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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 24-06, ARTICLE 6, IMPACT FEES, DIVISION 1, GENERALLY, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE INCLUDING FIGURE 6.1, 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 development; and

WHEREAS, the Martin County Comprehensive Growth Management Plan establishes the policy that land development shall bear the full cost of the provision of new or expanded public capital facilities required by such development; and

WHEREAS, the Florida Impact Fee Act requires that an impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction; and

WHEREAS, the Board of County Commissioners has adopted an Impact Fee Study on December 5, 2023; and

WHEREAS, on August 15, 2024, the Local Planning Agency considered the proposed amendment to Article 6, Division 1, including Figure 6.1 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 ARTICLE 6, IMPACT FEES, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Article 6, Impact Fees, Division 1. Generally, is hereby amended and Figure 6.1 is replaced as set forth in Exhibit "A" and Exhibit "B" respectively 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of Martin County, County ordinances and County resolutions, or parts hereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning the adoption or amendment of the Martin County Comprehensive Plan.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 Parts II through VII. 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, this ordinance shall become effective on January 1, 2025.

DULY PASSED AND ADOPTED THIS 10th DAY OF SEPTEMBER, 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**