

MARTIN COUNTY EAR-BASED COMPREHENSIVE PLAN AMENDMENT

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REQUEST NUMBER: CPA 24-08: Chapter 8, Coastal Management Element

Report Issuance Date: February 5, 2025

APPLICANT: Martin County Board of County Commissioners

REPRESENTED BY: Paul Schilling
Growth Management Director
Martin County Board of County Commissioners

PLANNER-IN-CHARGE: Amy Eason, PE, Environmental Resource Engineer
Darryl DeLeeuw, Environmental Administrator
Clyde Dulin, Comprehensive Planning Administrator

<u>PUBLIC HEARINGS:</u>	<u>Date</u>	<u>Action</u>
Local Planning Agency (LPA):	August 15, 2024	Recommend approval 5-0
Board of County Commission Transmittal:	October 22, 2024	Approval to transmit 5-0
Board of County Commission Adoption:	March 25, 2025	TBD

APPLICANT REQUEST: A text amendment to Chapter 8, of the Comprehensive Growth Management Plan (CGMP), to implement the recommended changes of the adopted Evaluation and Appraisal Report (EAR). It is also the completion of a Plan amendment initiated by the Board of County Commissioners in response to the Resilient Martin Sea Level Rise Report 2021 Impact & Analysis. Please see the attached Resolution 21-3.32 and the Board of County Commissioners Agenda item from March 23, 2021.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendments to Chapter 8, Coastal Management Element.

STATE AGENCY COMMENTS: No comments require action.

EXECUTIVE SUMMARY: Besides the changes initiated in 2021, other changes proposed for Chapter 8 are largely housekeeping changes such as cross referencing other chapters, updating evacuation information for hurricanes to be consistent with the Statewide Regional Evacuation Study Program prepared by the Florida Division of Emergency Management and the Treasure Coast Regional Planning Council. Additional modifications to this chapter are anticipated when the next vulnerability assessment and county-wide climate adaptation plan are approved by the Board of County Commissioners later.

BACKGROUND: The Evaluation and Appraisal Report, is a required part of the State growth management process and could be generally described as a mechanism for determining whether the need exists to amend the County's Comprehensive Growth Management Plan. Due to changes made by the Florida Legislature in 2011 via the Community Planning Act, local governments no longer need to submit evaluation and appraisal reports to the State reviewing agencies. Instead, local governments, at least every seven years, pursuant to Rule Chapter 73C-49, Florida Administrative Code, must determine if a need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to the State Coordinated review process in s. 163.3184. Additionally, local governments shall comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

Staff began this work effort last year. The County Commission has been briefed via memos and Board items. The following chart summarizes the work done.

Aug. 29, 2023	Treasure Coast Regional Planning Council (TCRPC) presented a community public outreach workshop
Nov. 21, 2023	BCC authorized notifying the State Land Planning Agency by letter that amendments are necessary.
Jan. 18, 2024	Treasure Coast Regional Planning Council (TCRPC) presented a second community public outreach workshop
Feb. 15, 2024	LPA reviewed the full EAR.
Feb. 20, 2024	State Land Planning Agency acknowledged receipt of the Nov. 21, 2023 MC letter and established November 27, 2024 as the deadline for transmittal of EAR based amendments to State Agencies.
Mar. 5, 2024	BCC received a report from TCRPC summarizing public input and adopted Resolution 24-3.2 initiating EAR based amendments.

The Local Planning Agency must conduct a public hearing on each amendment and provide a recommendation. The Board of County Commissioners must hold a transmittal public hearing on each amendment, prior to November 27, 2024 and then the amendments will be reviewed by the various state and regional agencies that participate in the State Coordinated Review Process. After that review the Board of County Commissioners must hold its adoption public hearing.

CONTENT AND FORMAT:

The attached amendment consists of an updated Chapter 8. The attached Chapter contains, in strike and underline, the proposed changes to the Element to implement the recommendations of the EAR and any local issues identified.

DATA AND ANALYSIS:

Growth Management Department staff are coordinating with Public Works Department staff on the proposed changes. Data and Analysis supportive of this chapter is attached. Copies are available in the Growth Management Department, upon request.

PROPOSED CHANGES:

1. Acronyms used in this chapter were updated to include the Basin Management Action Plan (BMAP), Comprehensive Everglades Restoration Plan (CERP), and Total Maximum Daily Load (TMDL) in order to address F.S. 163.3178(2)(c), which requires the component to include any state and regional plans or programs impacting water quality.
2. Section 8.1. Background was updated to include Martin County's Atlantic shoreline in the description. Within paragraph 2, "resilience" was added along with a definition from the Sea Level Rise Report 2021 Impact & Analysis, which was approved by the Board of County Commissioners on March 23, 2021 (SLR Report).
3. Added to the end of Section 8.1.B, Purpose and Intent the "peril of flood" reference to F.S.163.3178(f)1 and the resilience reference from SLR Report. "Recreational" was added since F.S. 163.3178 includes recreational facilities.
4. Deleted first sentence in 8.2.A. Land use since the description of the Atlantic shoreline was moved to Section 8.1 and added resilience language to shorelines per the Commission approval of the SLR Report to Section 8.2.A.
5. Added a reference to Figure 8-1, Coastal Area Land Use map to section 8.2 per F.S. 163.3178(2)(a). This map has been revised to add the Jensen Beach Mooring Field, the Manatee Pocket Mooring Field, and vacant land (undeveloped areas). All other lands listed in the legend were updated.
6. Added a reference to Figure 8-2, Coastal Zone Resources map to section 8.2. This figure was not referenced in this element in prior updates. Proposed Figure 8-2 has been revised since the August 15, 2024 LPA meeting to remove archeological sites from the figure.
7. Section 8.2.B has been updated to include language per the SLR Report and the Statewide Regional Evacuation Study Program prepared by the Florida Division of Emergency Management and the Treasure Coast Regional Planning Council at the below referenced website:
<https://www.floridadisaster.org/dem/preparedness/regional-evacuation-studies/>
8. References to Figure 8-3 Storm Surge Evacuation Zones and Figure 8-4 Infrastructure-Roads, Bridges, Causeways, and Evacuations were added and updated 8.2.B.
9. Figure 8-3 was updated with the most recent evacuation zones and clarification on the location and definition of the coastal high hazard area was added.
10. Section 8.2.C. Water Quality was added based on F.S. 163.3178(2)(c) and Figure 8-5 Water Quality is added for reference and has been updated to add the Lake Okeechobee BMAP, and St. Lucie River BMAP, and the Loxahatchee Pollution Reduction Plan areas.
11. Reference to Figure 8-6 CERP Projects & Stormwater Retrofits to Section 8.2.C. This figure was not updated for this process and will be updated in subsequential changes.
12. Section 8.3 included a population update with data from the Florida Office of Economic & Demographic website: <http://edr.state.fl.us/Content/population-demographics/index.cfm>
13. Section 8.3.A was updated to add needs for shoreline protection, water quality, and resiliency to the need for natural resource protection.
14. Table 8-4 was updated with boat registration data from the Department of Motor Vehicles website: <https://www.flhsmv.gov/motor-vehicles-tags-titles/vessels/vessel-owner-statistics/>
15. Section 8.3.C. Need for resiliency planning and implementation was added as a result of the SLR report.
16. Goal 8.1 was modified to add a resilience component per the SLR report.
17. The FDEP, United States Geological Survey (USGS), the Florida Oceanographic Society, the County and many other colleges, universities and non-profit organizations have been added as

- organizations that monitor the estuarine water quality in Objective 8.1B.
18. Further detail was added to Policy 8.1B.5 to add specifics that are needed in evaluating drainage basins to include water quality, hydrologic and hydraulic modeling, and resiliency to address flood risk, sea level rise, and water quality so that the watershed is evaluated for current and future needs.
 19. Shoreline defense and coastal flooding were added to Objective 8.1C per the recommendations of the SLR report.
 20. Policy 8.1C.1(3)(c) added language to match Policy 8.1C.1(1).
 21. Living Shorelines has been added to the performance standards under Policy 8.1C.1(3)(f) per the Resolution Number 21-3.32 on March 23, 2021 for the adoption of the SLR report and under Recommendation 39 of the same report, which increases the use of passive green infrastructure as a strategy for coastal resilience.
 22. Policy 8.1C.1(3)(h) was updated as an effort to reduce redundancy and repetition of defining “lots of record”.
 23. Policy 8.1C.1(3)(h)2 added language to address plats from the late 1970s to 1982 where the Board of County Commissioners established shoreline protection zones or shoreline preservation areas where these requirements are vested.
 24. Policy 8.1C.1(3)(h)10 adds that stormwater design shall consider tidal inundation and sea level rise impacts per SLR report.
 25. Policy 8.1C.2 is updated to include shoreline improvements and resiliency with nature-based solutions to reduce flood risk per the SLR report.
 26. Policy 8.1C.2(4) is added to address shoreline hardening that may be required following extreme storm events. Following the 2004-2005 hurricanes State agency permits for shoreline structures/seawalls were issued under a declaration of emergency.
 27. Policy 8.1C.2(5)(e) adds “peril of flood” language, which is defined as Florida Statutes 163.3178(2)(f)1-6.
 28. Policy 8.1D.2 adds multi-slip docking facilities to the siting criteria for marinas.
 29. Policy 8.1D.2. (4)(o) has been amended to require us of the Manatee Protection Plan and Boat Facility Siting Plan.
 30. Policy 8.1D.3 was deleted since there were two references to the same policy.
 31. Policy 8.1E.1(3) requires minimum elevations to be established.
 32. Policy 8.1E.2 was updated due to data no longer in existence. Adding F.S. 163.3178(2)(f)5 was in response to the requirement in State Statute that Martin County must address “peril of flood.”
 33. Policies 8.2A.2, 8.2A.3, 8.2A.4 adds “peril of flood” to address flood risk for these services and facilities.
 34. Objective 8.2E was updated to include “peril of flood” language.
 35. Adding Goal 8.3 to address “peril of flood” per Florida Statutes 163.3178(2)(f)1-6. The added goal consolidates the February 27, 2018 changes to this element in order to add “peril of flood” into one goal so that the recommendations from the SLR Report can be added.
 36. Objective 8.3A is the language from F.S. 163.3178(2)(f)1.
 37. Policy 8.3A.1 is from Recommendation 1 of Appendix A of the SLR Report.
 38. Policy 8.3A.2 is from Recommendation 5 and 12 of Appendix A of the SLR Report.
 39. Policy 8.3A.3 is from Recommendation 1 of Appendix A of the SLR Report.
 40. Policy 8.3A.4 is from Recommendation 3 of Appendix A of the SLR Report.
 41. Policy 8.3A.5 is from Recommendation 13 of Appendix A of the SLR Report.
 42. Policy 8.3A.6 is from Recommendation 9, 10, and 14 of Appendix A of the SLR Report.
 43. Policy 8.3A.7 is from Recommendation 1, 2, 4, 5, 9, 10, and 11 of Appendix A of the SLR Report.

44. Policy 8.3A.8 is from Recommendation 3 of Appendix A of the SLR Report.
45. Objective 8.3B is the language from F.S. 163.3178(2)(f)2&3.
46. Policy 8.3B.1 and 2 is from Recommendation 11, 20, 22, and 33 of Appendix A of the SLR Report.
47. Objective 8.3C is the language from F.S. 163.3178(2)(f)4.
48. Policy 8.3C.1., 2 and 3 requires the county to review its code in relation to the FEMA and allows flexibility to implement standards for resiliency.
49. Objective 8.3D and its related policies are from F.S. 163.3178(2)(f)6 and supports Recommendations 28-30 of Appendix A of the SLR Report.

FIGURES/ATTACHMENTS:

- Excerpt from the Evaluation and Appraisal Report, a Matrix for Evaluating Plan Policies.
- LPA approved minutes.
- Objections, Recommendations, and Comments (ORC) letter from reviewing state agencies.
- Resolution 21-3.32.
- Board of County Commissioners agenda item presenting the Resilient Martin Sea Level Rise Report.
- Excerpt Florida Statutes.
- Draft ordinance with draft Chapter 8, Coastal Management Element shown in ~~strikeout~~ and underline as “Exhibit A”.
- Chapter 8 Figures Existing and proposed.
- Legal notice.
- Public comments relating to Chapter 8, Coastal Management Element.