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AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA; AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 24 ENTITLED "LAND DEVELOPMENT CODE"; SPECIFICALLY AMENDING SECTION 24-175(G) PROVIDING FOR IN INCREASE TO THE CITYWIDE PARK IMPACT FEE; AND AMENDING SECTION 24-271(B) PROVIDING FOR THE PARK AND OPEN SPACE FEE APPLICABLE TO PROPERTIES IN THE DOWNTOWN MIXED USE DISTRICT TO BE SUBJECT TO THE PARK IMPACT FEE ESTABLISHED IN SECTION 24-175(G); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

18 **WHEREAS**, the City Commission of the City of Oakland Park has determined
19 that it is in the best interest of the residents of the City to amend the City’s Code of
20 Ordinances by amending Chapter 24, entitled “Land Development Code”;

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

25 **SECTION 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed
26 as being true and correct and are made a part of this Ordinance.

28 **SECTION 2.** That Chapter 24, entitled “Land Development Code” of the Code of
29 Ordinances is hereby amended as follows:

31 Sec. 24-175. - Concurrency standards and procedures.

32 (G) *Park impact fee.*

(1) If required by the city, residential development shall be subject to payment of a park impact fee at the time of building permit issuance for any new residential

dwelling unit. A park impact fee shall be paid in the amount of one thousand five hundred (\$1,500.00) per new unit. The park impact fee amount required shall be adjusted as shown below:

(a) Effective 11/01/2021: \$1,687.50

(b) Effective 10/01/2022: \$1,875.00

(c) Effective 10/01/2023: \$2,062.50

(d) Effective 10/01/2024: \$2,250.00

(2) When requiring the park impact fee in lieu of land dedication, a ~~\$1,500.00~~ payment shall be required ~~prior to issuance of a permit~~ at the time of building permit issuance for each new unit.

(a) Example: 5 dwelling units \times ~~\$2,250~~~~\$1,500~~ = ~~\$7,500~~ \$11,250 fee in lieu of land dedication.

(b) Fees collected shall be kept in an appropriate park impact fee account for the purpose of park land acquisition, development, enhancement or expansion of existing city owned parks or sites that the city maintains for recreational purposes. The expenditure of these funds shall accommodate increased utilization at the city owned or maintained parks or sites.

Sec. 24-271. - Fees.

(B) *Park and open space charge.* ~~As established in Sec. 24-175(G), a park and open space charge of one thousand five hundred dollars (\$1,500.00) for every dwelling unit shall be paid before issuance of a building permit for development and redevelopment within the Downtown Mixed Use District.~~

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

1 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
2 "Article," or such other word or phrase in order to accomplish such intention.

3

4 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
5 the City Commission of the City of Oakland Park.

1 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**
2 **FLORIDA, ON FIRST READING, THIS 16th DAY OF JUNE 2021.**

3
4 M. CARN _____
5 A. GORDON _____
6 M. ROSENWALD _____
7 M. SPARKS _____
8 J. BOLIN _____
9

10
11
12 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**
13 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS ____ DAY OF**
14 **_____ 2021.**

15
16 CITY OF OAKLAND PARK, FLORIDA
17

18
19 _____
20 MAYOR JANE BOLIN
21

22 M. CARN _____
23 A. GORDON _____
24 M. ROSENWALD _____
25 M. SPARKS _____
26 J. BOLIN _____
27

28 ATTEST:
29
30
31

32 _____
33 RENEE M. SHROUT, CMC, CITY CLERK
34
35

36 LEGAL NOTE:
37 I hereby certify that I have approved the form of this Ordinance (O-2021-XXX):
38
39
40

41 _____
42 DONALD J. DOODY, CITY ATTORNEY