

**Excerpt from draft minutes from the Planning & Zoning Board meeting held on October 3, 2017**

*ID 2017-623*

- 2B) **PZ-19-17** CONSIDERATION OF AN ORDINANCE TO PROHIBIT THE ESTABLISHMENT OF ANY NEW SELF-SERVICE STORAGE USES WITHIN THE CITY OF MARGATE.  
**PETITIONER:** CITY OF MARGATE

Reddy Chitepu explained that, similar to the previous item, the City Commission had previously passed a moratorium on self-service storage use. He said this was also discussed at the August workshop and the direction was to prohibit the self-storage use. The proposed ordinance removed the use from the zoning districts where it was currently allowed, i.e., Transit Oriented Corridor-Corridor (TOC-C), B-3, and M-1 he said. With regards to existing facilities, he said language was added to the Code to allow for their use and some exceptions.

Mr. Mangeney asked why the ordinance did not allow for a special exception of the use similar to the previous massage use ordinance; otherwise, the Code would need to be amended should the City Commission decide to allow self-storage in the future. Mr. Chitepu responded that it was discussed at the workshop; however, the Commission thought there was over saturation of the use in the City and they did not want to have it in the Code at all. Mr. Mangeney said he thought it would give the City Commission more authority in general.

Mr. Angier said there were too many self-service facilities currently in the City but he agreed with Mr. Mangeney that it might change at a future date and it would not hurt to have the special exception language in the ordinance since it would still be at the City Commission's discretion. Mr. Chitepu responded that there were some conflicts that existed with special exceptions that required good justification to deny. He said there was some discussion about it and the City Commission did not want the ability to approve it as a special exception; he deferred to the City Attorney.

Douglas Gonzales, City Attorney, concurred that the City Commission would have to justify denial of the special exception, and he added that the premise of oversaturation might subject it to legal review.

Mr. Arserio mentioned an example of a request for a Brownfield where the City could not legally deny the petitioner because they met all the requirements.

Mr. Arserio said he attended the workshop and his interpretation was that once a storage facility sold and moved, a new one could not open in its place. He asked whether the new owner could operate as a storage facility. Attorney Gonzales said there was a comment made toward the end of the meeting that indicated that if a storage use were to sell, the City would entertain keeping the storage use. Mr. Chitepu, referenced the ordinance, and said that the storage use could continue as permitted.

Mr. Hylander commented that there were other ways around it; for example, if the storage facility was owned by a corporation, and the corporation was purchased and there was no

transfer, the City would have no jurisdiction over it as it was a corporate transfer versus a property or business transfer.

Mr. Hylander asked how, in terms of perceived saturation, Margate compared to Coral Springs, Coconut Creek, and Pompano Beach. He also asked whether the taxes paid by a storage facility versus another use would be greater and whether the City would lose tax revenue. Mr. Chitepu said he did not have that information available at that time.

Mr. Zucchini asked whether possible negative effects of having storage facilities were discussed at the workshop. Mr. Chitepu responded that over saturation was the main issue and that he was not aware of any others being discussed. Mr. Zucchini questioned whether market forces would dictate the slowing down of the saturation of new storage facilities. Mr. Chitepu responded that the City Commission was pretty adamant about the City being over saturated with the self-service storage use. Mr. Zucchini asked if any of the storage facilities in Margate had failed. Mr. Chitepu responded that he was not aware of any, however, he noted that the new facility located on Coconut Creek Parkway kept changing ownership. Mr. Zucchini asked if the ordinance prohibited new construction. Mr. Chitepu responded that it was a prohibition of new self-storage facilities; the existing ones could continue as they were. Mr. Zucchini commented that had never been a fan of government trying to dictate and overcome market forces.

Mr. Manganey made the following motion, seconded by Mr. Arserio:

**MOTION:** SO MOVE TO APPROVE

**ROLL CALL:** Mr. Arserio, Yes; Mr. Manganey, Yes; Mr. Zucchini Yes;  
Mr. Hylander, No; Mr. Angier, Yes. The motion passed with a 4-1 vote.