

ORDINANCE NO. O-2022-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, REZONING THE PROPERTY CONSISTING OF APPROXIMATELY 86.3+/- GROSS ACRES IN SIZE, GENERALLY CONSISTING OF THE FOLLOWING: AN AREA BOUND ON THE NORTH BY NE 42 STREET, ON THE EAST BY N DIXIE HIGHWAY, ON THE SOUTH BY NE 42 STREET, ON THE WEST BY THE WEST PARCEL LINES OF CERTAIN PARCELS ALONG THE WEST SIDE OF N DIXIE HWY BETWEEN NE 42 STREET AND NE 43 STREET; AN AREA BOUND ON THE NORTH BY 42 STREET (EXTENDED), ON THE EAST BY NE 12 TERRACE, ON THE SOUTH BY NE 40 PLACE (EXTENDED), AND ON THE WEST BY THE FLORIDA EAST COAST RAILWAY; AN AREA BOUND ON THE NORTH BY E OAKLAND PARK BLVD, ON THE EAST BY NE 13 AVENUE, ON THE SOUTH BY THE NORTH FORK OF THE MIDDLE RIVER SHORELINE TO THE SOUTH END OF NE 12 TERRACE AND THEN EXTENDING DUE WEST OF THAT POINT TO THE FLORIDA EAST COAST RAILWAY AND CONTINUING SOUTH ALONG THE RAILWAY TO THE NORTH FORK OF THE MIDDLE RIVER SHORELINE AND CONTINUING ALONG THAT SHORELINE TO NE 6 AVENUE, AND ON THE WEST BY NE 6 AVENUE; AND AN AREA GENERALLY BOUND ON THE NORTH BY A LINE RUNNING GENERALLY NORTHWEST FROM THE CORNER OF NE 10 AVENUE AND NE 40 COURT TO THE CENTER OF THE BLOCK; ON THE EAST BY NE 10 AVENUE, ON THE SOUTH BY E OAKLAND PARK BLVD, AND ON THE WEST BY THE WEST PARCEL LINES OF CERTAIN PARCELS APPROXIMATELY 1-2 LOTS DEEP ALONG THE WEST SIDE OF NE 10 AVENUE BETWEEN E OAKLAND PARK BLVD AND NE 42 STREET (PROPERTY) FROM B-1, COMMUNITY BUSINESS; B-2, GENERAL BUSINESS; B-3 COMMERCIAL - INDUSTRIAL; I-1, LIGHT INDUSTRIAL; OS, OPEN SPACE; R-1, SINGLE FAMILY RESIDENTIAL; RM-16, MULTIFAMILY RESIDENTIAL; AND RM-25, MULTIFAMILY RESIDENTIAL TO OAKLAND PARK DOWNTOWN DEVELOPMENT DISTRICT AND ITS SUB-AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

1           **WHEREAS**, Through Application # CD20-15 CPT, The City of Oakland Park  
2 intends to rezone properties consisting of area of approximately 86.3 acres, consisting of  
3 real property located in Oakland Park, Florida; and

4           **WHEREAS**, the City of Oakland Park Future Land Use Map designates this real  
5 property for Local Activity Center; and

6           **WHEREAS**, rezoning the area in question from B-1, Community Business; B-  
7 2, General Business; B-3 Commercial - Industrial; I-1, Light Industrial; OS, Open Space;  
8 R-1, Single Family Residential; RM-16, Multifamily Residential; AND RM-25,  
9 Multifamily Residential to the Oakland Park Downtown Development District (OP3D)  
10 and its sub areas is consistent with the permitted uses as identified in the City of Oakland  
11 Park Comprehensive Plan Land Use Implementation; and

12           **WHEREAS**, the proposed rezoning to OP3D, Oakland Park Downtown  
13 Development District is compatible with the surrounding existing zoning designations  
14 for properties in this vicinity; and

15           **WHEREAS**, the City proposes to rezone the site that consists of 86.3 acres, more  
16 or less; and

17           **WHEREAS**, the application to rezone was heard and considered before the  
18 Oakland Park Planning and Zoning Advisory Board and the City Commission of the City  
19 of Oakland Park, Florida and at the said public hearings all objections, if any, were heard;

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

1           **SECTION 1.** That the forgoing “WHEREAS” clauses are hereby ratified and  
2 confirmed as being true and correct and are hereby made a part of this Ordinance upon  
3 adoption thereof.

4           **SECTION 2.** The City Commission, of the City of Oakland Park, Florida, after  
5 hearing any and all comments and objections made during the course of duly advertised  
6 and scheduled public hearings hereby finds that this rezoning request is consistent with  
7 the following goals, objectives, and policies of the City of Oakland Park Comprehensive  
8 Plan:

9       Objective 1.7: Use the Land Development Code to implement land use policies that  
10 correspond to the categories on the Future Land Use Map.

11       Policy 1.7.1: Land use densities and intensities shall be consistent with the Future Land  
12 Use Map, Section 3 of the Land Use Implementation.

13       Policy 1.7.3: Through the Land Development Code and Zoning Ordinance, establish  
14 different intensities of commercial development compatible with adjacent and  
15 surrounding uses.

16       Policy 1.11.1 The City shall continue to regulate the land use categories as depicted on  
17 the future land use map according to the Land Use implementation section of this  
18 Comprehensive Plan, consistent with the Broward County Land Use Plan.

19           **SECTION 3.** The City Commission of the City of Oakland Park, Florida, hereby  
20 approves the rezoning of the property as depicted in the map labeled Exhibit A.

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

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

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

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**PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,  
FLORIDA, ON FIRST READING, THIS           , DAY OF           , 2022.**

J. BOLIN	_____
M. CARN	_____
A. GORDON	_____
M. ROSENWALD	_____
M. SPARKS	_____

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
OAKLAND PARK, FLORIDA, ON SECOND READING, THIS           , DAY OF  
, 2022.**

CITY OF OAKLAND PARK, FLORIDA

\_\_\_\_\_  
MAYOR MICHAEL CARN

J. BOLIN	_____
M. CARN	_____
A. GORDON	_____
M. ROSENWALD	_____
M. SPARKS	_____

ATTEST:

\_\_\_\_\_  
RENEE M. SHROUT, CMC, CITY CLERK

LEGAL NOTE:  
I hereby certify that I have approved the form of this Ordinance (O-2022-XXX):

\_\_\_\_\_

1 DONALD J. DOODY, CITY ATTORNEY  
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[illegible]