

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31

32
33
34
35

36
37
38

39
40

36
37
38

39
40

Page 1 of 77

1 for Downtown, and a proposed overhaul the current Downtown Mixed Use District such
2 that the current regulations, which have been in place for more than a decade could be more
3 effective; and

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

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

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

12 **SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed
13 as being true and correct and are hereby made a part of this Ordinance upon adoption
14 thereof.

15 **SECTION 2.** Chapter 24, Article XX is hereby repealed and replaced with text
16 and graphics as follows:

17 ARTICLE XX. - OAKLAND PARK DOWNTOWN DEVELOPMENT
18 DISTRICT (OP3D) REGULATIONS

19
20 Sec. 24-254. - Title.

21
22 These regulations shall be known as, cited as, and referred to as the "Oakland
23 Park Downtown Development District Regulations" or "OP3D."

24
25 Sec. 24-255. - Table of contents.

26
27 Sec. 24-256. Authority.

28 Sec. 24-257. Conflicts with other chapters and regulations.

29 Sec. 24-258. Purpose and intent.

30 Sec. 24-259. Definitions.

31 Sec. 24-260. Area of Oakland Park Downtown Development District

32 Sec. 24-261. Development regulations.

33 Sec. 24-262. Effective date.

34 Sec. 24-263. Street Classification.

1	Sec. 24-264. Districts and Sub-areas.
2	
3	(A) District Sub Area Map
4	(B) Downtown Core (DC)
5	(a) Downtown Core East (DCE)
6	(b) Downtown Core West (DCW)
7	(C) Intown Neighborhoods (IN)
8	(D) Warehouse Flex (WF)
9	(a) Warehouse Flex North (WFN)
10	(E) Reserved
11	(F) North End Townhomes
12	
13	Sec. 24-265. Design Guidelines.
14	Sec. 24-266. Downtown Development District (OP3D) Use List.
15	Sec. 24-267. Accessory structures.
16	Sec. 24-268. Non-conforming uses and structures.
17	Sec. 24-269. Landscaping.
18	Sec. 24-270. Bonus provision program.
19	Sec. 24-271. Parking.
20	Sec. 24-272. Fees.
21	Sec. 24-273. Development review procedure.
22	Sec. 24-274. Prohibited structures.
23	Sec. 24-275. Offsite drainage.
24	Sec. 24-276. Public art program.
25	Sec. 24-277. Signage
26	Sec. 24-278. Vision Clearance Triangles
27	Sec. 24-279. Minimum transparent glazing on facades
28	Sec. 24-289. Special Regulations for all areas of OP3D
29	Secs. 24-281—24-284. - Reserved.
30	
31	Sec. 24-256. - Authority.
32	
33	These regulations are adopted pursuant to F.S. Ch. 163, Pt. II.
34	
35	Sec. 24-257. - Conflicts with other chapters and regulations
36	

1 When conflicts with other City of Oakland Park Land Development
2 Code regulations occur, this Article XX shall take precedence. For subjects
3 not contained in this article, the City of Oakland Park Land Development
4 Code shall be utilized. All development within the OP3D shall be consistent
5 with the Oakland Park Comprehensive Plan Local Activity Center. This
6 Article XX and documents adopted by reference as part of this article also
7 take precedence over the following regulations of the *Oakland Park*
8 *Landscape and Streetscape Design Standards*, such that they are not
9 applicable or are only applicable as amended herein:
10

- 11 A. Section 1.A.8. Not applicable for parcels within the OP3D
- 12 B. Section 1.C.1.a. For parcels within the OP3D, the 10-foot
13 requirement is reduced to instead be the maximum feasible width
14 possible to provide area for landscaping while accommodating
15 buildings and required parking.
- 16 C. Section 1.C.1.d. Not applicable for parcels within the OP3D
- 17 D. Section 1.C.1.e. Not applicable for parcels within the OP3D
- 18 E. Section 1.C.1.g. Not applicable for parcels within the OP3D
- 19 F. Section 1.C.1.h. Not applicable for parcels within the OP3D
- 20 G. Section 1.C.1.i. Not applicable for parcels within the OP3D
- 21 H. Section 1.C.2.a. For parcels within the OP3D, the 5-foot
22 requirement is reduced to instead be the maximum feasible width
23 possible to provide area for landscaping while accommodating
24 buildings and required parking.
- 25 I. Section 1.C.2.b. For parcels within the OP3D, the 10' foot
26 requirement is reduced to instead be the maximum feasible width
27 possible to provide area for landscaping while accommodating
28 buildings and required parking.
- 29 J. Section 1.C.3.h. Not applicable for parcels within the OP3D
- 30 K. Section 1.D.7.a. Not applicable for parcels within the OP3D
- 31 L. Section 3.A.2. Not applicable for parcels within the OP3D
- 32 M. Section 3.B.1. For parcels within the OP3D, an additional
33 requirement applies that front yard fences shall be a minimum of
34 50 percent pass-through-open and no taller than 36 inches tall.
35 Chain link fences are not to be permitted in the OP3D for any
36 fence visible from a public right of way.
- 37 N. Section 3.C.2.c. Not applicable for parcels within the OP3D

1 Sec. 24-258. - Purpose and intent.
2

3 (A) The purpose of these regulations is to create a structure for the
4 redevelopment of "Downtown Oakland Park" as set forth in the
5 Oakland Park Master Plan. Through a planning process it was
6 determined that the Oakland Park Downtown Development
7 District would be redeveloped based on a community vision,
8 allowing mixed-use opportunities, encouraging desirable
9 downtown redevelopment, fostering smart growth and economic
10 development, a focus on transit, bike and pedestrian orientation,
11 public parking and creating locations for public events and
12 activities. These Downtown Development District Regulations set
13 forth to carry out the Oakland Park Master Plan through city
14 direction of building form, architecture, land uses, and addition of
15 public amenities.
16

17 (B) The city commission deems it the interest of the public
18 health, safety, morals, comfort and general welfare of the city
19 and its residents to establish a general plan for the redevelopment
20 of the city designated as the local activity center.
21

22 (C) The city commission of the City of Oakland Park finds
23 that the enactment of this ordinance shall serve and better the
24 public welfare and benefit the citizens and residents of the
25 city providing for an orderly and structured development
26 process for the area of the city designated as the Oakland Park
27 Downtown Development District. In setting about to create
28 the Downtown Development District, the city commission
29 takes into account the findings, interpretations, and narrowing
30 constructions incorporated in numerous cases and finds that:
31

32 (1) The enactment of this ordinance creating the Oakland Park
33 Downtown Development District will serve to promote and
34 benefit the welfare and safety of the city.

35 (2) The redevelopment of the area adjacent to the Dixie Highway
36 and Oakland Park Blvd corridors which make up the Oakland

- 1 Park Downtown Development District will serve the public
2 welfare by creating and providing financial viability for the
3 City of Oakland Park.
- 4 (3) The creation of the Oakland Park Downtown Development
5 District will serve to protect and enhance the residential
6 character of the city and promote the sense of community.
- 7 (4) Creation of the Oakland Park Downtown Development District
8 will serve to conserve and protect property and property values
9 and will secure an appropriate use of the land within the
10 district to ensure that the long standing sense of community, an
11 integral component of the City of Oakland Park, is preserved.
- 12 (5) The development capacities are summarized in a Building
13 Requirements
14 Table for each District which restrict buildings through a
15 number of regulatory parameters including height, setbacks
16 and open space. These regulatory parameters shall delineate
17 the building envelope within which a building shall be
18 designed to enable maximum creativity while maintaining a
19 cohesive urban fabric. In some instances, the building
20 envelope may limit the development capacity, and FAR and
21 Density shall not be maximized as defined in the Building
22 Requirements Table per District.
- 23 (6) Developments with more than one zoning designation (on
24 separate and discrete areas) are permitted. The development
25 capacity shall be calculated separately for each portion of the
26 site according to its respective Floor Area Ratio (FAR) and
27 density which may then be combined to determine the
28 maximum capacity for the entire site. Land use and
29 development shall be in conformance with the applicable
30 District Regulations for each portion of the site.

31
32 Sec. 24-259. - Definitions. The definitions included in this section apply to
33 the Oakland Park Downtown Development District. Definitions not
34 included in this list but found in other sections of the Land Development
35 Code also apply. Any definition is to be used as interpreted by the Director
36 of Economic and Community Development.
37

1 *Active use.* An indoor use designed for human occupancy as habitable space
2 with a direct view to adjacent streets or *public open space*.

3
4 *Active use liner.* An *active use* that serves to conceal uses designed for
5 *parking, utilities, storage,* and other non-habitable uses. Active liner uses
6 generally include, but are not limited to, commercial, residential, hotel,
7 office and commercial uses associated with *live/work*.

8
9 *Active use liner depth.* Is the minimum depth of an *active use liner*,
10 measured generally perpendicular to the *building frontage*. The *active use*
11 *liner* shall have a minimum depth of twenty (20) feet on the ground floor
12 where required. When a *parking structure* is the primary use, the *active use*
13 *liner* may be reduced to a minimum of fifteen (15) feet.

14
15 *Alteration.* Any change, rearrangement, enlargement, extension, or
16 reduction of any structure, or any change in a category of occupancy of a
17 structure.

18 Alteration includes any of the following:

- 19
20 (1)Changes to the facade of a building;
21 (2)Changes to the interior of a building;
22 (3)Increases or decreases in floor area of a building;
23 (4)Changes to other structures on the zoning lot, or the
24 construction of a new structure;
25 (5)Changes to exterior improvements; and
26 (6)Change in use.

27
28 Any change in size, shape, occupancy, character, or use of a building or
29 structure.

30
31 *Block.* A combination of one or more building lots, the perimeter of which
32 abuts streets on all sides. A block may contain alleys.
33

1 *Bonus Provision.* An additional amount of building *height*, intensity, or
2 density achieved through bonus provisions of these regulations. The purpose
3 of bonus provision is to provide public benefits. Bonus height is measured
4 in a manner identical to that of *height*. The available development intensity
5 and availability of bonus height varies by sub-area and location.

6
7 *Buildings.* Any principal or accessory structure, temporary or permanent,
8 having a roof impervious to weather, including tents, awnings and cabanas,
9 the use of which demands a permanent location on the land and used for the
10 shelter or enclosure of persons, animals, or property of any kind. This does
11 not include screened enclosures not having a roof impervious to weather,

12
13 *Buildings, Temporary:* A building installed or built such that it would be
14 removed or relocated within 6 months of the date of installation or
15 construction or a time limit based on a specific Government-acknowledged
16 condition such as an active building permit.

17
18 *Canopy.* A roof covering that is open on more than one side with support
19 from only one side or from central posts.

20
21 *Change of use.* For purposes of this section, a change to the interior use of a
22 building or structure from one of the following categories of uses to another:
23 commercial, industrial or warehousing, automotive, institutional, or
24 residential.

25
26 *Commercial.* retail, food or beverage service, or office activity
27 conducted with the intent of realizing a profit, or revenue or service for a
28 non-profit organization, from the sale of goods or services to others.

29
30 *Cornice.* An ornamental horizontal molding that spans the top of a
31 building's structural beam or the top of a building story. A cornice is a
32 decorative feature that frames or crowns a building or stories of a building.

33
34 *Covered structures, Rooftop.* Rooftop open-air structures such as cabanas,
35 gazebos, arbors, and other similar structures which accommodate outdoor
36 common areas. It also includes non-habitable enclosed structures such as

1 restrooms, vertical circulation, and storage areas. The following shall apply
2 to be defined and allowable as a covered structure, rooftop:

3 • Covered structures are permitted to *extend above* the maximum *height*
4 of the building on which it is located for a maximum floor area of
5 thirty (30) percent of the gross rooftop area and shall not include
6 commercial uses. For the purposes of calculating the maximum area,
7 the term "covered structures" shall not include enclosures for
8 screening mechanical systems. The maximum height of these covered
9 structures is fifteen (15) feet.

10 • Covered structures shall not be designed in any manner that would
11 permit the conversion of such structure from non-habitable to
12 habitable space. Covered structures shall be compatible with and in
13 proportion to the architecture of the overall building. The following
14 restrictions apply:

15 ⊖ Climate-controlled structures are limited to the minimum area
16 necessary to accommodate uses which are secondary and
17 incidental to the primary rooftop amenity. These structures
18 may include saunas and steam rooms and code-required
19 restrooms.

20 ○ The supporting restroom facilities shall not exceed 110
21 percent of the size required by the health department. These
22 restroom facilities shall be included in the calculation of the
23 permitted area for covered structures.
24

25 *Dwelling unit.* Any combination of two or more of the following elements:
26 living rooms, bathrooms, bedrooms, dens, studios, playrooms, or kitchen
27 that are designed, occupied, or intended for occupancy as a separate living
28 quarter, with cooking, sleeping, and sanitary facilities provided within the
29 dwelling unit for the exclusive use of a single household. All rooms in the
30 dwelling unit are accessible from the interior of the unit.

31
32 *Development.* Construction, reconstruction, structural alteration, relocation,
33 enlargement, or demolition of a structure.
34

35 (a)The carrying out of any building activity, other than maintenance, minor
36 aesthetic updating, or repairs; the construction to make a material change in
37 the use or appearance of any structure or land; or the dividing of land into two
38 (2) or more parcels.

1 (b)The following activities or uses shall be taken for the purposes of this
2 chapter to involve "development," as defined in this section:

- 3 1. A reconstruction, alteration of the size or a material change in the
4 external appearance of a structure or land.
- 5 2. A change in the intensity of use of land, such as an increase in the
6 number of dwelling units in a structure or on land or a material
7 increase in the number of businesses, manufacturing establishments or
8 offices in a structure or on land.
- 9 3. Commencement of drilling, except to obtain soil samples, or
10 excavation on a parcel of land.
- 11 4. Demolition of a structure.
- 12 5. Clearing of land as an adjunct of construction.

13
14 (c) The following operations or uses shall not be taken for the purpose of this
15 chapter to involve "development" as defined herein:

- 16 1. Work by a highway or road agency or railroad company for the
17 maintenance or improvement of a road or railroad track, if the work is
18 carried out on land within the boundaries or the right-of-way.
- 19 2. Work by any utility and other persons engaged in the operation,
20 construction, maintenance, repair, replacement of utility systems or
21 facilities within established rights-of-way. Utilities are defined as
22 water, wastewater, storm water, gas, cable, power line,
23 communication and data transmission conduits, tower poles or tunnels
24 and transportation utility tracts. However, an engineering or right-of-
25 way permit shall be required for such activities.
- 26 3. Work for the maintenance, renewal, improvement or alteration of any
27 structure, if the work affects only the interior or the color of the
28 structure or the decoration of the exterior of the structure.
- 29 4. The use of structure for any purpose customarily incidental to
30 enjoyment of the dwelling or facility; an accessory use.
- 31 5. The use of any land for the purpose of growing plants, crops, trees and
32 other gardening products.
- 33 6. A change in use of land or structure if the new use is in a class which
34 has the same or lesser parking ratio requirements.
- 35 7. A change in the ownership or form of ownership of any parcel or
36 structure.
- 37 8. The creation or termination of rights of access, riparian rights,
38 easements, covenants concerning development of land or other rights
39 in land.

1
2 (d) "Development," as designated in an ordinance, rule or development rule
3 includes all other development customarily associated with it unless otherwise
4 specified. When appropriate to the context, "development" refers to the act of
5 developing to the result of development. Reference to any specific operation is
6 not intended to mean that the operation or activity, when part of other
7 operations or activities, is not development. Reference to particular operations
8 is not intended to limit the generality of subsection (a).
9

10 *Floor Area Ratio (FAR)* – The ratio of the net *project site* area to the total
11 *building(s) floor area(s)* of the *project site*. The Floor Area Ratio defines the
12 maximum allowable *building area* on a given *lot*. *Building floor area*, strictly
13 for the purpose of measuring *FAR*, means the total floor area of a building,
14 excluding indoor parking; indoor accessory loading areas (unless building is
15 used for warehouse, storage, distribution, fulfillment, or similar use where
16 loading is a primary function of the business, then this area is included);
17 unenclosed *colonnades*; *porches* and *balconies*; mechanical and electrical
18 rooms/spaces solely for building utilities; and trash rooms. Air-conditioned
19 or fully enclosed storage spaces, enclosed areas on the *rooftop garden*, such
20 as bathrooms and lobbies, vertical circulation areas and external unenclosed
21 circulation areas are included in the *building area*. The *building area* shall be
22 measured from the outside face of exterior walls.
23

24 *Frontage*. The property line or facades of a building which front a
25 roadway's right-of-way.
26

27 *Ground floor*. The *story* of a building closest to street-level.
28

29 *Ground floor active use*. An *active use* that attracts pedestrian activity;
30 provides access to the general public; and shall also be used to conceal uses
31 designed for *parking* and other *non-active uses*, if present. Ground floor
32 active uses generally include, but are not limited to, retail, commercial
33 services, restaurants, coffee shops, libraries, fitness/athletic and cultural
34 facilities, residential, and entrance lobbies.

1
2 *Habitable space.* A space devoted to residential, commercial or other uses
3 permitted by these regulations, but not including parking, mechanical,
4 telecom or electrical rooms, hallways or stairwells located outside of
5 dwelling units.
6

7 *Height:* The maximum vertical extent of a building that is measured as a
8 number of stories or a vertical dimension in feet. Height is calculated from
9 the average elevation of the adjacent public sidewalk to the highest point of
10 the building, or in the case of pitched roofs, to the peak of the roof.
11

12 Additionally, the following shall apply:

- 13 • Height limits do not apply to *vertical projections* not intended for human
14 occupation such as, chimneys, safety railings, parapets, cupolas, stair or
15 elevator shafts, screened mechanical equipment, masts, water tanks,
16 solar energy systems and similar structures provided these are a
17 maximum of 15 feet above permitted building height.
- 18 • To be considered a story, the habitable space must exceed fifty (50)
19 percent of the floor area of that story.
- 20 • When the mezzanine area is greater than fifty (50%) percent of its floor
21 area's horizontal plane within the walls of its building, excluding non-
22 habitable space, it shall count as a full story when calculating building
23 height.
- 24 • Any parking garage levels that are not concealed from the highest
25 classification of fronting street abutting the site by a habitable space
26 consisting of active use for a minimum depth of twenty (20) feet from
27 the building façade for a minimum of 65 percent of structure width are
28 considered to be stories.
- 29 • Based on the number of stories permitted at a site in a sub-area, the
30 maximum permitted vertical dimension in feet is as follows:
 - 31 ○ 2 permitted stories shall not exceed 27 feet
 - 32 ○ 3 permitted stories shall not exceed 36 feet(*) and 45 feet
 - 33 ○ 4 permitted stories shall not exceed 58 feet
 - 34 ○ 5 permitted stories shall not exceed 70 feet
 - 35 ○ 6 permitted stories shall not exceed 83 feet

1
2 All Permitted Height at three stories shall be a maximum height of
3 thirty-six (36) feet in the Intown Neighborhoods Sub-Area.

4 Refer to Height Code in Map in Figure 24-264-# for each respective
5 Sub-Area.

6 (*) Applicable to Intown Neighborhoods SubArea only.
7

8 *Land Development Code.* Those portions of the Code of Ordinances of the
9 City of Oakland Park which regulate the development and/or use of real
10 property within the city.

11
12 *Live/Work.* A type of mixed-use indoor space that combines commercial
13 space with dwelling space in the same unit. Both uses within the unit shall be
14 occupied by a common owner or tenant.

15
16 *Lot.* A parcel of land with frontage on a street possessing specific boundaries
17 established by a legal instrument such as a deed or recorded plat, recognized
18 as a separate legal entity for purposes of transfer of title. The term “lot” will
19 be construed to include the terms “site,” “parcel”, “property” and any other
20 similar undefined term.

21
22 *Mixed-use.* A combination of two or more of the following within a single
23 building: residential, commercial, manufacturing/warehousing, civic, and/or
24 office.
25

26 *Mezzanine.* A partial *story* that occurs only between the first and second *story*
27 and shall be utilized for functions ancillary to *ground floor* uses. All
28 mezzanine areas shall count towards the maximum allowed Floor Area Ratio.
29 When the mezzanine area is equal to or greater than fifty (50) percent of the
30 ground floor area, it shall count as a full story when calculating building
31 height.

32
33 *Net Lot Area.* The total area measured to the property lines of the parcel or
34 lot excluding public right-of-way
35

1 *Net Floor Area.* The exclusive or private floor area under the control of a
2 resident or business establishment exclusive of common areas. Net area
3 includes private bathrooms, utility areas under exclusive use, and storage
4 areas under exclusive use.

5
6 *Net density.* The number of residential dwelling units or residential portions
7 of live/work units constructed or proposed to be constructed within a project
8 site, divided by the net area of the project site.

9
10 *Non-active use.* Building uses that are generally not intended for human
11 occupation. Non-active uses include, but are not limited to, *parking* and
12 building service areas such as storage, mechanical, electrical and trash.
13 *Architectural treatment* shall be provided for all non-active use façade
14 elevations.

15
16 *Open space.* An outdoor, at the ground floor space including parks,
17 courtyards, squares, paseos, pedestrian paths, setbacks and landscaped
18 areas. Only outdoor, at ground floor spaces are to be considered to fulfill the
19 open space requirements within a development. Open space is measured as
20 a percentage of *net area* depending on the sub-area location. Rooftop
21 gardens and terraces, or other gardens/terrace within a multi-level building
22 could be considered as open space for public benefit as part of the Bonus
23 Provision Program (BPP).

24
25 *Parking, Indoor.* The uses or areas of a building intended primarily for the
26 storage of motor vehicles and associated vehicle movement and maneuvering
27 areas. Parking shall be considered a *non-active use*.

28
29 *Paseo.* A through-block, primarily pedestrian passage connecting one right-
30 of-way or similar passage to another.

31
32 *Pervious area.* Landscaped and/or grassed area of a lot which allows water
33 flow to flow directly to the ground and includes pervious materials, such as
34 pavers for walkways, parking spaces, drive aisles, etc.

35
36 *Plaza.* An open space where a majority of the space is paved. Plazas abut

1 buildings that continue the adjacent street frontage requirements and uses.

2
3 *Project Site.* The aggregation of lots consisting of a development project site
4 where the lots are contiguous or only separated by streets, alleys or other
5 rights-of-way. Project site may cross platted lines.

6
7 *Private open space.* The outdoor living area assigned to a dwelling or
8 commercial unit or building intended for the private enjoyment of the
9 residents or occupants of the unit or units in the building. Private open
10 spaces may include patios, roof decks, balconies, yards, and landscaped
11 areas but does not include off-street parking, maneuvering, loading, or
12 delivery areas.

13
14 *Public amenity.* Aesthetic feature, functional feature, or other character of a
15 development that increase its desirability to a community or to the public.
16 Such public amenities will be placed in publicly accessible areas or, if
17 aesthetic, areas visible from the sidewalk or right-of-way.

18
19 *Public open space.* Open space maintained for the use and enjoyment of the
20 general public. Public open space includes areas which are open and
21 accessible to the public all or most of the time including: parks, squares,
22 paseos, pedestrian paths, rooftop gardens and terraces, and landscaped
23 areas.

24
25 *Residential.* Regularly used by its occupants as a permanent place of
26 abode.

27
28
29 *Setback.* The required distance by which any building or structure must be
30 separated from a property line consisting of the lot line or right-of-way line.

31
32 *Shared parking.* Parking available to be used by more than one use, user, or
33 building.

1 *Stepback*: A building Setback of a specified distance from the ground floor
2 set-back line that occurs above a prescribed number of Stories. A stepback
3 can also be a setback for the whole building.

4
5 *Story*. A habitable space in a building between the surface of any floor and
6 the surface of the next floor above, or if there is no floor above, then the
7 space between such floor and the roof beam above. To be considered a
8 story, the habitable space must exceed fifty (50) percent of the floor area per
9 story.

10
11 *Street*. A thoroughfare to facilitate the movement of pedestrians and/or
12 vehicles.
13

14 *Street classification*. A Downtown street designation system that regulates
15 the characteristics of streets with respect to spatial dimension, pedestrian and
16 vehicular mobility and building *active uses*. *Street classification* consist of
17 eight types: Primary Boulevard, Primary Pedestrian A, Primary Pedestrian B,
18 Primary Pedestrian C, Secondary, Tertiary, Residential, Alleys and
19 Pedestrian Promenade. This classification is strictly a City of Oakland Park
20 street hierarchy for the Downtown.

21
22 *Sub-area*. Zoning category depicting regulations over a designated area.
23

24 *Surface parking lot*. A lot, or portion thereof, open to the sky and primarily
25 used for *parking* motor vehicles at the *ground level*.
26

27 *Tandem Parking*. The storage of vehicles one behind the other as opposed to side
28 by side.
29

30 *Townhome*. dwelling units which are joined to one another, side-to-side by a
31 common party wall or garage, and/or with connecting permanent and
32 architecturally unified structures such as breezeways, carports, or walls.
33 Townhomes are in groups of three or more units. Each unit shall have its

1 own outside entrance and not be occupied by more than one (1) family.
2 Each unit extends from the lowest story to the highest story in the portion of
3 the building it occupies.
4

5
6 Sec. 24-260. - Area of Oakland Park Downtown Development District.
7

8 These regulations apply to the area defined in the City of Oakland Park
9 Future Land Use map designated "Local Activity Center," as may be
10 amended from time to time. This area will be referred to in the following
11 regulations as the "Oakland Park Downtown Development District
12 (OP3D)."
13

14
15 Sec. 24-261. - Development regulations.
16

17 Any, development, or redevelopment within the Downtown
18 Development District shall conform to the regulations set forth in
19 this Chapter 24, Article XX.
20

21
22 Sec. 24-262. - Effective date.
23

24 This Chapter 24, Article XX, Downtown Development District
25 Regulations shall be effective as of the approval and passage by the Oakland
26 Park City Commission.
27

28
29 Sec. 24-263. -Street Classification
30

31 The street classification system is created as a rationale for organizing ground
32 floor active uses, parking garage liners and building setbacks requirements. Figure
33 24-263-1 shows the approximate location of existing and required new streets
34 needed to create the prescribed network of streets and establishes the hierarchy of
35 streets within the OP3D. All projects that require DRC review or that consist of
36 site modifications, installations, or construction affecting landscaping and foliage
37 or pedestrian areas require construction of a public sidewalk along any street

frontage bordering the lot if such sidewalk is not already constructed. The following shall also apply:

- All Primary and Secondary Streets shall be required in the same general location as shown on Figure 24-263-1 and may be modified with respect to alignment. No existing Primary and Secondary Streets shall be deleted or otherwise vacated or removed. Where designated by Figure 24-263-1 Regulating Map: Street Classification, new streets shall be created to improve connectivity.
- Primary Pedestrian Streets are the main walking streets which provide most of the ground floor active uses. Frontages along Primary Boulevard shall provide a minimum of 65% of ground floor active uses. Frontages along Primary Pedestrian A or Pedestrian B Streets shall provide a minimum of 65% of ground floor and any floor above ground as active uses with a minimum active liner depth of twenty (20') feet. Primary Pedestrian C streets are the main walking cross streets within the district. Frontages along Primary Pedestrian C streets shall provide a minimum of 65% of ground floor and any floor above ground as active use. For lots less than 200' in frontage, if cannot accommodate this % requirement on floors above, architectural treatment is required.
- Primary Pedestrian D streets are also main walking streets within the district. Frontages along Primary Pedestrian D streets shall provide a minimum of 50% of ground floor and any floor above ground as active use. Primary Pedestrian D streets can accommodate parking and loading access.
- Secondary Streets can accommodate parking and loading. Frontages along Secondary Streets shall provide a minimum of 30% of ground floor active uses.
- Frontages along Tertiary Streets and Pedestrian Promenade shall provide a minimum of 20% of ground floor active uses.
- Residential Streets are intended to accommodate landscaped green space and to promote connectivity and on-street parking where it can be constructed.
- Vacation of alley rights-of-way proposed developments may seek to vacate alleys for the purpose of assembling parcels for development, subject to the following conditions:

- 1 ○ Any proposed development seeking to vacate an alley, or any
2 portion of an alley shall be subject to the provisions of Section
3 24-97 of the Land Development Code.
- 4 ○ Proposed developments which vacate an alley shall have all
5 services, such as but not limited to loading, trash removal and
6 general services, internalized and screened from public view.
- 7 ○ Proposed developments which vacate portions of alleys shall
8 reconfigure the alley to maintain two separate access points for
9 entry and exit onto the street. The reconfigured alley shall
10 have the minimum dimensions recommended by the Public
11 Works Department.
- 12
- 13



1 Figure 24-263-1 Hierarchy of Streets: The prescribed network of streets and establishes
2 the hierarchy of streets
3 24-264. - District Sub-areas.
4
5 (A) There shall be four sub-areas existing in the Oakland Park Downtown
6 Development District whose locations are depicted on the map in this
7 section.
8

1 Figure 24-264-1 Regulating Map: OP3D District Sub-areas
2
3 **(B) District Regulations: Downtown Core (DC) Sub-area**
4



 Stepback: Refer to district building requirements.

DCE - Downtown Core East
DCW - Downtown Core West

1 in = 700 ft 

1 Figure 24-264-2 Regulating Map: Downtown Core Sub-areas

- 2 (a) *Purpose.* Downtown Core (DC) East and West sub-areas are designated
3 together as the epicenter of the Oakland Park Downtown Development
4 District. Downtown Core overall is intended to be the image of Oakland
5 Park and its main destination with high quality building design, a mix
6 of uses and ground floor active uses to appeal to both locals and visitors.
- 7 (b) *Design Requirements.* Refer to section 24-265, Oakland Park
8 Downtown Development District (OP3D) design guidelines.
- 9 (c) *Uses.* Refer to section 24-266, Oakland Park Downtown
10 Development District (OP3D) Use Table.
- 11 (d) *Sub-area boundaries.* The map in Section 24-264 shows the
12 boundaries of this Sub-rea. The Downtown Core East Sub-area is
13 located east of N. Dixie Highway, and the Downtown Core West Sub-
14 area is located west of N, Dixie Highway.
- 15 (e) *Development requirements table.*

**TABLE 24-264-1: BUILDING REQUIREMENTS – DOWNTOWN CORE EAST
(DCE) and DOWNTOWN CORE WEST (DCW)**

(a) HEIGHT	
Permitted Height shall be a maximum of three stories (45'). If requirements of the Bonus Provision Program (BPP) (Sec. 24-270) are met, the number of stories permitted according to the Height Code (DCE-# or DCW-#) in the map in Figure 24-264-2 shall be permitted.	
(b) FAR	
Base Height – Max. 3 Stories	1.0
With BPP – Max. 5 Stories	1.7
With BPP – Max. 6 Stories	2.0
(c) DENSITY (APPLICABLE TO ENTIRE PROJECT SITE NET LOT AREA)	
Project site size > 13,000 SF	65 du/ac

Project site size \leq 13,000 SF	45 du/ac
(d) RESIDENTIAL UNIT AREA	
Minimum 600 net square feet of floor area.	
(e) SETBACKS	
TO BE MEASURED FROM RIGHT OF WAY LINE BY STREET CLASSIFICATION OR FROM SIDE OR REAR PROPERTY LINE, AS IDENTIFIED	REQUIRED MINIMUM SETBACKS FOR NEW CONSTRUCTION OR BUILDING ENLARGEMENT. EXISTING BUILDINGS ARE PERMITTED TO RETAIN THEIR EXISTING SETBACKS.
Primary Boulevard	The required setback from the existing lot line along this street is 5 feet further back than the Required Right of Way line established by the Broward County Trafficways Plan, such that a building is permitted to be built at or behind this required setback line but not forward of the line.
Primary Pedestrian A	The required setback from the existing lot line along this street is 2 feet further back than the Required Right of Way line established by the Broward County Trafficways Plan, such that a building is permitted to be built at or behind this required setback line but not forward of the line.
Primary Pedestrian B	5'
Primary Pedestrian C	10'
Primary Pedestrian D	10'
Secondary	10'
Residential	15'
Stepback above 2 stories at NE 12 th Avenue measured from setback line	15'

Stepback above 3 stories at NE 13 th Avenue measured from setback line	90'
Stepback above 2 stories at NE 13 th Avenue measured from setback line	20'
Side Interior Lot Line	0'
Rear	5'
Rear or Side at DCE abutting IN (Intown Neighborhoods) – Stepback above 3 stories measured from setback line	10'
Rear or Side at DCW abutting IN (Intown Neighborhoods) – Stepback above 3 stories measured from setback line	10'
(f) MINIMUM OPEN SPACE AND MINIMUM AREA OF PROJECT SITE TO BE PERVIOUS	
Lot Size ≤ 13,000 SF	10%
DCE Lot Size >13,000 SF	20%
DCW Lot Size > 13,000 SF	20%
DCE/DCW – For Parcels > 35,000 SF	20% on ground floor and 5% on roof as terraces/gardens
(g) PARKING	
a. See Sec. 24-271. Parking and District Requirements b. New <i>surface parking lots or garages</i> shall be separated by means of the main structure from any Primary Pedestrian A or Primary Pedestrian B Street abutting the site. c. Surface parking lots in view of a Primary Boulevard are only permitted to cover 60 percent of the lot width for a depth of 60 feet measured from the right of way line at the Primary Boulevard. Further than 60 feet back from the right of way line, the surface parking lot is permitted	

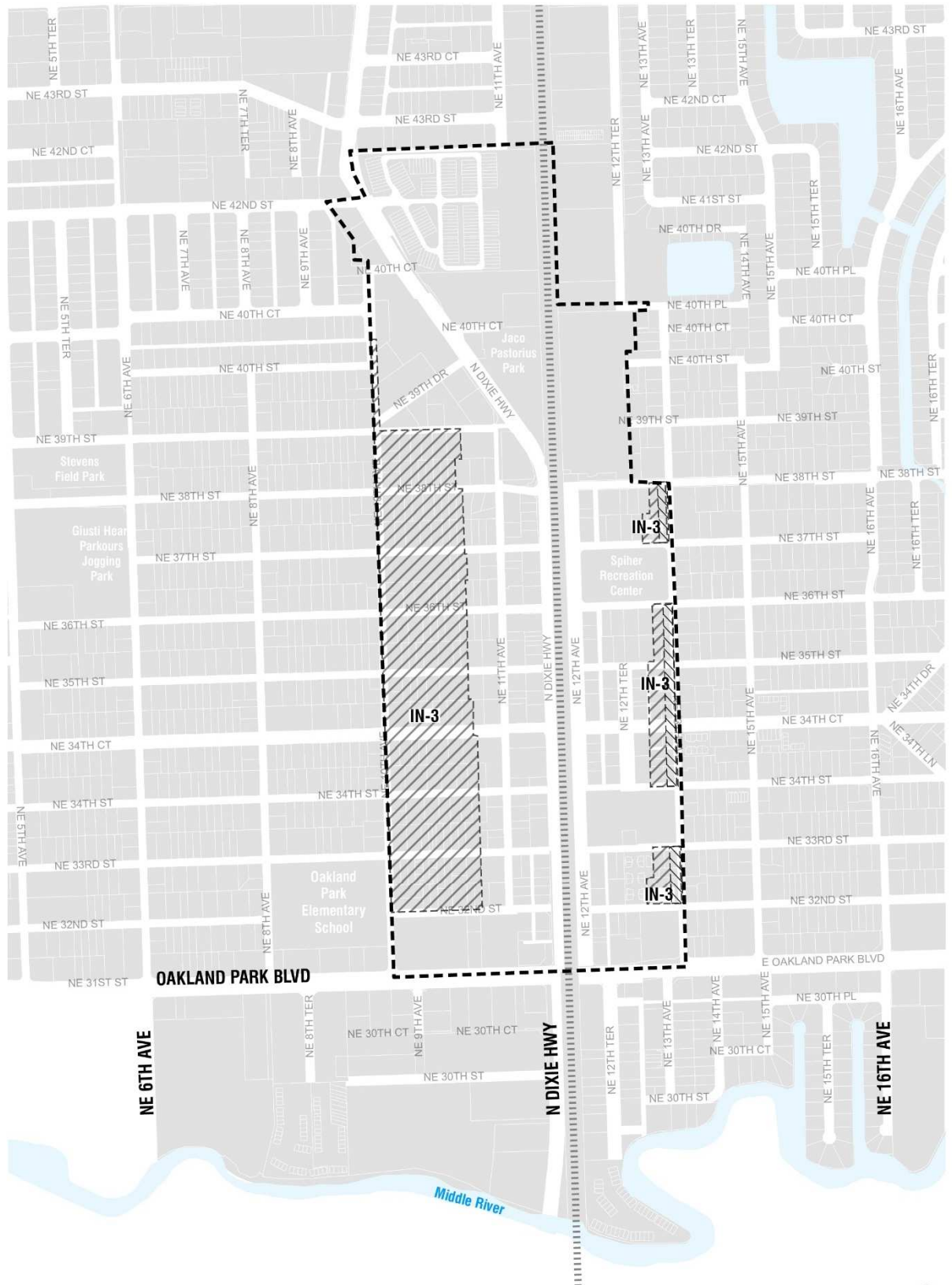
to cover the full width of the lot, provided screening, buffering, and landscaping as required elsewhere is provided.

- d. New vehicle entrances for parking lots and garages are not permitted along a Boulevard or Primary Pedestrian A or B street unless the development site has no other street frontage.
- e. Existing parking lots with required screening and landscaping are allowed to remain and continue to be used for adaptive re-use developments.

1
2
3
4
5

(C) District Regulations:

Intown Neighborhoods (IN) Sub-areas



 Stepback: Refer to district building requirements.

IN - Intown Neighborhood

1 in = 700 ft 

1 Figure 24-264-3 Regulating Map: Intown Neighborhoods Sub-area
2

- 3 (a) *Purpose.* The Intown Neighborhoods Sub-area is a transitional, moderate
4 intensity residential area that will buffer the residential areas surrounding
5 Downtown Oakland Park from the higher intensity Downtown Core Sub-
6 areas.
- 7 (b) *Design Requirements.* Refer to section 24-265, Oakland Park Downtown
8 Development District (OP3D) Design Guidelines.
- 9 (c) *Uses.* Refer to section 24-266, Oakland Park Downtown Development
10 District (OP3D) Use Table.
- 11 (d) *Sub-area boundaries.* The map in Section 24-264 shows the boundaries of
12 this Sub-area.
- 13 (e) *Development requirements table.*
14

**TABLE 24-264-2: BUILDING REQUIREMENTS – INTOWN
NEIGHBORHOODS (IN)**

(a) HEIGHT	
Permitted Height shall be a maximum of three stories (36’).	
(b) FAR	
Max. 3 Stories	1.0
(c) DENSITY (APPLICABLE TO ENTIRE PROJECT SITE NET LOT AREA)	
Lots - All	16 du/ac
(d) SETBACKS	
TO BE MEASURED FROM RIGHT OF WAY LINE BY STREET CLASSIFICATION OR FROM SIDE OR REAR PROPERTY LINE, AS IDENTIFIED	REQUIRED MINIMUM SETBACKS FOR NEW CONSTRUCTION OR BUILDING ENLARGEMENT. EXISTING BUILDINGS ARE PERMITTED TO RETAIN THEIR EXISTING SETBACKS.
Primary Pedestrian C	10’
Secondary	10’
Residential	15’

Side Interior Lot Line	5'
Rear	15'
Stepback above 2 stories at NE 13 th Avenue measured from setback line	20'
(e) RESIDENTIAL UNIT AREA	
Minimum 600 net square feet of floor area.	
(f) MINIMUM OPEN SPACE AND MINIMUM AREA OF PROJECT SITE TO BE PERVIOUS	
Lot Size > 13,000 SF	30%
Lot Size ≤ 13,000 SF	20%
(g) PARKING	
<ul style="list-style-type: none"> a. See <u>Sec. 24-271</u>. Parking and District Requirements (C)-(3) b. Required parking of more than 2 spaces shall be located behind or at the side of the main building structure. c. All parking on a lot 40 feet wide or wider is prohibited between the building and the highest-classification street on which the lot fronts. Only a driveway a maximum of 10 feet wide for a site with 5 or fewer dwelling units or a maximum of 20 feet wide for a site with 6 or more dwelling units is permitted in the front yard. 	

1
2
3
4

(D) District Regulations:
Warehouse Flex (WF) Sub-area



 **Stepback:** Refer to district building requirements.

WFN - Warehouse Flex North
WFS - Warehouse Flex South

1 in = 700 ft 

Figure 24-264-4 Regulating Map: Warehouse Flex Sub-area

- (a) *Purpose.* The Warehouse Flex Sub-Area will provide a transition from the railroad and existing industrial neighborhoods to the adjacent residential, mixed-use, and commercial neighborhoods with adapted and renovated building stock, warehouse style buildings, and large, working storefronts. This area will appeal to emerging artists and individuals seeking atypical housing choices, and it will include light industrial uses, artist studios, and creative offices.
- (b) *Design Requirements.* Refer to section 24-265, Oakland Park Downtown Development District (OP3D) design guidelines.
- (c) *Uses.* Refer to section 24-266, Oakland Park Downtown Development District (OP3D) Use Table.
- (d) *Sub-area boundaries.* The map in Section 24-264 shows the boundaries of this Sub-area.
- (e) *Development requirements table.*

TABLE 24-264-3: BUILDING REQUIREMENTS – WAREHOUSE FLEX (WF)

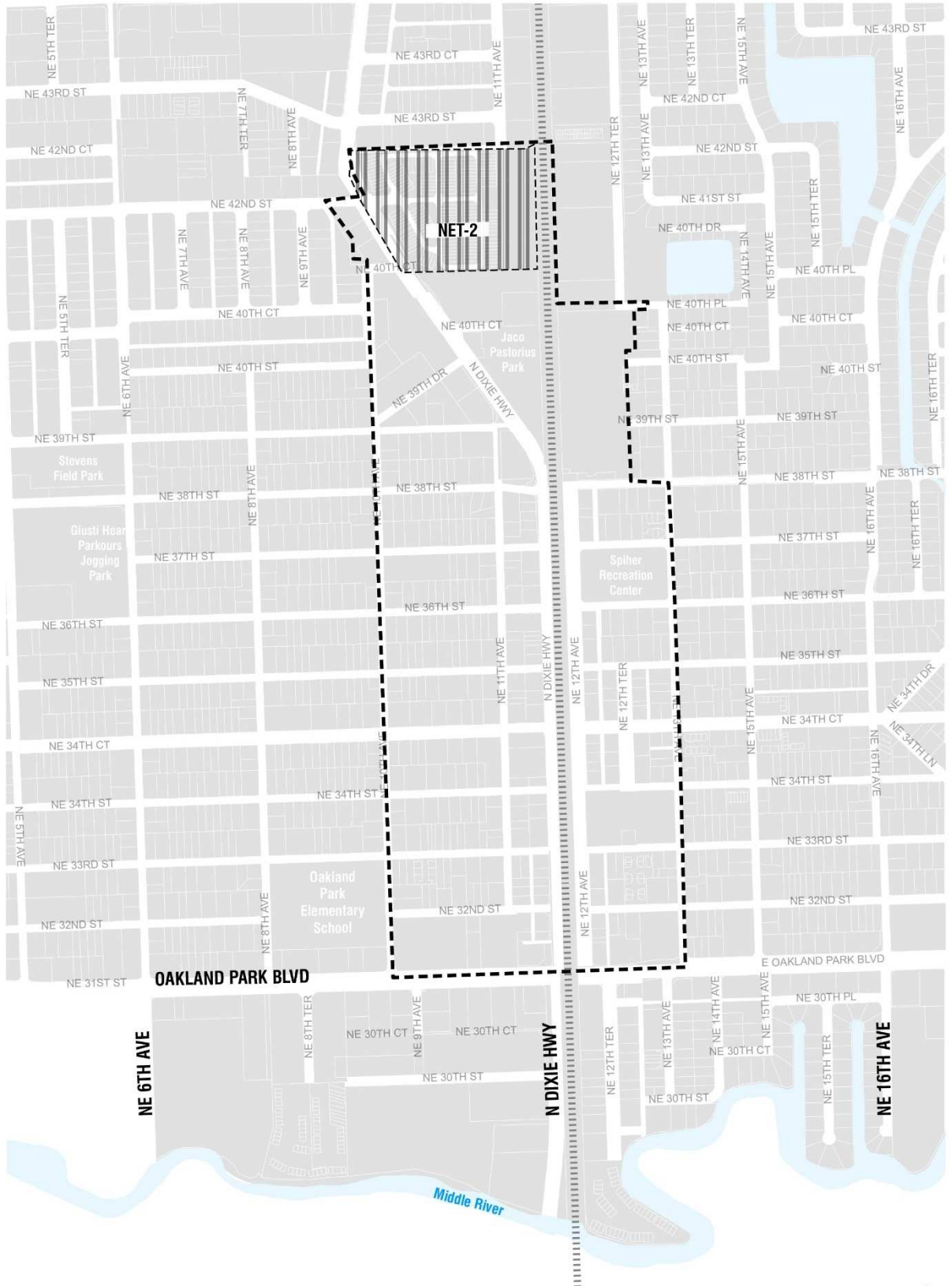
(a) HEIGHT	
Permitted Height shall be a maximum of three stories (45'). If requirements of the Bonus Provision Program (BPP) (Sec. 24-270) are met, the number of stories permitted according to the Height Code (WFN-# and WFS-#) in the map in Figure 24-264-4 shall be permitted, as applicable.	
(b) FAR	
Base Height – Max. 3 Stories	1.5
With BPP Max. 5 Stories	1.75
(c) DENSITY (APPLICABLE TO ENTIRE PROJECT SITE NET LOT AREA)	
Lot Size > 50,000 SF	45 du/ac
Lot Size ≤ 50,000 SF	35 du/ac
(d) RESIDENTIAL UNIT AREA	
Minimum 600 net square feet of floor area.	

(e) SETBACKS	
TO BE MEASURED FROM RIGHT OF WAY LINE BY STREET CLASSIFICATION OR FROM SIDE OR REAR PROPERTY LINE, AS IDENTIFIED	REQUIRED MINIMUM SETBACKS FOR NEW CONSTRUCTION OR BUILDING ENLARGEMENT. EXISTING BUILDINGS ARE PERMITTED TO RETAIN THEIR EXISTING SETBACKS.
Primary Boulevard	The required setback from the existing lot line along this street is 5 feet further back than the Required Right of Way line established by the Broward County Trafficway Plan, such that a building is permitted to be built at or behind this required setback line but not forward of the line.
Primary Pedestrian B	5'
Primary Pedestrian C	10'
Secondary	10'
Tertiary or Pedestrian Promenade	15'
Stepback above 3 stories at NE 12 th Terrace in Warehouse-Flex North measured from setback line	20'
Side Interior	0'. However, if site abuts an exclusively residentially zoned parcel with no street, alley, or waterway separating the site from the residential zoning district, the setback shall be 25'
Rear	10'
(f) MINIMUM OPEN SPACE AND MINIMUM AREA OF PROJECT SITE TO BE PERVIOUS.	
Lot Size > 13,000 SF	10%
Lot Size ≤ 13,000 SF	5%
(g) PARKING	
a. See <u>Sec. 24-271</u> . Parking and District Requirements (C)-(3)	

1
2
3
4
5
6
7
8

(E) Reserved

**(F) District Regulations:
North End Townhomes (NET) Sub-areas**



 Stepback: Refer to district building requirements.

NET - North End Townhomes

1 in = 700 ft 

Figure 24-264-6 Regulating Map: North End Townhomes Sub-areas

- (a) *Purpose.* The North End Townhomes (NET). The North End Townhomes Sub-area is a townhome community approved in 2013. Standards provided for this section permit the continuation of this development's physical layout and provide for regulations for future construction such as additions or building replacements.
- (b) *Design Requirements.* Refer to section 24-265, Oakland Park Downtown Development District (OP3D) design guidelines.
- (c) *Uses.* Refer to section 24-266, Oakland Park Downtown Development District (OP3D) Use Table.
- (d) *Sub-area boundaries.* The map in Section 24-264 shows the boundaries of this Sub-area.
- (e) *Development requirements table.*

TABLE 24-264-5: BUILDING REQUIREMENTS – NORTH END TOWNHOMES (NET)

(a) HEIGHT	
Base Height shall be a maximum of two stories (27').	
(b) FAR	
Base Height – Max. 2 Stories	0.25
(c) DENSITY (APPLICABLE TO ENTIRE PROJECT SITE NET LOT AREA)	
Lots – All	12 du/ac
(d) RESIDENTIAL UNIT AREA	
Minimum 1100 Square Foot net floor area.	
(e) SETBACKS	
TO BE MEASURED FROM RIGHT OF WAY LINE BY STREET CLASSIFICATION OR FROM SIDE	REQUIRED MINIMUM SETBACKS FOR NEW CONSTRUCTION OR BUILDING ENLARGEMENT. EXISTING BUILDINGS ARE PERMITTED TO RETAIN THEIR EXISTING SETBACKS.

OR REAR PROPERTY LINE, AS IDENTIFIED	
Primary Pedestrian A	12'
Side Interior	20'
Rear	15'
(f) MINIMUM OPEN SPACE AND MINIMUM AREA OF PROJECT SITE TO BE PERVIOUS.	
All Lots	20%
(g) PARKING	
Two spaces per dwelling unit, however existing tandem parking configurations counting as 2 spaces are permitted to remain, but new tandem parking pairs only count as one space. See sec. 24-271 for additional regulations.	

1

2 Sec. 24-265. - Urban design.

3

4 *Oakland Park Downtown Development District Design Guidelines*. All
5 development including but not limited to buildings, open space, signage, and
6 streetscaping are subject to the criteria stated in the Oakland Park Downtown
7 Development District Design Guidelines. The development review procedure in
8 section 24-273 shall ensure compliance with the Oakland Park Downtown
9 Development District Urban Design Guidelines to ensure good aesthetics and
10 livability. The Oakland Park Downtown Development District Design Guidelines
11 will also be referred to as the "Design Guidelines" in these regulations. The
12 Oakland Park Development District Design Guidelines are hereby incorporated by
13 reference and shall be approved and amended by resolution.

14

15 Sec. 24-266. – Downtown Development District (OP3D) Use List (Interim).

16

17 (A) Permitted uses in the OP3D are listed according to sub-area in the table in
18 this section.

(1) Use List Table Guide:

P=Permitted,

N= Not permitted,

C=conditional,

A=Accessory to a permitted or approved conditional use.

Uses marked with a hashtag (#) have special location regulations because they are not intended at ground floor along certain primary and pedestrian streets:

(a) Where permitted in the sub-area, the use is not permitted on the ground floor of a building abutting a Primary Boulevard, Primary Pedestrian A, or Primary Pedestrian B street unless located:

1) on the ground floor behind another business and located a minimum of 30 feet from the right of way line of that street or

2) on the ground floor but located in a building or portion of a building set back a minimum of 40 feet from the right of way line. With the exception that residential uses are permitted along a Primary Boulevard with a setback of 15 feet.

(b) Where permitted in the sub-area, this use is permitted on the second story or above in a building regardless of the street frontage where it is located.

(c) Where permitted in the sub-area, this use is permitted on any part of the ground floor of a building abutting any street other than a Primary Boulevard, Primary Pedestrian A, or Primary Pedestrian B.

(2) Permitted Uses Table

<i>Business Listings</i>	Downtown Core	Intown Neighborhoods	Warehouse Flex	North End Townhomes
Uses Permitted in the I-1, Light Industrial Zone found in the Master Business List in Section 24-41.	N	N	P	N

Uses listed as Conditional Use in the I-1, Light Industrial Zone found in the Master Business List in Section 24-41.	N	N	C	N
Adult entertainment, book stores, movie theaters including all sexually oriented businesses	N	N	N	N
Amusement enterprises: including coin operated games	P	N	P	N
Antique shop, retail	P	N	P	N
Appliances, retail	P	N	P	N
Aquaculture, maximum of 150,000 square feet of gross floor area for the entire sub-area subject to Sec. 24-265(B)(3) #	A	N	A	N

Art galleries, retail	P	N	P	N
Artisan/craftsman workshop	P	N	P	N
Artist's studio	P	A	P	A
Assembly hall #	C	N	C	N
Athletic/fitness club (up to 10,000 square feet)	P	N	P	N
Auctions (antiques and fine arts only)	C	N	C	N
Auto body fender and repair	N	N	N	N
Auto rental/leasing (office only) #	P	N	P	N
Auto tag agency	N	N	N	N
Auto wash	N	N	N	N
Automotive maintenance and repair services #	N	N	P	N
Automotive parts, new (except tires and hubcaps)	N	N	P	N

Automotive sales and related uses	N	N	N	N
Bail bonds	N	N	N	N
Bakeshops, retail	P	N	P	N
Banks (no drive thru)	P	N	P	N
Barber shops	P	N	P	N
Bars/nightclubs	C	N	C	N
Beauty parlors	P	N	P	N
Beauty supply store, retail	P	N	P	N
Bed and breakfast inns #	C	C	C	N
Bicycle stores and repair shop	P	N	P	N
Bingo Parlors	N	N	N	N
Bookstore	P	N	P	N
Bottle Clubs	N	N	N	N
Bowling alley	C	N	P	N
Broadcast studios #	P	N	P	N

Butcher shop	P	N	P	N
Candy stores, retail	P	N	P	N
Carpet, rugs and floor covering, retail	P	N	P	N
Child care and adult day care #	C	C	C	C
China, crockery, glassware, earthenware, retail	P	N	P	N
Cigar store-retail	P	N	P	N
Cineplex movie theater (except drive-ins)	P	N	P	N
Clothing store, except secondhand	P	N	P	N
Clubs-civic, fraternal, non- commercial #	C	C	C	C
Coffeehouses	P	N	P	N
Community care facilities	N	N	N	N

Community residences subject to Sec. 24-265(B)(4) #	P	P	P	P
Community centers #	P	C	P	C
Consignment shop	P	N	P	N
Convenience stores	N	N	N	N
Delicatessen-retail	P	N	P	N
Discount store	N	N	N	N
Donated goods store	N	N	P	N
Dormitory, fraternity and sorority houses	N	N	N	N
Drive-through windows in connection with any use	N	N	N	N
Dry cleaning and pressing -pickup and delivery only	P	N	P	N

Electrical fixtures and supplies, retail	N	N	P	N
Fabrics store, retail	P	N	P	N
Financial institutions #	P	N	P	N
Fish market-retail	P	N	P	N
Flea markets and bazaars	N	N	N	N
Florists	P	N	P	N
Food caterers #	P	N	P	N
Furniture Store	P	N	P	N
Garden supplies	N	N	P	N
Gasoline service stations	N	N	N	N
Gift shops, new-retail	P	N	P	N
Government facilities, City of Oakland Park	P	P	P	P
Green market	P	N	P	N
Guns-retail	N	N	N	N

Hardware store	P	N	P	N
Hobby shop, retail	P	N	P	N
Home occupations #	P	P	P	P
Hospitals	N	N	N	N
Hotels and motels	C	N	C	N
Ice cream-retail	P	N	P	N
Interior decoration shop (including alterations)	P	N	P	N
Jewelry store- watch repair	P	N	P	N
Key shop/locksmith #	P	N	P	N
Laboratories	N	N	N	N
Lawn care equipment (new)	N	N	P	N
Laundry establishment	N	N	N	N
Library	P	N	P	N
Liquor stores	P	N	P	N

Light manufacturing uses #	N	N	P	N
Marine supplies, retail	P	N	P	N
Massage parlors	N	N	N	N
Massage and health spa, state licensed (as defined and restricted in section 24-41(C) and (D) "Master Business List" #	P15	N	P15	N
Medical marijuana treatment center or dispensing facility (as defined and restricted in section 24-41(C) and (D) "Master Business List" #	C14	N	C14	N
Membership stores or facilities over 10,000 square feet	N	N	N	N
Miniature golf course	C	N	C	N

Multi-family dwelling units in multi-family building or in mixed-use structure #	P	P	P	N
Museums	P	N	P	N
Music and radio store, retail	P	N	P	N
Neighborhood food store (up to 10,000 square feet)	P	N	P	N
Newsstand	P	N	P	N
Office equipment and supplies	P	N	P	N
Offices for doctors, dentists, podiatrists and related professions #	P	N	P	N
Optical store	P	N	P	N
Outdoor storage	N	N	N	N
Paint, wallpaper stores, retail only	P	N	P	N

Parking garage, commercial #	P	N	P	N
Parking lot, commercial #	P	N	P	N
Park and open space	P	P	P	P
Pawn shops	N	N	N	N
Pet boarding/kennel	N	N	N	N
Pet day care facilities #	C	N	C	N
Pet grooming	P	N	P	N
Pet supplies, retail	P	N	P	N
Pharmacy (as defined and restricted in section 24-41(C) and (D) "Master Business List" #	C14	N	C14	N
Photographers, commercial	P	N	P	N
Photographic equipment and supplies	P	N	P	N

Places of worship #	C	N	C	C
Post offices	C	N	N	N
Printing and publishing #	P	N	P	N
Professional offices #	P	P	P	N
Psychic consulting	N	N	N	N
Real estate offices	P	N	P	N
Recovery communities subject to Sec. 24-265(B)(5) #	P	P	P	N
Restaurants including Restaurant Bars	P	N	P	N
Retail stores or shops under 10,000 square feet	P	N	P	N
Retail stores or shops over 10,000 square feet but less than 35,000 square feet	N	N	C	N

School, arts and crafts	P	N	P	N
School, martial arts	P	N	P	N
School, modeling #	P	N	P	N
Schools, beauty #	P	N	P	N
Schools, business #	P	N	P	N
Schools, dancing	P	N	P	N
Schools, cooking/culinary	P	N	P	N
Schools, gymnastics	P	N	P	N
Schools, music	P	N	P	N
Schools, photography #	P	N	P	N
Schools, public, private and charter (all grades)	N	N	N	N
Second-hand store	N	N	N	N

Self-storage facilities	N	N	N	N
Shoe stores	P	N	P	N
Single-family dwelling units in single-family structure or mixed-use structure #	P	P	P	N
Skating rink	P	N	P	N
Small tool and appliance sales and repair	P	N	P	N
Souvenir stores	P	N	P	N
Sporting goods, rental	P	N	P	N
Sporting goods, retail	P	N	P	N
Tailor and seamstress shop	P	N	P	N
Tattooing and body piercing	N	N	N	N
Teen center #	C	N	C	N

Theater (single room establishment)	C	N	C	N
Thrift store	N	N	P	N
Townhome #	P	P	N	P
Trailer parks/recreational vehicle parks	N	N	N	N
Travel bureau #	P	N	P	N
Two-family dwelling units in two-family structure or in mixed-use building #	P	P	P	N
Veterinary clinics #	C	N	C	N
Video/DVD rental (except for what is excluded under adult entertainment)	P	N	P	N
Wedding apparel stores	P	N	P	N

1 (B) Regulations for the Use Table.

2 (1) *Conditional uses*: Use determined to be conditional within the OP3D must meet
3 certain criteria to be allowed within the district and require a public hearing and

1 approval by the City Commission. Such criteria include consideration of (a)
2 appropriateness, (b) traffic impact, (c) parking, and (d) compatibility with
3 adjacent properties. Conditional uses shall be subject to section 24-165 of the
4 Oakland Park Land Development Code.

5 (3) *Aquaculture*. The cultivation of aquatic plant or animal species (fresh or salt
6 water) under either natural or artificial conditions.

7 a. All activities of the business including, but not limited to, sale, display,
8 preparation and storage shall be conducted entirely within a completely
9 enclosed building;

10 b. Solid waste containers must be located a minimum of 100 feet from a
11 residential district or area and shall not emit any odor of the byproduct of the
12 activity;

13 c. Processing of fish or fish products on site is prohibited. Processing shall mean
14 the special process or treatment, as in the course of manufacture; change in
15 the physical state or chemical composition of matter; the second step in use
16 of a natural resource; by such means as baling, briquetting, compacting,
17 flattening, grinding, crushing, mechanical sorting, shredding, cleaning or
18 remanufacturing;

19 d. The Florida Department of Agriculture and Consumer Services Best
20 Management Practices Manual (January, 2005) is adopted and incorporated
21 by reference and as amended from time to time;

22 e. The business shall be in compliance with all federal, state, county and
23 municipal laws and ordinances, as amended from time to time.

24 (4) Except as required by Chapter 419 of state law, a community residence shall
25 meet the following requirements:

26 (a) Shall be allowed only when:

27 (i) It is located at least 660 linear feet from the closest existing community
28 residence or recovery community. Distance is measured from the nearest
29 lot line of the entire parcel of the proposed community residence to the
30 nearest lot line of the entire parcel of the closest existing community
31 residence or recovery community, and

32 (ii) The operator or applicant has been granted all available licensing or
33 certification by the State of Florida to operate the proposed community
34 residence, or is operating under the Oxford House Charter; and

35 (iii) A community residence that has been denied an Oxford House
36 Charter, license or certification by the State of Florida or had its Oxford
37 House Charter, license or certification suspended, or is denied
38 recertification or renewal of its license or charter, is not allowed in the

- 1 City of Oakland Park and must cease operation and vacate the premises
2 within sixty (60) days of the date on which its license or certification was
3 denied or suspended or its recertification was denied.
- 4 (b) Shall be allowed if conditional use approval is granted, subject to the
5 provisions of article XII, when:
- 6 (i) A community residence that is located less than six hundred sixty (660)
7 linear feet from the closest existing community residence or recovery
8 community. Distance is measured from the nearest lot line of the entire
9 parcel of the proposed community residence to the nearest lot line of the
10 entire parcel of the closest existing community residence or recovery
11 community; and/or
- 12 (ii) Would be occupied by more than ten residents; and
- 13 (iii) The operator or applicant has been granted all available licensing or
14 certification by the State of Florida to operate the proposed community
15 residence, or is operating under the Oxford House Charter; and
- 16 (iv) A community residence that has been denied an Oxford House Charter,
17 license or certification by the State of Florida or had its Oxford House
18 Charter, license or certification suspended, or is denied recertification or
19 renewal of its license or charter, is not allowed in the City of Oakland
20 Park and must cease operation and vacate the premises within sixty (60)
21 days of the date on which its license or certification was denied or
22 suspended or its recertification was denied; or
- 23 (v) The community residence of a type for which the State of Florida does
24 not require a license or certification or does not offer a license or
25 certification.
- 26 (5) A recovery community.
- 27 (a) Shall be allowed only when:
- 28 (i) It is located at least one thousand two hundred (1,200) linear feet from
29 the closest existing recovery community or community residence.
30 Distance is measured from the nearest lot line of the entire parcel of the
31 proposed recovery community to the nearest lot line of the entire parcel
32 of the closest existing community residence or recovery community, and
- 33 (ii) The operator or applicant has been granted all available licensing or
34 certification by the State of Florida to operate the proposed community
35 residence or is operating under the Oxford House Charter; and
- 36 (iii) A recovery community that has been denied an Oxford House Charter,
37 license or certification by the State of Florida or had its Oxford House
38 Charter, license or certification suspended, or is denied recertification or

- 1 renewal of its license or charter, is not allowed in the City of Oakland
2 Park and must cease operation and vacate the premises within sixty (60)
3 days of the date on which its license or certification was denied or
4 suspended or its recertification was denied.
- 5 (b) Shall be allowed if conditional use approval is granted, subject to the
6 provisions of article XII, when:
- 7 (i) A recovery community that would be located within one thousand two
8 hundred (1,200) feet of an existing community residence or recovery
9 community and would operate in accord with the criteria specified in
10 section 24-71(D); and
- 11 (ii) The operator or applicant has been granted all available licensing or
12 certification by the State of Florida to operate the proposed community
13 residence or is operating under the Oxford House Charter; and
- 14 (iii) A recovery community that has been denied an Oxford House Charter,
15 license or certification by the State of Florida or had its Oxford House
16 Charter, license or certification suspended, or is denied recertification or
17 renewal of its license or charter, is not allowed in the City of Oakland
18 Park and must cease operation and vacate the premises within sixty (60)
19 days of the date on which its license or certification was denied or
20 suspended or its recertification was denied.

21

22 Sec. 24-267. - Accessory structures.

23

24 See Chapter 24, sections 24-68, 24-69, and 24-70 for reference to accessory
25 structures. Commercial properties are permitted to have accessory structures to
26 serve business uses subject to the Building Requirement of their sub-area.

27

28 Sec. 24-268. - Non-conforming uses, situations, and structures in OP3D.

29

30 It is the general policy of the city to allow uses, structures and lots that came into
31 existence legally and in conformance with the zoning regulations applicable at the
32 time the structure or use was established and for which all required permits were
33 issued, but do not conform to all the applicable requirements of this code to
34 continue to exist and to be put to productive use, but to bring as many aspects of
35 such situations into conformance with the current code as is reasonably practical,
36 all subject to limitations of this Article. The limitations of this section are intended
37 to recognize the interest of the property owner in continuing to use the property but

1 to preclude the expansion of the non-conforming situation and to preclude the
2 reestablishment of an abandoned use or lot of a building or structure that has been
3 substantially destroyed. It is not the intent of this section to limit the right of a
4 property owner to continue the uses of land and structures as were in existence at
5 the time of the adoption of this Article, since it would be an injustice and
6 unreasonable hardship to compel immediate removal or suppression of an otherwise
7 lawful business or use already established within the district.

8
9 This section shall apply to circumstances, uses, and buildings that become non-
10 conforming by the enactment of this Article XX to the code or an amendment of
11 this article. It shall also apply to non-conforming situations that were legal non-
12 conforming uses or other situations, use and buildings under similar provision of a
13 previously applicable section of the code and that remain non-conforming with one
14 or more provisions of this section even if the type or extent of non-conformity is
15 different.

16
17 Any non-conforming use, building, structure, or other non-conforming situations
18 which exists lawfully on the date of the adoption of the ordinance enacting this
19 Article of the code or which becomes non-conforming upon the adoption of any
20 amendment to this Article of the code shall be continued in accordance with
21 provisions of this article.

22
23 The burden of establishing that any non-conforming situation is a legal non-
24 conforming situation as defined by this section of the code, shall in all cases, be
25 upon the property owner of such non-conformity and not upon the City of Oakland
26 Park or any other person or entity.

27
28 *Definitions:*

29
30 *Legal non-conforming situations.* A legal non-conforming situation is any land use,
31 structure, lot of record, or other situation, related to the use or development of land
32 that was legally established prior to the effective date of the ordinance adopting this
33 section of the Code of Ordinances of the City of Oakland Park, or any subsequent
34 amendment thereto and that it does not now fully conform to the requirements of
35 this section, as amended to the applicable date.

36
37 *Non-conforming use.* A non-conforming use is a use of land, building(s) or other
38 structure(s), or any combination thereof, which lawfully existed prior to the

1 effective date of this article, or any subsequent amendment thereto, and which is
2 maintained after the effective date of this article, or amendment thereto, although it
3 does not comply with the permitted uses of the district in which it is located.

4
5 *Non-conforming structure.* A non-conforming structure is any building or structure
6 which is in compliance with the zoning regulations applicable at the time the
7 structure was established, and for which all required permits were issued.

8
9 Other non-conforming situations include other aspects of an established land use or
10 development that does not fully conform with the requirements of this section or
11 any amendment thereto but which is legally non-conforming under subsection "A"
12 above. Such other non-conforming situations include, but are not limited to,
13 requirements for off street parking, landscaping requirements, and buffering
14 requirements.

15
16 *Non-conforming uses and structures.*

17
18 *Continuance permitted.* A non-conforming use may continue, subject to
19 requirements to this section.

20
21 *Non-conforming Use Expansion prohibited.* A non-conforming use shall not be
22 enlarged, increased, or expanded to any extent.

23
24 *Change of use.* A non-conforming use may be changed only to a use
25 conforming to the requirements of the OP3D.

26
27 *Non-Conforming structures.* A non-conforming structure may be used for any
28 permitted use in the OP3D or for any applicable legally non-conforming use
29 continuance.

30
31 *Non-conforming Structure Expansion.* Any expansion of a non-conforming
32 structure which serves to expand the extent of the non-conformity is prohibited.

33
34 *Moving prohibited.* A non-conforming structure or use shall not be moved, in
35 whole or in part, for any distance whatsoever, to any other location on the same or
36 any other parcel within the OP3D unless the entire structure shall thereafter
37 conform to the regulations of the OP3D.

1 *Maintenance, repairs, and remodeling.* Maintenance and repairs of a non-
2 conforming structure are permitted. Remodeling of the structure within the existing
3 building footprint is permitted without a variance, provided that the remodeling
4 does not increase the degree of non-conformity and that applicable building and life
5 safety codes are complied with.

6
7 *Termination of non-conforming situations.*

8
9 *Termination by abandonment.* A non-conforming use discontinued by
10 abandonment shall not then be reestablished except in conformance with the
11 requirements of the OP3D. For purposes of this section, abandonment shall
12 be defined and determined to occur when the property owner intentionally
13 and voluntarily forgoes further non-conforming use of the property. *Hobes*
14 *vs. The Department of Transportation* 831 So. 2d 745 (Fla. 5th DCA 2002)
15 *and Louis vs. City of Atlantic Beach* 467 So. 2d 751 (Fla. 1st DCA 1985).

16
17 *Termination by damage or destruction.*

18
19 In the event that any non-conforming structure or use is destroyed by any means to
20 the extent of fifty (50) percent of the cost of replacement of such structure or use,
21 said structure or use shall not be rebuilt, restored, re-established or reoccupied,
22 except in conformance with the applicable regulations of this section pertaining to
23 the OP3D.

24
25 *Violations, penalties, and enforcement.* It is the intent of the city commission
26 that the Community and Economic Development Department and Building and
27 Engineering Department shall share responsibilities for enforcing this Article of the
28 code to the extent that such enforcement falls within the scope of each of the
29 department's administrative responsibilities under this section. Responsibility for
30 bringing enforcement actions shall lie with the building officials for violations
31 involving buildings, with the code enforcement officers for all other violations, and
32 both of them for violations involving both buildings and other matters under this
33 Code.

34
35 Sec 24-269. - Landscaping.

36
37 All development and redevelopment in the OP3D must comply with the adopted
38 Landscape and Streetscape Design Standards, as amended from time to time, except

1 for sections identified as not applicable in Section 24-257.

2
3 Sec. 24-270. - Bonus Provision program.

4
5 (A) *General Standards.*

6
7 (1) Proposed developments utilizing the benefits of any bonus provision
8 program shall be subject to the fulfillment of requirements and
9 conditions as described by this section.

10
11 (2) Total increases in height or intensity permitted by one or a
12 combination of bonus provision programs shall *not exceed* the
13 maximum height or Floor Area Ratio (FAR) as established in each
14 sub-area.

15
16 (3) Proposed developments which utilize any of the bonus programs
17 shall adhere to each sub-area Building Requirements which describe
18 additional allowances for Floor Area Ratio (FAR) and height and
19 subsequent requirements to accommodate these allowances.

20
21 (4) FAR, density, and height shall only be granted if the applicant
22 provides the “Developer Contribution for public amenities” value
23 for the type of benefits listed as “Public benefits to be provided”.

24
25 (5) New public right-of-ways, parks, open spaces, plazas, and other
26 amenities need to meet city’s standards.

27
28 (B) *Building height.* Property owners may obtain approval to construct
29 additional stories provided they contribute toward public amenities.
30 Additional stories may be added from the base height stated for that
31 sub-area up to the Height Code in the map applicable to that sub-area.

32
33 (C) *Density bonus.* A density bonus may be granted by the city
34 commission of up to ten (10) units per acre if said density bonus is
35 consistent with:
36

1 (1) The adopted goals, objectives and priority improvement projects of the
2 City's Community Redevelopment Plan adopted pursuant to F.S. §
3 163.360, and
4

5 (2) The adopted City of Oakland Park Downtown Development District
6 Design Guidelines.
7

8 (D) *Developer contribution for public amenities.* Developers shall be
9 required to provide public amenities equal in value to five-tenths (0.5)
10 percent or more of the construction cost for each story above base
11 height. Construction cost will be determined using data obtained from
12 the most recently published "RS Means Square Foot Costs" manual as
13 an amount per square foot for each story above three (3) stories.

14 (E) *Public benefits to be provided.* Public benefits include the
15 following:
16

17 (1) Additional public open space or public park

18 (2) Sustainability/resiliency features such as rooftop rain gardens,
19 terraces, solar panels, etc ;

20 (3) Affordable Housing

21 (4) Community facility (i.e. amphitheater);

22 (5) Additional pedestrian connection features;

23 (6) Financial contribution for special downtown entry features;

24 (7) Public parking;

25 (8) Public right-of-way enhancements;

26 (9) Sidewalks improvements;

27 (10) Landscape improvements on the public right-of-way;

28 (11) Land Dedications. New rights-of-way dedication in the Warehouse
29 Flex North sub-areas for public right-of-way. The land dedications shall
30 become part of the public right-of-way and the following provisions shall
31 apply:

- 32 • The land dedications may be included as part of the *net area*
33 in Floor Area Ratio or density calculations.
- 34 • The land dedications shall be excluded as part of all other
35 development requirement calculations.
- 36 • The new right-of-way extensions shall be designated and
37 improved as *Tertiary Streets* or Pedestrian Promenade.
38 *Proposed developments* shall not be permitted to build over

1 the new right-of-way and shall accommodate the new road
2 through building *setbacks* provided in each sub-area
3 requirement.

4 (12) Reserved

5 (13) Or as determined by the city commission.

6 (14) Requirement for project approval that illustrates how project meets
7 the Design Guidelines.

8
9 (F) *Bonus Provision procedure.*

10
11 *Funds for public amenity.* Developers shall provide the city with an
12 irrevocable letter of credit or bond, which is acceptable to the city and
13 will guarantee the developer's construction of the public amenity as
14 described section 24-270(F)

15
16 *Approval of public amenity by city commission.* The developer must
17 provide appropriate drawings and documentation regarding the cost of
18 the public amenity from a certified engineer to city staff for review by
19 the development review committee. City staff shall submit a report for
20 city commission approval of the proposed public amenities.

21
22 The public amenity must be installed and receive final approval from
23 city staff prior to the issuance of the certificate of occupancy.

24
25 A developer may ask for an extension of the six-month period
26 referred to in section 24-270(H)(3) above from the city commission.

27
28 In the event that the developer fails to construct the public amenity as
29 approved by city commission or if the value of the public amenity is
30 determined by the city to be less than the required contribution as
31 stated in 24-270(F), the city shall be entitled to withdraw from the
32 letter of credit or bond stated in 24-270(H)(1) for the cost of the public
33 amenities. The funds from any withdrawal shall be used by the city
34 exclusively for capital improvements in the Downtown Development
35 District.

36
37 In the event the city draws on the letter of credit or bond in accordance
38 section 24-269(H)(5), the city shall be responsible for the city's

1 reasonable cost incurred in drawing against the security.

2
3 **Sec. 24-271. - Parking.**
4

5 (A) *General provisions.* All development and redevelopment within the
6 Oakland Park Downtown Development District (OP3D) shall follow
7 the parking provisions provided within this article.
8

9 (1) Off-street parking facilities, including access aisles and driveways,
10 shall be provided with pavement having an asphalt or Portland
11 cement binder, or other approved paver bricks and subject to
12 approval by city engineer. Any parking in front of a building,
13 however, shall be paved with permeable pavers other planting
14 materials that include plant life as acceptable by the Director of
15 Economic and Community Development.

16 (2) As of the effective date of this article, new private, on-site, back out
17 parking facilities are prohibited except for lots with less than 40 feet
18 of width located on streets where back-out parking is permitted
19 according to Section 24-80

20 (3) Minimum parking lot aisle widths and parking space dimensions
21 shall be as set forth in Section 24-80; except, however, the stall
22 width of a parallel, on-street parking space (other than those on
23 Dixie Highway) shall be eight (8) feet.

24 (4) Parking lots shall provide for pedestrian and vehicular cross access
25 to existing and prospective adjacent parking lots.

26 (5) Pedestrian entries to parking garages shall be directly from the
27 adjacent street or paseo as well as from the contiguous building.
28 Pedestrian entries to garages shall be linked to cross-block paseos
29 wherever possible.

30 (6) Vehicular entries and exits to parking lots and garages shall be
31 allowed only from rights-of-way and from adjoining properties, and
32 alleys. Entries and exits along Primary Boulevard, Primary
33 Pedestrian A or Primary Pedestrian B streets are prohibited unless no
34 other street is available to provide access. Vehicular entries shall
35 have a minimum width of twenty-four (24) feet. Vehicle entries for
36 residential properties with five or fewer dwelling units are permitted
37 vehicle entry widths of less than 24 feet, but no less than 10 feet.

38 (7) Parking stall dimensions and spaces for persons with disabilities

- 1 and/or strollers shall be in accordance with the Americans with
 2 Disabilities Act and article VI, of this chapter.
- 3 (8) Bicycle racks shall be required on all sites over 4,000 square feet
 4 and all parks.
- 5 (9) All onsite surface parking on properties 40 feet wide or wider shall be
 6 located at the rear or at the side of buildings, and residential garage doors
 7 shall face the side or rear of the building with the exception of frontage on
 8 a Primary Boulevard, where surface parking lots in view of a Primary
 9 Boulevard are only permitted to cover 60 percent of the lot width for a
 10 depth of 60 feet measured from the right of way line at the Primary
 11 Boulevard. Further than 60 feet back from the right of way line, the
 12 surface parking lot is permitted to cover the full width of the lot, provided
 13 screening, buffering, and landscaping as required elsewhere is provided.
- 14 (10) *Tandem parking*:
- 15 a. For residential uses, *tandem parking space pairs*, if provided,
 16 shall only count as two spaces if both spaces are dedicated to the
 17 same residential unit and contained within a mixed-use or multi-
 18 family development multi-car garage,
 19

20 (B) *Number of spaces required—Single use properties. Parking*
 21 *requirement calculations shall be based on net interior area. On-*
 22 *site parking for single-use properties shall be provided as*
 23 *follows:*
 24

Type of Use	Spaces Required
Residential	1 space per studio or 1- bedroom unit 2 spaces per 2-or-more-bedroom unit
Live/Work	0-1 bedroom up to 1100 net square feet = 1 parking space 2 or more bedrooms up to 1100 net square feet = 2 parking spaces. Units larger than 1100 net square feet (regardless of the number of bedrooms) shall provide a minimum of 2 parking spaces plus an additional parking space for every additional 350 square feet over 1100 net square feet. One (1) guest space for every five (5) units either on-site or on-street.
Commercial	1 spaces per 350 s.f.

Warehouse	1 space per 1,000 s.f.
Manufacturing	2 spaces per 1,000 s.f.

(C) *Number of spaces required—Mixed-use parcels or lots with residential use in project.* Except as elsewhere set forth in this section, the number of required on-site parking for mixed-use parcels or lots shall be calculated as follows:

Determine the minimum amount of parking required for each land use as a separate use; multiply the total required per single use by thirty (30) percent to calculate the mixed-use reduction. The mixed-use total required spaces shall be reduced by the amount calculated.

(D) Reserved.

(E) *The following conditions apply to any parking facility that serves a mixed-use development and is availing itself of the above schedule:*

(1) The title to the mixed-use real property, subject to the mixed-use, and its parking facility shall be owned by the same party or be under a joint use agreement. Any parking arrangement under a joint use agreement shall meet the requirements of Article VI of this chapter.

(2) Shared parking spaces shall not be reserved. Only parking spaces in excess of the minimum required are permitted to be reserved to specific dwelling units, business establishments, or users within the site. All spaces provided to meet the minimum requirement shall be available for all users of the site at all times.

(3) The city will determine, at the time of the parking facility's plan approval, if shared parking is possible and appropriate at the proposed location. Sufficient and convenient short-term parking must be made available to commercial establishments during the weekday daytime period.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

(4) Any subsequent change in use shall require a certificate of use and proof that sufficient parking will be available.

(F) *Downtown mobility fee of on-site parking.* From the effective date of this article, the city hereby establishes a downtown mobility fee which amount shall be established by resolution of the city commission for every parking space required but not provided.

- (1) The fee to be paid (the "downtown mobility fee") shall be a one-time fee per space for each parking space required, when:
- (a) Construction of a new building or structure occurs; or
 - (b) Dwelling units are added to an existing building or structure;
- or
- (c) An existing building or structure is enlarged; or
 - (d) A change from one Type of Use to another Type of Use listed in the table in Section 24-271(B) occurs.

(2) The fee shall be paid in accordance with the procedure established from time to time by the city commission.

(3) All downtown mobility fees collected by the city, and all interest earned thereon, shall be placed in a special fund established by the city commission and shall be used solely for the acquisition of land for, development of, and maintenance of public parking facilities, parking management systems, multi-modal transportation alternatives, and parking capacity evaluation and monitoring in and/or directly serving the district.

(4) The city may adopt, by resolution, incentives, or other programs, which may mitigate the cost of the mobility fees as it relates to parking and mobility and provide for any enforcement procedures.

Sec. 24-272. - Fees. To be adopted by Resolution by City Commission.

1

2 Sec. 24-273. - Development review procedure.

3 (A) Construction, establishment of new businesses, and/or alterations/modifications to
4 buildings, parking areas, or landscaping require specific levels of review based on
5 their potential impact on City resources and community character. The table
6 below states the review process required based on project type.

7 (B) Guide to table:

8 X=The entity that has power to review, approve, or deny a project or to request additional
9 information from the applicant.

10 R=The entity is to review and make a recommendation to a higher-level entity on
11 approval or denial of the project and may request additional information from the
12 applicant.

13 A=The entity has the power to hear an appeal against a decision of the entity that
14 approved or denied the project. The request for appeal to that entity shall be submitted
15 within 30 days of approval or denial. The requestor for the appeal needs to have
16 'standing' to submit an appeal.

17 CU/BP=Certificate of Use and/or Building Permitting process. This is the process used
18 city-wide for applications for opening or expanding a business or conducting permitted
19 construction in accordance with Article XXI.

20 STAFF=City staff and consultants with expertise in urban design, urban planning,
21 economic development, and/or landscaping who will conduct a review and provide
22 written responses within three weeks of submittal of a complete project application. A
23 consensus of this committee is required for project approval.

24 DRC=The City's Development Review Committee shall conduct a review of the project
25 application using its standard operating procedures including the holding of at least one
26 public hearing on the item.

27 PZAB=The Planning and Zoning Advisory Board shall conduct a public hearing(s) on
28 the project application in accordance with its standard operating procedures.

29 CC=The City Commission shall conduct a public hearing(s) on the project application in
30 accordance with its standard operating procedures.

1 BA=The Board of Adjustment shall conduct a public hearing(s) on the project application
 2 in accordance with its standard operating procedures.

3 (C) The Table:

4

Project Type	CU/BP	STAFF	DRC	PZB	BA	CC
Change of Use or Interior Renovation only in compliance with OP3D	X					
Change to exterior façade of structure in compliance with OP3D		X				A
Exterior Signage changes, additions, or replacements in compliance with OP3D		X				A
Site modifications only affecting landscaping and foliage or pedestrian areas in compliance with OP3D		X				A
Site modifications affecting parking and/or motor vehicle circulation areas in compliance with OP3D			X			A
Building Additions of less than 15% of existing gross floor area up to 1,000 square feet in compliance with OP3D		X				A
New Buildings or Building Additions of more than 15% of existing gross floor area in compliance with OP3D			X			A
Conditional Use			R	R		X
Platting or Subdivision			R	R		X
Bonus Provision Program			R	R		X

Variance			R		R	X
Modification to required yards in accordance with Sec. 24-78(A)			R	R		X
Adjustments to parking location, character, size, etc. in accordance with Section 24-80(B)(5)			X			A
Waivers of OP3D Design Guidelines Requirements			X			A
Canopies and awnings placed over the Right-of-Way			X			A

(D) Projects requiring building permit, certificate or use, or staff review shall be submitted through the existing permitting process. The following is the process for site development plan review (required for Items requiring approval by the Development Review Committee, Planning and Zoning Board, Board of Adjustment, and City Commission.

(1) *Pre-application meeting.* A developer or property owner shall participate in a meeting with Planning and Zoning staff either in person or electronically prior to holding a Neighborhood Participation Meeting (if required according to Section 240163(E)) and submittal of a site development plan application.

(2) *Formal development review committee meeting.* A developer or property owner shall submit the complete site development plan application before a scheduled development review committee meeting to be scheduled once the application is deemed complete. The development review committee (DRC) shall provide written comments on the development application at the scheduled meeting. The applicant shall provide responses and DRC members can either approve or deny the response. If necessary, the DRC can call additional formal meetings. DRC members reach consensus on the development site plan review. Alternate standards or modification authorized to the DRC by the Land Development Code are to be approved by a majority vote of the DRC members.

(3) *Revisions to approved site plan prior to or during project construction.*

(a) *Minor amendment:* This includes any changes and deviations from an approved site plan that do not constitute a substantial alteration or modification to the character of the development. Examples include

- 1 changing the interior configuration of a building with no impacts on the
2 exterior, number of dwelling units or number of bedrooms that affect
3 parking, minor changes in materials and plants to be used in landscaping,
4 or other minor adjustments, The development review committee, after
5 receiving staff recommendations may approve "minor" changes and
6 deviations from the approved site plan which are in compliance with the
7 provisions and intent of this article, and which do not depart from the
8 principal concept of the approved site plan.
- 9 (b) *Major amendment*: This includes any changes and deviations from an
10 approved site plan that constitute a substantial alteration or modification to
11 the character of the development. Examples include changing the location
12 of a building, changing the appearance of a building, changing the location
13 or number of parking spaces, changes to the number of dwelling units or
14 number of bedrooms in dwelling units, changes to the locations or designs
15 of loading areas. For a major amendment a new site development plan
16 review application and applicable approvals made necessary by the
17 amendment shall be reviewed according to procedures as if the amendment
18 were a new application.
- 19 (B) *Site Development Plan applications*. Applications shall be accompanied by site
20 plans and exhibits, as appropriate for the permit requested, prepared by design
21 professionals (e.g., architects, landscape architects, engineers, etc.) that include, at
22 minimum, the following plus any additional material required by the OP3D Design
23 Guidelines:
- 24 (1) Lot lines and setbacks.
25 (2) Gross and net acreage.
26 (3) Total square footage of all land uses.
27 (4) Total number of dwelling units.
28 (5) Location, shape, size, and height of existing and proposed building construction
29 and landscaping.
30 (6) Amount of building coverage at ground level, in square feet and as a percentage
31 of the total site.
32 (7) Typical floor plans and elevations of all structures, including total gross square
33 foot area of each floor and all dimensions relating to the requirements of this
34 article.
35 (8) Location, size and total amount of open space, if applicable.
36 (9) Total amount of paved area in square feet and percentage of entire site.
37 (10) Location of on-street and off-street parking, loading facilities and all utilities.

- 1 (11) Location and dimensions of proposed parking and service areas, including
2 typical parking space dimensions and/or narrative regarding payment of in-lieu
3 fee for parking.
- 4 (12) Proposed means of vehicular and pedestrian access from the site(s) within the
5 development to adjacent streets and/or alleys, showing all proposed or existing
6 curb cuts and sidewalks.
- 7 (13) Adjacent roadway widths (paved right-of-way), including elevation of road
8 plus any dedications required by the city.
- 9 (14) Location, shape, and size of signage.
- 10 (15) Indication of any site or building design methods used to conserve energy
11 and/or water.
- 12 (16) Indication of any site or building design methods used to incorporate the
13 principals of crime prevention and public safety through environmental design
14 ("CPPSTED"), as set forth in City Resolution No. R-95-46.
- 15 (17) Location and method of screening of refuse stations, storage areas and off-
16 street loading areas. Refuse collection areas; dumpsters and recycling containers
17 shall be placed on a twelve-foot by twelve-foot concrete pad with a twelve-by-
18 six-foot apron of three thousand (3,000) PSI concrete. All containers must be
19 enclosed as prescribed in subsection 24-265(D)(1) of the Oakland Park Land
20 Development Code.
- 21 (18) Conceptual landscape plans including trees/palm massing, landscape areas, and
22 parking landscape treatment.
- 23 (19) Location and method of buffering from adjacent residential zoning districts.
- 24 (20) Proposed or existing utility easements or fire hydrants and distance to
25 structures.
- 26 (21) Location and method of stormwater retention or detention.
- 27 (22) Schematic engineering drawing, which included an outline of the plan to
28 provide water, sewer, roads, and drainage for the proposed project. This plan shall
29 be a preliminary conceptual design signed and sealed by a registered engineer
30 attesting that the public infrastructure planned will be in accordance with all
31 federal, state, and local regulations. At minimum the drawing shall contain the
32 following: Utility pipe sizes, (lengths, material, and preliminary locations),
33 roadway cross-section (width, depth of base and subgrade), typical sections across
34 property lines, and offsite utility and roadway public infrastructure necessary to
35 serve the site. The information contained on the schematic engineering drawing
36 must be reviewed and approved by the public works department.
- 37 (23) Method of maintaining any common or joint use area.

- 1 (24) Design data as may be needed to evaluate the project such as:
- 2 (a) Building elevation.
- 3 (b) Samples of materials including roofing tiles, pavers, exterior paint, or
- 4 exterior materials.
- 5 (c) Drawing or images of street furniture.
- 6 (d) Detailed drawings of signage and wayfinding.
- 7 (25) If buildings in the proposed development are over three (3) stories, site plans,
- 8 appropriate exhibits and narrative regarding participation in the building height
- 9 incentive program shall be provided.
- 10 (26) The city may ask for additional documentation and studies as necessary. The
- 11 costs of such document and studies shall be born by the property owner.
- 12
- 13 Sec. 24-274. - Prohibited structures.
- 14 Telecommunication towers, shipping containers for use as storage buildings, and
- 15 billboards
- 16 are prohibited.
- 17
- 18 Sec. 24-275. - Offsite drainage.
- 19 (A) The city shall maintain an inventory of public stormwater drainage facilities serving
- 20 the OP3D for the purpose of allocating capacity to one hundred (100) percent of the
- 21 required drainage for permitted OP3D developments or uses.
- 22 (B) Public drainage capacity will be reserved by the city for each development within
- 23 the district.
- 24 (C) Each property within the district shall have the option to connect, direct or otherwise
- 25 ensure that up to one hundred (100) percent of onsite stormwater runoff is conveyed
- 26 to the public stormwater system. The manner of connection shall be as permitted by
- 27 the city engineer.
- 28 (D) A one-time per property connection fee, as provided in the community development
- 29 department fee schedule, shall be charged to cover the cost of stormwater service and
- 30 connection. The fee shall be charged to any district property requiring a Broward
- 31 County Department of Environmental Protection permit. The fee shall be paid prior to
- 32 city building permit issuance.
- 33

1 Sec. 24-276. - Reserved.

2

3 Sec. 24-277. - Signage. All new, replacement, or altered signage and exterior
4 design changes shall conform to the standards and requirements of the OP3D
5 Design Guidelines.

6

7

8 Sec. 24-278 Vision Clearance Triangles. All construction and landscaping at
9 portions of any site affecting Vision Clearance Triangle Areas shall conform to the
10 standards and requirements of the OP3D Design Guidelines, and these are the only
11 vision clearance triangle requirements applicable to the OP3D sub-areas.

12

13

14 Section 24-279. Minimum transparent glazing on facades. All construction of exterior
15 facades or reconstruction of exterior facades shall conform to the standards and
16 requirements of the OP3D Design Guidelines regarding the minimum amount of
17 transparent glazing required on exterior facades.

18

19

20 Sec. 24-280. Special Regulations for all areas of OP3D

21 (A) Parking Structures

22 (1) *Queuing*. Provisions for car queuing shall be at least twenty (20) linear feet
23 and shall occur internal to the *lot* and shall not interfere with pedestrian
24 circulation on a public sidewalk.

25 (2) *Parking structure entrances*. All *parking structure* entrances facing a street
26 frontage shall be required to treat and finish the interior portion of the garage
27 entry to a depth of twenty (20) feet from the building façade. Treatment may
28 include, but shall not be limited to, stucco or plaster, finished and painted
29 comparable to a habitable space. All mechanical, electrical, and plumbing systems
30 shall be shielded and covered.

31 (3) *Parking ramp maximum slope*. Maximum slopes for *parking* ramps (ramps
32 with parking spaces) shall be in accordance with ADA requirements not to exceed
33 six (6) percent. Non-parking/access ramps shall not exceed sixteen (16) percent. If
34 the ramp is greater than fourteen (14) percent, a break-over transition shall be
35 required. The preferred standard is ten (10) percent for non-parking ramp slopes.

1 The greatest effort possible should be made to have all parking spaces on non-
2 sloped areas to facilitate future reuse of garage areas if parking demand
3 diminishes in the future.

4 (4) On garage structures facades enclosing non-active uses, architectural treatment
5 in accordance with the OP3D Design Guidelines shall be provided.

6

7 (B) Loading and maneuvering.

8 When provided, loading areas shall be subject to the following requirements:

9 (1) Loading for all proposed developments shall occur internal to the building
10 footprint or from the alley and shall be visually screened from public view in
11 Downtown Core Sub-area. For small or existing developments which cannot
12 accommodate circulation internal to the building, as determined by the Economic
13 and Community Development Director, and which do not have alley access, the
14 owner shall make arrangements with the City to designate on-street parking or
15 other area as a temporary loading zone.

16 (2) Public rights-of-way shall not be utilized for maneuvering associated with
17 building loading access for newly constructed buildings unless approved by the
18 Development Review Committee.

19

20 (C) Architectural features: For building frontages greater than 150' in width, no façade
21 shall exceed 60% of the building frontage without providing a planar break or multiple
22 planar breaks a minimum of 3' in depth. The cumulative horizontal length of all planar
23 breaks shall be greater than or equal to 20% of the building frontage.

24

25 (D) Open Space Standards

26 (3) Walk Up Gardens: for ground floor residential or live work uses permitted in
27 Secondary streets which shall have a minimum depth of five (5) feet measured
28 horizontally between the building *façade* and the public sidewalk, and may
29 include an entrance landing and stairs. *Fences*, walls or other similar structures
30 shall not exceed three (3') in *height*. 40% min. vegetated area required.

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

(4) Front yards in InTown Neighborhoods sub-area

30% min. tree canopy

50% min. vegetated area

(5) TREE CANOPY means, for the purpose of Open space standards, the measure the upper portion of a tree consisting of limbs, branches and leaves and the anticipated shade coverage on the ground. Large palm species shall be not be utilized for the required tree canopy.

(6) VEGETATED AREA means, for the purpose of Open space standards, any surface or area of a surface not greater than four (4) feet in height and occupied by plant materials. A maximum of 20 percent of the required vegetated area shall be covered by permeable materials, not including exposed soil.

(E) Townhouse regulations: For townhouse and multi-family dwelling projects, parking spaces, garage doors, and maneuvering areas shall not be permitted in front of the structure. Only an access driveway to the side and/or rear of the structure is permitted to pass over a front yard, consisting of the yard frontage abutting the highest classified street bordering the project site. Furthermore, townhouse development where all units front into an internal court, parking area, or circulation area are not permitted. Any townhouse facing a public street shall have its entrance and front façade facing that street.

Secs. 24-281—24-284. - Reserved.

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. All references in the Code of Ordinances of the City of Oakland Park to the Downtown Mixed Use District are to hereafter refer to the

1 Oakland Park Downtown Development District or OP3D.
2

3 **SECTION 5.** It is the intention of the City Commission of the City of Oakland
4 Park, that the provisions of this Ordinance shall become and be made a part of the Code of
5 Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance may
6 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"
7 "Article," or such other word or phrase in order to accomplish such intention.
8

9 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
10 the City Commission of the City of Oakland Park.
11

12

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

13
14 CITY OF OAKLAND PARK, FLORIDA

15
16
17 _____
18 MAYOR JANE BOLIN

19
20 M. CARN _____
21 A. GORDON _____
22 M. ROSENWALD _____
23 M. SPARKS _____
24 J. BOLIN _____
25

26 ATTEST:

27
28
29 _____
30 RENEE M. SHROUT, CMC, CITY CLERK

31
32
33 LEGAL NOTE:

34 I hereby certify that I have approved the form of this Ordinance (O-2021-XXX):

35
36
37 _____
38 DONALD J. DOODY, CITY ATTORNEY