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2
3 **ORDINANCE NO. O-2022-007**

4 **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF**
5 **OAKLAND PARK, FLORIDA, AMENDING CHAPTER 24 - LAND**
6 **DEVELOPMENT CODE, SPECIFICALLY ARTICLE V –**
7 **SUPPLEMENTAL REGULATIONS, TO CREATE SECTION 24-**
8 **74.1, TO BE TITLED “ELECTRIC VEHICLE CHARGING UNITS**
9 **REQUIRED” TO ADD A REQUIREMENT THAT NEW**
10 **RESIDENTIAL BUILDINGS CONSTRUCTED AFTER THE DATE**
11 **OF ADOPTION SHALL BE REQUIRED TO PROVIDE ELECTRIC**
12 **VEHICLE CHARGING AT A PORTION OF ALL PROVIDED ON-**
13 **SITE PARKING SPACES; PROVIDING FOR SEVERABILITY;**
14 **PROVIDING FOR CODIFICATION; PROVIDING FOR**
15 **CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

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

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

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

33 **SECTION 2.** Chapter 24, ARTICLE V. – SUPPLEMENTAL REGULATIONS
34 of The Land Development Code is hereby amended* through the addition of a new section
35 as follows:

1 **ARTICLE V – SUPPLEMENTAL REGULATIONS**

2 **Section 24-74.1**

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

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

9 (1) Required infrastructure shall include a dedicated circuit with minimum
10 30 ampere service and 208 volts. Infrastructure shall include ~~a dedicated~~
11 ~~circuit with 50 amp service, including appropriate electric wiring, conduit,~~
12 receptacle, and circuit breaker(s) necessary to readily accommodate future
13 installation of a minimum Level 2 or equivalent charging unit. If commonly
14 available technology changes such that the level of electrical service needed
15 for a Level 2 charger, or its equivalent, becomes lower than the minimum
16 stated herein, the Building Official may provide a memorandum
17 recommending a new lower standard to the City Manager for approval.

18 (2) Wiring, conduit, and receptacle shall be installed up to the point where
19 the charging unit will be located to access the parking space.

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

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

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

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

1 2 or equivalent charging unit(s), effectively to create Electric Vehicle Supply
2 Equipment space(s), at the time of construction of the residential units, as follows:

3 ~~(1) equipment within the project at the rate of five (5) percent of the total~~
4 ~~number of required residential parking spaces as approved by the~~
5 ~~Development Review Committee. If five (5) percent calculates to less than~~
6 ~~one, at least one electric vehicle charging station shall be installed for the~~
7 ~~assigned spaces and one for the unassigned spaces. The number of charging~~
8 ~~units within the project shall be at the rate of ten (10) percent of the total~~
9 ~~number of residential parking spaces required by the Land Development~~
10 ~~Code or as approved by the City Manager after a review and~~
11 ~~recommendation of the Development Review Committee.~~

12 (2) If ten (10) percent calculates to less than one, at least one electric vehicle
13 charging unit shall be installed.

14 (3) The charging unit shall be indoors and at an indoor garage parking space
15 if the development has garage parking.

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

20 (5) A development has the option to provide Level 3 infrastructure and
21 charging units with minimum 100 ampere service and 400 volts. The
22 requirement for the number of charging units required in subsection (1)
23 above would be reduced to five (5) percent of the total number of required
24 residential parking spaces required by the Land Development Code or as
25 approved by the Development Review Committee. If commonly available
26 technology changes such that the level of electrical service needed for a
27 Level 3 charger, or its equivalent, becomes lower than the minimum stated
28 herein, the Building Official may provide a memorandum recommending a
29 new lower standard to the City Manager for approval.

30 (6) The charging unit shall be protected from flooding and other weather
31 impacts; its charging outlets shall be located a minimum of two feet above
32 designated flood elevation or design flood elevation, whichever is higher.

- 1 (D) An electric vehicle charging unit sign shall be posted at each electric vehicle
2 charging unit stating, "Electric Vehicle Charging Unit." Signs shall be no greater
3 than in face area than twenty-four (24) inches by eighteen (18) inches. Color and
4 letter size specifications shall meet the Manual on Uniform Traffic Control Devices
5 (MUTCD) requirements for sign designation (electric vehicle charging).
- 6 (E) Electric Vehicle Charging Plan. Per the requirements of Section 24-80(B)(4), a
7 parking plan that accurately depicts the location of all electric vehicle infrastructure
8 and charging units shall be provided and approved as part of zoning review for the
9 proposed construction project.
- 10 (F) Adjustments. If a situation arises whereby the requirements to provide charging
11 units as required by subsection (B) or (C) above cannot be met due to extenuating
12 circumstances, the development review committee (or a subcommittee thereof) is
13 authorized to grant an adjustment to the strict application of this subsection.
- 14 (G) Applicability. The provisions of this Section shall apply to applications for
15 residential building permits submitted after June 30, 2022 ~~subsequent to~~
16 ~~=====~~, the date of adoption of this Ordinance.

17 *Proposed changes as presented on First Reading to the City Commission on May 5,
18 2021 are indicated in ~~strike through~~ and underlined text. Proposed changes subsequent to
19 the May 5, 2021 City Commission Public Hearing are indicated in ~~double strike through~~
20 and double underlined text.

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

25
26 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby
27 repealed to the extent of such conflicts.

28
29 **SECTION 5.** It is the intention of the City Commission of the City of Oakland
30 Park, that the provisions of this Ordinance shall become and be made a part of the Code of
31 Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance may be
32 renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article,"
33 or such other word or phrase in order to accomplish such intention.

34
35 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption by
36 the City Commission of the City of Oakland Park.

1 **PASSED BY THE CITY COMMISSION OF THE OAKLAND PARK, FLORIDA,**
2 **ON FIRST READING, THIS 5TH DAY OF MAY 2021.**

3
4 A. GORDON YES
5 M. ROSENWALD YES
6 M. SPARKS YES
7 J. BOLIN YES
8 M. CARN YES
9

10 **PASSED AND ENACTED BY THE CITY COMMISSION OF THE CITY OF**
11 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 20TH DAY OF**
12 **APRIL 2022.**

13
14 CITY OF OAKLAND PARK, FLORIDA
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17

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

26 ATTEST:

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

31 LEGAL NOTE

32
33 I hereby certify that I have approved the form of this Ordinance (O-2022-007).
34
35
36
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38 _____
39 DONALD J. DOODY, CITY ATTORNEY