

CITY OF OAKLAND PARK, FLORIDA CITY COMMISSION AGENDA ITEM REPORT

AGENDA ITEM NO. 1

MEETING DATE: 2/6/2019

PREPARED BY: Pete Swartz, Assistant Director **DEPARTMENT HEAD APPROVAL:** ECD Engineering

Jennifer Frastai,
Director
Engineering &
Community
Development

SUBJECT: Ordinance to amend section 24-41, Master Business List to add “Consignment Shop” as permitted uses to the B-1, B-2 and B-3 zoning districts; and to add a definition for “Consignment Shop” and update the definition of “Like New Items”.

1. BACKGROUND/HISTORY

Legislative Action: On January 23, 2019, the City Commission passed the ordinance on first reading after an amendment to prohibit outdoor display for consignment shops by a 4-0 vote.

Updates after First Reading: Pursuant to City Commission direction, the Ordinance has been amended to include a prohibition of outdoor display (highlighted in yellow in the attached Ordinance).

Issue Statement: Consignment shops are not listed nor defined within the City’s Master Business List. Staff proposes amending the Master Business List to include “Consignment shop” as a specific use and amend the definition of “Like new items” currently in the Code of Ordinances.

Recommended Action: City Commission approval of the attached Ordinance amending Section 24-41 to define “Consignment shop” and permit said use in the B-1, B-2 and B-3 zoning districts, and amend the definition of “Like new items.”

The planning and Zoning Board voted 4-0 to recommend approval at their January 14, 2019, meeting.

2. CURRENT ACTIVITY

Consignment shops are differentiated from other secondhand stores by the nature of the consignment transaction, in which the merchandise is sold and tracked by the establishment on behalf of the owner of the merchandise. Upon sale of the merchandise, the purchase price is divided between the establishment owner and the owner of the merchandise. City code permits second hand stores within B2 and B-3 Zoning Districts.

Staff proposes a text amendment to Section 24-41, Master Business List to permit consignment shops within the B-1, B-2 and B-3 zoning districts, to add a definition of consignment shop and update the definition of like new items. Consignment shops are a compatible use for the proposed zoning districts. Staff will further evaluate incorporating this use into other zoning districts such as the Powerline Road Zoning District and Federal Highway, and will bring back at a later date if needed.

Proposed changes are as follows:

Business Listing	Prohibited	NB	B-1	B-2	B-3	1-1	PRZD	FHOD	PRD
<u>Consignment Shop</u>			P	P	P				

Chapter 24, "Land Development Code," Article III, Sec. 24-41. (E) – Master Business List Definitions is hereby amended as follows:

Consignment shop. A retail establishment solely engaged in the selling of new, like new or antique non-donated merchandise (items). The merchandise is sold and tracked by the establishment on behalf of the owner of the merchandise and upon sale of the merchandise, the purchase price is divided between the establishment owner and the owner of the merchandise.

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

3. FINANCIAL IMPACT

N/A

4. RECOMMENDATION

City Commission adopt an Ordinance amending Section 24-41 to define “Consignment shop” and permit said use in the B-1, B-2 and B-3 zoning districts, and amend the definition of “Like new items.”

ATTACHMENTS:

[Ordinance](#)