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ORDINANCE NO. O-2017-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 24 ENTITLED "SUPPLEMENTAL REGULATIONS", ARTICLE V.; BY SPECIFICALLY AMENDING SECTION 24-79.1. PROPERTY MAINTENANCE/OUTDOOR STORAGE AND JUNK OR ABANDONED PROPERTY TO CREATE A "CITYWIDE OUTSIDE STORAGE AREA REQUIREMENT FOR NONCONFORMING PROPERTIES IN COMMERCIAL (B-1, B-2 & B-3) AND LIGHT-INDUSTRIAL (I-1) ZONING DISTRICTS"; PROVIDING FOR COMPLIANCE WITH THE OUTSIDE STORAGE AREA REQUIREMENTS FOR ALL PROPERTIES IN COMMERCIAL (B-1, B-2 & B-3) AND LIGHT-INDUSTRIAL (I-1) ZONING DISTRICTS BY JULY 3, 2020, EXCLUDING PROPERTIES OWNED BY THE SCHOOL BOARD OF BROWARD COUNTY AND THE FEDERAL GOVERNMENT; PROVIDING FOR THE SUBMITTAL OF A SITE PLAN; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission deems it appropriate and in the best interests of the residents and business owners of Oakland Park to amend provisions of Chapter 24 Article V entitled "Supplemental Regulations" of the Code of Ordinances relative to Section 24-79.1 "Citywide Outside Storage Area Requirement for Non-Conforming Properties in Commercial (B-1, B-2 & B-3) and Light-Industrial (I-1) Zoning Districts" to provide for a new Citywide outside storage area requirement for nonconforming properties; and

WHEREAS, the City Commission of the City of Oakland Park, Florida has found that an amendment to the City's Land Development Code, Chapter 24 related to Community Appearance Standards and the new Citywide Outside Storage Area Requirement for Non-Conforming Properties in Commercial (B-1, B-2 & B-3) and Light-Industrial (I-1) Zoning Districts is necessary to promote the health, safety, and general welfare of the citizens of the City of Oakland Park, Florida; and;

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.

SECTION 2. That Section 24-79.1 (B) “Definitions” and (G) “Citywide Outside Storage Area Requirement for Non-Conforming Properties in Commercial (B-1, B-2 & B-3) and Light-Industrial (I-1) Zoning Districts.” of Article VIII. entitled “Supplemental Regulations,” of the Code of Ordinances of the City of Oakland Park is hereby created as follows:

Sec. 24-79.1. - Property maintenance/outdoor storage and junk or abandoned property.

* * *

(B) Definitions. In addition to the terms defined in Article XVIII, "Definitions," the following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning.

Outdoor storage. The storage of items such as boats, vehicles, recreational vehicles, contractor supplies, construction materials, and other similar items outside of an enclosed building for more than 24 hours and that are accessory to the use of the property, except as provided for in Section 24-150(I), City of Oakland Park Code of Ordinances.

✱ ✱ ✱

(G) Citywide Outside Storage Area Requirement for Non-Conforming Properties in Commercial (B-1, B-2 & B-3) and Light Industrial (I-1) Zoning Districts.

(1) Purpose & intent. Providing for compliance with the outside storage area requirements of Article V, Sec. 24-79.1, Property maintenance/outdoor storage and junk or abandoned property, of the City's Land Development Code for all Commercial (B-1, B-2 & B-3) and Light-Industrial (I-1) zoned properties by July 3, 2020, excluding properties owned by the School Board of Broward County and the Federal Government.

(a) Outside storage areas. All existing Commercial (B-1, B-2 & B-3) and Light-Industrial (I-1) zoned properties that have outside storage areas shall be fenced from view, completely enclosed as viewed from the street or right-of-way and all other adjacent properties by a vision-obscuring fence or wall a minimum of 6½ feet in height and with a maximum

- 1 height of 8 feet. All openings shall have gates with vision-obscuring
2 materials.
- 3 (b) Compliance period. All Commercial (B-1, B-2 & B-3) and Light-
4 Industrial (I-1) zoned properties with outside storage areas shall bring the
5 subject real property into compliance with this section the Code of
6 Ordinance no later than July 3, 2020, which shall include obtaining all
7 required permits and completing the work.
- 8 (c) Permitted height for items and materials stored in enclosed areas. The
9 allowable height for items and materials stored in properly walled or
10 fenced areas shall not exceed the height of the fence or wall unless such
11 materials, equipment or vehicles are essential to the business. For
12 example, a boat repair and/or sales business may store boats that exceed
13 the height of the wall or fence. Construction equipment and vehicles that
14 exceed the height of the wall or fence are permitted provided there is an
15 active and valid permit issued by the appropriate governmental entity for
16 construction activity at that location.
- 17
- 18 (H) Fencing materials permitted. Masonry walls, chain link fences with either a vinyl
19 coating and vinyl slats, aluminum slats, fiberglass slats; or polyvinyl chloride (PVC)
20 fencing and/or board on board/stockade wood fences. No solid color mesh fencing type
21 materials will be permitted with chain link fences. No barbed wire or razor wire is
22 permitted on fences within the B-1, B-2 and B-3 zoning districts. In the I-1 zoning
23 district, barbed and razor wire may not be visible from any residential properties.
- 24
- 25 (I) Maintenance. All outside storage areas and fencing must be maintained and kept in
26 good repair at all times and graffiti free.
- 27
- 28 (J) Procedure for violations; notices. The procedure for violations and notices shall be
29 pursuant to Florida State Statutes Chapter 162.
- 30

31 **SECTION 3.** If any clause, section or other part of this Ordinance shall be
32 held by any Court of competent jurisdiction to be unconstitutional or invalid, such
33 unconstitutional or invalid part shall be considered as eliminated and in no way
34 affecting the validity of the other provisions of this Ordinance.

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

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

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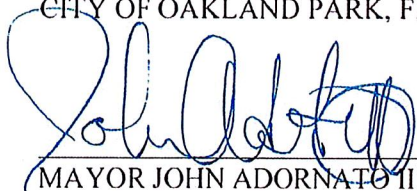
1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,
2 FLORIDA, ON FIRST READING, THIS 2nd DAY OF AUGUST 2017.
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5 T. LONERGAN	<u>YES</u>
6 S. GUEVREKIAN	<u>YES</u>
7 M. SPARKS	<u>YES</u>
8 M. CARN	<u>YES</u>
9 J. ADORNATO III	<u>YES</u>

10
11 PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
12 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 6TH DAY OF
13 SEPTEMBER 2017.
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15 CITY OF OAKLAND PARK, FLORIDA

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MAYOR JOHN ADORNATO III

22 T. LONERGAN	<u>YES</u>
23 S. GUEVREKIAN	<u>ABSENT</u>
24 M. SPARKS	<u>YES</u>
25 M. CARN	<u>YES</u>
26 J. ADORNATO III	<u>YES</u>

29 ATTEST:

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RENEE M. SHROUT, CMO, CITY CLERK

35 LEGAL NOTE:

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37 I hereby certify that I have approved the form of this Ordinance. (O-2017-011)
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DONALD J. DOODY, CITY ATTORNEY