

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, AMENDING ARTICLE II DEFINITIONS, SECTION 2.2 TERMS DEFINED; 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 XXIII LIBERAL BUSINESS B-3 DISTRICT, SECTION 23.3 PERMITTED USES; AMENDING ARTICLE XXIV LIGHT INDUSTRIAL M-1 DISTRICT, SECTION 24.3 PERMITTED USES; PROVIDING FOR AUTOMOBILE DEALERSHIP, PROVIDING FOR VEHICLE SALES AGENCY; 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: The Code of the City of Margate, Florida, Appendix A Zoning, Article II Definitions, Section 2.2 Terms defined, is hereby amended to read as follows:

Section 2.2. - Terms defined.

. . .

Automobile dealership: An establishment primarily for the sale of new vehicles that includes as incidental accessory uses the sale of used vehicles, service and repair of vehicles, and sale of parts within a site area that includes (1) an enclosed showroom for merchandise, (2) outdoor display and storage of automobile inventory, (3) service and

repair facilities within a fully enclosed building,
and (4) parts sales occurring within a fully enclosed
building.

Vehicle sales agency: An establishment licensed to sell any of the following: new and/or used automobiles, commercial vehicles, truck, trailer, boats, motorcycles, and recreational vehicles. Automobile dealerships, as defined in this section, may also be permitted under this use.

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

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.

Automobile dealership, new, subject to the following limitations and requirements:

(a) Minimum size of three (3) acres of contiguous land

(B) *Special exception uses.* Special exception uses may be deemed appropriate to provide a complete distribution of commercial uses within the city, but because of their operational characteristics or area requirements need to be 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 city's
3 current and future redevelopment efforts.
4

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

10
11 (a) Amusement arcade centers in accordance with all
12 provisions of Article XXXVI of the Margate
13 Zoning Code and F.S. Chapter 849.
14

15 (b) Animal clinics, pet hospitals, subject to the
16 following limitations:

17
18 1. Adequate soundproofing in any area where
19 animals are contained or treated; and
20

21 2. All boarding activities shall be ancillary
22 to the primary use; [and]
23

24 3. Subject to restrictions set forth in
25 chapter 6 of the Margate Code of
26 Ordinances.
27

28 (c) Auction gallery for art goods, jewelry, rugs,
29 furniture, and other similar items.
30

31 (d) Automobile detailing, washing and polishing.
32 Subject to requirements of section 33.11 of
33 this Code.
34

35 ~~(e) Automobile sales agency, new and used~~
36 ~~automobile, commercial vehicle, truck, trailer,~~
37 ~~boat, and recreational vehicle display, sales~~
38 ~~and repair. Not permitted within one hundred~~
39 ~~(100) feet of any residential district or use.~~
40

- (e~~f~~) Automobile tires, new. Not permitted within one hundred (100) feet of any residential district or use.
- (f~~g~~) Bowling alley. Subject to requirements of section 33.11 of this Code.
- (g~~h~~) Car wash rack. Not permitted within one thousand (1,000) feet of any other car wash rack. Not permitted within one hundred (100) feet of any residential district or use.
- (h~~i~~) Commercial recreation (outdoor).
- (i~~j~~) Drive through facilities (with a permitted use). Subject to requirements of section 33.11.
- (j~~k~~) Gasoline service station. Subject to requirements and limitations of section 3.18 of this Code. Fuel pumps not permitted within sixty (60) feet of any residential district or use.
- (k~~l~~) Hotels and motels, subject to the following conditions and limitations:
1. Any outdoor recreation areas including swimming pools shall be located at least twenty-five (25) feet from the plot line of any adjacent residentially zoned property; and
 2. The minimum floor area of rental sleeping room in a motel or hotel, which includes all areas to be individually rented by a customer, shall be three hundred (300) square feet.
- (l~~m~~) Laundries, coin operated (extended hours of operation).

1 (~~m~~) Limited access self-service storage facilities
2 (SSSF) subject to the following restrictions:

- 3
- 4 1. No sales, service, outside storage nor any
5 other local business tax receipt shall be
6 permitted within the SSSF premises; and
7
- 8 2. All SSSFs shall be located as part of a
9 planned commercial development containing
10 at least three (3) acres. No more than
11 fifty (50) per cent of the subject
12 property shall be occupied by the SSSF,
13 including all required driveways,
14 landscaping and parking areas; and
15
- 16 3. The area so designated for SSSFs shall be
17 clearly delineated upon the site plan
18 accompanying the application for a planned
19 commercial development. Occupancy will be
20 issued to the SSSF concurrent with at
21 least one (1) other building within the
22 planned commercial development. In the
23 event of a multiple phased development, no
24 SSSF shall be permitted for construction
25 in phase I without at least one (1) other
26 building being constructed concurrently to
27 ensure that no self-storage facility
28 exists independently, prior to the
29 construction of other uses; and
30
- 31 4. The exterior colors, facades, windows,
32 roof, architectural treatments and
33 features, and building materials of all
34 structures shall be compatible and
35 complimentary with the character of the
36 surrounding area; and
37
- 38 5. Individual storage units or private postal
39 boxes in an SSSF shall not be considered a
40 premises for the purpose of assigning a
41 legal address in order to obtain a local
42 business tax receipt to do business; and

6. All SSSFs shall have a common entrance to be used by its tenants. Access for individual bays shall be from the interior of the SSSF. Individual external entrances shall be prohibited; and

7. One (1) parking space shall be provided for every two hundred (200) bays within a limited access SSSF. In no case shall the amount of parking provided be less than five (5) spaces. In the event of conflicting data within this Code [appendix], this section shall govern the parking requirements for all SSSFs.

(~~ne~~) Limousine or taxi service (three (3) or fewer vehicles; proof of adequate parking facilities shall be demonstrated).

(~~op~~) Night clubs, teen clubs, catering halls or dance halls, with an occupancy greater than two hundred fifty (250). Minimum separation of one thousand (1,000) feet to nearest school or adult bookstore/theater. Subject to limitations of section 33.11 of this Code.

(~~pe~~) Outside sales, display, service, and/or storage. Outside sales, display, service, and/or storage with a permitted use are authorized upon a finding by the city commission that a special exception to this article is warranted. in addition, all areas not completely enclosed which are used for the storage or processing of raw materials must be effectively screened from view of the adjoining streets and parcels through the use of durable fence, wall or hedge, or combination thereof.

(~~qr~~) Pain management clinic, subject to limitations and requirements of Article XXX of this Code.

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

7
8 (~~s~~t) Restaurants with curb or automobile service.
9 Such approval shall also be subject to the
10 following restrictions:

11
12 1. Subject property shall be located a
13 minimum of seven hundred fifty (750) feet
14 from one-family dwelling districts; such
15 distance shall be measured from front door
16 of the establishment to the single-family
17 property line; and

18
19 2. All applicable city codes and regulations
20 must be complied with as of the time of
21 application.

22
23 (~~t~~h) Theater, outdoor. Subject to requirements of
24 section 33.11 of this Code.

25
26 (u) Vehicle sales agency. Not permitted within one
27 hundred (100) feet of any residential district
28 or use.

29
30 (v) Vehicle rental business.

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

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

40
41 **SECTION 3:** The Code of the City of Margate, Florida,
42 Appendix A Zoning, Article VIII Transit Oriented Corridor

**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 - Gateway (TOC-G) District, Section 8.4 TOC-C Gateway
2 permitted uses, is hereby amended to read as follows:
3

4 **Section 8.4. - TOC-G Gateway permitted uses.**
5

- 6 (A) *[Permitted uses.]* No building or structure, or part thereof,
7 shall be erected, altered or used, or land or water used,
8 in whole or in part, for other than any of the uses
9 specified below.
10

11 . . .
12 Automobile dealership, new, subject to the following
13 limitations and requirements:
14

- 15 (a) Minimum size of three (3) acres of
16 contiguous land
17
18 . . .
19

20 [Note to Municipal Code: The rest of this section shall remain as
21 codified.]
22

23 **SECTION 4:** The Code of the City of Margate, Florida,
24 Appendix A Zoning, Article XXIII Liberal Business B-3
25 District, Section 23.3 Permitted uses, is hereby amended
26 to read as follows:
27

28 **Section 23.3. - Permitted uses.**
29

- 30 . . .
31
32 (B) *Special exception uses.* The following uses are authorized
33 upon a finding by the city commission that a special
34 exception to the article is warranted, pursuant to the
35 procedure and criteria set forth in sections 22.9 through
36 22.12 of this Code.
37

38 . . .
39
40 ~~Automobile sales agency, new and used automobile,~~
41 ~~commercial vehicle, truck, trailer and~~
42 ~~recreational vehicle display, sales and repair,~~
43 ~~subject to the following limitation(s):~~

1 ~~(1) Not permitted within one hundred (100) feet of~~
2 ~~any residential district.~~

3
4 . . .

5
6 Vehicle sales agency. Not permitted within one
7 hundred (100) feet of any residential district.

8
9 . . .

10
11 [Note to Municipal Code: The rest of this section shall remain as
12 codified.]

13
14 **SECTION 5:** The Code of the City of Margate, Florida,
15 Appendix A Zoning, Article XXIV Light Industrial M-1
16 District, Section 24.3 Permitted uses, is hereby amended
17 to read as follows:

18
19 **Section 24.3. - Permitted uses.**

20
21 (A) [*Permitted uses.*] No building or structure, or part thereof,
22 shall be erected, altered or used, or land or water used,
23 in whole or in part, for other than the following specified
24 uses:

25 . . .

26
27 ~~Automobile sales agency, new and used automobile,~~
28 ~~commercial vehicle, truck, trailer and~~
29 ~~recreational vehicle display, sales and repair,~~
30 ~~subject to the following limitation(s):~~

31 ~~(1) Not permitted within one hundred (100) feet of~~
32 ~~any residential district.~~

33
34 . . .

35
36 Vehicle sales agency. Not permitted within one
37 hundred (100) feet of any residential district.

38
39 . . .

40
41 [Note to Municipal Code: The rest of this section shall remain as
42 codified.]

SECTION 6: All ordinances or parts of ordinances in conflict herewith are and the same is hereby repealed to the extent of such conflict.

SECTION 7: 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 8: 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 9: This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS _____ day of _____ 2015.

PASSED ON SECOND READING THIS _____ day of _____ 2015.

ATTEST:

JOSEPH KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

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

Simone	_____	Simone	_____
Peerman	_____	Peerman	_____
Talerico	_____	Talerico	_____
Bryan	_____	Bryan	_____
Ruzzano	_____	Ruzzano	_____