

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

ORDINANCE NO. O-2020-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING A TEXT AMENDMENT TO THE CITY'S 2007 COMPREHENSIVE PLAN; BY SPECIFICALLY AMENDING SECTION 10. LAND USE IMPLEMENTATION: SECTION 3. "ZONING AS TO PERMITTED USES AND DENSITIES" TO INCLUDE NEW LANGUAGE RELATED TO CIVIC & CULTURAL BUILDINGS AND COMMUNITY FACILITIES AND/OR UTILITY USES; AND BY PROVIDING FOR TRANSMITTAL OF THE AMENDMENT TO THE STATE AGENCIES REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Oakland Park, Florida proposes a text amendment to the City's 2007 Comprehensive Plan by specifically amending Section 10. Land Use Implementation: Section 3. "Zoning as to Permitted Uses and Densities" to include new language related to Civic & Cultural Buildings and Community Facilities and/or Utility uses in the City's 2007 Comprehensive Plan; and

WHEREAS, the Community and Economic Development Department of the City recommends that the City Commission amend Section 10. Land Use Implementation: Section 3. "Zoning as to Permitted Uses and Densities" of the City's 2007 Comprehensive Plan; and

WHEREAS, public hearings were held by the City of Oakland Park Local Planning Agency ("LPA") and Planning & Zoning Board to allow for public participation in relation to the preparation and review of the proposed amendment to Section 10. Land Use Implementation: Section 3. "Zoning as to Permitted Uses and Densities" of the 2007 Comprehensive Plan; and

WHEREAS, a public hearing was held by the City Commission of the City of Oakland Park to allow for public participation in relation to the preparation and review of the proposed amendment to Section 10. Land Use Implementation: Section 3. "Zoning as to Permitted Uses and Densities" of the 2007 Comprehensive Plan; and

WHEREAS, the City Commission of the City of Oakland Park, Florida has determined that the public has adequately participated in the planning process as required by Chapter 163 of the Florida Statutes during the preparation and desires that the amendment be transmitted to the Florida Department of Economic Opportunity "DEO."

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

1 **SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and
2 confirmed as being true and correct and are hereby made a part of this Ordinance.
3

4 **SECTION 2.** The City Commission of the City of Oakland Park, Florida hereby
5 approves and adopts the proposed amendment to Section 10. Land Use Implementation:
6 Section 3. "Zoning as to Permitted Uses and Densities" of the City's 2007
7 Comprehensive Plan. The amendment to Section 3. "Zoning as to Permitted Uses and
8 Densities" is as follows:
9

10 **Section 10. Land Use Implementation**

11 12 ***Section 3. Zoning as to Permitted Uses and Densities***

- 13
14 E. Each parcel of land within an area designated in a **Park and Recreation**
15 Land Use category by the City's Land Use Plan Map must be zoned in an
16 open space or park and recreation zoning district which permits one or more
17 of the following uses, but no other uses:
18
19 1. Passive recreational uses, including, but not limited to nature centers and
20 trails, scenic areas, wildlife sanctuaries and feeding stations, aquatic
21 preserves, and picnic areas.
22
23 2. Golf courses which are intended to remain permanent open space.
24
25 3. Camping ground and facilities.
26
27 4. Cemeteries.
28
29 5. Active recreational uses, including, but not limited to tennis courts,
30 playgrounds, swimming pools, athletic fields and courts, beaches and
31 bikeways.
32
33 6. Boat ramps and docks.
34
35 7. Outdoor cultural, educational and civic facilities, including, but not
36 limited to animal exhibits, habitats, bandshells and outdoor classrooms.
37 8. Concessions only when accessory to the above uses. Examples of such
38 concessions are refreshment stands, pro shops, souvenir shops and rental
39 facilities.
40
41 9. Civic and cultural buildings may be permitted if they are ancillary to the
42 primary recreation use of the site.
43
44 10. Community facilities and utility uses, up to five (5) acres, provided that
45 the:
46
47 a. Community facility and/or utility uses are publicly owned and
48 intended to serve a public purpose to promote health, safety and welfare;
49

1 b. The City of Oakland Park meets the minimum open space requirement
2 of 3 acres per 1,000 existing and projected permanent residents;
3

4 c. The proposed community facility or utility use is limited to no more
5 than 5 acres and The City of Oakland Park demonstrates that sufficient
6 and functional open space serving the area residents will be retained.
7
8
9

10 **SECTION 3.** The City Clerk is further directed to transmit a certified copy of
11 this Ordinance to the Florida Department of Economic Opportunity "DEO" pursuant to
12 Chapter 163, Florida Statutes, as well as any other interested governmental entity
13

14 **SECTION 4.** If any clause, section or other part of this Ordinance shall be held
15 by any Court of competent jurisdiction to be unconstitutional or invalid, such
16 unconstitutional or invalid part shall be considered as eliminated and in no way affecting
17 the validity of the other provisions of this Ordinance.
18

19 **SECTION 5.** All Ordinances or parts of Ordinances in conflict herewith are
20 hereby repealed to the extent of such conflicts.
21

22 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
23 the City Commission.
24
25

1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,
2 FLORIDA, ON FIRST READING, THIS 22nd DAY OF JULY 2020.

3		
4	J. BOLIN	<u>YES</u>
5	M. CARN	<u>YES</u>
6	T. LONERGAN	<u>YES</u>
7	S. GUEVREKIAN	<u>ABSENT</u>
8	M. SPARKS	<u>YES</u>
9		

10 PASSED AND ENACTED BY THE CITY COMMISSION OF THE CITY OF
11 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 8TH DAY OF
12 OCTOBER 2020.

13
14 CITY OF OAKLAND PARK, FLORIDA

15
16 
17
18 MAYOR MATTHEW SPARKS

19		
20	J. BOLIN	<u>YES</u>
21	M. CARN	<u>YES</u>
22	T. LONERGAN	<u>YES</u>
23	S. GUEVREKIAN	<u>ABSENT</u>
24	M. SPARKS	<u>YES</u>
25		

26 ATTEST:

27
28 
29
30

31 RENÉE M. SHROUT, CMC, CITY CLERK

32 LEGAL NOTE:

33
34 I hereby certify that I have approved the form of this Ordinance. (O-2020-019)

35
36
37 
38
39 DONALD J. DOODY, CITY ATTORNEY