

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 underscored text are additions to existing text, and shaded text are changes between First and Second Readings.

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

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

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

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

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

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

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 County Highway Functional Classifications map as arterial roadways.

(2-) School must be located in freestanding single use structure(s), located on a parcel no small than the minimum size required by the School Board of Broward County for public schools. 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. Sec. 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 2: All ordinances or parts of ordinances in conflict are repealed to the extent of such conflict.

SECTION 3: 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 4: 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 5: This Ordinance shall become effective immediately upon adoption at its second reading.

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

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

1 ATTEST:

2
3
4 JOSEPH J. KAVANAGH
5 CITY CLERK

6
7
8
9
10
11
12
13 MAYOR TOMMY RUZZANO

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

Caggiano _____
Simone _____
Peerman _____
Schwartz _____
Ruzzano _____

Caggiano _____
Simone _____
Peerman _____
Schwartz _____
Ruzzano _____