



May 15, 2019

Via Electronic Submittal

Pete Walden, Principal Planner
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, Florida 34996

**Re: Grove XXIII Golf Course, LLC Proposed Amendment to Land Development Regulations - Response to Staff Report Dated April 18, 2019
(Our Reference: #18-130)**

Dear Pete:

Please find enclosed the revised text of the proposed amendment to the Land Development Regulations (Exhibit A), which is based on the following itemized response to the staff report dated April 18, 2019. To clarify our responses, the applicable portion of the staff comment has been repeated in **bold type** followed by our responses in *italics*. New text language has been underlined and highlighted for ease of reference. Please refer to the staff report for the entirety of the staff comment.

ANALYSIS

The applicant has proposed adding a new section in Article 3, Division 3, Standards for Specific Uses. This Division provides specific requirements for permitted uses as listed in Section 3.11. Since a golf cottage is an accessory use, the inclusion of text relating to golf cottages should be included in Section 3.73.

The proposed text language has been reformatted as subsections in Section 3.73 as follows:

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.

3.73.E. Up to 4 golf cottages with 4 bedrooms each or a combination thereof may be allowed per 18-hole golf course.

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

While the analysis below repeatedly discusses this proposed text in the context of the applicant's approved golf course, if the proposed language is adopted it would apply to all golf courses wishing to provide golf cottages for the use of their customers or members.

Agree. Golf cottages as an accessory use to a golf course have already been approved in private golf courses in Martin County including The Floridian and MacArthur Golf Club. The proposed LDR text amendment will qualify and clarify an already existing use.

Part 1 Sec. 3.73.B. Additional language

The proposed text in Sec. 3.73.B. adds golf cottages as accessory uses to golf courses. Staff is in agreement that cottages used for the patrons of the golf course to reside in while utilizing the course facilities qualifies them as an accessory use to the golf course. Golf Courses are considered a commercial use pursuant to Sec. 3.11. LDR. Golf Courses are permitted in all category "A" and "C" Agricultural zoning districts as well as most residential and commercial districts.

Agree.

The amendment to the LDR will be applicable to all golf courses seeking to provide golf cottages as an accessory use. Establishing golf cottages on existing golf courses will require approval through the site planning process and may require Board approval depending on the site, and zoning.

Agree.

Part 2 Golf Cottage Sec. 3.75.E. thru Sec. 3.75.I.

1. Sec. 3.75.E and Sec. 3.75.F.

No issues: Staff agrees all cottages and any accessory uses for a golf course should be under Unity of Title and may not be conveyed to or operated by any individual or entity other than the golf course owner(s).

Acknowledged.

2. 3.75.G. Issue: The text does not specify how many 2 acre sites can impact a parcel or golf course. The property that is the subject of this amendment is over 200 acres. The proposed text would allow 500 cottages, although this is not realistic. The cottages, as an accessory use, cannot create more impacts or demand on facilities, so as to override the primary use. This Section should limit the total number of cottages per course or otherwise specify limiting criteria.

The subject golf course has a zoning district designation of AG-20A encompassing a majority of the course. If the golf cottages were considered in any way a residential use then cottages would be restricted to 1 unit per 20 acres and clustering on a 2 acre tract would not be permitted.

To avoid unintended consequences and clarify the applicant's intent, the reference to 2-acre sites has been eliminated. The revised LDR language allows up to 4 golf cottages with 4 bedrooms each or a combination thereof per 18-hole golf course.

3. Sec. 3.75.H. Issue: The text amendment proposed includes language regarding the on-site sewage systems that will be required. On-site sewage treatment and disposal systems (OSTDS) are mentioned as part of the proposed amendment and states that all cottages together on a two acre site shall not exceed a total flow of 2,000 gallons per day. It should also comply with the rest of the policies mentioned in the CGMP. The proposed text is in conflict with Policy 10.2A.8. below:

To address this issue and to further avoid unintended consequences, all previously proposed changes to Policy 4.13A.1, Intent of agricultural designation in CPA 19-7, have been eliminated and replaced by a site specific addition to Policy 4.1B.2, which allows sub-area development restrictions to apply to specific sites. In this case, sub-section (4) has been added as follows:

Policy 4.1B.2.(4) The tract of real property described in the Special Warranty Deeds recorded at OR Book 3020, Page 2321, and OR Book 3020, Page 2328 of the Public Records of Martin County that is limited to an 18-hole private golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 5,000 gallons per day (gpd) for the clubhouse, maintenance area, guardhouse and golf course shelters; and up to four (4) golf cottages, which may be permitted as an accessory use to the golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 2,000 gpd subject to State Health Department regulations.

This site specific approach limits the allowance of up to 4 golf cottages with a maximum cumulative flow of 2,000 gallons per day (gpd) to the Grove Golf Course property only, thereby eliminating any misinterpretations or unintended consequences. It recognizes the private, exclusive and seasonal use of this particular golf course and acknowledges its limited impact compared to the development of a standard residential development on the 225-acre site that would allow 17, minimum 2-acre lots on the 37 acres (+/-) designated and zoned for Rural Density use, and 8, minimum 20-acre lots on the 188 acres (+/-) designated and zoned for Agricultural use. Under existing allowances, each of the 25 lots could construct an on-site sewage treatment and disposal system (i.e. septic tank/drainfield) generating up to 2,000 gpd. By way of the proposed site specific restriction in Policy 4.1B.2(4), The Grove Golf Course will be limited to a maximum of 7,000 gpd on the entire 225-acre site.

To address consistency with the waiver provisions for septic tanks/drainfields in Policy 10.2A.8, subsection 1 has been revised to add Policy 4.1B.2(4) as an additional exception as follows:

Policy 10.2A.8. The following standards shall apply to all on-site sewage treatment and disposal system installations:

1. No onsite sewage treatment and disposal system shall exceed a total site buildout flow of 2,000 gpd, except as described below and in Policy 4.13A.8(5) **and Policy 4.1B.2(4)**. Total site buildout shall be as determined by the Florida Department of Health.

Sec. 3.75.I Issue: As noted previously, residential density is limited to one unit per 20 acres. Any presumption that the cottages are residential units is inconsistent with the Future Land Use designation on the property and with the approved site plan for the property in question. As previously stated regarding Sec. 3.75.G, the amount of cottages allocated to the golf course should be specified in some manner other than relating the use to residential. *The revised language allows up to 4 golf cottages with 4 bedrooms each or a combination thereof per 18-hole golf course.*

The proposed residential impact fees are not appropriate. Golf cottages are an accessory use to a golf course. Golf courses are a listed use on the Impact Fee Schedule of Article 6. Golf courses are a non-residential use and the fees are calculated on the amount of holes on the course. The fee per hole is \$10,373.57. As an accessory use to the Golf Course, occupancy of a golf cottage is associated with using the golf facilities. *The references to impact fees and density have been eliminated.*

Conclusion: Staff does not recommend approval of a very similar amendment to the Comprehensive Plan. Please see the staff report for CPA 19-7 Grove XXIII Golf Course LLC. Staff does not recommend approval of the text amendment to the LDR as proposed. There are conflicts with the CGMP regarding OSTDS, as well as references to density and impact fee calculations that conflict with current Comprehensive Plan policies and LDR text.

The proposed changes to CPA 19-7 and the Section 3.73, LDRs fully address the staff comments and should enable a recommendation of approval.

Because Golf Cottages are an accessory use related to a golf course, if additional language is needed in Article 3, it should be placed in Section 3.73.

Agree. See enclosed LDR Amendment to Section 3.73 (Exhibit A).

While the applicant has proposed text in the context of a specific golf course, the text amendments will be applicable to all golf courses wishing to provide golf cottages for the use of their customers or members.

The revised CPA 19-7 is specific to The Grove Golf Course. The revised LDR Amendment will apply to all private golf courses and is needed to qualify and clarify the limitations on golf cottages as an accessory use to a private golf course.

We look forward to your revised staff report in anticipation of being scheduled for a Local Planning Agency public hearing in July and a County Commission public hearing in August.

Please feel free to contact me if you have any questions or comments.

Morris A. Crady, AICP
Senior Vice President
Encl.

Exhibit A

(Revised May 15, 2019)

Division 3 - Standards for Specific Uses

Martin County Land Development Code

(underlined language is proposed to be added)

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.

3.73.E. Up to 4 golf cottages with 4 bedrooms each or a combination thereof may be allowed per 18-hole golf course.

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