



Martin County

Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Meeting Minutes

Local Planning Agency

Niki Norton, Chair, District 1, 11/2024
Thomas Campenni, District 2, 11/2026
Bob Thornton, District 3, 11/2024
James Moir, District 4, 11/2026
Rick Hartman, Vice Chairman, District 5, 11/2024
Juan Lameda, School Board Liaison, 12/2024

Thursday, October 3, 2024	7:00 PM	Commission Chambers
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CALL TO ORDER

Ms. Norton, Chair, called the meeting to order at 7:00 pm. A quorum was present.

ROLL CALL

Present: Niki Norton, Chair
Rick Hartman, Vice Chair
James Moir
Thomas Campenni
Juan Lameda – School Board Liaison

Absent: Bob Thornton

Staff Present:

Deputy County Attorney	Elysse Elder
Growth Management Director.....	Paul Schilling
Comprehensive Planning Administrator.....	Clyde Dulin
Senior Planner, Growth Management.....	Jenna Knobbe
Principal Planner, Growth Management.....	Samantha Lovelady
Senior Planner, Growth Management.....	John Sinnott
Principal Planner, Growth Management.....	Luis Aguilar
Principal Planner, Growth Management.....	Brian Elam
Agency Recorder/Notary.....	Rebecca Dima

MINU APPROVAL OF MINUTES – NONE

QJP QUASI-JUDICIAL PROCEDURES

QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a request involves the application of a policy to a

specific application and site. It is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process to cross-examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 25-0050

NEW NEW BUSINESS

NPH-1 ALL SAINTS CEMETERY REZONING (A088-001) (QUASI-JUDICIAL)

This is a request by Creech Land Use & Zoning, P.A, on behalf of All Saints' Cemetery, Inc., for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 9-acre cemetery from A-2, Agricultural District, to PS-2, Public Service District. The subject site is adjacent to the All Saints Episcopal Church at 2303 NE Seaview Drive, Jensen Beach. Included with this application is a request for a Certificate of Public Facilities Exemption.

Requested by: Audra R, Creech, Esq., Creech Land Use & Zoning, P.A.

Presented by: John Sinnott, Senior Planner, Growth Management Department

Agenda Item: 25-0118

***For the Record:**

LPA: Ex-parte communication disclosures: None. Intervener(s) present: None.

All persons wishing to speak on Quasi-Judicial agenda item(s) were sworn in.

STAFF: Mr. Sinnott presented

LPA: Mr. Moir asked what is changing on the property?

STAFF: Mr. Sinnott stated that just the zoning at this point, there are no plans in process at this time; but the Applicant wanted the ability to possibly build mausoleums if ever needed.

LPA: Mr. Campenni asked if any graves were being dug up.

STAFF: Mr. Sinnott said no.

LPA: Mr. Moir asked for clarification as to what parcels are included in the rezoning.

STAFF: Mr. Sinnott showed the 9 acres that are the subject of the application.

APPLICANT: Ms. Creech presented. Notices to neighboring properties were turned in.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; SECONDED by Mr. Hartman. The Motion CARRIED 4 - 0 with Mr. Thornton absent.

NPH-2

THE GRACE PLACE REZONING (G060-005) (QUASI-JUDICIAL)

This is a request by McCarthy Summers et.al on behalf of The Grace Place, Inc. for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 10.97-acre site from A-1A (Agricultural District) to RE-2A (Rural Estate District). The site is located at 1550 SE Salerno Road in Stuart. Included is a request for a Certificate of Public Facilities Exemption.

Requested by: Christen Spake, Esq., McCarty Summers et.al.

Presented by: Luis Aguilar, Principal Planner, Growth Management Department

Agenda Item: 25-0119

***For the Record:**

LPA: Ex-parte communication disclosures: None. Intervener(s) present: None.

All persons wishing to speak on Quasi-Judicial agenda item(s) were sworn in.

STAFF: Mr. Aguilar presented.

LPA: Mr. Moir asked what is changing?

STAFF: Mr. Aguilar stated that there is one application in for a carport.

LPA: Mr. Moir stated that he believed a carport would be allowed currently.

STAFF: Mr. Schilling clarified that current zoning is not consistent with the land use, so that is why the application is in at this time. There could be a future site plan application.

LPA: Mr. Hartman asked if this was a mandatory rezoning.

STAFF: Mr. Schilling stated that it was.

APPLICANT: Ms. Spake presented and turned in the notices to neighboring properties.

PUBLIC: The following people spoke regarding this item: Gloria Gronoucz.

LPA: Mr. Campenni asked the Applicant if a site plan has been put in yet.

STAFF: Ms. Elder stated that this is a rezoning, and a Site Plan is not an appropriate evaluation as to whether or not this is rezoned. What kind of uses may be asked but not Site Plan specific.

LPA: Mr. Moir said he did not think they were trying to site zone, just trying to clarify why the applicant has to rezone for a carport?

STAFF: Mr. Schilling clarified that a plan has been submitted and was referenced as a “carport” but is a porte-cochere that is attached to the building along with formalized paved parking; no residential is proposed. They are only here tonight to rezone the property because it has a 1967 zoning of A1A, which is Agricultural.

APPLICANT: Ms. Spake clarified that this was due to the very old zoning and the Comp Plan says they have to do this; the church has been here for 40 years and are staying here.

LPA: Mr. Moir stated his concerns regarding flooding on Salerno Rd.

APPLICANT: Ms. Spake noted that their engineer is here and will make note of that.

MOTION: A Motion was made by Mr. Campenni to approve staff’s recommendation of approval; **SECONDED** by Mr. Hartman. The Motion **CARRIED** 4 - 0 with Mr. Thornton absent.

NPH-3 MANUFACTURED COMMUNITY MANAGEMENT REZONING (W098-005) (QUASI-JUDICIAL)

This is a request by Gunster, Yoakley & Stewart, P.A. on behalf of KSA Equities Holdings, Inc. for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 3.83-acre undeveloped site from B-1 (Business District) to GC (General Commercial District). The site is located east of SE Federal Highway and north of SE Hydrangea Street, approximately 0.17 miles south of SE Salerno Road in Stuart. Included is a request for a Certificate of Public Facilities Exemption.

Requested by: Robert S. Raynes, Jr., Esq., Gunster, Yoakley & Stewart, P.A.

Presented by: Brian Elam, PMP, Principal Planner, Growth Management Department

Agenda Item: 25-0120

***For the Record:**

LPA: Ex-parte communication disclosures: Ms. Norton, Mr. Moir & Mr. Hartman have had none. Mr. Campenni has spoken to the Applicant.

Intervener(s) present: None.

All persons wishing to speak on Quasi-Judicial agenda item(s) were sworn in.

STAFF: Mr. Elam presented.

LPA: Mr. Moir asked if this was within the Salerno CRA and where that boundary was.

STAFF: Mr. Elam stated it is not, and showed where the boundary area is.

APPLICANT: Mr. Tom Sawyer with Gunster Law presented and turned in their notices to neighboring properties. Mr. Brian Nolan with Lucido & Associates was asked and answered questions from Mr. Sawyer.

LPA: Mr. Moir asked the Applicant if it was necessary to have General Commercial Zoning for this property or could Community Commercial do what they want to do as he is concerned with another gas station.

APPLICANT: Mr. Sawyer stated that the General Commercial Zoning was consistent with their needs.

LPA: Mr. Hartman made a statement regarding Mandatory Rezoning situations, and asked Ms. Elder and Mr. Schilling what can be done to stop this having to happen as it costs time and money.

STAFF: Ms. Elder explained that Public Hearings are necessary for any rezoning as it cannot be done without the property owners' consent, however, she is not sure that this case is a mandatory rezoning.

STAFF: Mr. Schilling clarified that this application is not mandatory and further clarified some requirements for the process of rezoning in the county.

PUBLIC: The following people spoke regarding this item: Sherise Gregory.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; SECONDED by Mr. Hartman. The Motion CARRIED 4 - 0 with Mr. Thornton absent.

NPH-4 COMPREHENSIVE PLAN AMENDMENT 24-04, FUTURE LAND USE ELEMENT

A proposed text amendment to Chapter 4, Future Land Use Element of the Comprehensive Growth Management Plan, Martin County Code, based on the 2024 Evaluation and Appraisal Report (EAR).

Requested by: Paul Schilling, Growth Management Director

Presented by: Clyde Dulin, AICP, Comprehensive Planning Administrator, Growth Management

Agenda Item: 24-1209

STAFF: Mr. Dulin presented.

LPA: Mr. Moir asked if there were other the parcel control numbers being included for addition to Policy 4.7A.14, Allowable development outside the Primary Urban Service District.

STAFF: Mr. Dulin showed on the map what areas are being proposed for changes, which are consistent with Chapters 10 and 11 which have already been presented.

LPA: Mr. Campenni asked if Commissioner Heard has had any issues with this proposal?

STAFF: Mr. Dulin stated he does not recall it being specific to this chapter; there was a vote to move Chapters 10 and 11 to the October 22, 2024, hearing. Mr. Dulin then continued his presentation.

LPA: Regarding shared infrastructure, Item number 8 in the staff report, Mr. Moir asked if this could be done with a PUD?

STAFF: Mr. Dulin stated that no, a PUD does not get around the Future Land Use designations. A discussion ensued between Mr. Dulin, Mr. Moir, and Mr. Campenni regarding the clarification of this. Mr. Dulin then showed graphic from the presentation to better clarify the proposed policy.

STAFF: Ms. Elder further clarified what can and cannot be done if residential and commercial share a unified property.

LPA: Mr. Moir asked to have the language shown and further clarified.

STAFF: Mr. Dulin showed specific areas from the presentation. Proposed policy 4.9A.3 and 4.10C.

LPA: Mr. Campenni asked a hypothetical question about future desires to divide a unified property.

STAFF: Mr. Dulin and Ms. Elder clarified that projects have to have Unity of Titles and any changes have to go before the Board for review and approval. Mr. Dulin then continued his presentation.

LPA: Regarding item number 9 in the staff report and residential capacity in 10 and 15 year planning periods, Mr. Moir made a statement regarding his thoughts on these changes being a bad idea to him.

LPA: Mr. Hartman asked Mr. Dulin to clarify that residential capacity calculations still have to be done.

STAFF: Mr. Dulin further clarified language in the proposal and that everything still has to comply with all other plan policies. Mr. Dulin then continued his presentation.

Regarding item number 10 in the staff report and the Census data used in the Residential Capacity Analysis, Mr. Moir and Mr. Dulin discussed the usage of certain data and whether or not continuing to use the same data is the best way to plan for the County.

LPA: Mr. Campenni asked Mr. Dulin what would be used instead?

STAFF: Mr. Dulin stated they would use total housing units available through the property appraiser's office and economic development data provided by Bureau of Economic and Business Research Florida and data provided by Tallahassee. Mr. Dulin showed where in the plan policy the data will be used, and which data will be used.

Mr. Moir and Mr. Campenni discussed their thoughts on the data being proposed for use.

STAFF: Ms. Elder stated that data is not being substituted, just removing vacant property data.

STAFF: Mr. Dulin showed policy 4.1D2 to clarify.

LPA: Ms. Norton asked Mr. Dulin to confirm that the policy defines what excess housing is.

STAFF: Mr. Dulin said yes and further stated that it is only available through census. Mr. Dulin then

continued his presentation.

LPA: Mr. Hartman asked a question regarding the maximum allowed density used on a property.

STAFF: Mr. Dulin said that the methodology attempting to use less than the maximum allowed density is problematic, so they left that alone.

LPA: Mr. Moir asked how “Live Local” alters the calculation.

STAFF: Mr. Dulin said it is not counted.

A discussion ensued between the LPA members regarding clarification for what data is being used and how they would like to be able to see it.

STAFF: Mr. Dulin stated that the Bureau of Economic and Business Research adjusts their data every 10 years to sync with the census.

LPA: Mr. Hartman asked Mr. Dulin if when the census comes out what is used is just synced up.

STAFF: Mr. Dulin stated that yes, in terms of projected population.

LPA: Mr. Hartman said he agrees with Mr. Campenni that he would like to be able to see where exactly the information was coming stated more clearly.

STAFF: Mr. Dulin quoted from the State Requirements regarding the need for the recommendations.

LPA: Mr. Moir and Mr. Campenni said they cannot support this. Mr. Hartman asked if there was a reference where the information comes from that can be seen in the text.

STAFF: Mr. Dulin showed where it can be seen in the text Policy 4.1D.2.

LPA: Mr. Campenni said he can then support it.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Campenni to approve staff’s recommendation of approval; **SECONDED** by Mr. Hartman. The Motion **CARRIED** 3 - 1 with Mr. Moir opposed and Mr. Thornton absent.

NPH-5 COMPREHENSIVE PLAN AMENDMENT 24-01, PREAMBLE

A proposed text amendment to Chapter 1, Preamble of the Comprehensive Growth Management Plan, Martin County Code, based on the 2024 Evaluation and Appraisal Report (EAR).

Requested by: Paul Schilling, Growth Management Director

Presented by: Jenna Knobbe, Senior Planner, Growth Management

Agenda Item: 25-0126

STAFF: Ms. Knobbe presented.

LPA: No questions. Mr. Moir stated he is opposed to it because he is opposed Chapter 4 and does not want to update the others to be in concurrence.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; **SECONDED** by Mr. Hartman. The Motion **CARRIED** 3 - 1 with Mr. Moir opposed and Mr. Thornton absent.

NPH-6 COMPREHENSIVE PLAN AMENDMENT 24-02, OVERALL GOALS AND DEFINITIONS

A proposed text amendment to Chapter 2, Overall Goals and Definitions of the Comprehensive Growth Management Plan, Martin County Code, based on the 2024 Evaluation and Appraisal Report (EAR).

Requested by: Paul Schilling, Growth Management Director

Presented by: Jenna Knobbe, Senior Planner, Growth Management

Agenda Item: 25-0127

STAFF: Ms. Knobbe presented.

LPA: No questions. Mr. Moir stated he is opposed for the same reasons as previously stated.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; **SECONDED** by Mr. Hartman. The Motion **CARRIED** 3 - 1 with Mr. Moir opposed and Mr. Thornton absent.

NPH-7 COMPREHENSIVE PLAN AMENDMENT 24-14, CAPITAL IMPROVEMENTS ELEMENT

A proposed text amendment to Chapter 14, Capital Improvements Element of the Comprehensive Growth Management Plan, Martin County Code, based on the 2024 Evaluation and Appraisal Report (EAR).

Requested by: Paul Schilling, Growth Management Director

Presented by: Clyde Dulin, AICP, Comprehensive Planning Administrator, Growth Management

Agenda Item: 25-0122

STAFF: Ms. Knobbe & Mr. Dulin presented. It was noted that there is a change in response to Federal HUD requirements being made that is not in the Staff Report but was noted by the Public Works staff that takes effect Jan. 1, 2025. Policy 14.1A.2.(2)(b) 4) must require the lowest floor to be at least 2 feet above the 100-year flood elevation.

LPA: Mr. Moir asked if it would make sense to have the 100 year flood calculation comply with the other 100 year storm event calculations by using the same language.

STAFF: Mr. Dulin stated that the language used is what was provided by HUD.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Campenni to approve staff's recommendation of approval; **SECONDED** by Mr. Hartman. The Motion **CARRIED** 4 – 0 with Mr. Thornton absent.

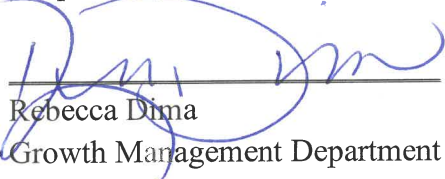
COMMENTS:

1. **PUBLIC** – None.
2. **STAFF** – Mr. Schilling polled the Board Members for their attendance at the next meeting.
3. **LPA** – Mr. Campenni stated he will not be able to attend the next meeting.

ADJOURN:

The Local Planning Agency meeting of October 3, 2024, adjourned at 8:28 pm.

Respectfully Submitted:


Rebecca Dima
Growth Management Department
Agency Recorder/Notary

Approved by:


Niki Norton, Chair

11/7/2024
Date Signed

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