

**NO ACTION**



To: Mayor Teresa Jacobs  
From: Jennifer Thompson, District 4 Commissioner  
Date: November 25, 2014  
Subject: Request for an Ordinance

In part due to the result of the closure, abandonment and neglect of golf courses in residential areas, the Seminole County Board of County Commissioners this month unanimously approved an ordinance tightening restrictions on large tracts of land, including golf courses. Under their new ordinance, grass and weeds cannot be greater than eight inches regardless of the distance between structures and the neglected area. Under their previous ordinance, grass and weeds were prohibited over 24 inches within 75 feet of homes and structures, of which did not apply to most golf courses.

According to the National Golf Foundation, more golf courses will close in the next few years than will open. 68% of these closures will come from economically priced and public facilities.

My office has dealt with its fair share of citizen inquiries and ongoing maintenance struggles and code enforcement violations related to the closure of the Meadow Woods Golf Course in 2007. Most recently, we had over 1,100 citizens participate in a community meeting regarding a request to redevelop the struggling Eastwood Golf Course in East Orange County.

It is my understanding that Orange County does not have an ordinance in place similar to the one that Seminole County adopted this month. As such, I have requested Orange County staff to look into drafting a similar ordinance. I am requesting a Commissioner's Report after the first of the year so that we may better understand what is currently in place, and what we can further do, to protect our neighborhoods if and when golf courses are closed or abandoned.

Thank you for your immediate attention to this matter.

Cc: Board of County Commissioners  
Ajit Lalchandani, County Administrator  
Jeff Newton, County Attorney  
Jon Weiss, Director, Community, Environmental and Development Services

COMMISSIONER JENNIFER THOMPSON, DISTRICT 4  
201 South Rosalind Avenue, 5<sup>TH</sup> Floor Reply To: Post Office Box 1393 Orlando, Florida 32802-1393  
407-836-7350 Fax 407-836-5879

ORDINANCE NO. 2014- \_\_\_\_\_

SEMINOLE COUNTY, FLORIDA

2 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
3 SEMINOLE COUNTY, FLORIDA; AMENDING CHAPTER 95,  
4 “HEALTH AND SANITATION,” ARTICLE 1, “NUISANCES,” SECTION  
5 95.2, “DEFINITIONS,” TO REVISE THE DEFINITIONS OF “LANDS OR  
6 PREMISES” AND “UNCULTIVATED VEGETATION” AND ADDING A  
7 DEFINITION OF “IMPROVED PROPERTY”; PROVIDING FOR  
8 SEVERABILITY; PROVIDING FOR CODIFICATION, AND PROVIDING  
9 FOR AN EFFECTIVE DATE.

10 WHEREAS, previously improved lands may be abandoned without ongoing provisions  
11 for the control of vegetation and vermin, rendering the property unsafe and unsanitary; and

12 WHEREAS, such lands are often situated near or adjacent to established residential and  
13 non-residential neighborhoods; and

14 WHEREAS, the Board of County Commissioners desires to protect neighboring  
15 properties from the negative impacts of such unsafe and unsanitary conditions; and

16 WHEREAS, an economic impact statement has been prepared and is available for public  
17 review in accordance with the provisions of the Seminole County Home Rule Charter; and

18 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
19 COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

20 Section 1. Amendments to Chapter 95, Article 1, Nuisances. Chapter 95 of the  
21 Seminole County Code of Ordinances is amended as follows:

22 \* \* \*

**Sec. 95.2. Definitions.**

24 \* \* \*

Improved property. Any lot, parcel, or area of land that has been deliberately altered  
26 from its natural condition through human action for an identifiable purpose in support of a lawful

28 use or activity including, but not limited to, residential or commercial development, stormwater  
management, recreation, and agriculture. Abandonment, disuse, or foreclosure shall not remove  
30 such property from classification as “improved.” Excluded from this definition are public rights-  
of-way, publicly owned stormwater facility, publicly owned landfills, and all publicly owned  
parks and/or natural land areas designated for passive recreational purposes. Property that does  
32 not fall within the scope of the preceding description shall be considered “unimproved.”

\* \* \*

34 *Lands or premises.* Any real property, whether improved or unimproved, lying within a  
radius of 300 feet from any structure; provided, however, that as used in relation to, or in  
36 connection with, Sections 95.3(h) and 95.3(j), it shall mean any ~~and all~~ unimproved real property  
lying within a radius of 75 feet from any structure and any improved property regardless of  
38 distance from a structure. As it relates to this paragraph, the term structure shall mean any  
building, either permanent or temporary, that can be used for housing, business, commercial,  
40 office or industrial purposes and does not refer to signs, fences, swimming pools, utility,  
accessory or agricultural buildings.

42 *Uncultivated vegetation.* Any weed growth, grass growth, undergrowth or dead or living  
vegetative matter ~~which that is allowed or has been allowed to grow~~ growing in an uncontrolled  
44 manner or is not regularly maintained, ~~and which is in excess of 24 inches~~ 12 inches in height as  
measured from the soil level. ~~Crops~~ Active crops or pasture lands ~~being used for grazing or~~  
46 ~~hay~~ing shall not be included within this definition.

\* \* \*

48 **Section 2. Severability.** If any provision of this Ordinance or the application thereof to  
any person or circumstance is held invalid, it is the intent of the Board of County Commissioners

50 that such invalidity will not affect other provisions or applications of this Ordinance which can  
be given effect without the invalid provision or application and, to this end, the provisions of this  
52 Ordinance are declared severable.

**Section 3. Codification.** It is the intention of the Board of County Commissioners that  
54 the provisions of this Ordinance will become and be made a part of the Seminole County Code,  
and that the word “ordinance” may be changed to “section,” “article,” or other appropriate word  
56 or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish  
such intention; providing, however, that the Sections 2, 3, and 4 of this Ordinance shall not be  
58 codified.

**Section 4. Effective Date.** This Ordinance will take effect upon filing a copy of this  
60 Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

**BE IT ORDAINED** by the Board of County Commissioners of Seminole County, this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida

\_\_\_\_\_  
, Chairman

OSdF/sjs  
11/7/14  
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