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FLORIDA'S LAW FIRM FOR BUSINESS

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**GROWTH MANAGEMENT  
DEPARTMENT**

Writer's Direct Dial: (772) 223-2218  
Writer's E-Mail Address: rraynes@gunster.com

February 24, 2020

**VIA HAND DELIVERY**

Nicki van Vonno  
Growth Management Director  
Martin County  
2401 SE Monterey Road  
Stuart, FL 34996

**Re: Supplemental to Land Development Code Text Amendment  
Limited Industrial – Hotel Density  
Justification Statement**

Dear Nicki:

On August 22, 2019, our firm requested a zoning text amendment to the Martin County Land Development Code ("LDC") to increase the maximum height allowed within the Limited Industrial ("LI") zoning district from 30 feet to 40 feet. On November 13, 2019 we amended our request to increase the maximum height allowed within the LI zoning district from 30 feet to 40 feet, for only those uses listed under the Commercial and Business Uses of Table 3.11.2, of the LDC. Industrial uses, such as limited impact industries, listed under Industrial Use, of Table 3.11.2, would still have a maximum height of 30 feet. Please consider this letter an amendment to those requests.

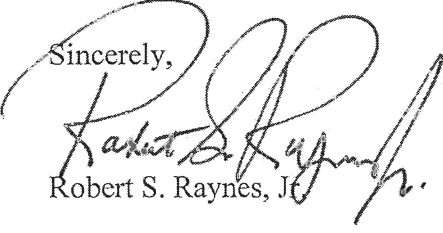
It has come to our attention that while hotels, motels, resorts and spas are a permitted use, by right, under the LI zoning district, that the Development Standards, set forth in Table 3.12.1, are silent regarding the maximum hotel density units per acre for the LI zoning district. Because hotels, motels, resorts and spas are a permitted use under the LI zoning district we believe that it is important to establish the maximum hotel density for the LI zoning district in order to avoid confusion and inconsistencies in the future.

We believe that the appropriate maximum hotel density for the LI zoning district would be 20 units per acre. We base this maximum density on the fact that the maximum hotel density for any given permitted use in Martin County is 20 units per acre. We also point out that the

maximum density of 20 units per acre, as set forth in the LDC, is given to other zoning districts that are similar in intensity to the LI zoning district, such as Commercial Office Residential 2, Limited Commercial, General Commercial, Community Commercial, Waterfront Resort Commercial and Waterfront General Commercial.

Accordingly, we would like to amend our request to include a revision to Table 3.12.1, Development Standards to reflect that the maximum hotel density for the LI zoning district shall be 20 units per acre. Please see the attached revision to Table 3.12.1, reflecting this requested change. We believe this amendment, and our request, follows current market trends, planning trends, corrects inconsistencies within the LDR and avoids unintended consequences.

Sincerely,



Robert S. Raynes, Jr.

cc: Clyde Dulin  
Maria Jose

Enc: Proposed Text Amendment (Updated)

Proposed Text Amendment Language for Limited Industrial Height (Updated)

Sec. 3.12. - Development standards.

The land development standards set forth in Tables 3.12.1 and 3.12.2 shall apply to all lands zoned in accordance with this Division.

**TABLE 3.12.1  
DEVELOPMENT STANDARDS**

| C<br>A<br>T | Zoning<br>District | Min. Lot<br>Area<br>(sq. ft.) | Min. Lot<br>Width<br>(ft) | Max. Res.<br>Density<br>(upa) | Max.<br>Hotel<br>Density<br>(upa) | Max.<br>Building<br>Coverage<br>(%) | Max.<br>Height<br>(ft)/(stories) | Min.<br>Open<br>Space<br>(%) | Other<br>Req.<br>(footnote) |
|-------------|--------------------|-------------------------------|---------------------------|-------------------------------|-----------------------------------|-------------------------------------|----------------------------------|------------------------------|-----------------------------|
| A           | AG-20A             | 20 ac.                        | 300                       | 0.05                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | AR-5A              | 5 ac.                         | 300                       | 0.20                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | AR-10A             | 10 ac.                        | 300                       | 0.10                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RE-2A              | 2 ac.                         | 175                       | 0.50                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RE-1A              | 1 ac.                         | 150                       | 1.00                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RE-½A              | 21,780                        | 100                       | 2.00                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RS-3               | 15,000                        | 60                        | 3.00                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RS-BR3             | 10,000                        | 75                        | 3.00                          | —                                 | 30                                  | 35                               | 50                           | —                           |
| A           | RS-4               | 10,000                        | 60                        | 4.00                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RS-5               | 7,500                         | 60                        | 5.00                          | —                                 | —                                   | 30                               | 50                           | —                           |
| A           | RS-6               | 7,500                         | 50                        | 6.00                          | —                                 | —                                   | 40                               | 50                           | —                           |
| A           | RS-8               | 5,500                         | 50                        | 8.00                          | —                                 | —                                   | 40                               | 50                           | —                           |
| A           | RS-10              | 4,500                         | 40                        | 10.00                         | —                                 | —                                   | 40                               | 50                           | —                           |
| A           | RM-3               | 15,000(h)                     | 60(h)                     | 3.00                          | —                                 | —                                   | 40                               | 50                           | —                           |
| A           | RM-4               | 10,000(h)                     | 60(h)                     | 4.00                          | —                                 | —                                   | 40                               | 50                           | —                           |

Proposed Text Amendment Language for Limited Industrial Height (Updated)

|   |       |           |       |          |              |    |                            |    |     |
|---|-------|-----------|-------|----------|--------------|----|----------------------------|----|-----|
| A | RM-5  | 8,500(h)  | 60(h) | 5.00     | —            | —  | 40                         | 50 | —   |
| A | RM-6  | 7,500(h)  | 50(h) | 6.00     | —            | —  | 40                         | 50 | —   |
| A | RM-8  | 5,500(h)  | 50(h) | 8.00     | —            | —  | 40                         | 50 | —   |
| A | RM-10 | 4,500(h)  | 40(h) | 10.00(g) | —            | —  | 40                         | 50 | —   |
| A | MH-P  | 10 ac.(e) | —     | 8.00     | —            | —  | 20/1                       | 50 | —   |
| A | MH-S  | 5,500     | 50    | 8.00     | —            | —  | 20/1                       | 50 | (i) |
| A | CO    | 10,000    | 80    | —        | —            | 40 | 30                         | 40 | —   |
| A | COR-1 | 10,000    | 80    | 5.00     | 10.00        | 40 | 30                         | 40 | —   |
| A | COR-2 | 10,000    | 80    | 10.00    | 20.00        | 40 | 30                         | 40 | —   |
| A | LC    | 10,000    | 80    | 10.00    | 20.00        | 50 | 30                         | 30 | —   |
| A | CC    | 10,000    | 80    | —        | 20.00        | 50 | 30                         | 30 | —   |
| A | GC    | 10,000    | 80    | —        | 20.00        | 60 | 40                         | 20 | —   |
| A | WRC   | 10,000    | 80    | 10.00    | 20.00        | 50 | 30                         | 30 | —   |
| A | WGC   | 10,000    | 80    | —        | 20.00        | 50 | 40                         | 30 | —   |
| A | LI-1  | —         | —     | —        | —            | —  | —                          | —  | —   |
| A | LI    | 15,000    | 100   | —        | <u>20.00</u> | 50 | <del>30</del> <u>40(l)</u> | 20 | —   |
| A | GI    | 30,000    | 125   | —        | —            | 50 | 40                         | 20 | —   |
| A | HI    | 1 ac.     | 125   | —        | —            | 60 | 40                         | 20 | —   |
| A | PR    | —         | —     | —        | —            | 45 | 40                         | 40 | —   |
| A | PC    | —         | —     | —        | —            | 45 | 30                         | 40 | —   |

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|   |       |          |     |     |   |    |      |    |          |
|---|-------|----------|-----|-----|---|----|------|----|----------|
| A | PS-1  | 10,000   | 80  | —   | — | 45 | 40   | 40 | —        |
| A | PS-2  | 10,000   | 80  | —   | — | 45 | 40   | 40 | —        |
| A | PAF   | —        | —   | —   | — | —  | —    | 50 | —        |
| B | HR-1  | 10,000   | 100 | (a) | — | —  | 35   | 30 | —        |
| B | HR-1A | 12,000   | 100 | (a) | — | —  | 35   | 30 | —        |
| B | R-1   | 15,000   | 100 | (a) | — | 25 | 30/3 | 50 | —        |
| B | R-1A  | 10,000   | 85  | (a) | — | 25 | 30/3 | 30 | (d)      |
| B | R-1B  | 8,200    | 75  | (a) | — | —  | 35   | 30 | —        |
| B | R1-C  | 15,000   | 100 | (a) |   | 25 | 25/2 | 50 | —        |
| B | R-2   | 7,500    | 60  | (a) | — | 35 | 30/3 | 30 | —        |
| B | R-2B  | 7,500    | 60  | (a) | — | 35 | 30/3 | 30 | —        |
| B | R-2C  | 5,000    | 50  | (a) | — | —  | 35   | 30 | —        |
| B | R-2T  | 7,500    | 60  | (a) | — | 35 | 30/3 | 30 | —        |
| B | RT    | 5,500(f) | 50  | (a) | — | —  | 20/1 | 30 | (b), (i) |
| B | TP    | 10 ac.   | —   | (k) | — | —  | 20/1 | —  | (c), (j) |
| B | E     | 43,560   | —   | (a) | — | —  | 30/3 | 50 | —        |
| B | E-1   | 30,000   | 150 | (a) | — | 25 | 30/3 | 50 | —        |
| B | WE-1  | 30,000   | 100 | (a) | — | 25 | 25/2 | 50 | —        |

Proposed Text Amendment Language for Limited Industrial Height (Updated)

- (a) Maximum residential density shall be one single-family residential dwelling unit per lawfully established lot.
- (b) In the RT district:
  - (1) Mobile home subdivisions shall be surrounded by a landscaped buffer strip at least 25 feet in depth on all sides. Buffers shall be unoccupied, except for underground utilities, canals, ditches, landscaping and entrance ornamentation.
  - (2) A minimum of five percent of the gross land area shall be required for recreation area.
  - (3) 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.
- (c) In the TP district:
  - (1) A minimum of five percent of the gross land area shall be required for recreation area.
  - (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-10 district is 15 units per acre for sites meeting the affordable housing criteria set forth in Section 4.4.M.1.e.(5) 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

Proposed Text Amendment Language for Limited Industrial Height (Updated)

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.

(l) In the LI zoning district the maximum building height shall be 40 feet for permitted uses listed as Commercial and Business Uses, pursuant to Table 3.11.2. The maximum building height shall be 30 feet for permitted uses listed as Industrial Uses, pursuant to Table 3.11.2.