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WHEREAS, the City Commission of the City of Oakland Park has found that the outdoor storage of equipment on property has the potential to have an undue detrimental impact on the surrounding area and should be subject to special review pursuant to Section 24-165 Conditional Uses; and

WHEREAS, a proposal was heard and considered before the Planning and Zoning Advisory Board of the City of Oakland Park, Florida to modify Section 24-41, Master Business List to amend the list of permitted and conditional uses by specifically creating new business listings and altering the classification of some uses as permitted, conditional, or not permitted; and to amend Section 24-41 (D), entitled "Supplemental Regulations to Master Business List," by specifically adding regulations for used automobile dealerships, distance separations for vehicle fueling stations and regulations for outdoor display, outdoor storage and drive-through windows; and to amend Section 24-41 (E), entitled "Master Business List Definitions" by specifically amending the definitions for electric vehicle charging station, personal service, and restaurant, and adding definitions for animal rescue organization, animal shelter, convenience store, and dollar store; 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 amend Section 24-41 of the Land Development Code.

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, "Land Development Code," Article III, Sec. 24-41 (C). – Master Business List is hereby amended as follows:

(B) *Key to table.*

Master Business List Key Summary:

P =	Permitted Principal Use;
A =	Accessory only to a Permitted Principal Use;
C =	Conditional Use;
X =	Prohibited Use
* =	<u>See The Restriction to the use in first column in parenthesis; is applicable specifically to that zone.</u>

(number) =	Restriction on the use in Section D, Supplemental Regulations.
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(C) *Master business list.* The following is the master business list, indicating the permitted and prohibited uses and those uses subject to the supplemental regulations and definitions of this section. The following uses are principal uses unless otherwise stated. In some cases, a use may be permitted in the district, but would constitute a change of use pursuant to the parking and landscaping sections of this Code. There shall be no variances on the uses listed in the Master Business List in this subsection.

Business Listing	Prohibited	NB	B1	B-2	B-3	I-1	PRZD	FHOD	PRD
Air conditioning and heating equipment—retail				P	P				
Air conditioning & heating equipment—wholesale, <u>indoor</u> storage, repair and service					P	P			
<u>Air mobility station including vertiports or drone ports —electric transport vehicles only</u>			<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Alcoholic beverages, sales—off-premises consumption			P	P	P			C	C
Ambulance service				C	P	P			
Amusement enterprises: coin or credit-operated games (as accessory use)*			C1*	C1*	C1*		C1*	C1*	C1*
Animal boarding/kennel			P1 <u>C1</u>	P1 <u>C1</u>	P1 <u>C1</u>	P <u>C</u>			
Animal clinics, pet hospitals			P1	P1	P1		P1	C	P1
Animal grooming			P1	P1	P1		P1	C	P1

Apartments		P2	P2	P2	P2		P2	P2	P2
Armored car service					P	P			
Artists' studios, photography studios		P	P	P	P	P	P	P	P
Assembly of small articles					P	P			
Assembly hall, halls for hire, civic clubs, fraternal, noncommercial, lodge halls, union halls, associations (civic, professional)			C	C	C		C	C	C
Athletic club, health clubs, gymnasiums, personal training, fitness studio—10,000 square feet or less			P	P	P	P	P	C	P
Athletic club—over 10,000 square feet			C	C	C		C	C	C
Auction houses				C	P				
Auto body & fender repair—all work within building					C12	P12			
Auto parts, equipment, accessories new, wholesale					P	P			
Auto parts—from used cars						C			
Auto rental/leasing (office only)*			P*	C17	P17	P17		C	C
Auto repair major (no auto body)					P12 <u>C12</u>	P12			
Auto repair minor (restricted to shopping centers,			P12*	P12 <u>C12</u>	P12	P12	P12*		

community or regional over ten (10) acres)*									
Auto tag agency			P	P	P		C	C	
Auto tires, new— retail and mounting (restricted to shopping centers, community or regional over ten (10) acres)*			P* <u>C12</u>	P <u>C12</u>	<u>P12</u>	<u>P12</u>			
Auto tires, used and mounting (<u>accessory only to other auto and tire related uses</u>)			<u>A 12</u>	<u>A12</u>	<u>A 12</u>				
Auto wash and detailing			C11	C11	P11	P11	C11		
Automobile, RV, boat & trailer storage (no semi-trailer trucks)(<u>conditional use only</u>)						P <u>A25</u>			
Automobile sales, used				<u>C22</u>	<u>C22</u>				
Automobile sales, new car and truck (with appurtenant repair shop and used vehicle sales lot)			C	C	P			C	
Automobile sales, wholesale & retail (within building only)					P <u>C22</u>	P <u>C22</u>			
Awning stores				P	P				
Awning— manufacturing and sales					P11	P11			

Bakery distribution point and production			P	P	P	P			
Bar			C9	C9	C9		C9	C9	C9
Beverage manufacturing, alcoholic and non-alcoholic, without tasting room					P	P			
Beverage manufacturing, alcoholic and non-alcoholic, with tasting room (tasting room not to exceed 20% of the gross floor area and use approval required)*			C	C	C	P*	C	C	C
Billiard rooms—pool rooms			C	C	C	C	C	C	C
Bingo parlor	X								
Boat and marine motors sales and service (dry stack)*(<u>conditional use only</u>)			C* <u>A25</u>	C <u>A25</u>	P <u>A25</u>	P <u>A25</u>			
Boat rental, boat slips			P	P	P	P			
Bottle clubs	X								
Bowling alleys			P	P	P		P	C	C
Brewpub, (restaurant area cannot exceed 20% of the gross floor area of the establishment)			P	P	P	P*	P	C	P
Building supplies, retail (from bldgs. only)*			P*	P*	P*	P	C*		

Building supplies, retail (accessory outside storage, and/or over 40,000 square feet gross floor, <u>conditional use only</u>)			C	C	C		C		
Bus terminals					P	P			
Business services		P	P	P	P		P	C	P
Canning or freezing plant					C	P			
Carpet, rug. or rag cleaning establishment (off-premises)*				P*	P	P			
Carting, delivery, express, hauling						P			
Check cashing			A	A	A		A		
Commissary				C	P	P			
Community residences (up to ten residents)		P19	P19	P19	P19		P19	P19	P19
Confectionery manufacture					P1	P			
Conservatories (art and music), soundproofed for music			P	P	P		P	P	P
Consignment shop			P	P	P				
Contractor's shop and storage (inside storage only)*					P*	P			
<u>Convenience store with or without a vehicle fueling station</u>		<u>C</u>	<u>C</u>	<u>C</u>			<u>C</u>		
Crematory					P11	P11			
Day labor center					C				

Day nurseries, child care centers, adult day care		P	P	P			P	C	C
<u>Dollar Store</u>			<u>C</u>	<u>C</u>					
<u>Drive-through window for any business (conditional use only)</u>			<u>A 26</u>	<u>A26</u>	<u>A26</u>				
Dry cleaning or laundry drop-off establishments		P3	P3	P3	P		P3	C	P3
Dry cleaning, laundry, carpet cleaning, or dyeing facilities					P11	P11			
Dynamite storage	X								
Electric vehicle charging station <u>unit</u> , accessory to a principal use and not exceeding 10% of required parking unless located within a parking structure		A6	A6	A6	A6	A6	A6	A6	A6
<u>Electric vehicle charging, accessory use when total number of units, not within a parking structure, exceed 10% of required parking</u>		<u>C</u> , <u>A6</u>	<u>C</u> , <u>A6</u>	<u>C</u> , <u>A6</u>	<u>C</u> , <u>A6</u>		<u>C</u> , A6		
<u>Electric vehicle charging station, principal use,</u>		<u>C6</u>	<u>C6</u>	<u>C6</u>	<u>C6</u>		<u>C6</u>		
Embalming, taxidermist						P			
<u>Embalming, human</u>						<u>P</u>			

Employment agencies (except day labor) (Also see "Day Labor")			P	P	P		P		
Engravers (as accessory to a permitted use)*			P*	P	P	P		C	P*
Fabricating, light					P11	P11			
Federal, state and municipal buildings, parks, playgrounds, recreation, and their associated parking lots		P	P	P	P	P	P	C	P
Feed, fertilizer, warehouse, <u>indoor</u> storage and sales					P	P			
Food caterers			P	P	P	P	P	C	
Food processing plant						P			
Fortunetelling	X								
Frozen food lockers					P	P			
<u>Funeral homes in multi-tenant building, no on-site embalming or crematory</u>			<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>		
<u>Funeral homes in stand-alone building, accessory embalming permitted (no crematory)*</u>			<u>P*</u>	<u>P*</u>	<u>P</u>		<u>P</u>		
Furniture and cabinet manufacturing, repair, and refinishing					P11	P11			
Garbage disposal	X								
Garden supplies		P5	P5	P5	P		P5		
Golf courses (miniature)			C	C	C		C		
Golf driving range			C	C	C		C		

Guns—retail (as accessory use)*			P*	P	P		P*		
Gun range					P1	P1			
Head shop				C15	C15				
<u>Heavy equipment parking and storage (conditional use only)</u>						<u>A25</u>			
Hospitals			P	P				C	C
Hotels (except hotels in PCC-1 and PCC-2 districts from the conditional use requirement)*			C*	C*	C*		C	C	C
House cleaners/janitorial (office only)*			P*	P*	P	P		C	C
Ice plant					A	A			
Import/export (office only)*			P*	P*	P	P	P*	C*	P*
Junk dealers	X								
Kitchen incubator			P	P	P	P	P	C	C
Knife & scissor sharpening (as accessory to permitted)*			P*	P	P		P*	C	C
Laboratories, medical, dental, diagnostic, educational			P	P	P	P	P	C	P
Laboratories, research, development, industrial, scientific					P	P			
Laundries, coin-operated		P	P	P	P		P		
Library		P	P	P	P		P	P	P

Lighting fixtures distributors, wholesale					P	P	P		
Liquor store		P16	P16	P16	P16			C	C
Lumberyards					P11	P11			
Machine shops					P1	P			
Machinery sales, <u>indoor</u> storage & repair					P1	P			
Mail order and internet sales establishment (office only)*			P*	P	P	P	P*	C	P*
Maintenance, building, lawn, pool				P	P	P			
Manufacture of: explosives, ammunition, insecticides, fertilizer, dangerous or obnoxious chemicals	X								
Manufacturing, light					P1	P			
Massage establishment	X								
Massage and health spa, state licensed		P15	P15	P15	P15			C15	C15
Medical clinic		P	P	P	P		P	C	P
Medical marijuana treatment center or dispensing facility		C14	C14	C14	C14		C14	C14	C14
Membership discount stores/clubs, 40,000 square feet or less			P	P	P		C		
Membership discount stores/clubs greater than 40,000 square feet			C	C	C		C		

Motorcycle shops (sales, new or used)				C	P				C
Motorcycle repair shops, fabrication					P	P			
Motorhome and house trailer sales, new and used					P	P			
Motor truck yards and depot					C11	P11			
Museum			P	P	P		P	C	C
Office		P8	P	P	P	P	P	P	P
Office equipment/computers (accessory reconditioned preowned equipment sales)*				P*	P*	P			
Oil filling station, drive thru				C	C				
Outdoor storage yard (conditional use only)					<u>A25</u>	<u>A 25</u>			
Pain management clinic (see Chapter 7, section 7-151 of the Code of Ordinances for definition and additional regulations)			C	C					
Parking lots and garages, commercial			P	P	P	P	P	C	A
Payday loans					C16				
Pawn shops					C16				
Personal services		P	P	P	P		P	C	P
Pest control (office only)*			P*	P*	P	P	P*		
Pet shops			C	C	C		C	C	C
Pharmacy		C14	C14	C14	C14		C14	C14	C14
Places of worship			P	P	P		P	C	C

Plant nursery and sales (wholesale)*					P	P*			
Plant nursery and sales, retail, (with fencing and screening around outdoor sales areas)*			P5	P5	P5		P5*	C	
Plumbing fixtures, retail (CRA only)*			P*	P	P			C	C
Post office			P	P	P	P	P	P	P
Printing shops, newspapers, microfilming, press, magazines					P1	P			
Processing, light					P1	P			
<u>Propane</u> or liquefied petroleum gas <u>tank exchange</u>		<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
Propane or liquefied petroleum gas sales and storage (filling station as accessory to permitted use)*			P*13 <u>C*13</u>	P*13 <u>C*13</u>	P*13 <u>C*13</u>	P*13 <u>C*13</u>			
Psychic consulting (see Chapter 7 of this Code for additional requirements)			C	C			C	C	C
Pumps & wells, retail, wholesale					P	P			
Radio, television studios			P	P	P	P	P	C	C
Recording and practice studios, soundproofed for music				P	P				
Recovery communities		P20	P20	P20	P20		P20	P20	P20

Rehabilitation—drug addiction treatment, mental health therapy, and counseling			C	C	C			C	C
Rehabilitation—physical therapy			P	P	P			C	P
Rent to own			P	P	P				
Rental, small articles				P	P				
Rental—commercial trucks and equipment (accessory to permitted retail over 40,000 square feet of gross floor area)*			A*	A*	P	P			
Repair shops (small articles)*				P*1	P1				
Residences		P2	P2	P2	P2		P2	P2	P2
Restaurant with dining room or accessory outdoor seating		P18	P18	P18	P18		P18	P18	P18
Restaurant, drive-in (minimum distance of 100 feet airline distance from residentially zoned property)			C	P	P		C	C	C
Restaurant, drive-thru (accessory outside seating)			PC	PC	PC		PC	C	
Retail sales—stores 40,000 square feet or less of sales area		P	P	P	P		P	P	P
Retail sales—stores over 40,000 square feet of sales area			C	C	C		C	C	C

Rock and sand yards	X								
Roofing, contractors						P11			
Rugs, carpets, wholesale					P	P			
Schools, driving			P	P	P	P	P		
Schools, collegiate only (public or private)			P	P	P			C	C
Schools, public or private trade, vocational and industrial				P	P	P			
Secondhand stores				P	P				
Screen-printing					P	P			
Self-storage facilities					C	C			
Sexually oriented businesses (See also section 24-73) and Chapter 7 , Article X			P	P	P	p			
Shipping and packaging stores, 10,000 square feet or less		P	P	P	P		P	C	C
Shipping and packaging establishments, greater than 10,000 square feet					P	P			
Shopping centers, community or regional over ten (10) acres			C	C	C	C	C		
Shopping centers, neighborhood under ten (10) acres		P	P	P	P		P	C	P19
Skating rinks, skateboard parks,				C	C	C			

water slide, and other outdoor amusements									
Stone yard or monument works						P			
Swimming pools & water treatment: supplies, chemicals, and accessories (no manufacturing)			P	P	P		P		
Tattoos & body piercing studio				C	C		C		
Taxi service establishment				P	P				
Teen center			C	C	C		C		
Theater and motion picture houses			P	P	P		P	C	C
Tile, builders supplies					P	P			
Towing service (no storage yard)*					P*	P			
Trailers of all kinds, campers, mobile homes, <u>indoor</u> storage & sales					P	P			
Truck and trailer rental (as accessory to permitted use)*			C*	P*	P	P			
Transfer companies					P	P			
Truck sales used, commercial					P	P			
Upholstery shop (no vehicles)*			A*	A*	P	P			
Urban Farm—indoor operation (retail component required onsite)*		P*	P*	P*	P	P	P*	C	C
Urban Farm—Outdoor Operation					P	P			

<u>Used Articles Establishment – except antiques or consignment</u>					<u>C</u>	<u>P</u>			
Utilities, service dispatch				P	P	P			
Vehicle fueling station (minor repair)			<u>C23</u>	<u>C23</u>	<u>C23</u>			<u>C 23</u>	
Warehouses: <u>indoor</u> storage (except self-storage facilities)					P	P			
Wholesale establishments (unless otherwise stated in this chapter, must be conducted in a completely enclosed building)*					P*	P			
Wholesale combustible fuel storage	X								
Wholesale sales and distribution (as accessory to a permitted use)*				P*	P	P			
Wholesale warehouse and <u>indoor</u> storage					P	P			
Yacht and boat brokers (office only)*			P*	P*	P	P	P*	C	C
Yacht and boat repairs (<u>indoors only</u>)					P	P1			

Section 3. Chapter 24, "Land Development Code," Article III, Sec. 24-41. (D) – *Supplemental regulations to master business list.* is hereby amended as follows:

- (2) Residential: The following regulations shall apply where a plot in a nonresidential district is utilized for a permitted residential use (see also district regulations):

- 76 (a) B-1, B-2 and B-3: Multifamily dwellings and/or dwelling unit(s) in mixed-use
77 buildings only and maximum height of fifty (50) feet.
- 78 (b) No residential use shall be located on the first or ground floor, other than a
79 residential lobby or accessory use such as garage or storage area.
- 80 (c) Minimum of five hundred fifty (550) square feet of floor area per dwelling unit
81 unless otherwise regulated in the district regulations or Planned Development
82 District regulations for a particular zoning district.
- 83 (d) No building permit shall be issued for any uses involving residential uses, until
84 such time as approval of site plan is obtained in accordance with article XII and
85 approval of "reserve units" by city commission in accordance with section 24-72.
- 86 (6) Electric vehicle charging ~~station (EVCS)~~ unit (EVCU) shall comply with the following
87 requirements:
- 88 (a) EV charging ~~station~~ unit parking spaces shall be posted with signage that
89 identifies: the space as reserved only for the charging of electric vehicles,
90 amperage and voltage levels; any enforceable time limits or tow away provisions;
91 and contact information for reporting nonoperating equipment or other problems.
- 92 (b) EV charging ~~station~~ unit equipment may be located in front of the principal
93 structure, and shall be located so as not to interfere with vehicle, bicycle, or
94 pedestrian access and circulation, or with required landscaping.
- 95 (c) EV charging ~~stations~~ units may be placed in a principal use's required parking.
- 96 (d) Considering the dynamic changes and innovation of this technology, the
97 engineering and community development director may authorize variations from
98 these regulations, so long as they are consistent with the spirit and intent of these
99 regulations and the Oakland Park Municipal Code.
- 100 (12) Auto body and fender repair; Auto repair major and minor.
- 101 (a) No public street, parking space or sidewalk shall be used for the storage or
102 parking of motor vehicles in connection with the activities of these
103 establishments.
- 104 (b) All motor vehicles being handled, stored (i.e. parked overnight), or repaired by
105 the establishments shall be maintained in a condition that they may be moved
106 under their own power at any time except vehicles under repair in buildings or
107 stored behind a six-foot high CBS or masonry wall.
- 108 (c) No repair of motor vehicles or parts thereof shall be made except within garages
109 or other buildings.

- 110
- 111 (13) Propane or liquefied petroleum gas sales and storage. Propane or liquefied petroleum
112 gas is any material having a vapor pressure not exceeding that allowed for commercial
113 propane that is composed predominantly of the following hydrocarbons, either by
114 themselves or as mixtures: propane, propylene, butane (normal butane or isobutene),
115 and butylenes.
- 116 (a) Storage tanks with a storage capacity equal to or greater than two hundred fifty
117 (250) gallons must be installed underground.
- 118 (b) All storage tanks either underground or aboveground shall meet the district
119 setbacks of the zoning district and shall not be permitted forward of the plane of
120 any street facing building wall.
- 121 (c) All storage tanks shall be located so they minimize, to the extent reasonably
122 practicable, location conflicts with vehicles using driveways and parking areas
123 while remaining accessible for fueling and fire department operations.
- 124 (d) All storage tanks shall be installed, operated and maintained in accordance with
125 all applicable requirements of the city's adopted state minimum building codes,
126 the adopted minimum fire standards and uniform fire standards, and any other city
127 requirements.
- 128 (14) *Distance separation.* The listed use shall not be permitted unless the straight-line
129 distance of the closest projection of the building or outdoor sales area ~~from~~ to the
130 closest projection of the property and grounds of any public or private elementary,
131 middle, or secondary schools, and/or child daycare ~~to the closest projection of~~
132 ~~measures a minimum of five hundred (500) feet.~~
- 133 (15) *Distance separation.* The listed use shall not be permitted unless the straight-line
134 distance of the closest projection of the building or outdoor sales area to the closest
135 projection of another building or outdoor sales area with the same use measures a
136 minimum of one thousand five hundred (1,500) feet. For head shops, there is an
137 additional separation of seven hundred fifty feet (750) feet from the closest projection
138 of the property and grounds of any public or private elementary, middle, or secondary
139 schools, places of worship, child daycare, and hospitals.
- 140 (16) *Distance separation.* The listed use shall not be permitted unless the straight-line
141 distance of the closest projection of the building or outdoor sales area to the closest
142 projection of another building or outdoor sales area with the same use measures a
143 minimum of one thousand five hundred (1,500) feet. Additional distance separation
144 requirements between liquor sales for offsite consumption and places of worship and
145 schools are listed in section 3-14.

146 (22) Used automobile dealerships shall have an indoor area with a minimum of 1,200
147 square feet accessible by motor vehicle that shall include a separate, walled office with
148 a minimum of 100 square feet. For automobile sales establishments that are not
149 'within building only,' the minimum lot area exclusively available to the automobile
150 sales operation shall be 15,000 square feet with a minimum width of 100 feet. Parking
151 required by this chapter shall not be used for vehicles in inventory. The use of chain
152 link fencing is prohibited in any location visible from a public right-of-way. No cars in
153 inventory are to be parked or stored on public right-of-way or on a property not
154 controlled by the business operator. The use of barbed wire is prohibited. The use of
155 flags, banners, or any other plastic, vinyl or fabric signage or any signage prohibited by
156 Section 24-144 of this Chapter is prohibited even for temporary purposes including
157 animated signs, which include signs using video screens, digital pixels, LED, or other
158 methods to change imagery or information as well as any sign that changes imagery by
159 any method other than a person present at the sign using physical movement.

160
161 (23) *Distance separation.* The listed use shall not be permitted unless the straight-line
162 distance of the closest property line of the location of a vehicle fueling station to the
163 closest property line of another location of an existing or proposed vehicle fueling
164 station measures a minimum of one thousand (1,000) feet. The following regulations
165 apply to vehicle fueling stations rendered nonconforming by this provision:

166 a. Notwithstanding the foregoing, vehicle fueling stations rendered nonconforming
167 by this regulation may be permitted to continue operation, maintenance, and repair of
168 facilities as permitted under Article XV of this code even if the maintenance or repair
169 effects greater than 50% of the value of the improvements.

170 b. An existing vehicle fueling station rendered nonconforming pursuant to this
171 distance regulation may be expanded within the existing lot pursuant to Section 24-165
172 - Conditional Uses, subject to all applicable regulations of the Land Development
173 Code.

174 c. Should the nonconforming vehicle fueling station be abandoned, an application to
175 have it reestablished may be submitted pursuant to Section 24-165 – Conditional Uses.

176 d. In the event that any non-conforming structure or use is intentionally demolished,
177 destroyed, removed or the use is demolished, destroyed or removed by any means to
178 the extent of fifty (50) percent of the cost of replacement of such structure or use, said
179 structure or use shall not be rebuilt, restored, re-established or reoccupied, except in
180 conformance with the applicable regulations of this code.

181 e. In the event that a nonconforming vehicle fueling station is damaged or destroyed
182 during a natural disaster, fire, storm, or other non-deliberate event, the vehicle fueling

station may be rebuilt in its previous location without the need for conditional use approval.

(24) Outdoor Display of Merchandise. Outdoor display of merchandise is permitted during events such as sidewalk sales and brief displays of goods for sale during seasonal situations or other brief events. The continuous outdoor display of goods for sale is prohibited. A maximum of thirty (30) non-continuous days of display every six (6) months is permitted pursuant to the established special event permit process or other process as determined by the Director of Community and Economic Development. Merchandise display shall be limited to on-site private walkways and courtyards and no more than 10% of required parking. Signs and merchandise shall not interfere in any fashion with interior circulation aisles, fire lanes, load zones and pedestrian circulations.

(25) Outdoor storage in general. Outdoor storage is an accessory use that may only be established in conjunction with a permitted or approved conditional use that occupies a permanent building on the same lot as the outdoor storage use. All outdoor storage is subject to Conditional Use approval pursuant to Section 24-165 of this code regardless of whether this subsection is referenced in other sections of this code.

(26) Drive through windows. A drive through window is an accessory use permitted only pursuant to Section 24-165 - Conditional Uses. Drive through windows are prohibited for establishments selling alcoholic beverages as its principal use.

Section 3. Chapter 24, "Land Development Code," Article III, Sec. 24-41. (E) – Definitions. is hereby amended as follows:

Animal rescue organization. A humane society or other duly incorporated nonprofit organization registered with the Florida Department of State and operated as a bona fide charitable organization under Section 501(c)3 of the Internal Revenue Code, which organization is devoted to the rescue, care and/or adoption of stray, abandoned or surrendered animals and which does not breed animals. This type of facility is classified as a kennel for zoning regulatory purposes.

Animal shelter. A public animal shelter or duly incorporated nonprofit organization registered with the Florida Department of State and operated as a bona fide charitable organization under Section 501(c) 3 of the Internal Revenue Code devoted to the rescue, care and/or adoption of stray, abandoned or surrendered animals, and which does not breed animals. This type of facility is classified as a kennel for zoning regulatory purposes.

219 Convenience store with or without a vehicle fueling station: A retail store, regardless of
220 number of employees, without an accessory pharmacy, that primarily sells a variety of foods and
221 beverages as well as tobacco products consisting primarily of cigarettes in individual packs; the
222 majority of beverage inventory consisting of sodas, soft drinks, and/or beer; the majority of food
223 sold is in processed, ready-to-eat, pre-packaged format with no after-purchase cooking involved.
224 A store that sells specialty food or beverage types such as candy stores, pickle stores, wine
225 stores, or other specialized foods is not a convenience store. Compliance with all applicable
226 requirements of Article VIII of Chapter 7 of the Code of Ordinances is required.

227 Dollar store. A store selling household goods that has two or more of the following
228 characteristics: use of pricing information in its name such as “dollar,” “ninety-nine,” “cents,” or
229 “five;” selling personal care products labeled and originally marketed for sale in a different
230 country than the United States; selling damaged or overstock products; or the majority of
231 inventory is offered for sale for a price of less than \$10 (2022 CPI) in or equivalent CPI in
232 current year.

233 Electric vehicle charging ~~station (EVCS)~~ unit (EVCU). An ~~electric vehicle (EVCS)~~ EVCU
234 levels 1, 2 or 3 charging ~~station unit~~ is a single vehicle parking space that is served by an
235 electrical component assembly or cluster of component assemblies (battery charging station)
236 designed and intended to transfer electric energy, by conductive or inductive means, from the
237 electric grid or other off-board electrical source to a battery or other energy storage device within
238 an electric vehicle. A level 1 charging ~~station unit~~ is a slow charging ~~station unit~~ that typically
239 operates on a 15- or 20-amp breaker on a 120-volt alternating current (AC) circuit. A level 2
240 charging ~~station unit~~ is a medium charging ~~station unit~~ that typically operates on a 40- to 100-
241 amp breaker on a 208- or 240-volt alternating current (AC) circuit. A Level 3 charging ~~station~~
242 ~~unit~~ is an industrial grade charging ~~station unit~~ that operates on a high-voltage circuit to allow for
243 fast or rapid charging.

244 Personal services. A business primarily engaged in the provision of frequent or recurrent
245 services involving the care of a person or his or her personal goods or apparel. Typical uses
246 include beauty and barber shops; costumers, dance academies, day spas; florist; hat or shoe
247 cleaning and repair services; microblading (but not permanent tattoo), modeling schools, nail
248 studios; seamstress shops; tailor shops; toning and tanning salons.

249 Restaurant. An establishment having as its primary activity the service of meals to the
250 public to be consumed in dining areas within the establishment. A restaurant may also contain
251 accessory drive-thru lanes and outside seating areas only if conditional use is granted pursuant to
252 Section 24-165 – Conditional Uses.

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256 **Section 4.** 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 5. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

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

Section 7. This Ordinance shall be effective upon its passage and adoption by the City Commission of the City of Oakland Park.

PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ON FIRST READING, THIS 18th DAY OF MAY, 2022.

J. BOLIN	_____
M. CARN	_____
A. GORDON	_____
M. ROSENWALD	_____
M. SPARKS	_____

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ON SECOND READING, THIS , DAY OF , 2022.

CITY OF OAKLAND PARK, FLORIDA

MAYOR MICHAEL CARN

J. BOLIN _____

297 M. CARN _____
298 A. GORDON _____
299 M. ROSENWALD _____
300 M. SPARKS _____

301
302 ATTEST:

303
304
305
306 _____
307 RENEE M. SHROUT, CMC, CITY CLERK

308
309 LEGAL NOTE:
310 I hereby certify that I have approved the form of this Ordinance (O-2022-XXX):

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312
313 _____
314 DONALD J. DOODY, CITY ATTORNEY