

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, ARTICLE II. DEFINITIONS, SECTION 2.2 TERMS DEFINED; ARTICLE III. GENERAL PROVISIONS, SECTION 3.23 WIRELESS COMMUNICATIONS FACILITIES; ARTICLE XXXVI. ARCADE AMUSEMENT CENTERS AND DEVICES, SECTION 36.1 DEFINITIONS; PROVIDING FOR DEFINITIONS; PROVIDING FOR MINIMUM STANDARDS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE 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 II. Definitions, Section 2.2 Terms defined is hereby amended to read as follows:

Section 2.2 Terms defined.

Accessory building or structure: A subordinate building or structure on the same plot with, or a part of, the main building which is occupied by, or devoted to, an accessory use. Such building or structure shall comply with the following general requirements:

(a) Is located only in the side or rear yards of the principal building; and

(b) No accessory structure shall be located within a platted or recorded easement; and

(c) In no case shall an accessory structure be taller than the associate principal structure.

1
2 *Accessory dwelling unit:* An apartment not greater than six
3 hundred (600) square feet sharing ownership and utility
4 with a single-family residence.
5

6 *Accessory use:* A use that ~~is~~ is naturally and customarily
7 incidental to, subordinate to, and subservient to the
8 principal use and is permitted on the subject lot after
9 the principal structure is permitted. Such uses shall
10 comply with the performance criteria set forth below:
11

12 (a) Is located ~~within the same building, and shares~~
13 ~~common means of ingress and egress,~~ on the same lot
14 as the principal use; and
15

16 (b) Contributes to the comfort, convenience, or
17 necessity of the principal use; and
18

19 (c) Does not exceed twenty-five (25) per cent of the
20 gross floor area of the principal use; and
21

22 (d) Is operated and maintained under the same ownership
23 as the permitted principal use. Is naturally and
24 ~~customarily incidental to, subordinate to, and~~
25 ~~subservient to the principal use.~~
26

27 . . .
28

29 [Note to Municipal Code: The rest of this section
30 shall remain as codified.]
31
32

33 **SECTION 2:** The Code of Ordinances of the City of
34 Margate, Florida, Appendix A Zoning, Article III. General
35 provisions, Section 3.23 Wireless communications facilities
36 is hereby amended to read as follows:
37

38 **Section 3.23. Wireless communications facilities.**

39
40 3.23.2. *Definitions.* The following words, terms and
41 phrases, when used in this section, shall have the
42 meaning ascribed to them in this section, except
43 where the context clearly indicates a different
44 meaning:
45

. . .
~~Accessory use: A use incidental to, subordinate to, and
subservient to the main use of the property.
As defined in this section an accessory use
is a secondary use.~~

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

SECTION 3: The Code of Ordinances of the City of
Margate, Florida, Appendix A Zoning, Article XXXVI. Arcade
Amusement Centers and Devices, Section 36.1 Definitions is
hereby amended to read as follows:

Section 36.1 Definitions.

~~Accessory use: The use of less than twenty-five (25) per
cent of the gross square footage of the
floor area of the establishment.~~

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

SECTION 4: All ordinances or parts of ordinances in
conflict herewith are, and the same is, here by repealed to
the extent of such conflict.

SECTION 5: If any section, 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 6: 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 re-lettered
and the word "ordinance" may be changed to "section",

1 "article" or such other appropriate word or phrase in order
2 to accomplish such intentions.

3
4 **SECTION 7:** This ordinance shall become effective
5 immediately upon adoption at its second reading.

6
7 PASSED ON FIRST READING THIS _____ day of _____ 2015.

8 PASSED ON SECOND READING THIS _____ day of _____ 2015.

9 ATTEST:

10
11
12 _____
13 JOSEPH J. KAVANAGH
CITY CLERK

MAYOR JOANNE SIMONE

14
15
16 RECORD OF VOTE - 1ST READING RECORD OF VOTE - 2ND READING

17
18 Talerico _____ Talerico _____
19 Bryan _____ Bryan _____
20 Ruzzano _____ Ruzzano _____
21 Simone _____ Simone _____
22 Peerman _____ Peerman _____
23
24