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ORDINANCE NO. O-2020-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING ARTICLE III, SECTIONS 24-29, 24-30, 24-31, 24-32, 24-33, 24-34, 24-51.1, 24-51.2, 24-51.3, 24-51.4, AND 24-51.5 AND CREATING SECTION 24-52 IN THIS ARTICLE; AMENDING ARTICLE V, SECTIONS 24-68, 24-77, AND 24-79 AND CREATING SECTIONS 24-79.2, 24-79.3, AND 24-79.4, IN THIS ARTICLE; AMENDING ARTICLE VI, SECTIONS 24-80 AND 24-83; AMENDING ARTICLE VII, SECTION 24-96; AMENDING ARTICLE XV, SECTION 24-208; AMENDING ARTICLE XVIII, SECTION 24-245 OF THE LAND DEVELOPMENT CODE TO UPDATE VARIOUS REGULATIONS, INCLUDING SETBACKS AND HEIGHT, AND OTHER URBAN DESIGN AND DEVELOPMENT REGULATIONS TO ENSURE COMPATIBILITY OF FUTURE CONSTRUCTION WITH THE CHARACTER OF EXISTING DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

18 **WHEREAS**, Policy 1.11.2 of the City of Oakland Park Comprehensive Plan,
19 provides that the City is to review and revise land development regulations to ensure the
20 compatibility of adjacent land uses, providing for open space and protecting adjacent
21 residential areas; and

22 **WHEREAS**, The City of Oakland Park is experiencing increased residential
23 development activity necessitating the need for the City to ensure that land development
24 regulations provide for development where buildings are physically compatible with their
25 neighborhoods;

26 **WHEREAS**, The City has examined best practices from other cities to determine
27 appropriate methods to regulate physical characteristics of new development and those
28 methods are used herein; and

29 **WHEREAS**, a proposal for this text amendment heard and considered before the
30 Planning and Zoning Advisory Board of the City of Oakland Park, Florida and at the said
31 public hearing all objections, if any, were heard;

32 **WHEREAS**, the City Commission finds it to be in the best interest of the residents
33 and property owners of the City to update the Land Development Code with the amended
34 text herein.

35 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
36 **CITY OF OAKLAND PARK, FLORIDA THAT:**

37 **Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as
38 being true and correct and are hereby made a part of this Ordinance upon adoption
39 thereof.

40 **Section 2.** Chapter 24, Article III, Article V, Article VI, Article VII, Article XV, and
41 Article XVIII are hereby amended as follows:

42 **ARTICLE III. - DISTRICT REGULATIONS**

43
44 **Sec. 24-29. - R-1: Single-Family Residential District.**

45 (C) *Building site area.*

46 (1) Residential use:

47 (a) Sixty (60) feet in width and six thousand (6,000) square feet in area.

48 (b) On a single lot of record subdivided and recorded prior to the sixth day of August,
49 1958 or that had been modified in size or shape only as the result of a public
50 infrastructure project, with an area or width less than the above described minimum,
51 a single-family dwelling may be erected subject to the following:

52 i. The owner of the lot or parcel does not have or share, and has not had or shared
53 within one year, any ownership interest in any abutting lot or parcel that would,
54 if combined with the lot in question, create a building site that meets the
55 standards of subsection (a). This provision does not apply to lots in the
56 Community Redevelopment Area, has remained in single ownership from
57 August 6, 1958;and

58 ii. The lot and proposed structure shall comply with all applicable regulations of
59 this code; or

60 ~~iii. The lot or parcel is located within the community redevelopment area.~~

61 (D) Reserved Building site coverage and green space.

62 ~~Maximum coverage by buildings: Forty (40) percent.~~

63 ~~Minimum landscaped or pervious: Thirty (30) percent.~~

64
65 (E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master
66 Setback and Bulk Table. Yard setbacks. Every plot upon which a building or structure is
67 erected shall have:

68 ~~(1) Front yard: Twenty five (25) feet, except in the case of a plot forty (40) feet wide in which~~
69 ~~case a thirty five foot setback shall be required. Not more than forty (40) percent of the required~~
70 ~~front yard shall be impervious, except for circular driveways which shall not exceed sixty (60)~~
71 ~~percent.~~

72 ~~(2) Side yard:~~

73 ~~(a) One family dwelling: Seven and one half (7.5) feet, except that where a plot is less~~
74 ~~than sixty (60) feet in width, then minimum of five (5) feet in width.~~

75 ~~(b) Nonresidential building or use: Fifteen (15) feet.~~

76 ~~(3) Street side yard: Fifteen (15) feet.~~

77 ~~(4) Waterway side yard: Fifteen (15) feet.~~

78 ~~(5) Rear yard: Fifteen (15) feet, twenty five (25) feet in the case of a nonresidential building~~
79 ~~or use.~~

80 ~~(6) Exception: In the case of a principal existing structure being non-conforming due to a~~
81 ~~setback requirement an addition and/or enclosure to the structure is permitted as long~~
82 ~~as the proposed improvement does not exceed existing building lines.~~

83 ~~(F) Building height limits. Two and one half (2.5) stories with a maximum of thirty five (35) feet.~~
84 ~~is available if the average height of all buildings on the same street frontage.~~

85 ~~(GF) Minimum floor area. The minimum floor area of each dwelling unit in the following shall~~
86 ~~be:~~

87 (1) *One-family dwelling:* One thousand one hundred (1,100) square feet.

88 (2) *Nonconforming lot:* A lot which meets the conditions of (C)(1)(b) and (i) above and has
89 a plot width of ~~forty (40)~~ less than 60 feet and/or a plot area of ~~not less than five six~~
90 ~~thousand four hundred (5,400)~~ square feet may be utilized for a one-family dwelling with
91 a minimum of nine hundred (900) square feet of floor area.

92 ~~(HG) Parking. Minimum of two (2) onsite parking spaces for each dwelling unit. Pervious pavers~~
93 ~~are permitted. See article VI Sections 24-80 through 24-83 for additional parking regulations.~~

94

95

96 **Sec. 24-30. - Town Home District.**

97 (C) *Town Home District architectural and performance standards.* The following standards shall
98 apply to all new town home developments:

99 (1) Every front facade with a primary entrance to a dwelling unit shall face the public street
100 to the maximum extent possible.

101 (2) Every town home shall incorporate a covered front porch with a minimum depth of four
102 (4) feet and a minimum area of fifty (50) square feet. Covered front porches shall be
103 allowed to encroach five feet into the front setback or street side yard.

104 (3) Every front facade with a primary entrance to a dwelling unit shall include a connecting
105 walkway to the public right-of-way.

106 (4) The front and street side facade shall incorporate design elements such as shutters,
107 awnings, window grids, window mullions and quoins, gable end ornamentation (including
108 decorative vents, material changes and eave brackets).

109 (5) All sides of all buildings shall include design characteristics and materials consistent
110 with those on the front facade where visible from a public right-of-way or single-family
111 zoning district.

112 (6) Windows on front, street side and rear elevations shall be generally centered on the
113 building mass and aligned both vertically and horizontally.

114 (7) All front facades shall have a minimum 25% percent window area on the front elevation
115 wall face, excluding the garage face and front door.

116 (8) Street side facades shall have a minimum 15% window area.

117 (9) All front doors shall be articulated and composed of ornamentations such as recessed
118 or grooved panels and divided light windows.

119 (10) Garages shall be rear-loaded if possible; if not, garages shall be recessed a minimum
120 of two (2) feet behind the forward-most wall plane.

- 121 (11) ~~Reserved Front entry garage doors shall contain at least one (1) window of a scale~~
 122 ~~and detail compatible with the primary front façade.~~
- 123 (12) ~~Offset front~~ Varying setbacks projections: The front facades of each townhouse unit
 124 of no more than two (2) units shall maintain the same building line. Facades shall feature
 125 varying depths or projections through use of such features as bay windows, dormers,
 126 balconies, porches, alcoves, or recesses. Such features are permitted to encroach up to
 127 three feet into the required front setback or street side yard, and such features shall be
 128 at least two (2) feet deep. A minimum of 2 features per townhouse unit is required. be
 129 ~~offset by a minimum of two (2) feet. Each front facade in a three-unit cluster shall be~~
 130 ~~offset by a minimum of two (2) feet.~~
- 131 (13) All window and door openings shall be impact resistant rated pursuant to the
 132 applicable building code.
- 133 (14) Alternative compliance. An applicant may request an alternative approach to meeting
 134 the intent of these standards in circumstances where an alternative approach would
 135 provide a result which is equal or superior to that which would be achieved by strict
 136 adherence to this section.
- 137 (a) *Procedure.* A request for alternative compliance shall be submitted in writing with
 138 the application for development approval and should clearly identify the standard for
 139 which an alternative approach is requested as well as a demonstration as to how
 140 the alternative approach is superior and furthers the intent of the ordinance.
- 141 (b) *Review criteria.* The development review committee shall consider the written
 142 request for alternative compliance and must find the request accomplishes the intent
 143 of this section equally or better than strict adherence to this section, and would not
 144 result in adverse impact to adjacent properties.
- 145 (c) Appeals. If an applicant is aggrieved by the decision of the development review
 146 committee:
- 147 1. The request for development approval will be placed on the next available
 148 planning and zoning board agenda for review and recommendation to the city
 149 commission;
- 150 2. The city commission will consider the request for alternative compliance and
 151 the application for development approval at their next available commission
 152 meeting.
- 153 (D) ~~Reserved~~ Building site coverage and green space.
 154 (1) Maximum coverage by buildings: Forty (40) percent.
 155 (2) Minimum landscaped or pervious: Thirty (30) percent.
- 156 (E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master
 157 Setback and Bulk Table. ~~Setbacks.~~
- 158 (1) ~~Front yard: 25 feet.~~
- 159 (2) ~~Side yards: 7.5 feet.~~
- 160 (3) ~~Street side: 15 feet.~~
- 161 (4) ~~Rear yard: 15 feet.~~
- 162 (G) ~~Building height limits. Three (3) stories with a maximum of 35 feet.~~
- 163 (HF) *Minimum floor area.* The minimum floor area of each dwelling unit shall be one thousand
 164 two hundred (1,200) square feet, exclusive of garage and storage space.

- 165 (~~1G~~) *Parking.* There shall be no less than the following number of parking spaces per unit.
166 (1) ~~Two (2) garaged and two (2) tandem parking spaces; or~~
167 (2) ~~One (1) garaged, one (1) tandem and one (1) ungaraged parking space; or~~
168 (3) ~~Three (3) ungaraged parking spaces. Pervious pavers are permitted. See Sections 24-~~
169 ~~80 through 24-83 for parking regulations.~~

170
171 **Sec. 24-31. - R-2: Two-Family Residential District.**

172 (C) *Building site area.*

- 173 (1) One-family dwelling: Minimum 6,000 square feet and 60 feet in width. However, on
174 a single lot of record subdivided and recorded prior to the sixth day of August, 1958
175 or that had been modified in size or shape only as the result of a public infrastructure
176 project, with an area or width less than the above described minimum, a single-
177 family dwelling may be erected subject to the following:
- 178 i. The lot or parcel's owner does not have or share, and has not had or shared
179 within one year, any ownership interest in any abutting lot or parcel that would,
180 if combined with the lot in question, create a building site with a minimum of
181 6,000 square feet and 60 feet in width. This provision does not apply to lots in
182 the community redevelopment area and
 - 183 ii. The proposed structure shall comply with all applicable regulations of this code
- 184 (2) Two-family dwelling: Minimum of 8,000 square feet and 60 feet in width.

185 (D) Reserved Building site coverage and green space.

- 186 (1) Maximum coverage by buildings: Forty (40) percent.
187 (2) Minimum landscaped or pervious: Thirty (30) percent.
188 (a) Maximum of 33% of the required green space may be
189 devoted to recreational uses such as swimming pools, tennis courts,
190 walkways or patios.
191 (b) Maximum of 50% of the required green space may be water.

192 (E) ~~Yard setbacks.~~ Yard setbacks, site coverage, and building height limits. See Section 24-
193 52, Master Setback and Bulk Table.

- 194 (1) ~~Front yard: 25 feet, not more than percent 60% of the front yard shall be paved.~~
195 (2) ~~Side yard:~~
196 (a) ~~Residential use: 7.5 feet.~~
197 (b) ~~Nonresidential uses: 15 feet.~~
198 (3) ~~Street side yard: 15 feet.~~
199 (4) ~~Waterway side yard: 15 feet.~~
200 (5) ~~Rear yards:~~
201 (a) ~~Residential uses: 15 feet.~~
202 (b) ~~Nonresidential uses: 25 feet.~~
203 (6) ~~Exception: In the case of a principal existing structure being non-conforming due to a~~
204 ~~setback requirement an addition and/or enclosure to the structure is permitted as long~~
205 ~~as the proposed improvement does not exceed existing building lines.~~

- 206 (F) ~~Reserved Building height limits. 2.5 stories with a maximum of 35 feet.~~
- 207 (G) Minimum floor area. The minimum floor area of each dwelling unit shall be:
- 208 (1) One-family dwelling: 1,100 square feet.
- 209 (2) Two-family dwelling: 550 700 square feet.
- 210 (H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking
- 211 regulations. ~~Parking.~~ Minimum of two (2) parking spaces for each dwelling unit. Parking is
- 212 ~~permitted only on the paved driveway or parking structure; tandem parking is permitted.~~
- 213 ~~See article VI for additional parking regulations.~~

214

215 **Sec. 24-32. - RM-16: Multifamily Residential District.**

216 (C) Building site area.

217 (1) Single-family residential use: Minimum 6,000 square feet and 60 feet in width.

218 However, on a single lot of record subdivided and recorded prior to the sixth day of

219 August 1958 or that had been modified in size or shape only as the result of a public

220 infrastructure project, with an area or width less than the above described minimum,

221 a single-family dwelling may be erected subject to the following:

222 i. The lot or parcel's owner does not have or share, and has not had or shared

223 within one year, any ownership interest in any abutting lot or parcel that would,

224 if combined with the lot in question, create a building site with a minimum of

225 6,000 square feet and 60 feet in width. This provision does not apply to lots in

226 the community redevelopment area and

227 ii. The proposed structure shall comply with all applicable regulations of this code

228

229 (2) Other residential uses: See (E) below.

230 (3) Nonresidential uses: Minimum 10,000 square feet and 100 feet in width.

231 (D) Reserved ~~Building site coverage and green space.~~

232 (1) ~~Maximum coverage by buildings: Forty (40) percent.~~

233 (2) ~~Minimum landscaped or pervious: Thirty (30) percent.~~

234 (a) ~~Maximum of 33% of the required green space may be~~

235 ~~devoted to recreational uses such as swimming pools, tennis courts,~~

236 ~~walkways or patios.~~

237 (b) ~~Maximum of 50% of the required green space may be water.~~

238 (F) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master

239 Setback and Bulk Table. ~~Yard setbacks.~~ Every plot upon which a building or structure is

240 ~~erected shall have:~~

241 (1) ~~Front yard: 25 feet.~~

242 (2) ~~Side yards:~~

243 (a) ~~Residential uses: 7.5 feet.~~

244 (b) ~~Nonresidential uses: 25 feet.~~

245 (3) ~~Street side yards: 15 feet.~~

246 (4) ~~Waterway side yard: 15 feet.~~

247 (5) ~~Rear yard:~~

- 248 (a) Residential uses: 15 feet.
- 249 (b) Nonresidential uses: 25 feet.
- 250 (G) Reserved Building height limits. Three (3) stories with a maximum of 35 feet.
- 251 (I) Parking . Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking
- 252 regulations. There shall be not less than two (2) parking spaces for each dwelling unit.
- 253 (J) Supplemental regulations . See article V for supplemental regulations.

254

255 **Sec. 24-33. - RM-25: Multifamily Residential District.**

- 256 (C) Building site area.
- 257 (1) Single-family residential use: 10,000 square feet and eighty (80) feet in width.
- 258 However, on a single lot of record subdivided and recorded prior to the sixth day of
- 259 August 1958 or that had been modified in size or shape only as the result of a public
- 260 infrastructure project, with an area or width less than the above described minimum,
- 261 a single-family dwelling may be erected subject to the following:
- 262 i. The lot or parcel's owner does not have or share, and has not had or shared
- 263 within one year, any ownership interest in any abutting lot or parcel that would,
- 264 if combined with the lot in question, create a building site with a minimum of
- 265 10,000 square feet and 80 feet in width. This provision does not apply to lots
- 266 in the community redevelopment area and
- 267 ii. The proposed structure shall comply with all applicable regulations of this code
- 268 (2) Other residential uses: See (E) below.
- 269 (3) Nonresidential use: 10,000 square feet and 100 feet in width.

- 270 (D) Reserved Building site coverage and green space.
- 271 (1) Maximum coverage by buildings: Forty (40) percent.
- 272 (2) Minimum landscaped or pervious: Thirty (30) percent.
- 273 (a) Maximum of 33% of the required green space may be
- 274 devoted to recreational uses such as swimming pools, tennis courts,
- 275 walkways or patios.
- 276 (b) Maximum of 50% of the required green space may be water.

- 277 (F) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback
- 278 and Bulk Table.
- 279 (1) Front yard: 25 feet for one and two story buildings with an increase of five (5) feet for
- 280 each story above two (2) stories.
- 281 (2) Side yards:
- 282 (a) Multifamily dwellings: 7.5 feet with an increase of five (5) feet for each story over
- 283 two (2) stories.
- 284 (b) Nonresidential use: 25 feet.
- 285 (3) Street side yard: 15 feet with an increase of five (5) feet for each story over two (2)
- 286 stories.
- 287 (4) Waterway side yard: 15 feet with an increase of five (5) feet for each story over two (2)
- 288 stories.

289 ~~(5) Rear yard: 15 feet for one- and two-story buildings; 20 feet for three-story buildings or~~
290 ~~greater.~~

291 (G) ~~Reserved Building height limits. Four (4) stories with a maximum fifty (50) feet.~~

292 (I) ~~Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking~~
293 ~~regulations. . A minimum of two (2) parking spaces for each dwelling unit.~~

294

295 **Sec. 24-34. - R-O: Residence Office District.**

296 (C) *Building site area.*

297 (1) Single-family dwelling: 6,000 square feet and 60 feet in width. However, on a single
298 lot of record subdivided and recorded prior to the sixth day of August 1958 or that
299 had been modified in size or shape only as the result of a public infrastructure
300 project, with an area or width less than the above described minimum, a single-
301 family dwelling may be erected subject to the following:

302 i. The lot or parcel's owner does not have or share, and has not had or shared
303 within one year, any ownership interest in any abutting lot or parcel that would,
304 if combined with the lot in question, create a building site with a minimum of
305 6,000 square feet and 60 feet in width. This provision does not apply to lots in
306 the community redevelopment area and

307 ii. The proposed structure shall comply with all applicable regulations of this code

308 (2) For office use: 5,000 square feet and 60 feet in width.

309 (D) ~~Reserved Building site coverage and green space. 20% of the site shall be landscaped or~~
310 ~~pervious~~

311 (E) ~~Setbacks and buffer yards. Setbacks and bufferyards shall be as required in the R-1 District.~~
312 ~~Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback~~
313 ~~and Bulk Table.~~

314 (F) ~~Reserved Building height limits. Two (2) stories with a maximum of 35 feet.~~

315 (H) ~~Parking and landscaping. Two (2) parking spaces per dwelling unit and one (1) parking~~
316 ~~space per 200 square feet of office space. Pervious pavers are permitted. See Sections 24-~~
317 ~~80 through 24-83 for parking regulations, however one space is required for each 200 square~~
318 ~~feet of office space.~~

319

320 **Sec. 24-51.1 - R-1A: One-family Detached Dwelling District.**

321 (C) *Building site area.*

322 (1) *Residential use:*

323 (a) Minimum of (60) feet in width and seven thousand five hundred (7,500) square feet
324 in area. The plot line which provides access to the plot must be a minimum of
325 nineteen (19) feet.

326 (b) On a single lot of record subdivided and recorded prior to the 19th day of December,
327 1961 or that had been modified in size or shape only as the result of a public
328 infrastructure project, with an area or width less than the above described minimum,
329 a single-family dwelling may be erected subject to the following:

330 i. The lot or parcel's owner does not have or share, and has not had or shared
331 within one year, any ownership interest in any abutting lot or parcel that would,

332 if combined with the lot in question, create a building site that meets the
333 standards of subsection (a). This provision does not apply to lots in the
334 community redevelopment area and

335 ii. The proposed structure shall comply with all applicable regulations of this code;

336 (D) Reserved *Building site coverage and green space.*

337 ~~Maximum coverage by buildings: Forty (40) percent.~~

338 ~~Minimum landscaped or pervious: Thirty (30) percent.~~

339

340 (E) *Yard setbacks, site coverage, and building height limits.* See Section 24-52, Master
341 *Setback and Bulk Table.* ~~Yard setbacks.~~ Every plot upon which a building or structure is
342 ~~erected shall have:~~

343 (1) ~~Front yard:~~

344 ~~Twenty five (25) feet (residential building or use).~~

345 ~~Thirty (30) feet (nonresidential building or use).~~

346 (2) ~~Side yard:~~

347 ~~Seven and one half (7½) feet (residential building or use).~~

348 ~~Twenty (20) feet (nonresidential building or use)~~

349 (3) ~~Street side yards:~~

350 ~~Fifteen (15) feet (residential building or use).~~

351 ~~Twenty (20) feet (nonresidential building or use).~~

352 (4) ~~Rear yard:~~

353 ~~Fifteen (15) feet (Residential building or use).~~

354 ~~Twenty (20) feet (Nonresidential building or use).~~

355 (5) ~~Exception: In the case of a principal existing structure being non-conforming due to a~~
356 ~~setback requirement an addition and/or enclosure to the structure is permitted as long~~
357 ~~as the proposed improvement does not exceed existing building lines.~~

358 (F) Reserved *Building height limits.*

359 (1) ~~Maximum of two (2) stories.~~

360 (H) *Parking.* Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking
361 regulations.

362 (Ord. No. O-2009-002, § 2, 2-4-09; Ord. No. O-2009-008, § 2, 4-1-09)

363

364 **Sec. 24-51.2. - R-1B: One-Family Detached Dwelling District.**

365 (C) *Building site area.*

366 (1) *Residential use:*

- 367 (a) Minimum of sixty (60) feet in width and six thousand (6,000) square feet in area.
368 The plot line which provides access to the plot must be a minimum of nineteen (19)
369 feet.
- 370 (b) On a single lot of record subdivided and recorded prior to the 19th day of December,
371 1961 or that had been modified in size or shape only as the result of a public
372 infrastructure project, with an area or width less than the above described minimum,
373 a single-family dwelling may be erected subject to the following:
- 374 i. The lot or parcel's owner does not have or , and has not had or shared within
375 one year, any ownership interest in any abutting lot or parcel that would, if
376 combined with the lot in question, create a building site that meets the standards
377 of subsection (a). This provision does not apply to lots in the community
378 redevelopment area and
- 379 ii. The proposed structure shall comply with all applicable regulations of this code;
- 380 (D) Reserved *Building site coverage and green space.*
381 Maximum coverage by buildings: Forty (40) percent.
382 Minimum landscaped or pervious: Thirty (30) percent.
383
- 384 (E) *Yard setbacks, site coverage, and building height limits.* See Section 24-52, Master
385 Setback and Bulk Table. *Yard setbacks.* Every plot upon which a building or structure is
386 erected shall have:
- 387 (1) *Front yard:*
388 Twenty five (25) feet (residential building or use).
389 Thirty (30) feet (nonresidential building or use).
- 390 (2) *Side yard:*
391 Seven and one half (7½) feet (residential building or use).
392 Twenty (20) feet (nonresidential building or use).
- 393 (3) *Street side yards:*
394 Fifteen (15) feet (Residential building or use).
395 Twenty (20) feet (nonresidential building or use).
- 396 (4) *Rear yard:*
397 Fifteen (15) feet (Residential building or use).
398 Twenty (20) feet (Nonresidential building or use).
- 399 (5) *Exception:* In the case of a principal existing structure being non-conforming due to a
400 setback requirement an addition and/or enclosure to the structure is permitted as long
401 as the proposed improvement does not exceed existing building lines.
- 402 (F) Reserved *Building height limits.*
403 (1) Maximum of two (2) stories.

404 (H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking
405 regulations. ~~Parking.~~ Minimum of two (2) onsite parking spaces for each dwelling unit.
406 ~~Pervious pavers are permitted. See article V for additional parking regulations.~~

407

408 **Sec. 24-51.3. - R-1C: One-Family Detached Dwelling District.**

409 (C) Building site area.

410 (1) Residential use:

411 (a) ~~Minimum of sixty (60) feet~~ Minimum of fifty (50) feet in width and five thousand (5,000) square feet in
412 area. The plot line which provides access to the plot must be a minimum of nineteen
413 (19) feet.

414 (b) On a single lot of record subdivided and recorded prior to the sixth day of August,
415 1958 or that had been modified in size or shape only as the result of a public
416 infrastructure project, with an area or width less than the above described minimum,
417 a single-family dwelling may be erected subject to the following:

418 i. The lot or parcel's owner does not have or share, and has not had or shared
419 within one year, any ownership interest in any abutting lot or parcel that would,
420 if combined with the lot in question, create a building site that meets the
421 standards of subsection (a). This provision does not apply to lots in the
422 community redevelopment area and

423 ii. The proposed structure shall comply with all applicable regulations of this code;

424 (D) Reserved Building site coverage and green space.

425 Maximum coverage by buildings: Forty (40) percent.

426 Minimum landscaped or pervious: Thirty (30) percent.

427

428 (E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master
429 Setback and Bulk Table ~~Yard setbacks.~~ Every plot upon which a building or structure is
430 erected shall have:

431 (1) Front yard:

432 ~~Twenty five (25) feet (residential building or use).~~

433 ~~Thirty (30) feet (nonresidential building or use).~~

434 (2) ~~Side yard:~~

435 ~~Five (5) feet (residential building or use).~~

436 ~~Twenty (20) feet (Nonresidential building or use).~~

437 (3) ~~Street side yards:~~

438 ~~Ten (10) feet (residential building or use).~~

439 ~~Twenty (20) feet (Nonresidential building or use).~~

440 (4) ~~Rear yard:~~

441 ~~Fifteen (15) feet (residential building or use).~~

442 ~~Twenty (20) feet (Nonresidential building or use).~~

443 ~~(5) Exception: In the case of a principal existing structure being non-conforming due to a~~
444 ~~setback requirement an addition and/or enclosure to the structure is permitted as long~~
445 ~~as the proposed improvement does not exceed existing building lines.~~

446 (F) ~~Reserved Building height limits.~~

447 ~~(1) Maximum of two (2) stories.~~

448 ~~(H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking~~
449 ~~regulations. Parking. Minimum of two (2) onsite parking spaces for each dwelling unit.~~
450 ~~Pervious pavers are permitted. See article V for additional parking regulations.~~

451

452 **Sec. 24-51.4. - RD-10: Duplex and Attached One-Family Dwelling District.**

453 (C) ~~Building site area.~~

454 (1) Residential use:

455 (a) Minimum of sixty (60) feet in width and three thousand three hundred (3,300)
456 square feet in area. The plot line which provides access to the plot must be a
457 minimum of nineteen (19) feet.

458 (b) On a single lot of record subdivided and recorded prior to the sixth day of August,
459 1958 or that had been modified in size or shape only as the result of a public
460 infrastructure project, with an area or width less than the above described minimum,
461 a single-family dwelling may be erected subject to the following:

462 i. The lot or parcel's owner does not have or share, and has not had or shared
463 within one year, any ownership interest in any abutting lot or parcel that would,
464 if combined with the lot in question, create a building site that meets the
465 standards of subsection (a). This provision does not apply to lots in the
466 community redevelopment area and

467 ii. The proposed structure shall comply with all applicable regulations of this code;

468 (D) ~~Reserved Building site coverage and green space.~~

469 ~~(1) Maximum coverage by buildings: 65% for one family detached and~~
470 ~~40% for all other uses.~~

471 ~~(2) Minimum landscaped or pervious: Thirty (30) percent.~~

472

473 (E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master
474 Setback and Bulk Table. Yard setbacks. Every plot upon which a building or structure is
475 erected shall have:

476 (1) ~~Front yard:~~

477 ~~Eighteen (18) feet (residential building or use).~~

478 ~~Thirty (30) feet (nonresidential building or use).~~

479 (2) ~~Side yard:~~

480 ~~Five (5) feet (Residential building or use).~~

481 ~~Twenty (20) feet (Nonresidential building or use).~~

482 (3) ~~Street side yards:~~

483 ~~Ten (10) feet (Residential building or use).~~

- 484 ~~Twenty (20) feet (Nonresidential building or use).~~
- 485 ~~(4) Rear yard:~~
- 486 ~~Five (5) feet (Residential building or use).~~
- 487 ~~Twenty (20) feet (Nonresidential building or use).~~
- 488 ~~(5) Exception: In the case of a principal existing structure being non-conforming due to a~~
 489 ~~setback requirement an addition and/or enclosure to the structure is permitted as long~~
 490 ~~as the proposed improvement does not exceed existing building lines.~~
- 491 (F) ~~Reserved Building height limits.~~
- 492 ~~(1) Maximum of two (2) stories.~~
- 493 (G) *Minimum floor area.* The minimum floor area of each dwelling unit in the following shall be:
- 494 (1) *Per dwelling unit:* Eight hundred (800) square feet.
- 495 (H) ~~Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking~~
 496 ~~regulations. Parking. Minimum of two (2) onsite parking spaces for each dwelling unit.~~
 497 ~~Pervious pavers are permitted. See article V for additional parking regulations.~~
- 498 **Sec. 24-51.5. - RM-5: Multiple Family Dwelling District.**
- 499 (C) *Building site area.*
- 500 (1) *Residential use:*
- 501 (a) Minimum of 60 feet in width and 6,000 square feet in area. The plot line which
- 502 provides access to the plot must be a minimum of 19 feet.
- 503 (b) On a single lot of record subdivided and recorded prior to the sixth day of August,
 504 1958 or that had been modified in size or shape only as the result of a public
 505 infrastructure project, with an area or width less than the above described minimum,
 506 a single-family dwelling may be erected subject to the following:
 507
- 508 i. The lot or parcel's owner does not have or share, and has not had or shared
 509 within one year, any ownership interest in any abutting lot or parcel that would,
 510 if combined with the lot in question, create a building site that meets the
 511 standards of subsection (a). This provision does not apply to lots in the
 512 community redevelopment area and
- 513 ii. The proposed structure shall comply with all applicable regulations of this code;
- 514 (D) ~~Reserved Building site coverage and green space.~~
- 515 ~~(1) Maximum coverage by buildings: Forty (50) percent.~~
- 516 ~~(2) Minimum landscaped or pervious: Thirty (30) percent.~~
- 517
- 518 (E) ~~Yard setbacks and building height limits. See Section 24-52, Master Setback and Bulk~~
 519 ~~Table Yard setbacks. Every plot upon which a building or structure is erected shall have:~~
- 520 ~~(1) Front yard:~~
- 521 ~~Eighteen (18) feet (residential building or use).~~
- 522 ~~Thirty (30) feet (nonresidential building or use).~~
- 523 ~~(2) Side yard:~~

524 ~~Five (5) feet (residential building or use).~~
 525 ~~Twenty (20) feet (nonresidential building or use).~~

526 ~~(3) Street side yards:~~
 527 ~~Ten (10) feet (residential building or use).~~
 528 ~~Twenty (20) feet (nonresidential building or use).~~

529 ~~(4) Rear yard:~~
 530 ~~Ten (10) feet (residential building or use).~~
 531 ~~Twenty (20) feet (Nonresidential building or use).~~

532 (51) *Exception:* In the case of a principal existing structure being non-conforming due to a
 533 setback requirement an addition and/or enclosure to the structure is permitted as long
 534 as the proposed improvement does not exceed existing building lines.

535 (F) Reserved ~~Building height limits.~~
 536 ~~(1) Maximum of two (2) stories.~~

537 (H) Parking. ~~Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking~~
 538 ~~regulations. Parking. Minimum of two (2) onsite parking spaces for each dwelling unit.~~
 539 ~~Pervious pavers are permitted. See article V for additional parking regulations.~~

540

541

542 **Sec. 24-52. - Master Setback and Bulk Table.**

543 (A) Purpose. It is the intent of this section to provide, in tabular form, a listing (herein referred
 544 to as the "master setback and bulk table") of the yard setbacks, building height, and other
 545 physical construction restrictions for building sites for specific zoning districts.

546 (B) Key to table.

547 (1) The applicable zoning district is abbreviated on the top row.

548 (2) The first column provides a reference letter for the applicable restriction that can be
 549 used with the diagrams below.

550 (3) The second column contains the restriction with instructions to apply the numerical
 551 standard for each building site.

552 (4) The standards in this table apply to new buildings and accessory structures and
 553 new additions that are built after (DATE OF ADOPTION). Any building or structure existing
 554 before this date may be continued subject to the conditions and requirements of Section 24-
 555 206.

556 (C) The following is the master setback and bulk table.

		R-1	TD	R-2	RM-16	RM-25	R-O	R-1A	R-1B	R-1C	RD-10	RM-5
A	Side Yard: Minimum Setback (non-corner side) up to 15 feet** building wall height (feet)	7.5 (5 if lot is less than	7.5	7.5 (5 if lot is less than	7.5	7.5	7.5 (5 if lot is less than	7.5	7.5	5	5	5

		60' wide)		60' wide)			60' wide)					
B	Side Yard: Minimum Setback or Stepback (non-corner side) for portions of structure taller than 15 feet**	1/2 of height (1/3 of height if lot is less than 60' wide)	7.5	1/2 of height (1/3 of height if lot is less than 60' wide)	7.5	7.5	1/2 of height	1/2 of height	1/2 of height	1/3 of height	1/3 of height	1/3 of height
C	Street Side Yard (Corner Lots): Minimum Setback up to 15** feet building wall height (feet)	15	15	15	15	15	15	15	15	10	10	10
D	Street Side Yard (Corner Lots): Minimum Setback or Stepback for portions of structure taller than 15 feet**	equal to height (1/3 of height if lot is less than 60' wide)	15	equal to height (1/3 of height if lot is less than 60' wide)	15	15	equal to height (1/3 of height if lot is less than 60' wide)	equal to height (1/3 of height if lot is less than 60' wide)	equal to height (3 to 1 if lot is less than 60' wide)	1/2 of height (1/3 of height if lot is less than 60' wide)	1/2 of height (1/3 of height if lot is less than 60' wide)	1/2 of height (1/3 of height if lot is less than 60' wide)
E	Waterway Principal Building Side or Rear Setback (feet)	15	15	15	15	15	15	15	15	15	15	15
F	Front: Minimum and Maximum Building Front Setback up to 15** feet building wall height. A wall portion of at least ten feet of width is required to be at this front setback line, and no wall shall be closer to the street line than this setback line (formula)	The front setback of a new structure shall match the average of the two front setbacks of the two closest principal buildings on each side of the project site that are on the same side of the street and on the same block frontage as the site, including along the perimeter of a cul-de-sac turn-around. For lots at the end of their block frontage (corner lots or lots at dead ends), the front setback of a new structure shall match the average of the two continuous closest principal buildings on the side of the project site that are on the same side of the street and on the same block frontage as the site. However, in no circumstance shall the required setback be deeper than 30 feet. When the block has no existing development to serve as the reference for the required setback, the front yard setback shall be twenty-five (25) feet.										
G	Front: Additional Building Stepback for portions of structure taller than 15 feet measured from the point located 15 feet above grade and at the setback point required in Line F***	equal to height minus 15 feet	NA	equal to height minus 15 feet	NA	NA	equal to height minus 15 feet	equal to height minus 15 feet	equal to height minus 15 feet	equal to height minus 15 feet	equal to height minus 15 feet	equal to height minus 15 feet
H	Maximum Building Height (feet)*	27	35	27	35	50	27	27	27	27	27	27

I	Maximum Building Height (stories)	2	3	2	3	4	2	2	2	2	2	2
J	Rear: Minimum Setback up to 15 feet building wall height (feet)	15	15	15	15	15	15	15	15	15	5	5
K	Rear: Minimum Setback or Stepback for portions of structure taller than 15 feet**	1/2 of height	15	1/2 of height	15	15	1/2 of height	1/2 of height	1/2 of height	1/2 of height	1/2 of height	1/2 of height
L	Maximum site coverage by buildings (percentage)	40	40	40	40	40	NA	40	40	40	40	50
M	Minimum site landscaped or pervious area (percentage)	30	30	30	30	30	20	30	30	30	30	30
N	Maximum percentage of area required by Line M that may be used for paved recreational area (pools, tennis courts, walkways or patios).	NA	NA	33	33	33	NA	NA	NA	NA	NA	NA
O	Maximum percentage of area required by Line M that may be water.	NA	NA	50	50	50	NA	NA	NA	NA	NA	NA
P	Minimum Transparent Window Area (Glazing)	<p>(1) All front facades shall have a minimum 23% transparent window area on the front elevation wall face, excluding the garage or carport face area (up to 20 feet of width and 9 feet of height) from the calculation. Front doors with at least 5 square feet of transparent glass area per door leaf can be fully included as transparent window area.</p> <p>(2) All other street facing facades shall have a minimum 15% transparent window area, excluding the garage or carport face area (up to 20 feet of width and 9 feet of height) from the calculation.</p>										

557

558 * If the average height of all buildings along the same block frontage as the site has a higher
559 average height than listed in this table, that average height shall be permitted to be the
560 maximum building height for the new structure.

561

562 ** If the wall of the adjacent building on the abutting lot to the side of the project site is taller than
563 15 feet, the project site's building wall height can be at the same setback up to the same height
564 as that adjacent building's wall for that side of the lot and also for the other side of that lot only if
565 it is a corner lot or located at the non-cul-de-sac dead end of its street.

566

567 *** If the average height of the front walls of the two closest principal buildings on each side of
568 the project site that are on the same side of the street and on the same block frontage as the
569 site (or for lots at the end of their block frontage, the two continuous closest principal buildings

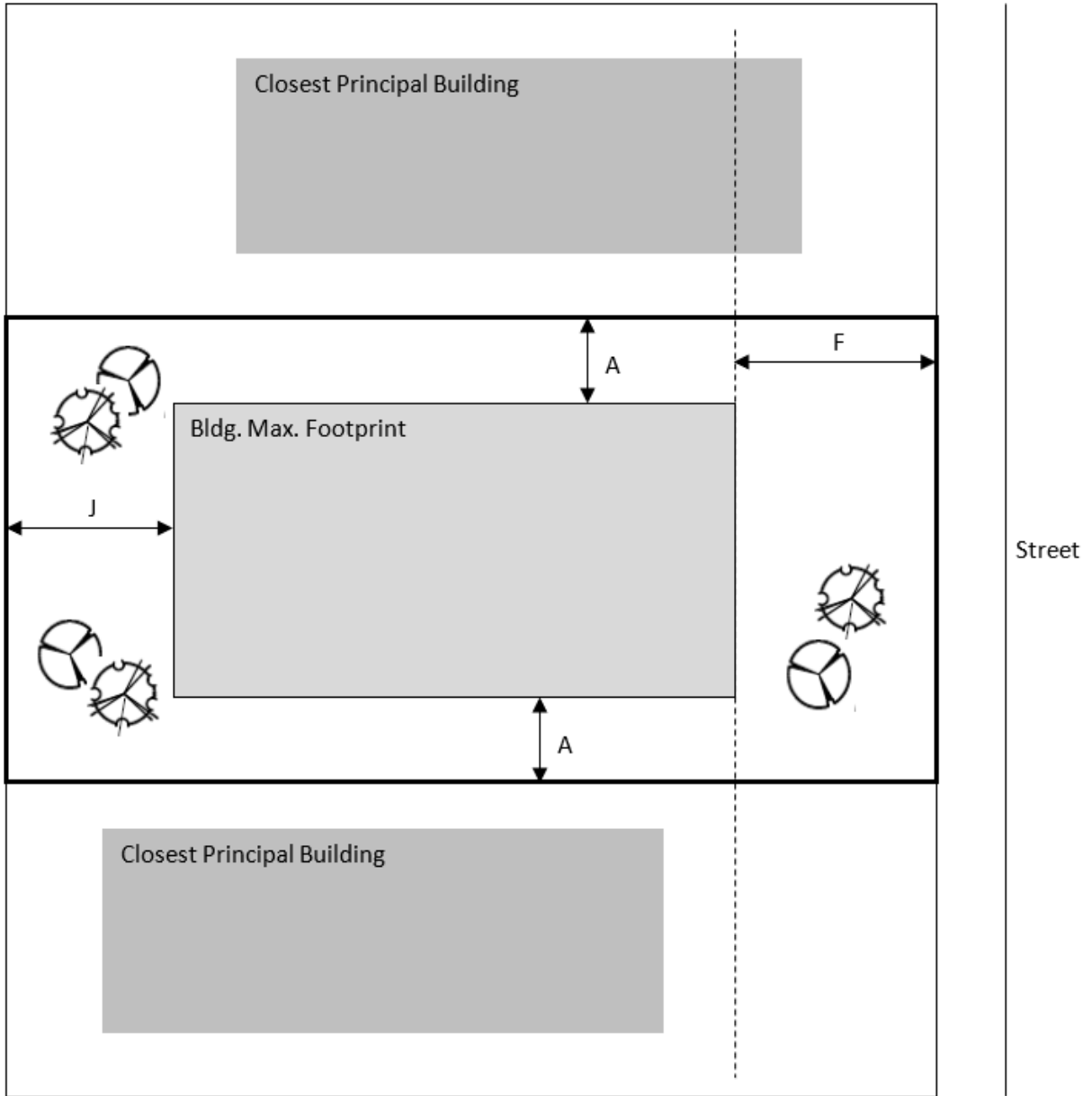
570 on the side of the project site that are on the same side of the street and on the same block
571 frontage as the site) is higher than 15 feet, that average height shall be permitted to be the
572 maximum front wall height for the new structure at the front yard setback point.

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573 (D) Descriptive diagrams. The following show the applicable restrictions from the Master
574 Setback and Bulk Table in plan (overhead) view and in elevation view. Letters on the
575 diagrams correspond with rows in the table.

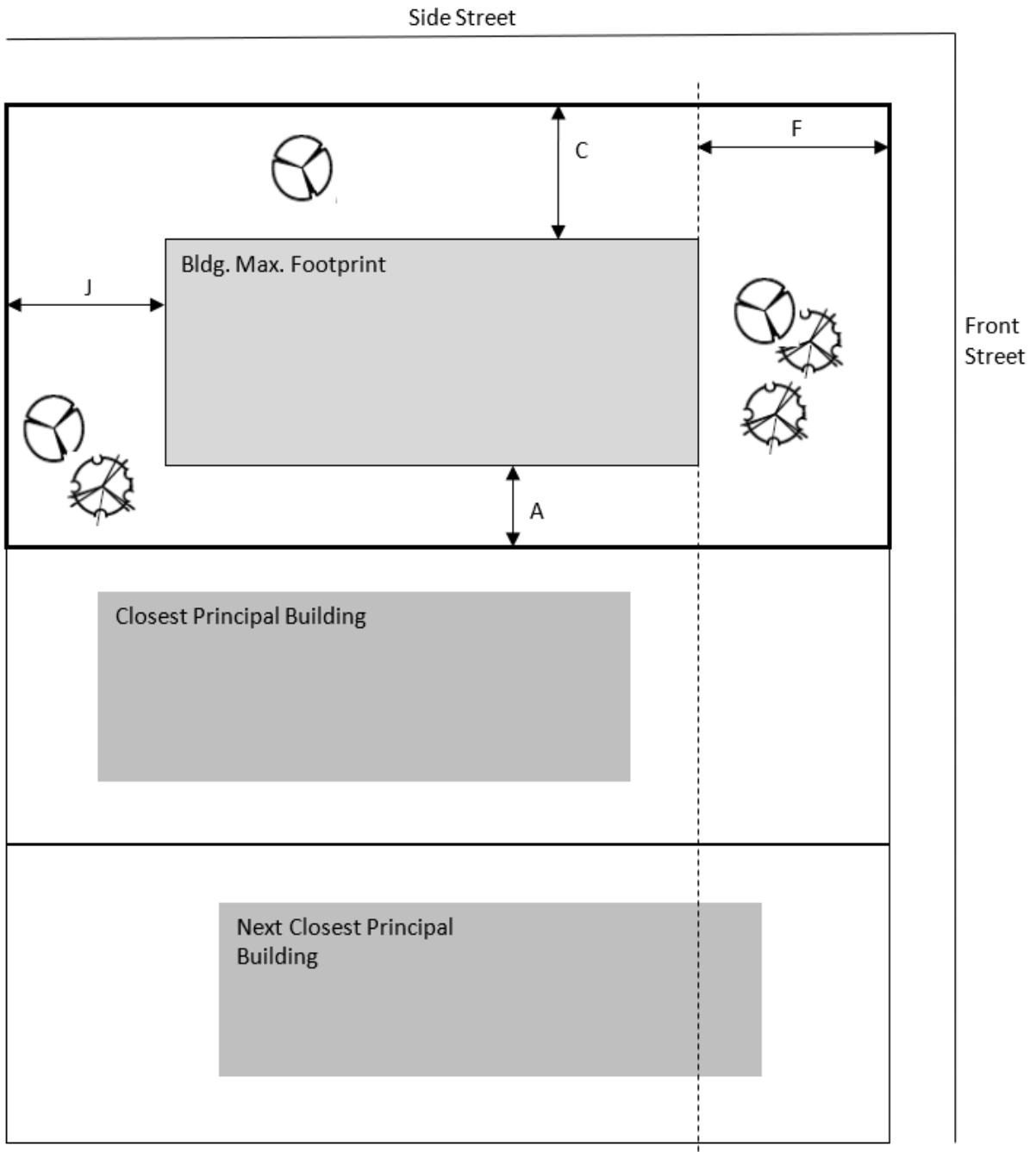
576 (1) Plan view diagram of setback and bulk requirements. The letter for each
577 measurement corresponds with the applicable row in the table in Subsection (C) above:

578 (a) Plan View of a Mid-block lot:
579

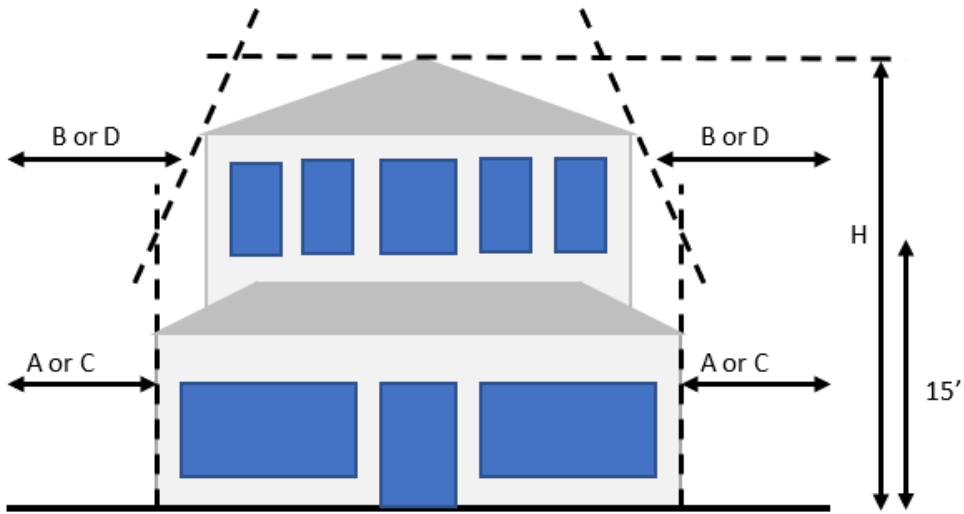


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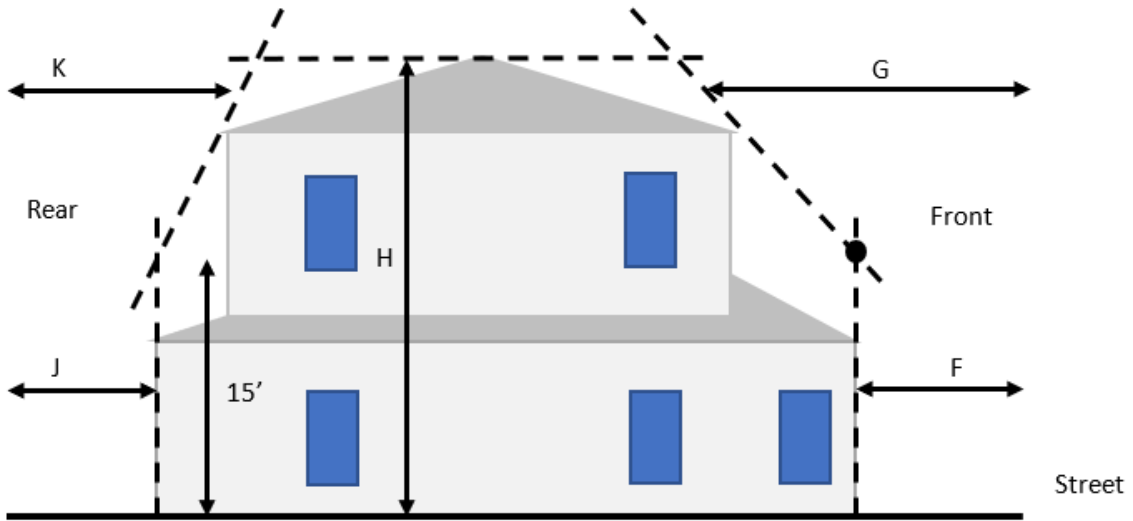
(b) Plan View of a Corner lot:



585 (c) Front View of required setbacks (from lot line) and/or stepbacks (for upper building portions):
586
587
588



(d) Side View of required setbacks (from lot line) and/or stepbacks (for upper building portions):



589 **Secs. 24-52—24-53. - Reserved.**

590

591 **ARTICLE V. - SUPPLEMENTAL REGULATIONS**

592

593 **Sec. 24-68. - Accessory structures and detached buildings.**

594 Accessory buildings will be permitted in all residential, R-O, B-1 and B-2 Districts only under
595 the following conditions and only if, placed after or at the time of construction of the main principal
596 structure; there are no restrictions on such buildings in other districts.

597 (A) *Types permitted.* Freestanding private garage or carport; tool, garden or utility shed;
598 pergola; arbor; trellis; arbor, tikki hut; and gazebo; and household mechanical equipment
599 including air conditioner condensers, generators, and above-ground pool equipment.
600 Also permitted are pool houses/cabanas, provided they comply with the setback
601 requirements of their zoning district.

602 (B) *Cumulative building site coverage for accessory site structures.* Maximum of thirty-five
603 (35) percent of the rear yard or side yard in which it is located in residential districts.

604 (C) *Dimension regulations.*

605 (1) *R-1 and R-2 Districts:*

606 (a) Tool, garden or utility sheds.

607 1. *Number allowed:* One (1).

608 2. *Location allowed:* ~~Required~~ In the rear or side yard setback required in
609 Section 24-52 of this Chapter, but can only be located to the rear of the
610 rear wall of the principal dwelling building, and ~~This structure is not~~
611 permitted in the required front yard setback.

612 3. *Side setback:* One-half (½) the height of the building

613 4. *Rear setback:* One-half (½) the height of the building, and fifteen (15) feet
614 when abutting a waterway.

615 5. *Maximum floor area if not compliant with setbacks required in Section 24-*
616 *52 of this Chapter:* One hundred (100) square feet,

617 6. *Maximum height:* Ten (10) feet measured from the finished grade to the
618 highest peak.

619 7. *Street side setback:* Street side not permitted.

620 8. *Waterway setback:* Fifteen (15) feet from edge of water.

621 (b) *Pergolas, arbors and trellises.* Pergolas, arbors and trellises structures are
622 permitted in all yards (buildable and setbacks) of a residential dwelling unit. The
623 required setback shall be equal to half the height of the structure. The structure
624 is not permitted to be more than ten (10) feet in height measured from the
625 finished grade of the lot.

626 (c) *Gazebos and tikki huts.* Gazebos and tikki huts are only permitted in the
627 buildable area of a residential lot and shall not be permitted to be more than
628 twelve (12) feet in height and must meet all building setbacks.

629 (d) Household mechanical equipment including air conditioner condensers,
630 generators, and above-ground pool equipment. Household mechanical
631 equipment is permitted to encroach up to 24 inches into a required side or rear

632 yard setback but shall not encroach into a corner street side setback.
633 Encroaching equipment is permitted to have a height of no greater than 40
634 inches, and any encroaching equipment shall have a noise rating of less than
635 55 decibels measured from the closest adjacent property or shall be enclosed
636 in sound deadening material reducing its noise to that level. Equipment shall
637 be maintained, so its noise level does not increase above this limit. Under no
638 circumstances shall household mechanical equipment be permitted in a front
639 yard even if located behind the required setback line.

640 (e) *Freestanding private garages and carports.*

641 1. *Number allowed if not compliant with setbacks required in Section 24-52*
642 *of this Chapter: One (1).*

643 2. *Location allowed: In the rear or side yard setback required in Section 24-*
644 *52 of this Chapter, but only if located to the rear of the rear wall of the*
645 *principal dwelling building. The structure is not permitted in the required*
646 *front yard setback.*

647 3. *Side setback: five (5) feet*

648 4. *Rear setback: five (5) feet.*

649 5. *Maximum floor area if not compliant with setbacks required in Section 24-*
650 *52 of this Chapter: Four hundred (400) square feet, and structure shall be*
651 *designed specifically for storage of vehicles only with appropriately placed*
652 *garage doors for access and building length and depth only providing area*
653 *for vehicle storage.*

654 6. *Maximum height if not compliant with setbacks required in Section 24-52*
655 *of this Chapter: Twelve (12) feet measured from the finished grade to the*
656 *highest peak.*

657 7. *Street side setback: Fifteen (15) feet.*

658 8. *Waterway setback: Fifteen (15) feet from edge of water.*

659 (df) *Prohibited accessory structures.* Canopy structures, tents, and tarps are not
660 permitted in any required yard setbacks.

661 (2) *All other districts:* No accessory building, temporary or permanent, shall occupy
662 space within a required front, side or rear yard setback in all other districts in which
663 accessory buildings are allowed.

664 (D) *Building height limits.*

665 (1) No accessory building shall be more than ~~twenty two (22)~~ fifteen (15) feet in height
666 ~~except or as further restricted in Section 24-68(C) as allowed in R-1 and R-2 Districts~~
667 ~~and lots greater than one (1) acre.~~

668 ~~(2) On lots of greater area than one (1) acre, an accessory building shall not be more~~
669 ~~than thirty five (35) feet in height, provided that it is located thirty (30) feet from every~~
670 ~~lot line.~~

671 ~~(3) An accessory building built in the front yard shall not be more than one (1) story or~~
672 ~~thirteen (13) feet in height.~~

673 **Sec. 24-77. - Setback encroachment policy.**
674

675 In all districts, projections from building walls of window sills, belt courses, balconies, front
676 porches, bay windows, dormer windows (maximum 4 feet wide with a minimum of 4 feet of space
677 between), cornices, eyebrows, eaves, hurricane shutters, awnings or other architectural
678 ornamental features may encroach up to one-third (1/3) into a required setback for non-street-
679 side side yards or rear yards but not in excess of thirty-six (36) inches for all yards and not in
680 excess of six (6) feet for front porches in front yards.

681
682 **Sec. 24-79. - Supplemental regulations that are only applicable to the R-1A, R-1B, R-1C,**
683 **RD-10 and RM-5 Annexed Area Residential Dwelling Districts.**

684 (A) *Purpose.* The supplemental regulations contained herein are only applicable to the areas
685 that were annexed into the City of Oakland Park from Unincorporated Broward County in
686 2005.

687 (5) *Double frontage.* Where a plot is bounded on two (2) opposite sides by public or private
688 rights-of-way or streets with no platted non-vehicular access line or landscape easement
689 on one of the two (2) sides, front yards shall be provided on both such sides. Accessory
690 buildings shall not be located in either front yard. This provision does not apply to a yard
691 where a masonry wall six-feet tall or taller separates that yard from the public or private
692 rights-of-way or street.

693 (6) *Yard encroachments.* All required yards shall be open and unobstructed from ground to
694 sky except as follows or as otherwise permitted in this article for zero lot line
695 developments:

696 (a) Sills, columns, ornamental features, chimneys, eaves, balconies, bay windows,
697 dormer windows (maximum 4 feet wide), and awnings may project thirty-six (36)
698 inches into a required yard. Front porches are permitted to project up to six (6) feet
699 into a required front yard.

700 (b) Fire escapes, stairways, balconies or canopies which are unenclosed, and air
701 conditioning units, above ground pool equipment, generators, and similar mechanical
702 equipment may project 42 inches into a required side or rear yard. Any encroaching
703 equipment shall have a noise rating of less than 55 decibels measured from the closest
704 adjacent property or shall be enclosed in sound deadening material reducing its noise
705 to that level. Equipment shall be maintained, so its noise level does not increase above
706 this limit.

707 (c) An unenclosed and unroofed patio or deck not higher than the first floor level of
708 the principal building may be located in any required yard which is not contiguous to a
709 street to within five (5) feet of a plot line. A ground-level slab or patio may be located
710 within 15 feet of a front plot line.

711 1. Walkways not exceed[ing] five (5) feet in width may be installed on interior
712 side yards and on sides contiguous to a street provided the walkway is
713 adjacent to the dwelling.

714 (d) On a plot containing a one-family detached or two-family dwelling, side and rear
715 yards not abutting a street may be reduced to five (5) feet for accessory uses and
716 buildings.

717 (e) Accessory buildings may not exceed one (1) story on any plot containing a one-
718 family detached dwelling.

719 (f) Accessory buildings shall not exceed half the height of any principal building on
720 plots containing two-family or multiple-family dwellings. On any plot containing
721 grouped dwellings of varying heights, accessory buildings shall not exceed half the
722 height of the lowest building on the plot.

723 (g) The distance between any principal and accessory buildings on the same plot,
724 where the accessory building is higher than one (1) story, shall be half the height of
725 the highest principal building.

726 (h) The aggregate floor area of all accessory buildings shall not exceed five (5)
727 percent of the plot area.

728 (i) No accessory building shall contain more than fifty (50) percent of the floor area of
729 the principal building.

730

731

732 **Sec. 24-79.2. – Residential Wall Articulations**

733 (A) For new construction, walls extending beyond a specified horizontal length of each
734 exclusively residential building shall feature varying depths or projections through use of
735 such features as bay windows, dormers, balconies, porches, alcoves, or recesses.

736 (1) For front walls there shall be a maximum of 25 horizontal feet of straight wall
737 area between any variation in wall depth of at least 2 feet or any projection
738 extending at least 2 feet.

739 (2) For side walls more than 15 feet high and with an average side setback
740 distance of less than ten feet from any side lot line or any wall that faces a
741 street side lot line, there shall be a maximum of 35 horizontal feet of straight
742 wall area between any variation in wall depth of at least 2 feet or any projection
743 extending at least 2 feet.

744

745 **Sec. 24-79.3. – Upper Story Window Off-Sets**

746 (A) For new construction, side windows on the upper story of any new building that are on a
747 wall setback 10 feet or less from a side lot line shall not directly face or horizontally align
748 with any windows on any adjacent residential building directly facing this wall and located
749 within 10 feet of its side lot line. Such windows shall be off-set from the opposing
750 window(s) by at least 5 feet from the side edge of each window.

751

752 **Sec. 24-79.4. – Light Glare into Residential Properties**

753 (A) There shall be no light glare from an adjacent private property into any exclusively
754 residential lot. A reading of greater than 0.5 foot-candle, measured at ground level, on
755 the residential property in question constitutes intrusion of glare. All fixtures on properties
756 abutting an exclusively residential lot shall be fully shielded or be designed or provided
757 with sharp cut-off capability in order to minimize up light, spill light, and glare.

758

759 **ARTICLE VI. - PARKING, LOADING AND ACCESS**

760

761 **Sec. 24-80. - Off-street parking.**

762 (l) *Single family residential and duplex properties:*

763 (1) *Swale parking:* Parking in a swale shall be limited to the occupants or invitee of the
764 occupant of the abutting property.

765 (2) *Driveway setbacks:* Any new driveway shall be setback a minimum of two and one-half
766 (2½) feet from any side property line for any lot sixty (60) feet wide or wider.

767 (3) *Grass parking*: Parking shall not be permitted in grass areas of R-1, R-1A, R-1B, R-1C,
768 ~~R-2 and RD-10 residential properties~~ unless a temporary special residential event such
769 as a birthday party, funeral, family reunion and/or another family social gathering is being
770 held by the subject property owner for a period not to exceed eight (8) hours provided
771 this is not between the hours of 2:00 a.m. and 7:00 a.m.

772
773 **Sec. 24-83. - Access.**

774 (A) *Major streets*. Any proposed development located on arterial and urban collector streets as
775 designated in the Oakland Park Comprehensive Plan must comply with the following
776 requirements to ensure that the additional traffic generated by the proposed development
777 can be accommodated by the regional transportation network at an acceptable level of
778 service. These regulations shall apply in all zoning districts, however, on state or county roads
779 the requirements of the Florida Department of Transportation or Broward County
780 Transportation Department, respectively, must also be satisfied.

781 (1) *Curb cut design standards*:

782 (g) *Sight triangle*: See *Landscape and Streetscape Design Standards as referenced*
783 *in Sections 24-105 and 24-106 for sight triangle requirements.* ~~At the intersection of~~
784 ~~any driveway and right of way line a twenty foot clear sight triangle shall be~~
785 ~~maintained on each side of the driveway. No fence, wall, hedge, tree, structure or~~
786 ~~parking space shall be permitted within this clear sight triangle which obstructs~~
787 ~~cross visibility. In addition, any corner property shall maintain a thirty foot clear sight~~
788 ~~triangle at the intersection of the two (2) adjacent streets.~~

789 (B) *Local streets*. For the purposes of this section, a "local street" is defined as any street not
790 designated as an arterial or urban collector in the Oakland Park Comprehensive Plan. Any
791 proposed driveway located within three hundred thirty (330) feet of an arterial or urban
792 collector shall comply with the provisions of (5) above rather than the provisions below. These
793 regulations shall apply in all zoning districts.

794 (5) *Sight triangle*: See *Landscape and Streetscape Design Standards as referenced in*
795 *Sections 24-105 and 24-106 for sight triangle requirements.* ~~At the intersection of any~~
796 ~~driveway and right of way line or alleyway and right of way line, a twenty foot clear sight~~
797 ~~triangle shall be maintained on each side of the driveway or alleyway. No fence, wall,~~
798 ~~hedge, tree, structure or parking space shall be permitted within this clear sight triangle~~
799 ~~which obstructs cross visibility. Lots that contain existing single family and duplex~~
800 ~~dwelling units may be permitted to have the clear sight triangle maintained along the~~
801 ~~edge of the existing paved street. In addition, any corner property shall maintain a thirty-~~
802 ~~foot clear sight triangle at the intersection of the two (2) adjacent streets.~~

803 (8) *Signs and pavement markings*:

804 (a) A stop sign shall be provided at each point of egress to any city or urban collector.

805 (b) Any other traffic control signs deemed necessary by the engineering or planning
806 departments for the public safety or convenience shall also be provided.

807 (c) Any necessary pavement markings deemed necessary for traffic control by the
808 engineering or planning divisions shall be provided. All such pavement markings
809 shall be thermoplastic.

810 (d) ~~If a situation arises due to extenuating circumstances, clear vision triangles may~~
811 ~~be waived in residential areas by the development review committee.~~

812

813 **Sec. 24-96. - Subdivision layout and improvement standards.**

814 (L) *Lots.*

815 (3) *Double frontage and reverse frontage lots:* Double frontage and reverse frontage lots
816 for residential uses shall not be approved except where essential as determined by the
817 community development department to separate residential development from arterial
818 roads, incompatible uses or to resolve site constraints associated with topography,
819 orientation or layout. A planting strip of at least ten (10) feet, across which there shall be
820 no right of access, and/or a buffer wall or other physical barrier approved by the
821 community development department shall be provided along the line of lots abutting an
822 arterial road or incompatible use.

823 **ARTICLE XV. - NONCONFORMING USES AND STRUCTURES**

824 **Sec. 24-208. – Reserved Nonconforming lots in R-1 and R-2.**

825 ~~If two (2) or more lots with continuous frontage and in common ownership were of record on~~
826 ~~August 6th, 1958, and if all or part of the lots do not meet the requirements for building site area~~
827 ~~or width, the land shall be considered to be an undivided parcel for the purposes of this code and~~
828 ~~no division of the parcel which does not comply with the building site area and width requirements~~
829 ~~of this code shall be made. This requirement shall not apply to lots or parcels located within the~~
830 ~~community redevelopment area.~~

831 **ARTICLE XVIII. - DEFINITIONS**

832 **Sec. 24-245. - General definitions.**

833 See other articles (particularly VII, XI and XIV) for specialized definitions and section IV of
834 the 1989 City Comprehensive Plan for additional definitions.

835 (4a) Balcony: a platform that projects from the wall a building above ground level that is
836 enclosed by a parapet or railing but not by walls or windows and that has no air
837 conditioning.

838 (4b) Bay window: A window or series of windows projecting from the outer wall of a building
839 and forming an alcove in a room. It may have its foundation in the ground or cantilevered
840 from the outer wall. Such a space shall have a minimum of 35 percent of each wall
841 surface area composed of glass. No wall surface area shall be greater than six (6) feet
842 in length.

843 (4ca) Bed and breakfast dwelling: A public lodging establishment in a converted single
844 family or multi-family dwelling which provides overnight accommodations on less than a
845 weekly basis with incidental eating and drinking service for lodgers only from a single
846 kitchen on the premises.

847 (55a) Lot, front: The ~~Shortest~~ lot line ~~on abutting~~ the street or the lot line as established by
848 plat. For lots with multiple street frontages, including corner or through lots, the front of
849 the lot can be determined by the Director of the Community and Economic Development
850 Department to be the lot line abutting a street based on the block's established
851 development pattern, based on existing or proposed building front entrance location(s)
852 or based on the building lot's street address. For existing or proposed townhouses,
853 shopping centers with more than one street-facing commercial storefront space, semi-
854 detached duplex dwelling units, or other similar configurations, the front of the lot can be
855 determined to be the street-abutting lot line that is in front of the greatest number of front

860 entrances to the building or its units. The yard bordering the lot's front is to be regulated
861 as the front yard, and the yard on the opposite end of the lot shall be regulated as the
862 rear yard.

863 (63) *Mobile home:* A structure, transportable in one (1) or more sections, which, in the
864 traveling mode, is eight (8) body feet or more in width, and which is built on a metal frame
865 and designed to be used as a dwelling with or without a permanent foundation when
866 connected to the required utilities, and includes the plumbing, heating, air conditioning
867 and electrical systems contained herein. If fabricated after June 15, 1976, each section
868 bears a U.S. Department of Housing and Urban Development label certifying that it is
869 built in compliance with the federal manufactured home construction and safety
870 standards. A mobile home in all zoning districts except the MH, Mobile Home District
871 would only be permitted as a conditional use unless being used as emergency,
872 temporary housing after a declared disaster that specifically damaged the dwelling it
873 replaces.

874 (63.1) *Modular home:* A structure, transportable in one (1) or more sections, which, in the
875 traveling mode, is six (6) body feet or more in width, and which is designed or would be
876 modified to be used as a dwelling with or without a permanent foundation when
877 connected to the required utilities, and includes the plumbing and electrical systems
878 contained herein. Shipping containers or other similar transportable structures brought
879 to a lot for conversion to use as a residential dwelling would also be defined as a modular
880 home. In all zoning districts would only be permitted as a conditional use.

881 (68) *Parking space, off-street:* An area at least nine (9) feet by eighteen (18) feet, adequate
882 for parking a standard-size automobile with room for opening doors on both sides,
883 maneuvering, and with properly related access to a public street or alley. A compact
884 parking space measures at least eight (8) feet by sixteen (16) feet. Up to 25 percent of
885 the required parking in a building site is permitted to be compact parking.

886 (72) *Porch:* A roofed-over space, with the roof impervious to weather, attached to the
887 outside of an exterior wall of a building with no enclosure other than columns or posts
888 supporting the roof and the exterior walls of such attached building. ~~Screening~~ is not
889 considered as forming an enclosure, and there shall not be air conditioning for a porch.

890 (80a) *Stepback:* a step like recession in the profile of a building where upper portions of a building
891 are setback further from the lot line than the lower portions to allow sunlight to reach the ground
892 and lower floors.

893 (95) *Yard, front:* A yard extending across the full width of a lot and extending between the
894 lot front's property line and the front wall line of any main principal or accessory building,
895 measured at its least dimension and extending from one (1) side yard to the other
896 exclusive of steps and open terraces.

897 (96) *Yard, rear:* A yard extending across the full width of a lot between the rear wall line of
898 any principal main or accessory building and the rear line of the lot and is the yard on
899 the opposite side of the principal building from the front yard, measured at its least
900 dimension.

901 (97) *Yard, side:* A yard between a principal or accessory building and the side line of the
902 lot and extending from the ~~street line~~ front yard to the rear yard, measured at its least
903 dimension.

904
905 **SECTION 3.** If any clause, section or other part of this Ordinance shall be held by

906 any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional
907 or invalid part shall be considered as eliminated and in no way affecting the validity of the
908 other provisions of this Ordinance.

909
910 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby
911 repealed to the extent of such conflicts.

912
913 **SECTION 5.** It is the intention of the City Commission of the City of Oakland Park,
914 that the provisions of this Ordinance shall become and be made a part of the Code of
915 Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance may
916 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
917 "Article," or such other word or phrase in order to accomplish such intention.

918
919 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
920 the City Commission of the City of Oakland Park.

921
922 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ON FIRST READING, THIS**
923 **, DAY OF , 2020.**

924

925

926 M. CARN _____

927 J. BOLIN _____

928 T. LONERGAN _____

929 S. GUEVREKIAN _____

930 M. SPARKS _____

931

932

933 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ON**
934 **SECOND READING, THIS , DAY OF , 2020.**

935

936 CITY OF OAKLAND PARK, FLORIDA

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MAYOR MATHEW SPARKS

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943

M. CARN _____

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J. BOLIN _____

945

T. LONERGAN _____

946

S. GUEVREKIAN _____

947

M. SPARKS _____

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949 ATTEST:

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954 RENEE M. SHROUT, CMC, CITY CLERK

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956 LEGAL NOTE:

957 I hereby certify that I have approved the form of this Ordinance (O-2020-XXX):

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959

960

961 DONALD J. DOODY, CITY ATTORNEY

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