

Proposed City of Margate Unified Land Development Code - Chapter 40
Annotated Outline
May 2023

Proposed Code Layout / Sections	Existing Code Sections	Notes
CHAPTER 40		
ARTICLE 1 - PURPOSE	Note: AA = Appendix A	
40-100 Title	AA, Section 1.1 The Margate Zoning Code	CGA Comment 2/1/21: This entire Article should be rewritten/developed and coordinated with City Attorney.
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 Authority		
40-103 Jurisdiction		
40-104 Conflicting Regulations	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[?]	
40-108 Comprehensive Plan Consistency		
40-109 Effective Date		
ARTICLE 2 - DEFINITIONS		
40.200 – General Purpose		CGA Comment 2/1/21: Definitions to be combined from all sections and consolidated. CGA to develop a database with all definitions to identify duplicates / inconsistencies / additions needed City Staff Comments: See “Topics to be Addressed” document for Definitions to be added, and revised/refined.
40.201 - Definitions	Numerous existing sections also 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	City Staff Comments 2/22/21: Sec. 3.3 to be revised to include land use plan amendments and development permits; For Sec. 3.25 See “Topics to be Addressed” document for more info;
DIVISION 2 – APPLICATIONS, REVIEW PROCEDURES AND PUBLIC NOTICE		
40.301 Site Plan	Chapter 31, Section 31-35 Determinations required prior to approval of a development	CGA Comment 2/1/21: This section should be updated and coordinated with City staff and City Attorney. CGA has other City examples to share if needed.

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	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		City Staff Comments 2/22/21: for Sec. 5.4 See “Topics to be Addressed” document for more info;
40.303 Zoning Change Map and Text	AA, Section 5.4 Change of Zoning; Chapter 31, Section 31-36 Determinations required prior to a change in zoning	
40.304 Comp Plan Amendment Map and Text		
40.305 Plat		City Staff Comments 2/22/21: for Sec. 31-18 See “Topics to be Addressed” document for more info;
40.306 Special Exception	AA, Section 3.6 Time Limits; Chapter 31, Section 31-54 Special Exceptions	
40.307 Variance	AA, Section 3.6 Time Limits	City Staff Comments 2/22/21: for Sec. 3.6 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Sec. 3.6 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Sec. XXXI See “Topics to be Addressed” document for more info;
40.308 Nonconforming Use and Structure	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	City Staff Comments 2/22/21: for Sec. 3.28 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Sec. 3.30 See “Topics to be Addressed” document for more info;
DIVISION 3 – REVIEW AND DECISION MAKING AUTHORITIES		
40.320 Development Services Department Staff	Chapter 31, Section 31-35 Determinations required prior to approval of a development permit [?]	CGA Comment 2/1/21: This section should be updated and coordinated with City staff and City Attorney. CGA has other City examples to share if needed.
40.321 General Information on Boards and Committees	Chapter 2, Section 2-73 Appointment and application procedures for boards and committees; 2-74 Absences from board or committee of the City of Margate; 2-75 Restriction of appointment / election to	

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	boards or committees of the City of Margate;	City Staff Comments 2/22/21: for Sec. 31-34 See “Topics to be Addressed” document for more info;
40.322 Development Review Committee	Chapter 31, Section 31-34 Development Review Committee; Section 31-35 Determinations required prior to approval of a development permit [?]	
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 / LPA	Chapter 2 2-82, 2-86, 2-87, 2-88, 2-101, 2-102, 2-103, 2-104, 2-105	
40.325 – City Commission		
DIVISION 4 – QUASI-JUDICIAL PROCEDURES		
40.330 Purpose		CGA Comments 2/1/21: This section should be updated and coordinated with City staff and City Attorney. CGA has other City examples to share if needed. City Staff Comments 2/22/21: for Sec. 3.27 See “Topics to be Addressed” document for more info;
40.331 Applicability	AA, Section 3.27 [Quasi-judicial determinations]	
40.332 Special Exceptions [Possible delete here and see 40.306 instead [?]]		
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	

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DIVISION 6 – <u>CODE</u> ENFORCEMENT AND PENALTIES		
	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	CGA comment 2/1/21: This section needs to be developed with the City Attorney and or moved to a different chapter of the Code of Ordinance; City Staff Comments 2/22/21: for Sec. 3.9; 3.10; 3.16; 3.17; and Article XL See “Topics to be Addressed” document for more info;
DIVISION 7 - FLEXIBILITY		
40.360 Flexibility, Reserve and Redevelopment Units	New language	
DIVISION 7 – FEE SCHEDULE		
		CGA Comments 2/1/21: Consider removing this from the Code and having it as an administrative document; City Staff Comments 2/22/21: for Sec. 31-39 See “Topics to be Addressed” document for more info;
ARTICLE 4 - SUBDIVISION		
40.400 Purpose	Chapter 31, Section 31-1 Requirements Generally; Section 31-16 Purpose of Platting Regulations	
40.401 Platting Required	AA, Section 3.11 Subdivision Resurvey Required; Chapter 31, Section 31-15 Platting Required	City Staff Comments 2/22/21: for Sec. 3.11 See “Topics to be Addressed” document for more info;
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		

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DIVISION 1 - GENERAL PROVISIONS		
40.500 General Provisions		CGA comments 2/1/21: Develop this section with other examples. City Staff Comments 2/22/21: for Sec. 5.11 See “Topics to be Addressed” document; City Staff Comments 2/22/21: for Sec. 5.3 See “Topics to be Addressed” document for more info;
40.501 District Classifications	AA, Section 5.1 Classes and symbols	
40-502 Zoning Map	AA, Section 5.2 Zoning district map	
40-503 District Boundaries	AA, Section 5.3 Regulations of unzoned property	
40-504 District Classification		
DIVISION 2 - RESIDENTIAL DISTRICTS		
40.510 One-Family Dwelling R-1A to R-1B (R-1C and R-1D)	AA, Article XIV One-Family Dwelling R-1A to R-1B	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities; City Staff Comments 2/22/21: for Articles XIV; XV; XVI; XVII See “Topics to be Addressed” document for more info;
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	
DIVISION 3 – BUSINESS DISTRICTS		
40.520 Neighborhood Business B-1	AA, Article XXI Neighborhood Business B-1	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities. City Staff Comments 2/22/21: for Article XXII See “Topics to be Addressed” document for more info;
40.521 Community Business B-2	AA, Article XXII Community Business B-2	
40.522 Liberal Business B-2	AA, Article XXIII Liberal Business B-2	
DIVISION 4 - INDUSTRIAL DISTRICTS		
40.530 Light Industrial M-1	AA, Article XXIV Light Industrial M-1	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities.
40.531 Industrial Park M-1A	AA, Article XXV Industrial Park M-1A	
DIVISION 5 – COMMUNITY FACILITIES & RECREATIONAL		
40.540 Community Facility CF-1	AA, Article XI Community Facility CF-1	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities.
40.541 Conservation CON	AA, Article XII Conservation CON	

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40.542 Open Space S-2	AA, Article XXVIII Open Space S-2	City Staff Comments 2/22/21: for Article XI; XXVIII; XIII See “Topics to be Addressed” document for more info;
40.543 Recreational S-1	AA, Article XXVII Recreational S-1	
40.544 Utilities U-1	AA, Article XIII Utilities U-1	
DIVISION 6 – PLANNED & MIXED USE DISTRICTS		
40.550 Planned Residential Community PRC	AA, Article VI Planned Residential Community PRC	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities. City Staff Comments 2/22/21: for Articles VI; VII; IX See “Topics to be Addressed” document for more info;
40.551 Planned Unit Development PUD	AA, Article XIX Planned Unit Development PUD	
40.552 Transit Oriented Corridor – Corridor TOC-C	AA, Article VII Transit Oriented Corridor – Corridor TOC-C	
40.553 Transit Oriented Corridor – Gateway TOC-G	AA, Article VIII Transit Oriented Corridor – Gateway TOC-G	
40.554 Transit Oriented Corridor – City Center TOC-CC	AA, Article IX Transit Oriented Corridor – City Center TOC-CC	
DIVISION 7 - MISCELLANEOUS DISTRICTS		
40.560 Rec Vehicle Resort Park RCRP	AA, Article XVIII Rec Vehicle Resort Park RCRP	CGA comments 2/1/21: Dimensional items to be placed in tables; CGA to supply examples from other cities. City Staff Comments 2/22/21: for Articles XVIII See “Topics to be Addressed” document for more info;
ARTICLE 6 – USE REGULATIONS		
DIVISION 1 - USE TABLES		
40.600 General Provisions		CGA comments 2/1/21: CGA to supply examples.
40.601 Use Tables	Various sections	
DIVISION 2 - SPECIFIC USE REGULATIONS		
40.610 Adult Entertainment	AA, Article XXXV Adult Bookstores and Adult Motion Picture Theaters	CGA comments 2/1/21: Need to determine if others should be added. City Staff Comments 2/22/21: for Article XXXV See “Topics to be Addressed” document for more info;
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	

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40.613 Filling Stations	AA, Section 3.18 Filling stations, location regulations and construction requirements; penalty for violation	City Staff Comments 2/22/21: for Sec. 3.18 See “Topics to be Addressed” document for more info;
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	City Staff Comments 2/22/21: for Sec. 3.21 See “Topics to be Addressed” document for more info;
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	
DIVISION 3 – Temporary Use		
40.620 Temporary Use	AA, Section 3.24 Temporary Use Permits	City Staff Comments 2/22/21: for Sec. 3.24 See “Topics to be Addressed” document for more info;
DIVISION 4 - SPECIAL EXCEPTIONS		
40.630 Special Exception Uses		CGA Comments 2/1/21: Need to determine if there are any use that need to go here or if it can be collapsed into Division 2.
ARTICLE 7 - ZONING & DEVELOPMENT REGULATIONS		
40.700 General Provisions		CGA Comments 2/1/21: These sections need a lot of work and research. This is a first review suggestion on how it could be organized based on other examples. Should be in alphabetical order. Need to review with City staff to determine other sections that might be missing or needing to be combined here. City Staff Comments 2/22/21: for Sec. 3.20 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Sec. 3.14 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Sec. 3.29 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Chapter 23 See “Topics to be Addressed” document for more info; City Staff Comments 2/22/21: for Article XXXIII See “Topics to be Addressed” document for more info;
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 Height Exceptions	AA, Section 3.29 Rooftop Photovoltaic Solar Systems	
40.704 Landscaping	Chapter 23	
40.705 Off-Street Parking and Loading	AA, Article XXXIII Off-Street Parking and Loading	
40.706 Signage	AA, Article XXXIX Sign Code	

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40.707 Sustainability / green building	Chapter 31 Article V	City Staff Comments 2/22/21: for Article XXXIX See "Topics to be Addressed" document for more info; City Staff Comments 2/22/21: for Sec. 5.6 See "Topics to be Addressed" document for more info;
40.708 Yards, Encroachments and Screening	AA, Section 3.13 Use of premises without buildings; Portions of Section 3.14 Construction of fences, walls and/or hedges; Section 5.5; Irregular Lots Section 5.6 Special Yard Requirements, Section 32.1 Base Building Line established	
Development Guidelines		CGA comments 2/1/21: Examples of other possible sections that the city may want to be added based on other examples.
Misc. Site Development Standards		
Existing Code Sections to be deleted		<i>This is where we will keep track of which items have been deleted.</i>