

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING ARTICLE 5 - ZONING, DIVISION 3 - BUSINESS DISTRICTS, SECTION 40.520 - NEIGHBORHOOD BUSINESS: B-1, DIVISION 6 PLANNED AND MIXED USED DISTRICTS SECTION 40.552 - CORRIDOR: C AND SECTION 40.553-GATEWAY: G, OF THE CITY OF MARGATE CODE OF ORDINANCES; PROVIDING FOR PET DAYCARE ZONING LIMITATIONS AND REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

Section 1: Article 5 - Zoning, Division 3 - Business Districts, Section 40.520 - Neighborhood Business: B-1, of the City of Margate Code of Ordinances, be, and the same is hereby amended to read as follows:

40.520. Neighborhood Business: B-1.

. . .

(C) *Permitted uses.* Permitted uses specified. 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 one (1) of the following specified uses:

. . .

22. Pet daycare, subject to the following limitations:

i. Soundproofing required.

ii. No outdoor pens or runs.

iii. May offer kenneling as an accessory use, limited to 20% of floor area.

1 iv. Additional requirements set forth in Chapter 6 of the
2 Margate Code of Ordinances.

3 223. Pet grooming, subject to the following limitations:

4 i. Must be less than three thousand (3,000) square feet in
5 area.

6 ii. Soundproofing required.

7 iii. No outdoor pens or runs permitted.

8 234. Pet shop, subject to the following limitations:

9 i. Must be less than three thousand (3,000) square feet in
10 area.

11 ~~ii. Not permitted within one hundred (100) feet of any~~
12 ~~residential district.~~ Soundproofing required.

13 iii. No outdoor pens or runs permitted.

14 iv. Subject to the restrictions set forth in Chapter 6 of
15 the Margate Code of Ordinances.

16 245. Pharmacy, subject to the following limitations:

17 i. No more than ten (10) per cent of all prescription
18 medication dispensed shall be from the list of Schedule
19 II controlled substances provided in F.S. § 893.03.

20 ii. No less than fifty (50) per cent of the floor area
21 shall be used for retail display and transactions.

22 256. Picture framing.

23 267. Place of assembly, subject to the requirements of
24 Section 40.619 of this Code.

25 278. Professional office.

26 289. Restaurant with dining room, subject to the following
27 limitations:

28 i. May have cocktail lounge as accessory.

29 ii. Live entertainment not permitted.

30 ~~29~~30. Sales office—No inventory.

31 301. Savings and loan institution.

1 312. School of instruction, nonacademic, subject to the
2 following limitation(s):

3 i. Must be less than three thousand (3,000) square feet in
4 area.

5 323. Shoe repair shops.

6 334. Substation for utilities (as required).

7 345. Tailor shop, seamstress.

8 356. Travel agency.

9 367. Vending machine (outdoor), permitted as an accessory
10 use to a permitted use and subject to the limitations
11 contained in Section 40.621, Vending machine (outdoor).

12 378. Walkway cafes less than one thousand (1,000) square
13 feet in area subject to the requirements in section 40.622
14 of this Code.

15 . . .
16

17 **[Note to Municipal Code: The rest of this section shall**
18 **remain as codified.]**
19

20 **Section 2:** Article 5 - Zoning, Division 6 Planned And
21 Mixed Used Districts, Section 40.552 - Corridor: C, of the
22 City of Margate Code of Ordinances, be, and the same is hereby
23 amended to read as follows:

24 **40.552. Corridor: C.**

25 . . .

26 (E) *Corridor permitted uses.* No building or structure, or part
27 thereof, shall be erected, altered or used, or land or water
28 used, in whole or in part, for other than any of the uses
29 specified below. All minimum separation distances shall be
30 measured in the shortest airline distance between nearest
31 property lines unless otherwise specified.

32 . . .
33

1 43. Pet daycare, subject to the following limitations:

2 i. Soundproofing required.

3 ii. No outdoor pens or runs.

4 iii. May offer kenneling as an accessory use, limited to 20%
5 of floor area.

6 iv. Limitations set forth in Chapter 6 of the Margate Code
7 of Ordinances

8 434. Pet grooming (soundproofed only), subject to the
9 following:

10 i. Soundproofing required.

11 ii. No outdoor pens or runs permitted.

12 445. Pet shop, subject to restrictions set forth in Chapter
13 6 of the Margate Code of Ordinances. the following:

14 i. Soundproofing required.

15 ii. No outdoor pens or runs permitted.

16 iii. Additional requirements set forth in Chapter 6 of
17 the Margate Code of Ordinances.

18 456. Pharmacy, subject to the following limitations:

19 a. No more than ten (10) per cent of all prescription
20 medication dispensed shall be from the list of Schedule
21 II controlled substances provided in F.S. § 893.03.

22 b. No less than fifty (50) per cent of floor area shall be
23 used for retail display and transactions. Photography
24 studio and developing. Subject to requirements of
25 Section 40.705 of this Code.

26 467. Picture framing.

27 478. Place of Assembly, subject to the requirements of
28 Section 40.619 of this Code.

29 489. Printing, photocopying, blueprinting shop with no more
30 than twenty-five (25) employees.

31 4950. Professional office.

32 501. Recording studio (indoors and soundproofed only).

- 1 ~~512~~. Rental business. (Not vehicular.)
- 2 ~~523~~. Restaurant.
- 3 ~~534~~. School of instruction, non-academic.
- 4 ~~545~~. Secondhand and/or used merchandise, retail. Not
5 permitted within one thousand (1,000) feet of like use,
6 Check cashing including Payday Loans, Pawn Shop, or Dollar
7 Store.
- 8 ~~556~~. Shoe repair shop.
- 9 ~~567~~. Small appliance repair. Not permitted within one
10 hundred (100) feet of any residential district.
- 11 ~~578~~. Substation for utilities.
- 12 ~~589~~. Swimming pool equipment and chemicals, retail, subject
13 to the following conditions and limitations:
- 14 a. All swimming pool supplies, including prepackaged
15 chemicals, except bulk quantities of sodium
16 hypochlorite, shall be dispensed strictly through
17 retail sales and shall be stored and sold within a
18 completely enclosed structure.
- 19 b. No wholesale or bulk nonpackaged storage or sale of
20 calcium hypochlorite or muriatic acid shall be
21 permitted. Muriatic acid shall be sold only if
22 prepackaged.
- 23 c. Chemical storage area not permitted within one hundred
24 (100) feet of any residential district.
- 25 ~~5960~~. Tailor shop, seamstress.
- 26 ~~601~~. Television, radio and movie studios (no towers).
- 27 ~~612~~. Theater, indoor. Subject to requirements of Section
28 40.705 of this Code.
- 29 ~~623~~. Utilities, facility offices.
- 30 ~~634~~. Vehicle dealership, new, subject to the following
31 limitations and requirements:
- 32 a. Minimum size of three (3) acres of contiguous land.

1 645. Vending machine (outdoor), permitted as an accessory
2 use to a permitted use and subject to the following
3 limitations contained in Section 40.621 of this Code.

4 656. Walkway cafes less than one thousand (1,000) square
5 feet in area; permitted subject to the limitations
6 contained in Section 40.622 of this Code.

7
8 . . .
9 **[Note to Municipal Code: The rest of this section shall**
10 **remain as codified.]**
11

12 **Section 3:** Article 5 - Zoning, Division 6 Planned And
13 Mixed Used Districts, Section 40.553 - Gateway: G, of the City
14 of Margate Code of Ordinances be, and the same is hereby
15 amended to read as follows:

16 **40.553. Gateway: G.**

17 (A) *Permitted uses.* No building or structure, or part thereof,
18 shall be erected, altered or used, or land or water used, in
19 whole or in part, for other than any of the uses specified
20 below. All minimum separation distances shall be measured in
21 the shortest airline distance between nearest property lines
22 unless otherwise specified.

23 . . .
24
25 34. Pet daycare, subject to the following limitations:

26 i. Soundproofing required.

27 ii. No outdoor pens or runs.

28 iii. May offer kenneling as an accessory use, limited to 20%
29 of floor area.

30 iv. Limitations set forth in Chapter 6 of the Margate Code
31 of Ordinances

32 345. Pet grooming (~~soundproofed only~~), subject to the
33 following:

34 i. Soundproofing required.

1 ii. No outdoor pens or runs permitted.

2 ~~356. Pet shop, subject to restrictions set forth in Chapter~~
3 ~~6 of the Margate Code of Ordinances. the following:~~

4 i. Soundproofing required.

5 ii. No outdoor pens or runs permitted.

6 iii. Additional requirements set forth in Chapter 6 of
7 the Margate Code of Ordinances.

8 ~~367.~~ Pharmacy, subject to the following limitations:

9 a. No more than ten (10) per cent of all prescription
10 medication dispensed shall be from the list of Schedule
11 II controlled substances provided in F.S. § 893.03.

12 b. No less than fifty (50) per cent of the floor area
13 shall be used for retail display and transactions.

14 ~~378.~~ Photography studio and developing. Subject to
15 requirements of Section 40.705.

16 ~~389.~~ Picture framing.

17 ~~3940.~~ Place of Assembly, subject to the requirements of
18 Section 40.619 of this Code.

19 ~~401.~~ Professional office.

20 ~~412.~~ Recording studio (indoors and soundproofed only).

21 ~~423.~~ Rental business. (Not vehicular.)

22 ~~434.~~ Restaurant.

23 ~~445.~~ School of instruction, non-academic.

24 ~~456.~~ Secondhand and/or used merchandise, retail; subject to
25 the following limitations:

26 a. Not permitted within one thousand (1,000) feet from any
27 other secondhand dealer selling like merchandise; and

28 b. Not permitted within one thousand (1,000) feet of any
29 pawn shop; and

30 c. Not permitted within one thousand (1,000) feet of a
31 Check Cashing or Payday loans; or Dollar Store; and

32 d. No consignment.

- 1 467. Substation for utilities.
2 478. Tailor shop, seamstress.
3 489. Television, radio and movie studios (no towers).
4 4950. Theater, indoor.
5 501. Vehicle dealership, new, subject to the following
6 limitations and requirements:
7 a. Minimum size of three (3) acres of contiguous land.
8 512. Vending machine (outdoor), permitted as an accessory
9 use to a permitted use and subject to the following
10 limitations contained in section 40.621.
11 523. Walkway cafes less than one thousand (1,000) square
12 feet in area; permitted subject to the limitations
13 contained in Section 40.622.

14 . . .
15 **[Note to Municipal Code: The rest of this section shall**
16 **remain as codified.]**

17
18 **SECTION 4:** All ordinances or parts of ordinances
19 in conflict herewith are repealed to the extent of such
20 conflict.

21
22 **SECTION 5:** If any section, sentence, clause, or
23 phrase of this ordinance is held to be invalid or
24 unconstitutional by a court of competent jurisdiction, then
25 said holding shall in no way affect the validity of the
26 remaining portions of this Ordinance.

27
28 **SECTION 6:** It is the intention of the City
29 Commission that the provisions of this Ordinance shall become
30 and be made a part of the City of Margate Code, and that the
31 sections of this Ordinance may be renumbered or relettered
32 and the word "ordinance" may be changed to "section",
33 "article" or such other appropriate word or phrase in order
34 to accomplish such intentions.

35
36 **SECTION 7:** This Ordinance shall become effective
37 immediately upon adoption at its second reading.
38

1 PASSED ON FIRST READING THIS _____ day of _____ 2026.

2 PASSED ON SECOND READING THIS _____ day of _____ 2026.

3

4 ORDINANCE _____

5 ATTEST:

6

7

8 _____
9 JENNIFER M. JOHNSON

_____ MAYOR ANTONIO V. ARSERIO

CITY CLERK

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

11

12 Schwartz _____

Schwartz _____

13 Simone _____

Simone _____

14 Ruzzano _____

Ruzzano _____

15 Caggiano _____

Caggiano _____

16 Arserio _____

Arserio _____

17