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

ORDINANCE NUMBER

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT REGULATIONS AMENDMENT 24-04, HOBE SOUND TRAIN STATION, AMENDING DIVISION 5, HOBE SOUND, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; ASSIGNING THE CRA SUBDISTRICT, CORE (10 UNITS PER ACRE) TO AN ABANDONED RIGHT-OF-WAY, PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners 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 June 16, 2020, the Board of County Commissioners amended the Land Development Regulations to create Article 12, Division 5, Hobe Sound Community Redevelopment Code; and

WHEREAS, on June 20, 2024, the Local Planning Agency considered the proposed amendment to Article 12, Community Redevelopment Code, Division 5, Hobe Sound at a duly advertised public hearing; 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: AMENDMENT OF DIVISION 5, HOBE SOUND, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Figure HS-2, Section 12.5.02. Regulating Plan, is hereby changed to assign the CRA Subdistrict, Core (10 units per acre) to an abandoned right-of-way at the corner of S.E. Vulcan Avenue and S.E. Athena Street and further described in Exhibit A, attached hereto and

incorporated by reference.

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of Martin County, County ordinances and County resolutions, or parts hereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning the adoption or amendment of the Martin County Comprehensive Plan.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 except that Parts II through VII shall not be codified. 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.

The effective date of this ordinance, if Comprehensive Plan Amendment (CPA) 24-22, Hobe Sound Train Station is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the CPA 24-22 plan amendment package is complete. If CPA 24-22 is timely challenged, this ordinance shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining CPA 24-22

to be in compliance. No development orders, development permits, or land uses dependent on CPA 24-22 may be issued or commence before CPA 24-22 becomes effective.

DULY PASSED AND ADOPTED THIS ____ DAY OF ____, 2024.

ATTEST:

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

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

**BY: _____
HAROLD E. JENKINS II, CHAIRMAN**

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY**

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

EXHIBIT A

LEGAL DESCRIPTION

THAT PORTION OF VULCAN AVENUE BEING BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 149, BLOCK 9, BOUNDED ON THE EAST BY THE WESTERLY LINE OF BLOCK 8, BOUNDED ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF BLOCK 9, AND BOUNDED ON THE WEST BY THE EASTERLY LINE OF BLOCK 9, OLYMPIA PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 68, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

CONTAINING 5,465 SQUARE FEET MORE OR LESS.