BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA AMENDING SECTION 12.5.04, TABLE HS-5, DEVELOPMENT STANDARDS IN HOBE SOUND SUBDISTRICTS, DIVISION 5, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, REGARDING MAXIMUM HEIGHT FOR INSTITUTIONAL USE GYMNASIUMS IN THE GENERAL SUBDISTRICT; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, EFFECTIVE DATE, AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County, Florida (Board) is authorized by Chapter 125, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers; and

WHEREAS, the Board of County Commissioners (BCC) has adopted the Martin County Comprehensive Growth Management Plan (CGMP) within which are included goals, objectives, and policies related to the process for review and approval of certain development applications; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals, objectives and policies through the adoption of consistent land development regulations; and

WHEREAS, revisions to the development standards will facilitate redevelopment activity; and

WHEREAS, this proposed amendment to Article 12 of the Land Development Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners finds the proposed amendment consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART I. AMENDMENT OF SECTION 12.5.04, TABLE HS-5, DEVELOPMENT STANDARDS IN HOBE SOUND SUBDISTRICTS, DIVISION 5, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE.

Table HS-5, Development Standards in Hobe Sound Subdistricts, is hereby amended as follows:

Sec. 12.5.04. Development standards.

1. All new development, substantial improvements of a building, and substantial renovations of a building exterior shall comply with the Development Standards in Table HS-5.

2. *Existing Buildings.* Whenever substantial improvement of a building or substantial renovation of a building exterior triggers the obligation to comply with this Division, the Growth Management Director may authorize incremental compliance with its requirements proportional to the nature and scope of the existing and proposed improvements if full compliance would be unreasonable. An application for alternative compliance shall not be required, but the Growth Management Director may require that the proposal be presented to the Neighborhood Advisory Committee for review and comment. See Section 4.871.B, Div. 20, Article 4.

3. *Accessory Dwelling Units.* Standards for accessory dwelling units are provided in Development Standards Section 12.1.04.7.a

4. *Building Types.* Each new building, and any substantial improvement, must meet the standards for one of the Building Types permitted in the Subdistrict where it is located, see Table HS-5. Building Type diagrams do not prescribe use or architectural style and are illustrative. Dimensions provided in tables are regulatory requirements.

5. *Façade Transparency.* Shopfront, Mixed-use, Office, Apartment and Courtyard Building façades facing streets or civic open spaces at the ground level must have transparent windows which cover between 40 percent and 70 percent of the wall area. Building façades above ground level must have transparent windows which cover between 20 percent and 50 percent of the wall area of each story as measured between finished floors. Transparent means non-solar, non-mirrored glass with a light transmission reduction of no more than 40 percent.

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Table HS-5 - Development Standards in Hobe Sound Subdistricts

	Core	General	Corridor	Railroad Corridor	Multi-family	Mobile Homes	Detached
Lot Size, see 12.1.04.1							
Lot area - minimum in sf	-	5,000	10,000	10,000	2,000	-	2,500
Lot width - minimum in feet	20	50	-	20	20	-	25
Lot width - maximum in feet	250	-	-	-	-	-	-
Height, see 12.1.04.2							
Building height, maximum in stories	3	2	2	2	2	1	2
Building height, maximum in feet	40	30 [2]	30	30	30	20	30
Ceiling height, maximum in feet	Established in 12.5.05 for certain building types						
Density, see 12.1.04.3							
Residential density, max in units/acre	10	10	10	10	8	8	5
Hotel/motel density, max in units/acre	20	20	20	20	-	-	-
Building Coverage, see 12.1.04.4							
Building coverage, maximum %	80	60	60	60	60	-	50
Open Space, see 12.1.04.5							
Open space, minimum in %	20	20	20	20	30	30	30
Building and Parking Placement							
Build-to Zone min/max in feet	Established in 12.5.05 for certain building types						
Side and Rear setbacks	Established in 12.5.05 for certain building types						
Frontage Buildout, minimum %	Established in 12.5.05 for certain building types						
Parking Setbacks minimum in feet	Established in 12.5.05 for certain building types						
Building Types, see 12.3.05							
Shopfront Building	P	P[1]	P	-	-	-	-
Mixed-use Building	P	P	P	P	-	-	-
Office Building	P	P[1]	P	P	-	-	-
Apartment Building	P	P	P	P	P	-	-
Courtyard Building	P	P	P	P	P	-	-
Townhouse	P	P	P	P	P	-	P

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Live/Work Building	P	P	P	P	-	-	-
Side Yard House	-	P	P	-	P	-	P
Cottage	P	P	P	-	P	P	P
Cottage Court	P	P	P	-	P	P	-
Duplex	-	P	-	-	P	-	-
All Yard House	-	P	-	-	P	P	P
Outbuilding	P	P	P	P	P	P	P
Boat Barn	-	P	P	P	-	-	-
Industrial Building	-	-	-	P	-	-	-

Footnotes, see above

[1] Only permitted when facing US1/Federal Highway.

[2] Gymnasiums developed as part of an institutional use may be constructed to a maximum height of 35 feet.

PART II. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART III. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART IV. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

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PART VI. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State.

PART VII. CODIFICATION.

Provisions of this ordinance shall be incorporated into the General Ordinances, Martin County Code, except that Parts II through VII shall not be codified. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS 28TH DAY OF JANUARY, 2025.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

_____

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

_____

SARAH HEARD, CHAIR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____

ELYSSE A. ELDER,
DEPUTY COUNTY ATTORNEY

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