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ORDINANCE NO. O-2011-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, BY SPECIFICALLY AMENDING ARTICLE V. SUPPLEMENTAL REGULATIONS, CHAPTER 24 ENTITLED "LAND DEVELOPMENT CODE," BY AMENDING SECTION 24-64. ENTITLED "PARKING OF RECREATIONAL AND COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS"; BY SPECIFICALLY AMENDING SUBSECTION 24-64 (A). ENTITLED "RECREATIONAL VEHICLES"; BY AMENDING SECTION 24-79. ENTITLED "SUPPLEMENTAL REGULATIONS THAT ARE ONLY APPLICABLE TO THE R-1A, R-1B, R-1C, RD-10 AND RM-5 ANNEXED AREA RESIDENTIAL DWELLING DISTRICTS"; BY SPECIFICALLY AMENDING SUBSECTION 24-79 (9). ENTITLED "RECREATIONAL VEHICLES"; AND BY SPECIFICALLY AMENDING ARTICLE XVIII. DEFINITIONS, SECTION 24-245. ENTITLED "GENERAL DEFINITIONS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Oakland Park has determined that it is in the best interest of the citizens and residents of the City to amend the Code of Ordinances, by specifically amending Article V. Supplemental Regulations of the City's Land Development Code, Chapter 24 of the Oakland Park Code of Ordinances; and

WHEREAS, the City Commission of the City of Oakland Park, Florida has found that an amendment to the City's Land Development Code, Chapter 24 related to new and revised Community Appearance Standards is necessary to promote the health, safety, and general welfare of the citizens of the City of Oakland Park, Florida; and

WHEREAS, said application was heard and considered before the Oakland Park Planning and Zoning Board and the City Commission of the City of Oakland Park, Florida, and at the said public hearings all objections, if any, were heard.

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

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

4 **Section 2.** That Chapter 24, "Land Development Code," Article V. Supplemental
5 Regulations, Section 24-64., entitled "Parking of recreational and commercial vehicles in
6 residential districts." of the Code of Ordinances of the City of Oakland Park is hereby
7 amended as follows:
8

9 **Article V. SUPPLEMENTAL REGULATIONS**

10
11 **Sec. 24-64. Parking of recreational and commercial vehicles in residential districts.**
12

13 (A) *Recreational vehicles, watercraft, vessels, and boats.*
14

15 (1) *Definitions (see also article XVIII):*
16

17 (a) Recreational vehicles: Any operable (defined as fit for use) motor
18 vehicle, swamp buggy, halftrack, airboat, watercraft, vessel, boat or
19 trailer designed and used for general recreation purposes or temporary
20 living quarters for recreational use, including but not limited to: off-
21 road vehicles; camping trailers; travel trailers; truck campers; motor
22 homes; watercraft; vessels; boats; and trailers designed or used for
23 transporting other recreational vehicles, but excluding any trailer
24 classified pursuant to the Code of Ordinances as a commercial vehicle.
25 All types of recreational vehicles shall consist, but are not limited to,
26 the following:
27

28 (i) ~~(a)~~ *Camping trailer:* A vehicular portable structure mounted on
29 wheels, constructed with collapsible partial side walls of fabric, plastic
30 or other material for folding compactly while being drawn by another
31 vehicle, and when unfolded at the site or location providing temporary
32 living quarters, and the primary design of which is for recreation,
33 camping or travel use. This definition shall also apply to fifth-wheels
34 and travel trailers.
35

36 (ii) ~~(b)~~ *Truck camper:* A portable structure, designed to be loaded
37 onto, or affixed to, the bed or chassis of a truck, constructed to provide
38 temporary living quarters for recreation, camping or travel use.

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(iii) ~~(e)~~ *Motor home*: A structure, built on and made an integral part of a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreation, camping, touring, or travel use; and recognized and registered with the State of Florida Division of Motor Vehicles (DMV).

(iv) Watercraft, vessels, and boats: A water vehicle, watercraft, vessel, boat, airboat, jet-ski, wave runner and/or similar type of water recreational means of transportation.

(2) *Requirements*:

(a) *Length*: Recreational vehicles shall not exceed thirty (30) feet in length.

(b) *Occupancy*: ~~Recreational vehicle~~ Camping trailers, truck campers or motor homes shall not be occupied, except for the purpose of repair or maintenance and electrical hookup for refrigeration, at any time during said parking or storage, ~~except by permit which has been issued~~ in accordance with (3) below. The term, "occupied," for the purposes of this article, shall include but not be limited to, electrical connections (permanent or drop cord), water and sewer connections (permanent or by flexible hose), telephone or any multimedia connections (permanent or extension), or personal occupancy of any kind (day or night).

(c) Battery Charging: Unlimited battery charging is permitted for all recreational vehicles when located in specifically designated parking areas as defined in Section 24-64 (A) (2) (h) below.

(d) ~~(e)~~ *Wheels shall not be removed*: The wheels of a recreational vehicle or boat trailer shall not be removed, except for repair or maintenance.

(e) ~~(d)~~ *Shall not cross over property lines*: Recreational vehicles or boat trailers shall be parked ~~completely within the property lines on the property~~ and shall have a two & half (2 1/2) foot side & rear setback and shall not block or obstruct the view of traffic.

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- (f) ~~(e)~~ Number: Not more than one (1) currently registered and licensed recreational vehicle including the following: camping trailer, truck camper or motor home, swamp buggy, halftrack, airboat, watercraft, vessel and boat, or similar type recreational vehicles with the licensed tag visible shall be parked in the front yard or side yard areas of an owner's property at any one (1) time and must be titled in the name of the property owner or the tenant by the occupants and tenants of the property or their guests; However, additional watercraft, vessels or boats may be kept, parked or stored in a side yard or backyard area that is completely screened from the street with a vision obscuring hedge, fence or wall at least six (6) feet in height or in an enclosed structure.

- (g) Repairs: Maintenance of recreational vehicles, camping trailers, truck campers, motor homes, watercraft, vessels, and boats shall not be permitted in a residential zoning district with the exception of cleaning, replacement of tires, batteries, spark plugs or other minor repairs which do not involve the exchange of engine parts, mechanical components or paint or body work.

- (h) Location, parking and storage: Recreational vehicles, camping trailers, truck campers, motor homes, swamp buggies, halftracks, watercraft, vessels and boats shall be kept on a paved surface, as defined in Section 24-80 (B) (3) or on concrete paver strips, of an individually owned property outside of a carport or fully enclosed building. The surface must be in an area specifically designated for such use and is in addition to the required and paved parking driveway. However, no new recreational vehicles purchased subsequent to the adoption of this Ordinance shall be parked in a location which causes the vehicle to encroach onto a City right-of-way which includes a street, sidewalk, and/or a swale or in any location which visually blocks or obstructs vehicle egress from contiguous properties with a 20-foot clear-sight triangle measured along the pavement of the parking space and the edge of the adjacent street.

- (i) ~~(f)~~ Located in enclosed building: The provisions of this article shall not affect the parking of recreational vehicles when parked within a totally enclosed and permitted building.

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(j) ~~(g)~~ Temporary parking period: Temporary parking of recreational vehicles herein is hereby authorized in private required and paved driveways for a period not to exceed seventy-two (72) hours exclusive of holidays and ~~on-street~~ in the rights-of-way for any one time for a period not to exceed four (4) hours. At no time while parked in a residential zoning district shall sewer, water supply and ~~or~~ electrical service connections, be attached to a recreational vehicle except that electrical service, battery charging and fresh water filling connections, may be attached for a maximum of forty-eight (48) hours prior to and in preparation for departure from the property. During the temporary parking period, the recreational vehicle shall not be occupied in any manner whatsoever, except as allowed in (3) below.

~~(h) Recreational vehicles: In residential areas, no more than one (1) of the following: swamp buggy, halftrack, airboat or similar type recreational vehicles may be kept or stored on an individual owned property.~~

(k) Watercraft, vessels and boats: All watercraft, vessels and boats placed in the front yard, except canoes, kayaks and boats, not exceeding twelve (12) feet in length, shall at all times be stored on a currently licensed boat trailer with the licensed tag visible. However, if not located on a trailer they shall be placed only in the rear or side yard that is completely screened from the street with a vision obscuring fence or wall at least six (6) feet in height or in an enclosed structure.

(l) Height: When parked, stored or maintained no operable motor vehicle, swamp buggy, halftrack, airboat, watercraft, vessel, boat or trailer designed and used for general recreation purposes or temporary living quarters for recreational use, including but not limited to: off-road vehicles; camping trailers; travel trailers; truck campers; motor homes; watercraft; vessels; boats; and trailers shall exceed fourteen (14) feet in height.

(m) Length vesting permit registration: Any Recreational Vehicles with a length exceeding thirty (30) feet which was legally owned by property owners in the 2005 Annexed areas prior to the effective date of the passage and adoption of Ordinance No. 2011-013 shall be deemed to be vested and not required to comply with the sections governing recreational

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vehicles provide one-time permit registration is obtained within ninety (90) days following the adoption of Ordinance No. 2011-013 with the City's Engineering & Community Development Department with the resident owner's name or the resident owner's tenant's name, address, length and general description of the recreational vehicle and proof of ownership and vehicle registration for the recreational vehicle. The one-time vesting permit registration shall be non-transferrable and a registration decal provided by the City must be placed and shown on the recreational vehicle at all times.

(n) Number vesting permit registration: Only one legally existing watercraft, vessel or boat in addition to a legally existing recreational vehicle that both existed in the 2005 Annexed areas and within the original pre 2005 City of Oakland Park areas prior to the effective date of the passage and adoption of Ordinance No. 2011-013 shall be deemed to be eligible to be vested and may be parked on resident owner's property in the front yard areas. A one-time permit registration must be obtained within ninety (90) days following the adoption of Ordinance No. 2011-013 with the City's Engineering & Community Development Department with the resident owner's name or the resident owner's tenant's name, address, length and general description of the recreational vehicle and proof of ownership and vehicle registration for the recreational vehicle. The one-time vesting permit registration shall be non-transferrable and a registration decal provided by the City must be placed and shown on the recreational vehicle at all times.

The failure to apply for and obtain the vesting permit shall result in the application of all applicable sections of the Code of Ordinances to the property located in the 2005 annexed areas.

(o) Special recreational vehicle swale encroachment permit: Recreational vehicles and boat trailers legally existing within the City prior to the adoption of this Ordinance, that may or may not exceed the thirty (30) length restriction, may encroach into a swale area by eight (8) feet provided the property owner who has owned the recreational vehicle applies for a one-time permit registration must be made within ninety (90) days following the adoption of Ordinance No. 2011-013 with the City's Engineering & Community Development Department with the resident

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owner's name or the resident owner's tenant's name, address, length and general description of the recreational vehicle and proof of ownership and vehicle registration for the recreational vehicle. The special recreational vehicle permit shall be non-transferrable and a registration decal provided by the City must be placed and shown on the recreational vehicle at all times. The recreational vehicle shall not be parked in a location which causes the vehicle to encroach onto a City sidewalk or in any location which visually blocks or obstructs vehicle egress from contiguous properties with a 20-foot clear-sight triangle measured along the pavement of the parking space and the edge of the adjacent street.

(3) ~~Temporary guest occupancy and permanent storage permits parking registration:~~ Any owner desiring to store or temporarily occupy any recreational vehicle in excess of what is prescribed in (B) must apply to the code enforcement department for a city permit to park or store or occupy. Temporary occupancy and parking shall be allowed for a period up to a maximum of thirty (30) calendar days during any calendar year for the same property.

~~(a) Such storage permits be valid for as long as said recreational vehicle is parked or stored on the same property.~~

~~(h) No such permit for temporary occupancy shall be issued for a period in excess of thirty (30) consecutive calendar days during any calendar year for the same property.~~

Section 3. That Chapter 24, "Land Development Code," Article V. Supplemental Regulations, Section 24-79. (8) & (9), entitled "Supplemental regulations that are only applicable to the R-1A, R-1B, R-1C, RD-10 and RM-5 Annexed Area Residential Dwelling Districts." of the Code of Ordinances of the City of Oakland Park is hereby deleted in its entirety:

~~(9) Recreational vehicles and boats. In all residential zoning districts currently licensed recreational vehicles and boats may be parked or stored on plots containing a dwelling, subject to the following:~~

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- ~~(a) — Parking or storage of recreational vehicles or boats shall be limited to vehicles or boats owned by the occupants of the property or their guests.~~
- ~~(b) — Maintenance of recreational vehicles or boats shall not be permitted in a residential zoning district with the exception of cleaning or replacement of tires, batteries, spark plugs or other minor repairs which do not involve the exchange of engine parts or paint or body work.~~
- ~~(c) — At no time while parked or stored in a residential zoning district shall sewer or electrical service connections be attached to a recreational vehicle or boat, except that electrical service connections may be attached for a maximum of forty eight (48) hours prior to and in preparation for departure from the property.~~
- ~~(d) — All boats, except canoes and boats less than twelve (12) feet in length, must be on a currently licensed boat trailer.~~
- ~~(e) — In addition to the limitations in section 24-79, sub-sections (9) (a), (b), (c) and (d) above, on a plot containing a one or two family dwelling:
 - ~~1. — Not more than one (1) boat and one (1) recreational vehicle may be parked or stored outside of a carport or fully enclosed building.~~
 - ~~2. — No recreational vehicle or boat shall be parked or stored in a location which causes the recreational vehicle or boat to encroach onto a street or in any location which visually obstructs vehicle egress from contiguous properties.~~~~
- ~~(f) — In addition to the limitations in section 24-79, subsections (9) (a), (b), (c), (d) and (e) above, on a plot containing three (3) or more dwelling units:
 - ~~1. — One (1) recreational vehicle and one boat per dwelling unit may be parked or stored on the plot outside of a carport or fully enclosed building, if an area specifically designated for such use is provided.~~
 - ~~2. — No part of any required off street parking facility or required landscape area may be used for parking or storage of recreational vehicles or boats.~~~~

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1 **Section 4.** That Chapter 24, "Land Development Code," Article XVIII.
2 Definitions, Section 24-245., entitled "General Definitions." of the Code of Ordinances
3 of the City of Oakland Park is hereby amended as follows:
4

5 **Article XVIII. DEFINITIONS**
6

7 **Sec. 24-245. - General definitions.**
8

9 (73) ~~Recreational vehicle: A temporary dwelling unit designed to~~
10 ~~accommodate a family for temporary occupancy while traveling or~~
11 ~~temporarily living in a location, but not as a permanent dwelling~~
12 ~~unit, and may include motor homes and travel trailers. Any~~
13 ~~operable motor vehicle, swamp buggy, halftrack, airboat,~~
14 ~~watercraft, vessel, boat or trailer designed and used for general~~
15 ~~recreation purposes or temporary living quarters for recreational~~
16 ~~use, including but not limited to: off-road vehicles; camping~~
17 ~~trailers; travel trailers; truck campers; motor homes; watercraft;~~
18 ~~vessels; boats; and trailers designed or used for transporting other~~
19 ~~recreational vehicles, but excluding any trailer classified as a~~
20 ~~commercial vehicle. Also may include other types defined in~~
21 ~~Section 24-64 (A) (1) (a).~~
22

23 **Section 5.** If any section, subsection, sentence, clause or provision of this
24 Ordinance is held invalid, the remainder of this Ordinance shall not be affected by such
25 invalidity.
26

27 **Section 6.** All Ordinances or parts of Ordinances and all resolutions or parts
28 of Resolutions in conflict with this Ordinance are repealed to the extent of such conflict.
29

30 **Section 7.** It is the intention of the City Commission of the City of Oakland
31 Park, that the provisions of this Ordinance be made a part of the Code of Ordinances of the
32 City of Oakland Park, Florida, and that the Sections of this Ordinance may be renumbered,
33 re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such other
34 word or phrase in order to accomplish such intention.
35

36 **Section 8.** This Ordinance shall be effective on September 13, 2011
37 after its passage and adoption by the City Commission of the City of Oakland Park.
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**PASSED BY THE CITY COMMISSION OF THE CITY OF OAKLAND PARK,
FLORIDA, ON FIRST READING, THIS 18th DAY OF MAY, 2011.**

A. SALLEE	<u>YES</u>
J. ADORNATO	<u>YES</u>
S. McCARTNEY	<u>YES</u>
J. SHANK	<u>NO</u>
S. BOISVENUE	<u>YES</u>

**PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF
OAKLAND PARK, FLORIDA, ON SECOND READING, THIS 15th DAY OF
JUNE, 2011.**

CITY OF OAKLAND PARK,
FLORIDA



SUZANNE BOISVENUE, MAYOR

A. SALLEE	<u>YES</u>
J. ADORNATO	<u>YES</u>
S. McCARTNEY	<u>YES</u>
J. SHANK	<u>NO</u>
S. BOISVENUE	<u>YES</u>

ATTEST:



JANETTE SMITH, CMC
CITY CLERK

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance. (O-2011-013)



DONALD J. DOODY, CITY ATTORNEY