

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 9.10 ALLOCATION OF DWELLING UNITS, SECTION 9.11 THE REGULATING PLAN, SECTION 9.12 PARKING STANDARDS, AND SECTION 9.15 OPEN SPACE AND COMPUTATION; ARTICLE XXXIII - OFF-STREET PARKING AND LOADING, SECTION 33.3 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 October 15, 2008; 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

1                   **WHEREAS**, the City Commission of the City of  
2 Margate ("City Commission") desires to encourage  
3 transit-oriented development without unduly  
4 restricting site configurations of development and  
5 redevelopment within the TOC Districts.  
6

7  
8                   BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF  
9 MARGATE, FLORIDA:

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12                   **SECTION 1:** Code of Ordinances of the City of Margate,  
13 Florida, Appendix-A, Zoning, Article IX Transit Oriented  
14 Corridor-City Center (TOC-CC) District is hereby amended to  
15 delete all references to illustrations and appendices that  
16 supplement the TOC regulations, but which were not adopted as  
17 part of the regulations.  
18

19                   **SECTION 2:** Code of Ordinances of the City of Margate,  
20 Florida, Appendix-A, Zoning, Article VII Transit Oriented  
21 Corridor-Corridor (TOC-C) District, Section 7.2. - Purpose  
22 and general description, is hereby amended to read as  
23 follows<sup>1</sup>:  
24

25                   **Sec. 7.2. - Purpose and general description.**

26                   The Transit Oriented Corridor districts are specifically  
27 created to implement and encourage the redevelopment of lands  
28 designated as Transit Oriented Corridor on the future land  
29 use plan map of the City of Margate Comprehensive Plan. The  
30 TOC districts generally include right-of-way and private  
31 properties abutting or proximate to the State Road 7/U.S. 441  
32 corridor and comprising approximately one thousand one  
33 hundred eighty-four (1,184) acres ~~as shown in map 1, TOC area~~  
34 ~~map~~. This area is designated on the City of Margate Future  
35 Land Use Map (FLUM) and the Broward County Land Use Plan Map  
36 (BCLUPM) as Transit Oriented Corridor (TOC).  
37  
38  
39  
40  
41

42                   <sup>1</sup>CODING: Words in ~~struck-through~~ text are deletions from  
43 existing text, words in underscored text are additions to  
44 existing text, and **shaded** text are changes between First and  
45 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. Createing 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 follows<sup>1</sup>:

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

- 13 (r) Public or private elementary, middle, or high school,  
14 subject to the following:  
15

- 16 1. Schools shall not be located on roadways  
17 classified by Broward County Metropolitan  
18 Organization's Broward Highway Functional  
19 Classifications Map as arterial roadways. Access  
20 to schools shall not be from roadways classified  
21 by Broward County Metropolitan Organization's  
22 Broward County Highway Functional  
23 Classifications map as arterial roadways.  
24
- 25 2. School must be located in freestanding single  
26 use structure(s), located on a parcel no small  
27 than the minimum size required by the School  
28 Board of Broward County for public schools. As  
29 an exception, charter schools may be permitted  
30 as an accessory use if located within an  
31 existing library, community service facility,  
32 museum, performing arts center, theatre, cinema,  
33 religious institution, Florida College System  
34 institution, college, or university facility, in  
35 accordance with F.S. 1002.33(18) (C).  
36
- 37 3. School must provide a student drop off area for  
38 motorists that is dedicated to student drop off  
39 activities and will not interfere with onsite  
40 parking or roadways adjacent to the school. The  
41 appropriate length and dimensions of the drop  
42 off area shall be identified in a traffic study  
43 prepared by a professional engineer licensed in  
44 the State of Florida.  
45

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, including one-family detached dwellings,  
11           two-family dwellings, or multiple-family dwellings,  
12           including horizontal mixed use, subject to  
13           requirements of the PRC zoning district and  
14           limitations provided in Sections 9.9 and 9.10 of this  
15           Code.

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

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

26  
27           2.     All applicable City codes and regulations must  
28                 be complied with as of the time of application.

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

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

35  
36        (~~w~~) Vehicle rental business.

37  
38        (~~x~~) Walkway cafes greater than 400 square feet in area,  
39           subject to the criteria and limitations in section  
40           22.3(B) of this Code.

41                                 .           .           .  
42

43  
44        **SECTION 4:** Code of Ordinances of the City of Margate,

Florida, Appendix-A, Zoning, Article VIII Transit Oriented Corridor-Gateway (TOC-G) District, Section 8.4. - TOC-G Gateway permitted uses, is hereby amended to read as follows<sup>1</sup>:

**Section 8.4. - TOC-G Gateway permitted uses.**

. . .

(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 location, access and relationship to adjacent properties and public rights-of-way, and conformity with the City's current and future redevelopment efforts.

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

. . .

(1) 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 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 Development Services Department at least nine months before the start of the school year. This time requirement cannot be waived or reduced.

(m) Residential, including one-family detached dwellings, two-family dwellings, or multiple-family dwellings, including horizontal mixed use, subject to requirements of the PRC zoning district and limitations provided in Sections 9.9 and 9.10 of this Code.

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

(o) 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 5:** Code of Ordinances 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<sup>1</sup>:

. . .

- (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 location, access and relationship to adjacent properties and public rights-of-way, and conformity with the City's current and future redevelopment efforts.

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

(i) 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 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.

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       (j)   Residential, including one-family detached dwellings,  
11           two-family dwellings, and multiple-family dwellings,  
12           including vertical and horizontal mixed use, subject  
13           to limitations provided in Sections 9.9 and 9.10 of  
14           this Code.

15  
16       (k)   Theater, outdoor. Subject to requirements of section  
17           33.11 of this Code.

18  
19       (l)   Walkway cafes greater than 1,000 square feet in area,  
20           subject to the criteria and limitations in section  
21           22.3(B) of this Code.

22  
23  
24       **SECTION 6:**     Code of Ordinances of the City of Margate,  
25       Florida, Appendix-A, Zoning, Article IX. Transit Oriented  
26       Corridor-City Center(TOC-CC) District, Section 9.7. - Form-  
27       based code and specific design standards, is hereby amended  
28       to read as follows<sup>1</sup>:

29  
30       **Section 9.7. - ~~Form-based code~~ and Specific design**  
31       **standards.**

32  
33       (A)   ~~Intent{Form-based code.}~~ This article illustrates the  
34           types of streets, buildings, heights, and mixes of uses  
35           that create the desired "form" presented in the master  
36           plan and TOC districts. ~~Form-based codes are particularly~~  
37           ~~suited for this purpose and provide for the establishment~~  
38           ~~of Guidelines for building design, site design, access,~~  
39           ~~and other development components are standards that apply~~  
40           ~~to all TOC development. This form-based code is transect-~~  
41           based with a corresponding regulating plan that  
42           prescribes the appropriate land uses, and project and  
43           site design principles relating to the appropriate form  
44           for the pedestrian orientation, streetscape, and public  
45           realm in the subject area.

1 In general, development along the corridor is able to  
2 maximize developable heights and developable volume by  
3 positioning buildings at the ~~established build-to-~~  
4 ~~line~~back of the public sidewalk. Parcels with less than  
5 two hundred (200) feet of lot depth will also find  
6 increased flexibility in achieving greater developable  
7 height and building volume while maintaining or  
8 increasing separation from adjacent residential  
9 properties located to the rear.

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

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

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

31 (1) Location of back of sidewalk following street  
32 reconstruction, or

33 (2) If street reconstruction has not yet taken place,  
34 approved city plans for sidewalk reconstruction  
35 that relocate the back of sidewalk.

36 For the purposes of this article front setback is  
37 defined as the minimum permitted distance from the back-  
38 of-sidewalk ~~curb~~ line along a primary street to the  
39 primary building facade ~~as shown in Illustration 21,~~  
40 ~~Primary Frontage Setback.~~ The primary frontage setback  
41 shall maintain a minimum of eighteen (18) ~~twenty-five~~  
42 ~~(25)~~ feet, measured from the curb along ~~roadways~~  
43 ~~designated as corridor; twenty (20) feet along regional~~  
44 ~~roadways~~ roads classified as an arterial roadway by the  
45 Broward Metropolitan Planning Organization's Federal

Functional Classification Map; and ~~fifteen (15)~~ sixteen (16) feet for ~~local~~ all other roadways. The ~~primary frontage setback shall not exceed the maximum setback necessary to satisfy any required trafficways reservation, and will be the required build-to-line. See Illustration 6, Build To Line; Illustration 14, Recommended Connections; and Illustrations 18 through 20, Summary Sheets.~~

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

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

(F) *Rear setback.* Rear setback is defined as the required minimum distance from the rear property line to the nearest building ~~as shown in Illustration 24, Rear Setback.~~ The creation and maintenance of a new and interconnected rear alleyway system is a major goal of this section. Rear setbacks must be maintained to accommodate rear alleyway creation and provide separation between nonresidential uses in the TOC and residential uses outside of the TOC. The creation and maintenance of a new and interconnected rear alleyway system is a major goal of this section. The minimum rear setback shall be thirty-eight (38) feet when new development abuts a residential district or use. ~~For residential structures not exceeding two (2) floors, the minimum rear setback may be reduced to thirty-three (33) feet. See Illustrations 18 through 20, Summary Sheets.~~

- (G) *Alleyway setback.* Alleyway setback is defined as the required minimum distance from the alleyway edge of pavement to any building. The minimum alleyway setback shall be twelve (12) feet. ~~Further, centerlines of rear alleyways, rear roads, or driveways shall be setback a minimum of sixteen (16) feet and a maximum of thirty-five (35) feet from the rear property line, and a minimum of seventeen (17) feet from adjacent buildings. See Illustration 25, Alleyway Setback. The minimum paved width of a one-way alley in the TOC shall be ten (10) feet, the minimum width of a two-way alley in the TOC shall be eighteen feet. Portions of an alley which serve parking spaces shall meet minimum dimensions provided in Article XXXIII of this Code.~~
- (H) *Frontage build-out.* Frontage coverage is defined as the ~~minimum per centage~~ percentage of the length of the frontage coverage zone that ~~shall~~ is ~~be~~ occupied by the front facade(s) of the primary building(s). In the TOC-C and TOC-G districts ~~the~~ a minimum frontage buildout ~~shall be of seventy (70) per cent~~ is encouraged. In the TOC-CC districts ~~the~~ a minimum frontage buildout ~~shall be of eighty (80) per cent~~ is encouraged. In order to connect the public sidewalk with courtyards and parking lots in the interior or at the rear of a parcel, development may incorporate a passage between buildings designed in a manner consistent with the pedestrian zone, described in Section 23-8 of this Code ~~that counts towards the frontage coverage requirements. The width of a passage shall be not less than sixteen (16) feet. (See Illustration 10, Open Space Types, Landscape Passages; and Illustration 11, Passage).~~
- (I) *Build-to-corner.* Developers are encouraged to ~~The build-to-the corner requirement specifies that buildings must "hold the corner" of the parcel at the intersection of two (2) primary streets. The build-to-corner location is defined by the required front and side setback lines. Where the build-to-corner building placement is required, new development must meet this requirement by siting the building at its street corner.~~ No visual obstructions are permitted within the corner of an intersection measured thirty-five (35) feet from the intersecting rights-of-way for a height of twenty (20) feet. ~~See Illustration 26, Build-to-Corner.~~ The use of tower elements at these locations is encouraged.
- (J) *Space between buildings.* There is no minimum space between buildings on the same parcel, except for the provision of pedestrian zones.

1 (K) ~~Encroachments~~. At required setback areas, awnings,  
2 entrance porticos, porches, stoops, stairs, and entrance  
3 overhangs, are permitted to encroach within the required  
4 front setback as shown in the frontage type  
5 illustrations. (See Illustration 7, Building Frontages).  
6 Balconies, bay windows, eaves, and other permitted  
7 encroachments may extend up to a maximum of eight (8)  
8 feet into the private frontage. At zero-setback areas,  
9 building overhangs such as trellises, canopies and  
10 awnings may extend horizontally into the public frontage  
11 up to a maximum of eight (8) feet. These overhangs must  
12 provide a minimum of eight (8) feet of vertical clearance  
13 above sidewalk grade. No encroachments are permitted into  
14 the Trafficway reservation areas, Map 2 Reserved.

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

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

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

1 (O) *Streets and blocks.*

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

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

~~four (4) and six (6) feet Multi-modal paths and landscape buffers wider than the above described minimums are also encouraged. (See Illustration 16, Urban Greenways). A public access easement shall be dedicated and recorded for any portion of an urban greenway located on privately owned property.~~

3. ~~Sidewalks along all secondary roads are required to maintain a fifteen-foot sidewalk. Up to fifty (50%) of the length of the required landscape buffer within an urban greenway on a local street owned by the City of Margate or a private entity eight (8) feet of this area may be utilized for parallel on-street parking if approved by the Department of Environmental and Engineering Services, provided that one tree is planted every three parking spaces. Said tree shall meet the meet the minimum requirements described in Chapter 23 of this Code. (See Illustration 15, Sidewalks). The minimum width of the paved multi-modal path shall not be reduced to accommodate on-street parking, and shall be elevated at least six (6) above the grade of the on-street parking.~~

**SECTION 7:** Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article IX. Transit Oriented Corridor-City Center(TOC-CC) District, Section 9.9. - Mixing of uses, is hereby amended to read as follows<sup>1</sup>:

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

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

1. ~~Horizontal mixing of residential and nonresidential uses via separate buildings is permitted~~ may be authorized in all TOC districts by Special Exception, provided that residential uses are not facing nonresidential loading areas or dumpster enclosures.
2. Mixing of residential and nonresidential uses within the same building ~~of at least four (4) stories in height is encouraged and permitted~~ may be authorized within the TOC-CC District by Special Exception, subject to functionally appropriate separation of the uses, including, but not limited to: separate stories; separate access; separation and buffering of residential units from loading areas and noisy nonresidential uses via one (1) or more intervening stories of office use, extra-thick concrete floors, soundproofing on ceilings, walls and sound-containing openings, operational standards and



time limits, or other proven technique acceptable to the city. Furthermore, the following uses shall not be located within a building containing residential use:

a. Bars, taverns and nightclubs.

b. Body art studios.

c. Bottled gas.

d. Caterers and catering halls.

e. Check cashing.

f. Commercial recreation.

g. Gun shop.

h. Music instruction and dance instruction.

i. Dance halls.

j. Package store.

k. Pet grooming and pet shop.

l. Recording studio.

m. Pain management clinic.

~~3. Accessory uses and outbuildings are permitted subject to the provisions of this article. Accessory dwellings may be part of the principal building, or an accessory building, on any floor, except as specified for ground floor retail uses.~~

**SECTION 8:** Code of Ordinances of the City of Margate, Florida, Appendix-A, Zoning, Article IX. Transit Oriented Corridor-City Center (TOC-CC) District, Section 9.10. - Allocation of dwelling units, is hereby amended to read as follows<sup>1</sup>:

**Section 9.10. - Allocation of dwelling units.**

- (A) Within the TOC land use designation, the city has a bank of ~~one thousand eight hundred forty-nine (1,849)~~ seven hundred ten (710) dwelling units to allocate. Of the ~~one thousand eight hundred forty-nine (1,849)~~ seven hundred ten (710) units, ~~one thousand two hundred forty-nine (1,249)~~ units shall be utilized within the city center, not more than three hundred (300) units shall be utilized north of the city center, and not more than three hundred (300) units shall be utilized south of the city center.

1 The city planner shall maintain an inventory of available  
2 dwelling units to be used within the TOC. TOC dwelling  
3 units shall be allocated on a "first-come, first-served"  
4 basis; however, before any dwelling units may be allocated  
5 to a development or redevelopment site, the following  
6 criteria must be satisfied:

- 7  
8 1. That there are a sufficient number of available  
9 dwelling units to allocate within the specified area  
10 of the TOC.  
11
- 12 2. The proposed development shall maintain a valid site  
13 plan approval from the development review committee.  
14
- 15 3. ~~The proposed development shall demonstrate~~  
16 ~~affordability of the dwelling units by submitting~~  
17 ~~sufficient documentation that a minimum of fifteen~~  
18 ~~(15) per cent of the requested dwelling units shall~~  
19 ~~be utilized for affordable housing. A total of~~  
20 fifteen percent (15%) of the TOC residential units  
21 shall be provided as affordable housing. For the  
22 purposes of this policy, the term "affordable  
23 housing" shall include the meaning as defined by the  
24 Broward County Land Use Plan. New development and  
25 redevelopment shall at minimum provide a  
26 proportionate share of affordable housing until at  
27 least fifteen (15%) of the total number of TOC units  
28 have been reserved as affordable. Affordable housing  
29 shall be recorded on a covenant running with the land  
30 for a minimum of fifteen (15) years.  
31
- 32 4. The proposed development shall demonstrate a high  
33 level of connectivity and access to adjacent  
34 properties and transit stops.  
35
- 36 5. The proposed development shall demonstrate the  
37 residential use as a principal component of a mixed  
38 use development, or be located within one thousand  
39 (1,000) feet of supportive commercial, office, and  
40 other nonresidential uses.  
41
- 42 6. The proposed development shall be designed to enhance  
43 and support pedestrian travel and the use of public  
44 transportation.  
45

- 1           7.    The proposed development shall demonstrate that the  
2                residential use will be both compatible and able to  
3                successfully integrate into the surrounding  
4                neighborhoods and developments. Demonstration shall  
5                be implemented through the incorporation of adequate  
6                buffers and effective site design.
- 7
- 8           8.    The proposed development shall demonstrate adequate  
9                public plazas, urban open spaces, or green spaces  
10               that are accessible to the public.
- 11
- 12          9.    That the developer shall begin construction of the  
13                proposed development within one (1) year of a  
14                successful petition for an allocation of dwelling  
15                units within the TOC, and that construction of the  
16                proposed development shall be completed in no ~~less~~  
17                more than five (5) years.
- 18
- 19           a.    If construction of the proposed development has  
20                not started within one (1) year of a successful  
21                petition for an allocation of dwelling units,  
22                then any and all approvals for the allocation of  
23                dwelling units shall become null and void. A  
24                one-year waiting period, starting from the date  
25                of the nullification of approval, shall be  
26                required prior to any future petition for an  
27                allocation of dwelling units.
- 28
- 29           b.    If after five (5) years the project has started  
30                but has not been completed, the developer may  
31                petition the ~~city planner's office~~ Development  
32                Services Department for an extension of the  
33                allocation of dwelling units. An extension may  
34                be granted, provided the following criteria have  
35                been satisfied:
- 36
- 37                1.    That certain extenuating circumstances  
38                       created a genuine hardship that prevented  
39                       completion of the development within the  
40                       allotted time.
- 41
- 42                2.    That the developer can demonstrate the  
43                       means and ability to complete construction.
- 44

- 1                   3.     That a lapse in active development permits  
2                   have been no greater than six (6) months  
3                   during the previous five-year period.  
4  
5                   4.     The proposed development has a valid site  
6                   plan approval. Site plans may be  
7                   resubmitted to the development review  
8                   committee, if necessary.  
9  
10                  5.     That any extension of an allocation of TOC  
11                  dwelling units shall not exceed three (3)  
12                  years. Only one (1) extension may be  
13                  granted before an allocation expires.  
14  
15 (B) If a proposed development has not been completed within  
16     the allotted time (including extensions), then any and all  
17     approvals for the allocation of dwelling units shall  
18     become null and void. A one-year waiting period, starting  
19     from the date of the nullification of approval shall be  
20     required prior to any future petition for an allocation of  
21     dwelling units.  
22  
23 (C) If the development plans for a proposed development that  
24     has been allocated dwelling units are significantly  
25     modified, to the extent of changing the nature or  
26     intensity of the proposed development, then any and all  
27     approvals for the allocation of dwelling units shall  
28     become null and void. The applicant must then petition the  
29     City for the use of available dwelling units; however, no  
30     waiting period(s) shall be imposed for modifying  
31     development plans.  
32  
33

34                   **SECTION 9:**     Code of Ordinances of the City of Margate,  
35     Florida, Appendix-A, Zoning, Article IX. Transit Oriented  
36     Corridor-City Center (TOC-CC) District, Section 9.11. - The  
37     Regulating Plan, is hereby amended to read as follows<sup>1</sup>:  
38

39                   **Section 9.11. - The Regulating Plan.**

- 40                  (A) The development regulations in this document are applied  
41                  to properties within the Transit Oriented Corridor (TOC)  
42                  ~~Plan Area as indicated depicted on the Map 1, Regulating~~  
43                  ~~Plan Map and the Official Zoning Map, as provided~~  
44                  ~~herein.~~ The development standards and guidelines for all  
45                  TOC district zones are contained in [this Article] IX.

1 Development standards and guidelines pertain to building  
2 placement, height, frontage types, building types, use,  
3 parking, streets and blocks, and landscaping, signage  
4 and open space.

- 5  
6 (B) To ensure that redevelopment activities are consistent  
7 with the intent of the Comprehensive Plan and Conceptual  
8 Master Plan ~~(Illustrations 2 and 3)~~ are realized, a  
9 series of TOC District Zones are established as the  
10 basic organizing principle for the regulations contained  
11 in this article ~~(Map 1, Regulating Plan Map)~~.

12  
13 A District Zone is an area of cohesive physical  
14 character. District Zones are organized according to  
15 criteria that influence their future urban character.  
16 Regulations controlling building placement, building  
17 height, frontage and building types, use, parking and  
18 open space standards are organized by District Zone. The  
19 City of Margate TOC District and Regulating Plan is  
20 organized into three (3) distinct Districts:

21 Transit Oriented Corridor-Corridor (TOC-C)

22 Transit Oriented Corridor-Gateway (TOC-G)

23 Transit Oriented Corridor-City Center (TOC-CC)

- 24 (C) Parcels designated as Corridor typically front a primary  
25 road. ~~An active primary frontage edge is created through~~  
26 ~~vertical mixed use as well as residential and workplace~~  
27 ~~buildings.~~ Street-fronting uses are required encouraged  
28 and will be supported by a redesign of the streetscape  
29 to create a highly walkable zone. Buildings are  
30 permitted up to four (4) stories, to a maximum of sixty-  
31 six (66) feet in height. A wide range of uses,  
32 buildings, and frontage types ~~are configured and~~  
33 oriented to public streets is encouraged. ~~(See~~  
34 ~~Illustration 18, Summary Sheet TOC-C).~~

- 35  
36 (D) Parcels designated as Gateway are located at significant  
37 entrances to the City where distinctive building  
38 elements and height to emphasize the corner, such as a  
39 corner tower, are encouraged. ~~An active street frontage~~  
40 ~~is created through vertical mixed use as well as~~  
41 ~~residential and workplace b~~Buildings ranging in from  
42 one (1) to six (6) stories, to a maximum of ninety-four  
43 (94) feet in height, provided that not more than

seventy-five percent (75%) of any building elevation exceeding one hundred fifty (150) feet shall exceed four (4) stories and sixty-six (66) feet. Buildings exceeding four (4) stories and sixty-six (66) feet are subject to a minimum setback of seventy-five (75) feet from roadways classified as arterial or collector by the Broward Metropolitan Planning Organization's Federal Functional Classification Map ~~(See Illustration 19, Summary Sheet TOC-G).~~

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

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

~~Table 1: General Building Functions and Uses~~

	<del>R-1</del>	<del>R-2</del>	<del>R-3</del>	<del>B-1</del>	<del>B-2</del>	<del>B-3</del>	<del>Corridor</del>	<del>Gateway</del>	<del>City Center</del>	<del>M-1</del>	<del>M-1A</del>	<del>S-1</del>	<del>T-1</del>	<del>PUD</del>	<del>CF</del>
<del>RESIDENTIAL</del>															
<del>Single-Family</del>	X	X	X				X	X	X					X	
<del>Multiple Unit</del>			X				X	X	X					X	
<del>Live-Work</del>							X	X	X						
<del>Work-Live</del>							X	X	X						

LODGING															
Bed &								X	X						
Hotel				0	0	0	0	0	0						
RETAIL															
Auto-Related					0	X	X								
Entertainment Establishment				0	X	X	X	X							
Food Service Establishment				X	X	X	X	X	X					X	
Alcohol Service				X	X	X	X	X	X						
General				X	X	X	X	X	X					X	
Open Air				0	0	0	0	0	0						
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	0					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

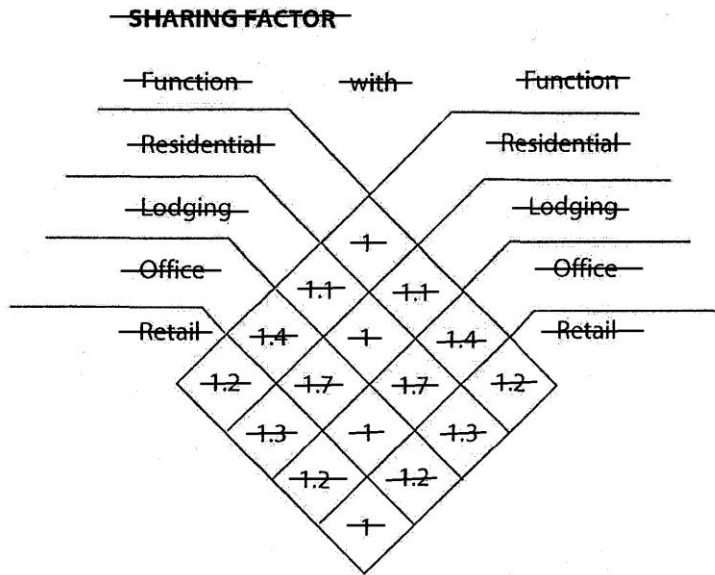
0 - exception

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	<del>3.0/1000 sq. ft.</del>	<del>4.0/1000 sq. ft.</del>	<del>3.0/1000 sq. ft.</del>
Civic	<del>1.0/5 seats of assembly</del>		
Other	<del>To be determined by application of parking calculations or Article XXXIII Off-Street Parking and Loading of the Margate Zoning Code.</del>		



**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 follows<sup>1</sup>:

**Section 9.12. - Parking standards.**

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

1. Enable people to park once at a convenient location and to access a variety of commercial enterprises in pedestrian friendly environments by encouraging shared parking.
2. Avoid adverse parking impacts on neighborhoods adjacent to redevelopment areas.



3. Maximize on-street parking.
4. Encourage parking to be located to the rear of buildings~~in the third lot layer~~.
5. Provide flexibility for redevelopment of small sites.

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

(B) *Surface parking.*

1. ~~Open. A surface parking lot that fully or partially extends to a parcel's street frontage(s) (including landscaped setback areas) and is not sited behind a building(s) located along the parcel's primary street frontage(s). Open parking lots in the first lot layer are prohibited. Open parking in the second lot layer is discouraged and limited to no more than twenty (20) per cent of the front lot width. All parking areas~~ The location of surface parking lots to the rear of buildings are is encouraged in order to showcase the buildings, provide more visual interest to passersby and provide superior visibility to businesses ~~the third lot layer. Open parking areas shall be masked from the frontage by a building or streetscreen and further subject to the provisions in chapter 23, Landscaping.~~
2. ~~Wrapped. A surface parking lot where a building(s) is located between the parcel's street frontage(s) and the parking lot. Except for driveway access, the parking lot is sited behind buildings and no portion of the parking lot is visible from the primary street.~~

(C) *Parking structure.*

1. *Exposed* . An above-ground parking structure that is fully or partially exposed to the primary front street(s) on the ground level. Exposed parking structures shall not be located between the street and habitable buildings they serve~~in the first lot~~

~~layer on the ground level. The parking structure may be exposed to the building's street frontage(s) and second and or third lot layers on upper levels.~~

2. *Wrapped on ground level* . An above-ground parking structure where nonparking uses are integrated into the ground level of the building along the parcel's primary street frontage(s). Nonparking uses are encouraged to be integrated into the building along secondary street frontages, further hiding the parking structure from view. The parking structure may be exposed to the building's street frontage(s) on upper levels.

3. *Wrapped on all levels* . An above-ground parking structure where nonparking uses are integrated into the building along the parcel's front street frontage(s) on all levels of the building. Nonparking uses are encouraged to be integrated into the building along all street frontages, further hiding the parking structure from view.

(D) Access.

1. Access to parking facilities shall be provided from alleyways, rear roads, or side streets ~~driveways~~ wherever possible ~~from side streets, rear streets or internal lot streets. Along all streets, the maximum number of curb cuts associated with a single building is one (1) two-lane curb cut or two (2) one-lane curb cuts.~~ Parking facilities on adjoining lots are encouraged to share access points and driveways subject to a recorded covenant running with the affected uses. ~~(See Illustration 27, Alleyway Creation).~~

2. ~~The maximum width of driveways/curb cuts is twelve (12) feet for a one-lane and twenty-four (24) feet for a two-lane driveway. The minimum width of rear alleyways, rear roads, or driveways is eleven (11) feet for a one-lane and twenty-two (22) feet for a two-lane alleyway, rear road, or driveway.~~

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

1        24. The total width of parking access openings on the  
2        ground level of structured parking may not exceed  
3        thirty (30) feet.

4        (E) *Parking calculations.*

- 5        1. Buildable density on a lot shall be determined by  
6        the sum of the actual parking calculated as that  
7        provided (1) within the lot (2) along the parking  
8        lane corresponding to the lot frontage, and (3) by  
9        purchase or lease from a civic parking reserve  
10       within a standard pedestrian shed of a quarter ( $\frac{1}{4}$ )  
11       mile or one thousand three hundred twenty (1,320)  
12       feet of the development site, if available.
- 13       2. Lots immediately adjacent to, or within four  
14       hundred (400) lineal feet (on the same side of a  
15       roadway) of a designated Broward County Transit  
16       stop, Margate Circulator, or other mass transit  
17       stop, shall be eligible for a parking credit. A  
18       standard transit stop shall provide a credit of two  
19       (2) per cent of required parking spaces, or no less  
20       than three (3) spaces. If the transit stop has a  
21       shelter from sun and rain, the transit stop shall  
22       provide a credit of five (5) per cent of required  
23       parking, or no less than seven (7) spaces. If a  
24       transit station no less than four hundred (400)  
25       square feet in area has been incorporated into the  
26       primary facade of a principal structure the transit  
27       station shall provide a credit of seven (7) per  
28       cent of required parking, or no less than ten (10)  
29       spaces.
- 30       3. In lieu of minimum parking requirements, the City  
31       may accept a one-time payment per each space of  
32       shared parking. The City Manager shall establish  
33       the amount of payment annually based on the  
34       approximate cost to build structured parking.
- 35       ~~4. Liner buildings less than thirty (30) feet deep and~~  
36       ~~no more than two (2) stories shall be exempt from~~  
37       ~~minimum parking requirements.~~
- 38       ~~5. Sites under twenty thousand (20,000) square feet in~~  
39       ~~land area have no minimum parking requirements.~~
- 40       ~~46. Sites over twenty thousand (20,000) square feet in~~  
41       ~~land area~~ Minimum ~~have the following parking~~  
42       ~~requirements÷ are described in Article XXXIII of~~  
43       ~~this Code, unless specifically provided for below.~~

44  
45       Residential. Residential parking requirements shall be  
46       those provided in Section 33.3 of this Code, and

1           subject to a two and one-half percent (2.5%) parking  
2           reduction for multiple-family dwelling units within  
3           developments containing at least fifty (50) dwelling  
4           units, and a five percent (5%) reduction for  
5           multiple-family dwelling units within developments  
6           containing at least 100 dwelling units. ~~A minimum of~~  
7           ~~one and one-half (1.5) two (2) parking spaces per~~  
8           ~~principal dwelling unit and a minimum of one (1)~~  
9           ~~additional visitor parking space for every ten (10)~~  
10          ~~five (5) dwelling units. The parking ratio may be~~  
11          ~~reduced according to the shared parking matrix,~~  
12          ~~below. standard (Table 2, Shared Parking Ratios).~~

13          ~~Lodging. A minimum of one (1) parking space for every~~  
14          ~~two (2) lodging units and a minimum of one (1)~~  
15          ~~additional visitor parking space for every five (5)~~  
16          ~~lodging units. Parking may be provided off site~~  
17          ~~within a distance of one thousand three hundred~~  
18          ~~twenty (1,320) feet. The parking ratio may be reduced~~  
19          ~~according to the shared parking standard (Table 2,~~  
20          ~~Shared Parking Ratios).~~

21          Retail and personal service shops. A minimum of three  
22          (3) parking spaces for every one thousand (1,000)  
23          square feet of nonstorage floor area. Parking may be  
24          provided off site within a distance of one thousand  
25          three hundred twenty (1,320) feet. ~~The parking ratio~~  
26          ~~may be reduced according to the shared parking~~  
27          ~~standard (Table 2, Shared Parking Ratios).~~

28          Office. A minimum of ~~three (3)~~ four (4) parking spaces  
29          for every one thousand (1,000) square feet of  
30          ~~nonstorage gross~~ floor area. Parking may be provided  
31          off site within a distance of one thousand three  
32          hundred twenty (1,320) feet. ~~The parking ratio may be~~  
33          ~~reduced according to the shared parking standard~~  
34          ~~(Table 2, Shared Parking Ratios).~~

35          Civic/assembly. A minimum of one (1) parking space for  
36          every five (5) seats of assembly uses. A minimum of  
37          one parking space for every If seats are not used  
38          within the assembly use area, then the parking  
39          requirement shall be one (1) space for every seventy-  
40          five (75)) square feet of assembly area. A minimum of  
41          one (1) parking space for every one thousand (1,000)  
42          square feet of exhibition area or remaining  
43          nonstorage floor area. Parking may be provided off  
44          site within a distance of one thousand three hundred

1 ~~twenty (1,320) feet. The parking ratio may be reduced~~  
2 ~~according to the shared parking standard (Table 2,~~  
3 ~~Shared Parking Ratios).~~

4 *Bicycle parking.*

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

29  
30 **SECTION 11:** The Code of Ordinances of the City of Margate,  
31 Florida, Appendix-A Zoning, Article IX. Transit Oriented Corridor -  
32 City Center (TOC-CC) District, Section 9.15 Open space and  
33 computation, is hereby amended to read as follows<sup>1</sup>:  
34

35. **Section 9.15. - Open space and computation.**

- 36  
37 (A) The Margate Comprehensive Plan requires an additional  
38 twelve (12) acres of open space to be provided in the TOC  
39 District. This goal will be accomplished by the following  
40 open space standards and computations:

- 41  
42 1. For lots ~~with~~ of less than three (3) acres, ~~hundred~~  
43 ~~(300) feet of frontage~~ the provision of urban  
44 greenways or front sidewalks and street trees shall

1 satisfy open space requirements. ~~Portions of the~~  
2 ~~sidewalk in private ownership may be counted as open~~  
3 ~~space.~~

- 4  
5 2. Lots ~~with~~ of three (3) acres or more ~~than three~~  
6 ~~hundred (300) feet of frontage~~ shall provide a  
7 minimum of ~~fifteen (15) per cent of the primary~~  
8 ~~frontage~~ three percent (3%) of gross acreage of the  
9 development as open space in the first and/or second  
10 lot layer in addition to the urban greenway. ~~Portions~~  
11 ~~of the sidewalk in private ownership may be counted~~  
12 ~~as open space.~~ Each open space area shall be subject  
13 to the following:

- 14  
15 (a) At least 30% of the area shall be shaded by  
16 trees or decorative shade structures; and  
17 (b) Shall provide a paved pedestrian connection to  
18 the public sidewalk that is at least six (6)  
19 feet wide, and further shall remain accessible  
20 to the general public; and  
21 (c) Shall provide pedestrian amenities such as  
22 benches, waste cans, public art, fountains, etc;  
23 and  
24 (d) Shall be located away from dumpster enclosures,  
25 loading zones, and other incompatible uses; and  
26 (e) Shall be one contiguous area.

- 27  
28 3. ~~Lots or new blocks greater than two hundred thousand~~  
29 ~~(200,000) square feet shall provide at least one (1)~~  
30 ~~acre of open space subject to the provisions of~~  
31 ~~Illustration 10, Open Space Types.~~ ~~Portions of the~~  
32 ~~sidewalk in private ownership may be counted as open~~  
33 ~~space.~~

34  
35 **SECTION 12:** Code of Ordinances of the City of Margate,  
36 Florida, Appendix-A, Zoning, Article XXXIII. - Off-Street  
37 Parking and Loading, Section 33.3. - Amount of Off-Street  
38 Parking, is hereby amended to read as follows<sup>1</sup>:

39  
40 **Section 33.3. - Amount of off-street parking.**

41  
42 The off-street parking required by this article shall be  
43 provided and maintained on the basis of the following minimum  
44 parking requirements, ~~and shall further not apply to TOC~~  
45 ~~districts.~~

1       **SECTION 13:** Code of Ordinances of the City of Margate,  
2 Florida, Appendix-A, Zoning, Article XXXIII. - Off-Street  
3 Parking and Loading, Section 33.6. - Use of Required Off-  
4 Street Parking By Another Building, is hereby amended to read  
5 as follows<sup>1</sup>

6  
7       ~~Section 33.6. - Use Of Required Off-Street Parking By Another~~  
8 ~~Building. Reserved.~~

9  
10       ~~No part of an off-street parking area required for any~~  
11 ~~building or use by this article shall be included as part of~~  
12 ~~an off-street parking area similarly required for another~~  
13 ~~building or use, unless the type of use indicates that the~~  
14 ~~period of usage will not overlap or be concurrent with each~~  
15 ~~other, or unless otherwise specified in articles VII, IX and~~  
16 ~~X for the TOC districts. Employee parking may be combined if~~  
17 ~~the same employees are utilized for two (2) or more buildings~~  
18 ~~or uses.~~

19  
20       **SECTION 14.** All ordinances or parts of ordinances in  
21 conflict herewith are and the same is hereby repealed to the  
22 extent of such conflict.

23  
24       **SECTION 15:** If any section, sentence, clause, or  
25 phrase of this ordinance is held to be invalid or  
26 unconstitutional by a court of competent jurisdiction, then  
27 said holding shall in no way affect the validity of the  
28 remaining portions of this ordinance.

29  
30  
31       **SECTION 16:** It is the intention of the City Commission  
32 that the provisions of this ordinance shall become and be  
33 made a part of the City of Margate Code, and that the  
34 sections of this ordinance may be renumbered or relettered  
35 and the word "ordinance" may be changed to "section",  
36 "article" or such other appropriate word or phrase in order  
37 to accomplish such intentions.

38  
39       **SECTION 17:** This ordinance shall become effective  
40 immediately upon adoption at its second reading.

41  
42  
43  
44       PASSED ON FIRST READING THIS 22<sup>ND</sup> DAY OF AUGUST, 2018.

45       PASSED ON SECOND READING THIS 5<sup>TH</sup> DAY OF SEPTEMBER, 2018.

ATTEST:

JOSEPH J. KAVANAGH  
CITY CLERK

MAYOR ARLENE R. SCHWARTZ

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

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

Peerman	<u>ABSENT</u>
Simone	<u>NO</u>
Ruzzano	<u>YES</u>
Caggiano	<u>YES</u>
Schwartz	<u>YES</u>

Peerman	<u>                    </u>
Simone	<u>                    </u>
Ruzzano	<u>                    </u>
Caggiano	<u>                    </u>
Schwartz	<u>                    </u>