

Exhibit C

Article 3. 3. Glossary of Terms

Accessory dwelling unit (ADU): additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the main residence. ADUs may include but is not limited to accessory apartment, second unit, guest house or granny flat.

~~Guest house. A set of living quarters on the same lot as a single-family detached dwelling, having sanitary and/or cooking facilities separate from the principal dwelling, which is intended for temporary occupancy by guests of family members of the principal household.~~

Staff Note: Below Tables are excerpts to show change

**TABLE 3.11.1
PERMITTED USES - CATEGORY "A" AGRICULTURAL AND RESIDENTIAL DISTRICTS**

USE CATEGORY	A G 2 0 A	A R 5 A	A R 1 0 A	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 1 0	R M 3	R M 4	R M 5	R M 6	R M 8	R M 1 0	M H P	M H S
<i>Residential Uses</i>																					
Accessory dwelling units			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

**TABLE 3.11.2
PERMITTED USES - CATEGORY "A" NONRESIDENTIAL DISTRICTS**

USE CATEGORY	C O 1	C O R 2	C O L C	C C	G C	W R C	W G C	L I	G I	H I	P R	P C	P S 1	P S 2
<i>Residential Uses</i>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>	<u>a</u>
Accessory dwelling units		P	P				P	P	P	P	P			
Apartment hotels			P	P	P	P	P	P						

- (2) Fences and walls located on or within five feet of lot lines shall not exceed a height of six feet, except such fences or walls shall not exceed three feet six inches when located in a required front yard.
- (d) In the R-1A district, waterfront lots shall have a minimum of width of 60 feet along the street frontage and 100 feet in width along the waterway.
- (e) In the MH-P district, each mobile home shall have a site area of at least 5,500 square feet.
- (f) Each mobile home subdivision shall have a site area of at least ten acres.
- (g) The maximum density for the RM-8 district is 10 units per acre for sites meeting the affordable housing criteria set forth in Policy 4.13A.7 (4) of the Comprehensive Growth Management Plan. The maximum density for the RM-10 and COR-2 districts is 15 units per acre for sites meeting the affordable housing criteria set forth in ~~Section 4.4.M.1.e.(5)~~ Policy 4.13A.7 (5) and Policy 4.13A.8. (1) (a) of the Comprehensive Growth Management Plan.
- (h) The minimum lot area and minimum lot width requirements shall not apply to zero lot line, townhouse or multifamily developments on lots created after March 29, 2002.
- (i) In the RT and MH-S districts, single-family detached dwellings (site-built dwellings) shall also comply with the provisions of Section 3.98.
- (j) In the TP zoning district, mobile homes, modular homes and single-family detached dwellings (site-built dwellings) shall be limited to a foot print approved by the owner of the property (e.g., president of a condominium association or cooperative). Verification of the location and foot print by the property owner shall be provided with the building permit application. Primary structures and attached accessory structures, regardless of construction type, shall maintain a ten foot separation from other primary structures and attached accessory structures. Also, single-family detached dwellings (site-built dwellings) shall comply with the provisions of Section 3.98.
- (k) In the TP zoning district the maximum residential density shall not exceed that density established on the parcel on April 1, 1982. New mobile home park development, requiring final site plan approval, in the TP zoning district shall not exceed eight units per acre.

Sec. 3.13. Calculation of residential density.

As set forth in Table 3.12.1, maximum residential density means the maximum number of residential dwelling units that may be developed per acre of gross land area on a parcel of land. The gross land area of a parcel shall include all contiguous land areas under common ownership, including land to be dedicated for public or private rights-of-way, with the following provisions and exceptions:

- 3.13.A. *Waterbodies.* In cases where land abuts the waters of the Atlantic Ocean, St. Lucie River, Indian River, Loxahatchee River, Intracoastal Waterway, Lake Okeechobee and all tributaries and manmade canals thereof, the boundary of land shall be delineated as established by state statutes (Chapter 177, Part II, Coastal Mapping, as may be amended).
- 3.13.B. *Submerged land areas.* No submerged land areas waterward of the boundary described above shall be included in the calculation of gross site area.
- 3.13.C. *Areas allocated to nonresidential uses.* No land areas proposed to be allocated to nonresidential uses shall be included in the calculation of gross residential site area except for contiguous land areas to be used for:
 - 1. Utilities under common ownership and principally supporting the residential use;
 - 2. Recreational facilities for the primary use of on-site residents; and
 - 3. Dedication to the County or other County-approved agencies or not-for-profit corporations.
- 3.13.D. Accessory dwelling units shall not count as a separate unit for the purpose of density calculations.

Sec. 3.51. Accessory dwelling units.

3.51.A. Accessory dwelling units shall may be established ~~only~~ as part of a nonresidential development such as, but not limited to, a marina, residential storage facility, or manufacturing use for use by the property owner or a caretaker.

3.51.B. ~~Accessory dwelling units shall be counted as dwelling units pursuant to the density calculation requirements set forth in Division 2 but in no case shall more than three accessory dwelling units be established on a single lot.~~

One accessory dwelling unit shall be allowed on residential lots consistent with Section 10.2. B and the following criteria:

1) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.

2) It shall not count as a separate unit for the purpose of density calculations.

3) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

4) Notwithstanding any provision to the contrary, an accessory dwelling unit that shall be rented for be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons can be placed on any residential property, provided an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

Staff Note: Florida Statutes, Section 163.31771.

3.201.C. *Accessory uses by zoning district.* The following uses and structures shall only be permitted in the zoning district(s) as herein enumerated:

1. *In all zoning districts:*

- a. One utility storage structure, incidental to a permitted use, provided no such structure shall exceed 250 square feet in floor area.
- b. Television, radio, etc., receiving dishes provided that such structures comply with the applicable district regulations for setbacks from adjacent properties.
- c. Private garages.
- d. Docks incidental to a permitted use, provided no boat shelter associated with a docking facility is greater than 500 square feet in area and no greater than 20 feet in height above the adjacent pier or platform and not less than 50 percent of the shoreline shall be unobstructed open space.
- e. Solar energy systems.

f. Accessory dwellings units as shown on the Permitted Use Tables, 3.11. 1. and 3.11.2 and in accordance with Section 3.51.

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2. *In all AG, AR, RE, RS, RM, MH districts, all Category "B" districts and the HR-2, HR-2A, R-2A, R-3, R-3B, R-4, and R-5 districts:*
- a. Antenna structures for television and radio, but not microwave relay or transmission structures provided that such structures shall not exceed 60 feet in height.
 - b. Children's playhouse not to exceed 100 square feet of gross floor area.
 - c. Disaster shelters.
 - d. Gazebos and similar structures.
 - e. Private swimming pools and cabanas, tennis, basketball or volleyball court and other similar private outdoor recreational uses.
 - f. Boat and vehicle storage areas subject to the following limitations:
 - (1) Such areas must be a part of an approved residential project or subdivision,
 - (2) Such areas must be created for the exclusive use of the residents in the affected project or subdivision,
 - (3) Such areas shall not exceed five percent of the overall affected project or subdivision,
 - g. Doghouses, pens and other similar structures for the keeping of commonly accepted household pets.
 - h. Storage or parking of recreational vehicles, including, but not limited to, boat trailers, camping trailers, travel trailers, motorized dwellings, tent trailers, and horse vans, provided that such equipment shall not be used for living, sleeping, or other occupancy when parked and provided that such equipment over 25 feet in length shall not be parked or stored within any side or rear setback area.
 - i. Storage or parking of one commercial vehicle or commercial trailer, not to exceed one-ton cargo capacity, is allowed, provided:
 - (1) That such vehicle or trailer is owned or operated by the resident of the property; and
 - (2) That such vehicle or trailer is garaged or otherwise screened from view of adjoining properties and any adjoining street.
 - (3) The restrictions in subparagraph (2) shall not apply to public service agency vehicles such as law enforcement and those providing emergency response services.
 - j. Noncommercial greenhouses.
 - k. Home occupation, provided such use shall comply with the following:
 - (1) With the exception of outdoor instructional services, the home occupation shall be conducted entirely within a dwelling unit. Instructional services which, by their nature, must be conducted outside of the principal structure, such as swimming or riding lessons, shall not be conducted within a front setback area.
 - (2) With the exception of outdoor instructional services, the home occupation shall not occupy more than 20 percent of the first floor area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters. Outdoor instructional services shall be limited to the area reasonably necessary to conduct the services.
 - (3) The home occupation shall not involve retail sales or services that require patrons to visit the residence.

- (4) The home occupation shall involve no more than one employee on site at any one time, not including members of the family residing in the dwelling unit who may be engaged in the home occupation.
- (5) The home occupation shall not change the outdoor appearance of the building or premises. On lots of 2.5 acres or less, the area for outdoor instructional services (such as the swimming pool and surrounding deck area for swimming lessons) shall be screened from view from adjoining property lines with fencing or vegetation.
- (6) The home occupation shall have no more than one nonilluminated sign with a maximum area of one square foot. The permitted sign shall be mounted flat against the wall of the principal building at a position not more than two feet distant from the main entrance to the residence.
- (7) The home occupation shall generate no more traffic than would be expected from a single-family dwelling in a residential neighborhood.
- (8) The home occupation shall not employ mechanical or electrical equipment other than machinery or equipment customarily found in a residence.
- (9) In the case of individual instruction of students, such as art, music, swimming, or dance classes, the home occupation shall be limited to four students at any one time for instructional services within the dwelling unit and one student at any one time for outdoor instructional services. Outdoor instruction shall occur only between the hours of 8:00 a.m. and 8:00 p.m.
- (10) The home occupation shall not employ any equipment or process which creates noise, vibration, glare, fumes, odors or electrical interference detectable off the premises. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers located off the premises.

~~I. Guest houses, provided that:~~

~~(1) The following shall apply to Category "A" districts:~~

- ~~(a) The gross floor area of a guest house shall not exceed 50 percent of the gross floor area of the principal dwelling unit.~~
- ~~(b) A guest house cannot be rented.~~
- ~~(c) Guest houses shall only be allowed on lots in conjunction with a single-family dwelling.~~

~~(2) The following shall apply to Category "B" districts:~~

- ~~(a) Guest houses shall only be allowed in the following Category "B" districts: HR-1, R-1, R-1A, R-1C, R-2, R-2A, R-2B, HR-2, E, E-1 and WE-1.~~
- ~~(b) When not attached to the principal dwelling, no more than one guest house shall be allowed on a single lot.~~
- ~~(c) The total gross floor area of all guest houses on a lot shall be no more than 50 percent of the gross floor area of the principal dwelling.~~

~~I. Guest houses, provided that:~~

~~(1) The following shall apply to Category "A" districts:~~

- ~~(a) The gross floor area of a guest house shall not exceed 50 percent of the gross floor area of the principal dwelling unit.~~
- ~~(b) A guest house cannot be rented.~~
- ~~(c) Guest houses shall only be allowed on lots in conjunction with a single-family dwelling.~~

~~(2) The following shall apply to Category "B" districts:~~

- ~~(a) Guest houses shall only be allowed in the following Category "B" districts: HR-1, R-1, R-1A, R-1C, R-2, R-2A, R-2B, HR-2, E, E-1 and WE-1.~~
- ~~(b) When not attached to the principal dwelling, no more than one guest house shall be allowed on a single lot.~~
- ~~(c) The total gross floor area of all guest houses on a lot shall be no more than 50 percent of the gross floor area of the principal dwelling.~~

Sec. 3.403. Terms defined.

~~*Guesthouse:* A single-family dwelling located on the same lot as a principal residence, but not exceeding in area 50 percent of the area of the principal residence and which is not occupied year-round except by members of the family, but which is used as a temporary residence only. Such a dwelling shall conform to the requirements for accessory buildings, except that sanitary and cooking facilities may be provided. See definition of accessory dwelling units in Section 3.3.~~

Citations from CGMP

Definition derived from CGMP, Section 2.4.

Accessory dwelling units (ADUs): Also referred to as accessory apartments, second units, or granny flats — are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the main residence.

ADUs are allowed in accordance with the following CGMP Policies: Policy 4.13A.5.(1) Rural Density, and (2) Estate Density; Policy 4.13A.6. Rural Heritage designation; and Policy 4.13A.7.(1). (d). All policies contain the same language, shown below.

One accessory dwelling unit shall be allowed on Residential lots consistent with Section 10.2. B and the following criteria:

Staff Note: Section 10.2. B contains a description of the use of on-site sewerage disposal systems, i.e. septic tanks.

- 1) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
- 2) It shall not count as a separate unit for the purpose of density calculations.
- 3) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.
- 4) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

State Statute Citation

Section 125.01055 amended by CS/CS/HB 1339, Engrossed 3 and to be effective 7/1/2020.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.