

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE,
FLORIDA, AMENDING APPENDIX-A ZONING;
ARTICLE XXI NEIGHBORHOOD BUSINESS B-1
DISTRICT, SECTION 21.3. PERMITTED USES;
PROVIDING FOR SEVERABILITY; PROVIDING
FOR CODIFICATION; PROVIDING FOR AN
EFFECTIVE DATE.

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 XXI
NEIGHBORHOOD BUSINESS B-1 DISTRICT, Section 21.3 Permitted
uses, is hereby amended to read as follows¹:

. . .

- (B) *Special exception uses.* The following uses are authorized
upon a finding by the City Commission that a special
exception to the article is warranted. The City
Commission shall consider all applications for a special
exception approval pursuant to the procedure and criteria
set forth in sections 22.9 through 22.12 of this Code.

Animal clinic, pet hospital, subject to the following
limitations:

- (1) Must be less than three thousand (3,000) square feet
in area.
- (2) Adequate soundproofing in any area where animals are
contained or treated.

¹CODING: Words in ~~struck through~~ text are deletions from
existing text, words in underscoring text are additions to
existing text, and **shaded** text are changes between First and
Second Readings.

1 (3) All boarding activities shall be ancillary to the
2 primary use.

3
4 (4) Subject to the restrictions set forth in chapter 6
5 of the Margate Code of Ordinances.

6
7 Drive-thru facilities (with a permitted use), subject
8 to the following:

9
10 1. Property must be located on a roadway
11 classified by Broward County Metropolitan
12 Organization's Broward Highway Functional
13 Classifications Map as an arterial roadway.

14
15 2. Drive-through requirements provided in Section
16 33.11.

17
18 Outdoor sales, service and display, as an accessory to a
19 permitted use.

20 Public or private elementary, middle or high school,
21 subject to the following:

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

29
30 2. School must be located in freestanding single use
31 structure(s), located on a parcel no small than the
32 minimum size required by the School Board of Broward
33 County for public schools. As an exception, charter
34 schools may be permitted as an accessory use if
35 located within an existing library, community
36 service facility, museum, performing arts center,
37 theatre, cinema, religious institution, Florida
38 College System institution, college, or university
39 facility, in accordance with F.S. 1002.33(18) (C).

40
41 3. School must provide a student drop off area for
42 motorists that is dedicated to student drop off
43 activities and will not interfere with onsite

1 parking or roadways adjacent to the school. The
2 appropriate length and dimensions of the drop off
3 area shall be identified in a traffic study prepared
4 by a professional engineer licensed in the State of
5 Florida.
6

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

15 **[Note to Municipal Code: The rest of this section shall**
16 **remain as codified.]**
17

18 **SECTION 2:** All ordinances or parts of ordinances
19 in conflict herewith are and the same is hereby repealed to
20 the extent of such conflict.
21

22 **SECTION 3:** If any section, sentence, clause, or
23 phrase of this ordinance is held to be invalid or
24 unconstitutional by a court of competent jurisdiction, then
25 said holding shall in no way affect the validity of the
26 remaining portions of this ordinance.
27

28 **SECTION 4:** It is the intention of the City
29 Commission that the provisions of this ordinance shall become
30 and be made a part of the City of Margate Code, and that the
31 sections of this ordinance may be renumbered or relettered
32 and the word "ordinance" may be changed to "section",
33 "article" or such other appropriate word or phrase in order
34 to accomplish such intentions.
35

36 **SECTION 5:** This ordinance shall become effective
37 immediately upon adoption at its second reading.
38
39

40 PASSED ON FIRST READING THIS _____ DAY OF _____ 2017.

41 PASSED ON SECOND READING THIS _____ DAY OF _____ 2017.
42
43

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR TOMMY RUZZANO

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

Caggiano _____
Simone _____
Peerman _____
Schwartz _____
Ruzzano _____

Caggiano _____
Simone _____
Peerman _____
Schwartz _____
Ruzzano _____