



MARTIN COUNTY, FLORIDA Development Review Division

Amendments to Article 3, Zoning Districts.

Project	Amend Article 3, Land Development Regulations, Martin County Code (LDR)
Staff	Peter Walden, AICP, Principal Planner
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A. Why amend Article 3, Zoning Districts

The development standard tables in Section 3.12 Land Development Regulations (LDR) apply to 38 Category "A" zoning districts and the 15 Category "B" zoning districts in the Martin County Zoning Atlas. It does not apply to the 24 Category "C" zoning districts that have their own development standard criteria.

Martin County zoning codes have undergone several iterations since the adoption of the Comprehensive Plan in 1982. Some of the original zoning codes have remained in place while others have been updated and changed. Over the years as infill development and redevelopment has become more prevalent, discrepancies in the code become more apparent and sometimes problematic when trying to apply in an equitable manner.

Staff has identified inconsistencies in the zoning districts and has recommended changes to help make the zoning code more consistent. The proposed changes are specific to individual zoning districts and will not affect any Category "C" districts.

B. Background

A framework of zoning regulations and a zoning atlas were adopted by the Martin County Board of County Commissioners (BCC) by ordinance in 1967. This became known as the Chapter 33 zoning code.

In 1982 Martin County adopted the original iteration of the comprehensive plan. The adoption of the comprehensive plan assigned Future Land Use (FLU) policies and a Primary Urban Service District (PUSD) to unincorporated Martin County. The land use policies of the comprehensive plan were not always consistent with the existing Chapter 33 zoning code. In 1986 the Chapter 35 zoning code was adopted to create new Category "A" districts that were designed to implement the FLU categories of the comprehensive plan. The existing Chapter 33 districts were defined as Category "B" districts. The County intended to rezone all unincorporated areas to the appropriate "A" districts, but this did not take place.

In 1987 a Covenant Policy was adopted to allow developers to develop under the Category "A" district without formally rezoning. This allowed a developer to develop under the Category "A" standards

therefore, being consistent with the modern zoning code and the comprehensive plan. The original zoning district would stay in place until either the County or the landowner decided to officially rezone.

In 1990 the Comprehensive Growth Management Plan (CGMP) was adopted. The FLU boundaries and designations were mostly carried forward to the new plan. The urban service areas were substantially revised and a Secondary Urban Service District (SUSD) was implemented. Stricter policies regarding environmental preservation and management were implemented as well.

In 1995 Article III was adopted. A new set of zoning districts, "Article III" was created to implement the CGMP. Article III removed the "conditional uses" inherent to the Chapter 35 code. As with the adoption of the Chapter 35 code, the County did not perform a county-wide rezoning as planned and the covenant policy continued for new development.

In 2002 Article 3, the County's current zoning code was adopted. As before it was intended to provide a single zoning code for the entire county. Instead of rezoning the county as a whole, the code was incorporated with the old Article III and Chapter 35 codes. Single-family districts from the Chapter 33 code were incorporated as Category "B" districts. This means that much of the code for Category "B" districts predates the CGMP and dates back to 1967. All other districts from the Chapter 33 code were incorporated as Category "C" districts. These districts still have much of the same criteria as originally drafted but are required to rezone if the underlying FLU is not consistent with the zoning district should someone want to develop the property with anything other than a single family home.

This amendment recognizes some of the discrepancies from the older codes and recommends changes to specific areas to help facilitate equitable administration of zoning policies. The changes are intended to reduce the need for redundant variances, make similar zoning districts consistent in how regulations are administered and bring the zoning codes into compliance with the CGMP. In addition to creating consistency, some changes are made to help redevelopment be more resilient to flooding and climate change.

C. Amendment to the text of Article 3, Zoning Districts

The revised text in the land development regulations is as follows: strikethrough text is deleted, and underlined text is added.

Generally speaking, the proposed modification to Article 3, Section 3.16 are listed as they appear and will have the following impacts:

Section 3.12 Table 3.12.1 Development Standards

- RM-8: (d) is added to explain the additional density allowed in the CGMP regarding affordable housing.
- MH-P, MH-S, RT, TP: The building height is changed to 25 feet and 2 stories to allow for resilient housing. Redevelopment in these districts often requires the elevation of the home with parking underneath.

- COR-1, COR-2 or WRC: The note "h" that applies to all other districts that allow multi-family dwellings will be applied. This exception allows relief for dimensional requirements for single family lots in townhome developments.
- R-1, R-1A, R-1C, E-1, WE-1: The maximum building coverage in these districts is change to 35%. Category "A" residential districts do not have a building coverage requirement, and all other Category "B" districts have a maximum building coverage of at least 35% or do not have a maximum. Residential development does not ordinarily refer to building coverage as commercial development does but relies on open space which takes into account all impervious development on a lot.
- R-1A: The requirement for waterfront lots to be 100 feet wide on the waterway has been removed. All other requirements remain.
- WE-1: The maximum height in the WE-1 district is changed to 30 feet as 25 feet is no longer adequate for a 2-story estate home. This requirement remains well below the 40-foot maximum building height for the County.
- The proposed text amendment will have no effect on Category "C" zoning districts.

Section 3.12 Table 3.12.2 Structure setbacks

- HR-1, R-1B, WE-1: The code currently requires lots on waterways in these districts to flip the front setback to the rear and use the centerline setback for the front setback. This can be confusing, and many such parcels are exempt from centerline setbacks to further conflict with the requirements. The change will bring the rear setbacks into agreement with current shoreline protection zone code and the CGMP. The changes will also establish setbacks that are consistent with the traditional development that has occurred in the zoning districts.

Staff recommends approval of the proposed changes to Article 3, Division 2, Section 3.12.

E. Attachments

Draft Ordinance