

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE,
FLORIDA, AMENDING APPENDIX-A ZONING;
ARTICLE XXI NEIGHBORHOOD BUSINESS B-1
DISTRICT, SECTION 21.3. PERMITTED USES;
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 Ordinances of the City of
Margate, Florida, Appendix-A Zoning, Article XXI NEIGHBORHOOD
BUSINESS B-1 DISTRICT, Section 21.3 Permitted uses, is hereby
amended to read as follows¹:

. . .

(B) *Special exception uses.* The following uses are
authorized upon a finding by the City Commission that a
special exception to the article is warranted. The City
Commission shall consider all applications for a special
exception approval pursuant to the procedure and criteria set
forth in sections 22.9 through 22.12 of this Code.

Animal clinic, pet hospital, subject to the following
limitations:

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

(2) Adequate soundproofing in any area where animals are
contained or treated.

¹ CODING: Words in ~~struck through~~ text are deletions from existing
text, words in underscoring text are additions to existing text, and
shaded text are changes between First and Second Readings.

1 (3) All boarding activities shall be ancillary to the
2 primary use.

3
4 (4) Subject to the restrictions set forth in chapter 6 of
5 the Margate Code of Ordinances.

6
7 Drive-thru facilities (with a permitted use),
8 subject to the following:

9
10 (1) Property must be located on a roadway
11 classified by the Broward County Metropolitan
12 Planning Organization's Broward Highway
13 Functional Classifications Map as an arterial
14 roadway.

15
16 (2) Drive-through requirements provided in Section
17 33.11.

18
19 Outdoor sales, service and display, as an accessory to
20 a permitted use.

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

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

31
32 (2-) School must be located in freestanding single use
33 structure(s), located on a parcel no small than
34 the minimum size required by the School Board of
35 Broward County for public schools. As an
36 exception, charter schools may be permitted as an
37 accessory use if located within an existing
38 library, community service facility, museum,
39 performing arts center, theatre, cinema,
40 religious institution, Florida College System
41 institution, college, or university facility, in
42 accordance with F.S. Sec. 1002.33(18) (C).

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

9
10 (4-) In order to allow sufficient time to secure
11 required development order, building permit, and
12 local business tax receipt approval, a special
13 exception use application and fee must be filed
14 with the Economic Development Department at least
15 nine (9) months before the start of the school
16 year. This time requirement cannot be waived or
17 reduced.

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

21
22 **SECTION 2:** All ordinances or parts of ordinances
23 in conflict are repealed to the extent of such conflict.

24
25 **SECTION 3:** If any section, sentence, clause, or
26 phrase of this Ordinance is held to be invalid or
27 unconstitutional by a court of competent jurisdiction, then
28 said holding shall in no way affect the validity of the
29 remaining portions of this Ordinance.

30
31 **SECTION 4:** It is the intention of the City
32 Commission that the provisions of this Ordinance shall become
33 and be made a part of the City of Margate Code, and that the
34 sections of this Ordinance may be renumbered or relettered and
35 the word "ordinance" may be changed to "section", "article" or
36 such other appropriate word or phrase in order to accomplish
37 such intentions.

38
39 **SECTION 5:** This Ordinance shall become effective
40 immediately upon adoption at its second reading.

41
42
43 PASSED ON FIRST READING THIS 6th DAY OF SEPTEMBER, 2017.

44 PASSED ON SECOND READING THIS ____ DAY OF _____, 2017.

1 ATTEST:

2
3
4 _____
5 JOSEPH J. KAVANAGH
6 CITY CLERK

MAYOR TOMMY RUZZANO

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

8
9 Caggiano _____
10 Simone _____
11 Peerman _____
12 Schwartz _____
13 Ruzzano _____

Caggiano _____
Simone _____
Peerman _____
Schwartz _____
Ruzzano _____