



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

4           **SECTION 2.** Chapter 24, "Land Development Code," Article V, Sec. 24-75 –  
5 Home Occupations is hereby amended as follows:

6           (A) *Purpose.* The purpose of this section is to provide for the orderly use of  
7 residential premises for certain customary home occupations. It is further the  
8 purpose to assure that none of the residential ambience of a neighborhood is  
9 modified or in any way diminished by the presence of said home occupation.

10          (B) *Definition.* Home occupations are home-based businesses that operate from a  
11 residential property as provided in this section ~~those occupations customarily~~  
12 ~~practiced in the home and which have no client presence on the residential site.~~  
13 Such occupations are incidental and secondary to the principal use of the  
14 premises as a residence, as defined in this Section. Home hobbies where service  
15 or products are not sold are not considered home occupations.

16          (C) *Design and performance standards.*

17          (1) ~~*Limited use:* The home occupation shall be conducted within the residential~~  
18 ~~premises and only by the person who is licensed to do so under Chapter 7,~~  
19 ~~article II of the Code of Ordinances and is a resident of the premises. The~~  
20 ~~individual so licensed shall not engage any employees to assist in the home~~  
21 ~~occupation other than a spouse or children.~~ *Permitted or Conditional Use:*  
22 The home occupation shall be listed as a permitted use or conditional use in  
23 Section 24-41 Master Business List and shall be licensed pursuant to have  
24 all state licenses and Business Tax Receipts as required by Chapter 7, article  
25 II of the Code of Ordinances. If the home occupation is only listed as a  
26 conditional use in Section 24-41 Master Business List, said use shall also  
27 be classified as a conditional use when conducted as a home occupation in  
28 a residential zone and shall be subject to approval pursuant to Section 24-  
29 165 Conditional Uses. Any automobile related uses shall also be operated  
30 in conformance with the requirements of Section 24-79 (A) (10) regardless  
31 of location within the City.

32          (2) ~~*Maximum area of use:* No home occupation shall occupy more space than~~  
33 ~~The activities of the home-based business shall be incidental subordinate~~  
34 ~~and secondary to the property's use as a residential dwelling, as determined~~  
35 ~~by the Director of Community and Economic Development or his/her~~  
by the Director of Community and Economic Development or his/her

- 1 ~~designee. ten (10) percent of the total floor area of a residence exclusive of~~  
2 ~~any open porch, attached garage, or similar space not intended to be~~  
3 ~~occupied as living quarters.~~
- 4 (3) ~~Signs:~~ No signs shall be permitted to advertise the accessory use of the  
5 ~~premises for an occupational purpose on property occupied with a home~~  
6 ~~occupation.~~
- 7 (4) *Equipment:* No chemical, mechanical or electrical equipment that is not  
8 normally a part of domestic or household equipment shall be used  
9 primarily for commercial purposes. Machinery that causes noises audible  
10 to neighbors, or that causes interference in radio or television reception  
11 shall be prohibited. There shall be no parking or storage of heavy  
12 equipment at the business which is visible from the street or neighboring  
13 property. As such, any equipment kept on site related to the business must  
14 be kept within a fully enclosed building and not be visible from the street  
15 or any surrounding property. The term “heavy equipment” means  
16 commercial, industrial, or agricultural vehicles, equipment, or machinery.
- 17 (5) *The stock in trade:* ~~No goods shall be sold on the building site, and no~~  
18 ~~stock in trade shall be stored on or delivered to the building site. The home~~  
19 ~~occupation may not conduct retail transactions at a structure other than the~~  
20 ~~primary residential dwelling; however, incidental business uses and~~  
21 ~~activities may be conducted at the residential property.~~
- 22 (6) *Residential character:* ~~There shall be no alterations in the residential~~  
23 ~~character or appearance of the premises in connection with such home~~  
24 ~~occupation, including no parking of a commercial vehicle except in a~~  
25 ~~garage. As viewed from the street, the use of the residential property shall~~  
26 ~~be consistent with that of a typical residential dwelling to include~~  
27 ~~architecture, parking, on-site activity, and noise. Any modifications made~~  
28 ~~to a residential dwelling to accommodate a home occupation must~~  
29 ~~conform to the residential character and architectural aesthetics of a typical~~  
30 ~~residential dwelling, as determined by the Director of Community and~~  
31 ~~Economic Development or his/her designee.~~
- 32
- 33 (7) One (1) home occupation: Only one (1) home occupation shall be licensed  
34 at any given residence at one (1) time. Employees: The employees of the  
35 business who work at the residential dwelling must also reside in the

1                   residential dwelling, except that up to a total of two employees or  
2                   independent contractors who do not reside at the residential dwelling may  
3                   work at the business. The business may have additional remote employees  
4                   that do not work at the residential dwelling.

5                   (8) *Parking.* The need for parking generated by the business may not be  
6                   greater in volume than would normally be expected at a similar residence  
7                   where no business is conducted. As such, any parking needed to support  
8                   the business must be provided on site. Parking of commercial vehicles  
9                   shall be in compliance with Section 24-64 – Parking of recreational and  
10                  commercial vehicles. Vehicles and trailers used in connection with the  
11                  business must be parked in legal parking spaces that are not located within  
12                  the right-of-way, on or over a sidewalk, or on any unpaved surface at the  
13                  residence.

14                  (9) *Compliance with Codes.* All home occupations shall fully conform with  
15                  the City of Oakland Park Code of Ordinances and be located within a  
16                  structure that fully conforms with Florida Building Code.

17                  (10) *Limitation of permitted uses:* No operation shall be allowed which emits  
18                  such quantities of dust, dirt, noise, smoke, odors, fumes, vibrations,  
19                  radioactive waves or substances, or abnormal explosion hazards which  
20                  present a threat to the public health, welfare and safety of the residents of  
21                  the surrounding area. See also [section 24-41\(D\)\(11\)](#), Master Business  
22                  List.

23                  (11) Any automobile related uses shall also be operated in conformance with  
24                  the requirements of Sections 24-41 (D) (12) and 24-79 (A) (10) regardless  
25                  of location within the City.

26  
27                  **SECTION 3.** If any clause, section or other part of this Ordinance shall be held by  
28 any Court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional  
29 or invalid part shall be considered as eliminated and in no way affecting the validity of the  
30 other provisions of this Ordinance.

31  
32                  **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are hereby  
33 repealed to the extent of such conflicts.  
34

CODING: Words in ~~struck through~~ type are deletions from existing text.  
Words in underscoring type are additions to existing text.  
A line of \*\*\* indicates existing text not shown.

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

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

1 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
2 **FLORIDA, ON FIRST READING, THIS 1<sup>st</sup> DAY OF JUNE, 2022.**

3  
4 A. GORDON YES  
5 M. ROSENWALD YES  
6 M. SPARKS ABSENT  
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 15<sup>th</sup> DAY OF**  
12 **JUNE 2022.**

13  
14 CITY OF OAKLAND PARK, FLORIDA

15  
16  
17  
18 \_\_\_\_\_  
19 MAYOR MICHAEL CARN

20  
21 A. GORDON \_\_\_\_\_  
22 M. ROSENWALD \_\_\_\_\_  
23 M. SPARKS \_\_\_\_\_  
24 J. BOLIN \_\_\_\_\_  
25 M. CARN \_\_\_\_\_  
26

27 ATTEST:

28  
29  
30 \_\_\_\_\_  
31 RENEE M. SHROUT, CMC, CITY CLERK

32  
33 LEGAL NOTE:

34 I hereby certify that I have approved the form of this Ordinance (O-2022-018):

35  
36  
37 \_\_\_\_\_  
38 DONALD J. DOODY, CITY ATTORNEY  
39