Sec. 3.01.03. - Urban standards and regulations for designated urban subdistricts.

The geographic locations and current characteristics of the five urban subdistricts are broadly described below:

Urban center ("UC"), inclusive of the "historic downtown," characterized by relatively dense, walkable, mixed-use, development pattern generally located at or near the established downtown area. The UC is the most urban in terms of density, mix of uses, pedestrian activity, historic restoration, shared parking and civic/cultural venues. In the South Point, UC is generally located in portions of the Potsdam subdivision (that triangular portion bound by Albany Avenue, West Ocean Boulevard, and SR 707/Dixie Highway), along both sides of the historic downtown core block (Osceola Street and Flagler Avenue), along portions of SE Ocean Boulevard, and along both sides of Colorado Avenue.

Urban general ("UG"), characterized by less intensive mixed-use development, with substantial residential uses, generally located adjacent to the urban center. In the North Point, UG is generally located along the triangular area bound by Wright Boulevard, SE Federal Highway and SR 707/Dixie Highway. In the South Point, UG is generally located along portions of SE Ocean Boulevard (both north and south) and in portions of the Woodlawn Park subdivision (that triangular portion generally bound by SR 707/Dixie Highway, Frazier Creek, and the properties fronting Colorado Avenue).

Urban neighborhood ("UN"), characterized by a predominantly residential nature located along low-volume, pedestrian-friendly streets. In the North Point, UN is generally located in the non-waterfront portions of the Riverside Park subdivision (that portion generally bound by North River Drive, Palm Street, SR 707/Dixie Highway, and Fern Street). In the south point, UN is generally located in the Frazier Addition (the triangular area generally bound by Frazier Creek, West Ocean Boulevard, and the properties fronting Colorado Avenue) and the non-waterfront portions of the Frazier Crescent subdivision (along Channel Avenue and 6th and 7th Streets).

Urban highway ("UH"), occurs along both sides of SE Federal Highway as it traverses the Urban Code District. This area allows large front setbacks and highway-oriented commercial or high density residential uses with generous parking lots. In the North Point, UH is generally located along the western side of SE Federal Highway and along the western side of the proposed Green River Parkway. In the South Point, UH is generally located along both sides of SE Federal Highway.

Urban waterfront ("UW"), refers to special waterfront-oriented uses, including marinas, restaurants, entertainment, hotels, and higher-density residential. Existing "marine industrial" uses are conditionally permitted. In both the North and South Points, UW is generally located along all waterfront properties throughout the CRA with the exception of those waterfront properties on the north side of Frazier Creek and on the east side of the "North Point" peninsula south of Fern Street.

(Ord. No. 1978-04, § 1, 6-28-04)

The following urban standards and regulations of "building placement," "building height," "parking," "architectural requirements," "outbuildings," "signage," and "curb cuts" apply to each respective urban subdistrict.

A. *Urban center (UC).*

1. *Principal building placement.*

a. The front building facade shall be constructed parallel to the street along the front property line with a required build-to line of zero feet.

b. The side setbacks may be zero feet.

c. The rear setback may be zero feet.

d. The front street facade width of the principal building shall not be less than 80 percent of the lot width. A ten-foot driveway may be allowed if no alley access is available in the rear or side of the lot.

e. If a property abuts public rights-of-way at its front and rear property lines, any building facade which is 100 feet or more in facade width measured parallel to the public right-of-way shall include a via to allow for pedestrian access to the public rights-of-way. A via shall be not less than six feet in width and not less than ten feet in height. A via may be enclosed; however, a via shall be open to the public during the business hours of operation of the building(s) in which it is located.

f. The front street facade of the building may be set back to form a public courtyard for a maximum of 33 percent of the facade width.

2. *Principal building height.*

a. The maximum building height is three stories and 35 feet. The minimum building height shall be two stories or 26 feet. If 25 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

b. Four story buildings in the Old Downtown District are prohibited. There is no major Urban Code conditional use available for an additional story or building height in the Old Downtown District.

3. *Parking.*

a. All parking areas shall be located behind the rear facade of the principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

a. Balconies are required along all street facades for all buildings. The aggregate length of balconies shall not be less than 50 percent of building facade from which it projects on each floor level.

b. Arcades are required on the west side of Colorado Street between Confusion Corner and Frazier Creek and on the north side of 2nd Street between U.S. 1 and Dixie Highway. Arcades shall conform to the standards in section 3.01.04.C.

c. The ground floor along the front facade of the building shall have doorways, arcades, or glazed openings with aggregate width equal to at least 50 percent of the total facade width.

5. *Outbuildings.*

a. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*

a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.

b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

B. *Urban general (UG).*

1. *Principal building placement.*
    a. The front building facade shall be constructed parallel along the front property line with a required setback of not less than ten feet.
    b. The minimum side setbacks are not less than five feet on each side.
    c. The rear setback shall be not less than 15 feet.
    d. The front street façade width of the principal building shall not be less than 60 percent of the lot width.
2. *Principal building height.*
    a. The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.
3. *Parking.*
    a. Parking areas shall be located as follows:
        i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a wall, trellis, other screening approved by the city development director or landscape buffer as described in section 6.04.00, Landscaping, of this Code.
        ii. For substantial renovation, where possible, parking areas shall be located behind the rear building facade or at the side property line and screened from the public view and from public rights-of way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.
4. *Architectural requirements.*
    a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 50 percent of the building facade width. Porches may project four feet into the front setback.
5. *Outbuildings.*
    a.

Outbuildings shall be located behind the rear facade of the principal building or in rear one-half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and a principal building.

6. *Curb cuts.*
    a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.
    b. For properties with access from a rear alley, no curb cuts shall be permitted.

(Ord. No. 1978-04, § 1, 6-28-04)

C. *Urban neighborhood (UN).*
1. *Principal building placement.*
    a. The front building facade shall be constructed parallel to the street along the front property line with a required setback of not less than ten feet.
    b. The side setbacks are not less than five feet on each side.
    c. The rear setback shall be not less than 15 feet.
    d. The front street facade width of the principal building shall not be less than 60 percent of the lot width.
2. *Principal building height.*
    a. The maximum building height is three stories and 35 feet.
    b. There is no major Urban Code conditional use available for an additional story or building height in this subdistrict.
3. *Parking.*
    a. Parking areas shall be located as follows:
        i. For new development, all parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.
        ii.

For substantial renovation, parking areas shall be located, where possible, behind the rear building facade or at the side property line and screened from public rights-of-way by a streetwall, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*
    a. Porches are required on the front building facade. Porches shall have a minimum depth of six feet and a minimum length of 70 percent of the building width. On corner properties, porches must be constructed along both street facades. Porches may project two feet into the front setback.
    b. Walls, wood picket fences, wrought iron fences, or hedges are required along the front property line and on corner lots, along the side property lines and shall have a minimum height of three feet and a maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a wall or fence may be six feet in height. Arbors and trellises are permitted in the front yard and may be located along property lines. The maximum height for arbors and trellises shall be ten feet. Above walls and fences, architectural features of up to 12 inches in height shall be allowed, spaced a minimum of four feet apart.
    c. Chain link fences shall not be visible from public rights-of-way. Chain link fences shall be vinyl coated using only black or dark green colors.
5. *Outbuildings.*
    a. Outbuildings shall be located behind the rear facade of the principal building or in rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and the principal building.
6. *Curb cuts.*
    a.

Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 50 feet of frontage. However one curb cut shall be permitted for a single family residence utilized as a residence regardless of the existence of a rear alley.

b. For properties with access from a rear alley, no curb cuts shall be permitted.

7. *Trees.*

a. When a permit for new construction or renovation is issued, the owner shall be responsible for planting two shade trees no closer than three feet and no further than five feet from the right-of-way that abuts the front property line. All required shade trees, as defined by chapter XII of this Code, shall be 14 feet in height at installation, and have a DBH of not less than two and one-half inches, and be selected from the CRA landscape palette, if adopted by the city. The development director may grant a reduction for existing trees that meet these requirements.

8. *Buffer for single family residential.*

a. A buffer for the single family neighborhood on the west side of NW North River Drive shall be provided. The buffer shall conform to section 6.04.00, Landscaping, of this Code.

(Ord. No. 1978-04, § 1, 6-28-04)

D. *Urban highway ("UH").*

1. *Principal building placement.*

a. The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of 15 feet and a maximum setback of 20 feet for properties fronting on U.S. 1. If a property does not front on U.S. 1, then the minimum setback shall be zero feet and the maximum setback shall be not more than ten feet.

b. The side setbacks may be zero feet on each side.

c. The rear setback is not less than 15 feet.

d.

For lots fronting SE Federal Highway, the front street façade width of the principal building shall not be less than 40 percent of the lot width. For other lots, the width of the principal building shall be not less than 70 percent of the lot width.

2. *Principal building height.*
    a. The maximum building height is three stories and 35 feet. For lots fronting on SE Federal Highway a fourth story is permitted if all off-street parking is located at the rear of building. The maximum building height for a four story building is 45 feet. The minimum building height is two stories or 26 feet.
3. *Parking.*
    a. All parking areas shall be located behind the rear facade of a principal building or screened from public rights-of-way by a streetwall, trellis, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code. The parking shall be setback from the front public right-of-way a minimum distance equal to 40 percent of the lot depth.
4. *Outbuildings.*
    a. Outbuildings shall be located behind the rear facade of the principal building or in the rear one half of the property subject to a minimum five-foot side and rear yard setbacks from the property line. On corner lots the side setback shall be ten feet. There shall not be less than five feet separation between an outbuilding and the principal building.
5. *Curb cuts.*
    a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 100 feet of frontage.

(Ord. No. 1978-04, § 1, 6-28-04)

E. *Urban waterfront ("UW").*
1. *Principal building placement.*
    a.

The front building facade shall be constructed parallel to the street along the front property line with a minimum setback of not less than ten feet except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall be not less than five feet.

b. The side setbacks shall not be less than ten feet on each side except for waterfront properties on SW Channel Avenue, Seminole Street, and SW Atlanta Avenue which shall not be less than five feet.

c. The rear setback for all structures shall not be less than ten feet from the mean high water line or the water-side of a seawall or bulkhead.

d. A vista shall be a designated area along the side of a property that provides an unobstructed view from any public right-of-way to the St. Lucie River or its tributaries, and shall be the same width as the required side setback. Only ten-foot clear trunk plant material and decorative fencing shall be located within the vista. Any equipment such as air conditioning units within a vista shall be not more than three feet in height, unless required by any applicable flood zone regulations.

e. The maximum cumulative front building facade width is 160 feet measured parallel to the nearest body of water.

f. If a building facade is 100 feet or more in width, measured parallel to the nearest body of water, an additional vista shall be provided within the building's facade which is not less than 12 feet in width, not less than 12 feet in height, and which allows a visual corridor from the public right-of-way to the St. Lucie River or its tributaries.

g. Any fencing included within a vista shall have a minimum width of three inches and a maximum width of five inches for all vertical members and shall have a minimum spacing of three inches between the vertical members. Said fences shall be a minimum height of three feet and a maximum height of four feet.

h. In order to create additional vistas, a minimum separation of 15 feet shall be provided between multiple buildings on the same lot.

2. *Principal building height.*

a.

The maximum building height is three stories and 35 feet. If 50 percent or more of the building is residential or hotel, a fourth story shall be permitted. The maximum building height for a four story building is 45 feet.

b. Four story buildings in the Old Downtown District (as described in Section 3.01.03.F.1.a.i.a.) are prohibited. There is no major Urban Code conditional use available for an additional story or building height in the Old Downtown District.

3. *Parking.*

   a. Parking shall not be located within ten feet of the front and side property lines and shall not be located between the rear building facade and the water.

   b. Parking shall be screened in the front and the sides from public rights-of-way by a wall, trellis, other screening approved by the city development director, or landscape buffer as described in section 6.04.00, Landscaping, of this Code.

4. *Architectural requirements.*

   a. Reserved.

   b. Balconies and balcony rails are required on the waterfront side of a building for a minimum of 50 percent of the fenestration.

   c. Reserved.

   d. Porches may project five feet into the front setback.

5. *Outbuildings.*

   a. One outbuilding is permitted behind the rear facade of a principal building or in the rear one-half of the lot and one outbuilding is permitted in the front of the lot. Outbuildings shall be set back not less than five feet from the side and front property lines, not less than ten feet from the rear property lines, not be less than five feet separation between an outbuilding and the principal building and shall not be located within a vista.

   b. Outbuildings may have marina or waterfront accessory uses.

6. *Curb cuts.*

   a.

Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 65 feet of frontage.

(Ord. No. 1978-04, § 1, 6-28-04)

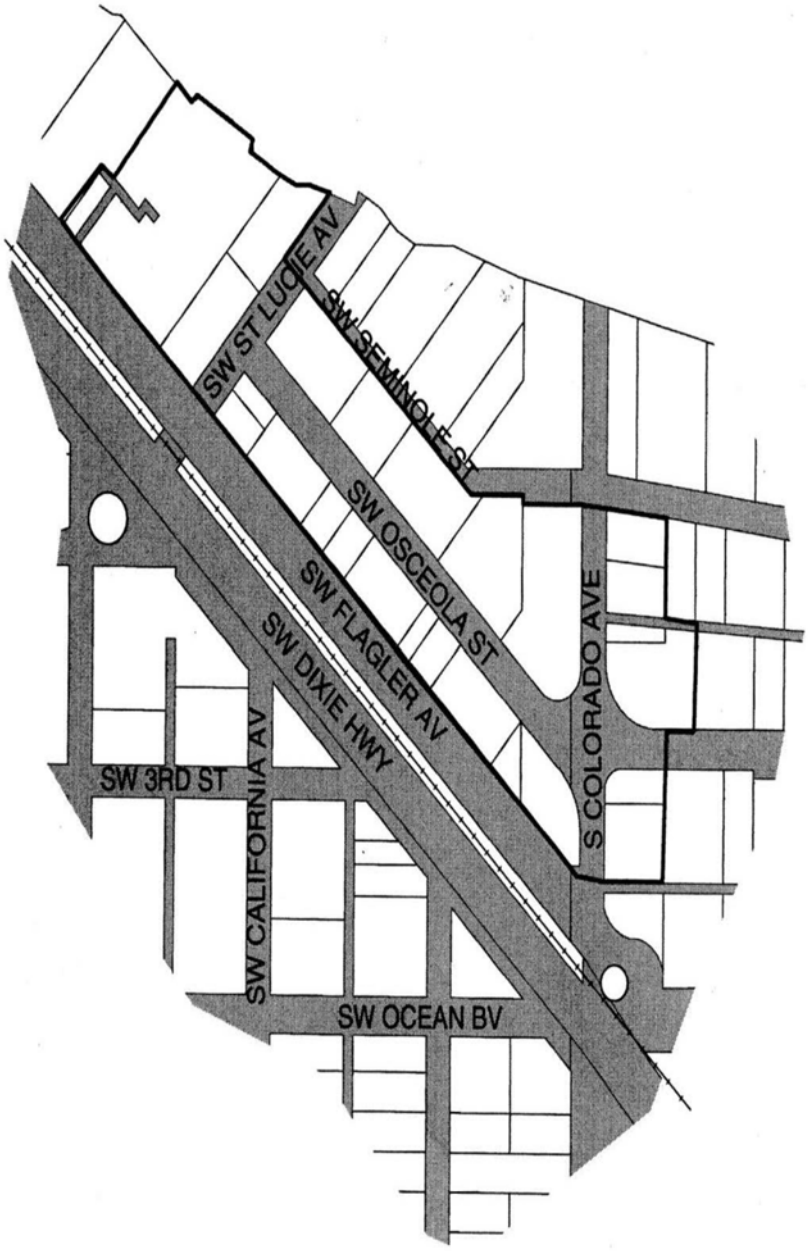
F. *Additional regulations and requirements.*

1. *Parking.*

a. *The Old Downtown District.*

i. *Old Downtown District identified.*

a) Those properties within the boundary of the centerlines of SW Seminole Street on the north, SW Flagler Avenue on the south, S Colorado Avenue on the east, and SW Saint Lucie Avenue on the west; the city hall property west of and contiguous to SW Saint Lucie Avenue, being Lot 36 according to the plat of The Feroe Subdivision recorded in the public records of Martin County, Florida, at Plat Book 2, page 25 and Lots 3, 4, 5, 6, 7, 7A, 8, 9, and 9A according to the plat of Revised Danforth's Addition recorded in the public records of Martin County, Florida, at Plat Book 5, page 69; and those properties located east of and contiguous to S Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition recorded in the public records of Martin County, Florida at Plat Book 2, page 75.



ii. *Parking requirements.*

a) Properties located in the "Old Downtown District" shall be exempt from the parking requirements of this Code.

b) The four properties located east of and contiguous to Colorado Avenue, being Lots 8, 9, 12, and 24-28, Block 3, and Lots 19-23, Block 4, amended plat of Porter's Addition (Plat Book 2, page 75), shall be exempt from the parking requirements of this Code provided each such property

shall hereafter maintain not less than the number of on-site parking spaces existing as of November 13, 1995, as follows:

1/2 of lots 8 & 9:	0 spaces
1/2 of lots 8 & 9:	10 spaces
Lots 12, 24-28, Blk. 3:	17 spaces
Lots 19—23, Blk. 4:	7 spaces.

c) In the Old Downtown District required parking for any use permitted may be accommodated via payments to the payment in lieu of parking program as described in chapter VI of this Code.

d) The six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, being Lots 2 thru 8, Feroe Subdivision, Plat Book 2, Page 25, Palm Beach County (now Martin) and Porter's Addition, Lots 1, 2 & 3 Blk 2 and Lot 9, Feroe Subdivision (a replat of Lots 9 & 10) shall be exempt from the parking requirements of this Code, provided that each property shall maintain not less than the number of on-site parking spaces existing as of April 1, 2013. as follows:

Feroe Subdivision	
Lot 2:	0 spaces
Lot 3:	0 spaces
Lots 4 & 5:	4 spaces
Lots 6 & 7:	3 spaces
Lot 8:	2 spaces
Porter's Addition, Lots 1, 2 & 3 and Lot 9, Feroe S/D (replat of Lots 9 & 10)	7 spaces

iii. *Parking exemption not applicable.*

a) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, if a building is demolished by an owner, parking for all uses within the newly constructed building shall be provided. Buildings which are destroyed by accident or an act of God and are replicated, shall remain exempt from parking requirements.

b) For properties identified by paragraphs F.1.a.i.a) and F.1.a.ii.b) above, this exemption from the parking requirements of this Code applies to the building floor space existing as of January 1, 2004. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after January 1, 2004 or to any expanded use of the exterior premises which creates additional parking demand. The uses of additional building floor space shall meet the parking requirements of this Code.

c) Private properties within the Woodlawn Park Section (WPS) shall be granted a credit against required on-site parking spaces based on the following formula:

Parking space credit per individual property (C) = IP/(A/N),

where:

IP = Square footage of an individual property within the WPS, as determined by the Martin County Property Appraiser's latest records.

A = Total square footage of all properties in the WPS, as determined by the Martin County Property Appraiser's latest records.

N = Total number creditable on-street parking spaces, as determined by the city development director.

WPS defined. For the purposes of this section, the WPS shall consist of those properties circumscribed by Colorado Avenue to the west, Dixie Highway to the northeast and Martin Luther King Jr. Boulevard to the south.

On street parking spaces within the WPS shall remain public. The granting of a parking space credit under this section shall convey no rights whatsoever to property owners within the WPS with regards to on-street parking spaces.

d) For the six properties located on the north side of S.W. Seminole Street, between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, if a building is demolished, whether by the owner or by accident or act of God, any newly constructed building shall remain exempt from parking requirements only to the extent that the gross square footage of the newly constructed building does not exceed the gross square footage of the previously existing building. The use of additional building square footage shall meet the parking requirements of this Code. In the event a permit for demolition of a building is sought, the city shall have up to 120 days from the date of application to take possession of the building at no cost to the city and to move the building off site at no cost to the property owner.

e) For the six properties located on the north side of S.W. Seminole Street between S.W. Saint Lucie Avenue and S. Colorado Avenue, identified by paragraph F.1.a.ii.d) above, this exemption from the parking requirements of this Code applies to the building floor space existence as of May 1, 2013. This exemption does not apply to additional building floor space and to the uses thereof that is constructed on and after May 1, 2013 or to any expanded use of the exterior premises which creates additional parking demand, provided that an outside seating area, covered or uncovered, of up to 500 square feet is permitted without regard to parking requirements. Said seats shall not be creditable toward the acquisition of a state SRX liquor license. The uses of additional building floor space shall meet the parking requirements of this Code.

b. Where it does not currently exist, on-street parking, constructed to City Code, may be used to offset the required number of parking spaces. Such parking shall abut the proposed development. The cost of the pavement modifications shall be borne by the private development. An approved revocable permit from the city commission is required for on-street parking.

c. Historic buildings shall receive a parking credit for the existing use and shall provide at least 50 percent of the required parking for a more intense use on the site. Up to 50 percent of the required parking for any new use permitted may be accommodated via payments to the payment in lieu of parking program as described in section 6.01.19 of this Code.

d. Payment in-lieu-of parking ("PILOP"): In lieu of providing up to three parking spaces required for any use located in Stuart Community Redevelopment Area, a developer may pay into the "Stuart Payment in Lieu of Parking Trust Fund" as described in section 6.01.19 of this Code.

e. Modifications: Within the Urban Code District, the parking design standards set forth in section 6.01.14 may be modified as follows:

   i. For all but 90 degree parking spaces, the one-way traffic aisle width may be reduced to ten feet. For 90 degree parking spaces, the one-way traffic aisle width may be reduced to 20 feet.

   ii. The width of a two-way traffic drive aisle may be reduced to 20 feet. The two-way drive aisle width may be reduced from 20 feet to a minimum of 12 feet for parking areas of eight spaces or less. Within a reduced drive aisle area, parking spaces are prohibited, with the exception of parallel parking spaces.

   iii. Where alleyways are located along the side or rear property lines, said alleyways may be used as the required back-up dimension for parking spaces.

   iv. For developments requiring ten or fewer parking spaces, parking areas may be constructed with mulch, gravel, turf blocks, paver blocks, or other alternative materials approved by the city development director. Additional maintenance requirements

may be required of a property owner utilizing alternative materials such as daily sweeping of gravel, mulched areas maintained at a certain depth.

v. The width of parking spaces may be reduced to eight and one-half feet for up to ten percent of the required parking.

vi. Up to two required parking spaces may be provided as "stacked" spaces, where one parking space is located behind the other.

f. Boats, campers, and recreational trailers shall be parked in rear yard setbacks only where possible and shall not be parked in vistas.

2. *Urban Code District uses.*

a. The following uses are permitted and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
Residential Land Uses	
Duplex residences	1.5 per unit; garages count towards required off-street parking
Family day care home in a residence	2 per dwelling unit plus adequate space for pick-up and drop-off
Home occupations as regulated in Section 2.06.09 of this Code	N/A
Multi-family dwelling units	1.5 per unit; garages count towards required off-street parking
Single-family residences	1.5 per unit; garages count towards required off-street parking
Transient Residential Land Uses and Overnight Accommodations	
Bed and breakfast inn	1 per guest room
Hotels/motels	1 per rental room, plus 2 spaces per 3 employees
Rooming and boarding houses	1 per unit
Institutional Uses	
Adult day care centers	1 per 200 square feet. This may be reduced by 1 space for each 2 users for which the center agrees to provide alternative transportation
Child care centers	1 per 6 children, plus 1 space per employee with a safe pedestrian walkway system through the parking area to the building
Community centers	1 per 300 square feet

Funeral homes without crematoriums	1 per 4 seats of chapel capacity, plus 1 per 3 employees
Governmental buildings	1 per 300 square feet
Libraries	1 per 300 square feet
Museums	2 per 1,000 square feet of exhibit floor space, plus 2 spaces for bus parking
Religious institutions	1 per 4 seats in main sanctuary, plus other parking requirements for any other accessory uses, if applicable
Commercial Uses	
Automobile repair service—Within an enclosed building in along U.S. 1 (Federal Hwy. and Savannah Road) only	1 per 200 square feet of sales area, plus 2 spaces per service bay, plus 1 space per employee
Art galleries	1 per 200 square feet
Bakery, retail	One (1) space for each employee on the largest working shift plus one (1) space per three hundred (300) square feet of gross floor area
Banks/financial institutions	1 per 300 square feet, plus queuing spaces per section 6.01.07
Barbershop, Beauty Salons, Specialty Salons	2 per station
Bars	1 per 4 seats
Catering shop	1 per employee, plus 0.5 spaces per delivery truck, plus 2 spaces per 1,000 square feet
Clubs, lodges and fraternal organizations	1 per 3 persons based on the maximum seating capacity of the building, or 1 space per 100 square feet (whichever is greater). One-half (½) of total parking area must be paved; the other half may be an approved stabilized surface
Dry cleaning, provided that all cleaning is conducted off-premises	1 per employee, plus 0.5 spaces per delivery truck, plus 1 space per 300 square feet
Health spas	1 per 200 square feet if located with retail, or 1 space per 150 square feet if located independently
Marinas, Commercial	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Massage therapy establishments	1 per 300 square feet
Microbreweries and craft distilleries	1 per employee plus 1 per 300 square feet for tasting, tap room, and gift shops

Office, business or professional, medical, low intensity medical, and veterinary	1 per 350 square feet (professional)1 per 300 square feet (low intensity medical)1 per 200 square feet (medical and veterinary)
Pharmacies (if 2,000 square feet or less)	1 per 200 square feet
Restaurants, convenience and general	1 per 4 seats
Retail sales and service (intensive and non-intensive)—Within an enclosed building only	1 per 300 square feet of floor space
Retail manufacturing—Providing such manufacturing is incidental to sales and occupies less than 75 percent of the total gross floor area	1 per 300 square feet
Studios (art, dance, music, exercise)	1 per 300 square feet
Theaters	1 per 4 seats
Recreational Uses	
Public parks	Dependent upon type of recreational activities provided
Utility and Service Uses	
Public facilities and services	Dependent upon type of facility and service
Public utility stations	Dependent upon type of utility and any required buildings and employees
Industrial Uses	
Existing marine industrial uses (may be reconstructed within their existing building footprints and the current uses therein continued. Revision or expansion of building footprints and/or uses permitted as a conditional use by Major Urban Code Conditional Use. Nothing in this provision shall counteract existing building and life safety code requirements)	Dependent on specific use
Telecommunication Uses	
Stealth telecommunications facilities which do not exceed 45 feet in height or which are constructed as part of an existing architectural feature or tower structure provided its total height does not exceed 120 percent of the height of the architectural feature or structure	1 space per tower
Storage, Transportation and Logistics Uses	
Government provided public parking lots or garages	N/A
Agricultural Uses	

Community garden pursuant to section 2.06.08 of this Code	0
Urban farm pursuant to section 2.06.08 of this Code	1 per 4 employee
Miscellaneous	
Outbuildings	Determined by use type

b. The following uses are permitted as conditional uses by major conditional use approval and are all-inclusive individually or in combination in the Urban Code District subject to the regulations pertaining to formula businesses in section 2.06.12.

Land Use Type	Number of Parking Spaces Required
Commercial Uses	
Boat storage, dry	1 per 4 boat storage spaces. Required auto parking spaces cannot be used for wash and dry racks or for boats or trailers
Formula businesses in the area as regulated in section 2.06.12 of this Code	Required spaces dependent on proposed use
Gasoline sales shall be limited to properties on SE Federal Hwy., Green River Parkway, and Savannah Road	1 per 250 square feet, plus 2 spaces per service bay, plus 1 space per vacuum. Pump locations are not to be included as a parking space. Gas stations with car washes shall also provide 1 parking space per wash unit or bayMarinas, as defined herein.
All marinas shall at all times be in compliance with the City of Stuart Public Works Department Standards and Specifications in relation to water supply, sewage disposal and solid waste. Compliance with these standards shall include a written utility service agreement with the City of Stuart expressly authorizing overnight as defined herein	1 per 4 slips for operations that do not require a utilities agreement, and 1 per each slip that requires a utility agreement, plus 1 per each employee
Pharmacies over 2,000 square feet	1 per 200 square feet
Rooftop dining areas (refer to supplemental standards in section 2.06.19)	1 space for four seats
Street vendors	N/A
Industrial Uses	

Boat building, indoors	1 for each 1,000 square feet of the gross floor area in a building up to 10,000 square feet in area, and then 1 for each 2,000 square feet of gross floor area thereafter; or 1 for each 2 anticipated employees, whichever is greater. In no event shall there be fewer than 5 parking spaces provided per building
Telecommunication Uses	
Stealth telecommunications facilities in excess of 45 feet in height. Refer to chapter II Zoning Districts Uses Allowed, Density and Intensity, section 2.06.12 Telecommunication Facilities Supplemental Use Standards	1 space per tower
Storage, Transportation and Logistics Uses	
Private parking lots	N/A
Private parking garages	N/A

3. *Density.* A density of 15 dwelling units per acre is permitted in all Urban Code subdistricts. The number of dwelling units may be increased to a maximum of 30 dwelling units per acre with a major Urban Code conditional use.
4. *Storage sheds.* One storage shed may be located on any lot within the Urban Code District, provided that it is not visible from the principal public right-of-way.
5. *Multiple frontages.* In the event a single lot abuts more than two streets, the setback and architectural requirements for the corresponding Urban Code District shall only apply to two street facades.
6. *Conflicts with utilities.* In instances where the required location of a building, including architectural requirements, conflicts with existing utilities or other public infrastructure, the developer shall be required to relocate such utilities if the cost of relocation is less than five percent of the cost of the proposed building or improvements (excluding land value) and the utilities can be relocated within 150 feet of the subject property. Otherwise, the city development director may adjust the requirements of this Urban Code to rectify any conflicts with utilities or other public infrastructure. No utilities shall be located beneath a principal building.

7. *Historic buildings.* The requirements of this Urban Code may be adjusted by a major Urban Code conditional use for the purposes of preserving a historic building.
8. *Finished floor elevations.* The requirements of section 6.03.02.B.4. relating to finished floor elevations may be modified if the engineer for a proposed development can demonstrate a lower elevation is appropriate and will not be detrimental regarding flooding to adjacent properties.
9. *Lot coverage.* For the purposes of this Urban Code, there shall be no impervious lot coverage requirement; however, all development must meet the requirements of section 6.03.00 entitled "Stormwater Management" of this Code, as amended from time to time.
10. *Lot area requirements.* For purposes of this Urban Code there shall be no minimum lot area or lot width requirement as defined in section 2.04.00.
11. *Stormwater management.* With the proper legal documentation and consent of the property owner, stormwater runoff from properties within the Urban Code District may be conveyed onto adjacent private properties. Otherwise, stormwater runoff must be conveyed to the public right-of-way, and the quality of the runoff must be considered. Proposed development may not obstruct existing drainage patterns. If a site is designed such that stormwater is captured by an internal stormwater management system, the applicant must illustrate how the stormwater reaches the public stormwater management system. If a site is designed such that there is no internal stormwater management system, the applicant must illustrate how the stormwater runoff will be conveyed to the public stormwater management system and demonstrate that said system could accommodate the additional runoff. Pervious surfaces such as perforated pavers, mulched areas, and other similar examples may be considered in the calculation for stormwater detention. For all development, stormwater quality treatment prior to discharge shall be provided in compliance with section 6.03.00 of this Code.
12. *Public art.* Public art shall be required of all development and redevelopment and shall equal not less than one percent of the total costs of vertical construction. Public art may include fountains, murals, sculptures, paintings, or other generally acceptable art form as directed by the community redevelopment board which is displayed in a public venue.

All public art required under this section shall be readily visible to the public. All public art intended to meet the requirements of this section that is visible from a public right-of-way or is exterior to a building must be approved by the community redevelopment board as a minor Urban Code conditional use. A single family home on a single platted lot of record is exempt from this requirement.

13. *Curb cuts.* Distance regulations between curb cuts shall be measured from the centerlines of each curb cut.

14. *Shoreline protection zone.* In accordance with section 5.06.00, the shoreline protection zone for any water body shall be ten feet measured from the waterside lot line or perpendicular to the mean high waterline as established by a licensed surveyor, whichever is nearer to the principal structure on the same lot; or perpendicular to the centerline of a seawall.

(Ord. No. 1978-04, § 1, 6-28-04); Ord. No. 2010-05, § 3, 2-14-05)

G. *Landscaping.*

1. All development in the Urban Code District shall comply with the landscaping requirements as described in section 6.04.00, the landscape code, with the following exceptions:

   a. The width of landscape buffers shall be determined by the required side and rear setbacks as described in this Urban Code, and buffer screens shall be 25 percent of those setbacks.

   b. The width of the landscaped strip of land located between parking areas and an abutting public right-of-way shall be the required setback for parking areas for the respective urban subdistrict.

   c. The width of the landscaped strip of land located between parking areas and abutting private property shall be the required setback for parking areas for the respective urban subdistrict.

   d. The width of the landscaped area located along the sides of a building, which abuts any parking area, shall be 2½ feet.

   e. The width of the landscaped strip of land located between the building walls of a multi-family development and parking areas shall be five feet.

   f.

The width of the landscaped strip of land located between a parking area of a multi-family development and an abutting right-of-way shall be the required setback for parking areas for the respective urban subdistrict.

g. The street facade of a building shall contain a hedge, potted plants, or trees planted in public right-of-way. The dimensions for such landscape materials shall comply with section 6.04.05.A. of this Code. In the urban center and urban general subdistricts, no hedge shall be planted between the principal building front and the curb of the street, and trees shall be placed in a continuous sidewalk. If necessary, due to right of way conditions, the requirement for trees may be mitigated subject to the approval of the city development director.

h. Terminal and interior islands within parking areas may be used for stormwater retention.

i. A maximum of 20 percent of the pedestrian arcade walkway may be planted. No plantings are required within the arcade.

2. In the case of renovation development and vacant development as described in the landscape code where the location of required landscaping is precluded by existing buildings or permanent site improvements, the placement of landscaping may occur off-site, in planters, in openings within paved areas, or in other locations as determined by the city development director.

(Ord. No. 1872-02, § 1, 10-10-02; Ord. No. 1922-03, § 1, 3-10-03)

Sec. 3.01.04. - Architectural standards and regulations.

The following described architectural standards and regulations are governed by the categories of building and activities related thereto and shall apply to new development, to substantial renovation, to renovation development, to renovation and to building exterior refinishing. It is the responsibility of the applicant to demonstrate to the satisfaction of the city development director that any alternative building or other materials have at least a ten-year history of successful application in climates that are comparable to the City of Stuart.

A.

Building walls. The exterior walls of the principal building shall be constructed of any of the following materials and in the following specified manner. All materials shall be used over the entire building or as continuous horizontal bends only. No panelizing shall be permitted or other simulations except as noted below.

1. *Materials.*
    a. Stucco with a "float finish," smooth or coarse, machine spray, dash and troweled.
    b. Wood clapboard five inches to the weather.
    c. Wood shingles seven inches to the weather.
    d. Cement siding, or similar composite plank in individual clapboard-style boards, which has a proven successful application in a climate comparable to Stuart's of not less than ten years.
    e. On residential buildings only, wood board or batten board of a board width from eight inches to 12 inches.
    f. Wood shiplap siding, smooth face, seven inches to the weather.
    g. Coral, keystone, or tabby.
    h. Modular unit masonry, either brick or concrete, coursed in regular ashlar pattern, flush sawn, wire cut, or sand finish.
    i. Cast stone.
2. *Other design standards.* Except for single-family residential, all developments which are less than 20,000 square feet shall incorporate a minimum of four of the following building design standards, and all developments which exceed 20,001 square feet shall incorporate a minimum of five of the following building treatments:
    a. Overhangs;
    b. Arcades as defined by this Code;
    c. Sculptured artwork and/or fountains;
    d. Raised cornice parapets over doors;
    e. Peaked roof forms;
    f. Display windows;
    g. Ornamental and structural architectural details, other than cornices, which are integrated into the building structure and overall design;

h. Clock or bell towers;

i. Decorative landscape planters or planting areas, a minimum of five feet in width, and areas for shaded seating consisting of a minimum of 100 square feet;

j. Integration of specialty pavers, or stamped, colored concrete along the building's walkway to constitute a minimum of 60 percent of walkway area;

k. Water elements, a minimum of 50 square feet in area; and

l. Courtyards along the front building facade.

(Ord. No. 1957-03, § 1, 10-13-03; Ord. No. 1978-04, § 1, 6-28-04)

B. *Roofs and gutters.* The roofs and gutters of the principal building shall be constructed of any of the following materials and in the following specified manner.

1. *Materials.*

a. Cedar shingles with factory treated class B finish.

b. Steel, copper and factory painted aluminum standing seam, batten seam, or Bermuda roofing.

c. Galvanized steel "5-V crimp" roofing panels.

d. Galvanized metal or copper shingles of Victorian or diamond shape or pattern or of another dimension, which is approved by the city development department.

e. Asphalt dimensional shingles for residential buildings only.

f. Built-up roof behind parapets.

g. Exposed half-round gutters of copper or galvanized steel.

h. Clay or cement barrel, s-shaped, flat cement, or mission tiles which are a shade of "red," "ochre," "cream" and "white" color shades provided that such coloring is integral to the clay or cement. No glazed or painted clay or cement tiles shall be allowed. No other shape of clay or cement tiles shall be permitted.

(Ord. 1445-95, 1-22-96; Ord. No. 1978-04, § 1, 6-28-04)

2. *Manner.*

a. Gable and simple hip roofs.

b. Flat with railings or parapets.

c. Shed roof attached to a wall higher than the ridge.

d. Rafters at overhangs shall be exposed.

e. Pitch:

i. On principal building from 5-12 up to 12-12.

ii. On sheds, porches and balconies not less than 3-12.

iii. Tower roofs may be any pitch.

f. Aluminum fascia and soffits shall not be allowed.

(Ord. No. 1453-96, 6-1-96)

g. For buildings which are located not more than five feet from the front property line, gutters must be shielded and may not drain onto the surface of public sidewalks. Gutters may be enclosed within a column or other architectural feature.

(Ord. No. 1841-02, § 3, 6-10-02)

C. *Arcades and porches.* The arcades and porches of the principal building shall be constructed of any of the following materials and in the following specified manner. No simulations shall be permitted.

1. Arcades shall conform to the following requirements:

a. An arcade shall have a minimum clear height of 12 feet from the lowest point of the ceiling and a minimum clear width of ten feet in the UC, eight feet wide otherwise.

b. Both ends of an arcade must remain open at all times, and the side of an arcade which runs parallel to the building to which it is attached must be open from four feet above grade to its roof.

c. With the approval of the city development director, an arcade may be extended over public right-of-way and may include landscape materials or planters, and the display of merchandise or outdoor seating; however, the arcade must maintain at least four feet of open sidewalk width under cover to allow for unobstructed pedestrian circulation.

d.

Arches or lintels shall be not less than 16 inches in depth. Masonry piers shall be no less than 16 inches by 16 inches and wood posts shall be no less than eight inches by eight inches. Balusters shall be separated not more than five inches on center.

2. Porches shall conform to the following requirements:
    a. A porch shall include columns no less than four inches by four inches that support its roof and floor.
    b. A porch shall have a minimum depth of six feet.
    c. Porches which are 30 inches above grade must meet the building code's standards for railings and railing heights. Porches which are lower than 30 inches above grade may have railings between 36 inches and 42 inches in height or may be open, the latter subject to approval via a minor Urban Code conditional use.
3. Materials shall either be of wood or conform to the construction materials of the principal building. Alternatively, round steel columns may be used on Flagler Avenue west of Colorado Avenue, and on Osceola Street and Seminole Street.

(Ord. No. 1978-04, § 1, 6-28-04)

D. *Windows and doors.* The windows and doors of the principal building shall be constructed with any of the following materials, configurations, operations and options.
    1. *Materials.*
        a. Glass.
            i. Clear, low-e, stained, or leaded and beveled.
            ii. On side and rear elevations, translucent glass may be used.
            iii. Tinted glass may be used; however, in no case shall a streetside display window be of tinted glass other than to meet current energy efficiency codes.
            iv. Glass block may be used for architectural accents only.
        b. Frames.
            i. Painted and stained wood.
            ii. Aluminum and vinyl-clad wood.
            iii. Steel and aluminum.

c. Flat skylights in sloped roofs.

2. *Configurations.*

a. Square and vertical rectangular.

b. Circular and semi-circular.

c. Semi-ellipse.

d. Octagonal.

e. Diamond.

3. *Operations.*

a. Single and double hung.

b. Casement.

c. Fixed with frame.

d. Awning windows.

e. On side and rear elevations, sliders may be used.

f. Jalousie windows are prohibited, except as replacement windows.

4. *Options.*

a. Operable wood shutters which are sized to match openings.

b. Fabric awnings excluding quarterballs.

c. Bahama shutters.

d. Screened windows and doors.

e. Security grills of a pattern approved by the city development director.

(Ord. No. 1978-04, § 1, 6-28-04)

E. *Garden walls.* The garden walls of the principal building shall be constructed of either wood, wrought iron, simulated aluminum wrought iron, or PVC lattice, or shall conform to the construction materials of the principal building, including stone, brick, and stucco. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

F. *Outbuildings.* Outbuildings permitted within the Urban Code District shall be constructed of the same materials used in the principal building. Outbuildings may include detached garages and carports, greenhouses, slat houses, cabanas

and detached garage apartments and "granny flats." Canvas outbuildings are not permitted. There shall be not less than five feet of separation between the outbuilding and the principal building.

Outbuildings shall conform to the following requirements:

1. Only one outbuilding per principle building is permitted.
2. Outbuildings are subject to a minimum five-foot side and rear yard setbacks from the property line, with the exception of the Urban Waterfront (UW) Subdistrict. On corner lots the side setback shall be ten feet.
3. Outbuildings shall not exceed a maximum building footprint of 1,000 square feet and a maximum gross floor area of 2,000 square feet.
4. Outbuildings shall not exceed 30 feet in height. Outbuildings may not exceed the height of the principal building on the same property.
5. An outbuilding may have an unenclosed porch of up to 50 percent of the gross floor area of the outbuilding.
6. Outbuildings may be constructed as elevated buildings that include the location of open parking below an enclosed structure; however, open parking shall be shielded from public right-of-way by landscaping, lattice or other screening material that is not less than 42 inches in height.
7. Outbuildings may be connected to the principal building by a covered walkway element, trellis, or other structural link, which shall not be enclosed so as to create occupiable space.
8. Outbuildings may be connected to an outbuilding on an adjacent property and shall be structurally separated by a fire wall on the common boundary line and shall have a five-foot minimum rear yard setback.

(Ord. No. 1978-04, § 1, 6-28-04)

G. *Building colors and finishes.* All exterior building wall colors used within the Urban Code District shall be restricted to muted pastel or earth-toned shades. The use of black or florescent colors is prohibited as a predominant exterior building color. Exterior colors shall be approved by the city development director. Building trim may be any color. Wall murals shall be permitted on any

structures, and shall require the approval of a minor Urban Code conditional use. Building roofs shall be a solid color; however, a variegated roof color scheme consisting of approved roof colors may be permitted by the city development director.

(Ord. No. 1946-03, § 1, 7-21-03; Ord. No. 1978-04, § 1, 6-28-04)

H. *Prohibited uses in front yard.* The following uses shall be prohibited within all Urban Code Districts:

1. Clothes lines and other clothes drying apparatus.
2. Electrical meters.
3. Air conditioning equipment, including window units on the building facade.
4. Antennas and satellite dishes.
5. Chain link fences.
6. Fences greater than four feet in height.
7. Stockade fences.

(Ord. No. 1978-04, § 1, 6-28-04)

I. *Sidewalks.* When a permit for new construction or renovation is issued, the owner shall be responsible for the installation of a minimum six-foot wide, continuous sidewalk along the entire length of the parcel frontage that abuts a public street. Where identified by the city development director, sidewalks shall be constructed of paver block, brick or pink concrete.

J. *Lighting.*

1. The use of neon exposed lighting on any property is prohibited.
2. All building and site lighting fixtures shall be decorative.

(Ord. No. 1978-04, § 1, 6-28-04)

K. *Elevated buildings.* Permitted in all urban subdistricts. Parking is prohibited beneath an elevated building.

(Ord. No. 1978-04, § 1, 6-28-04)

L. *Parking located within a building envelope.*

1. Except as provided below and for the Old Downtown District, parking located within a building envelope, below, above, or at grade, may be permitted in all Urban Code subdistricts by a major Urban Code conditional use:

a. A single family home shall not require a major Urban Code conditional use to provide parking located within a building envelope.

2. Parking located within a building envelope shall conform to the following requirements:

a. Buildings which have parking located within the envelope shall be consistent with the design of the facades and the street side shall be entirely screened. When feasible, landscaping shall be installed along the ground floor facade, within the public sidewalk and within on-street landscape islands.

b. Access drives into the parking area on the ground floor shall be limited to one drive aisle at a maximum of 24 feet in width for buildings less than 100 linear feet in width and two drive aisles at a maximum of 24 feet in width each for buildings 100 linear feet in width and greater. If the property is adjacent to an alley two drive aisles at a maximum of 24 feet in width each shall be permitted for buildings less than 100 linear feet in width. The development director may permit two 12-foot drive aisles for buildings less than 100 square feet in width.

c. A parking level construction entirely below the lowest permissible finished first floor elevation shall not be deemed a story. The visual impact of garage doors shall be minimized through architectural design.

(Ord. No. 1978-04, § 1, 6-28-04)

M. *Balconies.* Balconies shall conform to the following requirements:

1. On corner lots, a balcony shall extend along two street facades, but it does not have to be continuous.

2. A balcony may extend over a public sidewalk or right-of-way but may not be designed or used as a means of building ingress or egress above a public right-of-way.

3. Where balconies are required, the aggregate length of balconies shall be not less than (50 percent) of the building facade at the floor level from which it projects on each floor level.

4. A balcony shall have a minimum clear height of ten feet at ground level above sidewalks and a minimum depth of three feet.

5. "Paris" balconies, having a minimum projection from the building face of 12 inches and a wrought iron railing, are permitted, if the balcony is accessed by French doors.

(Ord. No. 1978-04, § 1, 6-28-04)

N. *Screens.* All rooftop utilities and facilities such as air conditioning units, as well as all exterior mechanical equipment, shall be screened so as to not be visible from public view, including from balconies and windows of adjacent buildings.

(Ord. No. 1978-04, § 1, 6-28-04)

O. *Signage.* The use of exposed neon tubing, or similar, on any property is prohibited. All signage in the Urban Code District shall comply with the sign requirements as described in section 6.11.00, the sign code, with the following exceptions:

1. Backlit sign panels and internally illuminated cabinet signs shall be prohibited.
2. Signs affixed to the exterior of a building should be architecturally compatible with the style, composition, materials, colors and details of the building and with other signs used on the building site.

(Ord. No. 1978-04, § 1, 6-28-04); Ord. No. 2014-05, § 1, 2-14-05; Ord. No. 2145-07, § 1, 11-26-07)

P. *Fences.* Fences shall adhere to the requirements in section 6.09.05, except for the following; fences located in the front yard shall have a maximum height of four feet along the front and side property lines to the front facade of the principal building. Along the side property lines behind the front facade and along the rear property line a fence may be six feet in height. Chain link fence concealed by landscaping may be used along the side and rear of the property provided that no chain link fencing is visible from public right-of-way. No simulations shall be permitted. All chain link fences must be black or dark green vinyl-clad.

(Ord. No. 1978-04, § 1, 6-28-04)

Q. *Architectural feature.* Tower features shall not be more than 300 square feet in area and shall not be more than 15 feet above the maximum building height. Architectural features may encroach into a setback the lesser of five feet or 60

percent of the width of a setback. For facades built with a zero setback, cornices, parapets, and bay windows at upper stories may project a maximum of three feet.

(Ord. No. 1978-04, § 1, 6-28-04)

R. *Parapet walls.* A parapet wall shall not exceed 24 inches in height, provided however, a greater height of up to ten feet may be permitted by the city development director if necessary to conceal rooftop utilities such as stairway and elevator bulkheads and other roof equipment, or to achieve architectural enhancement. No height of greater than 24 inches shall be permitted for more than 40 percent of any facade of a building. A parapet wall shall be designed to be consistent and compatible with the design and treatment of the facade of the structure.

(Ord. No. 1978-04, § 1, 6-28-04)

S. *Residential rooftop use occupancy.* Residential uses occupancy of a flat rooftop which are ancillary to residential occupancies shall be limited to uses which are ancillary to residential occupancies only and shall be enclosed by a code-compliant safety railing or other approved barrier. Except as otherwise permitted by this code, no permanently affixed structures, including, gazebos, trellises, or other similar structures shall be allowed on the roof of a four-story building. Maintenance and repairs shall not be deemed occupancy as that term is used in this paragraph.

(Ord. No. 1978-04, § 1, 6-28-04)

T. *Rooftop dining.* Rooftop dining, as defined by this Code, are permitted as a major conditional use, and in accordance with the supplemental regulations set forth in Section 2.06.19.

(Ord. No. 1978-04, § 1, 6-28-04)