

1 CITY OF MARGATE, FLORIDA

2 ORDINANCE NO. _____

3 AN ORDINANCE AMENDING THE CODE OF THE CITY
4 OF MARGATE, FLORIDA, APPENDIX A ZONING,
5 AMENDING ARTICLE II DEFINITIONS, SECTION
6 2.2 TERMS DEFINED; AMENDING ARTICLE VII
7 TRANSIT ORIENTED CORRIDOR - CORRIDOR (TOC-
8 C) DISTRICT, SECTION 7.3 TOC-C CORRIDOR
9 PERMITTED USES; AMENDING ARTICLE VIII
10 TRANSIT ORIENTED CORRIDOR - GATEWAY (TOC-
11 G) DISTRICT, SECTION 8.4 TOC-G GATEWAY
12 PERMITTED USES; AMENDING ARTICLE XXIII
13 LIBERAL BUSINESS B-3 DISTRICT, SECTION
14 23.3 PERMITTED USES; AMENDING ARTICLE XXIV
15 LIGHT INDUSTRIAL M-1 DISTRICT, SECTION
16 24.3 PERMITTED USES; PROVIDING FOR
17 AUTOMOBILE DEALERSHIP, PROVIDING FOR
18 VEHICLE SALES AGENCY; PROVIDING FOR
19 SEVERABILITY; PROVIDING FOR CODIFICATION;
20 PROVIDING FOR AN EFFECTIVE DATE.

21

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

24

25

26 **SECTION 1:** The Code of the City of Margate, Florida,
27 Appendix A Zoning, Article II Definitions, Section 2.2
28 Terms defined, is hereby amended to read as follows:

29

30 **Section 2.2. - Terms defined.**

31 . . .

32

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

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

4 . . .
5
6
7 Vehicle sales agency: An establishment licensed
8 to sell any of the following: new and/or used
9 automobiles, commercial vehicles, truck, trailer,
10 boats, motorcycles, and recreational vehicles.
11 Automobile dealerships, as defined in this section,
12 may also be permitted under this use.

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

16
17 **SECTION 2:** The Code of the City of Margate, Florida,
18 Appendix A Zoning, Article VII Transit Oriented Corridor -
19 Corridor (TOC-C) District, Section 7.3 TOC-C Corridor
20 permitted uses, is hereby amended to read as follows:

21
22 **Section 7.3. - TOC-C Corridor permitted uses.**

23
24 (A) [Permitted uses.] No building or structure, or part thereof,
25 shall be erected, altered or used, or land or water used,
26 in whole or in part, for other than any of the uses
27 specified below.
28 . . .

29
30 Automobile dealership, new, subject to the following
31 limitations and requirements:

32
33 (a) Minimum size of three (3) acres of
34 contiguous land

35
36 . . .
37
38 (B) Special exception uses. Special exception uses may be
39 deemed appropriate to provide a complete distribution of
40 commercial uses within the city, but because of their
41 operational characteristics or area requirements need to be
42 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.~~

(e) Automobile tires, new. Not permitted within one hundred (100) feet of any residential district or use.

(f) Bowling alley. Subject to requirements of section 33.11 of this Code.

(g) 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) Commercial recreation (outdoor).

(i) Drive through facilities (with a permitted use). Subject to requirements of section 33.11.

(j) 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) 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) Laundries, coin operated (extended hours of operation).

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

1. No sales, service, outside storage nor any other local business tax receipt shall be permitted within the SSSF premises; and
2. All SSSFs shall be located as part of a planned commercial development containing at least three (3) acres. No more than fifty (50) per cent of the subject property shall be occupied by the SSSF, including all required driveways, landscaping and parking areas; and
3. The area so designated for SSSFs shall be clearly delineated upon the site plan accompanying the application for a planned commercial development. Occupancy will be issued to the SSSF concurrent with at least one (1) other building within the planned commercial development. In the event of a multiple phased development, no SSSF shall be permitted for construction in phase I without at least one (1) other building being constructed concurrently to ensure that no self-storage facility exists independently, prior to the construction of other uses; and
4. The exterior colors, facades, windows, roof, architectural treatments and features, and building materials of all structures shall be compatible and complimentary with the character of the surrounding area; and
5. Individual storage units or private postal boxes in an SSSF shall not be considered a premises for the purpose of assigning a legal address in order to obtain a local business tax receipt to do business; and

1
2 6. All SSSFs shall have a common entrance to
3 be used by its tenants. Access for
4 individual bays shall be from the interior
5 of the SSSF. Individual external entrances
6 shall be prohibited; and

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

16
17 (n^o) Limousine or taxi service (three (3) or fewer
18 vehicles; proof of adequate parking facilities
19 shall be demonstrated).

20
21 (o^p) Night clubs, teen clubs, catering halls or
22 dance halls, with an occupancy greater than two
23 hundred fifty (250). Minimum separation of one
24 thousand (1,000) feet to nearest school or
25 adult bookstore/theater. Subject to limitations
26 of section 33.11 of this Code.

27
28 (p^{er}) Outside sales, display, service, and/or
29 storage. Outside sales, display, service,
30 and/or storage with a permitted use are
31 authorized upon a finding by the city
32 commission that a special exception to this
33 article is warranted. in addition, all areas
34 not completely enclosed which are used for the
35 storage or processing of raw materials must be
36 effectively screened from view of the adjoining
37 streets and parcels through the use of durable
38 fence, wall or hedge, or combination thereof.

39
40 (q^r) Pain management clinic, subject to limitations
41 and requirements of Article XXX of this Code.

(r~~s~~) 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.

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

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

(th) Theater, outdoor. Subject to requirements of section 33.11 of this Code.

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

(v) Vehicle rental business.

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

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

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

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

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

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

the rest of the

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

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

Section 24.3. – 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 the following specified uses:

• • •

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

JOURNAL OF CLIMATE

potential distortion

• • •

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

• • •

the rest of the

[Note to Municipal Code: The rest of this section shall remain as 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	_____
Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____

Simone	_____
Peerman	_____
Talerico	_____
Bryan	_____
Ruzzano	_____