



Legislation Details (With Text)

File #: 19-1043
Type: Public Hearing
Status: Passed
In control: Board of County Commissioners
On agenda: 10/22/2019
Final action: 10/22/2019
Title: LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE AMENDING ARTICLE 3 REGARDING GOLF COURSE COTTAGES

Sponsors:

Indexes:

Code sections:

Attachments: 1. BCC_Golf Course Cottages_Ordinance.pdf, 2. 1_Grove XXIII_LDRStaff_Report.scnd rnd.pdf, 3. 2_2019_0515_Application Resubmittal_LDR amendment.pdf, 4. 2019_Golf Cottages Ordinance_Legal Ad.pdf

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings

TITLE:

LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE AMENDING ARTICLE 3 REGARDING GOLF COURSE COTTAGES

EXECUTIVE SUMMARY:

This is a public hearing to consider adoption of an ordinance regarding Golf Course Cottages as an accessory use to golf courses.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Peter Walden
Title: Principal Planner

REQUESTED BY: Grove XXIII Golf Course, LLC., Lucido and Associates, Morris A. Crady, AICP

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

This is a public hearing to consider adoption of an ordinance amending Article 3, land development regulation, Martin County Code regarding Golf Course Cottages to: provide for golf course cottages as an accessory use to golf courses to be operated, owned and controlled solely by the golf course for exclusive use for its members and guests.

The application is for a text amendment to the Martin County LDR, adding language regarding golf cottages to the standards for Specific uses in Article 3. Golf cottages will be added to section 3.73.B as an accessory use. Sections 3.73.E, and 3.73.F add specific language to ensure that golf course cottages remain controlled and operated by the Golf course owners for the specific use of members and their guests. Golf course cottages may not be sold or conveyed to individual owners.

This matter was heard before the LPA on August 15, 2019. The LPA voted unanimously to recommend approval of the ordinance.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

This is a legislative matter. Legislative decisions are those in which the local government formulates policy rather than applying specific rules to a particular situation. A local government's approval of denial of an issue in its legislative capacity is typically subject to a fairly debatable standard of review. Fairly debatable means that the government's actions must be upheld if reasonable minds could differ as to the propriety reached. Decisions subject to the fairly debatable standard of review need only be rationally related to a legitimate public purpose, such as the health, safety, and welfare of the public, to be valid. Given this broad discretion, only decisions that are arbitrary and capricious or illegal are subject to serious legal challenge.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt the Ordinance as presented.

ALTERNATIVE RECOMMENDATIONS

Provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$3,115.00 review fee.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☒ Ordinance ☐ Resolution
☐ Other:

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