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**ORDINANCE NO. O-2019-003**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING CHAPTER 24, ARTICLE 3 OF THE CITY’S LAND DEVELOPMENT CODE, TO MODIFY SECTION 24-41 ENTITLED “MASTER BUSINESS LIST”, TO PROVIDE FOR PERMITTED, ACCESSORY, CONDITIONAL, AND PROHIBITED USES FOR THE PLANNED REDEVELOPMENT DISTRICT (PRD) AND AMENDING CHAPTER 24, ARTICLE 4 OF THE CITY’S LAND DEVELOPMENT CODE TO MODIFY SECTION 24-59(E)(2) TO REFERENCE THE PERMITTED, ACCESSORY, CONDITIONAL, AND PROHIBITED USES FOR THE PRD FOR THE MASTER BUSINESS LIST; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Objective 1.7, Policy 1.7.3 of the City of Oakland Park Comprehensive Plan, seeks to ensure compatibility with adjacent and surrounding uses and to establish different intensities of commercial, mixed-use and community facility development through the Land Development Code and associated zoning ordinances; and

**WHEREAS**, a proposal was heard and considered before the Planning and Zoning Advisory Board of the City of Oakland Park, Florida, on December 10, 2018 to modify Section 24-41, Master Business List to add a column for permitted, accessory, conditional, and prohibited uses for the Planned Redevelopment District (PRD) and to amend Chapter 24, Article 4 for Section 24-59(E)(2) to reference the PRD column being created for the Master Business List, and at the said public hearings all objections, if any, were heard;

**WHEREAS**, the purpose of a Planned Redevelopment District is to facilitate the redevelopment of existing areas and use of infill sites that could not be reasonably developed under the other types of zoning district requirements; and

**WHEREAS**, the PRD incorporates regulatory mechanisms based on the features of successful mixed-use development projects that have occurred in South Florida and elsewhere; and

**WHEREAS**, the PRD is designed to encourage the development of planned and unified office; commercial, and residential complexes, near the intersection of the

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.

38 planned transit corridors, Federal Highway and Oakland Park Boulevard, with a greater  
39 amount of flexibility by amending some of the restrictions of conventional zoning; and

40 **WHEREAS**, the PRD is a mixed-use district that needs a list of permitted,  
41 accessory, conditional, and prohibited uses that facilitates compatible commercial  
42 development suitable for a pedestrian-oriented shopping environment and that efficiently  
43 facilitates the establishing of commercial businesses in this district; and

44 **WHEREAS**, the City Commission finds it to be in the best interest of the  
45 residents and property owners of the City to clarify uses regulated in each zoning district  
46 and to update the use restrictions for the PRD.

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

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

52 **SECTION 2.** Chapter 24, "Land Development Code," Article III, Sec. 24-41(C),  
53 Master Business List and Article IV, Sec. 24-59(E)(2), Permitted Uses are hereby  
54 amended as follows:

55 **ARTICLE III. - DISTRICT REGULATIONS**

56

57 Sec. 24-41. - Master business list.

58 (A) *Purpose.* It is the intent of this section to provide, in tabular form, a listing (herein  
59 referred to as the "master business list") of the uses that shall be permitted or  
60 prohibited in the various business districts.

61 (B) *Key to table.*

62 (1) Where a "P" appears on the same line as a listed use, said use shall be permitted  
63 in the district as indicated by the column heading in which the "P" appears.

64 (2) Where a "C" appears on the same line as a listed use, said use shall be a  
65 conditional use in the district as indicated by the column heading in which the  
66 "C " appears.

- 67 (3) Where an "A" appears on the same line as a listed use, said use shall be  
68 permitted as an accessory only to a permitted principal use in the district as  
69 indicated by the column heading in which the "A" appears.
- 70 (4) Where no letter "P", "C", or "A" appears on the same line as a listed use, said  
71 use shall be prohibited in the district as indicated by the column heading, in the  
72 same manner.
- 73 (5) Where a listed use is not permitted in any of the business districts, an "X"  
74 appears in the column headed "prohibited."
- 75 (6) Where a listed use is followed by parentheses and the symbol "\*", the district  
76 where the symbol "\*" is found is limited by the restrictions of the parenthesis  
77 in the business listing.
- 78 (7) Where the letter "P", "C", or "A" is followed by a number or two numbers  
79 separated by a comma the listed use shall be subject to the limitations and  
80 restrictions set forth in the corresponding supplemental regulations in Section  
81 D of this section.
- 82 (8) Any use not listed on the master business list, as amended from time to time,  
83 shall be considered an "unlisted use." Such applications shall be reviewed and  
84 considered according to the conditional use provisions set forth herein.
- 85 (9) Any principal or accessory twenty-four (24) hour business shall be reviewed  
86 and considered according to the conditional use provisions set forth herein.

87 Master Business List Key Summary:

P	=	Permitted Principal Use;
A	=	Accessory only to a Permitted Principal Use;
C	=	Conditional Use;
X	=	Prohibited Use
*	=	See Restriction in first column in parenthesis;
(number)	=	Restriction on the use in Section D, Supplemental Regulations.

- 88 (C) *Master business list.* The following is the master business list, indicating the  
89 permitted and prohibited uses and those uses subject to the supplemental regulations  
90 and definitions of this section. The following uses are principal uses unless otherwise  
91 stated. In some cases, a use may be permitted in the district, but would constitute a

- 92 change of use pursuant to the parking and landscaping sections of this code. There shall  
93 be no variances on the uses listed in the Master Business List in this subsection.

Business Listing	Prohibited	NB	B1	B-2	B-3	1-1	PRZD	FHOD	<u>PRD</u>
Air conditioning and heating equipment—retail				P	P				
Air conditioning & heating equipment—wholesale, storage, repair and service					P	P			
Alcoholic beverages, sales—off-premises consumption			P	P	P			C	<u>C</u>
Ambulance service				C	P	P			
Amusement enterprises: coin or credit-operated games (as accessory use)*			C1*	C1*	C1*		C1*	C1*	<u>C1*</u>
Animal boarding/kennel			P1	P1	P1	P			
Animal clinics, pet hospitals			P1	P1	P1		P1	C	<u>P1</u>
Animal grooming			P1	P1	P1		P1	C	<u>P1</u>
Apartments		P2	P2	P2	P2		P2	P2	<u>P2</u>
Armored car service					P	P			
Artists' studios, photography studios		P	P	P	P	P	P	P	<u>P</u>
Assembly of small articles					P	P			
Assembly hall, halls for hire, civic clubs,			C	C	C		C	C	<u>C</u>

fraternal, noncommercial, lodge halls, union halls, associations (civic, professional)									
Athletic club, health clubs, gymnasiums, personal training, fitness studio— 10,000 square feet or less			P	P	P	P	P	C	<u>P</u>
Athletic club—over 10,000 square feet			C	C	C		C	C	<u>C</u>
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	<u>C</u>
Auto repair major (no auto body)					P12	P12			
Auto repair minor (restricted to shopping centers, community or regional over ten (10) acres)*			P12*	P12	P12	P12	P12*		
Auto tag agency			P	P	P		C	C	<u>C</u>

Auto tires, new— retail and mounting (restricted to shopping centers, community or regional over ten (10) acres)*			P*	P	P	P			
Auto tires, used and mounting			A	A	A				
Auto wash and detailing			C11	C11	P11	P11	C11		
Automobile, RV, boat & trailer storage (no semi-trailer trucks)						P			
Automobile sales, used				C	C				
Automobile sales, new car and truck (with appurtenant repair shop and used vehicle sales lot)			C	C	P			C	<u>e</u>
Automobile sales, wholesale & retail (within building only)					P	P			
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	<u>C9</u>

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	<u>C</u>
Billiard rooms—pool rooms			C	C	C	C	C	C	<u>C</u>
Bingo parlor	X								
Boat and marine motors sales and service (dry stack)*			C*	C	P	P			
Boat rental, boat slips			P	P	P	P			
Bottle clubs	X								
Bowling alleys			P	P	P		P	C	<u>C</u>
Brewpub, (restaurant area cannot exceed 20% of the gross floor area of the establishment)* <u></u>			P	P	P	P*	P	C	<u>P</u>
Building supplies, retail (from bldgs. only)*			P*	P*	P*	P	C*		
Building supplies, retail (accessory			C	C	C		C		

outside storage, and/or over 40,000 square feet gross floor)									
Bus terminals					P	P			
Business services		P	P	P	P		P	C	<u>P</u>
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			
Confectionery manufacture					P1	P			
Conservatories (art and music), soundproofed for music			P	P	P		P	P	<u>P</u>
Contractor's shop and storage (inside storage only)*					P*	P			
Crematory					P11	P11			
Day labor center					C				
Day nurseries, child care centers, adult day care		P	P	P			P	C	<u>C</u>



Dry cleaning or laundry drop-off establishments		P3	P3	P3	P		P3	C	<u>P3</u>
Dry cleaning, laundry, carpet cleaning, or dyeing facilities					P11	P11			
Dynamite storage	X								
Electric vehicle charging station		A6	A6	A6	A6	A6	A6	A6	<u>A6</u>
Embalming, taxidermist						P			
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	<u>P*</u>
Fabricating, light					P11	P11			
Federal, state and municipal buildings, parks, playgrounds, recreation, and their associated parking lots		P	P	P	P	P	P	C	<u>P</u>
Feed, fertilizer, warehouse, storage and sales					P	P			
Food caterers			P	P	P	P	P	C	<u>A</u>
Food processing plant						P			
Fortunetelling	X								

Frozen food lockers					P	P			
Funeral homes			P	P	P		P		
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		
Group homes (with 6 or less unrelated residents)*		P2*	P2*	P2*	P2		P*		
Guns—retail (as accessory use)*			P*	P	P		P*		
Gun range					P1	P1			
Head shop				C15	C15				
Hospitals			P	P				C	<u>C</u>
Hotels (except hotels in PCC-1 and PCC-2 districts from the conditional use requirement)*			C*	C*	C*		C	C	<u>C</u>
House cleaners/janitorial (office only)* <u>—</u>			P*	P*	P	P		C	<u>C</u>
Ice plant					A	A			
Import/export (office only)*			P*	P*	P	P	P*	C*	<u>P*</u>
Junk dealers	X								

Kitchen incubator			P	P	P	P	P	C	<u>C</u>
Knife & scissor sharpening (as accessory to permitted)*			P*	P	P		P*	C	<u>C</u>
Laboratories, medical, dental, diagnostic, educational			P	P	P	P	P	C	<u>P</u>
Laboratories, research, development, industrial, scientific					P	P			
Laundries, coin-operated		P	P	P	P		P		
Library		P	P	P	P		P	P	<u>P</u>
Lighting fixtures distributors, wholesale					P	P	P		
Liquor store		P16	P16	P16	P16			C	<u>C</u>
Lumberyards					P11	P11			
Machine shops					P1	P			
Machinery sales, storage & repair					P1	P			
Mail order and internet sales establishment (office only)*			P*	P	P	P	P*	C	<u>P*</u>
Maintenance, building, lawn, pool				P	P	P			
Manufacture of: explosives, ammunition,	X								

insecticides, fertilizer, dangerous or obnoxious chemicals									
Manufacturing, light					P1	P			
Massage establishment	X								
Massage and health spa, state licensed		P	P	P	P			C	<u>C</u>
Medical clinic		P	P	P	P		P	C	<u>P</u>
Medical marijuana treatment center or dispensing facility		C14	C14	C14	C14		C14	C14	<u>C14</u>
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				<u>C</u>
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	<u>C</u>
Office		P8	P	P	P	P	P	P	<u>P</u>

Office equipment/computers (accessory reconditioned preowned equipment sales)*				P*	P*	P			
Oil filling station, drive-thru				C	C				
Outdoor storage yard					A	A			
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	<u>A</u>
Payday loans					C16				
Pawn shops					C16				
Personal services		P	P	P	P		P	C	<u>P</u>
Pest control (office only)*			P*	P*	P	P	P*		
Pet shops			C	C	C		C	C	<u>C</u>
Pharmacy		C14	C14	C14	C14		C14	C14	<u>C14</u>
Places of worship			P	P	P		P	C	<u>C</u>
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	<u>C</u>
Post office			P	P	P	P	P	P	<u>P</u>
Printing shops, newspapers, microfilming, press, magazines					P1	P			
Processing, light					P1	P			
Propane or liquefied petroleum gas sales and storage (filling station as accessory to permitted use)*			P*13	P*13	P*13	P13			
Psychic consulting (see Chapter 7 of this Code for additional requirements)			C	C			C	C	<u>C</u>
Pumps & wells, retail, wholesale					P	P			
Radio, television studios			P	P	P	P	P	C	<u>C</u>
Recording and practice studios, soundproofed for music				P	P				
Rehabilitation—drug addiction treatment, mental health therapy, and counseling			C	C	C			C	<u>C</u>
Rehabilitation—physical therapy			P	P	P			C	<u>P</u>
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	<u>P2</u>
Restaurant with dining room or accessory outdoor seating		P18	P18	P18	P18		P18	P18	<u>P18</u>
Restaurant, drive-in (minimum distance of 100 feet airline distance from residentially zoned property)			C	P	P		C	C	<u>C</u>
Restaurant, drive-thru (accessory outside seating)			P	P	P		P	C	
Retail sales—stores 40,000 square feet or less of sales area		P	P	P	P		P	P	<u>P</u>
Retail sales—stores over 40,000 square feet of sales area			C	C	C		C	C	<u>C</u>
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	<u>C</u>
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	<u>C</u>
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	<u>P19</u>



Skating rinks, skateboard parks, water slide, and other outdoor amusements				C	C	C			
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	<u>C</u>
Tile, builders supplies					P	P			
Towing service (no storage yard)*					P*	P			
Trailers of all kinds, campers, mobile homes, 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	<u>C</u>
Urban Farm—Outdoor Operation					P	P			
Utilities, service dispatch				P	P	P			
Vehicle fueling station (minor repair)			C	C	C			C	
Warehouses: 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 storage					P	P			

Yacht and boat brokers (office only)*			P*	P*	P	P	P*	C	<u>C</u>
Yacht and boat repairs					P	P1			

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95 (D) *Supplemental regulations to master business list.* The following numbers are  
96 keyed in the list:

97 (1) Enclosed: Must be completely enclosed in a soundproof, air-conditioned  
98 building.

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

102 (a) B-1, B-2 and B-3: Multifamily dwellings only and maximum height of  
103 fifty (50) feet.

104 (b) No residential use shall be located on the first or ground floor, other than  
105 a residential lobby or accessory use such as garage or storage area.

106 (c) Minimum of five hundred fifty (550) square feet of floor area per dwelling  
107 unit unless otherwise regulated in the District Regulations or Planned  
108 Development District regulations for a particular zoning district.

109 (d) No building permit shall be issued for any uses involving residential uses,  
110 until such time as approval of site plan is obtained in accordance with  
111 article XII and approval of "reserve units" by city commission in  
112 accordance with section 24-72.

113 (3) Dry cleaning establishment: For direct service to customers, subject to the  
114 following limitations and requirements:

115 (a) Not more than two (2) cleaning units shall be used in any establishment,  
116 neither of which shall have a rated capacity in excess of forty (40) pounds.

117 (b) The entire cleaning and drying process shall be carried on within  
118 completely enclosed solvent-reclaiming units.

119 (c) All solvents used in the cleaning process and vapors there from shall be  
120 nonexplosive and nonflammable.

121 (4) *Reserved.*

- 122 (5) Nursery: Sales are restricted to retail, and such items as insecticides, manure  
123 and fertilizer must be packaged to be easily handled and free from objectionable  
124 odors.
- 125 (6) Electric vehicle charging station (EVCS) shall comply with the following  
126 requirements:
- 127 (a) EV charging station spaces shall be posted with signage that identifies:  
128 the space as reserved only for the charging of electric vehicles, amperage  
129 and voltage levels; any enforceable time limits or tow away provisions; and  
130 contact information for reporting nonoperating equipment or other  
131 problems.
- 132 (b) EV charging station equipment may be located in front of the principal  
133 structure, and shall be located so as not to interfere with vehicle, bicycle,  
134 or pedestrian access and circulation, or with required landscaping.
- 135 (c) EV charging stations may be placed in a principal use's required parking.
- 136 (d) Considering the dynamic changes and innovation of this technology, the  
137 engineering and community development director may authorize variations  
138 from these regulations, so long as they are consistent with the spirit and  
139 intent of these regulations and the Oakland Park Municipal Code.
- 140 (7) Conditional uses: It is the purpose of this section to make the provision for  
141 those uses which are essential or desirable but which, because of their particular  
142 characteristics or area requirements, should be given individual considerations  
143 with respect to location and their relation to adjacent property in accordance  
144 with article XII.
- 145 In addition to the uses listed in the district regulations conditional uses, such  
146 public utility uses and structures as transformer station, telephone exchange,  
147 pumping station or other essential component of a utility system may be  
148 permitted in any district as a conditional use.
- 149 (8) It is the intent to permit offices which are compatible with the surrounding  
150 residential neighborhood. Parking areas are for the exclusive use of passenger  
151 vehicles, and no parking of commercial vehicles will be allowed except for  
152 temporary loading and unloading. Overhead doors shall not be utilized as access  
153 to storage areas.
- 154 (9) Bars: See Chapter 3 of the Code of Ordinances for requirements, including  
155 but not limited to, section 3-14 relative to distance from schools and places of

- 156 worship; sections 3-23 and 3-28 relative to hours of operation; and section 3-29  
157 for conditional use and approval requirements.
- 158 (10) *Reserved.*
- 159 (11) Industrial and commercial compatibility to residential: The listed use shall  
160 not be permitted, unless the aerial distance from the opening edge of any bay  
161 door, front door, or outdoor sales area to the nearest point of a residential area  
162 district or use measures a minimum of 200 feet.
- 163 (12) Auto body and fender repair; Auto repair major and minor.
- 164 (a) No public street, parking space or sidewalk shall be used for the storage  
165 or parking of motor vehicles in connection with the activities of these  
166 establishments.
- 167 (b) All motor vehicles being handled, stored (i.e. parked overnight), or  
168 repaired by the establishments shall be maintained in a condition that they  
169 may be moved under their own power at any time except vehicles under  
170 repair in buildings or stored behind a six-foot high CBS or masonry wall.
- 171 (c) No repair of motor vehicles or parts thereof shall be made except within  
172 garages or other buildings.
- 173 (13) Propane or liquefied petroleum gas sales and storage. Propane or liquefied  
174 petroleum gas is any material having a vapor pressure not exceeding that  
175 allowed for commercial propane that is composed predominantly of the  
176 following hydrocarbons, either by themselves or as mixtures: propane,  
177 propylene, butane (normal butane or isobutene), and butylenes.
- 178 (a) Storage tanks with a storage capacity greater than two hundred fifty (250)  
179 gallons must be installed underground.
- 180 (b) All storage tanks either underground or aboveground shall meet the  
181 district setbacks of the zoning district.
- 182 (c) All storage tanks shall be located so they minimize, to the extent  
183 reasonably practicable, location conflicts with vehicles using driveways  
184 and parking areas while remaining accessible for fueling and fire  
185 department operations.
- 186 (d) All storage tanks shall be installed, operated and maintained in  
187 accordance with all applicable requirements of the city's adopted state  
188 minimum building codes, the adopted minimum fire standards and uniform  
189 fire standards, and any other city requirements.

- 190 (14) Distance separation. The listed use shall not be permitted unless the closest  
191 projection of the building or outdoor sales area from public or private  
192 elementary, middle, or secondary schools, and child daycare to the closest  
193 projection of measures a minimum of five hundred (500) feet.
- 194 (15) Distance separation. The listed use shall not be permitted unless the closest  
195 projection of the building or outdoor sales area to the closest projection of  
196 another building or outdoor sales area with the same use measures a minimum  
197 of one thousand five hundred (1,500) feet. For head shops, there is an additional  
198 separation of seven hundred fifty feet (750) feet from public or private  
199 elementary, middle, or secondary schools, places of worship, child daycare, and  
200 hospitals.
- 201 (16) Distance separation. The listed use shall not be permitted unless the closest  
202 projection of the building or outdoor sales area to the closest projection of  
203 another building or outdoor sales area with the same use measures a minimum  
204 of one thousand five hundred (1,500) feet. Additional distance separation  
205 requirements between liquor sales for offsite consumption and places of  
206 worship and schools are listed in section 3-14.
- 207 (17) Auto rental and leasing. The following shall be required for an auto rental  
208 and leasing establishment:
- 209 i. Site lighting. All fixtures used for display lighting shall be fully shielded  
210 or be designed or provided with sharp cut-off capability, in order to  
211 minimize up light, spill light and glare. Site lighting shall be designed not  
212 to exceed 0.5 footcandles at the property line of any portion of the property  
213 adjacent to a residential area.
- 214 ii. On-site parking shall comply with the provisions of subsection 24-80(c)(1)  
215 for vehicle sales lots.
- 216 iii. An outdoor public address system is prohibited.
- 217 iv. Auto wash. Washing and cleaning of vehicles is permitted provided the  
218 area is adequately screened from an abutting residential area or the public  
219 right-of-way by an opaque barrier. A water treatment or water reclamation  
220 system that is compliant with all applicable federal, state or local laws or  
221 ordinances is required.
- 222 v. There shall be no more than twenty (20) rental or lease vehicles stored on  
223 the site. This requirement shall only apply in the B-1 zoning category.
- 224 vi. Auto sales are prohibited.

225 (18) If a restaurant bar is included as defined in Chapter 3, section 3-1 Code of  
226 Ordinances, then a public hearing and use approval is required by the city  
227 commission at a regular public meeting. Also a site plan (including a floor plan)  
228 shall be reviewed in accordance with article XII.

229 (19) A shopping center is only permitted as part of a mixed-use building with  
230 residential uses occupying the floors above the shopping center. Residential  
231 uses shall occupy a minimum of 50 percent of the floor area of the building.

232

### 233 Master Business List Definitions

234 (E) *Definitions.* These definitions shall apply to the business categories in the master  
235 business list. They are in alphabetical order:

236 *Antique store.* Establishment selling items belonging to, made in or typical of an  
237 earlier period. Items of at least fifty (50) years old and which, due to their age, hold a  
238 great value.

239 *Auto body and top.* Body and fender repair including but not limited to frame repair,  
240 auto glass, body panel repairs, paint.

241 *Auto detailing.* Washing, waxing, polishing, interior vacuuming, cleaning,  
242 application of various protectants.

243 *Auto repair major.* Engine, drive train, transmission, etc. Work other than those  
244 listed as minor, but shall not include auto body fender, paint and top service.

245 *Auto repair minor.* Battery, fluids, hoses, belts, tune-up, muffler and tailpipes, wheel  
246 balancing, alignment, brakes, fuel pumps, shocks.

247 *Business services.* An establishment providing other businesses with various  
248 services including maintenance, repair and service, testing, and rental. The category  
249 includes abstract companies or agency; advertising agent or agency; banks; bondsmen;  
250 building and loan associations; business consultants; collection or claim agencies;  
251 computer/data services; interior decoration shop; locksmith; messenger office; printing  
252 and quick print; entertainment, sports promoters; business schools; telemarketing.

253 *Brewpub.* An establishment licensed by the Florida Division of Alcoholic Beverages  
254 and Tobacco to manufacture ales, beers, meads, hard ciders, or similar beverages for on  
255 premises consumption in conjunction with full course meals individually prepared on  
256 the premises. See also Chapter 3, Alcoholic Beverages for additional regulations

257 pertaining to definitions, separations from certain land uses, on-premises and off-  
258 premises consumption.

259 *Commissary.* A commissary is a public food service establishment licensed by the  
260 Division of Hotels and Restaurants or permitted by the Department of Agriculture and  
261 Consumer Services that is utilized by a Mobile Food Dispensing Vehicle (MFDV)  
262 operator for the purpose of providing support services that are not available on an MFDV  
263 that is not self-sufficient. Support services include:

- 264 • Obtaining potable water;
- 265 • Disposing of wastewater and solid waste;
- 266 • Cleaning and sanitizing utensils and equipment;
- 267 • Storing food, single-service items and other supplies; and preparing food.

268 *Dry-cleaning, laundry, carpet cleaning, or dyeing facility.* A facility engaged in  
269 cleaning fabrics, textiles, wearing apparel, or other articles by immersion (and agitation)  
270 in water or volatile solvents, or in dyeing fabrics and other materials.

271 *Dry-cleaning or laundry drop-off establishment.* A commercial establishment  
272 maintained for the drop off and pick up of clothes for off-site laundering or dry cleaning,  
273 operation of dry cleaning equipment on the premises is subject to additional regulations  
274 in this section.

275 *Electric vehicle charging station (EVCS).* An electric vehicle (EVCS) levels 1, 2 or  
276 3 charging station is a vehicle parking space that is served by an electrical component  
277 assembly or cluster of component assemblies (battery charging station) designed and  
278 intended to transfer electric energy, by conductive or inductive means, from the electric  
279 grid or other off-board electrical source to a battery or other energy storage device within  
280 an electric vehicle. A level 1 charging station is a slow charging station that typically  
281 operates on a 15- or 20-amp breaker on a 120-volt alternating current (AC) circuit. A  
282 level 2 charging station is a medium charging station that typically operates on a 40- to  
283 100-amp breaker on a 208- or 240-volt alternating current (AC) circuit. A Level 3  
284 charging station is an industrial grade charging station that operates on a high-voltage  
285 circuit to allow for fast or rapid charging.

286 *Head shop.* Any retail establishment that presents, displays, or offers for sale  
287 paraphernalia, items, equipment, or products commonly used, intended to be used, or  
288 commonly known to be used, for the ingestion, inhalation, preparation, or injection of  
289 illegal substances, tobacco, or nicotine, including any device which has been fabricated,  
290 constructed, altered, adjusted, or marked especially for use in the smoking or ingestion  
291 of tobacco, nicotine, and any "controlled substance," "controlled substance analogue,"



292 "synthetic controlled substance," or any other substance that violates local, state, or  
293 federal law, and is adapted to that purpose by virtue of a distinctive feature or  
294 combination of features associated with drug paraphernalia, notwithstanding that it  
295 might also be possible to use the device for some other purpose. This definition shall  
296 also include smoke shops or vaping establishments selling a propylene glycol, vegetable  
297 glycerin, or other smokable based liquid, mixed with nicotine or food grade flavoring  
298 and commonly known as "e-cigarettes" or "vaping." Tobacco and nicotine cessation  
299 products and cigarettes, cigars, and smokeless tobacco products commonly referred to  
300 as chewing tobacco or dip are excluded from this definition.

301 *Hospital.* A health care institution defined as a hospital pursuant to Florida Statutes  
302 § 395.002(12) as amended from time to time. This definition does not include pain  
303 management clinic.

304 *Kitchen incubator.* A kitchen incubator, also known as a culinary incubator, is an  
305 establishment licensed by the Florida Department of Business and Professional  
306 Regulation. It is an incubator dedicated to early-stage catering, retail and wholesale food  
307 businesses. Kitchen incubators may assist small food businesses with all aspects of  
308 growth, including business classes, kitchen access, and mentorship, within a  
309 commercial-grade kitchen.

310 *Like new items.* Items such as clothing, jewelry, bric-a-brac, and art which are of  
311 high quality and are in a new or like new condition. Articles to show very little (if any)  
312 wear, deterioration or damage.

313 *Massage establishment.* A Massage Establishment as defined in Code section 24-  
314 73(B)(15) as amended from time to time. It shall be unlawful for any person in a massage  
315 establishment to engage in specified sexual activities, or to massage a specified  
316 anatomical area of any other person, or for such other person to request or permit such  
317 placing, touching, fondling or massaging.

318 *Medical cannabis treatment center or dispensing facility.* A state certified and  
319 licensed facility establishment where medical cannabis, low-THC cannabis, as well as  
320 cannabis delivery devices, is dispensed at retail that is operated by a dispensing  
321 organization.

322 *Office.* An establishment providing executive, management, and professional  
323 services to the public, including the following: advertising, newspaper and media  
324 services, business offices of private companies, business offices of utility companies,  
325 public or nonprofit agencies, trade associations, and employment offices; doctors,  
326 dentists, podiatrists, and related professions; professional or consulting offices for  
327 accounting, architecture, computer technology, design, engineering, landscape

328 architecture, law, urban planning, and similar professions; property and financial  
329 management, real estate, insurance agency or company; secretarial, court reporting,  
330 stenography, and telecommunication services, detective agencies, and travel agencies.  
331 This definition does not include offices for the treatment of animals on the premises; day  
332 labor, labor pool services, or pain management clinics.

333 *Payday loans.* A non-chartered financial institution that offers deferred deposit  
334 transaction services, check cashing services or loans for payment of a percentage fee.  
335 The term "non-chartered financial institution" shall include, but is not limited to deferred  
336 deposit transaction (payday loan) business that makes loans upon assignment of wages  
337 received, check cashing businesses that charge a percentage fee for cashing a check or  
338 negotiable instrument, or motor vehicle title lenders who offer short-term loan secured  
339 by the title to motor vehicles. This definition does not include non-profit financial  
340 institutions or retail sellers engaged primarily in the business of selling consumer goods  
341 to retail buyers, that cash checks or issue money orders as a service to its customers that  
342 is incidental to its main purpose or business.

343 *Personal services.* A business primarily engaged in the provision of frequent or  
344 recurrent services involving the care of a person or his or her personal goods or apparel.  
345 Typical uses include beauty and barber shops; costumers, dance academies, day spas;  
346 florist; hat or shoe cleaning and repair services; modeling schools, nail studios;  
347 seamstress shops; tailor shops; toning and tanning salons.

348 *Pharmacy.* A retail establishment, offering on-site dispensing of prescription drugs,  
349 nonprescription drugs or both, excluding retail sales establishments as defined under the  
350 retail sales definition in this section. A retail pharmacy may also offer accessory services  
351 such as photo processing, eyeglass care, etc. All pharmacies shall be staffed by a state  
352 licensed pharmacist. Pharmacies include a community pharmacy, an institutional  
353 pharmacy, a nuclear pharmacy or a special pharmacy as defined by F.S. ch. 465, §  
354 465.003 as amended from time to time.

- 355 1. The term "community pharmacy" includes every location where medicinal  
356 drugs are compounded, dispensed, stored, or sold or where prescriptions are  
357 filled or dispensed on an outpatient basis.
- 358 2. The term "institutional pharmacy" includes every location in a hospital, clinic,  
359 nursing home, dispensary, sanitarium, extended care facility, or other facility,  
360 hereinafter referred to as "health care institutions," where medicinal drugs are  
361 compounded, dispensed, stored, or sold.
- 362 3. The term "nuclear pharmacy" includes every location where radioactive drugs  
363 and chemicals within the classification of medicinal drugs are compounded,

364 dispensed, stored, or sold. The term "nuclear pharmacy" does not include  
 365 hospitals licensed under F.S. ch. 395 or the nuclear medicine facilities of such  
 366 hospitals.

367 4. The term "special pharmacy" includes every location where medicinal drugs  
 368 are compounded, dispensed, stored, or sold if such locations are not otherwise  
 369 defined in this subsection.

370 *Reconditioned items.* Items such as office equipment, computers, appliances, TVs,  
 371 stereos, power tools which have been preowned and show minor wear but have been  
 372 repaired and reconditioned to the point of being one-hundred-percent functional. Items  
 373 in this category retain a large percentage of replacement value.

374 *Restaurant.* An establishment having as its primary activity the service of meals to  
 375 the public to be consumed in dining areas within the establishment. A restaurant may  
 376 also contain accessory drive-thru lanes and outside seating areas.

377 *Restaurant, drive-thru.* A restaurant primarily devoted to the service of meals via  
 378 vehicular drive-through lanes for consumption off-premises. The restaurant may also  
 379 contain outside walk-up service windows and accessory outside table area.

380 *Restaurant drive up.* A restaurant whose primary activity is the service of meals to  
 381 vehicles in parking spaces and may also contain drive-through lanes and outside walk-  
 382 up service windows.

383 *Retail sales.* Are those establishments engaged in retail sales and rental of products.  
 384 For the purpose of this chapter the term retail, retail sale or similar terms, shall mean a  
 385 sale to the ultimate consumer (i.e., a sale for any purpose other than resale), and including  
 386 but not limited to all transactions for which there is collected or due by the seller a sales  
 387 tax pursuant to F.S. ch. 212, as it may be amended and generally consisting of the  
 388 following, antique shops; art galleries, schools, and supplies; auto parts; bakeshops;  
 389 bicycle shop and repair; bookstore; camera; candy store; carpets, rugs, floor coverings;  
 390 china, crockery, glassware, earthenware; cigars; clothing except secondhand;  
 391 confectionary and ice cream; cosmetics and incidental compoundings; curio stores; dairy  
 392 products; delicatessens; department and dry good stores; electrical appliances and  
 393 incidental repairs; fish store; food take-out; fruit; furniture; gift shop; grocery store;  
 394 hardware store; hobby shop; ice cream; jewelry; leather goods; lighting fixtures;  
 395 luggage; marine supplies; meat market; music and radio stores; newsstands; optical  
 396 stores; paint and wall paper; pharmacies as an accessory to a retail sales establishment  
 397 that do not exceed 30 percent of the gross floor area of the retail sales establishment;  
 398 radios and televisions sales and incidental repairs; shoes; souvenirs; sporting goods;  
 399 sundry store; ticket office; tile and wall coverings; wearing apparel.

400       *Small articles.* Items with dimensions no greater than four (4) feet in length, width,  
401 and/or height. Small articles can include, but are not limited to, common household and  
402 personal items, small appliances, hand tools, and lawn and garden equipment.

403       *Twenty-four (24) hour business.* Any establishment or use that is or will, at any time  
404 during a calendar year, be open for business or operate at any time between the hours of  
405 twelve (12) midnight and five (5) a.m. This definition shall not include government  
406 operations and facilities, hospitals and medical care facilities, self-storage uses, offices,  
407 veterinarian and animal care, first permitted uses in the B-3 and I-1 zoning districts,  
408 transportation services, day care, group homes, construction activities, or utility  
409 companies.

410       *Urban farm.* Growing, washing, packaging and storage of fruits, vegetables and  
411 other plant products for wholesale or retail sales. Composting is limited to the materials  
412 generated on site only, and must adhere to building setback requirements. Incidental  
413 sales of such compost material is expressly allowed as an accessory use to the principal  
414 use of an urban farm within the B-3 and I-1 zoning districts. This definition does not  
415 include animals and fowl as defined in Chapter 4 of the Municipal Code.

416       *Urban farm—Indoor operation.* All allowed activities must be conducted within  
417 completely enclosed air-conditioned buildings. Typical operations include greenhouses,  
418 vertical farming, hydroponic systems and aquaponics systems.

419       *Urban farm—Outdoor operation.* Allowed activities are conducted in unenclosed  
420 areas or partially enclosed structures. May include indoor operations in conjunction with  
421 outdoor operations. Typical operations include growing beds, growing fields,  
422 hydroponics, orchards and groves.

423       *Used articles.* Common household and personal items such as clothing, shoes,  
424 costume or inexpensive jewelry, furniture, small appliances, bric-a-brac, hand tools and  
425 lawn and garden equipment which show evidence of wear, disrepair and deterioration.  
426 Due to their preowned status and condition these items are offered for sale at prices  
427 substantially less than replacement cost or value.

428

## 429   ARTICLE IV. - PLANNED DEVELOPMENT DISTRICTS

430

431   Sec. 24-59(E)(2) *Permitted uses.*

432       (1) Multi-family Residential above the first floor of a commercial establishment

433       (2)       For all nonresidential uses, the ~~permitted~~ uses in the Master Business  
434               List ~~“Federal Highway Mixed Use Business and Entertainment Overlay~~

435 ~~District (FHOD)~~ in the Planned Redevelopment District (PRD)  
436 ~~category permitted use list~~ shall apply to properties in the PRD District.  
437 See the Master Business List in [Chapter 24](#), Article III, Section 24-41.  
438

439 **SECTION 3.** If any clause, section or other part of this Ordinance shall be held  
440 by any Court of competent jurisdiction to be unconstitutional or invalid, such  
441 unconstitutional or invalid part shall be considered as eliminated and in no way affecting  
442 the validity of the other provisions of this Ordinance.  
443

444 **SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are  
445 hereby repealed to the extent of such conflicts.  
446

447 **SECTION 5.** It is the intention of the City Commission of the City of Oakland  
448 Park, that the provisions of this Ordinance shall become and be made a part of the Code  
449 of Ordinances of the City of Oakland Park, Florida, and the Sections of this ordinance  
450 may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section,"  
451 "Article," or such other word or phrase in order to accomplish such intention.  
452

453 **SECTION 6.** This Ordinance shall be effective upon its passage and adoption  
454 by the City Commission of the City of Oakland Park.  
455

456 **PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,**  
457 **FLORIDA, ON FIRST READING, THIS 9<sup>th</sup> DAY OF JANUARY 2019.**  
458

459		
460	M. SPARKS	YES
461	M. CARN	YES
462	J. BOLIN	YES
463	T. LONERGAN	YES
464	S. GUEVREKIAN	YES
465		
466		

467 **PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF**  
468 **OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 23<sup>rd</sup> DAY OF**  
469 **JANUARY 2019.**

470  
471 CITY OF OAKLAND PARK, FLORIDA

472

473

474

475

476 \_\_\_\_\_  
MAYOR SARA GUEVREKIAN

477

478 M. SPARKS \_\_\_\_\_

479 M. CARN \_\_\_\_\_

480 J. BOLIN \_\_\_\_\_

481 T. LONERGAN \_\_\_\_\_

482 S. GUEVREKIAN \_\_\_\_\_

483

484 ATTEST:

485

486

487

488

489 \_\_\_\_\_  
RENEE M. SHROUT, CMC, CITY CLERK

490

491 LEGAL NOTE:

492 I hereby certify that I have approved the form of this Ordinance (O-2019-003):

493

494

495

496 \_\_\_\_\_  
DONALD J. DOODY, CITY ATTORNEY