

CITY OF MARGATE, FLORIDA

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

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, APPENDIX A ZONING, AMENDING ARTICLE XI COMMUNITY FACILITY CF-1 DISTRICT, SECTION 11.3 PERMITTED USES; AMENDING ARTICLE VII TRANSIT ORIENTED CORRIDOR - CORRIDOR TOC-C DISTRICT, SECTION 7.3 TOC-C CORRIDOR PERMITTED USES; AMENDING ARTICLE VIII TRANSIT ORIENTED CORRIDOR - GATEWAY TOC-G DISTRICT, SECTION 8.4 TOC-G GATEWAY PERMITTED USES; AMENDING ARTICLE IX TRANSIT ORIENTED CORRIDOR - CITY CENTER TOC-CC DISTRICT, SECTION 9.5 TOC-CC CITY CENTER PERMITTED USES; AMENDING ARTICLE XXI NEIGHBORHOOD BUSINESS B-1 DISTRICT, SECTION 21.3 PERMITTED USES; AMENDING ARTICLE XXII COMMUNITY BUSINESS B-2 DISTRICT, SECTION 22.3 PERMITTED USES; AMENDING ARTICLE XXIII COMMUNITY BUSINESS B-3 DISTRICT, SECTION 23.3 PERMITTED USES; AMENDING ARTICLE III GENERAL PROVISIONS, SECTION 3.22 ALCOHOLIC BEVERAGES; PROVIDING FOR PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN ORDER TO ANALYZE, REVIEW, CONSIDER, MODIFY, PROCESS FOR ADOPTION AND IMPLEMENT POTENTIAL CHANGES TO ITS COMPREHENSIVE PLAN AND/OR ITS CODE OF ORDINANCES PERTAINING TO THE IMPACT OF KINDERGARTEN THROUGH TWELTH GRADE SCHOOLS ON, AMONG OTHER THINGS, INFRASTRUCTURE, EMERGENCY AND PUBLIC SERVICE, VEHICULAR TRAFFIC, PUBLIC SAFETY, PUBLIC WELFARE AND PUBLIC FACILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May, 18, 2016 the City Commission of the City of Margate adopted Ordinance 1500.621, enacting a six (6) month

1 moratorium for any new charter schools.

2  
3 NOW, THEREFORE, BE IT ORDAINED BY THE CITY  
4 COMMISSION OF THE CITY OF MARGATE, FLORIDA:  
5

6 **SECTION 1:** The Code of the City of Margate, Florida,  
7 Appendix A Zoning, Article XI Community Facility CF-1  
8 District, Section 11.3 Permitted uses, is hereby amended  
9 to read as follows:  
10

11 **Section 11.3. - Permitted uses.**

12 (A) No building or structure, or part thereof, shall be  
13 erected, altered, or used, or land or water used in whole  
14 or in part, for other than one of the following:  
15

16 ~~(1) Elementary, middle and senior schools that are a~~  
17 ~~part of the School Board of Broward County, Florida.~~  
18

19 (12) Houses of worship and schools on the same plot. Such  
20 use shall be located on a plot having at least forty  
21 thousand (40,000) square feet and at least two  
22 hundred (200) feet of street frontage. Private  
23 academic schools, including VPK, may be permitted as  
24 an accessory use when located on the same plot as an  
25 existing house of worship.  
26

27 (23) Hospitals, nursing and convalescent homes not  
28 including correctional or mental institutions, nor  
29 veterinary hospitals. Such use shall be located on a  
30 plot having at least forty thousand (40,000) square  
31 feet and at least two hundred (200) feet of street  
32 frontage.  
33

34 (34) Group care facilities, as defined in Section 2.2 of  
35 the Margate Zoning Code. Such use shall be located  
36 on a plot having at least forty thousand (40,000)  
37 square feet and at least two hundred (200) feet of  
38 frontage. Such facility shall occupy the entire  
39 structure or structures within which it is located  
40 and shall not share space with any other use or  
41 residence for persons other than those associated  
42 with said facility.

1  
2 (45) Municipal buildings, fire stations, libraries,  
3 public offices, parks, playgrounds, reservations,  
4 parking.

5  
6 (56) Accessory structure or use which is clearly  
7 incidental or subordinate to the principal use and  
8 which use is located on the same plot.  
9

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

19 (1) The following uses are authorized upon a finding by  
20 the City Ceommission that a special exception to the  
21 article is warranted. The City Ceommission shall  
22 consider all applications for special exception  
23 approval pursuant to the procedures and criteria set  
24 forth in sections 22.9 and 22.10 for new  
25 construction and in sections 22.11 and 22.12 for use  
26 of existing buildings or sites.  
27

28 (a) ~~Private academic schools, including VPK~~  
29 ~~(voluntary prekindergarten), elementary, middle~~  
30 ~~and senior schools unless located on the same~~  
31 ~~plot as a house of worship. Such use shall be~~  
32 ~~located on a plot at least four (4) acres in~~  
33 ~~area. Public or private elementary, middle, or~~  
34 high school, subject to the following:  
35

36 1. Schools shall not be located on roadways  
37 classified by Broward County Metropolitan  
38 Organization's Broward Highway Functional  
39 Classifications Map as arterial roadways.  
40 Access to schools shall not be from  
41 roadways classified by Broward County  
42 Metropolitan Organization's Broward

1 Highway Functional Classifications Map as  
2 arterial roadways.

3  
4 2. School must be located in freestanding  
5 single use structure(s), located on a  
6 parcel of at least three (3) acres. As an  
7 exception, charter schools may be  
8 permitted as an accessory use if located  
9 within an existing library, community  
10 service facility, museum, performing arts  
11 center, theatre, cinema, religious  
12 institution, Florida College System  
13 institution, college, or university  
14 facility, in accordance with F.S.  
15 1002.33(18) (C) .

16  
17 3. School must provide a student drop off  
18 area for motorists that is dedicated to  
19 student drop off activities and will not  
20 interfere with onsite parking or roadways  
21 adjacent to the school. The appropriate  
22 length and dimensions of the drop off area  
23 shall be identified in a traffic study  
24 prepared by a professional engineer  
25 licensed in the State of Florida.

26  
27 4. In order to allow sufficient time to  
28 secure required development order,  
29 building permit, and local business tax  
30 receipt approval, a special exception use  
31 application and fee must be filed with the  
32 Economic Development Department at least  
33 nine (9) months before the start of the  
34 school year. This time requirement cannot  
35 be waived or reduced.

36  
37 (b) Public or private postsecondary educational  
38 facilities, including vocational schools. Any  
39 associated residence shall be ancillary to the  
40 permitted use, and permitted only for full-time  
41 students of the post-secondary educational  
42 facility and any staff required to preserve the  
43 safety and welfare of resident students.

(c) ~~Charter schools and charter lab schools properly sponsored by the School Board of Broward County or a state university.~~

**SECTION 2:** The Code of the City of Margate, Florida, Appendix A Zoning, Article VII Transit Oriented Corridor - Corridor (TOC-C) District, Section 7.3 TOC-C Corridor permitted uses, is hereby amended to read as follows:

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

(A) *[Permitted uses.]* No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any of the uses specified below.

. . .

School of instruction, non-academic. ~~Subject to requirements of section 33.11 of this Code.~~

. . .

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

(1) The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

. . .

1  
2  
3 (s) Promotional events that are accessory to a permitted  
4 use and temporary in nature shall be permitted after  
5 a finding by the ~~D~~development ~~R~~eview ~~C~~ommittee  
6 that such event meets the criteria as set forth in  
7 section 22.13 of this Code.

8  
9 (t) Public or private elementary, middle, or high  
10 school, subject to the following:

11  
12 1. Schools shall not be located on roadways  
13 classified by Broward County Metropolitan  
14 Organization's Broward Highway Functional  
15 Classifications Map as arterial roadways.  
16 Access to schools shall not be from  
17 roadways classified by Broward County  
18 Metropolitan Organization's Broward  
19 Highway Functional Classifications Map as  
20 arterial roadways.

21  
22 2. School must be located in freestanding  
23 single use structure(s), located on a  
24 parcel of at least three (3) acres. As an  
25 exception, charter schools may be  
26 permitted as an accessory use if located  
27 within an existing library, community  
28 service facility, museum, performing arts  
29 center, theatre, cinema, religious  
30 institution, Florida College System  
31 institution, college, or university  
32 facility, in accordance with F.S.  
33 1002.33(18) (C).

34  
35 3. School must provide a student drop off  
36 area for motorists that is dedicated to  
37 student drop off activities and will not  
38 interfere with onsite parking or roadways  
39 adjacent to the school. The appropriate  
40 length and dimensions of the drop off area  
41 shall be identified in a traffic study  
42 prepared by a professional engineer  
43 licensed in the State of Florida.

1  
2           4.    In order to allow sufficient time to  
3               secure required development order,  
4               building permit, and local business tax  
5               receipt approval, a special exception use  
6               application and fee must be filed with the  
7               Economic Development Department at least  
8               nine (9) months before the start of the  
9               school year. This time requirement cannot  
10              be waived or reduced.

11  
12  
13   (u) Restaurants with curb or automobile service. Such  
14   approval shall also be subject to the following  
15   restrictions:

- 16  
17       1.   Subject property shall be located a minimum of  
18       seven hundred fifty (750) feet from one-family  
19       dwelling districts; such distance shall be  
20       measured from front door of the establishment  
21       to the single-family property line; and  
22  
23       2.   All applicable city codes and regulations must  
24       be complied with as of the time of application.  
25

26   (v)    Theater, outdoor. Subject to requirements of  
27   section 33.11 of this Code.

28  
29   (w)    Vehicle rental business.

30  
31   (x)    Walkway cafes greater than four hundred (400)  
32   square feet in area, subject to the criteria and  
33   limitations in section 22.3(B) of this Code.  
34

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

37  
38           **SECTION 3:** The Code of the City of Margate, Florida,  
39   Appendix A Zoning, Article VIII Transit Oriented Corridor  
40   - Gateway (TOC-G) District, Section 8.4 TOC-G Gateway  
41   permitted uses, is hereby amended to read as follows:

**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.**

Section 8.4. - TOC-G Gateway permitted uses.

- (A) *[Permitted uses.]* No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any of the uses specified below.

~~School of instruction, non-academic. Subject to requirements of section 33.11 of this Code.~~

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

- (1) The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

- (j) 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  
Highway Functional Classifications Map as  
arterial roadways.

2. School must be located in freestanding  
single use structure(s), located on a  
parcel of at least 3 acres. As an  
exception, charter schools may be  
permitted as an accessory use if located  
within an existing library, community  
service, museum, performing arts, theatre,  
cinema, church, Florida College System  
institution, college, or university  
facility, in accordance with F.S.  
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.

(k) Promotional events that are accessory to a permitted  
use and temporary in nature shall be permitted after  
a finding by the development review committee that  
such event meets the criteria as set forth in  
section 22.13 of this Code.

1        (1) Public or private elementary, middle, or high  
2        school, subject to the following:

3  
4            1. Schools shall not be located on roadways  
5            classified by Broward County Metropolitan  
6            Organization's Broward Highway Functional  
7            Classifications Map as arterial roadways.  
8            Access to schools shall not be from  
9            roadways classified by Broward County  
10           Metropolitan Organization's Broward  
11           Highway Functional Classifications Map as  
12           arterial roadways.

13  
14           2. School must be located in freestanding  
15           single use structure(s), located on a  
16           parcel of at least 3 acres. As an  
17           exception, charter schools may be  
18           permitted as an accessory use if located  
19           within an existing library, community  
20           service, museum, performing arts, theatre,  
21           cinema, church, Florida College System  
22           institution, college, or university  
23           facility, in accordance with F.S.  
24           1002.33(18) (C).

25  
26           3. School must provide a student drop off  
27           area for motorists that is dedicated to  
28           student drop off activities and will not  
29           interfere with onsite parking or roadways  
30           adjacent to the school. The appropriate  
31           length and dimensions of the drop off area  
32           shall be identified in a traffic study  
33           prepared by a professional engineer  
34           licensed in the State of Florida.

35  
36           4. In order to allow sufficient time to  
37           secure required development order,  
38           building permit, and local business tax  
39           receipt approval, a special exception use  
40           application and fee must be filed with the  
41           Economic Development Department at least  
42           nine (9) months before the start of the

school year. This time requirement cannot be waived or reduced.

(m±) Theater, outdoor. Subject to requirements of section 33.11 of this Code.

(nm) Walkway cafes greater than four hundred (400) square feet in area, subject to the criteria and limitations in section 22.3(B) of this Code.

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

**SECTION 4:** The Code of the City of Margate, Florida, Appendix A Zoning, Article IX Transit Oriented Corridor - City Center (TOC-CC) District, Section 9.5 TOC-CC City Center permitted uses, is hereby amended to read as follows:

Section 9.5. - TOC-CC City Center permitted uses.

(A) *[Permitted uses.]* No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than any of the uses specified below.

~~School of instruction, non-academic. Subject to requirements of section 33.11 of this Code.~~

(B) *Special exception uses.* Special exception uses may be deemed appropriate to provide a complete distribution of commercial uses with the City, but because of their operational characteristics or area requirements need to be given individual consideration with respect to their

1 location, access and relationship to adjacent properties  
2 and public rights-of-way, and conformity with the Ceity's  
3 current and future redevelopment efforts.

- 4  
5 (1) The following uses are authorized upon a finding by  
6 the Ceity Ceommission that a special exception to  
7 the article is warranted, pursuant to the procedure  
8 and criteria set forth in sections 22.9 through  
9 22.12 of this Code.

- 10 . . .  
11  
12 (h) Promotional events that are accessory to a permitted  
13 use and temporary in nature shall be permitted after  
14 a finding by the development review committee that  
15 such event meets the criteria as set forth in  
16 section 22.13 of this Code.

- 17  
18 (i) Public or private elementary, middle, or high  
19 school, subject to the following:

20  
21 1. Schools shall not be located on roadways  
22 classified by Broward County Metropolitan  
23 Organization's Broward Highway Functional  
24 Classifications Map as arterial roadways.  
25 Access to schools shall not be from  
26 roadways classified by Broward County  
27 Metropolitan Organization's Broward  
28 Highway Functional Classifications Map as  
29 arterial roadways.

30  
31 2. School must be located in freestanding  
32 single use structure(s), located on a  
33 parcel of at least three (3) acres. As an  
34 exception, charter schools may be  
35 permitted as an accessory use if located  
36 within an existing library, community  
37 service facility, museum, performing arts  
38 center, theatre, cinema, religious  
39 institution, Florida College System  
40 institution, college, or university  
41 facility, in accordance with F.S.  
42 1002.33(18) (C) .

1  
2 3. School must provide a student drop off  
3 area for motorists that is dedicated to  
4 student drop off activities and will not  
5 interfere with onsite parking or roadways  
6 adjacent to the school. The appropriate  
7 length and dimensions of the drop off area  
8 shall be identified in a traffic study  
9 prepared by a professional engineer  
10 licensed in the State of Florida.

11  
12 4. In order to allow sufficient time to  
13 secure required development order,  
14 building permit, and local business tax  
15 receipt approval, a special exception use  
16 application and fee must be filed with the  
17 Economic Development Department at least  
18 nine (9) months before the start of the  
19 school year. This time requirement cannot  
20 be waived or reduced.

21  
22  
23 (j±) Theater, outdoor. Subject to requirements of section  
24 33.11 of this Code.

25  
26 (k±) Walkway cafes greater than four hundred (400) square  
27 feet in area, subject to the criteria and  
28 limitations in section 22.3(B) of this Code.

29  
30 . . .

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

34  
35 **SECTION 5:** The Code of the City of Margate, Florida,  
36 Appendix A Zoning, Article XXI Neighborhood Business B-1  
37 District, Section 21.3 Permitted uses, is hereby amended  
38 to read as follows:

39  
40  
41 Section 21.3. - Permitted uses.

42 . . .

1  
2 (B) *Special exception uses.* The following uses are authorized  
3 upon a finding by the Ceity Ceommission that a special  
4 exception to the article is warranted. The City  
5 Ceommission shall consider all applications for a special  
6 exception approval pursuant to the procedure and criteria  
7 set forth in sections 23.9 through ~~and 23.10 for new~~  
8 ~~construction and in sections 23.11 and 23.12 for uses at~~  
9 ~~existing buildings~~ of this Code.

10  
11 Animal clinic, pet hospital, subject to the following  
12 limitations:

- 13 (1) Must be less than three thousand (3,000) square feet  
14 in area.  
15  
16 (2) Adequate soundproofing in any area where animals are  
17 contained or treated.  
18  
19 (3) All boarding activities shall be ancillary to the  
20 primary use.  
21  
22 (4) Subject to the restrictions set forth in chapter 6  
23 of the Margate Code of Ordinances.  
24

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

27 Public or private elementary, middle, or high school,  
28 subject to the following:

- 29  
30 (1) Schools shall not be located on roadways  
31 classified by Broward County Metropolitan  
32 Organization's Broward Highway Functional  
33 Classifications Map as arterial roadways.  
34 Access to schools shall not be from  
35 roadways classified by Broward County  
36 Metropolitan Organization's Broward  
37 Highway Functional Classifications Map as  
38 arterial roadways.  
39

1                   (2) School must be located in freestanding  
2                   single use structure(s), located on a  
3                   parcel of at least three (3) acres. As an  
4                   exception, charter schools may be  
5                   permitted as an accessory use if located  
6                   within an existing library, community  
7                   service facility, museum, performing arts  
8                   center, theatre, cinema, religious  
9                   institution, Florida College System  
10                  institution, college, or university  
11                  facility, in accordance with F.S.  
12                  1002.33(18)(C).

13  
14                  (3) School must provide a student drop off  
15                  area for motorists that is dedicated to  
16                  student drop off activities and will not  
17                  interfere with onsite parking or roadways  
18                  adjacent to the school. The appropriate  
19                  length and dimensions of the drop off area  
20                  shall be identified in a traffic study  
21                  prepared by a professional engineer  
22                  licensed in the State of Florida.

23  
24                  (4) In order to allow sufficient time to  
25                  secure required development order,  
26                  building permit, and local business tax  
27                  receipt approval, a special exception use  
28                  application and fee must be filed with the  
29                  Economic Development Department at least  
30                  nine (9) months before the start of the  
31                  school year. This time requirement cannot  
32                  be waived or reduced.

33  
34                  [Note to Municipal Code: The rest of this section shall  
35                  remain as codified.]

36  
37                  **SECTION 6:** The Code of the City of Margate, Florida,  
38                  Appendix A Zoning, Article XXII Community Business B-2  
39                  District, Section 22.3 Permitted uses, is hereby amended  
40                  to read as follows:

41  
42                  Section 22.3. - Permitted uses.

1  
2  
3 (B) *Special exception uses.* The following uses are authorized  
4 upon a finding by the Ceity Ceommission that a special  
5 exception to the article is warranted, pursuant to the  
6 procedure and criteria set forth in sections 22.9 through  
7 22.12 of this Code.

8  
9  
10  
11 Public or private elementary, middle, or high school,  
12 subject to the following:

13  
14 (1) Schools shall not be located on roadways  
15 classified by Broward County Metropolitan  
16 Organization's Broward Highway Functional  
17 Classifications Map as arterial roadways.  
18 Access to schools shall not be from  
19 roadways classified by Broward County  
20 Metropolitan Organization's Broward  
21 Highway Functional Classifications Map as  
22 arterial roadways.

23  
24 (2) School must be located in freestanding  
25 single use structure(s), located on a  
26 parcel of at least three (3) acres. As an  
27 exception, charter schools may be  
28 permitted as an accessory use if located  
29 within an existing library, community  
30 service facility, museum, performing arts  
31 center, theatre, religious institution,  
32 church, Florida College System  
33 institution, college, or university  
34 facility, in accordance with F.S.  
35 1002.33(18) (C) .

36  
37 (3) School must provide a student drop off  
38 area for motorists that is dedicated to  
39 student drop off activities and will not  
40 interfere with onsite parking or roadways  
41 adjacent to the school. The appropriate  
42 length and dimensions of the drop off area  
43 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 7:** The Code of the City of Margate, Florida, Appendix A Zoning, Article XXIII Liberal Business B-3 District, Section 23.3 Permitted uses, is hereby amended to read as follows:

### Section 23.3. - Permitted uses.

(B) *Special exception uses.* The following uses are authorized upon a finding by the Ceity Ceommission that a special exception to the article is warranted, pursuant to the procedure and criteria set forth in sections 22.9 through 22.12 of this Code.

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  
Highway Functional Classifications Map as  
arterial roadways.

(2) School must be located in freestanding  
single use structure(s), located on a  
parcel of at least three (3) acres. 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.  
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.]

1                   **SECTION 8:** The Code of the City of Margate, Florida,  
2                   Appendix A Zoning, Article III General Provisions, Section  
3                   3.22 Alcoholic beverages, is hereby amended to read as  
4                   follows:  
5

6                   **Section 3.22 Alcoholic beverages**  
7

8                   . . .  
9  
10                  (VIII)     *Distance restrictions.*  
11

12                  (A)     *Distance restrictions from a house of worship, ~~or school,~~*  
13                         *or daycare.* No liquor license approval or beer and wine  
14                         license approval for consumption on the premises shall be  
15                         issued where the place of business designated in the  
16                         application therefore is within one thousand (1,000) feet  
17                         of a house of worship or a public or private elementary,  
18                         middle or high school, or child care center. The distance  
19                         shall be measured from the main entrance or front door of  
20                         such house of worship, ~~or school,~~ or daycare to the main  
21                         entrance of such place of business in accordance with  
22                         subsection (IX). For any location within any zone  
23                         designated under any business classification to which a  
24                         license for the sale of liquor or beer and wine for  
25                         consumption on the premises has previously been issued,  
26                         and which license is subsisting and in use, no house of  
27                         worship, ~~nonacademic~~ public or private elementary,  
28                         middle, or high school, ~~of instruction~~ or child care  
29                         center shall be permitted within one thousand (1,000)  
30                         feet of said location. The distance shall be measured  
31                         from the front door of the licensee to the main entrance  
32                         of the house of worship, ~~nonacademic~~ school of  
33                         instruction or child care center. Any proposed use not  
34                         meeting the specific distance restrictions listed above  
35                         shall be prohibited.  
36

37                   . . .  
38                   [Note to Municipal Code: The rest of this section shall  
39                   remain as codified.]  
40

41                   **SECTION 9:** All ordinances or parts of ordinances in  
42                   conflict herewith are and the same is hereby repealed to  
43                   the extent of such conflict.

**SECTION 10:** 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 11:** 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 12:** This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS \_\_\_\_\_ day of \_\_\_\_\_  
2016.

PASSED ON SECOND READING THIS \_\_\_\_\_ day of \_\_\_\_\_  
2017.

ATTEST:

\_\_\_\_\_  
JOSEPH KAVANAGH  
CITY CLERK

\_\_\_\_\_  
MAYOR TOMMY RUZZANO

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

Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Talerico \_\_\_\_\_  
Bryan \_\_\_\_\_  
Ruzzano \_\_\_\_\_

Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
TBD \_\_\_\_\_  
TBD \_\_\_\_\_  
Ruzzano \_\_\_\_\_