



# MARTIN COUNTY, FLORIDA

## GROWTH MANAGEMENT DEPARTMENT

### STAFF REPORT

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## Land Development Regulations

### Proposed Text Amendments

#### Application Information

<b>REQUEST NUMBER:</b>	LDR 25-03, Accessory Dwelling Units		
Report Issuance Date:	November 10, 2025		
<b>APPLICANT:</b>	Board of County Commissioners (BCC) 2401 SE Monterey Road Stuart, FL 34996		
<b>REPRESENTED BY:</b>	Paul Schilling, Growth Management Department Director		
<b>PLANNER-IN-CHARGE:</b>	Amy Offenbach, Planner Growth Management Department		
<b>PUBLIC HEARINGS:</b>	Local Planning Agency (LPA)	12/04/2025	
	Board of County Commission Consideration	01/27/2026	
	Board of County Commission Adoption	TBD	

#### Applicant Request

This request, initiated by the Board of County Commissioners, is to amend the text of Article 3, Land Development Regulations (LDRs), Martin County Code, regarding Accessory Dwelling Units (ADUs). These amendments are concurrent with Comprehensive Plan Amendment (CPA 25-04), text amendments regarding ADUs.

#### Staff Recommendation

Staff recommends approval of the proposed text amendments to Article 3 of the Land Development Regulations regarding Accessory Dwelling Units.

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## Executive Summary

On August 26, 2025, the Board of County Commissioners (BOCC) approved a Resolution to initiate amendments to the Comprehensive Growth Management Plan (CGMP) and Land Development Regulations (LDRs) regarding the subject of Accessory Dwelling Units (ADUs) in the furtherance of providing affordable housing. As a result, staff has proposed amendments to Article 3, Zoning Districts, concurrent with CPA 25-04.

The proposed amendments to the LDRs intend to standardize definitions, update permitted uses and reorganize development standards for ADUs consistent with the CGMP and State Statutes. A description of the proposed amendments and staff's analysis follows in Sections 1 and 2 of this report.

## Section 1. Proposed Text Amendments

The proposed amendments are to change the text of Divisions 1, 2, 3, 4, and 7 of Article 3, in the LDRs. The full text of the affected Sections, including the strike and underline, are presented as Exhibits in the Draft Ordinance attached at the end of this report. The following list describes the proposed changes to the Divisions and Sections within Article 3 of the LDRs.

- **Division 1, Section 3.3- Glossary of terms.** The following terms will be updated.
  - “***Dwelling unit, accessory.***” The definition of Accessory Dwelling Units (ADUs) from the CGMP will be used for this term.
  - “***Dwelling unit, employee.***” This term will be added to the existing definition describing dwelling units on nonresidential properties.
  - “***Guest house.***” This term and definition will be stricken.
- **Division 2, Section 3.11- Permitted uses.** A “P” will be added under the appropriate districts to indicate that ADUs (formerly Guest houses) will be permitted within all residential and agricultural zoning districts, excluding Mobile home districts. The use category, “Employee dwelling units”, will be added to the tables and a “P” will be added under the appropriate districts to indicate that EDUs are permitted in specific, nonresidential, zoning districts.

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- **Division 3, Section 3.51- Accessory Dwelling Units.** Criteria for ADUs, from the CGMP, and text from Article 3, regulating Guest houses, is proposed to regulate the standards for ADUs on residential properties. The term, “Employee Dwelling Units (EDUs)” will be used for the existing standards for non-residential properties.
- **Division 4, Section 3.201.C- Accessory uses by zoning district.** The existing text describing permittance of Guest houses will be stricken and new text is proposed for the permittance of ADUs.
- **Division 7, Section 3.403- Terms defined.** The term, “Accessory Dwelling Units (ADUs)” from the CGMP will replace the existing term, “Guesthouse”. The number of persons included in the definition of “Family” will be updated from “four” to “five” nonrelated persons.

## Section 2. Staff Analysis

Guest houses have been permitted as an accessory to single-family dwellings in most residential and agricultural zoning districts since 1967. The term and definition of “Accessory Dwelling Units (ADU)” will replace the use of the term “Guest house” in the LDRs which will be consistent with existing CGMP text and use of the term ADU in Florida Statutes.

The existing permitted use tables show “Accessory dwelling units” permitted only within non-residential zoning districts. A new term, “Employee Dwelling Units (EDUs)”, will replace the current use of the term “Accessory Dwelling Units” for non-residential properties. Permittance of ADUs and EDUs will then be updated accordingly in the permitted use tables of the LDRs to show ADUs permitted in residential and agriculture districts and EDUs permitted in zoning districts that implement future land use designations referencing EDUs.

Division 3 of Article 3 goes beyond defined terms and permitted uses to provide additional “Standards for specific uses.” The existing standards for ADUs, in Section 3.51, only include standards for non-residential properties. This section will be updated accordingly to reflect the new use of the terms ADUs on residential properties and EDUs on nonresidential properties. Standards for ADUs will include the ADU criteria from the CGMP, new proposed text for clarity, and existing text from elsewhere in the LDRs. Standards for EDUs will remain relatively the same except for the addition of the new term “Employee Dwelling Units (EDUs)” and a direction pointing to the permitted use tables.

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The zoning districts of the LDRs are classified into category “A”, “B”, and “C” districts. Category “A” and “B” districts are newer and consistent with the future land uses of the CGMP. Category “C” districts were created in 1967, before the adoption of the first Comprehensive Plan in 1982, and lack complete consistency with the CGMP. Section 3.201 describes permitted accessory structures and includes text describing the permissance of “Guest houses” in Category “A” and “B” districts, but not Category “C” districts. The proposed text will point to the permitted use tables for the permissance of ADUs in Category “A” and “B” districts and more clearly describe which Category “C” zoning districts permit ADUs, that have historically been permitted to have Guest houses.

Division 7 contains Category “C” zoning district definitions that were first adopted in 1967. The terms, “Guesthouse” and “Family”, defined for Category “C” districts will be updated for consistency with the glossary of terms found in Section 3.3 of the LDRs.

## Conclusion

Based on staff’s analysis of the subject matter and the consistency with the goals, policies, and objectives of the Comprehensive Growth Management Plan, staff recommends approval of the proposed amendments to Article 3, Zoning Districts, of the Land Development Regulations. The basis for staff’s recommendation is outlined below:

- The proposed amendments are consistent with the Comprehensive Growth Management Plan and Florida State Statutes.
- The proposed amendments do not impose more restrictive or burdensome requirements before October 1, 2027, in compliance with State Statutes amended by Senate Bill 180.
- The Affordable Housing Advisory Committee supported the proposed amendments presented on November 12, 2025.
- The Local Planning Agency unanimously recommended approval of the proposed amendments with a vote of 4-0 on December 4, 2025.

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## Attachments

- Draft Resolution including proposed amendment indicated by strike and underline.
- Resolution to initiate amendments, dated August 26, 2025.
- Public Comments.
- Staff presentation.