

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, AMENDING ARTICLE XI COMMUNITY FACILITY CF-1 DISTRICT, SECTION 11.3 PERMITTED USES; AMENDING ARTICLE VII TRANSIT ORIENTED CORRIDOR - CORRIDOR TOC-C DISTRICT, SECTION 7.3 TOC-C CORRIDOR PERMITTED USES; AMENDING ARTICLE VIII TRANSIT ORIENTED CORRIDOR - GATEWAY TOC-G DISTRICT, SECTION 8.4 TOC-G GATEWAY PERMITTED USES; AMENDING ARTICLE IX TRANSIT ORIENTED CORRIDOR - CITY CENTER TOC-CC DISTRICT, SECTION 9.5 TOC-CC CITY CENTER PERMITTED USES; AMENDING ARTICLE XXI NEIGHBORHOOD BUSINESS B-1 DISTRICT, SECTION 21.3 PERMITTED USES; AMENDING ARTICLE XXII COMMUNITY BUSINESS B-2 DISTRICT, SECTION 22.3 PERMITTED USES; AMENDING ARTICLE XXIII COMMUNITY BUSINESS B-3 DISTRICT, SECTION 23.3 PERMITTED USES; AMENDING ARTICLE III GENERAL PROVISIONS, SECTION 3.22 ALCOHOLIC BEVERAGES; PROVIDING FOR PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN ORDER TO ANALYZE, REVIEW, CONSIDER, MODIFY, PROCESS FOR ADOPTION AND IMPLEMENT POTENTIAL CHANGES TO ITS COMPREHENSIVE PLAN AND/OR ITS CODE OF ORDINANCES PERTAINING TO THE IMPACT OF KINDERGARTEN THROUGH TWELTH GRADE SCHOOLS ON, AMONG OTHER THINGS, INFRASTRUCTURE, EMERGENCY AND PUBLIC SERVICE, VEHICULAR TRAFFIC, PUBLIC SAFETY, PUBLIC WELFARE AND PUBLIC FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May, 18, 2016 the City Commission of the City of Margate adopted Ordinance 1500.621, enacting a six (6) month

1 moratorium for any new charter schools.

2
3 NOW, THEREFORE, BE IT ORDAINED BY THE CITY
4 COMMISSION OF THE CITY OF MARGATE, FLORIDA:
5

6 **SECTION 1:** The Code of the City of Margate, Florida,
7 Appendix A Zoning, Article XI Community Facility CF-1
8 District, Section 11.3 Permitted uses, is hereby amended
9 to read as follows:
10

11 **Section 11.3. - Permitted uses.**

12 (A) No building or structure, or part thereof, shall be
13 erected, altered, or used, or land or water used in whole
14 or in part, for other than one of the following:
15

16 ~~(1) Elementary, middle and senior schools that are a~~
17 ~~part of the School Board of Broward County, Florida.~~
18

19 (12) Houses of worship and schools on the same plot. Such
20 use shall be located on a plot having at least forty
21 thousand (40,000) square feet and at least two
22 hundred (200) feet of street frontage. Private
23 academic schools, including VPK, may be permitted as
24 an accessory use when located on the same plot as an
25 existing house of worship.
26

27 (23) Hospitals, nursing and convalescent homes not
28 including correctional or mental institutions, nor
29 veterinary hospitals. Such use shall be located on a
30 plot having at least forty thousand (40,000) square
31 feet and at least two hundred (200) feet of street
32 frontage.
33

34 (34) Group care facilities, as defined in Section 2.2 of
35 the Margate Zoning Code. Such use shall be located
36 on a plot having at least forty thousand (40,000)
37 square feet and at least two hundred (200) feet of
38 frontage. Such facility shall occupy the entire
39 structure or structures within which it is located
40 and shall not share space with any other use or
41 residence for persons other than those associated
42 with said facility.

1
2 (45) Municipal buildings, fire stations, libraries,
3 public offices, parks, playgrounds, reservations,
4 parking.

5
6 (56) Accessory structure or use which is clearly
7 incidental or subordinate to the principal use and
8 which use is located on the same plot.
9

10 (B) Special exception uses. Special exception uses may be
11 deemed appropriate to provide a complete distribution of
12 uses within the Ceity, but because of their operational
13 characteristics or area requirements need to be given
14 individual consideration with respect to their location,
15 access and relationship to adjacent properties and public
16 rights-of-way, and conformity with the Ceity's current
17 and future redevelopment efforts.
18

19 (1) The following uses are authorized upon a finding by
20 the City Ceommission that a special exception to the
21 article is warranted. The City Ceommission shall
22 consider all applications for special exception
23 approval pursuant to the procedures and criteria set
24 forth in sections 22.9 and 22.10 for new
25 construction and in sections 22.11 and 22.12 for use
26 of existing buildings or sites.
27

28 (a) ~~Private academic schools, including VPK~~
29 ~~(voluntary prekindergarten), elementary, middle~~
30 ~~and senior schools unless located on the same~~
31 ~~plot as a house of worship. Such use shall be~~
32 ~~located on a plot at least four (4) acres in~~
33 ~~area. Public or private elementary, middle, or~~
34 high school, subject to the following:
35

36 1. Schools shall not be located on roadways
37 classified by Broward County Metropolitan
38 Organization's Broward Highway Functional
39 Classifications Map as arterial roadways.
40 Access to schools shall not be from
41 roadways classified by Broward County
42 Metropolitan Organization's Broward

1 Highway Functional Classifications Map as
2 arterial roadways.

3
4 2. School must be located in freestanding
5 single use structure(s), located on a
6 parcel of at least three (3) acres. As an
7 exception, charter schools may be
8 permitted as an accessory use if located
9 within an existing library, community
10 service facility, museum, performing arts
11 center, theatre, cinema, religious
12 institution, Florida College System
13 institution, college, or university
14 facility, in accordance with F.S.
15 1002.33(18) (C) .

16
17 3. School must provide a student drop off
18 area for motorists that is dedicated to
19 student drop off activities and will not
20 interfere with onsite parking or roadways
21 adjacent to the school. The appropriate
22 length and dimensions of the drop off area
23 shall be identified in a traffic study
24 prepared by a professional engineer
25 licensed in the State of Florida.

26
27 4. In order to allow sufficient time to
28 secure required development order,
29 building permit, and local business tax
30 receipt approval, a special exception use
31 application and fee must be filed with the
32 Economic Development Department at least
33 nine (9) months before the start of the
34 school year. This time requirement cannot
35 be waived or reduced.

36
37 (b) Public or private postsecondary educational
38 facilities, including vocational schools. Any
39 associated residence shall be ancillary to the
40 permitted use, and permitted only for full-time
41 students of the post-secondary educational
42 facility and any staff required to preserve the
43 safety and welfare of resident students.

(c) ~~Charter schools and charter lab schools properly sponsored by the School Board of Broward County or a state university.~~

SECTION 2: The Code of the City of Margate, Florida, Appendix A Zoning, Article VII Transit Oriented Corridor - Corridor (TOC-C) District, Section 7.3 TOC-C Corridor permitted uses, is hereby amended to read as follows:

Section 7.3. - TOC-C Corridor permitted uses.

(A) *[Permitted uses.]* No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any of the uses specified below.

. . .

School of instruction, non-academic. ~~Subject to requirements of section 33.11 of this Code.~~

. . .

(B) *Special exception uses.* Special exception uses may be deemed appropriate to provide a complete distribution of commercial uses with the Ceity, but because of their operational characteristics or area requirements need to be given individual consideration with respect to their location, access and relationship to adjacent properties and public rights-of-way, and conformity with the Ceity's current and future redevelopment efforts.

(1) The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

. . .

1
2
3 (s) Promotional events that are accessory to a permitted
4 use and temporary in nature shall be permitted after
5 a finding by the ~~D~~development ~~R~~review ~~C~~ommittee
6 that such event meets the criteria as set forth in
7 section 22.13 of this Code.
8

9 (t) Public or private elementary, middle, or high
10 school, subject to the following:
11

12 1. Schools shall not be located on roadways
13 classified by Broward County Metropolitan
14 Organization's Broward Highway Functional
15 Classifications Map as arterial roadways.
16 Access to schools shall not be from
17 roadways classified by Broward County
18 Metropolitan Organization's Broward
19 Highway Functional Classifications Map as
20 arterial roadways.
21

22 2. School must be located in freestanding
23 single use structure(s), located on a
24 parcel of at least three (3) acres. As an
25 exception, charter schools may be
26 permitted as an accessory use if located
27 within an existing library, community
28 service facility, museum, performing arts
29 center, theatre, cinema, religious
30 institution, Florida College System
31 institution, college, or university
32 facility, in accordance with F.S.
33 1002.33(18) (C).
34

35 3. School must provide a student drop off
36 area for motorists that is dedicated to
37 student drop off activities and will not
38 interfere with onsite parking or roadways
39 adjacent to the school. The appropriate
40 length and dimensions of the drop off area
41 shall be identified in a traffic study
42 prepared by a professional engineer
43 licensed in the State of Florida.

1
2 4. In order to allow sufficient time to
3 secure required development order,
4 building permit, and local business tax
5 receipt approval, a special exception use
6 application and fee must be filed with the
7 Economic Development Department at least
8 nine (9) months before the start of the
9 school year. This time requirement cannot
10 be waived or reduced.
11

12
13 (u~~†~~) Restaurants with curb or automobile service. Such
14 approval shall also be subject to the following
15 restrictions:
16

- 17 1. Subject property shall be located a minimum of
18 seven hundred fifty (750) feet from one-family
19 dwelling districts; such distance shall be
20 measured from front door of the establishment
21 to the single-family property line; and
22
23 2. All applicable city codes and regulations must
24 be complied with as of the time of application.
25

26 (v~~†~~) Theater, outdoor. Subject to requirements of
27 section 33.11 of this Code.
28

29 (w~~†~~) Vehicle rental business.
30

31 (x~~†~~) Walkway cafes greater than four hundred (400)
32 square feet in area, subject to the criteria and
33 limitations in section 22.3(B) of this Code.
34

35 [Note to Municipal Code: The rest of this section shall
36 remain as codified.]
37

38 **SECTION 3:** The Code of the City of Margate, Florida,
39 Appendix A Zoning, Article VIII Transit Oriented Corridor
40 - Gateway (TOC-G) District, Section 8.4 TOC-G Gateway
41 permitted uses, is hereby amended to read as follows:

**CODING: Words in ~~struck-through~~ text are deletions
from existing text, words in underscored text are
additions to existing text, and shaded text are
changes between First and Second Readings.**

Section 8.4. - TOC-G Gateway permitted uses.

- (A) *[Permitted uses.]* No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any of the uses specified below.

~~School of instruction, non-academic. Subject to requirements of section 33.11 of this Code.~~

- (B) *Special exception uses.* Special exception uses may be deemed appropriate to provide a complete distribution of commercial uses with the Ceity, but because of their operational characteristics or area requirements need to be given individual consideration with respect to their location, access and relationship to adjacent properties and public rights-of-way, and conformity with the Ceity's current and future redevelopment efforts.

- (1) The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

- (j) Public or private elementary, middle, or high school, subject to the following:

1. Schools shall not be located on roadways classified by Broward County Metropolitan Organization's Broward Highway Functional Classifications Map as arterial roadways. Access to schools shall not be from roadways classified by Broward County

Metropolitan Organization's Broward
Highway Functional Classifications Map as
arterial roadways.

2. School must be located in freestanding
single use structure(s), located on a
parcel of at least 3 acres. As an
exception, charter schools may be
permitted as an accessory use if located
within an existing library, community
service, museum, performing arts, theatre,
cinema, church, Florida College System
institution, college, or university
facility, in accordance with F.S.
1002.33(18) (C) .

3. School must provide a student drop off
area for motorists that is dedicated to
student drop off activities and will not
interfere with onsite parking or roadways
adjacent to the school. The appropriate
length and dimensions of the drop off area
shall be identified in a traffic study
prepared by a professional engineer
licensed in the State of Florida.

4. In order to allow sufficient time to
secure required development order,
building permit, and local business tax
receipt approval, a special exception use
application and fee must be filed with the
Economic Development Department at least
nine (9) months before the start of the
school year. This time requirement cannot
be waived or reduced.

(k) Promotional events that are accessory to a permitted
use and temporary in nature shall be permitted after
a finding by the development review committee that
such event meets the criteria as set forth in
section 22.13 of this Code.

1 (1) Public or private elementary, middle, or high
2 school, subject to the following:

3
4 1. Schools shall not be located on roadways
5 classified by Broward County Metropolitan
6 Organization's Broward Highway Functional
7 Classifications Map as arterial roadways.
8 Access to schools shall not be from
9 roadways classified by Broward County
10 Metropolitan Organization's Broward
11 Highway Functional Classifications Map as
12 arterial roadways.

13
14 2. School must be located in freestanding
15 single use structure(s), located on a
16 parcel of at least 3 acres. As an
17 exception, charter schools may be
18 permitted as an accessory use if located
19 within an existing library, community
20 service, museum, performing arts, theatre,
21 cinema, church, Florida College System
22 institution, college, or university
23 facility, in accordance with F.S.
24 1002.33(18) (C).

25
26 3. School must provide a student drop off
27 area for motorists that is dedicated to
28 student drop off activities and will not
29 interfere with onsite parking or roadways
30 adjacent to the school. The appropriate
31 length and dimensions of the drop off area
32 shall be identified in a traffic study
33 prepared by a professional engineer
34 licensed in the State of Florida.

35
36 4. In order to allow sufficient time to
37 secure required development order,
38 building permit, and local business tax
39 receipt approval, a special exception use
40 application and fee must be filed with the
41 Economic Development Department at least
42 nine (9) months before the start of the

1 school year. This time requirement cannot
2 be waived or reduced.

3
4
5 (m±) Theater, outdoor. Subject to requirements of section
6 33.11 of this Code.

7
8 (n≡) Walkway cafes greater than four hundred (400) square
9 feet in area, subject to the criteria and
10 limitations in section 22.3(B) of this Code.

11
12 [Note to Municipal Code: The rest of this section shall
13 remain as codified.]

14
15 **SECTION 4:** The Code of the City of Margate, Florida,
16 Appendix A Zoning, Article IX Transit Oriented Corridor -
17 City Center (TOC-CC) District, Section 9.5 TOC-CC City
18 Center permitted uses, is hereby amended to read as
19 follows:

20
21 **Section 9.5. - TOC-CC City Center permitted uses.**

22
23 (A) *[Permitted uses.]* No building or structure, or part
24 thereof, shall be erected, altered or used, or land or
25 water used, in whole or in part, for other than any of
26 the uses specified below.

27
28

29
30 School of instruction, non-academic. ~~Subject to~~
31 ~~requirements of section 33.11 of this Code.~~

32
33

34
35 (B) *Special exception uses.* Special exception uses may be
36 deemed appropriate to provide a complete distribution of
37 commercial uses with the Ceity, but because of their
38 operational characteristics or area requirements need to be
39 given individual consideration with respect to their

1 location, access and relationship to adjacent properties
2 and public rights-of-way, and conformity with the Ceity's
3 current and future redevelopment efforts.

- 4
5 (1) The following uses are authorized upon a finding by
6 the Ceity Ceommission that a special exception to
7 the article is warranted, pursuant to the procedure
8 and criteria set forth in sections 22.9 through
9 22.12 of this Code.

- 10 . . .
11
12 (h) Promotional events that are accessory to a permitted
13 use and temporary in nature shall be permitted after
14 a finding by the development review committee that
15 such event meets the criteria as set forth in
16 section 22.13 of this Code.

- 17
18 (i) Public or private elementary, middle, or high
19 school, subject to the following:

20
21 1. Schools shall not be located on roadways
22 classified by Broward County Metropolitan
23 Organization's Broward Highway Functional
24 Classifications Map as arterial roadways.
25 Access to schools shall not be from
26 roadways classified by Broward County
27 Metropolitan Organization's Broward
28 Highway Functional Classifications Map as
29 arterial roadways.

30
31 2. School must be located in freestanding
32 single use structure(s), located on a
33 parcel of at least three (3) acres. As an
34 exception, charter schools may be
35 permitted as an accessory use if located
36 within an existing library, community
37 service facility, museum, performing arts
38 center, theatre, cinema, religious
39 institution, Florida College System
40 institution, college, or university
41 facility, in accordance with F.S.
42 1002.33(18) (C) .

1
2 3. School must provide a student drop off
3 area for motorists that is dedicated to
4 student drop off activities and will not
5 interfere with onsite parking or roadways
6 adjacent to the school. The appropriate
7 length and dimensions of the drop off area
8 shall be identified in a traffic study
9 prepared by a professional engineer
10 licensed in the State of Florida.

11
12 4. In order to allow sufficient time to
13 secure required development order,
14 building permit, and local business tax
15 receipt approval, a special exception use
16 application and fee must be filed with the
17 Economic Development Department at least
18 nine (9) months before the start of the
19 school year. This time requirement cannot
20 be waived or reduced.

21
22
23 (j±) Theater, outdoor. Subject to requirements of section
24 33.11 of this Code.

25
26 (k±) Walkway cafes greater than four hundred (400) square
27 feet in area, subject to the criteria and
28 limitations in section 22.3(B) of this Code.

29
30 . . .

31
32 [Note to Municipal Code: The rest of this section shall
33 remain as codified.]

34
35 **SECTION 5:** The Code of the City of Margate, Florida,
36 Appendix A Zoning, Article XXI Neighborhood Business B-1
37 District, Section 21.3 Permitted uses, is hereby amended
38 to read as follows:

39
40
41 Section 21.3. - Permitted uses.

42 . . .

**CODING: Words in ~~struck-through~~ text are deletions
from existing text, words in underscored text are
additions to existing text, and shaded text are
changes between First and Second Readings.**

1
2 (B) *Special exception uses.* The following uses are authorized
3 upon a finding by the Ceity Ceommission that a special
4 exception to the article is warranted. The City
5 Ceommission shall consider all applications for a special
6 exception approval pursuant to the procedure and criteria
7 set forth in sections 23.9 through ~~and 23.10 for new~~
8 ~~construction and in sections 23.11 and 23.12 for uses at~~
9 ~~existing buildings~~ of this Code.

10
11 Animal clinic, pet hospital, subject to the following
12 limitations:

- 13 (1) Must be less than three thousand (3,000) square feet
14 in area.
15
16 (2) Adequate soundproofing in any area where animals are
17 contained or treated.
18
19 (3) All boarding activities shall be ancillary to the
20 primary use.
21
22 (4) Subject to the restrictions set forth in chapter 6
23 of the Margate Code of Ordinances.
24

25 Outdoor sales, service and display, as an accessory to a
26 permitted use.

27 Public or private elementary, middle, or high school,
28 subject to the following:

- 29
30 (1) Schools shall not be located on roadways
31 classified by Broward County Metropolitan
32 Organization's Broward Highway Functional
33 Classifications Map as arterial roadways.
34 Access to schools shall not be from
35 roadways classified by Broward County
36 Metropolitan Organization's Broward
37 Highway Functional Classifications Map as
38 arterial roadways.
39

1 (2) School must be located in freestanding
2 single use structure(s), located on a
3 parcel of at least three (3) acres. As an
4 exception, charter schools may be
5 permitted as an accessory use if located
6 within an existing library, community
7 service facility, museum, performing arts
8 center, theatre, cinema, religious
9 institution, Florida College System
10 institution, college, or university
11 facility, in accordance with F.S.
12 1002.33(18)(C).

13
14 (3) School must provide a student drop off
15 area for motorists that is dedicated to
16 student drop off activities and will not
17 interfere with onsite parking or roadways
18 adjacent to the school. The appropriate
19 length and dimensions of the drop off area
20 shall be identified in a traffic study
21 prepared by a professional engineer
22 licensed in the State of Florida.

23
24 (4) In order to allow sufficient time to
25 secure required development order,
26 building permit, and local business tax
27 receipt approval, a special exception use
28 application and fee must be filed with the
29 Economic Development Department at least
30 nine (9) months before the start of the
31 school year. This time requirement cannot
32 be waived or reduced.

33
34 [Note to Municipal Code: The rest of this section shall
35 remain as codified.]

36
37 **SECTION 6:** The Code of the City of Margate, Florida,
38 Appendix A Zoning, Article XXII Community Business B-2
39 District, Section 22.3 Permitted uses, is hereby amended
40 to read as follows:

41
42 Section 22.3. - Permitted uses.

1
2
3 (B) *Special exception uses.* The following uses are authorized
4 upon a finding by the Ceity Ceommission that a special
5 exception to the article is warranted, pursuant to the
6 procedure and criteria set forth in sections 22.9 through
7 22.12 of this Code.

8
9
10
11 Public or private elementary, middle, or high school,
12 subject to the following:
13

14 (1) Schools shall not be located on roadways
15 classified by Broward County Metropolitan
16 Organization's Broward Highway Functional
17 Classifications Map as arterial roadways.
18 Access to schools shall not be from
19 roadways classified by Broward County
20 Metropolitan Organization's Broward
21 Highway Functional Classifications Map as
22 arterial roadways.

23
24 (2) School must be located in freestanding
25 single use structure(s), located on a
26 parcel of at least three (3) acres. As an
27 exception, charter schools may be
28 permitted as an accessory use if located
29 within an existing library, community
30 service facility, museum, performing arts
31 center, theatre, religious institution,
32 church, Florida College System
33 institution, college, or university
34 facility, in accordance with F.S.
35 1002.33(18) (C) .

36
37 (3) School must provide a student drop off
38 area for motorists that is dedicated to
39 student drop off activities and will not
40 interfere with onsite parking or roadways
41 adjacent to the school. The appropriate
42 length and dimensions of the drop off area
43 shall be identified in a traffic study

prepared by a professional engineer
licensed in the State of Florida.

(4) In order to allow sufficient time to secure required development order, building permit, and local business tax receipt approval, a special exception use application and fee must be filed with the Economic Development Department at least nine (9) months before the start of the school year. This time requirement cannot be waived or reduced.

[Note to Municipal Code: The rest of this section shall remain as codified.]

SECTION 7: The Code of the City of Margate, Florida, Appendix A Zoning, Article XXIII Liberal Business B-3 District, Section 23.3 Permitted uses, is hereby amended to read as follows:

Section 23.3. - Permitted uses.

(B) *Special exception uses.* The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

Public or private elementary, middle, or high school,
subject to the following:

(1) Schools shall not be located on roadways classified by Broward County Metropolitan Organization's Broward Highway Functional Classifications Map as arterial roadways. Access to schools shall not be from roadways classified by Broward County

Metropolitan Organization's Broward
Highway Functional Classifications Map as
arterial roadways.

(2) School must be located in freestanding
single use structure(s), located on a
parcel of at least three (3) acres. As an
exception, charter schools may be
permitted as an accessory use if located
within an existing library, community
service facility, museum, performing arts
center, theatre, cinema, religious
institution, Florida College System
institution, college, or university
facility, in accordance with F.S.
1002.33(18) (C) .

(3) School must provide a student drop off
area for motorists that is dedicated to
student drop off activities and will not
interfere with onsite parking or roadways
adjacent to the school. The appropriate
length and dimensions of the drop off area
shall be identified in a traffic study
prepared by a professional engineer
licensed in the State of Florida.

(4) In order to allow sufficient time to
secure required development order,
building permit, and local business tax
receipt approval, a special exception use
application and fee must be filed with the
Economic Development Department at least
nine (9) months before the start of the
school year. This time requirement cannot
be waived or reduced.

[Note to Municipal Code: The rest of this section shall
remain as codified.]

SECTION 8: The Code of the City of Margate, Florida, Appendix A Zoning, Article III General Provisions, Section 3.22 Alcoholic beverages, is hereby amended to read as follows:

Section 3.22 Alcoholic beverages

(VIII) *Distance restrictions.*

(A) Distance restrictions from a house of worship, ~~or~~ school, or daycare. No liquor license approval or beer and wine license approval for consumption on the premises shall be issued where the place of business designated in the application therefore is within one thousand (1,000) feet of a house of worship or a public or private elementary, middle or high school, or child care center. The distance shall be measured from the main entrance or front door of such house of worship, ~~or~~ school, or daycare to the main entrance of such place of business in accordance with subsection (IX). For any location within any zone designated under any business classification to which a license for the sale of liquor or beer and wine for consumption on the premises has previously been issued, and which license is subsisting and in use, no house of worship, ~~nonacademic~~ public or private elementary, middle, or high school, ~~of instruction~~ or child care center shall be permitted within one thousand (1,000) feet of said location. The distance shall be measured from the front door of the licensee to the main entrance of the house of worship, ~~nonacademic~~ school of instruction or child care center. Any proposed use not meeting the specific distance restrictions listed above shall be prohibited.

[Note to Municipal Code: The rest of this section shall remain as codified.]

SECTION 9: All ordinances or parts of ordinances in conflict herewith are and the same is hereby repealed to the extent of such conflict.

SECTION 10: If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 11: It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Margate Code, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 12: This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS _____ day of _____
2016.

PASSED ON SECOND READING THIS _____ day of _____
2017.

ATTEST:

JOSEPH KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

Simone _____
Peerman _____
Talerico _____
Bryan _____
Ruzzano _____

Simone _____
Peerman _____
TBD _____
TBD _____
Ruzzano _____