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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 V – SUPPLEMENTAL REGULATIONS, TO CREATE SECTION 24-74.1, TO BE TITLED “ELECTRIC VEHICLE CHARGING STATIONS REQUIRED” TO ADD A REQUIREMENT THAT NEW RESIDENTIAL BUILDINGS CONSTRUCTED AFTER THE DATE OF ADOPTION SHALL BE REQUIRED TO PROVIDE ELECTRIC VEHICLE CHARGING AT A PORTION OF ALL PROVIDED ON-SITE PARKING SPACES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** The City of Oakland Park recognizes the environmental benefits of accommodating electric vehicles; and

**WHEREAS,** Infrastructure and charging facilities to support electric vehicle use is desirable and beneficial to electric vehicle owners and residents overall because of reduced emissions leading to the need for an ordinance to require charging station infrastructure and stations at new residences; and

**WHEREAS,** a proposal for this text amendment was 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 V. – SUPPLEMENTAL REGULATIONS of The Land Development Code is hereby amended\* through the addition of a new section as follows:

38 **ARTICLE V – SUPPLEMENTAL REGULATIONS**

39

40 **SECTION 24-74.1**

41 (A) Purpose. In order to accommodate the increasing utilization of electric vehicles,  
42 the regulations contained herein shall apply.

43 (B) All new single-family, two-family, and townhouse residential units shall provide  
44 all necessary infrastructure for an Electric Vehicle Ready Space, for the resident  
45 to plug in one (1) electric vehicle charging station per residential unit, at the time  
46 of construction of the residential units, as follows:

47 (1) Required infrastructure shall include a dedicated circuit with  
48 minimum 30 ampere service and 208 volts. Infrastructure shall include a  
49 dedicated circuit with 50 amp service, including appropriate  
50 electric wiring, conduit, receptacle, and circuit breaker(s) necessary to  
51 readily accommodate future installation of a minimum Level 2 or  
52 equivalent charging station. If commonly available technology changes  
53 such that the level of electrical service needed for a Level 2 charger, or  
54 its equivalent, becomes lower than the minimum stated herein, the  
55 Building Official may provide a memorandum recommending a new  
56 lower standard to the City Manager for approval.

57 (2) Wiring, conduit, and receptacle shall be installed up to the point where  
58 the charging station will be located to access the parking space.

59 (3) The receptacle and charging station shall be indoors and at an indoor,  
60 garage parking space if the dwelling unit has garage parking.

61 (4) For residential units that only have outdoor parking, the receptacle  
62 shall be positioned at the most convenient, but secure, location to serve  
63 the parking space. The receptacle shall be installed in a location that is  
64 the least visible possible from any public right-of-way.

65 (5) The receptacle shall be protected from flooding and other weather  
66 impacts and shall be located a minimum of two feet above designated  
67 flood elevation or design flood elevation, whichever is higher.

68 (C) All new multi-family residential developments (excluding two-family and  
69 townhouse residential) and all new residential mixed-use developments shall  
70 install electric vehicle charging infrastructure (as described in (B) above) and

71 Level 2 or equivalent charging station(s), effectively to create Electric Vehicle  
72 Supply Equipment space(s), at the time of construction of the residential units,  
73 as follows:

74 ~~(1) equipment within the project at the rate of five (5) percent of the total~~  
75 ~~number of required residential parking spaces as approved by the~~  
76 ~~Development Review Committee. If five (5) percent calculates to less~~  
77 ~~than one, at least one electric vehicle charging station shall be installed~~  
78 ~~for the assigned spaces and one for the unassigned spaces. The number of~~  
79 ~~charging stations within the project shall be at the rate of ten (10) percent~~  
80 ~~of the total number of residential parking spaces required by the Land~~  
81 ~~Development Code or as approved by the City Manager after a review~~  
82 ~~and recommendation of the Development Review Committee.~~

83 (2) If ten (10) percent calculates to less than one, at least  
84 one electric vehicle charging station shall be installed.

85 (3) The charging station shall be indoors and at an indoor garage parking  
86 space if the development has garage parking.

87 (5) For developments that only have outdoor parking, the charging station  
88 shall be positioned at the most convenient, but secure, location to serve  
89 the parking space. The charging station shall be installed in a location that  
90 is the least visible possible from any public right-of-way.

91 (5) A development has the option to provide Level 3 infrastructure and  
92 charging stations with minimum 100 ampere service and 400 volts. The  
93 requirement for the number of charging stations required in subsection  
94 (1) above would be reduced to five (5) percent of the total number of  
95 required residential parking spaces required by the Land Development  
96 Code or as approved by the Development Review Committee. If  
97 commonly available technology changes such that the level of electrical  
98 service needed for a Level 3 charger, or its equivalent, becomes lower  
99 than the minimum stated herein, the Building Official may provide a  
100 memorandum recommending a new lower standard to the City Manager  
101 for approval.

102 (6) The charging station shall be protected from flooding and other  
103 weather impacts; its charging outlets shall be located a minimum of two

104                    feet above designated flood elevation or design flood elevation,  
105                    whichever is higher.

106     (D)     An electric vehicle charging station sign shall be posted at each electric vehicle  
107             charging station stating, "Electric Vehicle Charging Station." Signs shall be no  
108             greater than in face area than twenty-four (24) inches by eighteen (18) inches.  
109             Color and letter size specifications shall meet the Manual on Uniform Traffic  
110             Control Devices (MUTCD) requirements for sign designation (electric vehicle  
111             charging).

112     (E)     Electric Vehicle Charging Plan. Per the requirements of Section 24-80(B)(4), a  
113             parking plan that accurately depicts the location of all electric vehicle  
114             infrastructure and charging stations shall be provided and approved as part of  
115             zoning review for the proposed construction project.

116     (F)     Adjustments. If a situation arises whereby the requirements to provide charging  
117             stations as required by subsection (B) or (C) above cannot be met due to  
118             extenuating circumstances, the development review committee (or a  
119             subcommittee thereof) is authorized to grant an adjustment to the strict  
120             application of this subsection.

121     (G)     Applicability. The provisions of this Section shall apply to applications for  
122             residential building permits submitted after June 30, 2022, ~~subsequent to~~  
123             ~~\_\_\_\_\_~~, the date of adoption of this Ordinance.

124     \*Proposed changes as presented on First Reading to the City Commission on May 5,  
125     2021 are indicated in ~~strike through~~ and underlined text. Proposed changes subsequent to  
126     the May 5, 2021 City Commission Public Hearing are indicated in ~~double strike through~~  
127     and double underlined text.

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

132  
133             **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are  
134     hereby repealed to the extent of such conflicts.  
135

136             **SECTION 5.** It is the intention of the City Commission of the City of Oakland  
137     Park, that the provisions of this Ordinance shall become and be made a part of the Code  
138     of Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance

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

141

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

144

145 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
146 **FLORIDA, ON FIRST READING, THIS 5<sup>TH</sup>, DAY OF MAY, 2021.**

147 J. BOLIN YES

148 M. CARN YES

149 A. GORDON YES

150 M. ROSENWALD YES

151 M. SPARKS YES

152 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**  
153 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 6<sup>TH</sup>, DAY OF**  
154 **APRIL, 2022.**

155 CITY OF OAKLAND PARK, FLORIDA

156

157 \_\_\_\_\_

158 MAYOR MICHAEL CARN

159

160 BOLIN \_\_\_\_\_

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

162 A. GORDON \_\_\_\_\_

163 M. ROSENWALD \_\_\_\_\_

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

165

166 ATTEST:

167

168

169 \_\_\_\_\_

170 RENEE M. SHROUT, CMC, CITY CLERK

171

172 LEGAL NOTE:

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

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175

176 \_\_\_\_\_

177 DONALD J. DOODY, CITY ATTORNEY