

CITY OF MARGATE, FLORIDA

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

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE III GENERAL PROVISIONS, SECTION 3.19. SETBACK FROM MAJOR ROADWAYS; ARTICLE VII TRANSIT ORIENTED CORRIDOR - CORRIDOR TOC-C DISTRICT, SECTION 7.3 TOC-C CORRIDOR PERMITTED USES; ARTICLE XXIII LIBERAL BUSINESS B-3 DISTRICT, SECTION 23.3 PERMITTED USES; ARTICLE XXIV LIGHT INDUSTRIAL M-1 DISTRICT, SECTION 24.3 PERMITTED USES; PROHIBITING SELF-SERVICE STORAGE; 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 III General Provisions, Section 3.19 Setback from major roadways, is hereby amended to read as follows<sup>1</sup>:

**Section 3.19. - Setback from major roadways. Self-Service Storage.**

~~(A) No building shall be located closer than thirty-five (35) feet to any trafficway having a right-of-way width of eighty (80) feet or greater. This setback shall not apply to accessory structures located in rear yards, and further shall not apply to Holiday Springs Boulevard or any property with a TOC-C, TOC-G, or TOC-CC zoning designation.~~

<sup>1</sup>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.

(A) Where any structure or site was lawfully developed for the use of self-service storage, said use may continue as originally permitted, subject to the limitations of Article XXXI of this Code, and the following:

1. Self-service storage shall not be a part of any structure devoted to any other permitted use; and
2. Individual storage units or private postal boxes in a self-service storage shall not be considered a premises for the purpose of assigning a legal address in order to obtain a local business tax receipt to do business.

**SECTION 2:** The Code of Ordinances 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<sup>1</sup>:

• • •

~~(m) Limited access self-service storage facilities (SSSF) subject to the following restrictions:~~

- ~~1. No sales, service, outside storage nor any other local business tax receipt shall be permitted within the SSSF premises; and~~
- ~~2. All SSSFs shall be located as part of a planned commercial development containing at least three (3) acres. No more than fifty (50) per cent of the subject property shall be occupied by the SSSF, including all required driveways, landscaping and parking areas; and~~
- ~~3. The area so designated for SSSFs shall be clearly delineated upon the site plan accompanying the application for a planned commercial development. Occupancy will be issued to the SSSF concurrent with at least one (1) other building within the planned commercial development. In the event of a multiple phased development, no SSSF shall be permitted for construction in phase I without~~

1                   ~~at least one (1) other building being~~  
2                   ~~constructed concurrently to ensure that no~~  
3                   ~~self-storage facility exists independently,~~  
4                   ~~prior to the construction of other uses; and~~

5  
6                   ~~4. The exterior colors, facades, windows, roof,~~  
7                   ~~architectural treatments and features, and~~  
8                   ~~building materials of all structures shall be~~  
9                   ~~compatible and complimentary with the character~~  
10                   ~~of the surrounding area; and~~

11  
12                   ~~5. Individual storage units or private postal~~  
13                   ~~boxes in an SSSF shall not be considered a~~  
14                   ~~premises for the purpose of assigning a legal~~  
15                   ~~address in order to obtain a local business tax~~  
16                   ~~receipt to do business; and~~

17  
18                   ~~6. All SSSFs shall have a common entrance to be~~  
19                   ~~used by its tenants. Access for individual bays~~  
20                   ~~shall be from the interior of the SSSF.~~  
21                   ~~Individual external entrances shall be~~  
22                   ~~prohibited; and~~

23  
24                   ~~7. One (1) parking space shall be provided for~~  
25                   ~~every two hundred (200) bays within a limited~~  
26                   ~~access SSSF. In no case shall the amount of~~  
27                   ~~parking provided be less than five (5) spaces.~~  
28                   ~~In the event of conflicting data within this~~  
29                   ~~Code [appendix], this section shall govern the~~  
30                   ~~parking requirements for all SSSFs.~~

31  
32                   ~~(m)~~         Limousine or taxi service (three (3) or fewer  
33                   vehicles; proof of adequate parking facilities shall  
34                   be demonstrated).

35  
36                   ~~(n)~~         Night clubs, teen clubs, catering halls or  
37                   dance halls, with an occupancy greater than two  
38                   hundred fifty (250). Minimum separation of one  
39                   thousand (1,000) feet to nearest school or adult  
40                   bookstore/theater. Subject to limitations of section  
41                   33.11 of this Code.

42  
43                   ~~(o)~~         Outside sales, display, service, and/or  
44                   storage. Outside sales, display, service, and/or  
45                   storage with a permitted use are authorized upon a

finding by the city commission that a special exception to this article is warranted. in addition, all areas not completely enclosed which are used for the storage or processing of raw materials must be effectively screened from view of the adjoining streets and parcels through the use of durable fence, wall or hedge, or combination thereof.

(~~pe~~) Pain management clinic, subject to limitations and requirements of Article XXX of this Code.

(~~qe~~) 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.

(~~re~~) 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 County Highway Functional Classifications map as arterial roadways.
2. School must be located in freestanding single use structure(s), located on a parcel no small than the minimum size required by the School Board of Broward County for public schools. 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

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

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

16 (~~st~~) Restaurants with curb or automobile service.  
17 Such approval shall also be subject to the following  
18 restrictions:  
19

- 20 1. Subject property shall be located a minimum of  
21 seven hundred fifty (750) feet from one-family  
22 dwelling districts; such distance shall be  
23 measured from front door of the establishment  
24 to the single-family property line; and  
25  
26 2. All applicable city codes and regulations must  
27 be complied with as of the time of application.  
28

29 (~~tu~~) Theater, outdoor. Subject to requirements of  
30 section 33.11 of this Code.  
31

32 (~~uv~~) Vehicle sales agency. Not permitted within one  
33 hundred (100) feet of any residential district or  
34 use.  
35

36 (~~vw~~) Vehicle rental business.  
37

38 (~~w\*~~) Walkway cafes greater than four hundred (400)  
39 square feet in area, subject to the criteria and  
40 limitations in section 22.3(B) of this Code.  
41

42 [Note to Municipal Code: The rest of this section shall  
43 remain as codified.]  
44

**SECTION 3:** The Code of Ordinances 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<sup>1</sup>:

. . .

~~Limited Access Self-Service Storage Facilities (SSSF) subject to the following restrictions.~~

- ~~(1) Limited Access SSSFs shall be defined as a multi-storied self-service facility with limited access points from the exterior to interior halls that serve the individual bays.~~
- ~~(2) SSSFs shall not be part of any structure devoted to any other permitted use.~~
- ~~(3) No sales, service, outside storage nor any other occupational license shall be permitted.~~
- ~~(4) All SSSFs shall be located as part of a planned commercial development containing at least three (3) acres. No more than fifty (50) per cent of the subject property shall be occupied by the SSSF, including all required driveways, landscaping and parking areas.~~
- ~~(5) The area so designated for SSSFs shall be clearly delineated upon the site plan accompanying the application for a planned commercial development. Occupancy will be issued to the SSSF concurrent with at least one (1) other building within the planned commercial development. In the event of a multiple phased development, no SSSF shall be permitted for construction in Phase I without at least one (1) other building being constructed concurrently to ensure that no self-storage facility exists independently prior to the construction of other uses.~~
- ~~(6) The exterior colors, facades, windows, roof, architectural treatments and features, and building materials of all structures shall be compatible and complimentary with the character of the surrounding area.~~

1  
2 ~~(7) Individual storage units or private postal boxes in~~  
3 ~~an SSSF shall not be considered a premise[s] for the~~  
4 ~~purpose of assigning a legal address in order to~~  
5 ~~obtain an occupational license to do business.~~

6  
7 ~~(8) All SSSFs shall have a common entrance to be used by~~  
8 ~~its tenants. Access for individual bays shall be~~  
9 ~~from the interior or the SSSF. Individual external~~  
10 ~~entrances shall be prohibited.~~

11  
12 ~~(9) One (1) parking space shall be provided for every~~  
13 ~~two hundred (200) bays within a limited access SSSF.~~  
14 ~~In no case shall the amount of parking provided be~~  
15 ~~less than five (5) spaces. In the event of~~  
16 ~~conflicting data within this Code [appendix], this~~  
17 ~~section shall govern the parking requirements for~~  
18 ~~all SSSFs.~~

19 . . .

20  
21 [Note to Municipal Code: The rest of this section shall  
22 remain as codified.]

23  
24 **SECTION 4:** The Code of Ordinances of the City of  
25 Margate, Florida, Appendix-A Zoning, Article XXIV Light  
26 Industrial M-1 District, Section 24.3 Permitted uses, is  
27 hereby amended to read as follows<sup>1</sup>:

28  
29 ~~Self-service storage warehousing, subject to the~~  
30 ~~following limitations:~~

31 ~~(1) Not a part of any structure devoted to any other~~  
32 ~~permitted use.~~

33  
34 ~~(2) No sales, service, outside storage nor any other~~  
35 ~~occupational license shall be allowed.~~

36  
37 . . .

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

41  
42 **SECTION 5:** All ordinances or parts of ordinances  
43 in conflict herewith are and the same is hereby repealed to

the extent of such conflict.

**SECTION 6:** 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 7:** 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 8:** This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

ATTEST:

\_\_\_\_\_  
JOSEPH J. KAVANAGH  
CITY CLERK

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

RECORD OF VOTE - 1<sup>ST</sup> READING RECORD OF VOTE - 2<sup>ND</sup> READING

Caggiano \_\_\_\_\_  
Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_

Caggiano \_\_\_\_\_  
Simone \_\_\_\_\_  
Peerman \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_