

CPA 22-06,
Calusa Creek Ranch Text
Amendment

Application Materials



Martin County, Florida
Growth Management Department
COMPREHENSIVE PLANNING DIVISION
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

COMPREHENSIVE PLAN AMENDMENT APPLICATION

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

A. GENERAL INFORMATION

Type of Application: Text Amendment



Name or Title of Project:

Calusa Creek Ranch

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

Please see attached project narrative.

Parcel Control Number(s)

223940000000000204

233940000000000408

253940000000000109

263940000000000205

273940000000000105

343940000000000101

353940000000000108

363940000000000106

Project within a CRA? ☐ YES/NO ☒

Which One? Select CRA

Size of Project (Acres): 3,902.64 AC

Current Future Land Use Designation: Agricultural

Current Zoning Designation: A-2

Proposed Future Land Use Designation: Rural Lifestyle

Proposed Zoning Designation: PUD

Text Amendment

Proposed Elements to Amend:

Policy 4.13A.18 Rural Lifestyle

B. APPLICANT INFORMATION**Property Owner:** JWA Ranch, LLCCompany Representative: Kenneth S. BakstAddress: 13401 OakmeadeCity: Palm Beach Gardens, State: FL Zip: 33418Phone: Contact Agent Email: Contact Agent**Agent:** Urban Design Studio & Tyson J. Waters, Esq. (Fox McCluskey Bush Robinson, PLLC)Company Representative: UDS: Ken Tuma, Rob Dinsmore, and Tyler WoolseyAddress: Please see below contact information for each agent under Land Planner and Attorney

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Contract Purchaser: N/A

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner: Urban Design StudioCompany Representative: Ken Tuma, Rob Dinsmore, and Tyler WoolseyAddress: 610 Clematis Street, Suite CU-02City: West Palm Beach, State: FL Zip: 33401Phone: 561-366-1100 Email: RDinsmore@udsflorida.com
TWoolsey@udsflorida.com**Traffic Engineer:** Kimley-HornCompany Representative: Stephanie GuerraAddress: 1920 Wekiva WayCity: West Palm Beach, State: FL Zip: 33411Phone: 561-845-0665 Email: Stephanie.Guerra@kimley-horn.com**Attorney:** Fox McCluskey Bush Robinson, PLLCCompany Representative: Tyson J. Waters, Esq.Address: 3461 SE Willoughby BoulevardCity: Stuart, State: FL Zip: 34994Phone: 772-287-4444 Email: TWaters@foxmccluskey.com**Other Professional:** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

C. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Tyler Woolsey
Applicant Signature

8/28/23
Date

Tyler Woolsey
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: PALM BEACH

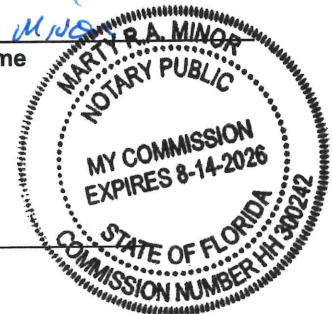
The foregoing instrument was acknowledged before me by means of X physical presence or online notarization, this 28 day of August, 20 23, by Tyler Woolsey

Marty R. Minor
Notary Public Signature

Marty R. Minor
printed name

He or She X is personally known to me or has produced identification.

STATE OF: at-large:



Applicant declares:

He/she understands that this application is submitted pursuant to Chapter I, Section 1-11 of the Martin County Comprehensive Growth Management Plan and Chapter 163, Part II (The Community Planning Act) of the Florida Statutes. The public record of this matter will consist of this application, the exhibits, documents or other materials prepared by the applicant and submitted to the Martin County Growth Management Department; information or materials the Martin County Growth Management Department may submit: public comment submitted through the Martin County Growth Management Department; and comments made at public hearings related to this application.

Please submit the application to: Martin County Growth Management Department
2401 SE Monterey Road, Stuart, FL 34996.

Completeness of application is the responsibility of the applicant. Applications not complete by the sufficiency due date will be returned to the applicant.

Kenneth S. Bakst
Signature of Applicant

Kenneth S. Bakst
Printed Name

Applicant Agent:

Tyler Woolsey
Signature of Agent

Tyler Woolsey
Printed Name

Note: The above noted agent, or owner, if no agent is listed, address and phone number will be used by the County as the single contact for all correspondence and other communication.

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
JWA Ranch, LLC	13401 Oakmeade, Palm Beach Gardens, FL 33418

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
	Please see attached	

(If more space is needed attach separate sheet)

DISCLOSURE OF INTEREST AFFIDAVIT

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
N/A	N/A	N/A

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application ^{1*}
CPA 22-06	JWA Ranch, LLC 13401 Oakmeade, Palm Beach Gardens, FL 33418	7/8/22	Comp Plan Text Amendment	P

(If more space is needed attach separate sheet)

¹ Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

P = Pending
D = Denied
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

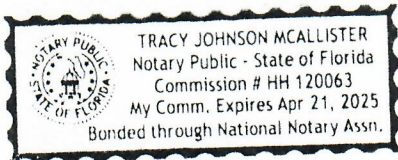
[Signature]

STATE OF Florida
COUNTY OF Palm Beach

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 3 day of Nov 2023, by Kenneth Bakst, who is personally known to me or have produced _____ as identification.

[Signature]
Notary Public, State of Florida
Print Name: Tracy J. McAllister
My Commission Expires: April 21, 2025

(Notary Seal)



DISCLOSURE OF INTEREST AFFIDAVIT

Exhibit "A"
(Disclosure of Interest and Affidavit) (Legal
Description)

LEGAL DESCRIPTION

All of Sections 25, 34, 35, 36; Section 26, except that part of the Northeast quarter (NE ¼) lying North of the State Road 76, less the West 350 feet thereof; that part of Section 22 and 27, lying South and/or East of the right-of-way of the St. Lucie Canal; the Southwest quarter (SW ¼) of Section 23 lying South and/or East of the right-of-way of said St. Lucie Canal, less the North 65.9 feet thereof; and the West 350 feet of the Southeast quarter (SE ¼) of said Section 23, less the North 65.9 feet thereof; all in Township 39 South, Range 40 East, less the North 105 feet on the aforesaid Section 25 and less the North 105 feet lying East of State Road 76 of the aforesaid Section 26.

DISCLOSURE OF INTEREST AFFIDAVIT

Appendix

Article 10.2.B.3. Article 10, Development Review Procedures; Land Development Regulations; Martin County Code

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
 - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
 - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
 - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
 - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
 - e. In addition, the disclosure must include those having any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property.
 - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
 - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.

JWA Ranch, LLC Ownership

- 50% KSB Ranch, LLC
1209 Orange Street, Wilmington, DE 19801
Owners of 5% or more of KSB Ranch, LLC:
 - Kenneth S. Bakst – 100%
13401 Oakmeade, Palm Beach Gardens, FL 33401

- 25% SP Ranch Holdings LLC
205 Datura Street, Suite 400, West Palm Beach, FL 33401
Owners of 5% or more of SP Ranch Holdings LLC:
 - Osprey Lane Holdings LLC – 41.67%
205 Datura Street, Suite 400, West Palm Beach, FL 33401
Owners of 5% or more of Osprey Lane Holdings LLC:
 - Marna Davis – 100%
205 Datura Street, Suite 400, West Palm Beach, FL 33401
 - DW Field Holdings LLC – 25%
205 Datura Street, Suite 400, West Palm Beach, FL 33401
Owners of 5% or more of DW Field Holdings LLC:
 - David Wermuth – 100%
205 Datura Street, Suite 400, West Palm Beach, FL 33401
 - James Carey – 21.67%
205 Datura Street, Suite 400, West Palm Beach, FL 33401

- 12.5% Long Drive, LLC
17 Jane Street, New York, NY 10014
Owners of 5% or more of Long Drive, LLC:
 - Edward Minskoff – 100%
17 Jane Street, New York, NY 10014

- 12.5% Nova 2002, LLC
251 Little Falls Drive, Wilmington, DE 19808
Owners of 5% or more of Nova 2002, LLC:
 - WPL 2020 Revocable Trust – 100%
767 Fifth Avenue, 40th FL, New York, NY 10153
Owners of 5% or more of WPL 2020 Revocable Trust:
 - William Lauder – 100%
767 Fifth Avenue, 40th FL, New York, NY 10153

PROJECT NARRATIVE



Text Amendment (CPA 22-06) Comprehensive Growth Management Plan Future Land Use Element Policy 4.13A.18 Rural Lifestyle

Initial Submittal: July 8, 2022
Revised: October 6, 2023
Revised: November 1, 2023

Urban Planning and Design
Landscape Architecture
Communication Graphics

REQUEST

On behalf of the property owner and applicant, JWA Ranch, LLC ("Applicant"), Urban Design Studio (UDS), in cooperation with Tyson J. Waters, Esq. of Fox McCluskey Bush Robison, PLLC, as agents, have prepared and hereby respectfully submit this project narrative to accompany an application for a Text Amendment to the Martin County Comprehensive Growth Management Plan (CGMP) Future Land Use Element (FLUE) Policy 4.13A.18, Rural Lifestyle.

The proposed text amendments to Policy 4.13A.18 are necessary to facilitate concurrent applications for a Future Land Use Map Amendment (CPA 23-12) and a PUD Rezoning (S239-004) for The Ranch PUD, a ±3,902.64-acre property generally located in central Martin County south of the St. Lucie Canal and spanning both sides of SW Kanner Highway, south and west of the intersection with SW Bridge Road.

SUMMARY OF PROPOSED TEXT AMENDMENTS

This application proposes to modify the Rural Lifestyle Future Land Use (FLU) designation to distinguish two tiers of minimum size and location criteria governing eligibility for properties requesting the Rural Lifestyle designation with further limitations on the maximum residential density permitted. The proposed amendment does not allow for or encourage the expansion of the County's Urban Service District boundaries.

Presently, the Rural Lifestyle FLU is limited to parcels of at least 1,000 contiguous acres which are adjacent to the County's Primary, Secondary, or Freestanding Urban Service Districts. The Applicant is proposing to create a second tier of qualifications for parcels seeking the Rural Lifestyle FLU designation. More specifically, the proposed Text Amendment introduces an option for parcels that are comprised of at least 3,000 contiguous acres and within six thousand (6,000) feet of the Primary Urban Service District or a Freestanding Urban Service District to qualify for the Rural Lifestyle FLU. Additional language is proposed to limit parcels requesting the Rural Lifestyle FLU under these criteria to a maximum residential density of one unit per twenty (20) acres.

.
.
.

[PROPOSED LANGUAGE BELOW]

Chapter 4, FUTURE LAND USE ELEMENT

Policy 4.13A.18. Rural Lifestyle. The Rural Lifestyle future land use designation is intended to guide development of self-supporting, self-contained and rural communities including affiliated recreational amenities with an emphasis on maintaining and enhancing natural and manmade open space and promoting sustainability and stewardship of the land and water.

(A) In order to be eligible for the Rural Lifestyle future land use designation the following size and locational criteria is required:

(1) -a minimum of 1,000 contiguous acres-Be located within unincorporated Martin County and outside the Primary Urban Service District and satisfy one of the following: are required. To minimize the extension of utility service,

(a) be comprised of a minimum of 1,000 contiguous acres and a portion of the ~~minimum~~-1,000 contiguous acres must be adjacent to the Primary Urban Service District, the Secondary Urban Service District or a Freestanding Urban Service District: or

(b) be comprised of a minimum of 3,000 contiguous acres and a portion of the 3,000 contiguous acres must be within 6,000 feet of the Primary Urban Service District or a Freestanding Urban Service District.

(2) For purposes of this policy, adjacent property is the same as “abutting” or “adjoining” or “immediately adjacent” property and shall refer to property with a shared property line regardless of easements on the abutting properties. Properties separated by an existing road right-of-way shall be considered adjacent and contiguous.

(3) Properties adjacent to or located within 6,000 feet of the urban service districts within or adjacent to the Village of Indiantown municipal limits are not eligible for the Rural Lifestyle land use designation.

(4) To minimize the potential impact on public facilities and services, no property eligible for the Rural Lifestyle future land use designation may have a density of more than one unit per twenty (20) acres unless the property satisfies the size and locational criteria under Section 1(a) above and satisfies all other standards established herein.

(B) Approval of an amendment to the Future Land Use Map changing the future land use designation on a specific parcel to Rural Lifestyle shall be required.

(C) Development of a specific parcel with the Rural Lifestyle future land use designation shall be implemented through a Planned Unit Development (PUD) zoning agreement and concurrent rezoning approved pursuant to the requirements of the Land Development Regulations and the standards established herein.

(1) Within a specific parcel designated as Rural Lifestyle on the Future Land Use Map, development shall not exceed a maximum building height of four-stories

or 40 feet and a minimum of 70 percent of the gross land area shall be established and maintained as open space. Wetlands, landlocked water bodies, upland habitat and land used for agricultural production may be used in calculating open space.

- (2) Blended densities, as described in Chapter 4, Future Land Use Element, shall be permitted.
- (3) Within the Rural Lifestyle future land use designation, gross residential density, including employee dormitory housing, shall not exceed ~~a~~the maximum ~~of one unit per 5 acres~~density allowed in the PUD.
- ~~(4)~~ Employee dormitory housing shall be allowed, otherwise only detached single-family dwellings are permitted. Duplex dwellings and multi-family dwellings are prohibited.
- ~~(a5)~~ Development proposed at a density of one unit per 20 acres or less shall be required to comply with all minimum preserve area, habitat protection and open space requirements in the Comprehensive Plan. Development proposed at a density of more than one unit per 20 acres shall be required to exceed the minimum habitat protection and open space requirements and provide proportionally more of the type of public benefits listed in subsection ~~(916)~~ below.
- ~~(b6)~~ Development proposed at a density of more than one unit per 20 acres, but not exceeding the allowed maximum of one unit per five acres, shall provide open space preservation outside of the specific parcel designated as Rural Lifestyle on the Future Land Use Map. A minimum of one acre of open space shall be provided off-site for every two acres assigned the Rural Lifestyle future land use designation. The open space provided off-site shall be located within unincorporated Martin County and maintained in perpetuity. The following forms of open space may be provided off-site:
 - Native upland habitat,
 - Wetland habitat,
 - Lands in agricultural production,
 - Areas of restored habitat
 - Water farming.
- ~~(e7)~~ The off-site open space shall be encumbered by a perpetual conservation or agricultural easement conveyed to at least one governmental organization and a 501 (c)(3) conservation organization, to be specified within the PUD Zoning Agreement. The property shall not be designated as Rural Lifestyle on the Future Land Use Map and shall not be rezoned, but shall be governed by the

PUD Zoning Agreement and identified therein by legal description. The perpetual easement shall restrict future use of the property in perpetuity to open space, prohibiting development of the property inconsistent with this policy and the terms and conditions established within the PUD Zoning Agreement.

Amendments to the Future Land Use Map should consider the potential for on-site open space and off-site open space to create contiguous open spaces and corridors with other adjacent open spaces and preserves.

- (~~d~~8) Golf cottages are permitted as an accessory use to a golf course as long as the golf cottages remain owned, controlled and operated by the owner(s) of the golf course for the exclusive use of members and their guests. Golf cottages shall not be counted toward the maximum gross density. One golf cottage per hole of each regulation 18-hole golf course shall be allowed up to a maximum of 54 golf cottages. Each golf cottage shall be limited to 6 bedrooms.
- (~~e~~9) Dormitories provided for permanent or temporary employee housing shall comply with all requirements of the Florida Building Code. A maximum of 6 employee dormitory beds shall be permitted per 100 acres of a specific parcel with a Rural Lifestyle future land use designation. The maximum number of single-family dwelling units permitted in the Rural Lifestyle future land use shall be reduced by one unit for every six employee dormitory beds.
- (~~f~~10) One accessory dwelling unit shall be allowed on the same lot as a single-family dwelling unit. The accessory dwelling unit shall meet the following requirements:
 - An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
 - It shall not count as a separate unit for the purpose of density calculations.
 - Construction of an accessory unit shall require recordation of a unity of title prohibiting the conveyance of the accessory dwelling unit separate from the primary dwelling unit.
- (411) Notwithstanding the prioritization of public services and any prohibition to the extension of services outside the Primary Urban Service District, described in Chapters 4, 10 and 11, the Rural Lifestyle future land use designation may receive potable water and sanitary sewer service through facilities provided by a regional utility.

The extension of utility services from or through the Primary Urban Service District, the Secondary Urban Service District or Freestanding Urban Service District to a specific parcel with a Rural Lifestyle future land use designation

and a Planned Unit Development zoning classification shall not serve any other property outside the Planned Unit Development agreement.

All costs associated with the extension, ongoing service and maintenance of utility services serving a specific parcel with a Rural Lifestyle future land use designation and a Planned Unit Development zoning classification shall be paid by the Planned Unit Development. The following additional requirements shall also be applicable:

- (a) A utility plant for a regional sewage system shall not be constructed within the Rural Lifestyle future land use designation.
 - (b) Package water and wastewater treatment plants, as defined in Chapter 2, shall not be permitted in the Rural Lifestyle future land use designation.
 - (c) On-site sewage treatment and disposal systems (septic systems) shall comply with the requirements of Chapter 10, Sanitary Sewer Services Element.
 - (d) A specific Municipal Services Taxing Unit (MSTU) may be established for all costs associated with the extension, ongoing service and maintenance of utility services within each Planned Unit Development within the Rural Lifestyle future land use designation.
- (512) The applicant for a PUD shall plan and appropriately fund public facilities consistent with Policy 14.1B.2. which requires that future development shall pay for the full cost of the capital improvements needed to address the impacts of such development. The PUD Agreement shall include conditions that address public facilities, infrastructure and the timing of development to be adopted prior to or concurrent with final site plan approval.
- (613) An economic analysis prepared by a qualified economic analyst shall evaluate the PUD's impact on the availability of public services and facilities, and the benefits provided by the PUD, to show a net positive fiscal impact to the County.
- (a) Physical improvements made within the PUD shall have a taxable value that far exceeds the value of physical improvements typically found in the Agricultural future land use designation (1 unit per 20 acres). The gross density permitted within the Rural Lifestyle future land use shall not exceed one unit per five acres.
- (714) PUD Zoning Agreement. All development within a specific parcel designated as the Rural Lifestyle on the Future Land Use Map must be developed in accordance with a Planned Unit Development (PUD) Zoning Agreement.
- (815) Approval of a PUD agreement and master plan shall occur concurrently with a Future Land Use Map amendment becoming effective. The PUD master

plan must include the entire acreage receiving the Rural Lifestyle future land use designation. If approval of a final site plan does not occur within five years, the Board of County Commissioners may initiate an amendment to the Future Land Use Map to cause the property to revert to its prior future land use designation or the most appropriate designation and rezone the property to a consistent zoning district.

(916) At a minimum, the PUD Zoning Agreement shall require the following public benefits:

- (a) The offset of biological and ecological impacts of new development through low impact development and environmentally beneficial practices including community farming, water and energy conservation techniques and innovative stormwater management systems that restore and enhance native habitat.
- (b) Enhanced water quality above the minimum requirements established in the Martin County Land Development Regulations through retention, detention and on-site irrigation prior to discharge into receiving waters and ultimately discharging into the St. Lucie River, the Loxahatchee River or the Indian River Lagoon.
- (c) Protection and management of natural lands in perpetuity over and above minimum wetland and upland preserve area and open space requirements. The PUD Zoning Agreement shall require the perpetual management and/or maintenance of off-site lands encumbered by an agricultural or conservation easement and establish a funding mechanism for the required management and/or maintenance.
- (d) Compatibility with adjacent agricultural uses and surrounding rural development through site design and location of open space.
- (e) Foster healthy lifestyles by creating an interconnected trail system providing access to managed natural areas, open space, parks and civic spaces.
- (f) Minimize greenhouse gas emissions and vehicle miles traveled by providing a mix of transportation alternatives including multi-modal paths, alternative powertrain vehicles and equipment, on-site charging stations, etc.
- (g) Provide for self-supporting project elements such as first-aid, private security, recreation amenities, residential multi-slip docking facilities, community store and/or land use restrictions to reduce traffic impact and dependence on the lands within the urban service districts. A community store shall be restricted to utilization by only the residents, guests and employees of the PUD and shall not exceed 6,000 square feet.

- (h) Provide private or public recreation uses and events that support or complement sustainable rural or agricultural lifestyles and local charities or that provide direct environmental benefit, employment or economic opportunities.

JUSTIFICATION

Pursuant to Policy 4.13A.18, Chapter 4 of the Future Land Use Element of the Plan, the County has created the Rural Lifestyle designation to “guide development of self-supporting, self-contained rural communities including affiliated recreation amenities with an emphasis on maintaining and enhancing natural and manmade open space and promoting sustainability and stewardship of the land and water”. The proposed text amendments maintain the intent of the Rural Lifestyle FLU while creating a second tier of eligibility with additional limitations on the maximum residential density permitted.

The primary benefit of the Rural Lifestyle FLU is the ability to provide smaller lots that may not otherwise be permitted outside of the County’s urban service district boundaries by allowing for the extension of necessary infrastructure at the property owner’s expense. The proposed amendments serve to extend this same benefit to larger properties of at least 3,000 acres within six thousand (6,000) feet of either the Primary Urban Services District or a Freestanding Urban Service District. This option is proposed as a secondary tier of eligibility as it requires significantly more land area in order to qualify but does not increase density and continues to allow for a density of no more than one unit per twenty (20) acres. In this way, the secondary option does not allow for a density bonus but rather affords an ability to group residential units on smaller lots with the dual benefit of minimizing the impact on necessary infrastructure and allowing a significant degree of preserved open space and natural areas.

The proposed amendments maintain the integrity of the County’s desire to limit the eligibility of the Rural Lifestyle FLU by creating an option with a minimum acreage of 3,000 contiguous acres. The benefits of the Rural Lifestyle FLU are exceedingly evident under this option due to the requirement for a substantially larger land area. For example, with a requirement to maintain a minimum of 70% of the property as open space, properties qualifying under this option would be required to provide a minimum of 2,100 acres of open space, thus providing for extensive opportunities for preserved and maintained native uplands, wetlands, agricultural operations, restored habitats, and wildlife corridors.

By limiting the maximum density available to projects qualifying under these criteria to no more than one unit per twenty (20) acres, the proposed amendment does not allow for increases in the maximum residential density beyond the density currently permitted under the Agricultural FLU designation. However, where the Agricultural FLU requires lots of no less than 20-acres, this option would afford the ability to concentrate residential units in a smaller land area on the property. The allowance for this type of compact design encourages a more efficient use of land and serves as a planning mechanism to combat the undesirable effects of urban sprawl. The Rural Lifestyle FLU requirements, as amended by the proposed eligibility criteria, collectively serve to effectuate a highly sustainable, environmentally

conscious style of development for uniquely situated properties of sufficient size outside of the County's urban service districts.

The adoption of the proposed amendments will enable the planning of a unique, sustainable rural enclave communities with high quality amenities and substantial open space and natural areas. Requirements to preserve and maintain natural areas will ensure development under the Rural Lifestyle FLU will be nestled among restored natural wetlands, preserved wildlife corridors and habitats, and other natural areas that serve to maintain the rural character of eligible properties and embrace the natural beauty of Martin County.

CONSISTENCY WITH THE GOALS, OBJECTIVES, AND POLICIES OF MARTIN COUNTY'S COMPREHENSIVE GROWTH MANAGEMENT PLAN

The proposed Text Amendment as proposed will support various Goals, Objectives, and Policies of the County's Comprehensive Growth Management Plan as described below.

Chapter 2 – Overall Goals and Definitions, Section 2.1 – Overall Goals for Martin County's Comprehensive Growth Management Plan – “Martin County has been proclaimed a 'Sustainable County' by the state land planning agency. Sustainable means meeting the needs of the present without compromising the ability of future generations to meet their needs. All planning decisions made by the County shall be based upon a consideration of impacts on the ecology, quality of life, and fiscal sustainability of such actions including the long term cumulative impacts.”

Response: The proposed amendments to allow for a second tier of eligible properties with a significantly larger minimum size requirement will facilitate the preservation of substantial open space and restored natural areas. This option creates a mechanism for the County to maximize the amount of upland habitats, wetlands, wildlife corridors, and productive agricultural lands on eligible properties. Further, the allowance for compact design will minimize impacts to County infrastructure and public services while the requirement for property owners to assume the expense of extending required infrastructure will maintain a high degree of fiscal sustainability with respect to the County's infrastructure facilities. By allowing the proposed text amendments, qualified projects will preserve and improve the natural ecological conditions across thousands of acres, maintain a high quality of life for current and future residents, and exemplify fiscally sound development. The Rural Lifestyle FLU, as amended, continues to offer a highly sustainable planning mechanism to address the development of properties outside of the County's urban service districts.

Chapter 4 – Future Land Use Element – Section 4.2 – Analysis of Land Use Features – Sub-Section 4.2.A. - “Land use issues. Martin County has experienced steady population growth over the years. All available evidence supports the premise that this population expansion will continue into the foreseeable future. Such growth will increase the pressure for urbanization, at the possible expense of agriculture uses and the natural environment. Therefore, it is important for the Board of County Commissioners and the citizens of the County to address growth and its associated impacts as a primary concern.”

Response: Pursuant to CGMP Table 4-3, the population of Martin County is projected to increase from 157,481 people in 2020 to 169,749 people by 2030 and to 181,321 people by 2045. While a majority of future residents can be expected to seek housing within the County's urbanized areas, it is necessary to provide a range of housing options including communities offering a rural lifestyle. The unique character of the County is attracting a high degree of attention from potential residents looking to secure a lifestyle offering a rural character within self-sustained communities with access to both natural areas and high-quality amenities. As such, the proposed amendment evolves an existing planning mechanism to provide additional residential options outside of the County's urbanized areas while accommodating high-quality amenities and emphasizing the natural resources that attract people to the County. The proposed text amendment would allow eligible properties to provide additional housing options for current and future residents seeking a sustainable lifestyle community nestled among substantial natural areas.

Chapter 4 – Future Land Use Element – Section 4.2 – Analysis of Land Use Features – Sub-Section 4.2.A.6.b.1 - “Single-family residential development must have natural area preserves (wetlands and native upland areas) set aside for common open space, controlled by a central homeowners association...Lower density and/or clustered residential development are generally better suited to environmentally sensitive areas because they can preserve large, contiguous natural areas and reduce impervious surfaces.”

Response: The proposed amendments to create a second tier of qualifying criteria within the Rural Lifestyle FLU designation would serve to ensure a substantial portion of developed properties are preserved as natural open space by allowing for the clustering of residential units without increasing the maximum number of units permitted. With a requirement to maintain a minimum of 70% of the property as open space, properties qualifying under this option would provide a minimum of 2,100 acres of open space providing for extensive opportunities for preserved and maintained native uplands, wetlands, agricultural operations, restored habitats, and wildlife corridors. As noted by the above CGMP policy, low density compact design is best suited for properties with environmentally sensitive lands that are capable of preserving large, contiguous natural areas and reducing impervious surfaces. The proposed amendments would facilitate a mechanism for the development of such properties in a manner that concentrates development to minimize impervious areas, provide substantial contiguous open space, and emphasize the value of the natural beauty of the area.

Chapter 4 – Future Land Use Element – Section 4.4 – Policy 4.1E.6.A – “A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety

in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right."

Response: The Rural Lifestyle FLU designation specifically requires that any development of eligible properties must be planned, approved, and controlled as a Planned Unit Development (PUD) in support of CGMP Policy 4.1E.6.A. The proposed amendments create a second tier of qualifying criteria to allow properties of appropriate size and location to pursue development as a Rural Lifestyle PUD. The proposed amendments will continue to limit the eligible properties outside of the County's urban service districts by virtue of the increased minimum acreage and location criteria. As such, the County maintains a high degree of involvement in the planning of such communities and ensures a range of public benefits are provided by the rural lifestyle community. These benefits may include commitments to minimize and offset biological and ecological impacts through low-impact development and environmentally beneficial practices, enhancements to water quality, maintained compatibility with surrounding agricultural uses, and the fostering of healthy, self-sustaining communities with access to managed natural areas, recreation uses, and other amenities in support of sustainable rural and agricultural lifestyles.

Chapter 4 – Future Land Use Element – Section 4.4 – Goal 4.8 – “To encourage energy conservation and promote energy-efficient land use and development that implements sustainable development and green building principles.”

Response: The County's adoption of the Rural Lifestyle FLU designation is in direct support of this CGMP goal. The proposed amendments serve to extend this sustainable planning mechanism to additional properties of appropriate size and location. Natural environmental and topographic features will lead the design, siting, and orientation of all structures and the use of eligible property. Such sustainable design concepts encourage the use of the sun, wind, and vegetation for climate control, ventilation, and lighting. The ability to develop under the Rural Lifestyle FLU ensures that all aspects of the resulting development, from the concentration of residential units through to the details of building orientation, will be planned and designed with sustainability top of mind to create a distinct and unique destination with a strong sense of place.

Chapter 4 – Future Land Use Element – Section 4.4 – Goal 4.9. – “To provide for appropriate and adequate lands for residential land uses to meet the housing needs of the anticipated population and provide residents with a variety of choices in housing types and living arrangements throughout the County.”

Response: The proposed amendments will allow for the development of low-profile, rural enclave communities only on properties that qualify under the proposed criteria. The introduction of such language acknowledges that larger properties in reasonable proximity to the boundary of the County urban service districts are uniquely suited to balance the need to provide additional housing options for future residents while preserving and emphasizing

the natural beauty of the County with the ability to provide concentrated development with substantial contiguous open spaces and natural areas. The proposed amendments will provide a mechanism for the development of low-density, rural estate style lots on properties of sufficient size in appropriate locations to allow for the preservation of substantial open space and natural areas while maximizing the efficiency of necessary services to development areas.

Chapter 7 – Recreation Element – Section 7.4. – Goal 7.1 – “To provide ample high quality and diverse recreational opportunities for the citizens of Martin County and its visitors in a cost-efficient manner.”

Response: The proposed amendments to allow for development under the Rural Lifestyle FLU will facilitate the opportunity for suitable properties to provide high quality recreation opportunities immersed in the natural beauty of Martin County. Development of rural lifestyle communities on properties of substantial size would allow for a new level of recreation amenity within the County that is expected to attract and introduce new visitors and future residents to the County. The use of the Rural Lifestyle FLU on such properties offers a highly cost-efficient opportunity for the County to encourage additional high-quality recreational opportunities for the residents and visitors of the County.

Chapter 9 – Conservation and Open Space Element – Section 9.4 – Goal 9.1 – “To effectively manage, conserve and preserve the natural resources of Martin County — air, water, soils, habitat, fisheries and wildlife, and especially the St. Lucie Estuary and the Indian River Lagoon — giving consideration to an equitable balance of public and private property rights.”

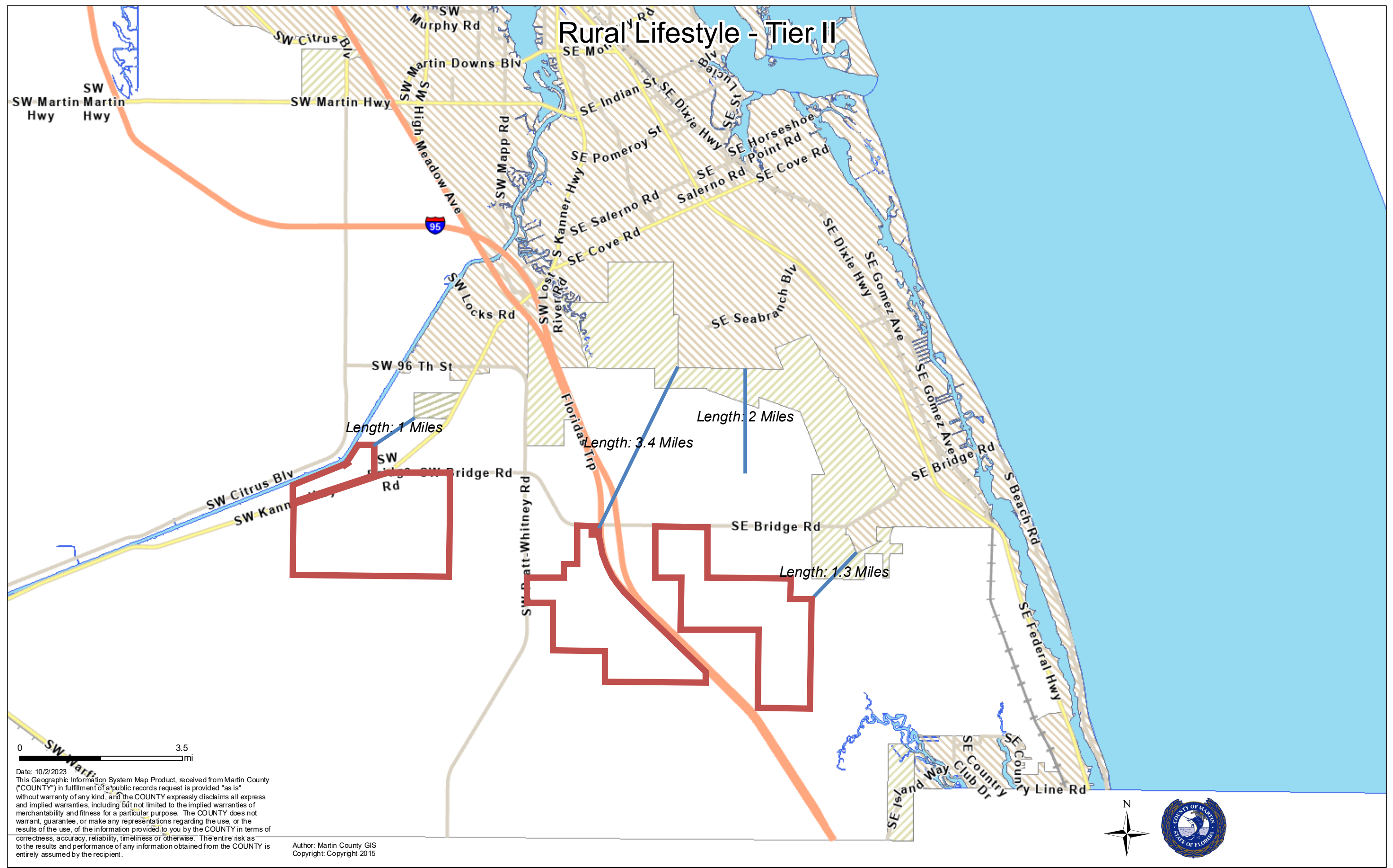
Response: The Rural Lifestyle FLU strongly supports the above Goal 9.1 of the County’s CGMP as it seeks to maintain a minimum of seventy percent (70%) of the gross land area. The benefit of this requirement is amplified when applied to larger properties of 3,000 acres or more as it results in a significantly larger amount of preserved open space and natural areas. At a minimum, such properties would provide 2,100 acres of open space, a large amount of which can be expected to be provided in the form of preserved wetlands, upland habitats, water bodies, wildlife corridors, and productive agricultural lands. It is also expected that properties of such size within six thousand (6,000) feet of the County’s urban service district boundaries will have the opportunity to offer additional benefits beyond the preservation of open space as the development of such property could include efforts to enhance water quality, remediate soils, provide native habitats, and more which may not be possible for properties of smaller size immediately adjacent to the urban service district boundaries. The proposed language ensures, from the highest level of regulation, that the future development of such properties will be environmentally conscious and will work to further the County’s goals of environmental conservation and the preservation of open space.

CONCLUSION

In conclusion, the property owner and agents believe the project narrative contained herein

and accompanying application materials demonstrate the proposed Text Amendments are consistent with and in support of the intent of the Rural Lifestyle Future Land Use designation and the Goals, Objectives, and Policies enumerated within the County's Comprehensive Growth Management Plan. Please feel free to contact Urban Design Studio or Tyson J. Waters, Esq. of Fox McCluskey Bush Robison, PLLC, using the contact information included in the application, with any questions related to this application.

Rural Lifestyle - Tier II



Rural Lifestyle - Tier II

