1	ORDINANCE NO. O-2019-XXX
2	
3	AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
4	OF OAKLAND PARK, FLORIDA, AMENDING THE CODE OF
5	ORDINANCES BY AMENDING CHAPTER 24, ARTICLE XII.
6	"SITE PLAN AND OTHER DEVELOPMENT PERMIT REVIEW
7	PROCEDURES" BY SPECIFICALLY AMENDING SEC. 24-163.
8	"TYPES OF APPLICATIONS AND PROCEDURES" TO PROVIDE
9	FOR A TIME LIMIT FOR SUBMITTING A DEVELOPMENT
10	APPLICATION AFTER A NEIGHBORHOOD PARTICIPATION
11	MEETING AND SPECIFICALLY AMENDING SEC. 24-164. "SITE
12	DEVELOPMENT PLAN REVIEW" TO PROVIDE FOR THE
13	EXPIRATION OF A DEVELOPMENT APPLICATION AFTER SIX
14	(6) MONTHS OF INACTIVITY AND BY AMENDING CHAPTER
15	24, ARTICLE XVII. "REVIEW BOARDS" BY SPECIFICALLY
16	AMENDING SEC. 24-233. "PLANNING AND ZONING BOARD"
17	TO APPLY THE PROVISIONS OF SEC. 24-164 TO
18	APPLICATIONS FOR HEARING BEFORE THE PLANNING AND
19	ZONING BOARD AND/OR CITY COMMISSION; PROVIDING
20	FOR DEFINITIONS; PROVIDING FOR SEVERABILITY;
21	PROVIDING FOR CONFLICTS; PROVIDING FOR
22	CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
23	
24	WHEREAS, the City Commission deems it appropriate and in the best interests
25	of the residents and business owners of Oakland Park to amend provisions of Chapter 24,
26	Article XVII. entitled "Review Boards" of the Code of Ordinances relative to the
27	expiration of a development permit application after six (6) months of inactivity; and
28	
29	WHEREAS, the City Commission of the City of Oakland Park, Florida has found
30	that an amendment to the City's Land Development Code, Chapter 24 related to
31	efficiency of processing development permit applications in the City of Oakland Park,
32	Florida; and
33	NAME THEREFORE BE IT ARRAINED BY THE CITY CONCUMPAN
34	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
35	OF THE CITY OF OAKLAND PARK, FLORIDA THAT:
36	
37	SECTION 1. The foregoing "Whereas" clauses are hereby ratified and
38	confirmed as being true and correct and are hereby made a part of this Ordinance.
39	
40	SECTION 2. That Chapter 24, Article XII. "Site Plan and Other Development
41	Permit Review Procedures" Section 24-163. "Types of Applications and Procedures" and
42	Section 24-164. "Site Development Plan Review" as well as Chapter 24, Article XVII.

Page 1 of 5

CODING: Words in struck through type are deletions from existing law; Words in <u>underlined</u> type are additions.

1 "Review Boards" Section 24-233. "Planning and Zoning Board" of the Code of 2 Ordinances of the City of Oakland Park are hereby amended as follows: 3 4 Sec. 24-163. - Types of applications and procedures. 5 6 (E) Neighborhood participation meeting program. 7 8 Applicability. Applicants must schedule a meeting with recognized (2)9 homeowners associations and individuals prior to filing an application for 10 the following: 11 (a) Site development plan review. Types of site development plan 12 applications subject to these regulations include new multi-family 13 buildings, new nonresidential buildings and expansions of the same 14 involving more than twenty-five (25) percent of the gross floor area of the 15 building, and any site development plan that requires a public hearing or 16 quasi-judicial public hearing. 17 Other site specific applications requiring a public hearing or quasi-(b) 18 judicial public hearing. 19 Properties developed or proposed to be developed with a single-(c) 20 family home or duplex structure are exempted from this program. 21 (d) The application referenced herein shall be submitted within six (6) 22 months of the date that the Neighborhood Participation Meeting is held. 23 24 Sec. 24-164. - Site development plan review. 25 26 (G) Withdrawal of Application. 27 28 (1) An owner/applicant may withdraw an application at any time prior to a final decision by the City up to and including the time of a vote on a 29 30 motion before the city commission to approve or deny the application, in 31 whole or in part. 32 (2) A reapplication fee shall be established by Resolution adopted by the 33 City Commission. The fee shall not be returned if an application is 34 withdrawn, nor shall the fee be applied to any future application. 35 (3) If an owner/applicant submits an application for consideration before the development review committee (DRC), board of adjustment, planning 36 37 and zoning board and/or city commission, and that application is inactive on the part of the applicant for a period of six (6) months or more, then the 38 39 application shall be deemed to be automatically withdrawn. Before an 40 application will be considered automatically withdrawn for lack of activity, 41 the following will take place:

Page 2 of 5

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1	(a) The application will be placed on a DRC meeting agenda for
2	consideration with notice being sent to the owner/applicant by
3	electronic or regular mail.
4	(2) The DRC will decide whether the application is active or inactive
5	based on the activity that occurred during the six-month period that
6	caused the file to be placed on the DRC agenda for consideration.
7	Activity by owners/applicants in response to the hearing notice shall
8	not constitute activity sufficient to deem a file active.
9	(4) For the purposes of this section "inactive" shall be defined as a period
10	of six (6) months without activity by the owner/applicant, including but not
11	limited to, a failure to respond to correspondence from the City, failure to
12	submit or resubmit revised plans as part of the DRC process, failure to take
13	affirmative action to move a project forward, or other non-responsive
14	actions by the applicant to address DRC concerns as reasonably determined
15	by the DRC.
16	(5) The Applicant may appeal the withdrawal of an application by the
17	Development Review Committee (DRC) to the City Commission within 10
18	calendar days of the vote by the DRC. Written notice shall be sent by the
19	Applicant to the Director of Community and Economic Development
20	Department and shall be placed on the next available City Commission
21	meeting. The appeal hearing shall be publicly noticed but does not require
22	an advertisement nor a mailing.
23	See 24.222 Dianning and gaming board
24 25	Sec. 24-233 Planning and zoning board.
23 26	(D) Application for hearing before the board and/or city commission.
	(D) Application for hearing before the board and/or city commission.
27	
28	(4) Withdrawal of application:
29	(a) An applicant may withdraw an application at any time prior to a vote on a
30	motion before the city commission to approve or deny the application, in
31	whole or in part.
32	(b) If two (2) applications including the same tract of land are withdrawn
33	within one (1) year, no other application including the tract of land shall be
34	considered within six (6) months from the withdrawal of the second
35	application.
36	(c) A reapplication fee shall be established by Resolution adopted by the City
37	Commission The fee shall not be returned if an application is withdrawn,
38	nor shall the fee be applied to any future application.
39	(d) Applications may be deemed inactive pursuant to Section 24-164(G).
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Page 3 of 5

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1		lause, section or other part of			
2	by any Court of competent jurisdiction to be unconstitutional or invalid, such				
3	unconstitutional or invalid part shall be considered as eliminated and in no way affecting				
4	the validity of the other provisi	ons of this Ordinance.			
5					
6	<u>SECTION 4.</u> All Or	dinances or parts of Ordinand	ces in conflict herewith are		
7	hereby repealed to the extent o	f such conflicts.			
8					
9	SECTION 5. This Or	dinance shall be effective after	its passage and adoption by		
10	the City Commission of the Cit	ty of Oakland Park.			
11	2	-			
12	PASSED BY THE CITY CO	DMMISSION OF THE CIT	Y OF OAKLAND PARK,		
13	FLORIDA, ON FIRST REA	DING, THIS 2 nd DAY OF OC	CTOBER 2019.		
14	,	,			
15		M. SPARKS	YES		
16		J. BOLIN	YES		
17		M. CARN	YES		
18		T. LONERGAN	YES		
19		S. GUEVREKIAN	YES		
20		5. OOL VICENIN	1 2.5		
21					
22	PASSED AND ADOPTED	BV THE CITY COMMISS	SION OF THE CITY OF		
23	OAKLAND PARK, FLORI				
24	OCTOBER 2019.				
25	0C10DER 201).				
26					
20		CITY OF OAKLAND F	DARK FLORIDA		
28		CHI I OF OAKLAND I	ARR, FLORIDA		
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31		MAYOR SARA GUEV	DEVIAN		
32		MATOK SAKA OUEV	KENIAN		
33		M. SPARKS			
34		J. BOLIN M. CARN			
35		M. CARN			
36		T. LONERGAN			
37		S. GUEVREKIAN			
38					
39					
40					

1	ATTEST:
2	
3	
4	
5	RENEE M. SHROUT, CMC
6	CITY CLERK
7	
8	LEGAL NOTE:
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10	
11	I hereby certify that I have approved the form of this Ordinance. (O-2019-XXX)
12	
13	
14	
15	DONALD J. DOODY, CITY ATTORNEY

Page 5 of 5