

ORDINANCE NO. O-2020-XXX

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING ARTICLE III, SECTIONS 24-29, 24-30, 24-31, 24-32, 24-33, 24-34, 24-51.1, 24-51.2, 24-51.3, 24-51.4, AND 24-51.5 AND CREATING SECTION 24-52 IN THIS ARTICLE; AMENDING ARTICLE V, SECTIONS 24-68, 24-77, AND 24-79 AND CREATING SECTIONS 24-79.2, 24-79.3, AND 24-79.4, IN THIS ARTICLE; AMENDING ARTICLE VI, SECTIONS 24-80 AND 24-83; AMENDING ARTICLE VII, SECTION 24-96; AMENDING ARTICLE XV, SECTION 24-208; AMENDING ARTICLE XVIII, SECTION 24-245 OF THE LAND DEVELOPMENT CODE TO UPDATE VARIOUS REGULATIONS, INCLUDING SETBACKS AND HEIGHT, AND OTHER URBAN DESIGN AND DEVELOPMENT REGULATIONS TO ENSURE COMPATIBILITY OF FUTURE CONSTRUCTION WITH THE CHARACTER OF EXISTING DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Policy 1.11.2 of the City of Oakland Park Comprehensive Plan, provides that the City is to review and revise land development regulations to ensure the compatibility of adjacent land uses, providing for open space and protecting adjacent residential areas; and

**WHEREAS**, The City of Oakland Park is experiencing increased residential development activity necessitating the need for the City to ensure that land development regulations provide for development where buildings are physically compatible with their neighborhoods;

**WHEREAS**, The City has examined best practices from other cities to determine appropriate methods to regulate physical characteristics of new development and those methods are used herein; and

**WHEREAS**, a proposal for this text amendment heard and considered before the Planning and Zoning Advisory Board of the City of Oakland Park, Florida and at the said public hearing all objections, if any, were heard;

**WHEREAS**, the City Commission finds it to be in the best interest of the residents and property owners of the City to update the Land Development Code with the amended text herein.

**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, Article III, Article V, Article VI, Article VII, Article XV, and Article XVIII are hereby amended as follows:

**ARTICLE III. - DISTRICT REGULATIONS**

**Sec. 24-29. - R-1: Single-Family Residential District.**

(C) *Building site area.*

(1) Residential use:

(a) Sixty (60) feet in width and six thousand (6,000) square feet in area.

(b) On a single lot of record subdivided and recorded prior to the sixth day of August, 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The owner of the lot or parcel does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the Community Redevelopment Area, has remained in single ownership from August 6, 1958; and

ii. The lot and proposed structure shall comply with all applicable regulations of this code; ~~or~~

~~iii. The lot or parcel is located within the community redevelopment area.~~

(D) Reserved ~~Building site coverage and green space.~~

~~Maximum coverage by buildings: Forty (40) percent.~~

~~Minimum landscaped or pervious: Thirty (30) percent.~~

(E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table. ~~Yard setbacks. Every plot upon which a building or structure is erected shall have:~~

~~(1) Front yard: Twenty five (25) feet, except in the case of a plot forty (40) feet wide in which case a thirty five foot setback shall be required. Not more than forty (40) percent of the required front yard shall be impervious, except for circular driveways which shall not exceed sixty (60) percent.~~

~~(2) Side yard:~~

~~(a) One family dwelling: Seven and one half (7.5) feet, except that where a plot is less than sixty (60) feet in width, then minimum of five (5) feet in width.~~

~~(b) Nonresidential building or use: Fifteen (15) feet.~~

~~(3) Street side yard: Fifteen (15) feet.~~

~~(4) Waterway side yard: Fifteen (15) feet.~~

~~(5) Rear yard: Fifteen (15) feet, twenty five (25) feet in the case of a nonresidential building or use.~~

~~(6) Exception: In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.~~

~~(F) Building height limits. Two and one half (2.5) stories with a maximum of thirty five (35) feet. is available if the average height of all buildings on the same street frontage.~~

~~(GE) Minimum floor area. The minimum floor area of each dwelling unit in the following shall be:~~

~~(1) One-family dwelling: One thousand one hundred (1,100) square feet.~~

~~(2) Nonconforming lot: A lot which meets the conditions of (C)(1)(b) and (i) above and has a plot width of forty (40) less than 60 feet and/or a plot area of not less than five six thousand four hundred (5,400) square feet may be utilized for a one-family dwelling with a minimum of nine hundred (900) square feet of floor area.~~

~~(HG) Parking. Minimum of two (2) onsite parking spaces for each dwelling unit. Pervious pavers are permitted. See article VI Sections 24-80 through 24-83 for additional parking regulations.~~

#### **Sec. 24-30. - Town Home District.**

(C) *Town Home District architectural and performance standards.* The following standards shall apply to all new town home developments:

(1) Every front facade with a primary entrance to a dwelling unit shall face the public street to the maximum extent possible.

(2) Every town home shall incorporate a covered front porch with a minimum depth of four (4) feet and a minimum area of fifty (50) square feet. Covered front porches shall be allowed to encroach five feet into the front setback or street side yard.

(3) Every front facade with a primary entrance to a dwelling unit shall include a connecting walkway to the public right-of-way.

(4) The front and street side facade shall incorporate design elements such as shutters, awnings, window grids, window mullions and quoins, gable end ornamentation (including decorative vents, material changes and eave brackets).

(5) All sides of all buildings shall include design characteristics and materials consistent with those on the front facade where visible from a public right-of-way or single-family zoning district.

(6) Windows on front, street side and rear elevations shall be generally centered on the building mass and aligned both vertically and horizontally.

(7) All front facades shall have a minimum 25% percent window area on the front elevation wall face, excluding the garage face and front door.

(8) Street side facades shall have a minimum 15% window area.

(9) All front doors shall be articulated and composed of ornamentations such as recessed or grooved panels and divided light windows.

(10) Garages shall be rear-loaded if possible; if not, garages shall be recessed a minimum of two (2) feet behind the forward-most wall plane.

- (11) ~~Reserved Front entry garage doors shall contain at least one (1) window of a scale and detail compatible with the primary front façade.~~
- (12) ~~Offset front~~ Varying setbacks projections: The front facades of each townhouse unit of no more than two (2) units shall maintain the same building line. Facades shall feature varying depths or projections through use of such features as bay windows, dormers, balconies, porches, alcoves, or recesses. Such features are permitted to encroach up to three feet into the required front setback or street side yard, and such features shall be at least two (2) feet deep. A minimum of 2 features per townhouse unit is required. be offset by a minimum of two (2) feet. Each front facade in a three-unit cluster shall be offset by a minimum of two (2) feet.
- (13) All window and door openings shall be impact resistant rated pursuant to the applicable building code.
- (14) Alternative compliance. An applicant may request an alternative approach to meeting the intent of these standards in circumstances where an alternative approach would provide a result which is equal or superior to that which would be achieved by strict adherence to this section.
- (a) *Procedure*. A request for alternative compliance shall be submitted in writing with the application for development approval and should clearly identify the standard for which an alternative approach is requested as well as a demonstration as to how the alternative approach is superior and furthers the intent of the ordinance.
- (b) *Review criteria*. The development review committee shall consider the written request for alternative compliance and must find the request accomplishes the intent of this section equally or better than strict adherence to this section, and would not result in adverse impact to adjacent properties.
- (c) Appeals. If an applicant is aggrieved by the decision of the development review committee:
1. The request for development approval will be placed on the next available planning and zoning board agenda for review and recommendation to the city commission;
  2. The city commission will consider the request for alternative compliance and the application for development approval at their next available commission meeting.
- (D) ~~Reserved~~ Building site coverage and green space.  
(1) Maximum coverage by buildings: Forty (40) percent.  
(2) Minimum landscaped or pervious: Thirty (30) percent.
- (E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table. ~~Setbacks.~~
- (1) ~~Front yard: 25 feet.~~
- (2) ~~Side yards: 7.5 feet.~~
- (3) ~~Street side: 15 feet.~~
- (4) ~~Rear yard: 15 feet.~~
- (G) ~~Building height limits. Three (3) stories with a maximum of 35 feet.~~
- (H) Minimum floor area. The minimum floor area of each dwelling unit shall be one thousand two hundred (1,200) square feet, exclusive of garage and storage space.

(I) ~~G~~ *Parking.* There shall be no less than the following number of parking spaces per unit.

(1) ~~Two (2) garaged and two (2) tandem parking spaces; or~~

(2) ~~One (1) garaged, one (1) tandem and one (1) ungaraged parking space; or~~

(3) ~~Three (3) ungaraged parking spaces. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations.~~

**Sec. 24-31. - R-2: Two-Family Residential District.**

(C) *Building site area.*

(1) One-family dwelling: Minimum 6,000 square feet and 60 feet in width. However, on a single lot of record subdivided and recorded prior to the sixth day of August, 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site with a minimum of 6,000 square feet and 60 feet in width. This provision does not apply to lots in the community redevelopment area and

ii. The proposed structure shall comply with all applicable regulations of this code

(2) Two-family dwelling: Minimum of 8,000 square feet and 60 feet in width.

(D) ~~Reserved~~ Building site coverage and green space.

(1) ~~Maximum coverage by buildings: Forty (40) percent.~~

(2) ~~Minimum landscaped or pervious: Thirty (30) percent.~~

(a) ~~Maximum of 33% of the required green space may be devoted to recreational uses such as swimming pools, tennis courts, walkways or patios.~~

(b) ~~Maximum of 50% of the required green space may be water.~~

(E) ~~Yard setbacks.~~ Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table.

(1) ~~Front yard: 25 feet, not more than percent 60% of the front yard shall be paved.~~

(2) ~~Side yard:~~

(a) ~~Residential use: 7.5 feet.~~

(b) ~~Nonresidential uses: 15 feet.~~

(3) ~~Street side yard: 15 feet.~~

(4) ~~Waterway side yard: 15 feet.~~

(5) ~~Rear yards:~~

(a) ~~Residential uses: 15 feet.~~

(b) ~~Nonresidential uses: 25 feet.~~

(6) ~~Exception: In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.~~

- (F) ~~Reserved Building height limits. 2.5 stories with a maximum of 35 feet.~~
- (G) *Minimum floor area.* The minimum floor area of each dwelling unit shall be:
- (1) *One-family dwelling:* 1,100 square feet.
- (2) *Two-family dwelling:* 550 700 square feet.
- (H) *Parking.* Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. ~~*Parking.* Minimum of two (2) parking spaces for each dwelling unit. Parking is permitted only on the paved driveway or parking structure; tandem parking is permitted. See article VI for additional parking regulations.~~

**Sec. 24-32. - RM-16: Multifamily Residential District.**

- (C) *Building site area.*
- (1) Single-family residential use: Minimum 6,000 square feet and 60 feet in width. However, on a single lot of record subdivided and recorded prior to the sixth day of August 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:
- i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site with a minimum of 6,000 square feet and 60 feet in width. This provision does not apply to lots in the community redevelopment area and
- ii. The proposed structure shall comply with all applicable regulations of this code
- (2) Other residential uses: See (E) below.
- (3) Nonresidential uses: Minimum 10,000 square feet and 100 feet in width.
- (D) ~~*Reserved Building site coverage and green space.*~~
- (1) ~~Maximum coverage by buildings: Forty (40) percent.~~
- (2) ~~Minimum landscaped or pervious: Thirty (30) percent.~~
- (a) ~~Maximum of 33% of the required green space may be devoted to recreational uses such as swimming pools, tennis courts, walkways or patios.~~
- (b) ~~Maximum of 50% of the required green space may be water.~~
- (F) *Yard setbacks, site coverage, and building height limits.* See Section 24-52, Master Setback and Bulk Table. ~~*Yard setbacks.* Every plot upon which a building or structure is erected shall have:~~
- (1) ~~*Front yard:* 25 feet.~~
- (2) ~~*Side yards:*~~
- (a) ~~*Residential uses:* 7.5 feet.~~
- (b) ~~*Nonresidential uses:* 25 feet.~~
- (3) ~~*Street side yards:* 15 feet.~~
- (4) ~~*Waterway side yard:* 15 feet.~~
- (5) ~~*Rear yard:*~~

- (a) ~~Residential uses: 15 feet.~~
- (b) ~~Nonresidential uses: 25 feet.~~
- (G) ~~Reserved Building height limits. Three (3) stories with a maximum of 35 feet.~~
- (I) ~~Parking . Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. There shall be not less than two (2) parking spaces for each dwelling unit.~~
- (J) ~~Supplemental regulations~~ . See article V for supplemental regulations.
- Sec. 24-33. - RM-25: Multifamily Residential District.**
- (C) ~~Building site area.~~
- (1) ~~Single-family residential use: 10,000 square feet and eighty (80) feet in width. However, on a single lot of record subdivided and recorded prior to the sixth day of August 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:~~
- i. ~~The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site with a minimum of 10,000 square feet and 80 feet in width. This provision does not apply to lots in the community redevelopment area and~~
- ii. ~~The proposed structure shall comply with all applicable regulations of this code~~
- (2) ~~Other residential uses: See (E) below.~~
- (3) ~~Nonresidential use: 10,000 square feet and 100 feet in width.~~
- (D) ~~Reserved Building site coverage and green space.~~
- (1) ~~Maximum coverage by buildings: Forty (40) percent.~~
- (2) ~~Minimum landscaped or pervious: Thirty (30) percent.~~
- (a) ~~Maximum of 33% of the required green space may be devoted to recreational uses such as swimming pools, tennis courts, walkways or patios.~~
- (b) ~~Maximum of 50% of the required green space may be water.~~
- (F) ~~Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table.~~
- (1) ~~Front yard: 25 feet for one and two story buildings with an increase of five (5) feet for each story above two (2) stories.~~
- (2) ~~Side yards:~~
- (a) ~~Multifamily dwellings: 7.5 feet with an increase of five (5) feet for each story over two (2) stories.~~
- (b) ~~Nonresidential use: 25 feet.~~
- (3) ~~Street side yard: 15 feet with an increase of five (5) feet for each story over two (2) stories.~~
- (4) ~~Waterway side yard: 15 feet with an increase of five (5) feet for each story over two (2) stories.~~

~~(5) Rear yard: 15 feet for one- and two-story buildings; 20 feet for three-story buildings or greater.~~

~~(G) Reserved Building height limits. Four (4) stories with a maximum fifty (50) feet.~~

~~(I) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. A minimum of two (2) parking spaces for each dwelling unit.~~

**Sec. 24-34. - R-O: Residence Office District.**

(C) Building site area.

(1) Single-family dwelling: 6,000 square feet and 60 feet in width. However, on a single lot of record subdivided and recorded prior to the sixth day of August 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site with a minimum of 6,000 square feet and 60 feet in width. This provision does not apply to lots in the community redevelopment area and

ii. The proposed structure shall comply with all applicable regulations of this code

(2) For office use: 5,000 square feet and 60 feet in width.

~~(D) Reserved Building site coverage and green space. 20% of the site shall be landscaped or pervious~~

~~(E) Setbacks and buffer yards. Setbacks and bufferyards shall be as required in the R-1 District. Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table.~~

~~(F) Reserved Building height limits. Two (2) stories with a maximum of 35 feet.~~

~~(H) Parking and landscaping. Two (2) parking spaces per dwelling unit and one (1) parking space per 200 square feet of office space. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations, however one space is required for each 200 square feet of office space.~~

**Sec. 24-51.1 - R-1A: One-family Detached Dwelling District.**

(C) Building site area.

(1) Residential use:

(a) Minimum of (60) feet in width and seven thousand five hundred (7,500) square feet in area. The plot line which provides access to the plot must be a minimum of nineteen (19) feet.

(b) On a single lot of record subdivided and recorded prior to the 19<sup>th</sup> day of December, 1961 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would,



- if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the community redevelopment area and
- ii. The proposed structure shall comply with all applicable regulations of this code:
- (D) ~~Reserved *Building site coverage and green space.*~~  
Maximum coverage by buildings: Forty (40) percent.  
Minimum landscaped or pervious: Thirty (30) percent.
- (E) ~~*Yard setbacks, site coverage, and building height limits.*~~ See Section 24-52, Master Setback and Bulk Table. ~~*Yard setbacks.*~~ Every plot upon which a building or structure is erected shall have:
- (1) ~~Front yard:~~  
Twenty five (25) feet (residential building or use).  
Thirty (30) feet (nonresidential building or use).
- (2) ~~Side yard:~~  
Seven and one half (7½) feet (residential building or use).  
Twenty (20) feet (nonresidential building or use)
- (3) ~~Street side yards:~~  
Fifteen (15) feet (residential building or use).  
Twenty (20) feet (nonresidential building or use).
- (4) ~~Rear yard:~~  
Fifteen (15) feet (Residential building or use).  
Twenty (20) feet (Nonresidential building or use).
- (5) ~~Exception:~~ In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.
- (F) ~~Reserved *Building height limits.*~~  
(1) ~~Maximum of two (2) stories.~~
- (H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations.

\_(Ord. No. O-2009-002, § 2, 2-4-09; Ord. No. O-2009-008, § 2, 4-1-09)

**Sec. 24-51.2. - R-1B: One-Family Detached Dwelling District.**

(C) *Building site area.*

- (1) *Residential use:*

(a) Minimum of sixty (60) feet in width and six thousand (6,000) square feet in area. The plot line which provides access to the plot must be a minimum of nineteen (19) feet.

(b) On a single lot of record subdivided and recorded prior to the 19<sup>th</sup> day of December, 1961 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or , and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the community redevelopment area and

ii. The proposed structure shall comply with all applicable regulations of this code;

(D) Reserved ~~Building site coverage and green space.~~

~~Maximum coverage by buildings: Forty (40) percent.~~

~~Minimum landscaped or pervious: Thirty (30) percent.~~

(E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table. ~~Yard setbacks. Every plot upon which a building or structure is erected shall have:~~

~~(1) Front yard:~~

~~Twenty five (25) feet (residential building or use).~~

~~Thirty (30) feet (nonresidential building or use).~~

~~(2) Side yard:~~

~~Seven and one half (7½) feet (residential building or use).~~

~~Twenty (20) feet (nonresidential building or use).~~

~~(3) Street side yards:~~

~~Fifteen (15) feet (Residential building or use).~~

~~Twenty (20) feet (nonresidential building or use).~~

~~(4) Rear yard:~~

~~Fifteen (15) feet (Residential building or use).~~

~~Twenty (20) feet (Nonresidential building or use).~~

~~(5) Exception: In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.~~

(F) Reserved ~~Building height limits.~~

~~(1) Maximum of two (2) stories.~~

- (H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. ~~Parking.~~ Minimum of two (2) onsite parking spaces for each dwelling unit. ~~Pervious pavers are permitted. See article V for additional parking regulations.~~

**Sec. 24-51.3. - R-1C: One-Family Detached Dwelling District.**

(C) Building site area.

(1) Residential use:

- (a) Minimum of ~~sixty (60)~~fifty (50) feet in width and five thousand (5,000) square feet in area. The plot line which provides access to the plot must be a minimum of nineteen (19) feet.

(b) On a single lot of record subdivided and recorded prior to the sixth day of August, 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

- i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the community redevelopment area and
- ii. The proposed structure shall comply with all applicable regulations of this code;

(D) Reserved ~~Building site coverage and green space.~~

~~Maximum coverage by buildings: Forty (40) percent.~~

~~Minimum landscaped or pervious: Thirty (30) percent.~~

(E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table ~~Yard setbacks.~~ Every plot upon which a building or structure is erected shall have:

(1) Front yard:

~~Twenty five (25) feet (residential building or use).~~

~~Thirty (30) feet (nonresidential building or use).~~

~~(2) Side yard:~~

~~Five (5) feet (residential building or use).~~

~~Twenty (20) feet (Nonresidential building or use).~~

~~(3) Street side yards:~~

~~Ten (10) feet (residential building or use).~~

~~Twenty (20) feet (Nonresidential building or use).~~

~~(4) Rear yard:~~

~~Fifteen (15) feet (residential building or use).~~

~~Twenty (20) feet (Nonresidential building or use).~~

~~(5) Exception: In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.~~

(F) Reserved Building height limits.

~~(1) Maximum of two (2) stories.~~

(H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. ~~Parking.~~ Minimum of two (2) onsite parking spaces for each dwelling unit. Pervious pavers are permitted. See article V for additional parking regulations.

**Sec. 24-51.4. - RD-10: Duplex and Attached One-Family Dwelling District.**

(C) Building site area.

(1) Residential use:

(a) Minimum of sixty (60) feet in width and three thousand three hundred (3,300) square feet in area. The plot line which provides access to the plot must be a minimum of nineteen (19) feet.

(b) On a single lot of record subdivided and recorded prior to the sixth day of August, 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the community redevelopment area and

ii. The proposed structure shall comply with all applicable regulations of this code;

(D) Reserved Building site coverage and green space.

~~(1) Maximum coverage by buildings: 65% for one family detached and 40% for all other uses.~~

~~(2) Minimum landscaped or pervious: Thirty (30) percent.~~

(E) Yard setbacks, site coverage, and building height limits. See Section 24-52, Master Setback and Bulk Table. ~~Yard setbacks.~~ Every plot upon which a building or structure is erected shall have:

~~(1) Front yard:~~

~~Eighteen (18) feet (residential building or use).~~

~~Thirty (30) feet (nonresidential building or use).~~

~~(2) Side yard:~~

~~Five (5) feet (Residential building or use).~~

~~Twenty (20) feet (Nonresidential building or use).~~

~~(3) Street side yards:~~

~~Ten (10) feet (Residential building or use).~~

Twenty (20) feet (Nonresidential building or use).

~~(4) Rear yard:~~

Five (5) feet (Residential building or use).

Twenty (20) feet (Nonresidential building or use).

~~(5) Exception: In the case of a principal existing structure being non-conforming due to a setback requirement an addition and/or enclosure to the structure is permitted as long as the proposed improvement does not exceed existing building lines.~~

(F) Reserved Building height limits.

~~(1) Maximum of two (2) stories.~~

(G) *Minimum floor area.* The minimum floor area of each dwelling unit in the following shall be:

(1) *Per dwelling unit:* Eight hundred (800) square feet.

(H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking regulations. ~~Parking.~~ Minimum of two (2) onsite parking spaces for each dwelling unit. ~~Pervious pavers are permitted. See article V for additional parking regulations.~~

**Sec. 24-51.5. - RM-5: Multiple Family Dwelling District.**

(C) *Building site area.*

(1) *Residential use:*

(a) Minimum of 60 feet in width and 6,000 square feet in area. The plot line which provides access to the plot must be a minimum of 19 feet.

(b) On a single lot of record subdivided and recorded prior to the sixth day of August, 1958 or that had been modified in size or shape only as the result of a public infrastructure project, with an area or width less than the above described minimum, a single-family dwelling may be erected subject to the following:

i. The lot or parcel's owner does not have or share, and has not had or shared within one year, any ownership interest in any abutting lot or parcel that would, if combined with the lot in question, create a building site that meets the standards of subsection (a). This provision does not apply to lots in the community redevelopment area and

ii. The proposed structure shall comply with all applicable regulations of this code;

(D) Reserved Building site coverage and green space.

(1) Maximum coverage by buildings: Forty (50) percent.

(2) Minimum landscaped or pervious: Thirty (30) percent.

(E) Yard setbacks and building height limits. See Section 24-52, Master Setback and Bulk Table Yard setbacks. Every plot upon which a building or structure is erected shall have:

~~(1) Front yard:~~

~~Eighteen (18) feet (residential building or use).~~

~~Thirty (30) feet (nonresidential building or use).~~

~~(2) Side yard:~~

524 ~~Five (5) feet (residential building or use).~~

525 ~~Twenty (20) feet (nonresidential building or use).~~

526 ~~(3) Street side yards:~~

527 ~~Ten (10) feet (residential building or use).~~

528 ~~Twenty (20) feet (nonresidential building or use).~~

529 ~~(4) Rear yard:~~

530 ~~Ten (10) feet (residential building or use).~~

531 ~~Twenty (20) feet (Nonresidential building or use).~~

532 ~~(51) Exception:~~ In the case of a principal existing structure being non-conforming due to a  
533 setback requirement an addition and/or enclosure to the structure is permitted as long  
534 as the proposed improvement does not exceed existing building lines.

535 (F) Reserved ~~Building height limits.~~

536 ~~(1) Maximum of two (2) stories.~~

537 (H) Parking. Pervious pavers are permitted. See Sections 24-80 through 24-83 for parking  
538 regulations. ~~Parking.~~ Minimum of two (2) onsite parking spaces for each dwelling unit.  
539 Pervious pavers are permitted. See article V for additional parking regulations.

540

541

542 **Sec. 24-52. - Master Setback and Bulk Table.**

543 (A) Purpose. It is the intent of this section to provide, in tabular form, a listing (herein referred  
544 to as the "master setback and bulk table") of the yard setbacks, building height, and other  
545 physical construction restrictions for building sites for specific zoning districts.

546 (B) Key to table.

547 (1) The applicable zoning district is abbreviated on the top row.

548 (2) The first column provides a reference letter for the applicable restriction that can be  
549 used with the diagrams below.

550 (3) The second column contains the restriction with instructions to apply the numerical  
551 standard for each building site.

552 (4) The standards in this table apply to new buildings and accessory structures and  
553 new additions for which a building permit has been applied for after (DATE OF ADOPTION).  
554 Any building or structure issued a building permit or already existing before this date may be  
555 continued subject to the conditions and requirements of Section 24-206.

556 (C) The following is the master setback and bulk table.

|   |  | R-1                        | TD  | R-2                        | RM-16 | RM-25 | R-O                        | R-1A | R-1B | R-1C | RD-10 | RM-5 |
|---|--|----------------------------|-----|----------------------------|-------|-------|----------------------------|------|------|------|-------|------|
| A | Side Yard: Minimum Setback (non-corner side) up to 15 feet** building wall height (feet) | 7.5 (5 if lot is less than | 7.5 | 7.5 (5 if lot is less than | 7.5   | 7.5   | 7.5 (5 if lot is less than | 7.5  | 7.5  | 5    | 5     | 5    |

|   |   |   |     |  |     |     |  |  |   |  |  |  |
|---|---|---|-----|--|-----|-----|--|--|---|--|--|--|
|   |   | 60' wide)   |     | 60' wide)  |     |     | 60' wide)  |  |   |  |  |  |
| B | Side Yard: Minimum Setback or Stepback (non-corner side) for portions of structure taller than 15 feet**, ****  | 1/2 of height (1/3 of height if lot is less than 60' wide)  | 7.5 | 1/2 of height (1/3 of height if lot is less than 60' wide) | 7.5 | 7.5 | 1/2 of height  | 1/2 of height  | 1/2 of height                                       | 1/3 of height  | 1/3 of height  | 1/3 of height  |
| C | Street Side Yard (Corner Lots): Minimum Setback up to 15** feet building wall height (feet)   | 15  | 15  | 15   | 15  | 15  | 15   | 15   | 15  | 10   | 10   | 10   |
| D | Street Side Yard (Corner Lots): Minimum Setback or Stepback for portions of structure taller than 15 feet**, ****   | 1/2 of height (1/3 of height if lot is less than 60' wide)  | 15  | 1/2 of height (1/3 of height if lot is less than 60' wide) | 15  | 15  | 1/2 of height (1/3 of height if lot is less than 60' wide) | 1/2 of height (1/3 of height if lot is less than 60' wide) | 1/2 of height (3 to 1 if lot is less than 60' wide) | 1/2 of height (1/3 of height if lot is less than 60' wide) | 1/2 of height (1/3 of height if lot is less than 60' wide) | 1/2 of height (1/3 of height if lot is less than 60' wide) |
| E | Waterway Principal Building Side or Rear Setback (feet)   | 15  | 15  | 15   | 15  | 15  | 15   | 15   | 15  | 15   | 15   | 15   |
| F | Front: Minimum and Maximum Building Front Setback up to 15*** feet building wall height. A wall portion of at least ten feet of width is required to be at this front setback line, and no wall shall be closer to the street line than this setback line (formula) | The front setback of a new structure shall match the average of the two front setbacks of the two closest principal buildings on each side of the project site that are on the same side of the street and on the same block frontage as the site, including along the perimeter of a cul-de-sac turn-around. For lots at the end of their block frontage (corner lots or lots at dead ends), the front setback of a new structure shall match the average of the two continuous closest principal buildings on the side of the project site that are on the same side of the street and on the same block frontage as the site. However, in no circumstance shall the required setback be deeper than 30 feet. When the block has no existing development to serve as the reference for the required setback, the front yard setback shall be twenty-five (25) feet. |     |  |     |     |  |  |   |  |  |  |
| G | Front: Additional Building Stepback for portions of structure taller than 15 feet measured from the point located 15 feet above grade and at the setback point required in Line F***, ****  | equal to height minus 15 feet   | NA  | equal to height minus 15 feet                              | NA  | NA  | equal to height minus 15 feet                              | equal to height minus 15 feet                              | equal to height minus 15 feet                       | equal to height minus 15 feet                              | equal to height minus 15 feet                              | equal to height minus 15 feet                              |

|   |  |  |    |    |    |    |    |    |    |    |    |    |
|---|--|--|----|----|----|----|----|----|----|----|----|----|
| H | Maximum Building Height (feet)*  | 27   | 35 | 27 | 35 | 50 | 27 | 27 | 27 | 27 | 27 | 27 |
| I | Maximum Building Height (stories)  | 2  | 3  | 2  | 3  | 4  | 2  | 2  | 2  | 2  | 2  | 2  |
| J | Rear: Minimum Setback up to 15 feet building wall height (feet)  | 15   | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 5  | 5  |
| K | Rear: Minimum Setback or Stepback for portions of structure taller than 15 feet** ****   | 15   | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 5  | 5  |
| L | Maximum site coverage by buildings (percentage)  | 40   | 40 | 40 | 40 | 40 | NA | 40 | 40 | 40 | 40 | 50 |
| M | Minimum site landscaped or pervious area (percentage)  | 30   | 30 | 30 | 30 | 30 | 20 | 30 | 30 | 30 | 30 | 30 |
| N | Maximum percentage of area required by Line M that may be used for paved recreational area (pools, tennis courts, walkways or patios). | NA   | NA | 33 | 33 | 33 | NA | NA | NA | NA | NA | NA |
| O | Maximum percentage of area required by Line M that may be water.   | NA   | NA | 50 | 50 | 50 | NA | NA | NA | NA | NA | NA |
| P | Minimum Transparent Window Area (Glazing)  | <p>(1) All front facades shall have a minimum 23% transparent window area on the front elevation wall face, excluding the garage or carport face area (up to 20 feet of width and 9 feet of height) from the calculation. Front doors with at least 5 square feet of transparent glass area per door leaf can be fully included as transparent window area.</p> <p>(2) All other street facing facades shall have a minimum 15% transparent window area, excluding the garage or carport face area (up to 20 feet of width and 9 feet of height) from the calculation.</p> |    |    |    |    |    |    |    |    |    |    |

\* If the average height of all buildings along the same block frontage as the site has a higher average height than listed in this table, that average height shall be permitted to be the maximum building height for the new structure.

\*\* If the wall of the adjacent building on the abutting lot to the side of the project site is taller than 15 feet, the project site's building wall height can be at the same setback up to the same height as that adjacent building's wall for that side of the lot and also for the other side of that lot only if it is a corner lot or located at the non-cul-de-sac dead end of its street.



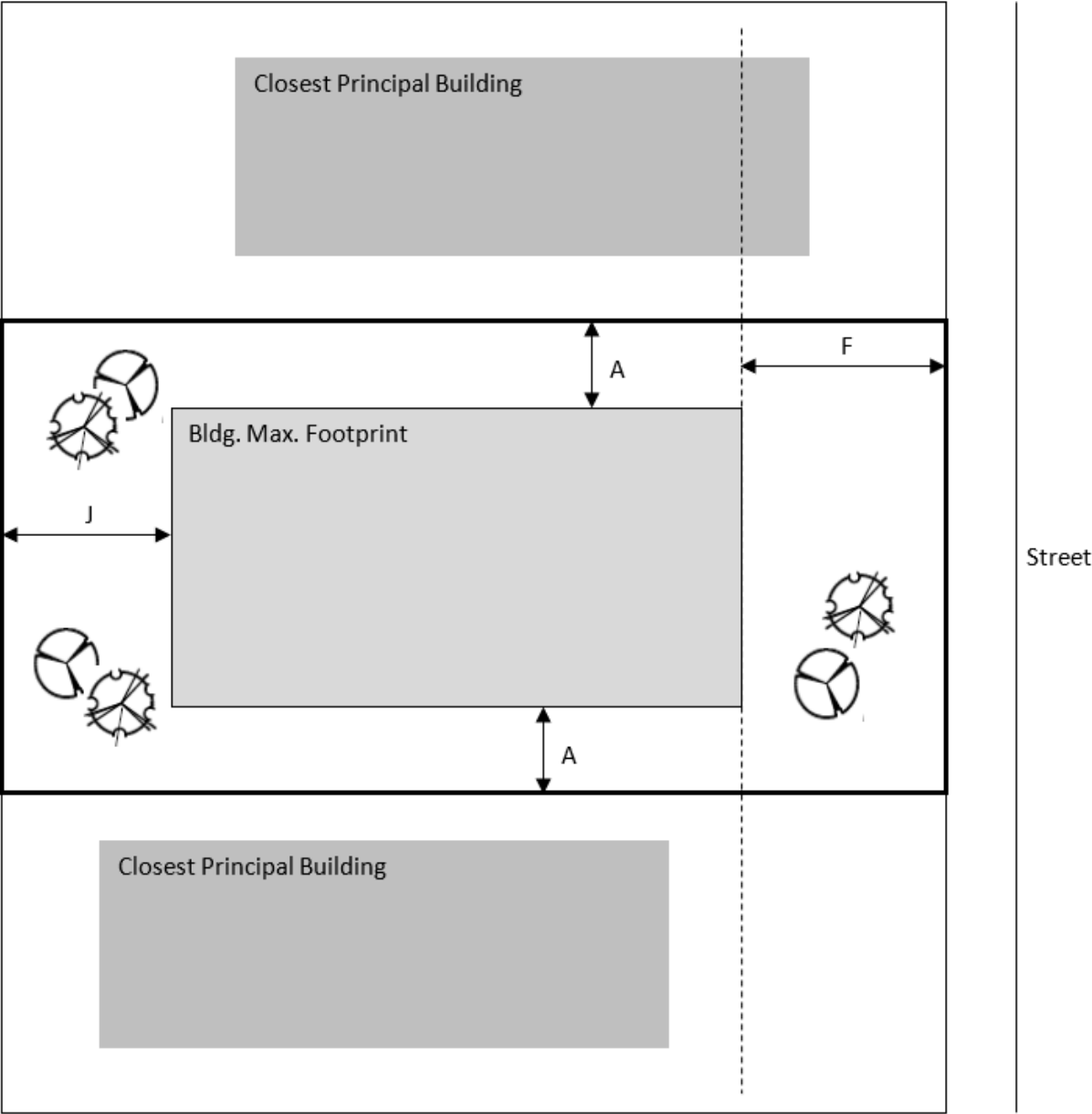
\*\*\* If the average height of the front walls of the two closest principal buildings on each side of the project site that are on the same side of the street and on the same block frontage as the site (or for lots at the end of their block frontage, the two continuous closest principal buildings on the side of the project site that are on the same side of the street and on the same block frontage as the site) is higher than 15 feet, that average height shall be permitted to be the maximum front wall height for the new structure at the front yard setback point.

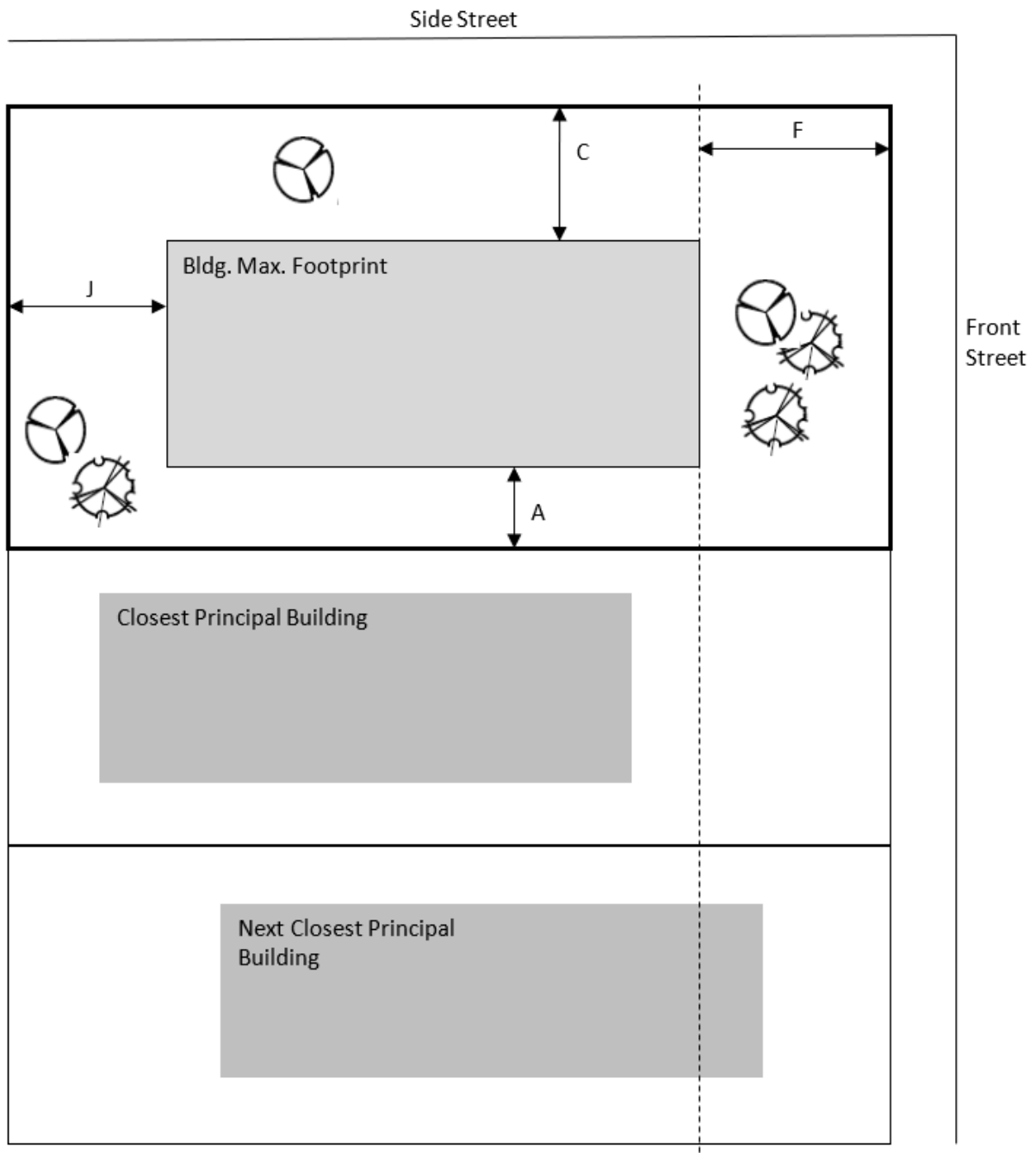
\*\*\*\* For setbacks or stepback required for portions of structures taller than 15 feet, Conditional Use approval in accordance with Section 24-165 would need to be granted for any deviation from this requirement.

(D) Descriptive diagrams. The following show the applicable restrictions from the Master Setback and Bulk Table in plan (overhead) view and in elevation view. Letters on the diagrams correspond with rows in the table.

(1) Plan view diagram of setback and bulk requirements. The letter for each measurement corresponds with the applicable row in the table in Subsection (C) above:

(a) Plan View of a Mid-block lot:



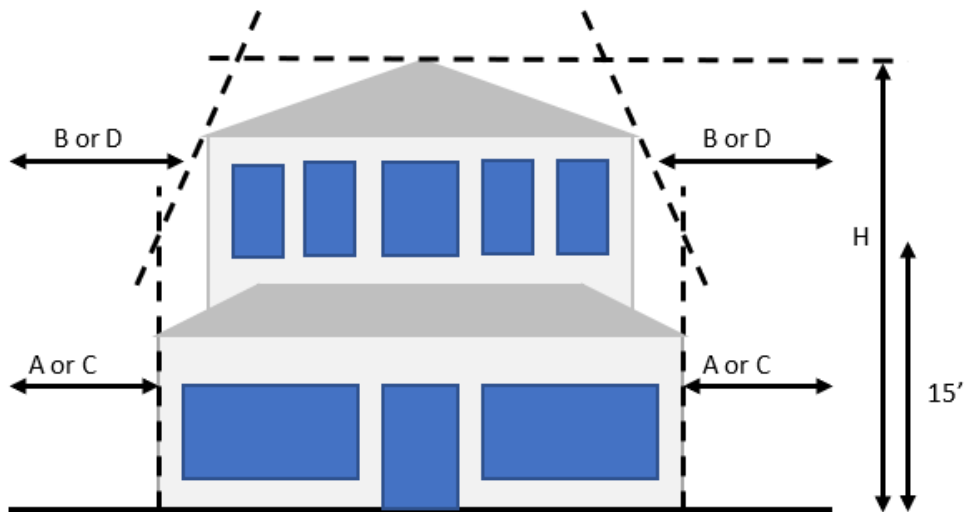
(b) Plan View of a Corner lot:

589 (c) Front View of required setbacks (from lot line) and/or stepbacks (for upper building portions):

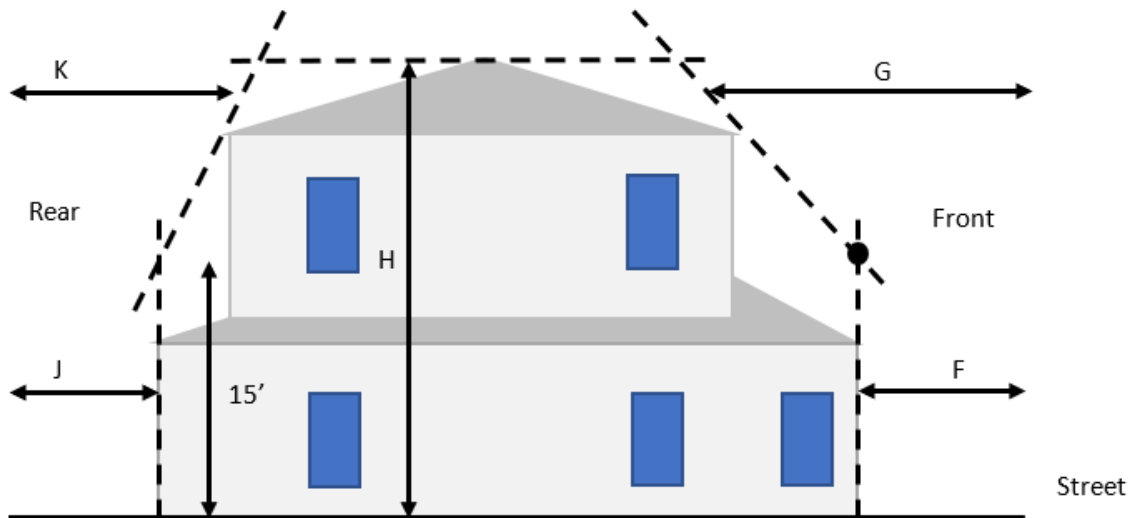
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(d) Side View of required setbacks (from lot line) and/or stepbacks (for upper building portions):



**Secs. 24-52—24-53. - Reserved.**

## **ARTICLE V. - SUPPLEMENTAL REGULATIONS**

### **Sec. 24-68. - Accessory structures and detached buildings.**

Accessory buildings will be permitted in all residential, R-O, B-1 and B-2 Districts only under the following conditions and only if, placed after or at the time of construction of the main principal structure; there are no restrictions on such buildings in other districts.

(A) *Types permitted.* Freestanding private garage or carport; tool, garden or utility shed; pergola; arbor; trellis; arbor, tikki hut; and gazebo; and household mechanical equipment including air conditioner condensers, generators, and above-ground pool equipment. Also permitted are pool houses/cabanas, provided they comply with the setback requirements of their zoning district.

(B) *Cumulative building site coverage for accessory site structures.* Maximum of thirty-five (35) percent of the rear yard or side yard in which it is located in residential districts.

(C) *Dimension regulations.*

(1) *R-1 and R-2 Districts:*

(a) Tool, garden or utility sheds.

1. *Number allowed:* One (1).

2. *Location allowed:* ~~Required~~ In the rear or side yard setback required in Section 24-52 of this Chapter, but can only be located to the rear of the rear wall of the principal dwelling building. and This structure is not permitted in the required front yard setback.

3. *Side setback:* One-half ( $\frac{1}{2}$ ) the height of the building

4. *Rear setback:* One-half ( $\frac{1}{2}$ ) the height of the building, and fifteen (15) feet when abutting a waterway.

5. *Maximum floor area if not compliant with setbacks required in Section 24-52 of this Chapter:* One hundred (100) square feet,

6. *Maximum height:* Ten (10) feet measured from the finished grade to the highest peak.

7. *Street side setback:* Street side not permitted.

8. *Waterway setback:* Fifteen (15) feet from edge of water.

(b) *Pergolas, arbors and trellises.* Pergolas, arbors and trellises structures are permitted in all yards (buildable and setbacks) of a residential dwelling unit. The required setback shall be equal to half the height of the structure. The structure is not permitted to be more than ten (10) feet in height measured from the finished grade of the lot.

(c) *Gazebos and tikki huts.* Gazebos and tikki huts are only permitted in the buildable area of a residential lot and shall not be permitted to be more than twelve (12) feet in height and must meet all building setbacks.

(d) Household mechanical equipment including air conditioner condensers, generators, and above-ground pool equipment. Household mechanical equipment is permitted to encroach into up to half of the required side setback

or 42 inches into the required rear yard setback but shall not encroach into a corner street side setback. Encroaching equipment is permitted to have a height of no greater than 60 inches, and any encroaching equipment shall have a noise rating of less than 55 decibels measured from the closest adjacent property or shall be enclosed in sound deadening material reducing its noise to that level. Equipment shall be maintained, so its noise level does not increase above this limit. Under no circumstances shall household mechanical equipment be permitted in a front yard even if located behind the required setback line.

(e) Freestanding private garages and carports.

1. Number allowed if not compliant with setbacks required in Section 24-52 of this Chapter: One (1).
2. Location allowed: In the rear or side yard setback required in Section 24-52 of this Chapter, but only if located to the rear of the rear wall of the principal dwelling building. The structure is not permitted in the required front yard setback.
3. Side setback: five (5) feet
4. Rear setback: five (5) feet.
5. Maximum floor area if not compliant with setbacks required in Section 24-52 of this Chapter: Four hundred (400) square feet, and structure shall be designed specifically for storage of vehicles only with appropriately placed garage doors for access and building length and depth only providing area for vehicle storage.
6. Maximum height if not compliant with setbacks required in Section 24-52 of this Chapter: Twelve (12) feet measured from the finished grade to the highest peak.
7. Street side setback: Fifteen (15) feet.
8. Waterway setback: Fifteen (15) feet from edge of water.

(df) Prohibited accessory structures. Canopy structures, tents, and tarps are not permitted in any required yard setbacks.

- (2) All other districts: No accessory building, temporary or permanent, shall occupy space within a required front, side or rear yard setback in all other districts in which accessory buildings are allowed.

(D) Building height limits.

- (1) No accessory building shall be more than ~~twenty-two (22)~~ fifteen (15) feet in height ~~except or as further restricted in Section 24-68(C) as allowed in R-1 and R-2 Districts and lots greater than one (1) acre.~~
- (2) ~~On lots of greater area than one (1) acre, an accessory building shall not be more than thirty five (35) feet in height, provided that it is located thirty (30) feet from every lot line.~~
- (3) ~~An accessory building built in the front yard shall not be more than one (1) story or thirteen (13) feet in height.~~

679 **Sec. 24-77. - Setback encroachment policy.**

680 In all districts, projections from building walls of window sills, belt courses, balconies (front of  
681 structure only), front porches, bay windows, dormer windows (maximum 6 feet wide with a  
682 minimum of 4 feet of space between each dormer), cornices, eyebrows, eaves, hurricane  
683 shutters, awnings or other architectural ornamental features may encroach up thirty-six (36)  
684 inches for all yards and not in excess of six (6) feet for front porches in front yards but not in  
685 excess of one-third ( 1/3 ) into a required setback for non-street-side side yards or rear yards. .

686  
687 **Sec. 24-79. - Supplemental regulations that are only applicable to the R-1A, R-1B, R-1C,**  
688 **RD-10 and RM-5 Annexed Area Residential Dwelling Districts.**

689 (A) *Purpose.* The supplemental regulations contained herein are only applicable to the areas  
690 that were annexed into the City of Oakland Park from Unincorporated Broward County in  
691 2005.

692 (5) *Double frontage.* Where a plot is bounded on two (2) opposite sides by public or private  
693 rights-of-way or streets with no platted non-vehicular access line or landscape easement  
694 on one of the two (2) sides, front yards shall be provided on both such sides. Accessory  
695 buildings shall not be located in either front yard. This provision does not apply to a yard  
696 where a masonry wall six-feet tall or taller separates that yard from the public or private  
697 rights-of-way or street.

698 (6) *Yard encroachments.* All required yards shall be open and unobstructed from ground to  
699 sky except as follows or as otherwise permitted in this article for zero lot line  
700 developments:

701 (a) Sills, columns, ornamental features, chimneys, eaves, balconies, bay windows,  
702 dormer windows (maximum 4 feet wide), and awnings may project thirty-six (36)  
703 inches into a required yard. Front porches are permitted to project up to six (6) feet  
704 into a required front yard.

705 (b) Fire escapes, stairways, balconies or canopies which are unenclosed, and air  
706 conditioning units, above ground pool equipment, generators, and similar mechanical  
707 equipment may project 42 inches into a required side or rear yard. Any encroaching  
708 equipment shall have a noise rating of less than 55 decibels measured from the closest  
709 adjacent property or shall be enclosed in sound deadening material reducing its noise  
710 to that level. Equipment shall be maintained, so its noise level does not increase above  
711 this limit.

712 (c) An unenclosed and unroofed patio or deck not higher than the first floor level of  
713 the principal building may be located in any required yard which is not contiguous to a  
714 street to within five (5) feet of a plot line. A ground-level slab or patio may be located  
715 within 15 feet of a front plot line.

716 1. Walkways not exceed[ing] five (5) feet in width may be installed on interior  
717 side yards and on sides contiguous to a street provided the walkway is  
718 adjacent to the dwelling.

719 (d) On a plot containing a one-family detached or two-family dwelling, side and rear  
720 yards not abutting a street may be reduced to five (5) feet for accessory uses and  
721 buildings.

722 (e) Accessory buildings may not exceed one (1) story on any plot containing a one-  
723 family detached dwelling.

724 (f) Accessory buildings shall not exceed half the height of any principal building on  
725 plots containing two-family or multiple-family dwellings. On any plot containing

grouped dwellings of varying heights, accessory buildings shall not exceed half the height of the lowest building on the plot.

(g) The distance between any principal and accessory buildings on the same plot, where the accessory building is higher than one (1) story, shall be half the height of the highest principal building.

(h) The aggregate floor area of all accessory buildings shall not exceed five (5) percent of the plot area.

(i) No accessory building shall contain more than fifty (50) percent of the floor area of the principal building.

#### **Sec. 24-79.2. – Residential Wall Articulations**

(A) For new construction, walls extending beyond a specified horizontal length of each exclusively residential building shall feature varying depths or projections through use of such features as bay windows, dormers, balconies, porches, alcoves, or recesses.

(1) For front walls there shall be a maximum of 25 horizontal feet of straight wall area between any variation in wall depth of at least 2 feet or any projection extending at least 2 feet.

(2) For side walls more than 15 feet high and with an average side setback distance of less than ten feet from any side lot line or any wall that faces a street side lot line, there shall be a maximum of 35 horizontal feet of straight wall area between any variation in wall depth of at least 2 feet or any projection extending at least 2 feet.

#### **Sec. 24-79.3. – Upper Story Window Off-Sets**

(A) For new construction, side windows on the upper story of any new building that are on a wall setback 10 feet or less from a side lot line shall not directly face or horizontally align with any windows on any adjacent residential building directly facing this wall and located within 10 feet of its side lot line. Such windows shall be off-set from the opposing window(s) by at least 5 feet from the side edge of each window.

#### **Sec. 24-79.4. – Light Glare into Residential Properties**

(A) There shall be no light glare from an adjacent private property into any exclusively residential lot. A reading of greater than 0.5 foot-candle, measured at ground level, on the residential property in question constitutes intrusion of glare. All fixtures on properties abutting an exclusively residential lot shall be fully shielded or be designed or provided with sharp cut-off capability in order to minimize up light, spill light, and glare.

### **ARTICLE VI. - PARKING, LOADING AND ACCESS**

#### **Sec. 24-80. - Off-street parking.**

(l) *Single family residential and duplex properties:*

(1) *Swale parking:* Parking in a swale shall be limited to the occupants or invitee of the occupant of the abutting property.

(2) *Driveway setbacks:* Any new driveway shall be setback a minimum of two and one-half (2½) feet from any side property line for any lot sixty (60) feet wide or wider.



- (3) *Grass parking:* Parking shall not be permitted in grass areas of ~~R-1, R-1A, R-1B, R-1C, R-2 and RD-10 residential properties~~ unless a temporary special residential event such as a birthday party, funeral, family reunion and/or another family social gathering is being held by the subject property owner for a period not to exceed eight (8) hours provided this is not between the hours of 2:00 a.m. and 7:00 a.m.

**Sec. 24-83. - Access.**

- (A) *Major streets.* Any proposed development located on arterial and urban collector streets as designated in the Oakland Park Comprehensive Plan must comply with the following requirements to ensure that the additional traffic generated by the proposed development can be accommodated by the regional transportation network at an acceptable level of service. These regulations shall apply in all zoning districts, however, on state or county roads the requirements of the Florida Department of Transportation or Broward County Transportation Department, respectively, must also be satisfied.

- (1) *Curb cut design standards:*

- (g) *Sight triangle:* See Landscape and Streetscape Design Standards as referenced in Sections 24-105 and 24-106 for sight triangle requirements. ~~At the intersection of any driveway and right of way line a twenty-foot clear sight triangle shall be maintained on each side of the driveway. No fence, wall, hedge, tree, structure or parking space shall be permitted within this clear sight triangle which obstructs cross-visibility. In addition, any corner property shall maintain a thirty-foot clear sight triangle at the intersection of the two (2) adjacent streets.~~

- (B) *Local streets.* For the purposes of this section, a "local street" is defined as any street not designated as an arterial or urban collector in the Oakland Park Comprehensive Plan. Any proposed driveway located within three hundred thirty (330) feet of an arterial or urban collector shall comply with the provisions of (5) above rather than the provisions below. These regulations shall apply in all zoning districts.

- (5) *Sight triangle:* See Landscape and Streetscape Design Standards as referenced in Sections 24-105 and 24-106 for sight triangle requirements. ~~At the intersection of any driveway and right of way line or alleyway and right of way line, a twenty-foot clear sight triangle shall be maintained on each side of the driveway or alleyway. No fence, wall, hedge, tree, structure or parking space shall be permitted within this clear sight triangle which obstructs cross-visibility. Lots that contain existing single family and duplex dwelling units may be permitted to have the clear sight triangle maintained along the edge of the existing paved street. In addition, any corner property shall maintain a thirty-foot clear sight triangle at the intersection of the two (2) adjacent streets.~~

- (8) *Signs and pavement markings:*

- (a) A stop sign shall be provided at each point of egress to any city or urban collector.
- (b) Any other traffic control signs deemed necessary by the engineering or planning departments for the public safety or convenience shall also be provided.
- (c) Any necessary pavement markings deemed necessary for traffic control by the engineering or planning divisions shall be provided. All such pavement markings shall be thermoplastic.
- ~~(d) If a situation arises due to extenuating circumstances, clear vision triangles may be waived in residential areas by the development review committee.~~

818 **ARTICLE VII. - STREET, SIDEWALK AND SUBDIVISION STANDARDS**

819  
820 **Sec. 24-96. - Subdivision layout and improvement standards.**

821 (L) *Lots.*

- 822 (3) *Double frontage and reverse frontage lots:* Double frontage and reverse frontage lots  
823 for residential uses shall not be approved except where essential as determined by the  
824 community development department to separate residential development from arterial  
825 roads, incompatible uses or to resolve site constraints associated with topography,  
826 orientation or layout. A planting strip of at least ten (10) feet, across which there shall be  
827 no right of access, and/or a buffer wall or other physical barrier approved by the  
828 community development department shall be provided along the line of lots abutting an  
829 arterial road or incompatible use.

830  
831 **ARTICLE XV. - NONCONFORMING USES AND STRUCTURES**

832  
833 **Sec. 24-208. – Reserved Nonconforming lots in R-1 and R-2.**

834 ~~If two (2) or more lots with continuous frontage and in common ownership were of record on~~  
835 ~~August 6th, 1958, and if all or part of the lots do not meet the requirements for building site area~~  
836 ~~or width, the land shall be considered to be an undivided parcel for the purposes of this code and~~  
837 ~~no division of the parcel which does not comply with the building site area and width requirements~~  
838 ~~of this code shall be made. This requirement shall not apply to lots or parcels located within the~~  
839 ~~community redevelopment area.~~

840 **ARTICLE XVIII. - DEFINITIONS**

841  
842 **Sec. 24-245. - General definitions.**

843 See other articles (particularly VII, XI and XIV) for specialized definitions and section IV of  
844 the 1989 City Comprehensive Plan for additional definitions.

- 845 (4a) Balcony: a platform that projects from the wall or forms an alcove into the wall of a  
846 building above ground level that is enclosed by a parapet or railing but not by walls or  
847 windows on all sides and that has no air conditioning.
- 848 (4b) Bay window: A window or series of windows projecting from the outer wall of a building  
849 and forming an alcove in a room. It may have its foundation in the ground or cantilevered  
850 from the outer wall. Such a space shall have a minimum of 35 percent of each wall  
851 surface area composed of glass. No wall surface area shall be greater than six (6) feet  
852 in length.

- 853  
854 (4ca) *Bed and breakfast dwelling:* A public lodging establishment in a converted single  
855 family or multi-family dwelling which provides overnight accommodations on less than a  
856 weekly basis with incidental eating and drinking service for lodgers only from a single  
857 kitchen on the premises.

- 858 (46) *Height:* The vertical distance from grade to the highest finished roof surface of a  
859 flat, gable, hip or gambrel roof, or top of a sign. Grade shall be taken as the average  
860 level of the ground adjoining a building line, or the first floor level, whichever is lowest.  
861 Height shall exclude chimneys, safety railings, parapets, cupolas, stair or elevator shafts,  
862 and the like.

- (55a) *Lot, front:* ~~The shortest lot line on abutting the street or the lot line as established by plat. For lots with multiple street frontages, including corner or through lots, the front of the lot can be determined by the Director of the Community and Economic Development Department to be the lot line abutting a street based on the block's established development pattern, based on existing or proposed building front entrance location(s) or based on the building lot's street address. For existing or proposed townhouses, shopping centers with more than one street-facing commercial storefront space, semi-detached duplex dwelling units, or other similar configurations, the front of the lot can be determined to be the street-abutting lot line that is in front of the greatest number of front entrances to the building or its units. The yard bordering the lot's front is to be regulated as the front yard, and the yard on the opposite end of the lot shall be regulated as the rear yard.~~
- (63) *Mobile home:* A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained herein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal manufactured home construction and safety standards. A mobile home in all zoning districts except the MH, Mobile Home District would only be permitted as a conditional use unless being used as emergency, temporary housing after a declared disaster that specifically damaged the dwelling it replaces.
- (63.1) *Modular home:* A structure, transportable in one (1) or more sections, which, in the traveling mode, is six (6) body feet or more in width, and which is designed or would be modified to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing and electrical systems contained herein. Shipping containers or other similar transportable structures brought to a lot for conversion to use as a residential dwelling would also be defined as a modular home. In all zoning districts would only be permitted as a conditional use.
- (68) *Parking space, off-street:* An area at least nine (9) feet by eighteen (18) feet, adequate for parking a standard-size automobile with room for opening doors on both sides, maneuvering, and with properly related access to a public street or alley. A compact parking space measures at least eight (8) feet by sixteen (16) feet. Up to 25 percent of the required parking in a building site is permitted to be compact parking.
- (72) *Porch:* A roofed-over space, with the roof impervious to weather, attached to the outside of an exterior wall of a building with no enclosure other than columns or posts supporting the roof and the exterior walls of such attached building. ~~Screening is not considered as forming an enclosure, and there shall not be air conditioning for a porch.~~
- (80a) *Stepback:* a step like recession in the profile of a building where upper portions of a building are setback further from the lot line than the lower portions to allow sunlight to reach the ground and lower floors.
- (95) *Yard, front:* A yard extending across the full width of a lot and extending between the lot front's property line and the front wall line of any main principal or accessory building, measured at its least dimension and extending from one (1) side yard to the other exclusive of steps and open terraces.
- (96) *Yard, rear:* A yard extending across the full width of a lot between the rear wall line of any principal main or accessory building and the rear line of the lot and is the yard on

the opposite side of the principal building from the front yard, measured at its least dimension.

(97) *Yard, side:* A yard between a principal or accessory building and the side line of the lot and extending from the ~~street line~~ front yard to the rear yard, measured at its least dimension.

**SECTION 3.** 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 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

**SECTION 5.** 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 6.** 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 , 2020.

J. BOLIN

M. CARN

T. LONERGAN

S. GUEVREKIAN

M. SPARKS

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ON**

948 SECOND READING, THIS , DAY OF , 2020.

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950 CITY OF OAKLAND PARK, FLORIDA

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MAYOR MATHEW SPARKS

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J. BOLIN \_\_\_\_\_

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M. CARN \_\_\_\_\_

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T. LONERGAN \_\_\_\_\_

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S. GUEVREKIAN \_\_\_\_\_

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M. SPARKS \_\_\_\_\_

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964 ATTEST:

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969 RENEE M. SHROUT, CMC, CITY CLERK

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971 LEGAL NOTE:

972 I hereby certify that I have approved the form of this Ordinance (O-2020-XXX):

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976 DONALD J. DOODY, CITY ATTORNEY