

1 **ALTERNATE VERSION WITH ALL PROVISIONS REGARDING PARKING**  
2 **REMOVED**

3 CITY OF MARGATE, FLORIDA

4  
5 ORDINANCE NO. \_\_\_\_\_  
6

7 AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA,  
8 RELATED TO DRIVEWAY IMPROVEMENTS AND PARKING  
9 REGULATIONS, AMENDING CHAPTER 23 - LANDSCAPING,  
10 ARTICLE 1. - IN GENERAL, SECTION 23-6. - DRIVEWAY  
11 LIMITATIONS, LANDSCAPING ABUTTING RIGHT-OF-WAY,  
12 VISUAL CLEARANCE; PROVIDING FOR LARGER DRIVEWAY;  
13 PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY;  
14 PROVIDING FOR CODIFICATION; PROVIDING FOR AN  
15 EFFECTIVE DATE.  
16 \_\_\_\_\_

17  
18 WHEREAS, the Code of Ordinances of the City of Margate,  
19 Florida, (hereinafter the "Code") Chapter 23 - Landscaping,  
20 Driveway limitations, landscaping abutting right-of-way, visual  
21 clearance, provides dimensional and location restrictions for  
22 driveways; and

23 WHEREAS, the City Commission of the City of Margate has  
24 found that the standards need to be amended to provide for larger  
25 driveways, and in conjunction with the revisions to driveway  
26 standards, the City Commission finds it necessary to revise the  
27 associated vehicle parking regulations on affected property and  
28 adjacent rights-of-way; and

29 WHEREAS, Chapter 33 - POLICE AND LAW ENFORCEMENT;  
30 OFFENSES AND MISCELLANEOUS PROVISIONS, provides for restrictions

1 on the parking of vehicles on City right-of-way and provides for  
2 penalties; and

3 WHEREAS, the City Commission of the City of Margate has  
4 found that additional restrictions related to vehicle parking  
5 should be adopted; and

6 WHEREAS, Appendix "A," "Zoning," of the City of Margate  
7 Code of Ordinances, provides for restrictions on the type of  
8 surface on which vehicles may be parked; and

9 WHEREAS, the City Commission of the City of Margate has  
10 found that the surface on which vehicles may be parked should be  
11 a hard, dust-free surface, except when a vehicle is being parked  
12 on a temporary basis; and

13 WHEREAS, the City of Margate Planning and Zoning Board,  
14 sitting as the Local Planning Agency, has reviewed the Code  
15 revisions contained in this Ordinance at a duly noticed public  
16 hearing on August 9, 2022, and recommended approval of the Code  
17 revisions; and

18 WHEREAS, the City Commission conducted a first and second  
19 reading of this Ordinance at duly noticed public hearings, as  
20 required by law, and after having received input from and  
21 participation by interested members of the public and staff, the  
22 City Commission has determined that this Ordinance is consistent

1 with the City's Comprehensive Plan and in the best interest of  
2 the City, its residents, and its visitors.

3 NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF  
4 THE CITY OF MARGATE, FLORIDA:

5 **SECTION 1:** The Code of Ordinances of the City of  
6 Margate, Florida, Chapter 23, Article I - In General, Section  
7 23-6 - Driveway limitations, landscaping abutting right-of-way,  
8 visual clearance, is hereby amended to read as follows:

9 **Sec. 23-6. - Driveway limitations, landscaping abutting right-of-**  
10 **way, visual clearance.**

11 (A) Driveways. The following regulations shall apply to all  
12 driveways constructed or modified after the effective date of this  
13 article:

14 ~~(1) In multi-family residential developments the maximum width~~  
15 ~~of a driveway connection shall be sixty-five (65) feet for~~  
16 ~~two-way vehicular movement that has a divided entrance with~~  
17 ~~center island, thirty-six (36) feet for two-way vehicular~~  
18 ~~movement and fourteen (14) feet for one-way vehicular~~  
19 ~~movement.~~

20 In Multifamily residential development, the maximum driveway  
21 widths shall be as follows:

22 (a) 65 feet for two-way traffic for a driveway with a  
23 center island.

1            (b) 36 feet for an undivided driveway with two-way  
2            traffic.

3            (c) 14 feet for one-way traffic.

4            ~~(2) For all lots containing single-~~Driveway design standards  
5            for single family attached and detached dwellings and duplex  
6            detached dwellings.    Existing permitted driveways may be  
7            reconstructed exactly as they were permitted regardless of  
8            these regulations, and any parts may be expanded so long as  
9            the new expanded area(s) complies with this Section. All  
10           portions of any driveway are subject to these limitations:

11           ~~(a) All lots with forty-five (45) feet, or less, of street~~  
12           ~~frontage shall be permitted to install a maximum~~  
13           ~~cumulative total driveway connection(s) width up to~~  
14           ~~eighteen (18) feet.~~

15           General Standards.

16           (i) Side Setbacks: 18 inches.

17           ii) Rear Setback: five (5) feet.

18           (iii) The width of driveways on the plot may not  
19           exceed the maximum width allowed at the frontage.

20           (iv) Between driveway connections on the same lot:  
21           20 feet.

22           (v) Circular driveways shall have a landscaped area  
23           between each connection. The curve of the circular

1 driveway shall be setback at least eight (8) feet  
2 at the midpoint between connections.

3 (vi) Driveways may have flares at the point of  
4 intersection with the abutting roadway. Flares may  
5 be a maximum of five (5) feet in width, and may have  
6 a zero (0) setback measured from a straight line  
7 extended from the property line to the abutting  
8 roadway.

9 (vii) Turn-in or similar design where the driveway  
10 turns to be parallel or almost parallel to the  
11 adjacent street, eight (8) feet from the adjacent  
12 property line.

13 (viii) All driveways shall be located as far away  
14 from street intersections as possible.

15 (ix) A driveway may only connect to another driveway  
16 in front of a home.

17 (b) Frontage. For the purposes of this section, the  
18 property owner may designate which frontage is the  
19 primary frontage and which is the secondary frontage for  
20 the property on which the driveway is located, subject  
21 to the undivided local street highway classification map  
22 requirements of (c)(ii); only one (1) frontage may be  
23 considered the primary frontage.

1 (c) Driveway regulations for lots with 54 feet or less  
2 street frontage.

3 (i) Primary frontage: Maximum of two (2) driveways  
4 with a maximum total width of 27 feet.

5 (ii) Secondary frontage: If located on an undivided  
6 local street, as classified by the Broward County  
7 Metropolitan Organization's Broward Highway  
8 Functional Classifications Map, may have a maximum  
9 of one (1) driveway with a minimum depth of 20 feet  
10 entirely on the property, maximum 20 percent of the  
11 width of the frontage, not less than nine (9) feet  
12 in width.

13 (d) Driveway regulations for lots with more than 54 feet  
14 street frontage.

15 (i) Primary frontage: Maximum of three (3) driveways  
16 with a maximum total width of 50 percent of the  
17 frontage, not less than 27 feet in width.

18 (ii) Secondary frontage: If located on an undivided  
19 local street, as classified by the Broward County  
20 Metropolitan Organization's Broward Highway  
21 Functional Classifications Map, may have a maximum  
22 of two (2) driveways with a minimum depth of 20 feet  
23 entirely on the property, maximum 20 percent of the

1 width of the frontage not less than nine (9) feet  
2 in width.

3 (f) Summary of single family attached and detached  
4 dwelling driveway regulations. The driveway  
5 requirements of this section are summarized in the table  
6 below.

<u>Lot Frontage</u>	<u>Maximum Width on Primary Frontage</u>	<u>Maximum Width on Secondary Frontage</u>	<u>Side Setbacks</u>	<u>Rear Setbacks</u>	<u>Distance between Driveways</u>
<u>Less than 54 feet</u>	<u>27 feet</u>	<u>20 percent of the frontage, not less than 9 feet</u>	<u>18 inches</u>	<u>5 feet</u>	<u>20 feet</u>
<u>Greater than 54 feet</u>	<u>60 percent, not less than 27 feet</u>	<u>20 percent, not less than 9 feet</u>	<u>18 inches</u>	<u>5 feet</u>	<u>20 feet</u>

7  
8 ~~(b) All lots with more than forty-five (45) feet of street~~  
9 ~~frontage may have a single driveway connection no greater than~~  
10 ~~twenty-seven (27) feet in width, or forty (40) per cent of~~  
11 ~~total street frontage, whichever measurement is less. If an~~  
12 ~~additional driveway connection is desired for a circular~~  
13 ~~driveway design, then the lot may have up to a cumulative~~  
14 ~~total of thirty-six (36) feet of driveway width, or forty (40)~~  
15 ~~per cent of total street frontage, whichever measurement is~~  
16 ~~less. Portions of a driveway located on private property shall~~  
17 ~~also be subject to the width limitations described above.~~

1 ~~(c) All lots located within a Planned Residential Community~~  
2 ~~(PRC) or Planned Unit Development (PUD) zoning district, and~~  
3 ~~having no on-street parking available on the immediately~~  
4 ~~adjacent roadway, may have a maximum cumulative total driveway~~  
5 ~~width of twenty-seven (27) feet.~~

6 ~~(d) The minimum driveway setback shall be eighteen (18) inches~~  
7 ~~from any side property line.~~

8 ~~(e) If an additional driveway connection is requested for~~  
9 ~~circular driveways, or other similar designs utilizing two (2)~~  
10 ~~driveway connections, the driveway connections must be~~  
11 ~~separated by a minimum of twenty (20) feet.~~

12 ~~(f) The apex of any circular driveway shall be setback a~~  
13 ~~minimum of eight (8) feet from the property line.~~

14 ~~(g) Each single-family detached dwelling and duplex detached~~  
15 ~~dwelling shall be permitted a maximum of two (2) driveway~~  
16 ~~connections, subject to the criteria above.~~

17 ~~(i) As an exception, corner lots may have one (1)~~  
18 ~~additional driveway connection on the street side yard.~~  
19 ~~This connection shall not be greater than ten (10) feet~~  
20 ~~in width, and shall be used for access to the rear yard.~~  
21 ~~This additional driveway must be setback a minimum of~~  
22 ~~five (5) [feet] from the rear property line, and shall~~  
23 ~~not connect to the primary driveway in the front yard.~~

1        ~~In commercial,~~ Driveway design standards for Non-  
2 residential and mixed-use ~~mixed use, and industrial~~  
3 ~~developments~~ driveway design standards: ~~the maximum width of~~  
4 ~~a driveway connection shall be forty (40) feet for two-way~~  
5 ~~driveways and fourteen (14) feet for one-way driveways.~~

6            (a) Maximum width of 40 feet for two-way traffic.

7            (b) Maximum width of 14 feet for one-way traffic.

8            (c) Abutting properties are strongly encouraged to share  
9 driveway connections where possible.

10           (d) When a driveway for the property's only legal access  
11 cannot comply with the spacing requirements of this  
12 Section, a driveway shall be allowed as far as possible  
13 from other driveways without the need to apply for a  
14 variance, subject to the requirements of the Florida  
15 Department of Transportation or Broward County as  
16 applicable, and the limitations below. This requirement  
17 applies to both vacant and lots being redeveloped.

18           (e) When a driveway for the property cannot comply with  
19 the spacing requirements of this Section, and has legal  
20 access from a non-residential street or alley, or has a  
21 cross-access easement with an abutting property, a  
22 driveway on that frontage shall be prohibited.

1           (4) In multi-family ~~residential, commercial, industrial,~~  
2           nonresidential, and mixed use districts, the following shall  
3           apply: no more than one (1) two-way, or two (2) one-way  
4           ~~driveways shall be permitted for any street frontage of two~~  
5           ~~hundred (200) lineal feet or less. The minimum spacing of two-~~  
6           ~~way driveways shall be two hundred (200) feet from any other~~  
7           ~~driveway. The minimum spacing for one-way driveways shall be~~  
8           ~~eighty (80) feet from any other driveway. Abutting properties~~  
9           ~~are encouraged to share driveway connections where possible.~~

10           (a) Maximum of one (1) two-way or two (2) one-way  
11           driveways for any street frontage of 200 feet or less.

12           (b) Driveways shall be located as far away from a street  
13           intersections as possible.

14           (c) Minimum spacing between two-way driveways of 200 feet  
15           from any other driveway.

16           (d) Minimum spacing for one-way driveways of 80 feet from  
17           any other driveway.

18           (5) All driveways shall be located as far away from street  
19           intersections as possible.

20           (6) Back out parking, i.e. a parking lot design which forces  
21           vehicles to use a public right-of-way to maneuver into or out  
22           of a parking stall, is prohibited except for one- and two-  
23           family sites fronting on local streets. Driveways connecting



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

ATTEST:

\_\_\_\_\_  
JENNIFER JOHNSON  
CITY CLERK

\_\_\_\_\_  
MAYOR ANTONIO V. ARSERIO

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

Simone \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_

Simone \_\_\_\_\_  
Schwartz \_\_\_\_\_  
Ruzzano \_\_\_\_\_  
Caggiano \_\_\_\_\_  
Arserio \_\_\_\_\_

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