

ORDINANCE NO. 22-19

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.

WHEREAS, Sec.163.3167(2), Florida Statutes, requires that each local government prepare a Comprehensive Plan in compliance with the Local Government Comprehensive Planning and Land Development Act, as amended; and

WHEREAS, Sec. 163.3184(15), Florida Statutes, requires that the Comprehensive Plan be adopted by the governing body of the local government by Ordinance; and

WHEREAS, 2021-195, Laws of Florida, amended Sec.163.3177, Florida Statutes, to require the inclusion of a Property Rights Element in the City’s Comprehensive Plan; and

WHEREAS, at its June 25, 2022, meeting, the City’s Planning and Zoning Board, acting as the City’s Local Planning Agency, considered the text amendments to the City’s Comprehensive Plan adopting and incorporating a Property Rights Element as provided in **Exhibit “A,”** attached hereto and incorporated herein, and voted to recommend approval by the City Commission; and

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WHEREAS, the City Commission deems it to be in the best interests of the citizens and residents of the City to transmit and approve the text amendments adopting and incorporating a Property Rights Element into the City’s Comprehensive Plan as provided in **Exhibit “A,”** attached hereto and incorporated herein.

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 as true and correct and incorporated herein by this reference.

Section 2. In order to comply with the provisions of Chapter 163, Florida Statutes, the City Commission hereby adopts and amends the City’s Comprehensive Plan to include a Property Rights Element as provided in **Exhibit “A,”** attached hereto and incorporated herein, subject to any objections, recommendations and comments report that may be provided by the Florida Department of Economic Opportunity.

Section 3. The City Commission hereby certifies that it has conducted such public hearings as may be required pursuant to Chapter 163, Florida Statutes, as amended, in order to adopt the Comprehensive Plan Amendments.

Section 4. The City Clerk is directed to transmit a certified copy of this Ordinance and a Certified Copy of the updated text amendments which includes the Property Rights Element as provided in **Exhibit “A,”** of the City’s Comprehensive Plan to the Florida Department of Economic Opportunity pursuant to Chapter 163, Florida Statutes and any other interested governmental entity.

Section 5. Upon the return of the text amendments from transmittal review and upon consideration at the adoption hearing, the City Commission hereby approves

the Property Rights Element as provided in **Exhibit “A,”** of the City’s Comprehensive Plan, subject to any objections, recommendations and comments report that may be provided by the Florida Department of Economic Opportunity.

Section 6. The City Manager and other members of the City Administration are hereby authorized and directed to take any and all steps necessary to effectuate the intent of this ordinance.

Section 7. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 8. 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 9. This Ordinance shall become effective upon its passage and adoption.

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

PASSED AND FINAL ADOPTION on Second Reading this _____ day of _____, 2022.

GREG ROSS
Mayor

ATTEST:

TEDRA ALLEN, CMC

Approved As To Legal Form:

JACOB G. HOROWITZ
City Attorney

ROLL CALL

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