

CITY OF MARGATE, FLORIDA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, RELATED TO THE PERMITTED USES AND DEVELOPMENT STANDARDS FOR ALL PROPERTIES LOCATED WITHIN THE TRANSIT ORIENTED CORRIDOR-CORRIDOR (TOC-C) DISTRICT; TRANSIT ORIENTED CORRIDOR-GATEWAY (TOC-G) DISTRICT; AND TRANSIT ORIENTED CORRIDOR-CITY CENTER (TOC-CC) DISTRICT CONTAINED IN APPENDIX "A," "ZONING" CODE OF THE CITY OF MARGATE, FLORIDA; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, Appendix "A," "Zoning" of the Code of the City of Margate, Florida, provides for the permitted uses and development standards for all properties located within the Transit Oriented Corridor-Corridor (TOC-C) District; Transit Oriented Corridor-Gateway (TOC-G) District; and Transit Oriented Corridor-City Center (TOC-CC) District; and

WHEREAS, the City Commission of the City of Margate has found that changing the permitted uses and development standards in these districts to be necessary to encourage more compact and more intense redevelopment; and

WHEREAS, the City Commission conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and participation by interested members of the public and staff, the

1 City Commission has determined that this Ordinance is consistent  
2 with the City's Comprehensive Plan and in the best interest of  
3 the City, its residents, and its visitors.

4 NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF  
5 THE CITY OF MARGATE, FLORIDA:

6  
7 **SECTION 1:** The Code of Ordinances of the City of  
8 Margate, Florida, Appendix "A," "Zoning", ARTICLE VII. - TRANSIT  
9 ORIENTED CORRIDOR-CORRIDOR (TOC-C) DISTRICT, Section 7.3. - TOC-  
10 C Corridor permitted uses is hereby amended to read as follows:

11  
12 **Section 7.3. - TOC-C Corridor permitted uses.**

13  
14 (B) *Special exception uses.* Special exception uses may be  
15 deemed appropriate to provide a complete distribution of  
16 commercial uses within the City, but because of their  
17 operational characteristics or area requirements need to  
18 be given individual consideration with respect to their  
19 location, access and relationship to adjacent properties  
20 and public rights-of-way, and conformity with the City's  
21 current and future redevelopment efforts.

22  
23 (1) The following uses are authorized upon a finding by

1 the City Commission that a special exception to the  
2 article is warranted, pursuant to the procedure and  
3 criteria set forth in Chapter 31, Section 31-54 of  
4 the Margate Code of Ordinances.

5 (s) Residential, ~~including one-family detached~~  
6 ~~dwelling, two-family dwellings, or multiple-~~  
7 ~~family dwellings, including horizontal and~~  
8 ~~vertical mixed use, subject to requirements of~~  
9 ~~the PRC zoning district and limitations~~  
10 ~~provided in Sections 9.9 and 9.10 of this Code.~~

11 . . .

12 **Note to Municode: The rest of this Section shall**  
13 **remain as codified.**

14  
15 **SECTION 3:** The Code of Ordinances of the City of  
16 Margate, Florida, Appendix "A," "Zoning", ARTICLE VIII. - TRANSIT  
17 ORIENTED CORRIDOR-GATEWAY (TOC-G) DISTRICT, Section 8.4. - TOC-  
18 G Gateway permitted uses is hereby amended to read as follows:

19  
20 **Section 8.4. - TOC-G Gateway permitted uses.**

21  
22 (B) *Special exception uses.* Special exception uses may be deemed  
23 appropriate to provide a complete distribution of commercial

1 uses with the City, but because of their operational  
2 characteristics or area requirements need to be given  
3 individual consideration with respect to their location,  
4 access and relationship to adjacent properties and public  
5 rights-of-way, and conformity with the City's current and  
6 future redevelopment efforts.

7 (1) The following uses are authorized upon a finding by the  
8 City Commission that a special exception to the article  
9 is warranted, pursuant to the procedure and criteria set  
10 forth in Chapter 31, Section 31-54 of the Margate Code  
11 of Ordinances.

12 (m) Residential, ~~including one-family detached~~  
13 ~~dwelling, two-family dwellings, or multiple-~~  
14 ~~family dwellings, including horizontal and~~  
15 vertical mixed use, ~~subject to requirements of the~~  
16 ~~PRC zoning district and limitations provided in~~  
17 ~~Sections 9.9 and 9.10 of this Code.~~

18 . . .

19 **Note to Municode: The rest of this Section shall**  
20 **remain as codified.**

21  
22 **SECTION 4:** The Code of Ordinances of the City of  
23 Margate, Florida, Appendix "A," "Zoning", ARTICLE IX. - TRANSIT

ORIENTED CORRIDOR-CITY CENTER (TOC-CC) DISTRICT, Section 9.7. -  
Specific design standards is hereby amended to read as follows:

**Section 9.7. - Specific design standards.**

(L) *Height limits.* ~~A minimum height of two (2) enclosed floors of active use is required for all new development and redevelopment in the TOC-CC City Center district. No building or structure shall be erected or altered to exceed four (4) floors and sixty-six (66) feet in the TOC-C Corridor districts. No building or structure shall be erected or altered to exceed six (6) floors and ninety-four (94) feet in height in TOC-G Gateway districts, provided that no more than seventy-five (75) per cent of any building elevation exceeding one hundred fifty (150) feet in length may exceed four (4) stories and sixty-six (66) feet. No building or structure shall be erected or altered to exceed eight (8) floors and one hundred twenty-two (122) feet in height in the TOC-CC City Center district. Rooftop antennas and elevator shafts are not counted in these height limitations. Rooftop mechanical equipment must be placed in enclosures or screened.~~

(1) TOC-C Corridor District

(a) Maximum height of four (4) floors not to exceed 66 feet

1        (2) TOC-G Gateway District

2            (a) Maximum height of six (6) floors not to exceed 94  
3            feet

4            (b) Buildings with more than 150 feet roadway frontage  
5            are limited such that:

6            i. Not more than 75 percent of the building may  
7            exceed four (4) floors not to exceed 66 feet

8            ii. This massing limitation shall not apply to  
9            buildings that are setback at least 75 feet  
10           from a right-of-way

11           iii. This massing limitation shall not apply to  
12           buildings that have 150 feet or less of  
13           roadway frontage

14        (3) TOC-CC City Center District.

15           (a) Minimum of two (2) floors of active use for all new  
16           development and redevelopment

17           (b) Maximum of eight (8) floors not to exceed 122 feet

18  
19 (M) *Frontage types.* For the purposes of this article private  
20 frontage is defined as the area extending from a building  
21 facade in combination with the private open space that spans  
22 between the building and to the public right-of-way or back

1 of sidewalk line. ~~There shall be no residential frontages~~  
2 ~~directly on State Road 7.~~

3 . . .

4 **Note to Municode: The rest of this Section shall**  
5 **remain as codified.**

6  
7 **SECTION 5:** The Code of Ordinances of the City of  
8 Margate, Florida, Appendix "A," "Zoning", ARTICLE IX. - TRANSIT  
9 ORIENTED CORRIDOR-CITY CENTER (TOC-CC) DISTRICT, Section 9.9. -  
10 Mixing of uses is hereby amended to read as follows:

11  
12 **Section 9.9. - Mixing of uses.**

- 13 1. The ~~Horizontal~~ mixing of residential and nonresidential  
14 uses ~~via separate buildings~~ may be authorized in all  
15 TOC districts by Special Exception, provided that  
16 residential uses are not facing nonresidential loading  
17 areas or dumpster enclosures.
- 18 2. Mixing of residential and nonresidential uses within  
19 the same building of at least four (4) stories in  
20 height may be authorized within all the TOC- ~~CC~~  
21 Districts by Special Exception, subject to functionally  
22 appropriate separation of the uses, including, but not  
23 limited to: separate stories; separate access;

1 separation and buffering of residential units from  
2 loading areas and noisy nonresidential uses via one (1)  
3 or more intervening stories of office use, extra-thick  
4 concrete floors, soundproofing on ceilings, walls and  
5 sound-containing openings, operational standards and  
6 time limits, or other proven technique acceptable to  
7 the city. Furthermore, the following uses shall not be  
8 located within a building containing residential use:

- 9 a. Bars, taverns and nightclubs.
- 10 b. Body art studios.
- 11 c. Bottled gas.
- 12 d. Caterers and catering halls.
- 13 e. Check cashing.
- 14 f. Commercial recreation.
- 15 g. Gun shop.
- 16 h. Music instruction and dance instruction.
- 17 i. Dance halls.
- 18 j. Package store.
- 19 k. Pet grooming and pet shop.
- 20 l. Recording studio.
- 21 m. Pain management clinic.

22  
23 **SECTION 6:** The Code of Ordinances of the City of



Margate, Florida, ARTICLE IX. - TRANSIT ORIENTED CORRIDOR-CITY  
CENTER (TOC-CC) DISTRICT, Section 9.11. - The Regulating Plan.  
is hereby amended to read as follows:

**Section 9.11. - The Regulating Plan.**

(D) Parcels designated as Gateway are located at significant  
entrances to the City where distinctive building elements and  
height to emphasize the corner, such as a corner tower, are  
encouraged. ~~Buildings range from one (1) to six (6) stories,~~  
~~to a maximum of ninety-four (94) feet in height, provided that~~  
~~not more than seventy-five (75) percent of any building~~  
~~elevation exceeding one hundred fifty (150) feet shall exceed~~  
~~four (4) stories and sixty-six (66) feet. Buildings exceeding~~  
~~four (4) stories and sixty-six (66) feet are subject to a~~  
~~minimum setback of seventy-five (75) feet from roadways~~  
~~classified as arterial or collector by the Broward~~  
~~Metropolitan Planning Organization's Federal Functional~~  
~~Classification Map.~~

. . .

**Note to Municode: The rest of this Section shall  
remain as codified.**

**SECTION 7:** All ordinances or parts of ordinances in

1 conflict are repealed to the extent of such conflict.

2 **SECTION 8:** If any section, sentence, clause, or phrase of  
3 this Ordinance is held to be invalid or unconstitutional by a  
4 court of competent jurisdiction, then said holding shall in no  
5 way affect the validity of the remaining portions of this  
6 Ordinance.

7 **SECTION 9:** It is the intention of the City Commission that  
8 the provisions of this Ordinance shall become and be made a part  
9 of the City of Margate Code, and that the sections of this  
10 Ordinance may be renumbered or relettered and the word  
11 "ordinance" may be changed to "section", "article" or such other  
12 appropriate word or phrase in order to accomplish such  
13 intentions.

14 **SECTION 10:** This Ordinance shall become effective  
15 immediately upon adoption at its second reading.

16  
17 PASSED ON FIRST READING THIS \_\_ day of \_\_\_\_\_ 2023.

18 PASSED ON SECOND READING THIS \_\_ day of \_\_\_\_\_ 2023.

19 ATTEST:

20  
21 \_\_\_\_\_  
22 JENNIFER JOHNSON  
23 CITY CLERK

\_\_\_\_\_  
MAYOR ANTHONY N. CAGGIANO

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

25  
26 Arserio \_\_\_\_\_  
27 Ruzzano \_\_\_\_\_

Arserio \_\_\_\_\_  
Ruzzano \_\_\_\_\_

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Caggiano \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Simone \_\_\_\_\_

Caggiano \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Simone \_\_\_\_\_