

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NUMBER 1131

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING ARTICLE 3, ZONING DISTRICTS, TABLE 3.12.1, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners (BCC) has adopted the Martin County Comprehensive Growth Management Plan 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, on March 5, 2020, the Local Planning Agency considered the proposed amendment to Article 3 at a duly advertised public hearing; and

WHEREAS, on May 5, 2020, at a duly advertised public hearing, this Board considered the amendment for adoption; and

WHEREAS, the Board has provided for full public participation in the review of the amendment; and

WHEREAS, the Board 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. ADOPTION OF AMENDMENT TO ARTICLE 3, ZONING DISTRICTS, TABLE 3.12.1 DEVELOPMENT STANDARDS

Article 3, Division 2, Section 3.12, Table 3.12.1 is hereby amended as set forth in Exhibit A, attached hereto and incorporated by reference.

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County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.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 hereby is 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.

PART VI. CODIFICATION

Provisions of this ordinance shall be incorporated into the Martin County Land Development Regulations, except that Parts 2 through 7 shall not be codified. The word "ordinance" may be changed to "article," "section" or other word, and the sections of this ordinance maybe renumbered or re-lettered.

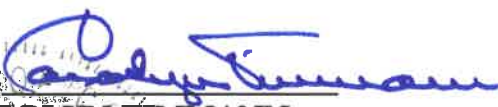
PART VII. EFFECTIVE DATE.

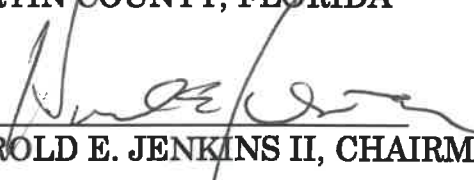
This ordinance shall take effect upon filing with the Office of Secretary of State.

DULY PASSED AND ADOPTED THIS 5th DAY OF MAY, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: 
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: 
HAROLD E. JENKINS II, CHAIRMAN

APPROVED AS TO FORM
& LEGAL SUFFICIENCY:

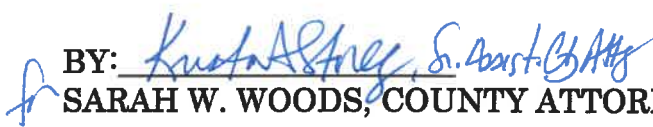
BY: 
SARAH W. WOODS, COUNTY ATTORNEY



Exhibit A

(new language underlined, deleted language struck through)

Sec. 3.12. Development standards.

The land development standards set forth in Tables 3.12.1 and 3.12.2 shall apply to all lands zoned in accordance with this Division.

**TABLE 3.12.1
DEVELOPMENT STANDARDS**

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
A	AG-20A	20 ac.	300	0.05	—	—	30	50	—
A	AR-5A	5 ac.	300	0.20	—	—	30	50	—
A	AR-10A	10 ac.	300	0.10	—	—	30	50	—
A	RE-2A	2 ac.	175	0.50	—	—	30	50	—
A	RE-1A	1 ac.	150	1.00	—	—	30	50	—
A	RE-½A	21,780	100	2.00	—	—	30	50	—
A	RS-3	15,000	60	3.00	—	—	30	50	—
A	RS-BR3	10,000	75	3.00	—	30	35	50	—
A	RS-4	10,000	60	4.00	—	—	30	50	—
A	RS-5	7,500	60	5.00	—	—	30	50	—
A	RS-6	7,500	50	6.00	—	—	40	50	—
A	RS-8	5,500	50	8.00	—	—	40	50	—
A	RS-10	4,500	40	10.00	—	—	40	50	—

A	RM-3	15,000(h)	60(h)	3.00	—	—	40	50	—
A	RM-4	10,000(h)	60(h)	4.00	—	—	40	50	—
A	RM-5	8,500(h)	60(h)	5.00	—	—	40	50	—
A	RM-6	7,500(h)	50(h)	6.00	—	—	40	50	—
A	RM-8	5,500(h)	50(h)	8.00	—	—	40	50	—
A	RM-10	4,500(h)	40(h)	10.00(g)	—	—	40	50	—
A	MH-P	10 ac.(e)	—	8.00	—	—	20/1	50	—
A	MH-S	5,500	50	8.00	—	—	20/1	50	(i)
A	CO	10,000	80	—	—	40	30	40	—
A	COR-1	10,000	80	5.00	10.00	40	30	40	—
A	COR-2	10,000	80	10.00	20.00	40	30	40	—
A	LC	10,000	80	10.00	20.00	50	30	30	—
A	CC	10,000	80	—	20.00	50	30	30	—
A	GC	10,000	80	—	20.00	60	40	20	—
A	WRC	10,000	80	10.00	20.00	50	30	30	—
A	WGC	10,000	80	—	20.00	50	40	30	—
A	LI-1	—	—	—	—	—	—	—	—
A	LI	15,000	100	—	<u>20</u>	50 <u>40</u>	30 (<u>l</u>)	20	—
A	GI	30,000	125	—	<u>20</u>	50	40	20	—
A	HI	1 ac.	125	—	—	60	40	20	—

A	PR	—	—	—	—	45	40	40	—
A	PC	—	—	—	—	45	30	40	—
A	PS-1	10,000	80	—	—	45	40	40	—
A	PS-2	10,000	80	—	—	45	40	40	—
A	PAF	—	—	—	—	—	—	50	—
B	HR-1	10,000	100	(a)	—	—	35	30	—
B	HR-1A	12,000	100	(a)	—	—	35	30	—
B	R-1	15,000	100	(a)	—	25	30/3	50	—
B	R-1A	10,000	85	(a)	—	25	30/3	30	(d)
B	R-1B	8,200	75	(a)	—	—	35	30	—
B	R1-C	15,000	100	(a)	—	25	25/2	50	—
B	R-2	7,500	60	(a)	—	35	30/3	30	—
B	R-2B	7,500	60	(a)	—	35	30/3	30	—
B	R-2C	5,000	50	(a)	—	—	35	30	—
B	R-2T	7,500	60	(a)	—	35	30/3	30	—
B	RT	5,500(f)	50	(a)	—	—	20/1	30	(b), (i)
B	TP	10 ac.	—	(k)	—	—	20/1	—	(c), (j)
B	E	43,560	—	(a)	—	—	30/3	50	—
B	E-1	30,000	150	(a)	—	25	30/3	50	—
B	WE-1	30,000	100	(a)	—	25	25/2	50	—

NOTES:

- (a) Maximum residential density shall be one single-family residential dwelling unit per lawfully established lot.
- (b) In the RT district:
 - (1) Mobile home subdivisions shall be surrounded by a landscaped buffer strip at least 25 feet in depth on all sides. Buffers shall be unoccupied, except for underground utilities, canals, ditches, landscaping and entrance ornamentation.
 - (2) A minimum of five percent of the gross land area shall be required for recreation area.
 - (3) Fences and walls located on or within five feet of lot lines shall not exceed a height of six feet, except such fences or walls shall not exceed three feet six inches when located in a required front yard.
- (c) In the TP district:
 - (1) A minimum of five percent of the gross land area shall be required for recreation area.
 - (2) Fences and walls located on or within five feet of lot lines shall not exceed a height of six feet, except such fences or walls shall not exceed three feet six inches when located in a required front yard.
- (d) In the R-1A district, waterfront lots shall have a minimum of width of 60 feet along the street frontage and 100 feet in width along the waterway.
- (e) In the MH-P district, each mobile home shall have a site area of at least 5,500 square feet.
- (f) Each mobile home subdivision shall have a site area of at least ten acres.
- (g) The maximum density for the RM-10 district is 15 units per acre for sites meeting the affordable housing criteria set forth in Section 4.4.M.1.e.(5) of the Comprehensive Growth Management Plan.
- (h) The minimum lot area and minimum lot width requirements shall not apply to zero lot line, townhouse or multifamily developments on lots created after March 29, 2002.
- (i) In the RT and MH-S districts, single-family detached dwellings (site-built dwellings) shall also comply with the provisions of Section 3.98.
- (j) In the TP zoning district, mobile homes, modular homes and single-family detached dwellings (site-built dwellings) shall be limited to a foot print approved by the owner of the property (e.g., president of a condominium association or cooperative). Verification of the location and foot print by the property owner shall be provided with the building permit application. Primary structures and attached accessory structures, regardless of construction type, shall maintain a ten foot separation from other primary structures and attached accessory structures. Also, single-family detached dwellings (site-built dwellings) shall comply with the provisions of Section 3.98.
- (k) In the TP zoning district the maximum residential density shall not exceed that density established on the parcel on April 1, 1982. New mobile home park development, requiring final site plan approval, in the TP zoning district shall not exceed eight units per acre.
- (l) The maximum building height shall be 40 feet for all Commercial and Business Uses permitted in the LI zoning district as set forth in Table 3.11.2.

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 623, pt. 1, 11-5-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 809, pt. 1, 9-9-2008; Ord. No. 866, pt. 2, 6-22-2010; Ord. No. 937, pt. 1, 8-6-2013)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

May 13, 2020

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1131, which was filed in this office on May 12, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb