

Sec. 23-3. - Application of landscaping code.

- (A) No new building or vehicular use area shall be erected or paved, unless in conformity with the regulations specified herein.
- (B) The provisions of this landscaping code regarding the installation of new landscaping material (other than replacement landscaping material) shall apply when any existing building or vehicular use area is expanded, extended, redeveloped, or enlarged, or when there is a change in the occupancy group of a building, as described in the Florida Building Code or other building code in force and effect at the time, or for any application for a special exception use. However, single-family homes undergoing a driveway expansion or repave shall not be required to install new landscaping at the time of permitting.
- (C) The standards for landscaping maintenance shall be applicable to all landscaping within the city regardless of when same was installed.

(Ord. No. 85-36, § 1, 9-18-1985; Ord. No. 93-8, § 1, 3-17-1993; Ord. No. 1500.589, § 1, 7-3-2012)

Sec. 23-4. - Plan required.

- (A) A landscaping plan and irrigation plan shall be submitted with every DRC application for site plan approval or amendment, change of occupancy group, or special exception. Said landscaping plan shall be prepared by a Florida registered landscape architect or a recognized landscape designer in good standing with the Florida Nurseryman and Growers Association.
- (B) Landscaping plan specifications. Landscaping plans shall be required to be submitted as follows:
  - 1. The landscaping plan must be drawn to scale and show the location and dimensions of all existing and proposed structures and infrastructure, including but not limited to, vehicular use areas, driveways, surface water areas, utilities, and fire lanes, zones and hydrants.
  - 2. The landscaping plan shall indicate the location, size, grade and specifications of all landscaping materials, including common and botanical names, planting instructions, soil and fertilizer requirements, mulch specifications, berm elevations, protective curbs or other devices, existing trees, and the description of any adjacent conditions which affect the landscaping of the subject site.
  - 3. Plant species and materials shall be selected and located on the plan so that plant groupings are organized by water, light, and soil condition requirements.
  - 4. An irrigation plan for all landscaped areas within the site shall be submitted simultaneously with the landscaping plan. Said irrigation plan shall show the source of water, pumps, valves, pipe sizes, rain sensors, head types, locations and spray patterns.
- (C) The department of development services shall review the landscaping plan for compliance with the minimum requirements of this code. All landscaping shall be installed pursuant to the landscaping plan as approved by the department of development services before a final certificate of occupancy will be issued. Substitutions of comparable plant material are permitted if first approved by the department of development services.
- (D) A separate permit is not needed for any landscaping required by this article. However, applicable permits for irrigation systems, tree removal, and the planting of trees in a swale must be obtained.

(Ord. No. 85-36, § 1, 9-18-1985; Ord. No. 1500.589, § 1, 7-3-2012; [Ord. No. 2018-1, § 1, 3-7-2018](#))

Sec. 23-9. - Dumpster and other screening requirements.

- (A) All dumpsters, compactors, and sites containing five (5) or more garbage cans within the city shall be located on a reinforced concrete pad and screened by a durable opaque enclosure that is not less than six (6) feet in height. Said enclosure shall not be made of chain link or any other similar material. Each enclosure shall be equipped with durable gates. A combination of hedges and ground covers shall be planted on three (3) sides of the enclosure, in a planting bed not less than three (3) feet in width.

Previously developed sites that are legally non-conforming with this section shall be required to comply at the time of any DRC application for site plan approval or amendment, change of occupancy group, or special exception.

To achieve the objectives of this section, existing off-street parking facilities may be reduced upon administrative review and approval of a site plan amendment by the development review committee.

- (B) All mechanical, utility, or any other equipment installed outside and on the ground shall be screened from all public rights-of-way by a hedge maintained to a height not less than six (6) inches above the height of the installed equipment. The screening hedge shall be planted within ten (10) feet of the equipment that it was planted to screen. The hedge shall not be required if the equipment is screened by a building or other permanent structure.
- (C) Shopping centers and strip centers shall place litter receptacles along the front walkways of said centers at an interval of two hundred (200) linear feet or a minimum of two (2) per center, whichever is greater. Freestanding commercial buildings shall contain a minimum of one (1) trash receptacle per building.
  - (1) For the purposes of this section, litter receptacle shall be defined as any container which is made of wood, recycled plastic, metal or stone and is a minimum of thirty (30) gallons in size. Said container shall be provided and usable for the disposal of litter, garbage or trash and same shall be collected and disposed of on a regular basis.
  - (2) Litter receptacles shall be architecturally compatible with the surrounding development and shall be permanently anchored to the wall or ground to prevent theft and/or vandalism.

(Ord. No. 85-36, § 1, 9-18-1985; Ord. No. 95-20, § 1, 9-6-1995; Ord. No. 99-10, § 1, 6-2-1999; Ord. No. 2007-22, § 1, 9-19-2007; Ord. No. 1500.589, § 1, 7-3-2012)

#### Section 33.1. - Off-street parking required.

- (A) Every building, use or structure, instituted or erected after the effective date of this ordinance shall be provided with off-street parking facilities in accordance with the provisions of this article for the use of occupants, employees, visitors or patrons.
- (B) Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.
- (C) Where a building existed at the effective date of this ordinance such building may be modernized, altered or repaired, provided there is no increase in floor area or capacity and there is no change of occupancy, without providing additional off-street parking facilities.
- (D) Where a building or use, which existed at the effective date of this ordinance, is enlarged in floor area, volume, capacity, or space occupied, off-street parking facilities as specified herein shall be provided for the additional floor area, volume, capacity or space so created or occupied.
- (E) Where a building or use which existed at the effective date of this ordinance is changed in use or occupancy, additional off-street parking facilities shall be provided to the extent that the off-street parking required by this ordinance for the new use or occupancy exceeds the off-street parking which would have been required for the previous use or occupancy had the regulations of this article been applicable thereto. For the purposes of this section, a change of use or occupancy shall mean a change from one category of off-street parking requirements to another such category under Section 33.3.

- (F) It shall be unlawful for an owner or operator of any building, structure or use affected by this article to discontinue, change or dispense with, or to cause the discontinuance or reduction of the required parking facilities apart from the discontinuance, sale or transfer of such structure or use, without establishing alternative vehicle parking facilities which meet the requirements of this article. It shall be unlawful for any person, firm, or corporation to utilize such building, structure or use without providing the off-street parking facilities to meet the requirements of and be in compliance with this article.
- (G) It shall be unlawful for an owner or operator of any building, structure or use, other than of residential use, to permit or allow the parking of motor vehicles on any area that is not specifically designated and approved for parking by the City of Margate for such purpose.

(Ord. No. 1500.27, § 1, 11-12-1969; Ord. No. 1500.442, § 2, 6-15-1994; Ord. No. 1500-469, § 1, 3-22-2000)

### Section 33.2. - Location, character and size.

- (A) The off-street parking facilities required under this article shall be located on the same plot or parcel of land such facilities are intended to serve, or upon an additional plot of land, the nearest property line of which is located within four hundred (400) feet, airline measurement, of the nearest property line of the premises it is intended to serve. All off-street parking facilities required under this article shall be located on property whereon such off-street parking use is a permissible use and shall be designed, developed and maintained in accordance with all applicable provisions of Ordinance No. 1500.00, or unless specified otherwise in articles VII, VIII and IX for the TOC districts.

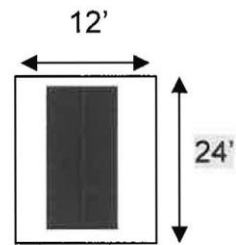
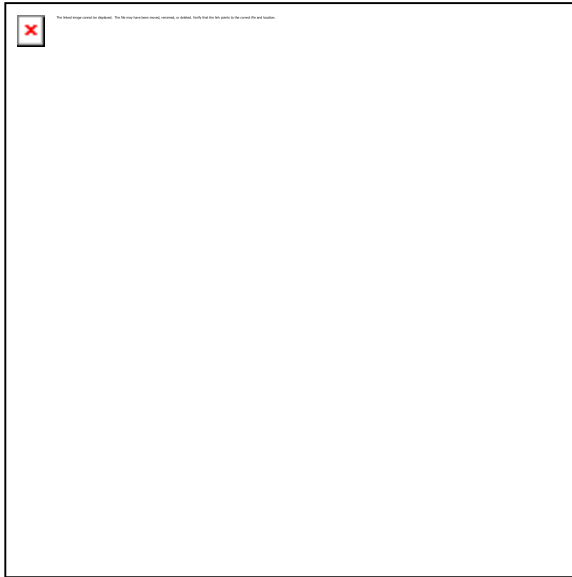
All off-street parking facilities required under this article that are to be provided upon an additional plot of land as hereinbefore provided, requires that the owner of such additional plot of land to be used for off-street parking facilities and the owner of the land intended to be served by such off-street parking facilities enter into a written agreement with the city whereby the land providing the additional parking area shall never be sold or disposed of except in conjunction with the sale of the building or the use which the additional area serves, so long as such parking facilities are required, and said agreement shall be approved by the city attorney and recorded in the public records of Broward County, Florida, at the expense of the owner, and shall be considered to be a restriction running with the land and shall bind the heirs, successors and assigns of the said owner; provided, however, that another additional plot or plots complying with the provisions of the zoning ordinance and subject to a recorded agreement as above specified may be substituted for the additional plot of land. Said written agreement may be voided by the city council if other provisions are made for off-street parking facilities pursuant to this article. In the case of a new or substitute agreement for the use of a plot of additional land to meet off-street parking requirements, the original or preceding agreement shall be voided by the execution and recording of the new agreement.

- (B) The following design standards have been adopted for all off-street parking facilities:

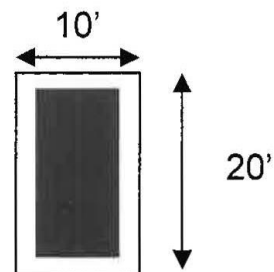
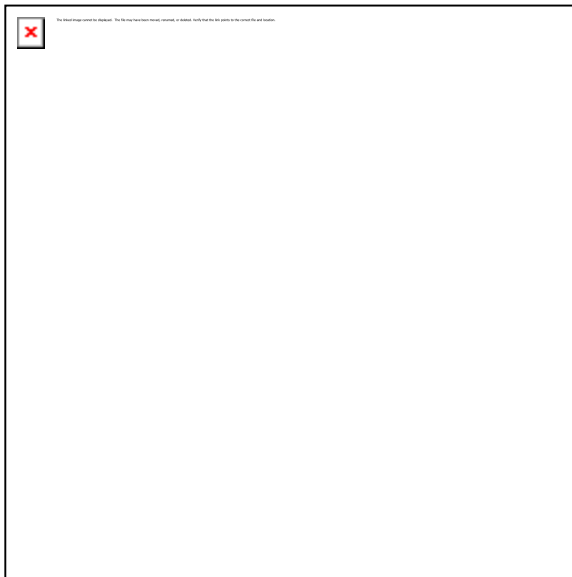
- (1) Each parking space required and provided, pursuant to the provisions of this article, shall be accessible to a street or alley via an aisle or driveway and shall not be of lesser dimensions than specified in Table P, "Off-Street Parking Standards." Driveways leading to parking areas shall not be less than three (3) feet from any building or structure, not less than two (2) feet and six (6) inches from any property line, and not less than five (5) feet from any public street right-of-way. The areas of separation for the driveway shall be landscaped and protected from vehicular encroachment.
- (2) The use of wheel stops shall be required for each parking stall directly abutting a sidewalk that is less than seven (7) feet wide and is not elevated at least six (6) inches higher than the abutting parking space(s), and when any parking space is directly abutting an outdoor seating area, walkway café, wall, or any utility infrastructure located above ground. In lieu of wheelstops, bollards meeting minimum requirements provided by the Department of Environmental and Engineering Services may be utilized in parking spaces that are abutting

outdoor seating areas, walkway cafés, or above ground utility infrastructure. Protective curbing shall be required for parking stalls directly abutting a landscaped area.

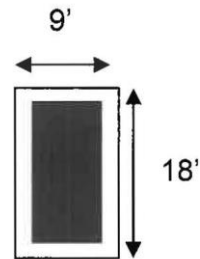
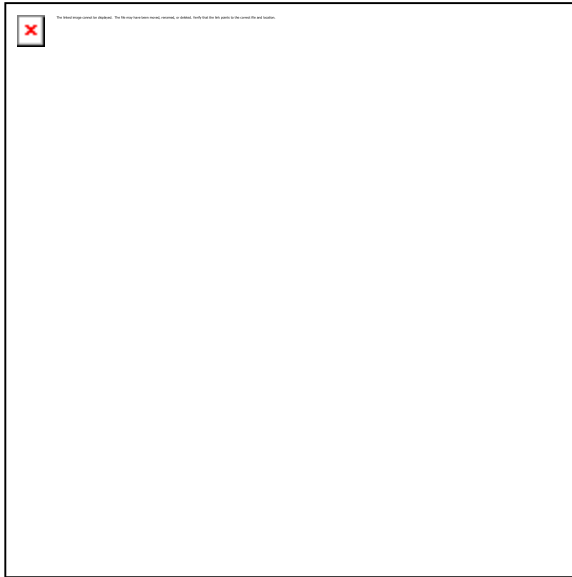
- (3) All interlocking ninety-degree parking stalls shall be separated by a curbed landscape median no less than seven (7) feet in width. Parking stalls of less than ninety (90) degrees shall be separated by a curbed median with an average width of seven (7) feet. This requirement shall only apply to new developments and redevelopments within the City. Parking lots existing before the effective date of this subsection shall, at a minimum, utilize wheelstops in all interlocking parking stalls.
- (4) No parking stall shall be less than nine (9) feet in width and eighteen (18) feet in length, except that parallel parking stalls shall be no less than nine (9) feet in width and twenty-two (22) feet in length. Any parking stall abutting a curbed landscape area no less than seven (7) feet in width may reduce stall length by two (2) feet.
- (5) No off-street parking area drive-aisle shall be less than twenty-two (22) feet in width for two-way traffic. The following standards shall apply to one-way drive aisles in parking areas:
  - (a) One-way drive-aisles for thirty-degree angled parking and parallel parking shall be no less than twelve (12) feet in width.
  - (b) One-way drive aisles for forty-five-degree angled parking shall be no less than thirteen (13) feet in width.
  - (c) One-way drive aisles for fifty-two-and-one-half-degree angled parking shall be no less than fifteen (15) feet in width.
  - (d) One-way drive aisles for sixty-degree parking shall be no less than seventeen (17) feet in width.
  - (e) One-way drive aisles for ninety-degree parking shall be no less than twenty-two (22) feet in width.
- (6) The following minimum requirements shall apply to all single-family dwellings and duplex dwellings. The following minimum requirements shall also apply to any fee-simple townhouse or villa developments which provide off-street parking in the form of driveways, carports, and/or garages when the parking facilities are not located in common area, under the same ownership as the individual unit, and contiguous to or within said unit that the facilities were built to serve:
  - (a) In order for parking facilities to count toward minimum required parking, said facilities must meet the minimum dimensions as described below.
  - (b) A garage shall have minimum interior dimensions of twenty-four (24) feet deep and twelve (12) feet wide, with a minimum vertical clearance of eight (8) feet. This space shall not be occupied by fixtures such as cabinets, water heaters, laundry appliances, etc.



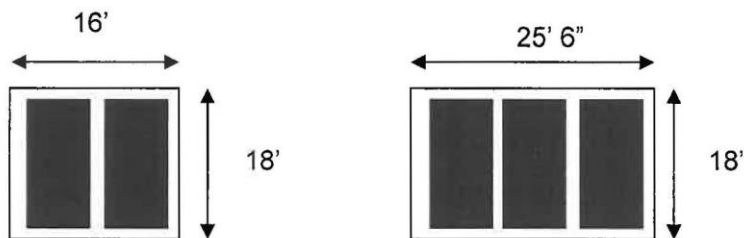
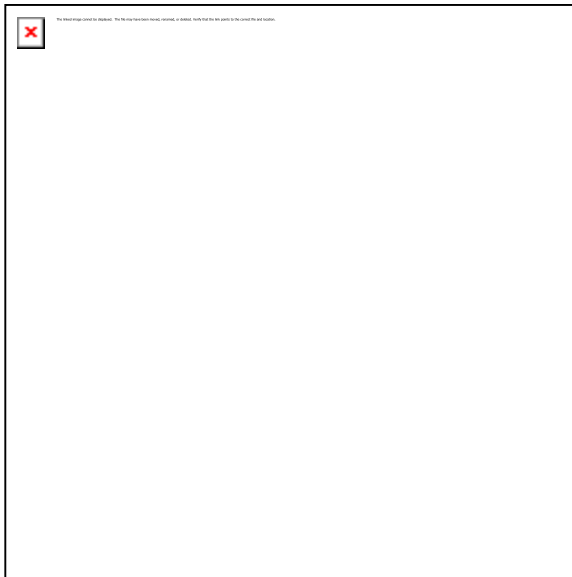
- (c) A carport shall have a minimum dimension of twenty (20) feet deep and ten (10) feet wide, per vehicle, with a minimum vertical clearance of eight (8) feet. This space shall be exclusive of vertical supports and shall not be occupied by storage, equipment, or inoperable vehicles.



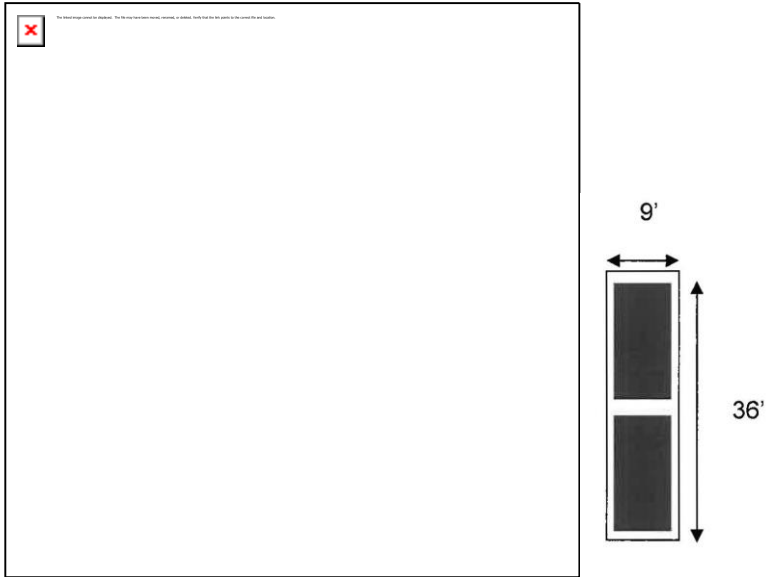
- (d) A single-width driveway shall be a minimum eighteen (18) feet deep and nine (9) feet wide for a single vehicle.



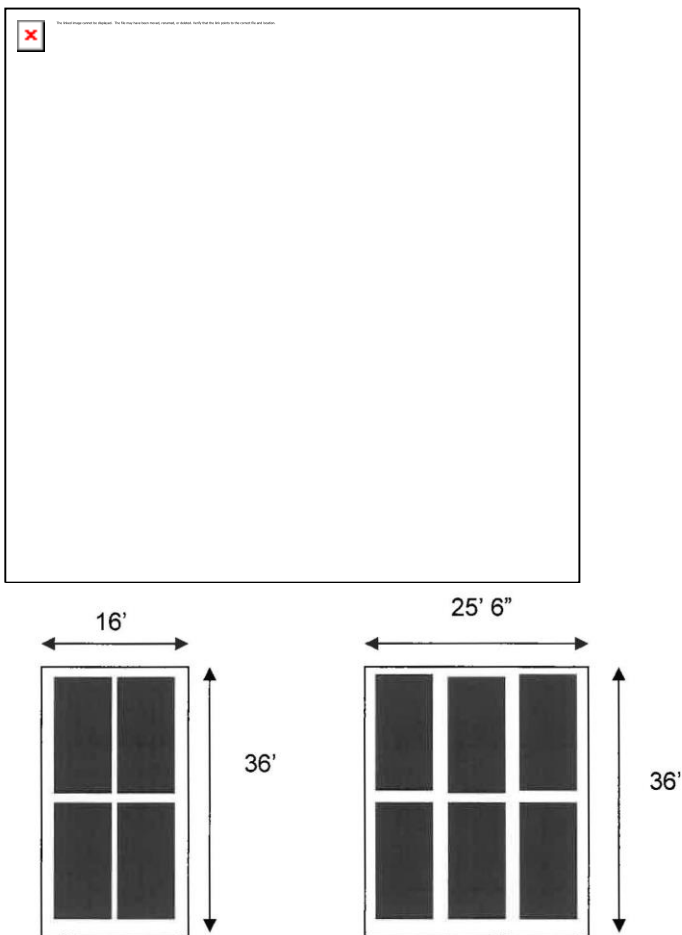
- (e) For a driveway where cars are parked side-by-side, the driveway shall be a minimum eighteen (18) feet deep and eight (8) feet wide for each vehicle when two (2) cars are parked side-by-side. If the driveway is widened to accommodate more than two (2) vehicles side-by side, the minimum width for each vehicle shall be eight (8) feet six (6) inches.



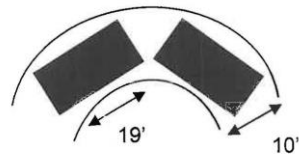
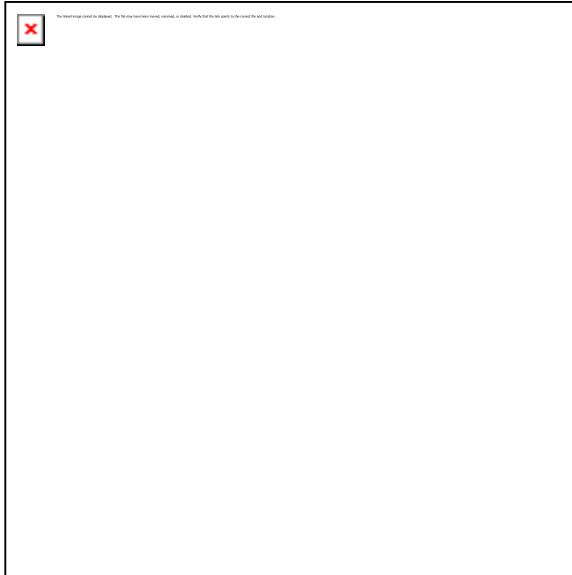
- (f) For a single-width driveway where cars are parked in tandem (front-to-back), the driveway shall be a minimum eighteen (18) feet deep and nine (9) feet wide for each vehicle.



- (g) For a driveway where cars are parked both side-by-side and in tandem, the driveway shall be a minimum eighteen (18) feet deep for each vehicle. The minimum width for two (2) side-by-side spaces shall be eight (8) feet for each vehicle. The minimum width for more than two (2) side-by-side spaces shall be eight feet six inches (8' 6") for each vehicle.

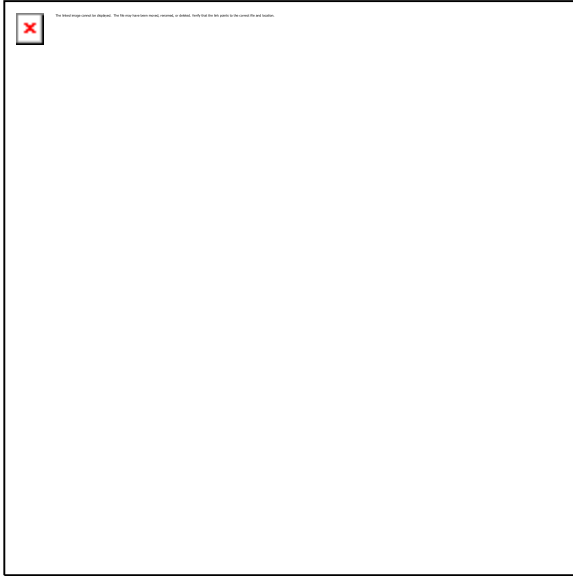


- (h) Where a driveway is curved for circular or turn-in designs, the quantity of parking spaces provided shall be calculated based on a minimum space that is nineteen (19) feet deep by ten (10) feet wide per vehicle, tangent to the arch of the curved portion.



- (i) Fractional measurements do not count toward minimum required parking.
- (j) Driveways shall not exceed the size limitations provided in Section 23-6 of this Code.





<b>TABLE P</b> <b>OFF STREET PARKING STANDARDS</b>	
<p>             AISLE: ONE WAY - 12'              TWO WAY - 22'  <b>30° PARKING</b> </p>	<p>             AISLE: ONE WAY - 17'              TWO WAY - 22'  <b>60° PARKING</b> </p>
<p>             AISLE: ONE WAY - 15'              TWO WAY - 22'  <b>52.5° PARKING</b> </p>	<p>             AISLE: ONE WAY - 13'              TWO WAY - 22'  <b>45° PARKING</b> </p>
<p>             AISLE: ONE WAY - 22'              TWO WAY - 22'  <b>90° PARKING</b> </p>	<p>             AISLE: ONE WAY - 12'              TWO WAY - 22'  <b>PARALLEL PARKING</b> </p>

- (C) The required off-street parking facilities shall be identified as to purpose and as to location when not clearly evident from a street or alley. Off-street parking facilities including access aisles and driveways, shall be surfaced with a minimum of one (1) inch of asphaltic concrete over a six-inch limerock base and maintained in a smooth, well-graded condition, provided that driveways, access aisles and parking spaces for churches and for public and private schools offering academic courses may be surfaced with grass or lawn.
- (D) All parking facilities required by this article shall be drained so as not to cause any nuisance on adjacent or public property from runoff. Drainage will be provided by the most efficient and practical

structure appropriate to the physical conditions of the site. Minimum standards shall be those established by the drainage district having jurisdiction over the area unless standards developed and adopted by this article are more stringent, in which case the more restrictive standards shall apply. A plan for on-site drainage shall be approved by the department of environmental and engineering services prior to the issuance of a building permit.

(E) The following lighting standards have been adopted for all off-street parking facilities:

- (1) *General requirements:* The following lighting requirements shall apply to all vehicular use areas in non-residential, multi-family, and mixed use developments.
- (2) *Required illumination levels for parking lots:* The lighting system shall be designed with efficiency, security, quality, and control. The required illumination levels, which are expressed in footcandles (fc), are maintained levels. Maintained levels take into account the luminaires decreased efficiency over time by a factor.

Required illuminance levels, expressed in footcandles (fc), have been established for two (2) levels of activity designated as level 1 and level 2, based on nighttime traffic and pedestrian activity. The defined levels of activity for facilities are as follows:

**Table 1.**  
**Levels of Nighttime Traffic and Pedestrian Activity**

Level of Activity	Nighttime use
Level 1	<ul style="list-style-type: none"> <li>Facilities with businesses not operating after 7:00 p.m.</li> </ul>
	<ul style="list-style-type: none"> <li>Multifamily residential</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>Facilities with businesses operating after 7:00 p.m. These facilities can fall back to level 1 criteria only after the closing hours of all businesses within the center.</li> </ul>

The required illuminance levels for the two (2) levels of activity shall be as follows:

**Table 2.**  
**Required Maintained Illuminance Levels**

Feature	Level 1	Level 2
Minimum horizontal illuminance	1.0 (fc)	2.0 (fc)
Maximum Uniformity ratio (max/min) <sup>1</sup>	10:1	10:1

<sup>1</sup> Uniformity ratios shall be measured at grade level.

- (3) *Required illumination levels for garages:* The required illuminance levels for each parking garage component shall be as specified in Table 3, below:

**Table 3.**  
**Required Maintained Illuminance Levels**

Feature	General Areas	Ramps	Entrance Areas	Stairways	Rooftop
Minimum Horizontal Illuminance	2.0 (fc)	1.0 (fc)	1.0 (fc)	2.0 (fc)	2.0 (fc)
Maximum Uniformity Ratio (Max/Min)	10:1	10:1	10:1	10:1	10:1

- (4) *Light sources:* All exterior parking lot lighting fixtures must be fully shielded to prevent nuisance lighting.
- (5) *Mounting-height restrictions:* In order to prevent nuisance lighting, pole fixtures shall be mounted between fifteen (15) feet and forty (40) feet in height. Wall-mounted fixtures shall be mounted at a minimum height of ten (10) feet, but shall not be placed on nor extend past the roofline of any structure.
- (6) *Obtrusive light:* Obtrusive spill light and up light shall be controlled with the use of efficient luminaires using cut-off optics and shields. Luminaires providing light to any parcel of land adjacent to any residentially zoned parcel of land shall emit no more than one-half (0.5) footcandle of light at the property line of the adjacently zoned parcel, measured horizontally six (6) feet above grade level.
- (7) *Tree canopies:* Location of light poles in new facilities and substantial rehabilitation of existing facilities shall be such that poles are placed a minimum of ten (10) feet from the edge of the tree canopy. Tree canopies at existing facilities shall be trimmed in accordance with the City of Margate's Property Maintenance and Landscaping codes, in order to allow lighting to reach the parking surface.
- (8) *Photometric plans:* A photometric plan shall be submitted with every DRC application for a site plan approval or amendment, change of occupancy group, or special exception use. Said plan shall clearly and accurately designate the required parking spaces, lighting, access aisles, driveways, adjacent utility poles that provide light to the subject property, and trees (existing and proposed). Such facilities shall be arranged for the convenient access and safety of pedestrians and vehicles. Photometric plans shall delineate footcandle measurements in a grid pattern using ten-foot squares throughout the vehicular use area and measured at grade. Photometric plans shall include light contributions from all sources, including, but not limited to, pole mounted light fixtures, wall-mounted light fixtures, illuminated signs, and adjacent street lights.

For existing sites and structures, an inspection and test of all existing site lighting systems may be performed by a design professional who can certify to the Margate Department of

Environmental and Engineering Services that existing site lighting facilities meet the design criteria and meet functional compliance with this Code.

- (9) *Inspection:* Prior to issuing a certificate of occupancy or certificate of completion for any application required to comply with this section, a design professional shall certify to the Margate Department of Environmental and Engineering Services that the exterior lighting facilities are in compliance with this section.
- (F) A plan shall be submitted with every application for a building permit for any use or structure required to provide off-street parking under this article, which plan shall clearly and accurately designate the required parking spaces, drainage, lighting, access aisles, driveways, and relation to the uses or structures these off-street parking facilities are intended to serve. Such facilities shall be arranged for the convenient access and safety of pedestrians and vehicles.
- (G) It shall be unlawful for an owner or operator of a building or use affected by this article to discontinue, change or dispense with, or to cause the discontinuance or reduction of the required parking facilities apart from the discontinuance, sale or transfer of such structure or use, without establishing alternative vehicle parking facilities which meet the requirements of this article. It shall be unlawful for any person, firm or corporation to utilize such building, structure or use without providing the off-street parking facilities to meet the requirements of and be in compliance with this article.
- (H) Required parking areas, landscaped areas, swales, parkways, traveled rights-of-way, and sidewalks shall not be used for either parking, repair or storage of inoperative or unregistered vehicles, boats or trailers, except in an emergency situation and for not longer than forty-eight (48) hours.

(Ord. No. 1500.21, § 1, 11-12-1969; Ord. No. 1500.154, § 1, 1-3-1979; Ord. No. 1500.172, § 1, 7-18-1979; Ord. No. 1500.205, § 1, 4-15-1981; Ord. No. 1500.213, § 1, 2-3-1982; Ord. No. 1500.279, § 6, 5-15-1985; Ord. No. 1500.421, § 1, 5-20-1992; Ord. No. 1500.442, § 2, 6-15-1994; Ord. No. 1500.486, § 1, 1-29-2003; Ord. No. 1500.513, § 1, 9-21-2005; Ord. No. 1500.521, § 1, 5-3-2006; Ord. No. 1500.530, § 1, 9-17-2007; Ord. No. 1500.540, § 1, 6-4-2008; Ord. No. 1500-546, § 10, 10-15-2008; Ord. No. 1500.559, §§ 1, 2, 7-7-2010; Ord. No. 1500.583, § 1, 3-7-2012; [Ord. No. 2016-1500.619, § 1, 5-4-2016](#); [Ord. No. 2018-1500.644, § 1, 9-5-2018](#).)