



City Hall Commission Chambers
3650 NE 12 Avenue
Oakland Park, Florida 33334

MINUTES
PLANNING AND ZONING BOARD MEETING
MAY 16, 2022, 6:30 P.M.

The regular meeting of the Planning and Zoning Board of the City of Oakland Park, Florida was called to order at 6:30 P.M.

NOTE: Due to COVID-19 precautionary safety measures were in place and access to city facilities was limited to ensure social distancing. The opportunity for public participation was provided by email or by calling the City Clerk's Office. Received public comments, if any, were read into the record during that portion of the agenda.

ROLL CALL

Regular Members:

Board Member, Jack Doren
Board Member, Jason King
Board Member, Letitia Newbold
Board Member, Wallis Peterson
Board Member, Scott Rivelli

Also Present:

Danielle Schwabe, City Attorney
Representative
Jennifer Frastai, Assistant City Manager
Lauren Pruss, Assistant Director of
Community & Economic Development
Rick Buckeye, Senior Planner
Lorrainia Belle, Senior Planner
Melissa Alvarado, Recording Secretary

PLEDGE TO THE FLAG – The pledge to the flag was led by the board members

1. Public Comments

At this time any person will be allowed to speak on any matter that pertains to City business for a length of time not to exceed four minutes per person.

None.

ITEMS TO CONSIDER

2. Election of Planning and Zoning Chair and Vice Chair
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The Board Members introduced themselves.

Member Doren made a motion to nominate Scott Rivelli as Board Chair.
Board Member Peterson seconded the motion which prevailed by the following vote:

YES: Board Member Doren, Board Member King, Board Member Newbold, Board Member Peterson, Board Member Rivelli.

Board Member King made a motion to nominate Jack Doren as Vice Chair.
Board Member Peterson seconded the motion which prevailed by the following vote:

YES: Board Member Doren, Board Member King, Board Member Newbold, Board Member Peterson, Board Member Rivelli.

3. APPROVAL OF MINUTES – April 11, 2022
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Member Peterson made a motion to approve the April 11, 2022 meeting minutes. Board Member King seconded the motion which prevailed by the following vote:

YES: Board Member King, Board Member Peterson, Board Member Rivelli

ABSTAINED: Vice Chair Doren, Board Member Newbold

4.	4. Case #CD22-08T “Text Amendment to Amend the Sign Regulations of the Land Development Code” A Public Hearing to consider amending Chapter 24 entitled Land Development Code by specifically amending Article XI. Signs, Sections 24-143 through 24-152 to provide amended sign definitions, providing regulations on animated signs, providing for prohibitions on pole signs with an amortization schedule, providing certain regulations on ground signs, providing certain time restrictions for temporary signs, and the prohibition of certain outdoor displays of merchandise.
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Lauren Pruss, Assistant Director of Community & Economic Development, provided staff's presentation.

Public Comments

None

Member Peterson asked if the text amendment would apply to both businesses and residential.

Ms. Pruss stated that the sign code will also apply to residential properties with stricter regulation in the residential areas.

Assistant City Attorney, Jennifer Frastai added that content is taken on a case-by- case basis in consultation with the City Attorney's Office.

City Attorney's Office representative Danielle Schwabe stated that the sign code applies to residential, but when it comes to enforcement it is more difficult to enforce things on private property or in residential areas. She added that the intent of the code is to set the guidelines and hope that commercial and residential entities will follow the guidelines. When it comes to actual enforcement, it will be on a case-by- case basis and different facts that will apply.

Member King asked about duration of sign postings and content of the signs

Ms. Schwabe commented that it is based on the property, the piece of property, the character of the property, the character of the of the sign, and the character of the language used.

Ms. Pruss stated that some of the regulations proposed in the amendment are for political signs. She added that a certain number of signs in a residential zone can be displayed up to a certain period of time before an election.

Member King inquired about off-premise signage to which Ms.Pruss responded that off premise signage is not permitted.

Vice Chair Doren asked for clarification on the definition on animated signs.

Ms. Pruss stated that the amendment is intended to provide clarity and application of the code with regard to animated and digital signs. She added a number of adjustments were made in the code to address the issue to make it more clear that animated and digital signs are not permitted.

Vice Chair Doren asked for clarity on off premises signage.

Ms. Pruss stated that it is a non-content based, off premises sign regulation. She explained that an off premises sign, regardless of content that is located on a property that leased by somebody other than the owner or tenant, is consider an off-premise sign.

Vice Chair Doren asked about temporary signage. Ms. Pruss stated that there are provisions in the temporary sign regulations that allow for a greater number of signs to be on a property before

a political campaign before an election. There is a specific delineation in the temporary sign regulation.

Vice Chair Doren suggested minor text amendments for clarity.

Member Newbold asked about wayfinding signage.

Ms. Pruss state that the amendment is intended to eliminate the content based regulation that a sign that provided directional information was regulated a certain way where it would be located than by the content.

Member Peterson made a motion to recommend that the City Commission adopt the attached Ordinance amending Article XI, Signs Sections 24-143 through 24-152 to provide amended sign definitions, providing regulations on animated signs, providing for prohibitions on pole signs with an amortization schedule, providing certain regulations on ground signs, providing certain time restrictions for temporary signs, and the prohibition of certain outdoor displays of merchandise. Board Member King seconded the motion which prevailed by the following vote:

YES: Board Member Doren, Board Member King, Board Member Newbold, Board Member Peterson, Board Member Rivelli

5.	5. Case #CD22-06T “Text Amendment to Amend the Master Business List, Supplemental Regulations and Definitions” A Public Hearing to consider amending Chapter 24 of the Code Of Ordinances, Entitled “Land Development Code”, by specifically amending Article III, Section 24-41 (C), entitled “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.
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Lauren Pruss, Assistant Director of Community & Economic Development, provided staff’s presentation.

Member King asked about the regulation of used automobile dealerships.

Ms. Pruss stated that with these particular uses have been found storing vehicles in the public right-of-way and in other peoples parking. She added that it has become a challenge for Code Enforcement to get a handle on and that these uses are supposed to be regulated as a conditional use. Ms. Pruss explained with the conditional use each proposal would be reviewed on a case-by-case basis because each property is unique in its locational attributes and each use is unique.

Vice Chair Doren inquired about the property located at Prospect and NE 6th Avenue.

Ms. Pruss stated that the amendment would render the use “nonconforming”. Once in compliance it will have to go through the conditional use process and have to remove every abandoned vehicle, remove any inoperable vehicle, provide for the neat and orderly storage of the stuff out there, and provide a tall solid fence with landscaping around the site.

Member King asked about the mitigation of traffic problems from existing fast food establishments.

Ms. Pruss stated that they are existing they are rendered nonconforming and if they wanted to make modifications to their drive through they have to go through the process they can continue to exist and be maintained.

Member King inquired about the distance separation between gas stations and electric vehicle charging stations.

Ms. Pruss explained that the electric vehicle charging stations are only conditional. The ordinance refers specifically to vehicle fueling stations and why it is proposed there is the proliferation of vehicle fueling stations within the City which tend to contribute to blight within the community.

Member Peterson asked if gas stations could be converted to other uses and asked about distance separation of vehicle charging stations.

Ms. Pruss stated that any permitted use in that zone and the building could remain under the nonconforming provisions of the code as long as they do not meet the abandonment clauses under the code. Related to vehicle charging stations, Ms. Pruss stated that a distance separation was not included because there is not a distance separation of the use of vehicle charging.

Vice Chair Doren suggested minor text amendments for clarity.

Member Peterson made a motion to recommend that the City Commission adopt the ordinance amending Article III, Section 24-41 (C), entitled “Master Business List”; and 24-41 (D), entitled “Supplemental Regulations to Master Business List,”

Board Member Doren seconded the motion which prevailed by the following vote:

YES: Board Member Doren, Board Member King, Board Member Newbold, Board Member Peterson, Board Member Rivelli

6.	6. Case #CD22-07T “Text Amendment to Amend Home Occupation Regulations” A Public Hearing to consider amending Chapter 24 of the Code Of Ordinances, Entitled “Land Development Code”, by specifically amending Article V, Section 24-75, entitled “Home Occupations,” to amend the regulations to conform with Section 559.955, Florida Statutes governing Home-Based Businesses by permitting certain home-based businesses and providing certain restrictions for parking, employees, signs, equipment, and aesthetics.
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Lorrainia Belle, Senior Planner, provided staff’s presentation.

Public Comments

None

Member Newbold asked if the City could treat a home business the same as a regular business

Ms. Pruss stated that the City cannot regulate home businesses in a way that is stricter than they regulated elsewhere in the City. She added that certain areas such as parking, storage of heavy equipment, maintenance of residential character, and ability to limit of employees can be regulated by the City.

Vice Chair Doren suggested minor text amendments for clarity.

Member Peterson asked about the primary use for the Home-Based-Business to which Ms. Pruss explained that the primary use must be residential and that business must be secondary and incidental.

Member Peterson made a motion to recommend that the City Commission adopt the ordinance amending Article V, Section 24-75, entitled “Home Occupations,” to amend the regulations to conform with Section 559.955, Florida Statutes governing Home-Based Businesses by permitting certain home-based businesses and providing certain restrictions for parking, employees, signs, equipment, and aesthetics. Board Member Doren seconded the motion which prevailed by the following vote:

YES: Board Member Doren, Board Member King, Board Member Newbold, Board Member Peterson, Board Member Rivelli

OTHER BUSINESS

None

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:19 P.M.

CITY OF OAKLAND PARK, FLORIDA

SCOTT RIVELLI, BOARD CHAIR

ATTEST:

MELISSA ALVARADO, BOARD SECRETARY