

**BCC MEETING DATE:** October 22, 2019  
**AGENDA ITEM:** PH-6

**MARTIN COUNTY, FLORIDA  
SUPPLEMENTAL MEMORANDUM**

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**TO:** Honorable Members of the Board of County Commissioners      **DATE:** October 15, 2019

**VIA:** Taryn Kryzda  
County Administrator

**FROM:** Nicki van Vonno, AICP, Growth Management Director

**REF:** 19-0947

**SUBJECT:** LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF  
COMPREHENSIVE PLAN TEXT AMENDMENT (CPA) 19-7, GROVE  
XXIII GOLF COURSE LLC, A TEXT AMENDMENT

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Attached is agency comments from the Florida Department of Agriculture and Consumer Services and from the Treasure Coast Regional Planning Council (TCRPC).

Reviewed by County Attorney's Office

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FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES  
COMMISSIONER NICOLE "NIKKI" FRIED

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October 3, 2019

VIA EMAIL (nikkiv@martin.fl.us)

Mr. Don Donaldson  
Martin County BOCC  
2401 S.E. Monterey Road  
Stuart, Florida 34996

Re: DACS Docket # --20190906-120  
Martin County CPA 19-07, Grove XXIII Golf Course, LLC; CPA 19-10 Turner Groves  
Submission dated August 20, 2019

Dear Mr. Donaldson:

The Florida Department of Agriculture and Consumer Services (the "Department") received the above-referenced proposed comprehensive plan amendment on September 6, 2019 and has reviewed it pursuant to the provisions of Chapter 163, Florida Statutes, to address any potential adverse impacts to important state resources or facilities related to agricultural, aquacultural, or forestry resources in Florida if the proposed amendment(s) are adopted. Based on our review of your county's submission, the Department has no comment on the proposal.

If we may be of further assistance, please do not hesitate to contact me at 850-410-2282.

Sincerely,

Gail Lolley  
Sr. Management Analyst II  
Office of Policy and Budget

cc: Florida Department of Economic Opportunity  
(SLPA #: Martin County 19-03 ESR)

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B\_  
From: Staff  
Date: October 3, 2019  
Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Martin County Comprehensive Plan  
Amendment No. 19-03ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Martin County was received on September 6, 2019 and contains two text amendments to the Future Land Use and Sanitary Sewer Services elements of the comprehensive plan. This report includes a summary of the proposed amendments and Council comments.

Summary of Proposed Amendments

***Grove XXIII Golf Course LLC***

The amendment proposes to add language to Policy 4.1B.2 of the comprehensive plan to permit golf cottages on the Grove XXIII Golf Course. The golf course is located approximately 2 miles north of Bridge Road on SE Polo Drive in the southwest area of the county and is outside the Primary Urban Service District. This golf course was previously approved for a clubhouse, maintenance area, guardhouse, and golf shelters on septic system(s) with a total flow of 5,000 gallons per day (gpd), which is an exception to the general 2,000 gpd septic system limitation in the comprehensive plan. The proposed text recognizes that exception and allows an additional 2,000 gpd, for a total of 7,000 gpd, in order to accommodate the proposed golf cottages. The entire policy is shown in Exhibit 2. The text proposed to be added is:

**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 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 gallons per day subject to State Health Department regulations.

Additionally, the amendment proposes the following change (shown below in ~~strikeout~~ and underline format) to include the above Policy as an exception in Policy 10.2A.8 of the Sanitary Sewer Services Element regarding sewage limitations:

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.

The staff report notes that golf courses are already permitted uses in the County's agricultural zoning districts and, concurrent with this amendment, the applicant is requesting that Section 3.73 of the Land Development Regulations be amended to include golf cottages as accessory uses to golf courses; allow 4 golf cottages with 4 bedrooms each, or a combination thereof per 18-hole golf course; require the cottages be controlled and/or operated by the owner(s) of the golf course for exclusive use by members or their guests; and prohibit the cottages from being sold or conveyed to individual owners.

The staff report recommends approval of this amendment, because it is site-specific so it will ensure that the exemption will not have negative consequences that could arise if all golf courses outside the PUSD were allowed to have the particulars of the proposed text amendment language. Additionally, the staff report notes the applicant has indicated that the amendment will limit the development of the entire 225-acre lots to a maximum of 7,000 gpd versus the current development potential of 25 residential sites with a maximum allowance of 2,000 gpd for each lot, which would result in a maximum of 50,000 gpd on the entire site.

### ***Turner Groves***

The proposed amendment will remove a deadline in Policy 4.13A.9(7)(k) of the Future Land Use Element for obtaining final site plan approval for the property. The applicant has indicated this amendment request is being made because the deadline is inconsistent with Section 252.363, Florida Statutes that authorizes extensions for permits and other authorizations during and following the declaration of an emergency by the Governor. The subject property for this

amendment is a 1,717-acre parcel located west of the I-95/CR 714 interchange in northwestern Martin County. In 2010, the property was assigned the AgTec future land use designation (originally created to be applied to this property). The designation allows continued agricultural uses, while permitting a mixture of industrial and commercial uses. Both amendments to create the future land use designation and to assign it to the property became effective on July 13, 2011. The amendment is shown below with text proposed for deletion in ~~strikeout~~ format:

Policy 4.13A.9(7)(k): In order to protect the allocation of the industrial land base, Martin County may initiate an amendment to remove the AgTEC land use category if the owner, or its designee, has not achieved a Planned Unit Development approval for an initial phase of development within 5 years of the effective date of the amendment, ~~and a final site plan approval for an initial phase of development within 10 years of the effective date of this amendment.~~

The staff report indicates that the applicant complied with the requirement to achieve a Planned Unit Development approval for an initial phase of development that occurred within five years of the text amendment becoming effective. The staff report also notes that the applicant has notified the County of its intent to claim multiple extensions and the County has acknowledged those extensions. The staff report further indicates that the proposed amendment is being approved based on the following:

- The comprehensive plan is required to be consistent with state law;
- Timetable extensions for development orders can be granted if an application is made prior to the expiration of the approved timetable and are in accordance with state statutes; and
- There are many development orders throughout Martin County and the State of Florida that have received timetable extensions pursuant to Section 252.363, F.S. and numerous declarations of emergency by the Governor. To deny timetable extensions permitted by Section 252.363, F.S. could be judged inconsistent with Florida Statutes.

#### Regional Impacts

No adverse effects on regional resources or facilities have been identified.

#### Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on September 11, 2019. No extrajurisdictional impacts have been identified.

#### Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

### Recommendation

Council should approve this report and authorize its transmittal to Martin County and the Florida Department of Economic Opportunity.

### Council Action – December 13, 2019

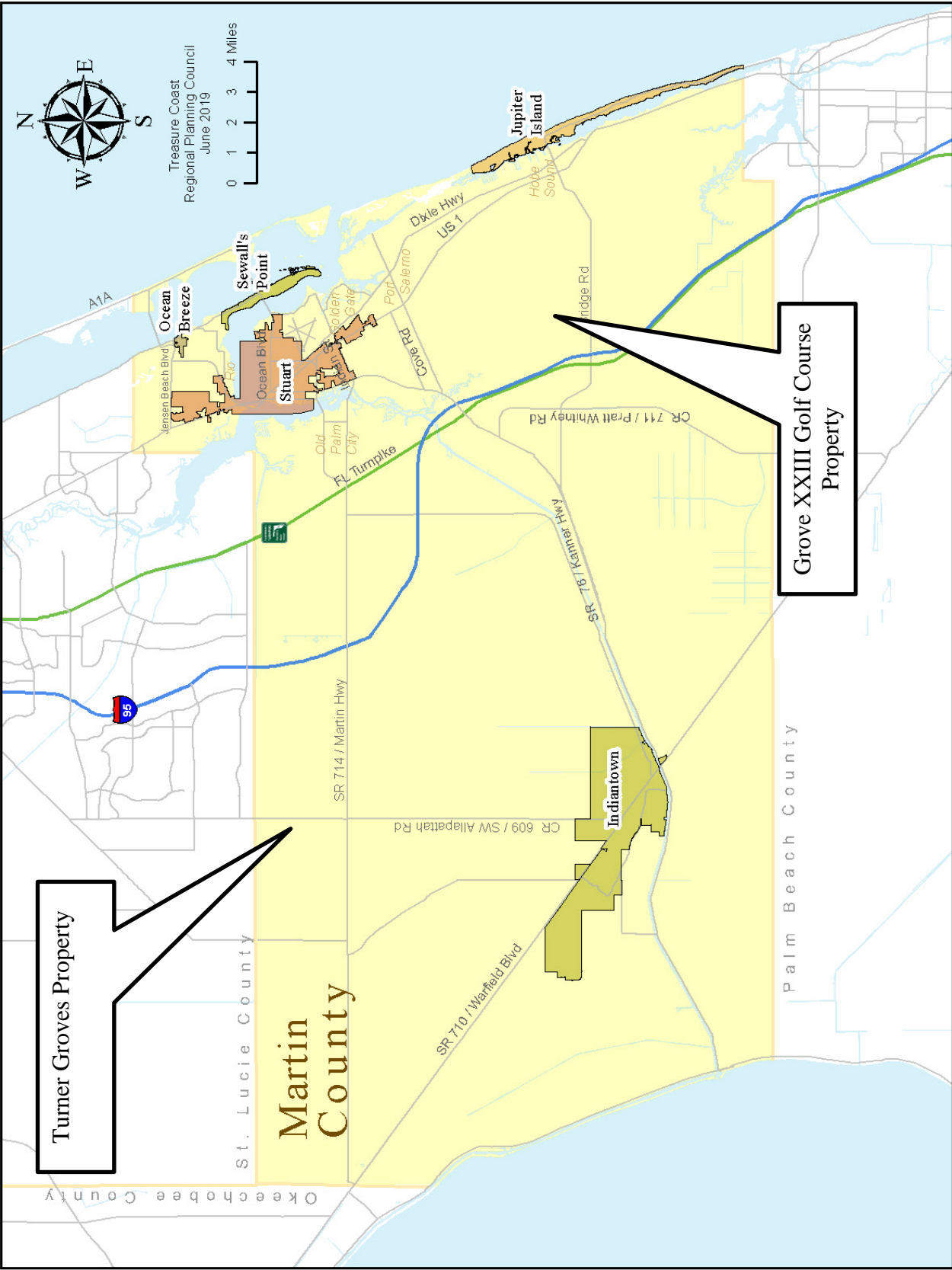
### Attachments

## List of Exhibits

### Exhibit

- 1 General Location Map
- 2 Text Amendment for Policy 4.1B.2 Shown in ~~Strikeout~~ and Underline Format
- 3 Grove XXIII Golf Course Location Map
- 4 Turner Groves Location Map

**Exhibit 1**  
**General Location Map**





## Exhibit 2

### Text Amendment for Policy 4.1B.2 Shown in ~~Strikeout~~ and Underline Format

*Policy 4.1B.2. Analysis of availability of public facilities.* All requests for amendments to the FLUMs shall include a general analysis of (1) the availability and adequacy of public facilities and (2) the level of services required for public facilities in the proposed land uses. This analysis shall address, at a minimum, the availability of category A and category C service facilities as defined in the Capital Improvements Element. No amendment shall be approved unless present or planned public facilities and services will be capable of meeting the adopted LOS standards of this Plan for the proposed land uses. The Capital Improvements Element or other relevant plan provisions and the FLUMs may be amended concurrently to satisfy this criterion. The intent of this provision is to ensure that the elements of the CGMP remain internally consistent.

Compliance with this provision is in addition to, not in lieu of, compliance with the provisions of Martin County's Concurrency Management System. When a map amendment is granted under this provision, it does not confer any vested rights and will not stop the County from denying subsequent requests for development orders based on the application of a concurrency review at the time such orders are sought.

Martin County may adopt sub-area development restrictions for a particular site where public facilities and services, such as arterial and collector roads, regional water supply, regional wastewater treatment/disposal, surface water management, solid waste collection/disposal, parks and recreational facilities, and schools, are constrained and incapable of meeting the needs of the site if developed to the fullest capacity allowed under Goal 4.13 of this Growth Management Plan. The master or final site plan for a site that is subject to such sub-area development restrictions shall specify the maximum amount and type of development allowed. Sub-area development restrictions apply to the following sites:

- (1) The tract of real property described in the Warranty Deed recorded at OR Book 2157, Page 2403, of the Public Records of Martin County, which is limited to 365,904 square feet of nonresidential use, consistent with the assigned future land use designation, and on which residential uses shall not be allowed.
- (2) The development of the tract of real property described in the Warranty Deed recorded in OR Book 2239, Page 2498, Public Records of Martin County, Florida, shall be restricted and managed as follows:
  - (a) Uses on the subject property shall be limited to nonresidential uses. Residential uses shall not be permitted.
  - (b) Uses on the property shall be consistent with the future land use designations for the property and the applicable land use policies of the Martin County Comprehensive Growth Management Plan (CGMP).
  - (c) The maximum intensities of uses on the subject property contained within a building or buildings shall not exceed 1,600,000 square feet.
  - (d) All future applications for development approval shall be processed as a Planned Unit Development (PUD).
  - (e) The maximum intensities of all uses contained within a building or buildings shall not exceed 500,000 square feet on the subject property (of which up to 25,000 square feet may be in marina uses) prior to December 1, 2015.
- (3) This sub-area policy applies only to lands within the boundaries of Florida state parks within Martin County, Florida. Recreation facilities allowed in the state parks shall be limited to those supporting resource-based outdoor recreation activities specifically identified in the park's approved management plan which has been developed according to F.S. sections 253.034 and 259.032, and F.A.C. 18-2 including, but not limited to, hiking, biking and equestrian trails, swimming areas, interpretive visitor centers, resource-based camping accommodations for use by tents, pop-up campers and other recreational vehicles, and cabins. All uses within the state parks must conform to the park's management plan. Activities which are normally allowed in this land use category but are prohibited under this sub-area policy include fairgrounds, commercial marinas, ball fields, dredge spoil facilities and other user-based (active) recreation facilities.
- (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 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 gallons per day subject to State Health Department regulations.

**Grove XXIII  
Golf Course**

**Entrance to  
Hobe Sound  
Polo Club**

**Location Map**

**lucido & associates**

701 E Ocean Blvd., Suite, Florida 33564 (772) 220-2181 Fax (772) 223-4223



**Exhibit 4**  
**Turner Groves Location Map**

