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

ORDINANCE NUMBER ____

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING ARTICLE 3, ZONING DISTRICTS, TO REPEAL SECTION 3.260, COMMUNITY REDEVELOPMENT OVERLAY DISTRICTS, IN GENERAL, AND SECTION 3.266, INDIANTOWN REDEVELOPMENT OVERLAY DISTRICT, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners (BCC) has adopted the Martin County Comprehensive Growth Management Plan within which are included goals, objectives, and policies related to zoning and land development; and

WHEREAS, on September 10, 2019, the Board of County Commissioners adopted a new chapter of the Comprehensive Growth Management Plan, Chapter 18, Community Redevelopment; and

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

WHEREAS, between September 2019 and November 2020, Article 12, Redevelopment Code, Division 1, General; Division 2, Jensen Beach Community Redevelopment Code; Division 3, Rio Community Redevelopment Code; Division 4, Old Palm City Community Redevelopment Code; Division 5, Hobe Sound Community Redevelopment Code; Division 6, Port Salerno Community Redevelopment Code; and Division 7, Golden Gate Community Redevelopment Code, Land Development Regulations, Martin County Code, were adopted by the Board of County Commissioners; and

WHEREAS, on July 15, 2021, the Local Planning Agency held a public hearing on the proposed repeal of Sections 3.260 and 3.267, Land Development Regulations, Martin County Code; and

WHEREAS, on August 10, 2021, the Board of County Commissioners held a public hearing on the proposed repeal of Sections 3.260 and 3.267, Land Development Regulations, Martin County Code; and

WHEREAS, the Local Planning Agency and the Board of County Commissioners have provided for full public participation in the review of the proposed amendments of the Land Development Regulations; and

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

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

PART I: REPEAL OF SECTION 3.260 AND SECTION 3.267, DIVISION 6, ARTICLE 3, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Sections 3.260 and 3.267, Article 3, Land Development Regulations, Martin County Code, are hereby repealed as shown in Exhibit A.

PART II. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, or parts hereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning the adoption or amendment of the Martin County 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 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. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be 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 10th DAY OF AUGUST, 2021.

ATTEST:

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

**BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

**BY: _____
STACEY HETHERINGTON, CHAIR**

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY**

**BY: _____
SARAH W. WOODS
COUNTY ATTORNEY**

EXHIBIT A

DIVISION 6. Redevelopment Overlay Districts reserved

~~Sec. 3.260. Community Redevelopment Overlay Districts; in general.~~

~~3.260.A. — *Purpose and intent.* Community Redevelopment Overlay Districts are established to provide an alternative zoning procedure that may be used to implement comprehensive growth management plan policies by providing opportunities for traditional neighborhood design and mixed residential and commercial uses in redeveloping areas. The Community Redevelopment Overlay Districts are designed to preserve and revitalize older residential neighborhoods and commercial areas by allowing modifications to base zoning districts and other applicable regulations and by establishing special design standards for development, in accordance with a community plan for redevelopment, preservation, and conservation. Appropriate locations for the establishment of Community Redevelopment Overlay Districts shall be limited to existing developed areas, such as commercial downtowns, which could benefit from revitalization in the form of specific long-range planning, innovative development options and community improvement programs. The standards of this division 6 are also intended to implement the specific community redevelopment plans, as amended from time to time, for each redevelopment area.~~

~~3.260.B. — *Adoption and modification of Community Redevelopment Overlay Districts.* The adoption or modification of Community Redevelopment Overlay Districts shall be by ordinance. The procedure for the adoption or modification of Community Redevelopment Overlay Districts shall be the same as the procedure for amendments to the official zoning map as set forth in article 10 of the Land Development Regulations.~~

~~3.260.C. — *Function of Community Redevelopment Overlay Districts; consistency with other regulations.* Development in the Community Redevelopment Overlay Districts shall comply with all requirements of the Martin County Land Development Regulations and General Ordinances, except where such requirements are in conflict with the requirements of this Division. In the case of a conflict with the requirements of this division, such conflicting requirements are superseded by the requirements of this division to the extent of such conflict and the requirements of this division shall apply.~~

~~3.260.D. — *Alternative compliance.* An applicant for development approval may submit a site, landscape, or architectural plan which varies from the requirements of this division 6 in order to accommodate unique circumstances of the proposed development site. 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 after having been reviewed by the appropriate Neighborhood Advisory Committee and upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of this division 6 as well as or more effectively than adherence to the strict requirements of this division 6 and would help~~

carry out specific goals or objectives outlined in the particular CRA plan. Appropriate justifications for approving alternative plans include but are not limited to:

1. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Redevelopment Overlay Districts.
2. The utilization of existing site characteristics, such as historical or archaeological features, topography, scenic views or native vegetation.
3. Improve or provide integration of proposed development with the surrounding off-site development.
4. The preservation of the historical or archaeological features of the area.

3.260.E. *Permitted uses.*

1. Permitted uses are listed within separately identified sections of the Community Redevelopment Overlay Districts. The lists of uses included in each section are intended to classify uses on the basis of common functional characteristics and land use compatibility.
2. The Growth Management Director may approve uses other than those listed in the permitted use tables upon a finding that the use is functionally similar to the permitted uses and that the use is not likely to generate harmful impacts or create incompatibilities with other uses in the area. Prior to the decision, the Growth Management Director may request a recommendation from the particular Neighborhood Advisory Committee. The Growth Management Director shall keep a record of all such determinations.

3.260.F. *Nonconformities.* All legally permitted uses, structures and lots existing on the effective date of this division 6 shall be considered conforming. Expansion of any legally permitted use or structure shall meet the following criteria:

1. The expansion of a structure nonconforming due to setbacks, must meet or exceed the overlay district requirements for setbacks.
2. The expansion of a structure nonconforming due to lot area, must meet or exceed the overlay district requirements for lot area.
3. Structures nonconforming due to lot coverage, must meet or exceed the overlay district requirements for lot coverage.

3.260.G. *Special Parking Alternative for Redevelopment Centers (SPARC) program.*

1. *Purpose and intent.* Although the compact and integrated form of development which is encouraged in the designated Community Redevelopment Areas is often better accomplished with off-site parking, such as on-street parking and public parking lots, than with on-site parking, such common areas are challenging to develop due to the initially high cost of development. This program is intended to provide a mechanism for allowing landowners to satisfy all or part of their on-site parking requirement by paying for a proportionate share of the cost of providing public or other off-site parking. This program requires both a fair assessment of the cost of providing public and other off-site parking and a

~~carefully considered strategy to ensure that the parking demand generated by new development or redevelopment will eventually be satisfied by the provision of other, off-site parking.~~

- ~~2. *Applicability.* The provisions of this subsection 3.260.G shall apply only as specifically indicated in the parking requirements section of each of the County's designated Community Redevelopment Areas.~~
- ~~3. *Establishment of SPARC fund accounts.* Martin County shall establish SPARC fund accounts, one for each Community Redevelopment Area participating in the program, into which shall be deposited all payments made pursuant to this section. Monies deposited into said accounts shall be used by the Martin County Board of County Commissioners, or their assigns, for the exclusive purpose of developing public parking within each particular Community Redevelopment Area. Appropriate uses of SPARC funds includes, but is not limited to, land acquisition, lease payments, construction, reconstruction, and signage. Said cost shall include 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.~~
- ~~4. *Provision of public or other common parking facilities.* The master plan for each Community Redevelopment Area 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.~~
- ~~5. *Tracking and management of parking spaces.*~~
 - ~~a. 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.~~
 - ~~b. 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 Community Redevelopment Areas and shall adopt such fees by resolution.~~

Sec. 3.261. - Reserved.

~~Sec. 3.262. - Reserved.~~

~~Sec. 3.263. - Reserved.~~

~~Sec. 3.264. - Reserved.~~

~~Sec. 3.265. - Reserved.~~

~~Sec. 3.266. Indiantown Redevelopment Overlay District.~~

~~3.266.A. — Property development standards and permitted uses. The property development standards and permitted uses for the Town Center District; Martin Luther King Jr. Boulevard District; Martin Luther King Jr. Boulevard South District; Warfield Boulevard North District; Warfield South Boulevard District; Canal District and Neighborhood Center District; are provided as shown in figures 1 through 7 and Tables 1 through 7. These areas, except for the Neighborhood Center District, are shown separately on Maps 1 through 6 and further described in the Indiantown Overlay District Legal Description attached as Exhibit A. Because of the mixed use nature of the Town Center District, Martin Luther King Jr. Boulevard District, Martin Luther King Jr. Boulevard South District, Warfield North Boulevard District, Warfield South Boulevard District, and the Canal District, the zoning overlay has been developed with consistency to the adopted Mixed Use Text Amendment ordinance.~~

~~TABLE 1
THE TOWN CENTER DISTRICT —~~

~~PERMITTED USES AND SPECIFIC CONDITIONS~~

~~*Residential Uses*~~

~~Apartment hotels
Multifamily dwellings
Townhouse dwellings~~

~~*Public and Institutional Uses*~~

~~Community centers
Educational institutions
Neighborhood assisted residences with six or fewer residents
Places of worship
Public libraries
Public parks and recreation areas, active
Public parks and recreation areas, passive
Utilities (1)
Administrative services, not-for-profit
Cultural or civic centers
Hospitals~~

Post-offices
Residential care facilities

Commercial and Business Uses

Commercial day care
Family day care
Business and professional offices
Commercial amusements, indoor
Commercial amusements, outdoor
Financial institutions
Funeral homes
General retail sales and service
Hotels and motels
Limited retail sales and service
Medical services
Parking lots and garages
Restaurants, convenience, with drive through facilities
Restaurants, convenience, without drive through facilities
Restaurants, general
Trades and skilled services
Veterinary medical services (2)
Bed and breakfast inns

Specific Conditions:

- (1) Utilities. All utilities shall be underground and provided by the developer.
- (2) No outdoor boarding of animals.

NOTE: All non mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.

TABLE 2
THE MARTIN LUTHER KING JR. BOULEVARD DISTRICT—
PERMITTED USES AND SPECIFIC CONDITIONS

Residential Uses

Modular homes
Multifamily dwellings
Single-family detached dwellings
Townhouse dwellings
Duplex dwellings
Zero lot line single-family dwellings
Apartment hotels

Public and Institutional Uses

Neighborhood assisted residences with six or fewer residents
Residential care facilities

Community centers
Educational institutions
Places of worship
Protective and emergency services
Public libraries
Public parks and recreation areas, active
Public parks and recreation areas, passive
Utilities (2)
Administrative services, not-for-profit
Cultural or civic centers
Recycling drop-off centers (1)

Commercial and Business Uses

Bed and breakfast inns
Family day care
Commercial day care
Business and professional offices
Commercial amusements, indoor
Financial institutions
Funeral homes
General retail sales and service
Limited retail sales and service
Medical services
Parking lots and garages
Restaurants, convenience, with drive through facilities
Restaurants, convenience, without drive through facilities
Restaurants, general
Trades and skilled services
Veterinary medical services (3)

Specific Conditions:

- (1) Recycling drop-off centers. All recycling drop-off centers shall be enclosed with concrete walls or fencing on three sides between six and eight feet in height. No storage shall take place outside of the recycling recepticals and all recepticals shall have lid coverings.
- (2) Utilities. All utilities shall be underground and provided by the developer.
- (3) No outdoor boarding of animals.

NOTE: All non mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.

TABLE 3
MARTIN LUTHER KING JR. BOULEVARD SOUTH DISTRICT
PERMITTED USES AND SPECIFIC CONDITIONS

Residential Uses

Modular homes
Single-family detached dwellings
Multifamily dwellings
Townhouses dwellings
Duplex dwellings
Zero lot line single-family dwellings

Public and Institutional Uses

Community centers
Educational institutions
Neighborhood assisted residences with six or fewer residents
Neighborhood boat launches
Places of worship
Protective and emergency services
Public libraries
Public parks and recreation areas, active
Public parks and recreation areas, passive
Recycling drop-off centers (1)
Utilities (2)
Residential care facilities

Commercial and Business Uses

Bed and breakfast inns
Commercial day care
Family day care
Golf courses

Specific Conditions:

(1) Recycling drop-off centers. All recycling drop-off centers shall be enclosed with concrete walls or fencing on three sides between six and eight feet in height. No storage shall take place outside of the recycling recepticals and all recepticals shall have lid coverings.

(2) Utilities. All utilities shall be underground and provided by the developer.

NOTE: All non mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.

TABLE 4
THE WARFIELD BOULEVARD NORTH DISTRICT
PERMITTED USES

Residential Uses

Apartment hotels

Public and Institutional Uses

~~Community centers~~
~~Educational institutions~~
~~Places of worship~~
~~Protective and emergency services~~
~~Public libraries~~
~~Public parks and recreation areas, active~~
~~Public parks and recreation areas, passive~~
~~Utilities (2)~~
~~Administrative services, not-for-profit~~
~~Cultural or civic centers~~
~~Hospitals~~
~~Post offices~~
~~Recycling drop-off centers (1)~~
~~Residential care facilities~~

Commercial and Business Uses

~~Commercial day care~~
~~Business and professional offices~~
~~Commercial amusements, indoor~~
~~Commercial amusements, outdoor~~
~~Financial institutions~~
~~Funeral homes~~
~~General retail sales and service~~
~~Golf driving ranges~~
~~Hotels and motels~~
~~Kennels, commercial (3)~~
~~Limited retail sales and service~~
~~Medical services~~
~~Parking lots and garages~~
~~Restaurants, convenience, with drive through facilities~~
~~Restaurants, convenience, without drive through facilities~~
~~Restaurants, general~~
~~Trades and skilled services~~
~~Vehicular sales and service (4)~~
~~Vehicular services and maintenance (4)~~
~~Veterinary medical services~~
~~Wholesale trades and services~~

Specific Conditions:

- ~~(1) Recycling drop-off centers. All recycling drop-off centers shall be enclosed with concrete walls or fencing on three sides between six and eight feet in height. No storage shall take place outside of the recycling recepticals and all recepticals shall have lid coverings.~~
- ~~(2) Utilities. All utilities shall be underground and provided by the developer.~~

~~(3) No outdoor boarding of animals.~~

~~(4) No only used vehicular sales, this doesn't prohibit the sale of a single vehicle on a private residential lot.~~

~~NOTE: All non mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.~~

~~TABLE 5
THE WARFIELD BOULEVARD SOUTH DISTRICT
PERMITTED USES~~

~~*Residential Uses*~~

~~Townhouse dwellings
Apartment hotels~~

~~*Public and Institutional Uses*~~

~~Community centers
Educational institutions
Places of worship
Protective and emergency services
Public libraries
Public parks and recreation areas, active
Public parks and recreation areas, passive
Recycling drop off centers (1)
Residential care facilities
Utilities (2)
Administrative services, non-for-profit
Cultural or civic uses
Hospitals
Post offices~~

~~*Agricultural Uses*~~

~~Plant nurseries and landscape service~~

~~*Commercial and Business Uses*~~

~~Bed and breakfast inns
Commercial day care
Family day care
Business and professional offices
Commercial amusements, indoor
Commercial amusements, outdoor
Financial institutions
Funeral homes
General retail sales and service
Hotels and motels
Kennels, commercial (3)~~

~~Limited retail sales and service~~
~~Marinas, commercial~~
~~Medical services~~
~~Parking lots and garages~~
~~Residential storage facilities~~
~~Restaurants, convenience, with drive through facilities~~
~~Restaurants, convenience, without drive through facilities~~
~~Restaurants, general~~
~~Trades and skilled services~~
~~Vehicular sales and service (4)~~
~~Vehicular services and maintenance (4)~~
~~Veterinary medical services (3)~~
~~Wholesale trades and services (Limit Size Box)~~
~~Ancillary retail use~~
~~Construction industry trades~~
~~Construction sales and services~~
~~Industrial uses~~
~~Limited impact industries~~

~~Specific Conditions:~~

- ~~(1) Recycling drop-off centers. All recycling drop-off centers shall be enclosed with concrete walls or fencing on three sides between six and eight feet in height. No storage shall take place outside of the recycling recepticals and all recepticals shall have lid coverings.~~
- ~~(2) Utilities. All utilities shall be underground and provided by the developer.~~
- ~~(3) No outdoor boarding of animals.~~
- ~~(4) No only used vehicular sales, this doesn't prohibit the sale of a single vehicle on a private residential lot.~~

~~NOTE: All non mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.~~

TABLE 6
 THE CANAL DISTRICT
 PERMITTED USES

~~Residential Uses~~

~~Accessory dwelling units~~
~~Apartment hotels~~
~~Modular homes~~
~~Multifamily dwelling~~
~~Single-family detached dwellings~~
~~Townhouse dwellings~~
~~Duplex dwellings~~
~~Zero lot line single-family dwellings~~

Agricultural Uses

Aquaculture
Plant nurseries and landscape services

Public and Institutional Uses

Community centers
Educational institutions
Neighborhood assisted residences with six or fewer residents
Places of worship
Protective and emergency services
Public parks and recreation areas, active
Public parks and recreation areas, passive
Utilities (2)
Administrative services, not-for-profit
Cultural or civic centers
Recycling drop-off centers (1)
Post office
Public library
Hospital

Commercial and Business Uses

Bed and breakfast inns
Commercial day care
Business and professional offices
Commercial amusements, indoor
Commercial amusements, outdoor
Hotel and motels
Limited retail sales and services
Marinas, commercial
Marine education and research
Restaurants, convenience, without drive-through facilities
Restaurants, general
Trades and skilled services
Wholesale trades and services
Construction industry trades
Financial institutions
Funeral homes
Medical services
Parking lots and garages
Residential storage facilities
Veterinary medical services (3)
Construction sales and services
General retail sales and services
Flea market
Kennels, commercial

~~Restaurants, convenience, with drive through facilities
Vehicular sales and services
Vehicular service and maintenance~~

~~*Specific Conditions:*~~

- ~~(1) Recycling drop-off centers. All recycling drop-off centers shall be enclosed with concrete walls or fencing on three sides between six and eight feet in height. No storage shall take place outside of the recycling recepticals and all recepticals shall have lid coverings.~~
- ~~(2) Utilities. All utilities shall be underground and provided by the developer.~~
- ~~(3) No outdoor boarding of animals.~~

~~NOTE: All non-mixed use projects shall be subject to the Martin County Comprehensive Growth Management Plan regulations.~~

~~The following regulations apply to all projects within the overlay zoning district, unless other wise specified within these regulations.~~

~~3.266.B. *Roadway and street design.* All major and minor streets, boulevards and alleys within the Indiantown Redevelopment Area shall comply with the traditional neighborhood street design standards of section 4.847, Land Development Regulations, Martin County Code (hereafter referenced as LDRMCC).~~

~~3.266.C. *Parking.* Parking shall conform with LDRMCC Article 4, Division 14, sections 4.621 through 4.633, Parking and Loading, unless otherwise specified in this subsection 3.266.C.~~

~~1. *On-site parking requirements.*~~

- ~~a. The required parking may be provided off-site, provided the site is approved by the Indiantown Neighborhood Advisory Committee.~~
- ~~b. Developers/property owners may, after review and approval from the Indiantown Neighborhood Advisory Committee, pay a fee in lieu of providing the required spaces. The fee shall be based on the average cost of constructing a parking space in Martin County, as determined by the Building Department. Said fee shall be a one-time payment, to be placed in the redevelopment trust fund and shall be utilized for parking improvements within the Indiantown Community Redevelopment Area.~~
- ~~c. On-street parking along the corresponding frontage shall count 100 percent towards the parking requirements.~~
- ~~d. Specific parking space requirements:
 - ~~• Residential: 1.5 per residential unit.~~
 - ~~• Office: 2.5 per 1,000 square feet.~~
 - ~~• Commercial: 3 per 1,000 square feet.~~
 - ~~• Medical office: 4 per 1,000 square feet.~~
 - ~~• Restaurant: 5 per 1,000 square feet.~~~~

- ~~• Industrial district: In accordance with MCCLDR based on specific industrial use proposed.~~
 - ~~• Mixed use projects (excluding restaurants and medical offices): Minimum of one space per 500 square feet of net leasable nonresidential floor area and one space for each residential unit in any mixed use building where the residential use constitutes 50 percent or less of the use. Shared parking is allowed (see subsection 3.266.C.4.).~~
 - ~~e. On-site parking will be restricted according to the development standards in figures 1 through 3. In the case of side yard parking, the parking area shall be a minimum of five feet behind the front setback line and a street wall or opaque screen, shall be provided at the right-of-way line or building setback line, whichever is further removed from the roadway. Such street wall or opaque screen shall not exceed four feet in height.⁴~~
 - ~~f. There shall be a minimum ten-foot buffer between parking areas and adjacent residential uses which lie outside the specific overlay district. This buffer may be inclusive of any alley.~~
 - ~~g. Each use required to have on-site parking may provide a range of parking stall sizes to accommodate compact and larger vehicles; however, 50 percent of the spaces shall meet the standards specified in section 4.631.A. and B., LDRMCC. The remaining spaces shall meet the following minimum dimensions:~~
 - ~~• Compact spaces: 15 percent of total parking maximum 8.5' x 18', 16 feet with two-foot overhang, maximum.~~
 - ~~• Angled spaces: 9' x 18', 16 feet with two-foot overhang.~~
 - ~~• Parallel spaces: 8' x 22'.~~
 - ~~• Drive aisle: 20 feet two-way, 10 feet one-way.~~
 - ~~h. Bicycle racks to be provided in accordance with section 4.873.B., LDRMCC. (Rack provision may be shared by different businesses within each block).~~
- ~~2. Access.~~
- ~~a. Adjoining public or private parking lots must share ingress/egress points where feasible or legally permitted; and~~
 - ~~b. Public or private parking lots may be accessed from alleys provided the alleyways are constructed to County standards.~~
- ~~3. Location and design, generally.~~
- ~~a. Parking lots shall be designed in accordance with the adopted landscaping requirements for the Indiantown Community Redevelopment Area.~~
 - ~~b. Recreational vehicles; including, but not limited to, motor homes, campers, travel trailers, off-road vehicles and trailers, personal watercraft, and other~~
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vessels, must be screened from view from any roadway, when stored on the property, except when stored in rear alley.

~~4. Joint use of off-street parking lots.~~

- ~~a. Joint use of off-street parking lots is encouraged; and~~
- ~~b. 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; and~~
- ~~c. Parking shared by different uses must provide evidence that peak parking demands of each use occur at different times of the day. Mixed use developments, on a single parcel, which include a residential component do not have to meet this standard.~~

~~5. Off-street loading. A minimum of one loading space must be provided for all buildings that receive or ship goods via semi-trailer. The space shall not obstruct or otherwise hinder the movement of vehicle and pedestrians and shall be located so as not to be seen from the street.~~

~~6. Approved parking surfaces.~~

- ~~a. Commercial, industrial, or Mixed-Use Development shall provide the required number of parking spaces on paved surfaces; however, any overflow parking may be provided on a grass surface, or other permeable surfaces upon approval of the Martin County Engineering Department.~~
- ~~b. Civic uses may provide parking on grass surfaces.~~
- ~~c. Parking surfaces prohibited by this Subsection shall be brought up to the standards of this Subsection upon approval of any new or revised site plan.~~
- ~~d. Residential-only development shall provide parking on a paved surface.~~

~~3.266.D. Stormwater. A Master Stormwater Management Plan (Plan) will be developed for the Indiantown Community Redevelopment Area (CRA). The Plan will be based upon the most likely build-out scenario for the CRA. A cost estimate and joint stormwater management strategy will be developed based upon the Plan. In the interim, stormwater management shall be as required by Article 4, Division 9, Land Development Regulations, Martin County Code, with the exception that parcels within the overlay areas may develop a stormwater management plan in conjunction with the adjacent properties.~~

~~3.266.E. Landscaping. All landscaping and buffering requirements as set forth in this subsection E will be met to the maximum extent practicable, with the following three exceptions: remodeling not involving a substantial change in land use, the limited removal of understory vegetation for purposes of routine field survey work, or the removal of exotic, dead or diseased vegetation.~~

- ~~1. Required submittals. Prior to the issuance of a building permit, a landscape plan shall be submitted to and approved only by a recommendation of the Martin County Growth Management Department. The required landscape plan shall be~~

~~prepared by a qualified professional and indicate the location and type of all existing and proposed:~~

- ~~a. Property boundaries, rights-of-way and easements;~~
- ~~b. On-site and abutting land uses;~~
- ~~c. Buildings and structures;~~
- ~~d. Utilities, including septic drain fields;~~
- ~~e. Off-street parking and other vehicular use areas;~~
- ~~f. Surface water bodies and well fields;~~
- ~~g. Trees, landscaping and other vegetation to be preserved or removed;~~
- ~~h. Irrigation sources; and~~
- ~~i. Such other information as may be required, such as the location and acreage of all areas designated for development and preservation.~~

~~2. General requirements. The following minimum landscaping and tree planting requirements shall apply:~~

- ~~a. Open space, if required, may include any landscaped pedestrian environment such as planted courtyards or walkways. Ten percent of the open space requirement may be met by landscaping and permanently maintaining adjacent public space, and permanently establishing the area as a pedestrian environment. Such space is to be designated on the site plan.~~
- ~~b. All developments, except those with an industrial landuse designation, shall provide at least one tree per 1,500 square feet of total site area. This calculation shall exclude any required upland preserve area.~~
- ~~c. Landscaping in easements. Landscaping shall be permitted in easements only with the written permission of the easement holder. Written permission shall specify the party responsible for replacing disturbed landscape areas and shall be submitted to the County in a form acceptable to the County Attorney. Written permission to plant within easements shall be filed with the land records applicable to the site.~~
- ~~d. Exposed dirt yards are prohibited.~~

~~3. Vehicular use area and requirements. The following landscaping requirements shall apply within vehicular use areas and along roads:~~

- ~~a. Landscaping. The landscaping on Warfield Boulevard, Dr. Martin Luther King Jr. Boulevard, and Citrus Boulevard shall include native and nonnative trees with a minimum height of 16 feet, with a four-foot clear trunk, and four-inch caliper at the time of planting, planted at a maximum of 30-foot intervals. In the Warfield Boulevard Corridor, every block shall be complemented with a bench and a garbage container. The landscape islands shall have pervious open area sized appropriately to the maximum growth of the tree.~~

b. ~~*Perimeter landscaping.*~~ Landscaping shall be provided along the perimeter of vehicular use areas in accordance with the following standards (except vehicular use areas fronting on Warfield Boulevard, Dr. Martin Luther King Jr. Boulevard, and Citrus Boulevard, where size and interval are as indicated above):

- ~~(1) Native trees shall constitute 75 percent of the trees used; and~~
- ~~(2) Trees shall be a minimum of 12 feet in height, four-foot clear trunk, and two and one-half-inch caliper at the time of planting, planted at a maximum of 50-foot intervals; and~~
- ~~(3) If a parking area abuts a residential property, trees with a minimum height of 16 feet, a four-foot clear trunk, and four-inch caliper at the time of planting, planted at a maximum of 25-foot intervals, shall be required (no palms can count towards this requirement); and~~
- ~~(4) Opaque hedge material, three feet tall at time of planting, may be used in lieu of an opaque wall or fence.~~

c. ~~*Visual barriers.*~~ A wall, fence, berm or other landscape barrier with a maximum height of three feet between vehicular use areas and rights-of-way shall be provided. Visual barriers shall provide a continuous solid visual screen along open areas adjacent to sidewalks except open courtyards, walks and driveways. Walls shall have a decorative cap. Walls and landscaping around parking areas shall have one pedestrian access through the buffer for every 50 linear feet in order to provide connection to adjacent development or sidewalks, if access is available.

d. ~~*Garden wall.*~~ The following material shall be permitted:

- ~~(1) Sand and stone blocks.~~
- ~~(2) Wood.~~
- ~~(3) Wrought iron.~~
- ~~(4) Picket.~~
- ~~(5) Coral rock.~~
- ~~(6) Painted stucco concrete masonry unit (CMU).~~

e. ~~*Fences.*~~

- ~~(1) Plain concrete block and/or barbed wire fences are prohibited.~~
- ~~(2) Chain link fences.~~
 - ~~(a) Chain link fences are permitted in rear yards only.~~
 - ~~(b) In industrial land use designated areas, chain link fencing may be used in any location, but must have vegetative screening on the outside of the fencing where visible from adjacent properties, or along any street frontage.~~

- (3) ~~A maximum fence height of three feet between the front of a building and the road right-of-way is permitted. A maximum fence height of six feet is permitted for the remainder of the lot, and for all fencing within the industrial area.~~
4. ~~*Buffer requirements.* To reduce potential incompatible relationships between adjacent land uses, fences or hedges between varied uses shall be required.~~
- a. ~~Six-foot fence or landscaped screen between nonresidential and existing residential uses shall be required unless both parties mutually agreed to waive this requirement.~~
- b. ~~Use of vegetative landscape screens. Where vegetative landscape screens are installed in required areas, they shall be required to form a solid visual screen at the time of planting.~~
- c. ~~Existing native vegetation may be used to satisfy screening requirements upon the approval of the Growth Management Department Director.~~
5. ~~*Tree size.* At the time of planting, all required trees shall meet the following minimum requirements:~~
- a. ~~Along Warfield Boulevard, Dr. Martin Luther King Jr. Boulevard, and Citrus Boulevard, landscaping shall include the planting of native and nonnative trees with a minimum height of 16 feet, with a four-foot clear trunk, and four-inch caliper at the time of planting; planted at a maximum of 30-foot intervals.~~
- b. ~~Outside of these corridors, trees shall be a minimum height of 12 feet, with a four-foot clear trunk, and two and one-half-inch caliper, at the time of planting.~~
- c. ~~Palm trees shall be a minimum height of 12 feet at the time of planting.~~
- d. ~~Fruit trees shall be a minimum height of five feet at the time of planting.~~
6. ~~*Tree species.* At least 75 percent of all trees planted to satisfy the requirements of this section shall be native species.~~
7. ~~*Hedges and shrubs.* At the time of planting, hedges and shrubs shall have a minimum height of 24 inches, a minimum spread of ten (15) inches and be spaced not less than 24 inches on center. Spacing may be increased if larger plants are used to create a full appearance among adjacent plants.~~
8. ~~*Vines.* Vines, which have a minimum of three runners, 30 inches in length may be used in conjunction with fences, screens or walls to meet barrier requirements. If vines are used in conjunction with fences, screens or walls, their runners shall be attached in a way that encourages proper growth.~~
9. ~~*Maintenance and protection of required landscaping.* Encroachment into required landscaped areas by vehicles, boats, mobile homes or trailers shall not be permitted, and the following maintenance and protection measures shall be required:~~

- a. ~~Required landscaped areas shall not be used for the storage or sale of materials, products or the parking of vehicles and equipment.~~
 - b. ~~Hatracking is not permitted. (The best-known form of tree abuse is called "hatracking" which involves severing the leading branch or branches of a tree and/or pruning a tree by removing mature wood creating stub branches, which in severe cases resemble a hatrack.)~~
 - c. ~~Railroad ties shall not be considered an acceptable wheel stop.~~
10. ~~Construction periods.~~ During periods of development and construction, the areas within the drip line of preserved trees shall be maintained at their original grade with pervious landscape material. Within these areas, there shall be:
- a. ~~No trenching or cutting roots;~~
 - b. ~~No fill, compaction or removal of soil; and~~
 - c. ~~No use of concrete, paint, chemicals or other foreign substances.~~
11. ~~Installation and maintenance.~~ All property owners shall be responsible for properly installing and maintaining required landscaping so that the landscaping is installed and maintained in a healthy, neat and orderly appearance; and is free of refuse and debris.
12. ~~Fences, walls, gates, and gate houses.~~
- a. ~~Construction material for fences and walls must be architecturally compatible with surrounding buildings.~~
 - b. ~~Barbed wire may be used in conjunction with fencing only in industrial landuse designated areas. However, spire tips, or sharp objects are not permitted in conjunction with fencing anywhere within the Indiantown Community Redevelopment Area.~~
 - c. ~~The finished side of any fence must face outward.~~
13. ~~Location and height of fences and walls.~~
- a. ~~Fences and walls may be built at the street right-of-way or building setback line, provided the fence or wall does not interfere with the safe movement of pedestrians or vehicles; and~~
 - b. ~~Fences or walls built at the street right-of-way or building setback line, may be built to a height of three feet.~~
14. ~~Street trees.~~ Seventy-five percent of all street tree planting to be of the following species:
- ~~Canopy trees (60 percent minimum):~~
- 1. ~~Live or Laurel Oak~~
 - 2. ~~Magnolia~~
 - 3. ~~Drake Elm~~
 - 4. ~~Red Maple~~

5. ~~Bald Cypress~~
6. ~~Buttonwood~~
7. ~~Gumbo Limbo~~

~~Palm Trees:~~

1. ~~Medjool or Canary Island Date Palm~~
2. ~~Royal Palm~~
3. ~~Coconut Palm (2:1 ratio, unless 8 feet grey wood, then 1:1)~~
4. ~~Sabal Palm (3:1 ratio)~~

~~3.266.F. *Sign Regulations.* Signage shall be as provided for in Article 4, Division 16, Signs, LDRMCC, unless otherwise provided below. It shall be unlawful to erect, display or maintain any sign within the Indiantown Community Redevelopment Area that does not comply with the following standards and regulations:~~

- ~~1. *Temporary signs.* Temporary signs are permitted, subject to compliance with the Florida Building Code and the following requirements:~~
 - ~~a. Promotional, special event, grand opening and seasonal sales signs, provided that such signs are:~~
 - ~~(1) Not over eight square feet in area; and~~
 - ~~(2) No closer than ten feet to any right-of-way line; and~~
 - ~~(3) Erected in such a way that they do not interfere with vehicular or pedestrian traffic; and~~
 - ~~(4) Permitted for a period not to exceed 60 days for seasonal sales (such as Christmas tree sales) or for a period not to exceed 30 days for promotional sales and nonprofit activities;~~
 - ~~(5) Removed immediately upon the expiration of the use or event for which they are granted; and~~
 - ~~(6) Limited to one per each 100 feet of street frontage.~~
 - ~~b. Portable signs, such as sandwich board or "A" frame signs, may be used on the premises or on the sidewalk directly in front of the premises provided:~~
 - ~~(1) The sign is placed indoors after business hours; and~~
 - ~~(2) If placed on the sidewalk, the portable sign does not exceed 24 inches in width, or maximum ten square feet in area; and~~
 - ~~(3) Is not placed streetward of the sidewalk.~~
 - ~~c. Banner signs may be erected for a temporary period, not to exceed 21 days. If hung over a right-of-way, they must comply with all applicable FDOT or Martin County regulations. Banner signs shall be used to advertise only redevelopment area nonprofit businesses or events. One banner sign is~~

~~allowed per point of purchase site, with a maximum size limit of 32 square feet, and maximum height of eight feet.~~

~~2. Billboards.~~

- ~~a. New billboards shall not be allowed in the Indiantown Community Redevelopment Area.~~

~~3. Point of purchase signs. The following point of purchase signs are permitted subject to compliance with the Florida Building Code and the following requirements:~~

~~a. Wall signs.~~

- ~~(1) For front wall signs, a maximum square footage of 32 square feet per 50 feet of lineal frontage and a square footage equal to 80 percent of lineal frontage, if lineal frontage is less than 50 feet. For walls other than front walls 50 percent of the square footage for the front wall signs is permitted.~~
- ~~(2) The permitted size of wall signs shall be based on a percentage of the wall areas computed by the length times the height in the geometric figures which determine the actual area. The wall length shall be the building, or that portion occupied. The height of the wall for computation purposes shall not exceed 15 feet for one-story structures and 25 feet for two or more story structures. One wall shall be deemed the front wall. Other walls shall be figured on the basis of 50 percent of the amount allowable for the front wall. Individual signs may not be larger than 32 square feet.~~
- ~~(3) No wall sign shall cover wholly or partially any required wall opening.~~
- ~~(4) Murals are permitted, but may not contain advertising.~~

~~b. Projecting signs.~~

- ~~(1) No projecting sign shall have a sign area exceeding 50 percent of the permitted front wall area and in no case shall it exceed 50 percent of the front wall mounted sign area;~~
- ~~(2) Projecting signs may extend over the right-of-way (sidewalk). The maximum distance, measured perpendicular to the building is the sidewalk less two feet.~~

~~c. Freestanding signs.~~

- ~~(1) There shall be one freestanding sign per building or each 200 lineal feet of property frontage.~~
- ~~(2) The freestanding sign shall be a pedestal sign with a maximum square footage of 50 square feet per sign face.~~
- ~~(3) Height shall be limited to eight feet.~~

~~d. Off-premises signs.~~

~~(1) Off-premises signs shall be limited to directional signs or signs used for directory purposes.~~

~~(2) Off-premises signs shall not exceed two square feet for each tenant or property.~~

~~(3) The total maximum allowable size shall be 28 square feet;~~

~~e. Auxiliary signs.~~

~~(1) Time and temperature devices are permitted in association with public service activities only. These signs may be freestanding, projecting or wall signs. Those devices with alternating messages shall display each such message for not less than ten seconds.~~

~~f. Window signs.~~

~~(1) Window signs shall not exceed 20 percent of the window area.~~

~~4. Compliance requirements.~~

~~a. All signs that were lawfully established prior to the effective date of this ordinance which are or may become nonconforming shall be permitted until they are either removed or replaced. All replacement and new signs will be brought into compliance.~~

~~b. Any sign located within a public right-of-way shall be removed immediately, unless it is permitted elsewhere within this subsection 3.266.F. The enforcing official is authorized to remove any sign not permitted in the right-of-way under this subsection 3.266.F at such time as the sign is determined to be in noncompliance.~~

~~5. Maintenance. Signs shall be kept clean, painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings. Weeds shall be cut underneath and around the base of ground signs and no rubbish or debris shall be permitted that would constitute a fire hazard or be detrimental to the public health and safety. All signs shall be maintained in a manner, which will withstand hurricane wind load requirements.~~

~~6. Permits required. Signs shall not be erected, constructed, altered or maintained except as provided in this subsection 3.266.F until a permit for same has been issued and the applicable fee paid. A sign permit shall become null and void and the fee forfeited, unless work on the permitted sign is substantially under way within six months after the effective date of the permit.~~

~~3.266.G. Outbuildings.~~

~~1. Accessory uses. Accessory uses, including, but not limited to, the following, shall be permitted:~~

~~a. Pavilions and arbors.~~

~~b. Detached garages and carports.~~

~~c. Garage apartments.~~

- d. ~~Guest houses and studios.~~
- e. ~~Workshops and tool houses.~~
- f. ~~Greenhouse and slat houses.~~
- g. ~~Pools and equipment houses.~~
- h. ~~Pump house.~~

3.266.H. ~~Miscellaneous provisions.~~

- 1. ~~Exterior lighting.~~ Exterior lighting shall be so shielded to prevent any light trespass onto adjoining property.
- 2. ~~Painting of structures and repairs.~~
 - a. ~~All exterior surfaces of buildings within the Indiantown Community Redevelopment Area shall be painted, except when constructed with materials not normally painted, including, but not limited to, such surfaces as vinyl siding or brick.~~
 - b. ~~Any repairs to the exterior of any building must be painted to match the balance of the structure.~~
- 3. ~~Board-ups.~~ If a structure is boarded up for any reason, the boarding material must be, at a minimum, exterior grade plywood. If exterior grade plywood is used, it must be painted to match the balance of the structure, except for temporary boarding in the event of a natural disaster.
- 4. ~~Unfinished construction projects.~~
 - a. ~~Unfinished construction projects that have an expired building permit shall have 90 days to reinstate the building permit for the project.~~
 - b. ~~Owners of unfinished construction projects that have failed to reinstate an expired building permit must remove any unfinished improvements immediately.~~

3.266.I. ~~Architectural design.~~ Architectural design for the Indiantown Community Redevelopment Area shall be as set forth in the Design Regulations for Indiantown, attached to Ordinance No. 664.²

3.266.J. ~~Alternative compliance.~~ An applicant for development approval may submit a site, landscape, or architectural plan which varies from the requirements of this ordinance in order to accommodate unique site features or utilize innovative design. An alternative compliance site, landscape or architectural plan shall be approved only upon a recommendation of the Martin County Growth Management Department that the alternative fulfills the purpose and intent of the Land Development Regulations, as well as or more efficiently than adherence to the strict requirements of this ordinance. In evaluating proposed alternative compliance for site, landscape or architectural plans, consideration shall be given to proposals which:

- ~~1. Improve pedestrian connectivity.~~
 - ~~2. Minimize conflict between pedestrian and vehicle.~~
 - ~~3. Are consistent with the adopted design regulations.~~
 - ~~4. Preserve nature vegetation and use xeriscape and other low water use landscape design principles.~~
 - ~~5. Utilize existing site characteristics of topography, existing vegetative communities, and any unique environmental feature in the design of structures and other improvements.~~
 - ~~6. Comply to the maximum extent practicable relative to the configuration of the development that existed prior to the effective date of the Commercial Design Regulations, July 9, 2002.~~
 - ~~7. Improve or provide integration of proposed development into the surrounding off-site development.~~
 - ~~8. Provide additional desirable features that mitigate the removal of the items required.~~
 - ~~9. Adjust parking through methods already described in subsection 3.266.C.1.a. and b., 4.a., and 6.a.; or alternatively, through the appropriately authorized method for a parking adjustment (increase or decrease) of 20 percent or more.~~
- ~~3.266.K. *Commercial day care.* Commercial day care facilities shall be permitted on any paved public roadway within the Indiantown Community Redevelopment Area Boundary. These commercial day care facilities must comply with the Martin County Comprehensive Growth Management Plan, Land Development Regulations, and General Ordinances.~~
- ~~3.267. - Reserved.~~