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**UNIFORM REDEVELOPMENT STANDARDS, ARTICLE 12 - COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE.**

*Section 12.1.07. is hereby amended as follows:*

**Sec. 12.1.07. Parking standards.**

7. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* This program provides a mechanism for property owners ~~landowners~~ to satisfy ~~all or~~ part of their ~~on-site~~ parking requirement by paying-in-lieu for some of the required parking space(s) ~~by paying for a proportionate share of the cost of providing public or other off-site parking.~~ The program revenue shall fund enhancements to the transportation and mobility network within that Community Redevelopment Area.

- a. Applicability of SPARC. SPARC is authorized in each Redevelopment Zoning District by subdistrict. **Table 12-9.4** provides the maximum percentage of required parking spaces which can be satisfied by the SPARC program. Residential development is not eligible for the SPARC program. In mixed-use development, only non-residential uses are eligible. An additional 5% of parking may be met with SPARC if development is within 100 feet of an existing transit shelter.

**Table 12-9.4 - Permitted Quantity of SPARC parking spaces**

<u>Subdistrict</u>	<u>Jensen Beach</u>	<u>Rio</u>	<u>Old Palm City</u>	<u>Hobe Sound</u>	<u>Port Salerno</u>	<u>Golden Gate</u>
<u>Core</u>	<u>30%</u>	<u>30%</u>	<u>30%</u>	<u>30%</u>	<u>30%</u>	<u>30%</u>
<u>Corridor</u>	<u>-</u>	<u>30%</u>	<u>-</u>	<u>30%</u>	<u>30%</u>	<u>30%</u>
<u>General</u>	<u>30%</u>	<u>-</u>	<u>-</u>	<u>30%</u>	<u>30%</u>	<u>-</u>
<u>Waterfront</u>	<u>30%</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>30%</u>	<u>-</u>
<u>All others not permitted.</u>						

- b. Payment.

- i. Payments made pursuant to this section shall be made upon the issuance of a building permit, issuance of a Business Tax Receipt (BTR), or development order for any portion or phase of a development project.
- ii. Any parking requirements satisfied with the SPARC program shall run with the land exclusively. A change of use may be eligible for the SPARC program. No refund may be made when there is a change of use that requires less parking.
- iii. Payments made pursuant to this section do not guarantee specific parking for the development nor the reservation of parking spaces in the right-of-way.
- iv. Applications for SPARC that are not executed within two years after the application is approved shall expire.
- i.v. The County shall use professionally accepted methods to determine the appropriate cost for payment in lieu of parking spaces and shall adopt such fees by resolution. Contact the Community Redevelopment Agency for current valuation of payment in lieu of parking.

- ca. *Establishment of SPARC fund accounts.* Martin County shall establish SPARC fund accounts for each CRA ~~participating in the program~~, into which ~~shall be deposited~~ all payments made pursuant to this program shall be deposited. Monies deposited into said accounts shall be used by the Martin County Board of County Commissioners, or their assigns within the respective CRA, for the exclusive purpose of developing public parking within the particular CRA. Appropriate uses of SPARC funds include, but ~~is~~ are not limited to:

i. ~~the cost associated with~~ land acquisition, design and permitting, lease payments, construction, reconstruction, and signage. ~~Said cost shall include~~

ii. The creation or maintenance of on-street parking spaces, parking lots, alley improvements, sidewalks, crosswalks, lighting, shared valet services, bicycle racks, public transportation in the form of trolleys, transit shelters, electric vehicles or trams, wayfinding signage, curb management (i.e. for ride-share, delivery services, etc.), and other programs and projects which reduce the need for additional parking spaces.

iii. Maintenance and operational costs related to mobility and parking needs.

iv. The cost of all labor and materials, the cost to acquire all lands, property, rights, easements, and franchises acquired, the cost of financing, the cost of interest prior to and during construction and, for one year after completion of construction, discount on the sale of municipal bonds, the cost of plans and specifications, surveys of estimates of costs and of revenues, the costs of engineering and legal services, and such other costs and expenses necessary or incident to determining the feasibility or practicability of such construction or reconstruction, administrative expenses, and such other expenses as may be necessary or incident, to the construction or reconstruction of its financing.

b. ~~Provision of public or other common parking facilities. The master plan for each CRA that authorizes the use of the SPARC program shall include provisions for the development of the public or other common parking facilities to be developed with SPARC funds, such as, but not limited to, potential locations for common parking, the preferred form of parking (e.g., elevated parking structures or on-street parking) and the maximum number of spaces likely to be developed at each location.~~

d. ~~Tracking and management of parking spaces. The County will track and record the number of SPARC spaces acquired for each parcel within the Redevelopment Zoning Districts to monitor transferability and the effectiveness of the program. Prior to the acceptance of contributions for a given SPARC fund, the County shall develop a system for documenting the number of off-site parking spaces for which each development has contributed funds and for ensuring that the public or other common parking facilities will be sufficient to provide all committed spaces.~~

e. SPARC Timeframe. SPARC shall be enacted at the effective date of this ordinance. The SPARC program shall be evaluated by CRA and County staff every three years. The County shall use professionally accepted methods to determine the proportionate share of the cost of providing public or other off-site parking within each of the participating CRAs and shall adopt such fees by resolution.

*Section 12.1.12. is hereby amended as follows:*

### **Sec. 12.1.12. Applicability.**

3. *Nonconforming uses, structures, and lots.* All legally permitted uses, structures, and lots that are existing on the effective date of Article 12 that do not comply with Article 12 shall comply with Article 8, Nonconformities. Additionally, an existing structure in a special flood hazard area that does not comply with the base flood elevation requirements in Article 4, Div. 10. may be subject to Division 10 restrictions on substantial improvements to the structure.
4. *Alternative compliance.* An applicant for development approval may propose a site, landscape, or architectural plan which varies from the requirements of Article 12 in order to accommodate unique circumstances of the proposed development site or to propose a different but comparable design solution. Such alternative plan may include offers by the applicant to mitigate or offset the impacts of the alternative design. Such alternative plan may be approved only upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of Article 12 as well as, or more effectively than, adherence to the strict requirements of Article 12 and/or would help carry out specific goals or objectives outlined in the particular CRA plan. Prior to the decision, the Growth Management Director may request a recommendation from the Neighborhood Advisory Committee for that Redevelopment Zoning District. The

Growth Management Director shall keep a record of all such determinations. The alternative compliance process shall not be used to increase the height of buildings beyond the limits provided in Article 12. The alternative compliance process shall not be used to reduce the required on-site parking requirements where the SPARC program is enacted. Appropriate justifications for approving alternative plans include, but are not limited to:

- a. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Article 12 or the expansion of existing buildings and structures.
- b. The utilization of existing site characteristics, such as historical or archaeological features, topography, scenic views or native vegetation.
- c. Improve or provide integration of proposed development with the surrounding off-site development.
- d. The preservation of the historical or archaeological features of the area.
- e. Accepting a design solution that is comparable to, but different from a standard in Article 12.

(Ord. No. 1111, pt. II, 9-24-2019; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

*Section 12.2.07. is hereby amended as follows:*

**Sec. 12.2.07. Parking standards.**

~~3. Off-site parking. With the exception of parking required for residential uses in Subdistrict General, off-site parking may be used to satisfy all or part of required parking if located no further than 1,320 feet (¼ mile) from the development site, as measured by the shortest pedestrian route of travel.~~

~~4. Special Parking Alternatives for Redevelopment Centers (SPARC) program. The SPARC program described in Section 12.1.07 is authorized within the Jensen Beach CRA as more specifically set forth below.~~

~~a. Cost per space. For each required parking space that a developer proposes to satisfy through participation in the SPARC program, the cost to the developer shall be as set forth in the following table. For purposes of this paragraph, the "base cost" shall be the estimated cost of constructing a typical off-street parking space within the Jensen Beach CRA, including both the land and costs of construction.~~

~~b. Location. The development shall be no further than 1,320 feet (1/4 mile) from the public or other common parking, as measured by the shortest pedestrian route of travel.~~

**Table JB-7—SPARC Options**

Option	Description	Cost to Developer
1	Developer constructs on-street parking to County standards within existing County-owned right-of-way.	50% of base cost
2	Landowner dedicates land to the County and constructs on-street parking spaces to County standards.	None
3	Developer reimburses the County for on-street parking constructed by the County prior to June 1, 2007, including parking constructed within the right-of-way of Florida East Coast Railway.	100% of base cost
4	Developer constructs on-street parking to County standards within the right-of-way of Florida East Coast Railway.	100% of base cost plus proportionate cost of lease
5	Developer contributes toward or reimburses the County or other public entity for parking spaces developed or planned in a surface parking arrangement.	200% of base cost
6	Developer contributes toward or reimburses the County or other public entity for parking spaces developed or planned in a structured parking arrangement.	400% of base cost

- ~~c. *Timing.* With Options 1, 2, and 4, the parking spaces must be constructed and found to be in compliance with County standards prior to issuance of a Certificate of Occupancy for the particular development. For Options 3, 5, and 6, the developer must pay the appropriate amount into the SPARC fund as part of the post-approval process and the County must construct the required number of spaces within two years of the date the new development is approved. Options described in Table JB-7.~~
- ~~d. *Maximum percentage by Subdistrict.* The maximum amount of the required parking that may be satisfied by off-site parking shall be as follows in Table JB-8.~~

**Table JB-8 Permitted Off Site Parking**

Subdistrict	Commercial	Residential	Other
Core	100%	100%	100%
General	100%	100%	100%

- ~~53. *Screening of parking from residential uses.* There shall be an Alley between parking areas and adjacent residential uses. Where an Alley is not possible, there shall be a visual barrier between parking areas or commercial uses and residential uses. Refer to Section 12.2.09 Landscaping Standards Vehicular Use Areas.~~
- ~~64. *Parking structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.2.02, street level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.~~
- ~~75. *Distributing Parking.* Where more than 200 parking spaces are provided onsite, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.~~
- ~~86. *Boats, recreational vehicles or boat trailers shall not be parked or stored between the front of a building and a street.* This prohibition does not apply to boats and boat trailers associated with a lawfully established commercial use.~~

(Ord. No. 1111, pt. II, 9-24-2019; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

*Section 12.3.07. is hereby amended as follows:*

**Sec. 12.3.07. Parking standards.**

- ~~3. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* The SPARC program described in Section 12.1.07 is authorized within the Rio-CRA.~~
- ~~43. *Screening of Parking from Residential Uses.* There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas and residential uses. Refer to Landscaping Standards Section 12.3.09 Vehicular Use Areas.~~
- ~~54. *Parking Structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.3.02, ground level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.~~
- ~~65. *Distributing Parking.* Where more than 200 parking spaces are provided onsite, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.~~
- ~~76. *Shared Parking Lot.*~~

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- a. Shared parking lots must be located within 500 feet of each use. These lots may be separated from the use(s) by a street, easement, or other right-of-way.
  - b. In order to meet the parking requirements, parking shared by different uses must be supported by evidence that peak parking demands of each use occur at different times of the day or days of the week. Section 4.626.B.2, Div. 14, Article 4, Shared Parking provides the methodology to support shared parking. Mixed-use developments do not have to meet this standard.

**87.** *Off-Street Loading.* A minimum of one loading space must be provided for all buildings that receive or ship goods via semitrailer or trucks larger than 20 feet in length. The space shall not obstruct or otherwise hinder the movement of vehicles and pedestrians. Nonresidential development within Multifamily, Mobile Home, Detached 1 and Detached 2 Subdistricts shall conform with 4.626.B.4, Div. 14, Article 4 regarding the number of loading spaces.

**98.** *Boats, recreational vehicles or boat trailers.* Section 3.201.C.2.h. Div. 4, Article 3, shall apply, except that boats, recreational vehicles or boat trailers that exceed 25 feet in length shall not be parked or stored in the front, side or rear setback.

(Ord. No. 1121, pt. I, 12-17-2019; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

*Section 12.4.07. is hereby amended as follows:*

**Sec. 12.4.07. Parking standards.**

~~3. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* The SPARC program described in Section 12.1.07 is authorized within the Old Palm City CRA.~~

**43.** *Screening of Parking from Residential Uses.* There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas and residential uses. Refer to Landscaping Standards Section 12.4.09 Vehicular Use Areas.

**54.** *Parking structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.4.02, ground level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.

**65.** *Distributing Parking.* Where more than 200 parking spaces are provided onsite, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.

(Ord. No. 1130, § 1(Exh. A), 5-5-2020; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

**Sec. 12.5.07. Parking standards.**

~~3. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* The SPARC program described in Section 12.1.07 is authorized within the Hobe Sound CRA.~~

**43.** *Screening of Parking from Residential Uses.* There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas and residential uses. Refer to Landscaping Standards Section 12.3.09 Vehicular Use Areas.

**54.** *Parking Structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.3.02, ground level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.

**65.** *Distributing Parking.* Where more than 200 parking spaces are provided on-site, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel.

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Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.

**76.** *Shared Parking Lot.*

- a. Shared parking lots must be located within 500 feet of each use. These lots may be separated from the use(s) by a street, easement, or other right-of-way.
- b. In order to meet the parking requirements, parking shared by different uses must be supported by evidence that peak parking demands of each use occur at different times of the day or days of the week. Section 4.626.B.2, Div. 14, Article 4, Shared Parking provides the methodology to support shared parking. Mixed-use developments do not have to meet this standard.

(Ord. No. 1134, pt. I(Exh. A), 6-16-2020; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

*Section 12.6.07. is hereby amended as follows:*

**Sec. 12.6.07. Parking standards.**

~~3. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* The SPARC program described in Section 12.1.07 is authorized within the Port Salerno CRA.~~

**43.** *Screening of Parking from Residential Uses.* There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas and residential uses. Refer to Landscaping Standards Section 12.6.09 Vehicular Use Areas.

**54.** *Parking Structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.6.02, ground level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.

**65.** *Distributing Parking.* Where more than 200 parking spaces are provided on-site, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.

**76.** *Shared Parking Lot.*

- a. Shared parking lots must be located within 500 feet of each use. These lots may be separated from the use(s) by a street, easement, or other right-of-way.
- b. In order to meet the parking requirements, parking shared by different uses must be supported by evidence that peak parking demands of each use occur at different times of the day or days of the week. Section 4.626.B.2, Div. 14, Article 4, Shared Parking provides the methodology to support shared parking. Mixed-use developments do not have to meet this standard.

(Ord. No. 1142, pt. I(Exh. A), 9-15-2020; Ord. No. 1159, pt. 1(Exh. A), 5-11-2021)

*Section 12.7.07. is hereby amended as follows:*

**Sec. 12.7.07. Parking standards.**

~~3. *Off-site parking.* With the exception of parking required for residential uses in Subdistrict General, off-site parking may be used to satisfy all or part of required parking if located no further than 1,320 feet (¼ mile) from the development site, as measured by the shortest pedestrian route of travel.~~

~~4. *Special Parking Alternatives for Redevelopment Centers (SPARC) program.* The SPARC program described in Section 12.1.07 is authorized within the Golden Gate CRA.~~

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**53.** *Screening of Parking from Residential Uses.* There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas and residential uses. Refer to Landscaping Standards Section 12.7.09 Vehicular Use Areas.

**64.** *Parking Structures.* Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the Street Regulating Plan, Section 12.7.02, ground level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.

**75.** *Distributing Parking.* Where more than 200 parking spaces are provided on-site, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.

**86.** *Shared Parking Lot.*

- a. Shared parking lots must be located within 500 feet of each use. These lots may be separated from the use(s) by a street, easement, or other right-of-way.
- b. In order to meet the parking requirements, parking shared by different uses must be supported by evidence that peak parking demands of each use occur at different times of the day or days of the week. Section 4.626.B.2, Div. 14, Article 4, Shared Parking provides the methodology to support shared parking. Mixed-use developments do not have to meet this standard.

(Ord. No. 1147, pt. I(Exh. A), 10-27-2020; Ord. No. 1159, pt. 1, 5-11-2021)