

ORDINANCE NO. 23-14

AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 19 OF THE CITY’S CODE OF ORDINANCES, ENTITLED, “UTILITIES;” BY SPECIFICALLY AMENDING ARTICLE III, SECTION 19-154, ENTITLED “DEFINITIONS;” AMENDING THE DEFINITION OF “IMPERVIOUS AREA;” FURTHER AMENDING CHAPTER 21, ENTITLED “UNIFIED LAND DEVELOPMENT CODE,” BY SPECIFICALLY AMENDING SECTION 21-8, ENTITLED “DEFINITIONS;” PROVIDING FOR A DEFINITION OF “ARTIFICIAL TURF OR ARTIFICIAL GRASS;” AMENDING CHAPTER 25 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “DEVELOPMENT STANDARDS;” BY SPECIFICALLY AMENDING ARTICLE III, SECTION 25-47, ENTITLED “SUPPLEMENTAL LANDSCAPE REQUIREMENTS;” ESTABLISHING AN EIGHTY PERCENT (80%) CREDIT TOWARDS IMPERVIOUS AREA CALCULATIONS, SPECIFYING SETBACK REQUIREMENTS AND PROVIDING FOR PERMIT REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Cooper City (the “City”) seeks to amend certain requirements related to impervious areas and address an increasing demand for artificial grass and turf; and

WHEREAS, on February 6, 2023, City’s Planning and Zoning Board considered the amendments set forth herein, and unanimously recommended approval thereof; and

WHEREAS, in accordance with state law, the City has conducted a public hearing and considered public input; and

WHEREAS, the City Commission finds that amending the City’s Code of Ordinances, as it relates impervious area requirements and artificial grass/turf, is in the best interests of the citizens and residents of the City.

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

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

SECTION 2. City Code Amended. That Chapter 19, entitled “Utilities,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 19-154, entitled “Definitions” as follows:

Sec. 19-154 Definitions

For the purpose of this article, the following definitions shall apply; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use.

...

Impervious area means roofed and paved areas including, but not limited to, areas covered by roofs, roof extensions, slabs, patios, porches, driveways, sidewalks, parking areas, and athletic courts/areas.

(1) Pavers set over sand shall be given fifty percent (50%) credit towards impervious area.

(+) (2) Artificial grass/turf shall be given eighty percent (80%) credit towards impervious area.

SECTION 3. City Code Amended. That Chapter 21, entitled “Unified Land Development Code,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 21-8, entitled “Definitions” as follows:

Sec. 21-8 Definitions

The following terms shall have the meanings ascribed herein, unless otherwise specifically indicated in this Land Development Code or unless the context indicates otherwise. These definitions shall apply throughout this Land Development Code.

...

Artificial Turf or artificial grass: An artificial grass mat manufactured with manmade material such as polypropylene, polyethylene, or other materials, which is used to replicate the appearance of natural grass.

SECTION 4. City Code Amended. That Chapter 25, entitled “Development Standards,” of the City of Cooper City Code of Ordinances is hereby amended by specifically amending Section 25-47, entitled “Supplemental Landscape Requirements” as follows:

Sec. 25-47. - Supplemental landscape requirements.

In addition to the foregoing landscaping requirements for vehicular use areas, street buffers and street swales, the following landscaping provisions shall apply to specific types of developments. Landscaping material required by other sections of this article shall not be used to meet the additional requirements of this section.

(a) *Single-family and duplex development.* Each plot of land developed for single-family and duplex purposes shall be planted with approved plant materials as designated in [section 25-49](#), plant and landscape material standards, as may be amended from time to time, in accordance with the following requirements.

(1) *Maximum impervious cover.* In no case shall the total impervious surface coverage on a lot exceed 55 percent of the lot area.

(a) Pavers set over sand shall be given 50% credit towards impervious cover.

(b) Artificial grass/turf shall be given an 80% credit towards impervious cover.

(2) *Grass.* Grass and artificial grass may be planted on no more than 70 percent of the remaining pervious area. Artificial grass may be installed in the rear and side yards with a three (3) foot setback made up of pervious cover such as natural grass, mulch or gravel.

Any installation of artificial grass within an easement will require the approval from any applicable agencies.

(a) All uses of artificial grass, including the use of such material for a putting green, shall require a building permit. The building permit application shall include, at a minimum, all of the following information.

1) A complete landscape plan showing the area of artificial grass, area of living plant material, and area and method of separation between these areas. Minimum landscape requirements shall be required.

2) Brand and type of artificial grass, including all manufacturer specifications and warranties.

3) A scaled cross section and details of the proposed materials and installation, including but not limited to subgrade, drainage, base or leveling layer, and infill.

4) A survey of the property that reflects all current conditions.

5) A calculation of the pervious area and impervious area indicated on the plans.

(3) *Trees and shrubs.* The minimum number of trees and shrubs to be provided per dwelling unit shall be determined from the following table. For the purpose of this section, yards refer to the open area between the principal building and the applicable lot line, rather than to the minimum required setback distance. Required trees and shrubs may be flowering or nonflowering.

SECTION 5. Conflict. 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. Severability. 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. Codification. 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, 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 8. Effective Date. This Ordinance shall become effective upon passage and adoption.

PASSED AND ADOPTED on First Reading this _____ day of _____, 2023.

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2023.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, CMC

Approved As To Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

Mayor Ross _____
Commissioner Green _____
Commissioner Shrouder _____
Commissioner Katzman _____
Commissioner Mallozzi _____