



## CITY COMMISSION ORDINANCE/RESOLUTION

**TITLE: Ordinance 22-19 (Community Development)**

**DESCRIPTION:** AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING THE CITY OF COOPER CITY COMPREHENSIVE PLAN BY PROVIDING A TEXT AMENDMENT ADOPTING AND INCORPORATING A PROPERTY RIGHTS ELEMENT, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; PROVIDING FOR TRANSMITTAL OF CERTIFIED COPIES OF THIS ORDINANCE AND TRANSMISSION OF THE PROPERTY RIGHTS ELEMENT TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER INTERESTED GOVERNMENTAL ENTITIES; AUTHORIZING AND DIRECTING THE CITY MANAGER AND ALL APPROPRIATE MEMBERS OF THE CITY ADMINISTRATION TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE

**CITY MANAGER RECOMMENDATION:**

The City Manager recommends Commission approval of the P&Z unanimous recommendation to amend the City's Comprehensive plan to incorporate a Property of Rights Element.

**ANALYSIS / BACKGROUND OF ITEM:**

The Planning and Zoning Board, at their meeting on July 25, 2022, unanimously recommended Approval of the proposed EAR Update 8-0.

The State of Florida established state statutes requiring that certain language be added to municipal Comprehensive Plans relating to property rights. This amendment request adds a new Element to the City's Comprehensive Plan entitled Property Rights. The purpose of the Property Rights Element is to respect judicially acknowledged and constitutionally protected private property rights.

The City is initiating the amendment at this time. The FDEO will not accept any amendments to the Comprehensive Plan without the required Property Rights language included.

This new element is required as part of our Comp. Plan and was sent to the Florida Department of Economic Opportunity for review. There were no comments on the proposed amendment.

If approved by City Commission tonight, the executed ordinance will be submitted to Florida Department of Economic Opportunity.

In addition to this new element attached for reference are our current advertisement and notification procedures and the proposed code change to sections 23-153(e)2, section 23-

152(c)5, and section 23-251(c)1 to increase the notification radius distance of a Variance, Conditional Use or Rezoning to match the current requirement of 500ft for a change in Land Use.

**FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY:**

Reviewed Cooper City’s proposed Property Right’s Element and responded with no comments on 10/12/22.

**STRATEGIC PLAN:**

This is a State of Florida requirement

**FISCAL IMPACT:**

None

**ALTERNATIVES:**

Changes to the update can be made, but a Property Rights section is now required.

**ATTACHMENTS:**

- 1. Ordinance 22-19
- 2. 10/12/22 Letter from FL DEO office with no comments on review
- 3. P&Z Staff Report
- 4. New property Element
- 5. Strike through / Underline Code Change Language of 500ft notification
- 6. New State Statute that requires this update
- 7. 7/25/22 P&Z Minutes

Workflow History 			
User	Task	Action	Date/Time
Chockley, Jason	NEW ITEM: Not Yet R...	*COMPLETE: ...	11/01/22 01:21 PM
Horowitz, Jacob	Assigned to Attorney	COMPLETE: F...	11/01/22 01:26 PM
Napoli, Joseph	Assigned to City Mana...	COMPLETE: F...	11/01/22 01:34 PM
Allen, Tedra	Assigned to City Clerk	APPROVE ITE...	11/01/22 02:56 PM
Allen, Tedra	END WORKFLOW - A...		11/02/22 08:22 AM