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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 (2) Applicability. Applicants must schedule a meeting with recognized  
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 (b) Other site specific applications requiring a public hearing or quasi-  
18 judicial public hearing.

19 (c) Properties developed or proposed to be developed with a single-  
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  
29 final decision by the City up to and including the time of a vote on a  
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34 ~~withdrawn, nor shall the fee be applied to any future application.~~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  
36 the development review committee (DRC), board of adjustment, planning  
37 and zoning board and/or city commission, and that application is inactive  
38 on the part of the applicant for a period of six (6) months or more, then the  
39 application shall be deemed to be automatically withdrawn.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40 application will be considered automatically withdrawn for lack of activity,  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:

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  
24       **Sec. 24-233. - Planning and zoning board.**

25  
26       (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).  
40

1       **SECTION 3.** If any clause, section or other part of this Ordinance shall be held  
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 provisions of this Ordinance.

5  
6       **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are  
7 hereby repealed to the extent of such conflicts.

8  
9       **SECTION 5.** This Ordinance shall be effective after its passage and adoption by  
10 the City Commission of the City of Oakland Park.

11  
12 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
13 **FLORIDA, ON FIRST READING, THIS 2<sup>nd</sup> DAY OF OCTOBER 2019.**

14  
15 M. SPARKS YES  
16 J. BOLIN YES  
17 M. CARN YES  
18 T. LONERGAN YES  
19 S. GUEVREKIAN YES  
20

21  
22 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**  
23 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 16<sup>th</sup> DAY OF**  
24 **OCTOBER 2019.**

25  
26  
27 CITY OF OAKLAND PARK, FLORIDA  
28

29  
30  
31 \_\_\_\_\_  
32 MAYOR SARA GUEVREKIAN

33 M. SPARKS \_\_\_\_\_  
34 J. BOLIN \_\_\_\_\_  
35 M. CARN \_\_\_\_\_  
36 T. LONERGAN \_\_\_\_\_  
37 S. GUEVREKIAN \_\_\_\_\_  
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40

1 ATTEST:  
2  
3

4 \_\_\_\_\_  
5 RENEE M. SHROUT, CMC  
6 CITY CLERK  
7

8 LEGAL NOTE:  
9

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