

CITY OF MARGATE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE VII - TRANSIT-ORIENTED CORRIDOR-CORRIDOR (TOC-C) DISTRICT, SECTION 7.2 PURPOSE AND GENERAL DESCRIPTION AND SECTION 7.3 TOC-C CORRIDOR PERMITTED USES; ARTICLE VIII - TRANSIT ORIENTED CORRIDOR - GATEWAY, SECTION 8.4 TOC-G GATEWAY PERMITTED USES; ARTICLE IX, TRANSIT ORIENTED CORRIDOR - CITY CENTER (TOC-CC) DISTRICT, SECTIONS 9.5 TOC-CC CITY CENTER PERMITTED USES, 9.7 FORM-BASED CODE AND SPECIFIC DESIGN REGULATION, SECTION 9.9 MIXING OF USES, SECTION 9.11 THE REGULATING PLAN, AND SECTION 9.12 PARKING STANDARDS; ARTICLE XXXIII - OFF-STREET PARKING AND LOADING, SECTION 33.6 AMOUNT OF OFF-STREET PARKING, AND SECTION 33.6 USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Margate ("City") adopted Articles VII, VIII and IX of Appendix A of the City Code of Ordinances, which together establish the Transit Oriented Corridor districts ("TOC Districts") and comprise the Transit Oriented Corridor Regulations ("TOC Regulations"), on July 7, 2010; and

WHEREAS, it is necessary to calibrate and supplement certain TOC Regulations based upon the City's experience applying them to new development projects; and

WHEREAS, the City Commission of the City of Margate ("City Commission") desires to encourage

transit-oriented development without unduly restricting site configurations of development and redevelopment within the TOC Districts.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA:

SECTION 1: Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article IX Transit Oriented Corridor-City Center (TOC-CC) District is hereby amended to delete all references to illustrations and appendices that supplement the TOC regulations, but which were not adopted as part of the regulations.

SECTION 2: Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article VII Transit Oriented Corridor-Corridor (TOC-C) District, Section 7.2. - Purpose and general description, is hereby amended to read as follows¹:

Sec. 7.2. - Purpose and general description.

The Transit Oriented Corridor districts are specifically created to implement and encourage the redevelopment of lands designated as Transit Oriented Corridor on the future land use plan map of the City of Margate Comprehensive Plan. The TOC districts generally include right-of-way and private properties abutting or proximate to the State Road 7/U.S. 441 corridor and comprising approximately one thousand one hundred eighty-four (1,184) acres ~~as shown in map 1, TOC area map~~. This area is designated on the City of Margate Future Land Use Map (FLUM) and the Broward County Land Use Plan Map (BCLUPM) as Transit Oriented Corridor (TOC).

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 This article provides general guidance and specific
2 standards necessary to promote the goals, objectives and
3 policies contained within the future land use element and is
4 designed to maximize the development potential of the State
5 Road 7/U.S. 441 corridor, foster a mix of ~~vertical and~~
6 ~~horizontal~~ land uses, promote shopfronts and commercial uses
7 at street level, accommodate wide pedestrian-friendly and
8 multimodal sidewalks, encourage upper story ~~residential and~~
9 office uses, and provide on-site parking facilities in the
10 rear yard and accesses when possible through rear alleys or
11 side streets.

12 The city ~~will approve~~ encourages ~~individual~~ development
13 and redevelopment projects only that if they contribute to
14 the following objectives ~~corridor vision~~ by:

- 15 1. Promoting the ~~community vision for an appropriate urban~~
16 ~~form for~~ well-planned future development and
17 redevelopment
- 18 2. Encouraging the ~~Reducing~~ reduction of impacts on adjacent
19 neighborhoods through building placement and sensitivity
20 of building design and green building standards;
- 21 3. Encouraging infill and redevelopment with an emphasis on
22 pedestrian orientation, increased mobility and
23 integration of transit and bicycle systems that provide
24 alternatives to the automobile and promote a sustainable
25 environment;
- 26 4. Encouraging a closer ~~Increasing the~~ relationship between
27 primary building entrances, the public sidewalk, and
28 pedestrians with entrances to building shopfronts,
29 workplace and housing oriented directly to the public
30 street;
- 31 5. Providing opportunities for a range of housing types and
32 price levels to accommodate diverse ages and incomes;
- 33 6. Planning transportation corridors in coordination with
34 land use and coordinating the intensity of development
35 proximate to mass transit and encouraging a sustainable
36 environment;
- 37 7. Providing Encouraging that ~~TOC development be that is~~
38 ~~compact,~~ pedestrian-oriented with a variety of uses
39 including and mixed-use development;
- 40 8. Providing that ordinary activities of daily living may
41 occur within walking distance of most dwellings, allowing
42 independence to those who do not drive;
- 43 9. Providing for interconnected networks of tree-lined or
44 shaded roads to be designed and created incrementally to

- improve pedestrian access to transit and to disperse and reduce the length of automobile trips;
10. Creating an interconnected rear alleyway system;
 11. Promoting the small scale of newly formed blocks with public open spaces to serve corridor residents, workers and visitors for increasing social gathering, active and passive recreation, and visual amenities;
 12. Promoting appropriate building densities and land uses be provided within walking distance of transit stops;
 13. Creating a range of open space including parks, squares, and playgrounds and positioning buildings to front streets and open spaces;
 14. ~~Requiring~~ Encouraging buildings, streetscapes and landscaping to contribute to creating community living spaces;
 15. ~~Designing~~ Promoting a the street environment and building orientation that emphasize comfort, safety, and distinctive identity, with the provision of urban greenways along major corridor roadways containing a variety of shopfronts that provide a high level of transparency at the sidewalk level;
 16. Maximizing the development potential for the TOC district;
 17. ~~Providing a form- based code as a~~ guidelines for change to promote a harmonious and orderly evolution of the TOC district redevelopment area; and
 18. Encouraging energy efficiency through building design and site development.

SECTION 3: 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 follows¹:

Section 7.3. - TOC-C Corridor permitted uses.

. . .

- (B) *Special exception uses.* Special exception uses may be deemed appropriate to provide a complete distribution of commercial uses within 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 City's
3 current and future redevelopment efforts.
4

- 5 (1) The following uses are authorized upon a finding by
6 the City Commission that a special exception to the
7 article is warranted, pursuant to the procedure and
8 criteria set forth in Chapter 31, Section 31-54 of
9 the Margate Code of Ordinances.
10 . . .

11
12 (r) Public or private elementary, middle, or high school,
13 subject to the following:
14

- 15 1. Schools shall not be located on roadways
16 classified by Broward County Metropolitan
17 Organization's Broward Highway Functional
18 Classifications Map as arterial roadways. Access
19 to schools shall not be from roadways classified
20 by Broward County Metropolitan Organization's
21 Broward County Highway Functional
22 Classifications map as arterial roadways.
23
24 2. School must be located in freestanding single
25 use structure(s), located on a parcel no small
26 than the minimum size required by the School
27 Board of Broward County for public schools. As
28 an exception, charter schools may be permitted
29 as an accessory use if located within an
30 existing library, community service facility,
31 museum, performing arts center, theatre, cinema,
32 religious institution, Florida College System
33 institution, college, or university facility, in
34 accordance with F.S. 1002.33(18) (C).
35
36 3. School must provide a student drop off area for
37 motorists that is dedicated to student drop off
38 activities and will not interfere with onsite
39 parking or roadways adjacent to the school. The
40 appropriate length and dimensions of the drop
41 off area shall be identified in a traffic study
42 prepared by a professional engineer licensed in
43 the State of Florida.
44

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

9
10 (s) Residential of any type, including horizontal mixed
11 use, subject to limitations provided in Sections 9.9
12 and 9.10 of this Code.

13
14 ~~(t)~~ Restaurants with curb or automobile service. Such
15 approval shall also be subject to the following
16 restrictions:

17
18 1. Subject property shall be located a minimum of
19 750 feet from one-family dwelling districts;
20 such distance shall be measured from front door
21 of the establishment to the single-family
22 property line; and

23
24 2. All applicable City codes and regulations must
25 be complied with as of the time of application.

26
27 ~~(u)~~ Theater, outdoor. Subject to requirements of section
28 33.11 of this Code.

29
30 ~~(v)~~ Vehicle sales agency. Not permitted within 100 feet
31 of any residential district or use.

32
33 ~~(w)~~ Vehicle rental business.

34
35 ~~(x)~~ Walkway cafes greater than 400 square feet in area,
36 subject to the criteria and limitations in section
37 22.3(B) of this Code.

38
39 . . .

40
41 **SECTION 4:** Code of Ordinances of the City of Margate,
42 Florida, Appendix-A, Zoning, Article VIII Transit Oriented
43 Corridor-Gateway (TOC-G) District, Section 8.4. - TOC-G
44 Gateway permitted uses, is hereby amended to read as follows¹:

1
2 **Section 8.4. - TOC-G Gateway permitted uses.**
3
4 . . .
5

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

15 (1) The following uses are authorized upon a finding by
16 the City Commission that a special exception to the
17 article is warranted, pursuant to the procedure and
18 criteria set forth in Chapter 31, Section 31-54 of the
19 Margate Code of Ordinances.
20
21 . . .
22

23 (1) Public or private elementary, middle, or high school,
24 subject to the following:
25

26 1. Schools shall not be located on roadways
27 classified by Broward County Metropolitan
28 Organization's Broward Highway Functional
29 Classifications Map as arterial roadways. Access
30 to schools shall not be from roadways classified
31 by Broward County Metropolitan Organization's
32 Broward County Highway Functional
33 Classifications map as arterial roadways.
34

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

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

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

19
20 (m) Residential of any type, including horizontal mixed
21 use, subject to limitations provided in Sections 9.9
22 and 9.10 of this Code.

23
24 (n) Theater, outdoor. Subject to requirements of section
25 33.11 of this Code.

26
27 (o) Walkway cafes greater than 1,000 square feet in area,
28 subject to the criteria and limitations in section
29 22.3(B) of this Code.

30
31 **SECTION 5:** Code of Ordinances of the City of Margate,
32 Florida, Appendix-A, Zoning, Article IX Transit Oriented
33 Corridor-City Center (TOC-CC) District, Section 9.5. - TOC-CC
34 City Center permitted uses, is hereby amended to read as
35 follows¹:

36 . . .
37
38 (B) *Special exception uses* . Special exception uses may be
39 deemed appropriate to provide a complete distribution of
40 commercial uses within the City, but because of their
41 operational characteristics or area requirements need to
42 be given individual consideration with respect to their
43 location, access and relationship to adjacent properties
44 and public rights-of-way, and conformity with the City's
45 current and future redevelopment efforts.

1
2 (1) The following uses are authorized upon a finding by
3 the City Commission that a special exception to the
4 article is warranted, pursuant to the procedure and
5 criteria set forth in Chapter 31, Section 31-54 of
6 the Margate Code of Ordinances.

7
8 (i) Public or private elementary, middle, or high school,
9 subject to the following:

10
11 1. Schools shall not be located on roadways
12 classified by Broward County Metropolitan
13 Organization's Broward Highway Functional
14 Classifications Map as arterial roadways. Access
15 to schools shall not be from roadways classified
16 by Broward County Metropolitan Organization's
17 Broward County Highway Functional
18 Classifications map as arterial roadways.

19
20 2. School must be located in freestanding single
21 use structure(s), located on a parcel no small
22 than the minimum size required by the School
23 Board of Broward County for public schools. As
24 an exception, charter schools may be permitted
25 as an accessory use if located within an
26 existing library, community service facility,
27 museum, performing arts center, theatre, cinema,
28 religious institution, Florida College System
29 institution, college, or university facility, in
30 accordance with F.S. 1002.33(18) (C).

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

40
41 4. In order to allow sufficient time to secure
42 required development order, building permit, and
43 local business tax receipt approval, a special
44 exception use application and fee must be filed
45 with the Development Services Department at
46 least nine months before the start of the school

year. This time requirement cannot be waived or reduced.

(j) Residential of any type, including vertical and horizontal mixed use, subject to limitations provided in Sections 9.9 and 9.10 of this Code.

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

(l) Walkway cafes greater than 1,000 square feet in area, subject to the criteria and limitations in section 22.3(B) of this Code.

SECTION 6: Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article IX. Transit Oriented Corridor-City Center(TOC-CC) District, Section 9.7. - Form-based code and specific design standards, is hereby amended to read as follows¹:

Section 9.7. - ~~Form-based code~~ and Specific design standards.

(A) ~~Intent of Form-based code.~~ This article illustrates the types of streets, buildings, heights, and mixes of uses that create the desired "form" presented in the master plan and TOC districts. ~~Form-based codes are particularly suited for this purpose and provide for the establishment of Guidelines for building design, site design, access, and other development components are standards that apply to all TOC development. This form-based code is transect-based with a corresponding regulating plan that prescribes the appropriate land uses, and project and site design principles relating to the appropriate form for the pedestrian orientation, streetscape, and public realm in the subject area.~~

In general, development along the corridor is able to maximize developable heights and developable volume by positioning buildings at the ~~established build-to-lineback of the public sidewalk~~. Parcels with less than two hundred (200) feet of lot depth will also find increased flexibility in achieving greater developable height and building volume while maintaining or

1 increasing separation from adjacent residential
2 properties located to the rear.

3 A minimum height of two (2) enclosed floors of active
4 use is required for all new development and redevelopment
5 in the TOC-CC City Center district.

6 (B) *Building placement.* The building placement regulations
7 contained in this article assume the implementation of a
8 one hundred fifty (150) minimum trafficways reservation
9 width for parcels fronting the State Road 7 corridor and
10 one hundred seventy-five (175) minimum trafficways
11 reservation at the intersection of State Road 7 and
12 Atlantic Boulevard as described in appendix 2, Broward
13 County Trafficways Map Series.

14 (C) Setbacks along street ~~Primary frontages setback and~~
15 ~~build-to-line~~. The building placement regulations
16 contained in this article assume the implementation of
17 sidewalk improvements and associated adjustments to the
18 State Road 7 corridor right-of-way widths and related
19 back-of-sidewalk locations as described in subsection (O)
20 "Streets and blocks" and Appendix 2, Broward County
21 Trafficways Map Series and ~~Illustration 6, Build-To-Line~~.
22 Placement of future buildings ~~will~~ is encouraged ~~need to~~
23 reflect either:

24 (1) Location of back of sidewalk following street
25 reconstruction, or

26 (2) If street reconstruction has not yet taken place,
27 approved city plans for sidewalk reconstruction
28 that relocate the back of sidewalk.

29 For the purposes of this article front setback is
30 defined as the minimum permitted distance from the back-
31 of-sidewalk ~~curb~~ line along a primary street to the
32 primary building facade ~~as shown in Illustration 21,~~
33 ~~Primary Frontage Setback~~. The primary frontage setback
34 shall maintain a minimum of twenty-five (25) feet,
35 measured from the curb along State Road 7 ~~roadways~~
36 ~~designated as corridor; twenty (20) eighteen (18) feet~~
37 ~~along regional roadways~~ roads classified as a principal
38 arterial roadway by the Broward Metropolitan Planning
39 Organization's Federal Functional Classification Map; and
40 ~~fifteen (15)~~ sixteen (16) feet for local all other
41 roadways. The primary frontage setback shall not exceed
42 the maximum setback necessary to satisfy any required
43 trafficways reservation, and will be the required build-
44 to-line. See Illustration 6, Build-To-Line; Illustration

1 ~~14, Recommended Connections; and Illustrations 18 through~~
2 ~~20, Summary Sheets.~~

3 (D) *Secondary frontage setback* . For the purposed of this
4 article the side street setback is defined as the minimum
5 required distance from the right-of-way line back of curb
6 along the side street to the side street building facade
7 ~~as shown in Illustration 22, Secondary Frontage Setback.~~
8 The secondary frontage setback shall maintain a minimum
9 of twenty-five (25) feet, measured from the curb along
10 State Road 7 roadways designated as corridor; twenty (20)-
11 eighteen (18) feet along roads classified as a principal
12 arterial roadway by the Broward Metropolitan Planning
13 Organization's Federal Functional Classification Map
14 regional roadways; and fifteen (15) sixteen (16) feet for
15 local all other roadways where an urban greenway is
16 required. See Illustration 14, Recommended Connections
17 and Illustrations 18 through 20, Summary Sheets.

18 (E) *Side yard setback* . For the purposes of this article side
19 yard setback is defined as the required minimum distance
20 from the side property line to the primary building ~~as~~
21 ~~shown in Illustration 23, Side Yard Setback.~~ There is no
22 minimum side yard setback between buildings or minimum
23 space between buildings.

24 (F) *Rear setback* . Rear setback is defined as the required
25 minimum distance from the rear property line to the
26 nearest building ~~as shown in Illustration 24, Rear~~
27 ~~Setback.~~ The creation and maintenance of a new and
28 interconnected rear alleyway system is a major goal of
29 this section. Rear setbacks must be maintained to
30 accommodate rear alleyway creation and provide separation
31 between nonresidential uses in the TOC and residential
32 uses outside of the TOC. The creation and maintenance of
33 a new and interconnected rear alleyway system is a major
34 goal of this section. The minimum rear setback shall be
35 thirty-eight (38) feet when new development abuts a
36 residential district or use. For new residential
37 structures not exceeding two (2) floors, the minimum rear
38 setback may be reduced to twenty-seven (27) when a rear
39 alley is incorporated into the development, or fifteen
40 (15) feet if an adjacent rear road or alley is utilized
41 for the rear alleyway connection thirty-three (33) feet.
42 See Illustrations 18 through 20, Summary Sheets.

43 (G) *Alleyway setback*. Alleyway setback is defined as the
44 required minimum distance from the alleyway edge of
45 pavement to any building. The minimum alleyway setback
46 shall be twelve (12) feet. Further, centerlines of rear

1 alleyways, ~~rear roads,~~ or driveways shall be setback a
2 ~~minimum of sixteen (16) feet and a maximum of thirty-five~~
3 ~~(35) feet from the rear property line, and a minimum of~~
4 ~~seventeen (17) feet from adjacent buildings. See~~
5 ~~Illustration 25, Alleyway Setback. The minimum paved~~
6 ~~width of a one-way alley in the TOC shall be ten (10)~~
7 ~~feet, the minimum width of a two-way alley shall be~~
8 ~~sixteen feet, and the maximum paved width of any alley~~
9 ~~shall be twenty (20) feet.~~

10 (H) *Frontage build-out.* Frontage coverage is defined as the
11 ~~minimum per centage percentage~~ of the length of the
12 frontage coverage zone that ~~shall is be~~ occupied by the
13 front facade(s) of the primary building(s). In the TOC-C
14 and TOC-G districts ~~the a~~ minimum frontage buildout ~~shall~~
15 ~~be of~~ seventy (70) per cent ~~is encouraged.~~ In the TOC-CC
16 districts ~~the a~~ minimum frontage buildout ~~shall be of~~
17 eighty (80) per cent ~~is encouraged.~~ In order to connect
18 the public sidewalk with courtyards and parking lots in
19 the interior or at the rear of a parcel, development may
20 incorporate a passage between buildings designed in a
21 manner consistent with the pedestrian zone, described in
22 Section 23-8 of this Code that counts towards the
23 frontage coverage requirements. The width of a passage
24 ~~shall be not~~ less than sixteen (16) feet. ~~(See~~
25 ~~Illustration 10, Open Space Types, Landscape Passages,~~
26 ~~and Illustration 11, Passage).~~

27 (I) *Build-to-corner .* Developers are encouraged to ~~The build-~~
28 ~~to-the corner requirement specifies that buildings must~~
29 ~~"hold the corner"~~ of the parcel at the intersection of
30 two (2) primary streets. The build-to-corner location is
31 defined by the ~~required~~ front and side setback lines.
32 ~~Where the build-to-corner building placement is required,~~
33 ~~new development must meet this requirement by siting the~~
34 ~~building at its street corner.~~ No visual obstructions are
35 permitted within the corner of an intersection measured
36 thirty-five (35) feet from the intersecting rights-of-way
37 for a height of twenty (20) feet. ~~See Illustration 26,~~
38 ~~Build-to-Corner.~~ The use of tower elements at these
39 locations is encouraged.

40 (J) *Space between buildings .* There is no minimum space
41 between buildings on the same parcel, except for the
42 provision of pedestrian zones.

43 (K) *Encroachments .* ~~At required setback areas, awnings,~~
44 ~~entrance porticos, porches, stoops, stairs, and entrance~~
45 ~~overhangs, are permitted to encroach within the required~~
46 ~~front setback as shown in the frontage type~~

illustrations. ~~(See Illustration 7, Building Frontages).~~
Balconies, bay windows, eaves, and other permitted
encroachments may extend up to a maximum of eight (8)
feet into the private frontage. At zero-setback areas,
building overhangs such as trellises, canopies and
awnings may extend horizontally into the public frontage
up to a maximum of eight (8) feet. These overhangs must
provide a minimum of eight (8) feet of vertical clearance
above sidewalk grade. No encroachments are permitted into
the Trafficway reservation areas, Map 2 Reserved.

(L) *Height limits.* A minimum height of two (2) enclosed
floors of active use is required for all new development
and redevelopment in the TOC-CC City Center district. No
building or structure shall be erected or altered to
exceed four (4) floors and sixty-six feet in the TOC-C
Corridor districts. No building or structure shall be
erected or altered to exceeding six (6) floors and
ninety-four (94) feet in height in TOC-G Gateway
districts, provided that no more than seventy-five
percent (75%) of any building elevation exceeding one
hundred fifty (150) feet in length may exceed (4) stories
and sixty-six (66) feet. ~~and No building or structure
shall be erected or altered to exceeding eight (8) floors
and one hundred twenty-two (122) feet in height in the
TOC-CC City Center districts. No habitable level or story
within a building shall be more than fourteen (14) feet
in height from finished floor to finished ceiling, except
that the first floor may be up to twenty-four (24) feet
in height. Rooftop antennas and elevator shafts are not
counted in these height limitations. Rooftop mechanical
equipment must be placed in enclosures or screened. See
Illustration 5, Building Height.~~

(M) *Frontage types.* For the purposes of this article private
frontage is defined as the area extending from a building
facade in combination with the private open space that
spans between the building and to the public right-of-way
or back of sidewalk line, ~~(See Illustration 7, Building
Frontages).~~ There shall be no residential frontages
directly on State Road 7.

(N) *Plot size.* The minimum plot size, excluding public
rights-of-way, shall be ten thousand (10,000) square feet
with a minimum of one hundred (100) feet of street
frontage.

(O) *Streets and blocks.*

1. ~~New streets and blocks shall generally conform to
Illustration 14, Recommended Connections. The street~~

1 and streetscape types allowed with the TOC district
2 area are depicted in Illustration 14a, Roadway Types.
3 The maximum primary block face is seven hundred (700)
4 feet and total block perimeter is two thousand one
5 hundred (2,100) feet. New development and redeveloped
6 sites are encouraged to share connections to roadways
7 and provide rear alley connections.

- 8 2. ~~Front sidewalks or~~ Urban greenways along the State
9 Road 7/U.S. 441 corridor are required to maintain a
10 minimum width of twenty-five (25) feet. ~~foot~~
11 ~~sidewalk.~~ Front sidewalks or urban greenways may be
12 required to be wider than twenty-five (25) if any
13 right-of-way reservation dedications, or roadway,
14 utility, or other easements have been previously
15 granted to the Florida Department of Transportation.
16 ~~Front sidewalks~~ Urban greenways along all other
17 ~~primary~~ roads classified as a principal arterial
18 roadway by the Broward Metropolitan Planning
19 Organization's Federal Functional Classification Map
20 roads are required to maintain a minimum width of
21 eighteen (18) feet. ~~twenty-foot sidewalk.~~ Urban
22 greenways along all other roads, except for rear
23 alleys and connections, are required to maintain a
24 minimum width of sixteen (16) feet. Beginning from
25 the curb or edge of travel lanes, a landscape buffer
26 shall be provided within the urban greenway which
27 meets the minimum design criteria of Section 23-
28 6(B)(2) of this Code. Behind the landscape buffer, a
29 multi-modal paved path of at least ten (10) feet in
30 width shall be provided within urban greenways built
31 along State Road 7 and principal arterials. Urban
32 greenways built along all other roads shall provide a
33 multi-modal path of at least eight (8) feet in width
34 behind the landscape buffer and within the urban
35 greenway. The paved multi-modal path shall be made of
36 a uniform material, and concrete paths shall not have
37 seams or joints running the length of the path. ~~At~~
38 ~~least eight (8) feet of clear zone shall be provided~~
39 ~~where~~ ~~n~~ No obstructions, temporary or permanent, are
40 allowed within the minimum required width of the
41 multi-modal path. ~~Designated bike-only zones between~~
42 ~~four (4) and six (6) feet~~ Multi-modal paths wider
43 than the above described minimums are also
44 encouraged. ~~(See Illustration 16, Urban Greenways).~~

- 45 3. ~~Sidewalks along all secondary roads are required to~~
46 ~~maintain a fifteen-foot sidewalk.~~ Up to fifty (50%)
47 of the length of the required landscape buffer within

1 an urban greenway on a local street owned by the City
2 of Margate ~~eight (8) feet of this area~~ may be
3 utilized for parallel on-street parking if approved
4 by the Department of Environmental and Engineering
5 Services. ~~(See Illustration 15, Sidewalks).~~ The
6 minimum width of the paved multi-modal path shall not
7 be reduced to accommodate on-street parking, and
8 shall be elevated at least six (6) above the grade of
9 the on-street parking.

10
11 **SECTION 7:** Code of Ordinances of the City of Margate,
12 Florida, Appendix-A, Zoning, Article IX. Transit Oriented
13 Corridor-City Center (TOC-CC) District, Section 9.9. - Mixing
14 of uses, is hereby amended to read as follows¹:

15 **Section 9.9. - Mixing of uses.**

16 ~~Mixing of uses . Uses can be mixed horizontally or~~
17 ~~vertically, subject to the rules of this Section.~~

- 18 1. Horizontal mixing via separate buildings ~~is permitted~~ may
19 be authorized in all TOC districts by Special Exception,
20 provided that residential uses are not facing
21 nonresidential loading areas or dumpster enclosures.
- 22 2. Mixing of residential and nonresidential uses within the
23 same building of at least four (4) stories in height ~~is~~
24 ~~encouraged and permitted~~ may be authorized within the
25 TOC-CC District by Special Exception, subject to
26 functionally appropriate separation of the uses,
27 including, but not limited to: separate stories; separate
28 access; separation and buffering of residential units
29 from loading areas and noisy nonresidential uses via one
30 (1) or more intervening stories of office use, extra-
31 thick concrete floors, soundproofing on ceilings, walls
32 and sound-containing openings, operational standards and
33 time limits, or other proven technique acceptable to the
34 city.
- 35 3. Accessory uses and outbuildings are permitted subject to
36 the provisions of this article. Accessory dwellings may
37 be part of the principal building, or an accessory
38 building, on any floor, except as specified for ground
39 floor retail uses.

40
41 **SECTION 8:** Code of Ordinances of the City of Margate,
42 Florida, Appendix-A, Zoning, Article IX. Transit Oriented
43 Corridor-City Center (TOC-CC) District, Section 9.10. -
44 Allocation of dwelling units, is hereby amended to read as
45 follows¹:

1
2. **Section 9.10. - Allocation of dwelling units.**
3.

4 (A) Within the TOC land use designation, the city has a bank
5 of ~~one thousand eight hundred forty-nine (1,849)~~ seven
6 hundred ten (710) dwelling units to allocate. Of the ~~one~~
7 ~~thousand eight hundred forty-nine (1,849)~~ seven hundred
8 ten (710) units, ~~one thousand two hundred forty-nine~~
9 ~~(1,249)~~ units shall be utilized within the city center,
10 not more than three hundred (300) units shall be utilized
11 north of the city center, and not more than three hundred
12 (300) units shall be utilized south of the city center.
13 The city planner shall maintain an inventory of available
14 dwelling units to be used within the TOC. TOC dwelling
15 units shall be allocated on a "first-come, first-served"
16 basis; however, before any dwelling units may be allocated
17 to a development or redevelopment site, the following
18 criteria must be satisfied:

- 19
- 20 1. That there are a sufficient number of available
21 dwelling units to allocate within the specified area
22 of the TOC.
 - 23
 - 24 2. The proposed development shall maintain a valid site
25 plan approval from the development review committee.
26
 - 27 3. ~~The proposed development shall demonstrate~~
28 ~~affordability of the dwelling units by submitting~~
29 ~~sufficient documentation that a minimum of fifteen~~
30 ~~(15) per cent of the requested dwelling units shall~~
31 ~~be utilized for affordable housing. A total of~~
32 fifteen percent (15%) of the TOC residential units
33 shall be provided as affordable housing. For the
34 purposes of this policy, the term "affordable
35 housing" shall include the meaning as defined by the
36 Broward County Land Use Plan. New development and
37 redevelopment shall at minimum provide a
38 proportionate share of affordable housing until at
39 least fifteen (15%) of the total number of TOC units
40 have been reserved as affordable. Affordable housing
41 shall be recorded on a covenant running with the land
42 for a minimum of fifteen (15) years.
43

4. The proposed development shall demonstrate a high level of connectivity and access to adjacent properties and transit stops.
5. The proposed development shall demonstrate the residential use as a principal component of a mixed use development, or be located within one thousand (1,000) feet of supportive commercial, office, and other nonresidential uses.
6. The proposed development shall be designed to enhance and support pedestrian travel and the use of public transportation.
7. The proposed development shall demonstrate that the residential use will be both compatible and able to successfully integrate into the surrounding neighborhoods and developments. Demonstration shall be implemented through the incorporation of adequate buffers and effective site design.
8. The proposed development shall demonstrate adequate public plazas, urban open spaces, or green spaces that are accessible to the public.
9. That the developer shall begin construction of the proposed development within one (1) year of a successful petition for an allocation of dwelling units within the TOC, and that construction of the proposed development shall be completed in no ~~less~~ more than five (5) years.
 - a. If construction of the proposed development has not started within one (1) year of a successful petition for an allocation of dwelling units, then any and all approvals for the allocation of dwelling units shall become null and void. A one-year waiting period, starting from the date of the nullification of approval, shall be required prior to any future petition for an allocation of dwelling units.
 - b. If after five (5) years the project has started but has not been completed, the developer may petition the city planner's office for an

1 extension of the allocation of dwelling units.
2 An extension may be granted, provided the
3 following criteria have been satisfied:
4

- 5 1. That certain extenuating circumstances
6 created a genuine hardship that prevented
7 completion of the development within the
8 allotted time.
9
- 10 2. That the developer can demonstrate the
11 means and ability to complete construction.
12
- 13 3. That a lapse in active development permits
14 have been no greater than six (6) months
15 during the previous five-year period.
16
- 17 4. The proposed development has a valid site
18 plan approval. Site plans may be
19 resubmitted to the development review
20 committee, if necessary.
21
- 22 5. That any extension of an allocation of TOC
23 dwelling units shall not exceed three (3)
24 years. Only one (1) extension may be
25 granted before an allocation expires.
26

27 (B) If a proposed development has not been completed within
28 the allotted time (including extensions), then any and all
29 approvals for the allocation of dwelling units shall
30 become null and void. A one-year waiting period, starting
31 from the date of the nullification of approval shall be
32 required prior to any future petition for an allocation of
33 dwelling units.
34

35 (C) If the development plans for a proposed development that
36 has been allocated dwelling units are significantly
37 modified, to the extent of changing the nature or
38 intensity of the proposed development, then any and all
39 approvals for the allocation of dwelling units shall
40 become null and void. The applicant must then petition the
41 City for the use of available dwelling units; however, no
42 waiting period(s) shall be imposed for modifying
43 development plans.
44
45

SECTION 9: Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article IX. Transit Oriented Corridor-City Center (TOC-CC) District, Section 9.11. - The Regulating Plan, is hereby amended to read as follows¹:

Section 9.11. - The Regulating Plan.

(A) The development regulations in this document are applied to properties within the Transit Oriented Corridor (TOC) ~~Plan Area as indicated depicted on the Map 1, Regulating Plan Map and Official Zoning Map, as provided herein.~~ The development standards and guidelines for all TOC district zones are contained in [this Article] IX. Development standards and guidelines pertain to building placement, height, frontage types, building types, use, parking, streets and blocks, and landscaping, signage and open space.

(B) To ensure that redevelopment activities are consistent with the intent of the Comprehensive Plan and Conceptual Master Plan ~~(Illustrations 2 and 3)~~ are realized, a series of TOC District Zones are established as the basic organizing principle for the regulations contained in this article ~~(Map 1, Regulating Plan Map)~~.

A District Zone is an area of cohesive physical character. District Zones are organized according to criteria that influence their future urban character. Regulations controlling building placement, building height, frontage and building types, use, parking and open space standards are organized by District Zone. The City of Margate TOC District and Regulating Plan is organized into three (3) distinct Districts:

Transit Oriented Corridor-Corridor (TOC-C)

Transit Oriented Corridor-Gateway (TOC-G)

Transit Oriented Corridor-City Center (TOC-CC)

(C) Parcels designated as Corridor typically front a primary road. ~~An active primary frontage edge is created through vertical mixed use as well as residential and workplace buildings.~~ Street-fronting uses are ~~required~~ encouraged and will be supported by a redesign of the streetscape to create a highly walkable zone. Buildings are permitted up to four (4) stories, to a maximum of sixty-

1 six (66) feet in height. A wide range of uses,
2 buildings, and frontage types ~~are configured and~~
3 oriented to public streets is encouraged. ~~(See~~
4 ~~Illustration 18, Summary Sheet TOC-C).~~

5
6 (D) Parcels designated as Gateway are located at significant
7 entrances to the City where distinctive building
8 elements and height to emphasize the corner, such as a
9 corner tower, are encouraged. ~~An active street frontage~~
10 ~~is created through vertical mixed use as well as~~
11 ~~residential and workplace b~~Buildings ranging in from
12 one (1) to six (6) stories, to a maximum of ninety-four
13 (94) feet in height, provided that not more than
14 seventy-five percent (75%) of any building elevation
15 exceeding one hundred fifty (150) feet shall exceed four
16 (4) stories and sixty-six (66) feet. Buildings exceeding
17 four (4) stories and sixty-six (66) feet are subject to
18 a minimum setback of seventy-five (75) feet from
19 roadways classified as arterial or collector by the
20 Broward Metropolitan Planning Organization's Federal
21 Functional Classification Map~~(See Illustration 19,~~
22 ~~Summary Sheet TOC-G).~~

23
24 (E) The City Center zone is intended to create a unified
25 development plan for a high-intensity, highly walkable
26 ~~mixed-use~~ district with the following features:

- 27
- 28 1. New Main Street with ground-floor shopfronts and
29 restaurants and on-street parking that connects to
30 Margate Boulevard and State Road 7.
31
 - 32 2. Shopfront buildings assure frequent entries and a
33 high level of transparency into stores and
34 restaurants.
35
 - 36 3. Urban fabric with housing and/or workplace uses in
37 buildings ranging from two (2) to eight (8) stories,
38 to a maximum of one-hundred twenty-two (122) feet in
39 height.
40
 - 41 4. Highly amenitized public realm including a public
42 plaza, ornamental street trees, lights and public
43 art.
44
 - 45 5. The majority of parking consolidated in structures
46 and at curbs of public streets. ~~(See Illustration 20,~~
47 ~~Summary Sheet TOC-CC).~~

Table 1: General Building Functions and Uses

	R-1	R-2	R-3	B-1	B-2	B-3	Corridor	Gateway	City Center	M-1	M-1A	S-1	T-1	PUD	CF
RESIDENTIAL															
Single-Family	X	X	X				X	X	X					X	
Multiple Unit			X				X	X	X					X	
Live-Work							X	X	X						
Work-Live							X	X	X						
LODGING															
Bed &								X	X						
Hotel					Ø	Ø	Ø	Ø	Ø						
RETAIL															
Auto-Related						Ø	X	X							
Entertainment Establishment					Ø	X	X	X	X						
Food Service Establishment				X	X	X	X	X	X					X	
Alcohol Service					X	X	X	X	X						
General				X	X	X	X	X	X					X	
Open Air					Ø	Ø	Ø	Ø	Ø						
Child Day Care				X	X	X	X	X	X					X	
OFFICE															
Office				X	X	X	X	X	X	X	X			X	
CIVIC															
Community	X	X	X	X	X	X	X	X	X					X	X
Recreational	X	X	X	X	X	X	X	X	Ø					X	X
House of	X	X	X	X	X									X	X
INDUSTRIAL															
Light Industrial										X	X				
EDUCATIONAL															
Elementary															X
Middle School															X
High School															X
Parochial															X

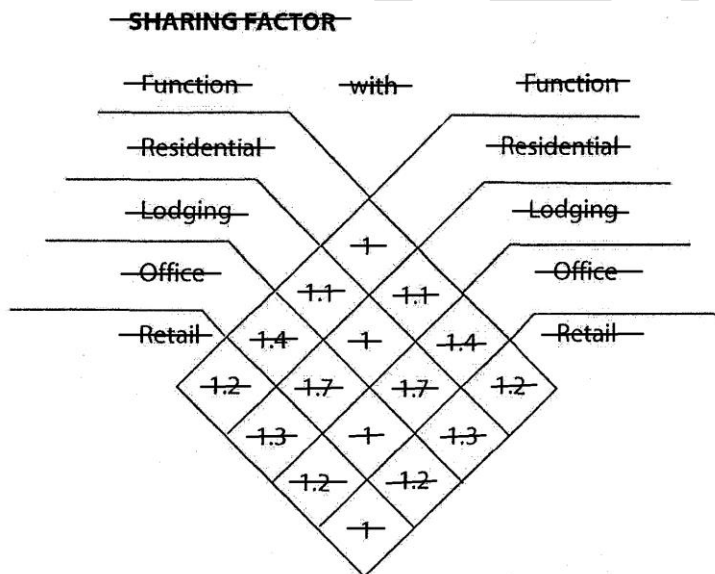
X = permitted use

0 = exception

See Appendix 1, Master List of Uses, or Article XV of the Margate Zoning Code for a complete list of uses.

Table 2: Shared Parking Ratios

REQUIRED PARKING			
	TOC-C (T4)	TOC-G (T5)	TOC-CC (T6)
Residential	1.5/dwelling	1.0/dwelling	1.0/dwelling
Lodging	1.0/bedroom	1.0/bedroom	1.0/bedroom
Office	3.0/1000 sq. ft.	2.0/1000 sq. ft.	2.0/1000 sq. ft.
Retail	3.0/1000 sq. ft.	4.0/1000 sq. ft.	3.0/1000 sq. ft.
Civic	1.0/5 seats of assembly		
Other	To be determined by application of parking calculations or Article XXXIII Off-Street Parking and Loading of the Margate Zoning Code.		



SECTION 10: The Code of Ordinances of the City of Margate, Florida, Appendix-A Zoning, Article IX. Transit Oriented Corridor - City Center (TOC-CC) District, Section 9.12 Parking standards, is hereby amended to read as follows¹:

Section 9.12. - Parking standards.

1 (A) *[Regulation of parking.]* This section contains
2 development standards and design guidelines to ensure
3 that parking throughout the Regulating Plan Area is
4 convenient and accessible, accommodates all land uses,
5 and supports the Regulating Plan's intended goals,
6 including:

- 7
8 1. Enable people to park once at a convenient location
9 and to access a variety of commercial enterprises
10 in pedestrian friendly environments by encouraging
11 shared parking.
12 2. Avoid adverse parking impacts on neighborhoods
13 adjacent to redevelopment areas.
14 3. Maximize on-street parking.
15 4. Encourage parking to be located to the rear of
16 buildings~~in the third lot layer~~.
17 5. Provide flexibility for redevelopment of small
18 sites.

19
20 Parking shall be connected with the street by a
21 driveway. New on-street parking spaces provided adjoining
22 ground floor residential uses may be counted toward the
23 minimum parking requirement for that property. Parking
24 types are defined as either surface or structured ~~and~~
25 ~~shall be limited to areas depicted in Illustrations 18-~~
26 ~~20, Summary Sheets.~~

27 (B) *Surface parking.*

- 28 1. ~~Open. A surface parking lot that fully or partially~~
29 ~~extends to a parcel's street frontage(s) (including~~
30 ~~landscaped setback areas) and is not sited behind a~~
31 ~~building(s) located along the parcel's primary~~
32 ~~street frontage(s). Open parking lots in the first~~
33 ~~lot layer are prohibited. Open parking in the~~
34 ~~second lot layer is discouraged and limited to no~~
35 ~~more than twenty (20) per cent of the front lot~~
36 ~~width. All parking areas~~ The location of surface
37 parking lots to the rear of buildings are is
38 encouraged in order to showcase the buildings,
39 provide more visual interest to passersby and
40 provide superior visibility to businesses~~the third~~
41 ~~lot layer. Open parking areas shall be masked from~~
42 ~~the frontage by a building or streetscreen and~~
43 ~~further subject to the provisions in chapter 23,~~
44 ~~Landscaping.~~
45 2. ~~Wrapped. A surface parking lot where a building(s)~~
46 ~~is located between the parcel's street frontage(s)~~

1 and the parking lot. Except for driveway access,
2 the parking lot is sited behind buildings and no
3 portion of the parking lot is visible from the
4 primary street.

5
6 (C) *Parking structure.*

- 7 1. *Exposed* . An above-ground parking structure that is
8 fully or partially exposed to the primary front
9 street(s) on the ground level. Exposed parking
10 structures shall not be located between the street
11 and habitable buildings they serve~~in the first lot~~
12 ~~layer on the ground level~~. The parking structure
13 may be exposed to the building's street frontage(s)
14 and second and or third lot layers on upper levels.
- 15 2. *Wrapped on ground level* . An above-ground parking
16 structure where nonparking uses are integrated into
17 the ground level of the building along the parcel's
18 primary street frontage(s). Nonparking uses are
19 encouraged to be integrated into the building along
20 secondary street frontages, further hiding the
21 parking structure from view. The parking structure
22 may be exposed to the building's street frontage(s)
23 on upper levels.
- 24 3. *Wrapped on all levels* . An above-ground parking
25 structure where nonparking uses are integrated into
26 the building along the parcel's front street
27 frontage(s) on all levels of the building.
28 Nonparking uses are encouraged to be integrated
29 into the building along all street frontages,
30 further hiding the parking structure from view.

31 (D) *Access.*

- 32 1. Access to parking facilities shall be provided from
33 alleyways, rear roads, or side streets ~~driveways~~
34 ~~wherever possible from side streets, rear streets~~
35 ~~or internal lot streets~~. Along all streets, the
36 ~~maximum number of curb cuts associated with a~~
37 ~~single building is one (1) two-lane curb cut or two~~
38 ~~(2) one-lane curb cuts~~. Parking facilities on
39 adjoining lots are encouraged to share access
40 points and driveways subject to a recorded covenant
41 running with the affected uses. ~~(See Illustration~~
42 ~~27, Alleyway Creation).~~
- 43 2. ~~The maximum width of driveways/curb cuts is twelve~~
44 ~~(12) feet for a one-lane and twenty four (24) feet~~
45 ~~for a two-lane driveway. The minimum width of rear~~
46 ~~alleyways, rear roads, or driveways is eleven (11)~~

1 ~~feet for a one-lane and twenty-two (22) feet for a~~
2 ~~two-lane alleyway, rear road, or driveway.~~

3 ~~3. Driveway entrances shall be setback a minimum of~~
4 ~~five (5) feet from adjoining properties, and a~~
5 ~~minimum of twelve (12) feet from adjacent~~
6 ~~buildings. Further, centerlines of rear alleyways,~~
7 ~~rear roads, or driveways shall be setback a minimum~~
8 ~~of sixteen (16) feet and a maximum of thirty-five~~
9 ~~(35) feet from adjoining rear properties, and a~~
10 ~~minimum of seventeen (17) feet from adjacent~~
11 ~~buildings.~~

12 24. The total width of parking access openings on the
13 ground level of structured parking may not exceed
14 thirty (30) feet.

15 (E) *Parking calculations.*

- 16 1. Buildable density on a lot shall be determined by
17 the sum of the actual parking calculated as that
18 provided (1) within the lot (2) along the parking
19 lane corresponding to the lot frontage, and (3) by
20 purchase or lease from a civic parking reserve
21 within a standard pedestrian shed of a quarter ($\frac{1}{4}$)
22 mile or one thousand three hundred twenty (1,320)
23 feet of the development site, if available.
- 24 2. Lots immediately adjacent to, or within four
25 hundred (400) lineal feet (on the same side of a
26 roadway) of a designated Broward County Transit
27 stop, Margate Circulator, or other mass transit
28 stop, shall be eligible for a parking credit. A
29 standard transit stop shall provide a credit of two
30 (2) per cent of required parking spaces, or no less
31 than three (3) spaces. If the transit stop has a
32 shelter from sun and rain, the transit stop shall
33 provide a credit of five (5) per cent of required
34 parking, or no less than seven (7) spaces. If a
35 transit station no less than four hundred (400)
36 square feet in area has been incorporated into the
37 primary facade of a principal structure the transit
38 station shall provide a credit of seven (7) per
39 cent of required parking, or no less than ten (10)
40 spaces.
- 41 3. In lieu of minimum parking requirements, the City
42 may accept a one-time payment per each space of
43 shared parking. The City Manager shall establish
44 the amount of payment annually based on the
45 approximate cost to build structured parking.

1 4. ~~Liner buildings less than thirty (30) feet deep and~~
2 ~~no more than two (2) stories shall be exempt from~~
3 ~~minimum parking requirements.~~

4 5. ~~Sites under twenty thousand (20,000) square feet in~~
5 ~~land area have no minimum parking requirements.~~

6 46. Sites over twenty thousand (20,000) square feet in
7 ~~land area~~ Minimum ~~have the following parking~~
8 ~~requirements÷ are described in Article XXXIII of~~
9 ~~this Code, unless specifically provided for below.~~

10 Residential. Residential parking requirements shall be
11 those provided in Section 33.3 of this Code, and
12 subject to a two and one-half percent (2.5%) parking
13 reduction for multiple-family dwelling units within
14 developments containing at least fifty (50) dwelling
15 units, and a five percent (5%) reduction for
16 multiple-family dwelling units within developments
17 containing at least 100 dwelling units. ~~A minimum of~~
18 ~~one and one-half (1.5) two (2) parking spaces per~~
19 ~~principal dwelling unit and a minimum of one (1)~~
20 ~~additional visitor parking space for every ten (10)~~
21 ~~five (5) dwelling units. The parking ratio may be~~
22 ~~reduced according to the shared parking matrix,~~
23 ~~below. standard (Table 2, Shared Parking Ratios).~~

24 Lodging. A minimum of one (1) parking space for every
25 two (2) lodging units and a minimum of one (1)
26 additional visitor parking space for every five (5)
27 lodging units. Parking may be provided off site
28 within a distance of one thousand three hundred
29 twenty (1,320) feet. The parking ratio may be reduced
30 according to the shared parking standard (Table 2,
31 Shared Parking Ratios).

32 Retail and personal service shops. A minimum of three
33 (3) parking spaces for every one thousand (1,000)
34 square feet of nonstorage floor area. Parking may be
35 provided off site within a distance of one thousand
36 three hundred twenty (1,320) feet. The parking ratio
37 may be reduced according to the shared parking
38 standard (Table 2, Shared Parking Ratios).

39 Office. A minimum of three (3) four (4) parking spaces
40 for every one thousand (1,000) square feet of
41 nonstorage gross floor area. Parking may be provided
42 off site within a distance of one thousand three
43 hundred twenty (1,320) feet. The parking ratio may be

1 reduced according to the shared parking standard
2 (~~Table 2, Shared Parking Ratios~~).

3 ~~Civic/assembly. A minimum of one (1) parking space for~~
4 ~~every five (5) seats of assembly uses. A minimum of~~
5 ~~one parking space for every If seats are not used~~
6 ~~within the assembly use area, then the parking~~
7 ~~requirement shall be one (1) space for every seventy-~~
8 ~~five (75)) square feet of assembly area. A minimum of~~
9 ~~one (1) parking space for every one thousand (1,000)~~
10 ~~square feet of exhibition area or remaining~~
11 ~~nonstorage floor area. Parking may be provided off~~
12 ~~site within a distance of one thousand three hundred~~
13 ~~twenty (1,320) feet. The parking ratio may be reduced~~
14 ~~according to the shared parking standard (Table 2,~~
15 ~~Shared Parking Ratios).~~

16 *Bicycle parking.*

- 17 1. For residential development, the developer must
18 provide one (1) tenant bicycle parking rack or
19 bicycle locker (i.e. storage for one bicycle)
20 per three (3) units and one (1) visitor bicycle
21 parking rack per fifty (50) units.
- 22 2. For retail development, the developer must
23 provide one (1) bicycle parking rack or bicycle
24 locker per two thousand five hundred (2,500)
25 square feet of gross floor area.
- 26 3. For office development, the developer must
27 provide one (1) bicycle parking rack or bicycle
28 locker per two thousand (2,000) ~~five hundred~~
29 ~~(2,500)~~ square feet of gross floor area.
- 30 4. All bicycle parking facilities are to be highly
31 visible to intended users. Bicycle racks
32 provided at designated transit stops shall not
33 count towards meeting the bicycle parking
34 requirements, unless said transit stop is
35 located wholly on the site to be developed or
36 redeveloped. The bicycle parking facilities,
37 including the bicycle, shall not encroach on
38 any area in the public right-of-way intended
39 for use by pedestrians, nor shall they encroach
40 on any required fire egress.

- 41
- 42
- 43 5. The City Commission may approve parking reductions
44 within the TOC-CC District pursuant to the

methodology in the most recent edition of Shared Parking, published by the Urban Land Institute.

SECTION 11: The Code of Ordinances of the City of Margate, Florida, Appendix-A Zoning, Article IX. Transit Oriented Corridor - City Center (TOC-CC) District, Section 9.15 Open space and computation, is hereby amended to read as follows¹:

Section 9.15. - Open space and computation.

(A) The Margate Comprehensive Plan requires an additional twelve (12) acres of open space to be provided in the TOC District. This goal will be accomplished by the following open space standards and computations:

1. For lots ~~with~~ of less than three (3) acres, ~~hundred (300) feet of frontage~~ the provision of urban greenways or front sidewalks and street trees shall satisfy open space requirements. ~~Portions of the sidewalk in private ownership may be counted as open space.~~
2. Lots ~~with~~ of three (3) acres or more ~~than three hundred (300) feet of frontage~~ shall provide a minimum of ~~fifteen (15) per cent of the primary frontage~~ two and one-half percent (2.5%) of gross acreage of the development as open space ~~in the first and/or second lot layer~~ in addition to the urban greenway. ~~Portions of the sidewalk in private ownership may be counted as open space.~~ Each open space area shall be subject to the following:
 - (a) At least 30% of the area shall be shaded by trees or decorative shade structures; and
 - (b) Shall provide a paved pedestrian connection to the public sidewalk that is at least six (6) feet wide, and further shall remain accessible to the general public; and
 - (c) Shall provide pedestrian amenities such as benches, waste cans, public art, fountains, etc; and
 - (d) Shall be located away from dumpster enclosures, loading zones, and other incompatible uses.

1 ~~3. Lots or new blocks greater than two hundred thousand~~
2 ~~(200,000) square feet shall provide at least one (1)~~
3 ~~acre of open space subject to the provisions of~~
4 ~~Illustration 10, Open Space Types. Portions of the~~
5 ~~sidewalk in private ownership may be counted as open~~
6 ~~space.~~

7
8 **SECTION 12:** Code of Ordinances of the City of Margate,
9 Florida, Appendix-A, Zoning, Article XXXIII. - Off-Street
10 Parking and Loading, Section 33.3. - Amount of Off-Street
11 Parking, is hereby amended to read as follows¹:

12
13 **Section 33.3. - Amount of off-street parking.**

14
15 The off-street parking required by this article shall be
16 provided and maintained on the basis of the following minimum
17 parking requirements, ~~and shall further not apply to TOC~~
18 ~~districts.~~

19
20 **SECTION 13:** Code of Ordinances of the City of Margate,
21 Florida, Appendix-A, Zoning, Article XXXIII. - Off-Street
22 Parking and Loading, Section 33.6. - Use of Required Off-
23 Street Parking By Another Building, is hereby amended to read
24 as follows¹

25
26 **Section 33.6. - Use Of Required Off-Street Parking By Another**
27 **Building.**

28
29 No part of an off-street parking area required for any
30 building or use by this article shall be included as part of
31 an off-street parking area similarly required for another
32 building or use, unless the type of use indicates that the
33 period of usage will not overlap or be concurrent with each
34 other, ~~or unless otherwise specified in articles VII, IX and~~
35 ~~X for the TOC districts.~~ Employee parking may be combined if
36 the same employees are utilized for two (2) or more buildings
37 or uses.

38
39 **SECTION 14.** All ordinances or parts of ordinances in
40 conflict herewith are and the same is hereby repealed to the
41 extent of such conflict.

42
43 **SECTION 15:** If any section, sentence, clause, or
44 phrase of this ordinance is held to be invalid or
45 unconstitutional by a court of competent jurisdiction, then
46 said holding shall in no way affect the validity of the
47 remaining portions of this ordinance.
48

SECTION 16: 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 17: This ordinance shall become effective immediately upon adoption at its second reading.

PASSED ON FIRST READING THIS _____ DAY OF _____ 2018.

PASSED ON SECOND READING THIS _____ DAY OF _____ 2018.

ATTEST:

JOSEPH J. KAVANAGH
CITY CLERK

MAYOR ARLENE R. SCHWARTZ

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

Schwartz _____
Simone _____
Ruzzano _____
Caggiano _____
Peerman _____

Schwartz _____
Simone _____
Ruzzano _____
Caggiano _____
Peerman _____