

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT CODE”, BY SPECIFICALLY AMENDING ARTICLE III, SECTION 24-41, ENTITLED “MASTER BUSINESS LIST” TO CONVERT ‘AUTOMOBILE SALES, WHOLESALE & RETAIL (WITHIN BUILDING ONLY)’ FROM A PERMITTED USE TO A CONDITIONAL USE IN APPLICABLE ZONES AND TO ADD SUPPLEMENTAL REGULATIONS FOR THIS USE AND FOR ‘AUTOMOBILE SALES, USED’ ESTABLISHMENTS PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Objective 1.7, Policy 1.7.3 of the City of Oakland Park Comprehensive Plan, seeks to ensure compatibility with adjacent and surrounding uses and to establish different intensities of commercial development through the Land Development Code and associated zoning ordinances; and

WHEREAS, a proposal was heard and considered before the Planning and Zoning Advisory Board of the City of Oakland Park, Florida, on April 11, 2022 to modify Section 24-41, Master Business List to convert Automobile Sales, Wholesale & Retail (Within Building Only) from a permitted to a conditional use in applicable zones and to add supplemental regulations for this use and for Automobile Sales, Used, and at the said public hearing all objections, if any, were heard; and

WHEREAS, the City Commission finds it to be in the best interest of the residents and property owners of the City to amend Section 24-41 of the Land Development Code.

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

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

Section 2. Chapter 24, "Land Development Code," Article III, Sec. 24-41 (C). – Master Business List is hereby amended as follows:

Business Listing	Prohibited	NB	B1	B-2	B-3	1-1	PRZD	FHOD
Automobile sales, used				<u>C22</u>	<u>C22</u>			
Automobile sales, wholesale & retail (within building only)					P <u>C22</u>	P <u>C22</u>		

Section 3. Chapter 24, "Land Development Code," Article III, Sec. 24-41. (D) – *Supplemental regulations to master business list.* is hereby amended as follows:

(22) Used automobile dealerships shall have an indoor area with a minimum of 1,200 square feet accessible by motor vehicle that shall include a separate, walled office with a minimum of 100 square feet. For automobile sales establishments that are not 'within building only,' the minimum lot area exclusively available to the automobile sales operation shall be 15,000 square feet with a minimum width of 100 feet. Parking required by this chapter shall not be used for vehicles in inventory. The use of chain link fencing is prohibited in any location visible from a public right-of-way. No cars in inventory are to be parked or stored on public right-of-way or on a property not controlled by the business operator. The use of barbed wire is prohibited. The use of flags, banners, or any other rubber or fabric signage or any signage prohibited by Section 24-144 of this Chapter is prohibited even for temporary purposes including animated signs, which include signs using video screens, digital pixels, LED, or other methods to change imagery or information as well as any sign that changes imagery by any method other than a person present at the sign using physical movement.

Section 4. 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 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

Section 6. It is the intention of the City Commission of the City of Oakland Park, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Oakland Park, Florida, and 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 7. This Ordinance shall be effective upon its passage and adoption by the City Commission of the City of Oakland Park.

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

109 LEGAL NOTE:
110 I hereby certify that I have approved the form of this Ordinance (O-2022-XXX):
111
112
113 _____
114 DONALD J. DOODY, CITY ATTORNEY