

City of Margate Unified Land Development Code - Chapter 40 Annotated Outline

Proposed Code Layout / Sections	Existing Code Sections
CHAPTER 40	
ARTICLE 1 - PURPOSE	Note: AA = Appendix A
40-100 The Margate Unified Land Development Code	AA, Section 1.1 The Margate Zoning Code
40-101 Purpose and Intent	AA, Section 1.2 City Divided into Districts; AA, Section 1.3 Minimum Requirements; Chapter 31, Section 31-31 Purpose
40-102 Reserved	Reserved.
40-103 Reserved	Reserved.
40-104 General Rules of Interpretation	AA, Section 3.1 Conflicting Regulations
40-105 Compliance	AA, Section 3.2 Scope; Chapter 31, Section 31-32 Applicability of Article
40-106 Severability	AA, Section 3.7 Errors and Violations
40-107 Interpretation	AA, Section 3.8 Existing Platted Lots
ARTICLE 2 - DEFINITIONS	
40.200 General Purpose	Portions of AA, Section 2.1
40.201 Definitions	Numerous existing sections including AA, Section 3.12 Double frontage
ARTICLE 3 - ADMINISTRATION	
DIVISION 1 – PURPOSE AND APPLICABILITY	
40.300 – General Purpose	AA, Section 3.3 Representations in granting of permits; AA, Section 3.25 Burden of Proof; AA, Section 3.26 Margate Community Redevelopment Plan; Chapter 31, 31-31 Purpose; and 31-32 Applicability
DIVISION 2 – APPLICATIONS, REVIEW PROCEDURES AND PUBLIC NOTICE	
40.301 General Application Review	Chapter 31, Section 31-35 Determinations required prior to approval of a development permit; Section 31-37 Development presumed to have maximum impact permitted; Sec 31-2 Underground wiring req.; Sec.31-3 Underground Utility Trust Fund.
40.302 Site Plan Amendment	Reserved.
40.303 Zoning Map Change	AA, Section 5.4 Change of Zoning; Chapter 31, Section 31-36 Determinations required prior to a change in zoning.
40.304 Comprehensive Plan Amendment Map and Text	Reserved.
40.305 Plat	Section 31-15 Platting required.
40.306 Special Exception	AA, Section 3.6 Time Limits; Chapter 31, Section 31-54 Special Exceptions
40.307 Reserved	AA, Section 3.6 Time Limits
40.308 Nonconforming Use and Structures	AA, Article XXXI Nonconforming use and structure
40.309 Building Permits	Chapter 31, Section 31-38 Issuance of Building Permits
40.310 Public Notice Requirements	Chapter 31, Section 31-55 Public Notice
40.311 Emergencies	AA, Section 3.28 Emergencies – Temporary Exceptions
40.312 Reasonable Accommodation Procedures	AA, Section 3.30 Reasonable Accommodation Procedures

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40.313 Official Zoning Confirmation Letters	
DIVISION 3 – REVIEW AND DECISION MAKING AUTHORITIES	
40.320 Development Services Department Staff	“Reserved.”
40.321 Reserved	“Reserved.”
40.322 Development Review Committee	Chapter 31, Section 31-34 Development Review Committee;
40.323 Board of Adjustment	Chapter 2 Sections 2-76, 2-76.1, 2-76.2, 2-77, 2-78, 2-79, 2-80, 2-81
40.324 Planning and Zoning Board and Local Planning Agency	Chapter 2 2-82, 2-86, 2-87, 2-88, 2-101, 2-102, 2-103, 2-104, 2-105
40.325 City Commission	“Reserved.”
DIVISION 4 – QUASI-JUDICIAL PROCEDURES	
40.330 Purpose	New language
40.331 Applicability	AA, Section 3.27 [Quasi-judicial determinations]
40.332 Communications	Section 2-15 Procedures for quasi-judicial land use matters.
DIVISION 5 – CONCURRENCY MANAGEMENT SYSTEM	
40.340 Purpose	Chapter 31, Section 31-40 Purpose
40.341 Development Subject to Adequacy Determination	Chapter 31, Section-31-41 Development Subject to adequacy Determination
40.342 Application Requirements for Concurrency determination	Chapter 31, Section 31-49 Application requirements for concurrency determination
40.343 Vested Rights	Chapter 31, Section 31-43 Vested Rights
40.344 Measurement of Capacities	Chapter 31, Section 31-45 Measurement of capacities
40.345 Level of Service Standards	Chapter 31, Section 31-46 Level of Service Standards
40.346 Concurrency Monitoring System	Chapter 31, Section 31-47 Concurrency Monitoring System
40.347 Levels of Service	Chapter 31, Section 31-48 Levels of Service
40.348 Development Concurrency Approval	Chapter 31, Section 31-50 Development Permit Approval
DIVISION 6 – <u>CODE</u> ENFORCEMENT AND PENALTIES	
40.350 Uncompleted Structures	AA, Section 3.5 Uncomplete Structures; Section 3.9 Prohibited Residences; Section 3.10 Abandoned Vehicles; Section 3.16 Nuisance Section 3.17 Storage on Residential Property; Article XL Property Maintenance Standards
40.351 Prohibited Residences	Section 3.9 Prohibited residences
40.352 Abandoned Vehicles	Section 3.10 Abandoned vehicles
40.353 Nuisance	Section 3.16 Nuisance
40.354 Storage on Residential Property	Section 3.17 Storage on residential property
40.355 Property Maintenance Standards	AA Article XL Property Maintenance Standards
DIVISION 7 - FLEXIBILITY	
40.360 Flexibility, Reserve and Redevelopment Units	New language
ARTICLE 4 - SUBDIVISION	
40.400 Requirements Generally	Chapter 31, Section 31-1 Requirements Generally; Section 31-16 Purpose of Platting Regulations
40.401 Subdivision Resurvey Required	AA, Section 3.11 Subdivision Resurvey Required; Chapter 31, Section 31-15 Platting Required

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40.402 Plat Submissions, Procedures, and Requirements	Chapter 31, Section 31.18 (C)(1)-(3); Section 31.18 (D)(1)-(3)
40.403 Design Standards for Subdivisions	Chapter 31, Section 31.19 Design Standards for Subdivisions
ARTICLE 5 – ZONING DISTRICTS	
DIVISION 1 - GENERAL PROVISIONS	
40.500 General Provisions	“Reserved.”
40.501 District Classifications	AA, Section 5.1 Classes and symbols
40.502 Zoning Map	AA, Section 5.2 Zoning district map
<u>40.503 Regulation of Unzoned Property</u>	<u>AA, Section 5.3 Regulations of unzoned property</u>
<u>40.504 Irregular Lots</u>	<u>AA, Section 5.5. Irregular lots</u>
<u>40.505 Special Setback Requirements</u>	<u>AA, Section 5.6. Special setback requirements</u>
<u>40.506 Campers, Travel Trailers in T-1 Districts</u>	<u>AA, Section 5.7. Campers, travel trailers in T-1 districts</u>
DIVISION 2 - RESIDENTIAL DISTRICTS	
40.510 One-Family Dwelling: R-1A to R-1B, <u>R-1C and R-1D</u>	AA, Article XIV One-Family Dwelling R-1A to R-1B & New language, restoring deleted standards
40.511 Two Family Dwelling: R-2	AA, Article XV Two Family Dwelling R-2
40.512 Multiple Dwelling: R-3	AA, Article XVI Multiple Dwelling R-3
40.513 Multiple Dwelling: R-3A	AA, Article XVII Multiple Dwelling R-3A
<u>40.514 Row House: R-3U</u>	New language, restoring deleted standards
DIVISION 3 – BUSINESS DISTRICTS	
40.520 Neighborhood Business: B-1	AA, Article XXI Neighborhood Business B-1
40.521 Community Business: B-2	AA, Article XXII Community Business B-2
<u>40.522 Regional Business: B-2A</u>	New language, restoring deleted standards
40.523 Liberal Business: B-3	AA, Article XXIII Liberal Business B-3
DIVISION 4 - INDUSTRIAL DISTRICTS	
40.530 Light Industrial: M-1	AA, Article XXIV Light Industrial M-1
40.531 Industrial Park: M-1A	AA, Article XXV Industrial Park M-1A
DIVISION 5 – COMMUNITY FACILITIES & RECREATIONAL	
40.540 Community Facility: CF	AA, Article XI Community Facility CF-1
40.541 Conservation: CON	AA, Article XII Conservation CON
40.542 Open Space: S-2	AA, Article XXVIII Open Space S-2
40.543 Recreational: S-1	AA, Article XXVII Recreational S-1
40.544 Utilities: U-1	AA, Article XIII Utilities U-1
40.545-549 Reserved	“Reserved.”
DIVISION 6 – PLANNED & MIXED USE DISTRICTS	
40.550 Planned Residential Community: PRC	AA, Article VI Planned Residential Community PRC
40.551 Planned Unit Development: PUD	AA, Article XIX Planned Unit Development PUD
40.552 Transit Oriented Corridor – TOC-C Corridor	AA, Article VII Transit Oriented Corridor – Corridor TOC-C

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40.553 Transit Oriented Corridor – TOC-G-Gateway	AA, Article VIII Transit Oriented Corridor – Gateway TOC-G
40.554 Transit Oriented Corridor – TOC-CC-City Center	AA, Article IX Transit Oriented Corridor – City Center TOC-CC
DIVISION 7 - MISCELLANEOUS DISTRICTS	
40.560 <u>Mobile Home: T-1</u>	New language, restoring deleted standards
40.561 Rec Vehicle Resort Park: RVRP	AA, Article XVIII Rec Vehicle Resort Park RVRP
ARTICLE 6 – USE REGULATIONS	
DIVISION 1 - USE TABLES	
40.600 General Provisions	“Reserved.”
40.601 Use Tables	“Reserved.” (Is now in own table)
DIVISION 2 - SPECIFIC USE REGULATIONS	
40.610 Adult Entertainment	AA, Article XXXV Adult Bookstores and Adult Motion Picture Theaters
40.611 Alcoholic Beverages	AA, Section 3.22 Alcoholic Beverages
40.612 Arcade Amusement Centers and Devices	AA, Article XXXVI Arcade Amusement Centers and Devices
40.613 Vehicle Fueling Stations	AA, Section 3.18 Filling stations, location regulations and construction requirements; penalty for violation
40.614 Home Occupations	AA, Section 3.21 Home Occupations
40.615 Medical Marijuana Treatment Center Dispensing	AA, Article XLI Medical Marijuana Treatment Center Dispensing
40.616 Pain Management Clinics	AA, Article XXX Pain Management Clinics
40.617 Self-service storage	AA, Section 3.19 Self-service storage
40.618 Wireless Communication facilities	AA, Section 3.23 Wireless Communication Facilities
40.619 <u>Place of Assembly</u>	New language
40.620 <u>Public or Private Elementary, Middle, or High School</u>	AA, Multiple Articles: XI, XXI, IX, XXII, VIII, VII (List of Permitted Uses)
40.621 <u>Vending Machine, Outdoor</u>	AA, Multiple Articles: XI, XXI, IX, XXII, VIII, VII (List of Permitted Uses)
40.622 <u>Walkway Cafes</u>	AA, Multiple Articles: XI, XXI, IX, XXII, VIII, VII (List of Permitted Uses)
DIVISION 3 – TEMPORARY USE	
40.630 Temporary Use <u>Permits</u>	AA, Section 3.24 Temporary Use Permits
DIVISION 4 - SPECIAL EXCEPTIONS	
40.640 Special Exception Uses	“Reserved.”
ARTICLE 7 - ZONING & DEVELOPMENT REGULATIONS	
DIVISION 1 –SUPPLEMENTAL REGULATIONS	
40.700 General Provisions	New language
40.701 Accessory buildings and structures	AA, Section 3.20 sheds, storage buildings and temporary storage containers in residential areas
40.702 Fences walls and hedges	AA, Section 3.14 Construction of fence, walls and/or hedges (some portions to be moved elsewhere)
40.703 Swimming Pools and Screen Enclosures	AA, Section 3.14 Construction of fence, walls and/or hedges (some portions to be moved elsewhere)

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40.704 Landscaping	"Reserved."
40.705 Off-Street Parking and Loading and Driveways	AA, Article XXXVIII Off-Street Parking and Loading, Section 23-6. - Driveway limitations, landscaping abutting right-of-way, visual clearance
40.706 Signage	AA, Article XXXIX Sign Code
40.707 Sustainability and Green Building Policy	Chapter 31 Article V
40.708 Rooftop photovoltaic solar systems	AA, Section 3.29 Rooftop Photovoltaic Solar Systems
40.709 Reserved	"Reserved."
<u>DIVISION 2 – SUPPLEMENTAL RESIDENTIAL DEVELOPMENT REGULATIONS</u>	<u>AA, Article XXX [New] Supplemental Residential Development Regulations</u>
<u>40.710 Purpose, Intent and Applicability</u>	New language
<u>40.711 Single Family Dwelling</u>	New language
<u>40.712 Townhouse.</u>	New language
<u>40.713 Duplex/Two (2) Family Dwellings.</u>	New language
<u>40.714 Single Family Dwelling: Zero-lot-line</u>	New language
<u>40.715 Single Family Dwelling, Attached: Cluster</u>	New language