODING: Words in ~~strike-through~~ type are deletions from existing law;
Words in underlined type are additions.