

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

ORDINANCE NUMBER 1119

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING ARTICLE 3, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY, TO PROVIDE FOR GOLF COTTAGES; PROVIDING FOR APPLICABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR CODIFICATION AND PROVIDING FOR 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 the process for review and approval of certain development applications; and

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

WHEREAS, this proposed amendment to amend Article 3, Zoning Districts, of the Land Development Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners finds the proposed amendment 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 1: AMENDMENT TO ARTICLE 3 ZONING DISTRICTS, DIVISION 3. STANDARDS FOR SPECIFIC USES

Division 3, Zoning Districts, Section 3.73 Golf Courses, is hereby amended as follows (new language is underlined, deleted language struck through)

Sec. 3.73. Golf course.

3.73.A. No cart barn, maintenance facility club house or clubhouse parking shall be located closer than 300 feet from any lot line where the adjoining lot is designated for residential use.

This provision shall not apply to any golf course which was lawfully established prior to April 29, 1986, and shall not affect the expansion of any cart barn, maintenance facility, club house or clubhouse parking which may have been lawfully established prior to April 29, 1986.

3.73.B. Accessory uses may include, but are not limited to, pro shops, administrative offices, food and beverage service, maintenance/utility facilities, storage areas restrooms, ~~and driving ranges~~ and golf cottages.

3.73.C. Shall provide and use an agrochemical handling facility in accordance with any state regulations and the U.S. Department of Agriculture and Natural Resources Conservation Service conservation practice standards for all storage, mixing and loading of chemicals used in maintaining the golf course.

3.73.D. Shall be required to utilize irrigation quality water, if available, from the utility serving the development.

3.75.E. All golf cottages shall be controlled and/or operated by the owner(s) of the golf course for the exclusive use by members and their guests.

3.75.F. No golf cottages shall be sold or conveyed to individual owners.

PART 2: APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART 3: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART 4: 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 this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART 5: FILING WITH THE DEPARTMENT OF STATE.

The clerk shall be and is hereby 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 6: CODIFICATION

Provisions of this ordinance shall be incorporated into the Martin County Land Development Regulations, except that Parts 2 through 7 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 7: EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State.

PASSED AND DULY ADOPTED THIS 22nd DAY OF OCTOBER, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA


CAROLYN TIMMANN,
CLERK OF THE CIRCUIT
COURT AND COMPTROLLER

BY:


EDWARD V. CIAMPI, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY:


KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

October 31, 2019

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1119, which was filed in this office on October 31, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb