

## **ORDINANCE NO. 25-13**

**AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 2 OF THE CITY’S CODE OF ORDINANCES, ENTITLED “ADMINISTRATION;” BY AMENDING ARTICLE IX ENTITLED, “COST RECOVERY;” AMENDING SECTION 2-243 ENTITLED “COST RECOVERY FOR STAFF REVIEW OF ADMINISTRATIVE AMENDMENT APPLICATIONS;” PROVIDING FOR COST RECOVERY RELATED TO THE ADMINISTRATIVE REVIEW OF SITE PLAN AMENDMENTS BY THE DEVELOPMENT REVIEW COMMITTEE TO INCLUDE RECENT AMENDMENTS TO THE CITY’S CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 2, Article IX of the City’s Code of Ordinances provides for cost recover for staff related to the review of administrative amendment applications; and

**WHEREAS**, the City Commission has recently adopted a number of code revisions related to certain development applications and administrative approvals that the commission now seeks to include within the parameters of the City’s cost recovery; and

**WHEREAS**, the City’s Planning and Zoning Board, on May 19, 2025, considered the amendments set forth in this ordinance and unanimously approved the same; 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.

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

**SECTION 1.** The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** The City Commission of the City of Cooper City hereby amends Chapter 2 of the City's Code of Ordinances, entitled "Administration," by amending Article IX entitled, "Cost Recovery," and specifically amending Section 2-243 entitled "Cost recovery for staff review of administrative amendment applications," as follows:

**Sec. 2-243. - Cost recovery for staff review of administrative amendment applications.**

(a) The intent of this section is to provide for cost recovery for administrative amendments to previously-approved development orders. These administrative amendments do not require review by the planning and zoning board or the City Commission, and include but are not limited to applications seeking minor lot line shifts, driveway or parking layout design modifications, relocation of sidewalks, ~~and~~ minor changes to architectural elevations, garage enclosures, sign package amendments, trademark logos, sign waivers up to 20% deviation, site fencing and outdoor seating plans.

(b) The amount charged for review which results from the submittal of applications subject to administrative cost recovery charges, as provided in the Community Development Department Fee Schedule. ~~as provided in subsection (a) of this section, shall be calculated as follows, as determined by the Growth Management Director or his or her designee.~~

~~(1) An administrative amendment application which requires in excess of four hours of review and processing by one or more Growth Management Department planners shall result in a charge of \$194.00 per application. If an amendment to a previously approved plat or site plan is determined to require less than four hours of review by one or more Growth Management Department planners, such application may be subject to Section 24-9(a)(4) of the Code.~~

~~(2) An administrative amendment application which requires review by a City arborist shall result in a charge of \$63.00 per application.~~

~~(3) An administrative amendment application which requires review by a staff member of the Utilities Department shall result in a charge of \$86.00 per application.~~

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(4) In accordance with [Section 7-9\(d\)](#) of the Code, administrative amendment applications requiring fire plan re-inspections shall be subject to Section 43.55 of Part XIII "Fire Rescue and Safety Services Fees" of the Broward County Administrative Code, as amended by the County from time to time.

(c) Depending on the nature of the administrative amendment application, the administrative review fee amounts set forth in subsection (b) of this section may apply individually or cumulatively. The administrative review fee schedule set forth in subsection (b) of this section may be amended as necessary by resolution of the City Commission.

(d) Unpaid costs and fees payable to the City under this section, which are more than 30 days overdue shall be considered delinquent and shall accumulate interest at the rate of one and one-half (1.5) percent per month upon the unpaid balance until paid. Overdue costs, fees and interest accrued thereon may be collected and enforced in any manner that is allowed by law, and the City shall be authorized to recover its reasonable attorney's fees incurred in such collection.

(e) Administrative amendment applications may also be subject to required payment for cost recovery for City Attorney and outside consultant review costs, as provided for in [section 2-242](#).

(f) As of October 1, 2013, and each October 1 thereafter, the administrative cost recovery charges established in subsection (b) of this section, excluding the fire plan re-inspection fees provided for in subsection (b)(4), shall automatically increase, by the percentage increase, if any, of the Consumer Price Index ("CPI"). This percentage increase shall be determined by subtracting the CPI for June of the prior year from the CPI for June of the current year, and dividing this difference by the CPI for June of the prior year. The CPI shall be the Department of Labor Consumer Price Index for All Urban Consumers (CPI U); region Miami/Ft. Lauderdale.

**SECTION 3:** All sections of the City of Cooper City Code not amended hereunder shall remain in full force and effect.

**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

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in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 6:** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are to be severable.

**SECTION 7:** This Ordinance shall become effective upon adoption.

**PASSED AND ADOPTED on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

**PASSED AND FINAL ADOPTION on Second Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.**

\_\_\_\_\_  
JAMES CURRAN  
Mayor

ATTEST:

\_\_\_\_\_  
TEDRA ALLEN, MMC  
City Clerk

**ROLL CALL**

Mayor Curran	_____
Commissioner Shrouder	_____
Commissioner Katzman	_____
Commissioner Mallozzi	_____
Commissioner Smith	_____

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
JACOB G. HOROWITZ  
City Attorney



# BUSINESS IMPACT ESTIMATE

8/26/2025 Meeting Date

## Ordinance: 25-13

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If any of the following exceptions to the Business Impact Estimate requirements apply, check the applicable box and leave the remainder of the form blank.

- ☐ The ordinance is required for compliance with federal or state law or regulation;
- ☐ The ordinance relates to the issuance or refinancing of debt;
- ☐ The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the City;
- ☐ The ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or

The ordinance is enacted to implement the following:

- a. Part II of Chapter 163, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements, and development permits;
  - b. Sections 190.005 and 190.046, regarding community development districts;
  - c. Section 553.73, relating to the Florida Building Code; or
  - d. Section 633.202, relating to the Florida Fire Prevention Code.
1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare): This ordinance amends Chapter 2,

Article IX, Section 2-243 of the City's Code to expand cost recovery provisions for the administrative review of site plan amendments by the Development Review Committee. It incorporates recently adopted code amendments into the scope of cost recovery, ensuring that staff time, City Attorney review, and outside consultant costs associated with administrative approvals are reimbursed. The public purpose is to protect the City's financial resources by ensuring that development related review costs are borne by the applicants who benefit from them, thereby promoting fairness, fiscal responsibility, and the efficient delivery of municipal services in support of public health, safety, and welfare.

2. Estimate the direct economic impact of the proposed ordinance on private, for-profit businesses in the City: Minimal to moderate. For-profit businesses seeking administrative amendments to previously approved development orders will incur review fees. The impact will be application specific and proportional to the complexity of the request. The ordinance primarily ensures that applicants not taxpayers cover the cost of staff and consultant time.
3. Estimate of direct compliance costs: Direct compliance costs will consist of the administrative review fees outlined in the ordinance
4. Any new charge or fee imposed by the proposed ordinance: No new fee categories are introduced, but the ordinance expands the application of existing cost recovery fees to additional types of administrative amendments.
5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs. Regulatory costs will include staff review, processing, and coordination for administrative amendments. These costs are intended to be fully offset by the collected fees.
6. Estimate of the number of businesses impacted by the proposed ordinance: fewer than 20 businesses annually, consisting of property owners, developers, and tenants requesting administrative site plan amendments.

7. Additional Information: \_\_\_\_\_  
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