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**ORDINANCE NO. O-2021-XXX**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING CHAPTER 24 – LAND DEVELOPMENT CODE, SPECIFICALLY ARTICLE IV – PLANNED DEVELOPMENT DISTRICTS, SECTIONS 24-50 & 24-56 AND ARTICLE XI-SIGNS, SECTION 24-153, TO UPDATE VARIOUS FEE REQUIREMENTS BY TRANSFERRING AND ADJUSTING THE REQUIRED FEES FROM THE TEXT OF THE LAND DEVELOPMENT CODE TO A SEPARATE SCHEDULE TO BE ADOPTED BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The City of Oakland Park needs to consolidate its fee schedule for the benefit of applicants and to facilitate adjustments necessary from time to time to reflect current City costs; and

**WHEREAS,** Some current fees for various applications for project approvals are specifically embedded in sections of the Code of Ordinances while others are found in fee schedules adopted by Resolution such that these different locations make fees difficult to find and update; and

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

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

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

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

**SECTION 2.** Chapter 24, ARTICLE IV. - PLANNED DEVELOPMENT DISTRICTS, SECTIONS 24-50 & 24-56 and ARTICLE XI. – SIGNS, SECTION 24-153 of The Land Development Code are hereby amended as follows:

1  
2 **ARTICLE IV. - PLANNED DEVELOPMENT DISTRICTS**  
3

4 Sec. 24-50. - Federal Highway Mixed Use Business and Entertainment Overlay District.

5 (P) *Fees.*

6 (1) *Cost recovery fee.* To offset the cost of planning the Federal Highway  
7 Mixed Use Business and Entertainment Overlay District, a cost recovery  
8 fee shall be paid before issuance of a building permit for any development or  
9 redevelopment within the Federal Highway Mixed Use Business and  
10 Entertainment Overlay District. A fee of ~~\$0.40592 per gross square foot of~~  
11 ~~development established by Resolution adopted by the City Commission~~  
12 shall be paid for in the area designated the Federal Highway Mixed Use  
13 Business and Entertainment Overlay District.  
14

15 (3) *Local transportation fee.* The construction of transportation  
16 improvements within the public right of way will be necessary to mitigate  
17 traffic patterns and volumes associated with development permitted within  
18 the overlay district. Therefore, the city shall collect a local transportation fee  
19 for every dwelling unit and every one thousand (1,000) gross square feet of  
20 commercial and office space developed or redeveloped within the Federal  
21 Highway Mixed Use Business and Entertainment Overlay District. The fee  
22 shall be paid in full prior to the issuance of a building permit. Each  
23 applicant for development approval shall be required to submit a traffic  
24 analysis which will be reviewed by the neighborhood traffic committee and  
25 will identify project-related improvements for traffic calming associated with  
26 each development project. The local transportation fee may be reviewed and  
27 adjusted on an annual basis by the city commission. The local transportation  
28 fees shall be as established by Resolution adopted by the City Commission  
29 follows:  
30

31 (a) ~~For each residential unit One hundred sixty nine dollars and~~  
32 ~~seventy seven cents (\$169.77.)~~  
33

34 (b) ~~For each thousand (1,000) square feet of commercial use three~~  
35 ~~thousand two hundred ninety dollars (\$3,290.00)~~  
36

37 (5) *Development review fee.*

38 (a) The city intends to collect a development review fee for  
39 review of applications for development within the Federal  
40 Highway Mixed Use Business and Entertainment Overlay District.  
41 This fee shall be utilized to offset administrative and legal costs  
42 incurred by the city in reviewing and processing any plans submitted  
43 to the city for purposes of developing within the district. A fee

1 established by Resolution adopted by the City Commission shall be  
2 charged of one thousand two hundred dollars (\$1,200.00) will be  
3 charged for buildings thirty six (36) in height and lower and a fee  
4 of two thousand four hundred dollars (\$2,400.00) will be  
5 charged for buildings exceeding thirty six (36) feet in height.  
6 One half (1/2) of the development review fee must be paid to the  
7 city before the pre-application meeting with the development review  
8 committee. One half (1/2) must be paid to the city before formal  
9 review of completed site plans by the development review  
10 committee. The development review fee may be reviewed and adjusted  
11 on an annual basis by the city commission to determine the  
12 cost and applicability.

13  
14 (b) Each fee set forth herein shall be placed in a separate account and  
15 shall be expended only for the purpose of its collection.  
16

17 Sec. 24-56. - Mixed use land development.  
18

19 (K) *Development review fee.* The city intends to collect a development review  
20 fee for review of applications for mixed use land development. A fee  
21 established by Resolution adopted by the City Commission shall be charged, of  
22 one thousand two hundred dollars (\$1,200.00) will be charged for buildings three  
23 stories and lower and a fee of two thousand four hundred dollars (\$2,400.00) will  
24 be charged for buildings four (4) stories and higher. One half (1/2) of the  
25 development review fee must be paid to the city before the pre-application meeting  
26 with the development review committee. One half (1/2) must be paid to the city  
27 before formal review of completed site plans by the development review  
28 committee. The development review fee may be reviewed and adjusted on an  
29 annual basis by the city commission to determine the cost and applicability.  
30

31 (M) *Park and open space charge.* A park and open space charge  
32 established by Section 24-175 of one thousand five hundred dollars (\$1,500.00)  
33 for every dwelling unit shall be paid before issuance of a building permit for mixed  
34 use land development projects to offset the costs of increasing park and open  
35 space. The park and open space charge may be adjusted on an annual basis by the  
36 city commission.  
37

38 **ARTICLE XI. – SIGNS**  
39

40 Sec. 24-153. - Billboards.  
41

42 (C) Revocable license agreement  
43

1 (2) It is agreed that for each billboard installed, a payment in an amount  
2 established by Resolution adopted by the City Commission ~~of four thousand~~  
3 ~~dollars (\$4,000.00) will be given annually, in four (4) one thousand dollar~~  
4 ~~(\$1,000.00) increments~~, to a city commission designated charity.

5  
6 (4) A fee ~~of five hundred dollars (\$500.00) per year~~ established by Resolution  
7 adopted by the City Commission shall be paid each year to the city to cover  
8 expenses associated with enforcement of this section.  
9

10 **SECTION 3.** If any clause, section or other part of this Ordinance shall be held by  
11 any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional  
12 or invalid part shall be considered as eliminated and in no way affecting the validity of the  
13 other provisions of this Ordinance.  
14

15 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby  
16 repealed to the extent of such conflicts.  
17

18 **SECTION 5.** It is the intention of the City Commission of the City of Oakland Park,  
19 that the provisions of this Ordinance shall become and be made a part of the Code of  
20 Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance may  
21 be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"  
22 "Article," or such other word or phrase in order to accomplish such intention.  
23

24 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by  
25 the City Commission of the City of Oakland Park.  
26

1 PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,  
2 FLORIDA, ON FIRST READING, THIS 8<sup>th</sup> DAY OF SEPTEMBER 2021.  
3  
4

5 M. CARN \_\_\_\_\_  
6 A. GORDON \_\_\_\_\_  
7 M. ROSENWALD \_\_\_\_\_  
8 M. SPARKS \_\_\_\_\_  
9 J. BOLIN \_\_\_\_\_  
10  
11  
12

13 PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
14 OAKLAND PARK, FLORIDA, ON SECOND READING, THIS\_\_\_\_, DAY OF,  
15 \_\_\_\_\_, 2021.  
16

17 CITY OF OAKLAND PARK, FLORIDA  
18  
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21

22 \_\_\_\_\_  
23 MAYOR JANE BOLIN  
24  
25

26 M. CARN \_\_\_\_\_  
27 A. GORDON \_\_\_\_\_  
28 M. ROSENWALD \_\_\_\_\_  
29 M. SPARKS \_\_\_\_\_  
30 J. BOLIN \_\_\_\_\_  
31

32 ATTEST:  
33  
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35 \_\_\_\_\_  
36 RENEE M. SHROUT, CMC, CITY CLERK  
37

38 LEGAL NOTE:  
39

40 I hereby certify that I have approved the form of this Ordinance (O-2021-XXX):  
41

42 \_\_\_\_\_  
DONALD J. DOODY, CITY ATTORNEY