

Sunshine State Carnations REZONING

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. Application Information

Report Issuance Date: May 4, 2020

Applicant: Sunshine State Carnations, Inc.

Agent: Cotleur & Hearing
Dan Sorrow, AICP
1934 Commerce Lane, Suite 1
Jupiter, FL 33458

Planner: Maria Jose, M.S., Planner
Growth Management Director: Paul Schilling

Request Number: CPA 19-26

<u>PUBLIC HEARINGS:</u>	Date	Action
Local Planning Agency:	8/6/2020	
Board of County Commission Adoption:		

B. Project description and analysis

This application is a request for a zoning district change on a parcel from R-2B and R-2, (Single-Family Residential District) to RS-5, Low Density Residential District, on 19.44 acres located at 9450 SE Gomez Avenue in Hobe Sound. The application was submitted concurrently with a Future Land Use Map (FLUM) change from Residential Estate Density (2 units per acre) to Low Density Residential.

Staff recommendation:

Staff recommends approval of the zoning district change from R-2B and R-2 to RS-5. The decision on the appropriate zoning depends on the final decision for the future land use designations on the property. The proposed zoning district, RS-5, implements the Low Density Residential future land use designation proposed for the subject site. However, there are other zoning districts that can be considered that also implement Low Density Residential future land use. The Board may also consider retaining the existing zoning districts to implement the Low Density Residential future land use designation. Please see below:

Cat.	Zoning District	District Purpose
A	RS-5 (Low Density Residential District)	The RS-5 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.
A	RS-3 (Low Density Residential District)	The RS-3 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.
A	RS-4 (Low Density Residential District)	The RS-4 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.
A	RM-3 (Low Density Residential District)	The RM-3 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.
A	RM-4 (Low Density Residential District)	The RM-4 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.
A	RM-5 (Low Density Residential District)	The RM-5 district is intended to implement the policies of the CGMP for lands designated Low Density on the Future Land Use Map of the CGMP.

Difference Between Category “A” and Category “B” Zoning Districts

The existing zoning districts, R-2B and R-2, on the subject property are Category “B” zoning districts. The Category "A" districts are specifically designed to implement the Comprehensive Growth Management Plan (CGMP). The Category B zoning districts were originally adopted in 1967 and have been modified to be consistent with the CGMP. If there is any conflict with the Category B zoning districts and the CGMP, the CGMP will control. The Category B zoning districts shall only be applied to areas where the pattern of development had already been established prior to the April 1, 1982 (the date of adoption of the first Comprehensive Plan). This means the two existing zoning districts may be left unchanged on the subject property and used with the proposed future land use designation. The Category "A" districts are specifically designed to implement the Comprehensive Growth Management Plan (CGMP).

Difference Between the RS and RM districts

The RS-3, 4 and 5 districts and the existing zoning districts permit single family residential units with a variety of lot sizes. The districts RM-3, 4 and 5 permit multiple family residential units and zero lot line single family residential units. The numbers are included in the district title to represent the maximum residential density that each district allows. For example, RS-5 allows a maximum of 5 residential units per acre, RM-3 allows a maximum of 3 residential units per acre, and so forth. The key difference between RS and RM districts is that RM districts allow multifamily as a permitted use.

Permitted Uses:

The existing zoning districts, R-2B and R-2, are Category B zoning districts and the permitted uses are listed in Table 3.11.3 of the LDR. See Attachment 1, Permitted Uses - Category “B” Districts to view the permitted uses allowed by the current zoning, R-2 and R-2B.

Below is an excerpt from Article 3 of the LDR, showing the permitted use schedule for the proposed zoning district, RS-5, as well as other possible zoning districts that can be considered. The "P" indicates that the use is permitted within that zoning district provided that the use can be developed in accordance with, the requirements set forth in Divisions 3 and 4 and all other applicable requirements of Article 3 and the Land Development Regulations.

**TABLE 3.11.1
PERMITTED USES - CATEGORY "A" AGRICULTURAL AND RESIDENTIAL DISTRICTS**

USE CATEGORY	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 10	R M 3	R M 4	R M 5	R M 6	R M 8	R M 10	M H P	M H S
<i>Residential Uses</i>																		
Accessory dwelling units																		
Apartment hotels																		
Mobile homes																	P	P
Modular homes	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Multifamily dwellings											P	P	P	P	P	P		
Single-family detached dwellings	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P
Single-family detached dwellings, if established prior to the effective date of this ordinance																	P	P
Townhouse dwellings											P	P	P	P	P	P		
Duplex dwellings											P	P	P	P	P	P		
Zero lot line single-family dwellings										P	P	P	P	P	P	P		
<i>Agricultural Uses</i>																		
Agricultural processing, indoor																		
Agricultural processing, outdoor																		
Agricultural veterinary medical services	P																	
Aquaculture																		
Crop farms	P																	
Dairies																		

USE CATEGORY	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 10	R M 3	R M 4	R M 5	R M 6	R M 8	R M 10	M H P	M H S
Exotic wildlife sanctuaries	P																	
Farmer's markets																		
Feed lots																		
Fishing and hunting camps																		
Orchards and groves	P																	
Plant nurseries and landscape services	P																	
Ranches																		
Silviculture	P																	
Stables, commercial	P																	
Storage of agricultural equipment, supplies and produce																		
Wildlife rehabilitation facilities																		
<i>Public and Institutional Uses</i>																		
Administrative services, not-for- profit																		
Cemeteries, crematory operations and columbaria																		
Community centers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Correctional facilities																		
Cultural or civic uses																		
Dredge spoil facilities																		
Educational institutions		P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Electrical generating plants																		
Fairgrounds																		
Halfway houses																		
Halfway houses, on lots where such use was lawfully established prior to the effective date of this ordinance																		
Hospitals																		
Neighborhood assisted residences with six or fewer residents	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Neighborhood boat launches		P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P

USE CATEGORY	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 10	R M 3	R M 4	R M 5	R M 6	R M 8	R M 10	M H P	M H S
Nonsecure residential drug and alcohol rehabilitation and treatment facilities																		
Nonsecure residential drug and alcohol rehabilitation and treatment facilities, on lots where such use was lawfully established prior to the effective date of this ordinance																		
Places of worship	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Post offices																		
Protective and emergency services	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Public libraries			P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Public parks and recreation areas, active	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Public parks and recreation areas, passive	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Public vehicle storage and maintenance																		
Recycling drop-off centers	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
Residential care facilities											P	P	P	P	P	P		
Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance																		
Solar energy facilities (solar farms)																		
Solid waste disposal areas																		
Utilities	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P
<i>Commercial and Business Uses</i>																		
Adult business																		
Bed and breakfast inns	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P		
Business and professional offices																		
Campgrounds																		
Commercial amusements, indoor																		
Commercial amusements, outdoor																		
Commercial day care	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P

USE CATEGORY	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 10	R M 3	R M 4	R M 5	R M 6	R M 8	R M 10	M H P	M H S
Construction industry trades																		
Construction sales and services																		
Family day care	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Financial institutions																		
Flea markets																		
Funeral homes																		
General retail sales and services																		
Golf courses	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	
Golf driving ranges																		
Hotels and motels																		
Kennels, commercial																		
Limited retail sales and services																		
Marinas, commercial																		
Marine education and research																		
Medical services																		
Parking lots and garages																		
Recreational vehicle parks																		
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance																	P	P
Residential storage facilities																		
Restaurants, convenience, with drive through facilities																		
Restaurants, convenience without drive through facilities																		
Restaurants, general																		
Shooting ranges, indoor																		
Shooting ranges, outdoor																		
Sporting clay course																		
Trades and skilled services																		
Vehicular sales and service																		

USE CATEGORY	R E 2 A	R E 1 A	R E ½ A	R S 3	R S B R 3	R S 4	R S 5	R S 6	R S 8	R S 1 0	R M 3	R M 4	R M 5	R M 6	R M 8	R M 1 0	M H P	M H S
Vehicular service and maintenance																		
Veterinary medical services																		
Wholesale trades and services																		
<i>Transportation, Communication and Utilities Uses</i>																		
Airstrips	P																	
Airports, general aviation																		
<i>Industrial Uses</i>																		
Composting, where such use was approved or lawfully established prior to March 1, 2003																		
Extensive impact industries																		
Limited impact industries																		
Mining																		
Salvage yards																		
Yard trash processing																		
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002																		

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 669, pt. 1, 6-28-2005; Ord. No. 809, pt. 1, 9-9-2008; Ord. No. 937, pt. 1, 8-6-2013; Ord. No. 1045, pt. 1, 1-9-2018; Ord. No. 1067, pt. 2, 5-22-2018; Ord. No. 1074, pt. 3, 7-24-2018)

Analysis comparing permitted uses:

It can be noted that the RM zoning districts permit the use of multifamily dwellings, town house dwellings, duplex dwellings and zero lot line single family dwellings. However, the RS zoning districts do not permit such uses, neither do the current zoning districts the subject site has. The residential uses that the current zoning and the RS zoning districts permit are single family detached dwellings and modular homes only.

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. Please see excerpt below:

**TABLE 3.12.1
DEVELOPMENT STANDARDS**

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
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	RM-3	15,000(h)	60(h)	3.00	—	—	40	50	—
A	RM-4	10,000(h)	60(h)	4.00	—	—	40	50	—
A	RM-5	8,500(h)	60(h)	5.00	—	—	40	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	—

NOTES:

- (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.

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 623, pt. 1, 11-5-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 809, pt. 1, 9-9-2008; Ord. No. 866, pt. 2, 6-22-2010; Ord. No. 937, pt. 1, 8-6-2013)

**TABLE 3.12.2.
STRUCTURE SETBACKS**

C A T	Zoning District	Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
		1	2	3	4	1	2	3	4	1	2	3	4
A	RE-½A	25	25	25	25	15	15	15	15	15	15	15	15
A	RS-3	25	25	25	25	10	10	10	10	10	10	10	10
A	RS-4	25	25	25	25	10	10	10	10	10	10	10	10
A	RS-5	25	25	25	25	10	10	10	10	10	10	10	10
A	RM-3	25	25	25	25	10	20	30	40	10	10	20	30
A	RM-4	25	25	25	25	10	20	30	40	10	10	20	30
A	RM-5	25	25	25	25	10	20	30	40	10	10	20	30
B	HR-1	35(d)	35(d)	35(d)	35(d)	25(d)	25(d)	25(d)	25(d)	15(a)	15(a)	15(a)	15(a)
B	HR-1A	35	35	35	35	25	25	25	25	15(a)	15(a)	15(a)	15(a)
B	R-1	20(e)	20(e)	20(e)	20(e)	6(e)	8(e)	10(e)	10(e)	6	8	10	10
B	R-1A	20	20	20	20	6	8	10	10	6	8	10	10
B	R-1B	30(f)	30(f)	30(f)	30(f)	6(f)	6(f)	6(f)	6(f)	10(d)	10(d)	10(d)	10(d)
B	R1-C	30	30	—	—	20	20	—	—	10	10	—	—
B	R-2	20	20	20	—	6	8	10	—	6	8	10	—

		Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
B	R-2B	20	20	20	—	6	8	10	—	6	8	10	—
B	R-2C	20	20	20	20	6	8	10	10	6	8	10	10
B	R-2T	20	20	20	20	6	8	10	10	6	8	10	10

Analysis of Development Standards:

As shown in Table 3.12.2, all the RS zoning districts, including the proposed RS-5, all have the same setback requirements. The RM zoning districts have setbacks that are slightly different. Compared to these setbacks, the current zoning districts, R-2 and R-2B, have lower setbacks.

As shown in Table 3.12.1, all the RS and RM zoning districts have the same open space requirement, at 50 percent. Whereas the minimum open space requirement of the current zoning districts is lower, at 30 percent.

Regarding maximum height, the RS zoning districts, including the proposed RS-5 and the current zoning districts all are limited at 30 feet for height. Whereas the RM zoning districts allow a maximum height of 40 feet.

Please see the table below made with the information extracted from Table 3.12.1 regarding the current, proposed and possible zoning districts. It can be noted that the minimum lot area required is 7,500 sq. ft. for the current and the proposed zoning districts. The rest of the zoning districts require a larger lot area. Additionally, the maximum residential density allowed varies according to each zoning district. The current zoning is allowed one single-family residential dwelling per lawfully established lot. Whereas, the proposed zoning RS-5, allows a maximum of 5 residential units per acre. However, it is important to note that there is a minimum lot area of 7,500 sq. ft. required for RS-5.

Cat.	Possible Zoning Districts	Minimum Lot Area Required (sq. ft.)	Dwelling Types	Maximum Residential Density (upa)
B	R-2B (Current zoning)	7,500	Single Family	(a)
B	R-2 (Current zoning)	7,500	Single Family	(a)
A	RS-5 (Proposed)	7,500	Single Family	5
A	RS-3	15,000	Single Family	3
A	RS-4	10,000	Single Family	4
A	RM-3	15,000 (h)	Multi Family	3
A	RM-4	10,000(h)	Multi Family	4
A	RM-5	8,500(h)	Multi Family	5

- (a) Maximum residential density shall be one single-family residential dwelling unit per lawfully established lot.
- (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.

Analysis of Neighboring Land

Please see the analysis below regarding the subdivisions surrounding the subject site:

North of the subject site, Royal Street:

Total lots 22.

Overall area of subdivision is 9.87 acres with a gross density of 2.23 units per acre.

- a) The lots are all approximately 14,724.9 sq. ft., except for 2 lots being 17,859.6 sq. ft.
- b) Zoning is R-2B. The zoning on the 2 larger lots (17,859 sq. ft.) is R-2
- c) Minimum lot area required by R-2B and R-2 zoning is 7,500 sq. ft.

South of the parcel, Woodmere street:

Total lots 16.

Overall area of subdivision is 17 acres with a gross density of 0.94 units per acre.

- a) Most lots are larger than 1 acre or 43,560 sq. ft. However, 2 sites appear to have done a lot split, creating houses on smaller lots, where one is 13,068 sq. ft. and the other is 11,325.6 sq. ft.
- b) Zoning is R-2B
- c) Minimum lot area required by R-2B zoning is 7,500 sq. ft.

East of the parcel, Sabal Street:

Total lots 22.

Overall area of subdivision is 9 acres with a gross density of 2.44 units per acre.

- a) Most lots are 13,068 sq. ft., with 2 being 16,117 sq. ft. and another 2 being 31,798 sq. ft. and 27,878 sq. ft.
- b) Zoning is HR-1
- c) Minimum lot area required by HR-1 zoning is 10,000 sq. ft.

Please see table below made from the information above:

Subdivision	Zoning	Minimum Lot Area Required	Current gross density
Royal St.	R-2B and R-2	7,500 sq. ft.	2.23
Woodmere St.	R-2B	7,500 sq. ft.	0.94
Sabal St.	HR-1	10,000 sq. ft.	2.44

The areas surrounding the subject site are subdivisions that contain single family dwellings. The subdivisions north and south of the subject site have the same zoning as the subject site. These zoning districts and the proposed RS-5 zoning district all have the same minimum lot size which is 7,500 sq. ft. The subdivision located east of the subject site has the HR-1 zoning district. HR-1 requires a minimum lot size of 10,000 sq. ft.

With the current zoning, houses can be built on lots that are as small as 7,500 sq. ft. The same applies to the subdivisions north (Royal Street) and south (Woodmere Street) because they are also zoned R-2B. However, the existing lots in the surrounding subdivisions range in size from 11,000 square feet to over an acre, even though the minimum lot size is only 7,500 sq. ft.

However, it can be noted that lot splits can be done to create lots that are smaller. For example, a majority of the lots on Woodmere Street are larger than 1 acre (1 acre = 43,560 sq. ft.) but two sites appear to have done lot splits. The same can be done for other lots in the surrounding subdivisions. For

example, a lot that is 15,000 sq. ft. can be split into two, creating two lots that meet the minimum lot size for the existing zoning districts.

Additionally, it can be noted that gross density depends on factors such as overall area of the subdivision and the number of lots/ units created. Therefore, even though the concurrent FLUM change to Low Density Residential allows up to 5 units per acre, the gross density of the subject site may be lower due to factors such as the required minimum lot size dictated by the zoning district standards.

Standards for Amendments to the Zoning Atlas

1. The Comprehensive Growth Management Plan (CGMP) requires that Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016).
2. The Martin County Land Development Regulations (LDR), Article 3, Section 3.2.E.1. provides the following “Standards for amendments to the Zoning Atlas.”

The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.

3. The Martin County Land Development Regulations (LDR), in Section 3.2.E.2., provides the following “Standards for amendments to the Zoning Atlas.” In the review of a proposed amendment to the Zoning Atlas, the Board of County Commissioners shall consider the following:
 - a. ***Whether the proposed amendment is consistent with all applicable provisions of the Comprehensive Plan; and,***

Please see the staff report for CPA 19-26, Sunshine State Carnations FLUM Amendment. The report discusses compatibility with the Martin County CGMP and recommends Low Density Residential future land use designation. RS-5, which is the applicant’s request, implements the Low Density Residential future land use. However, there are also other zoning districts that implement the same future land use, which has been incorporated into this staff report.

- e. Whether and to what extent the proposed amendment would result in demands on public facilities; and,*

The property is located in the Primary Urban Service District (PUSD) and all required public facilities and services are in place to support future development in accordance with the RS-5 zoning district.

- f. Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the county's resources; and,*

The change in future land use is in direct response to the pattern of growth and the investment in public facilities and services that has occurred since the CGMP was adopted. The proposed request will conserve and enhance the value of existing developments and will support a reasonable mix of land uses in the area, while using the county's resources efficiently and economically.

Please refer to Figure 2 below, which shows the proposed zoning atlas.

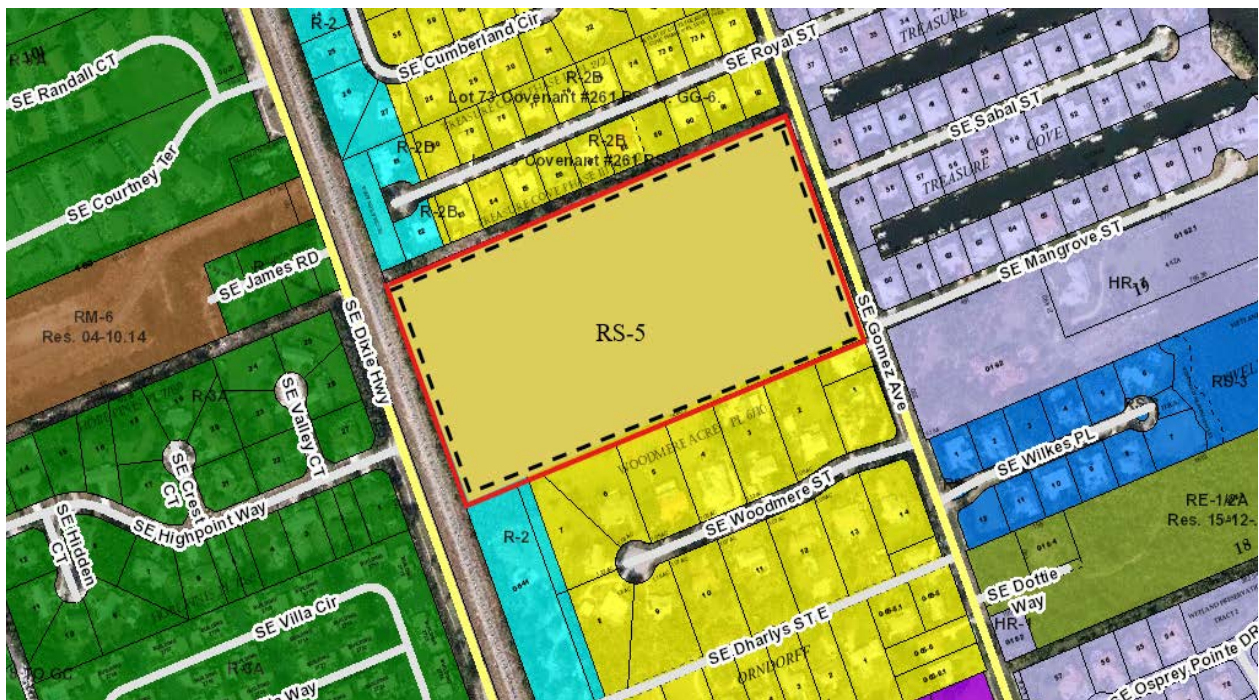


Figure 2, Proposed Zoning District, RS-5

- g. Consideration of the facts presented at the public hearings.*

CPA 19-26 and this concurrent rezoning have not been presented at a public hearing yet.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The rezoning process does not include a site plan review; therefore departments related to site plan review were not included in this rezoning staff report. The current

review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Maria Jose	288-5930	Pending
G	Development Review	Maria Jose	288-5930	Pending
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Maria Jose	288-5930	Exempt

The choice of the most appropriate district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) is asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2.E.1., Land Development Regulations (LDR), Martin County Code (MCC).

D. Review Board action

A review and recommendation is required on this application from the Local Planning Agency (LPA). Final action on this application is required by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be advertised public hearings.

E. Location and site information

Location: Approximately ±19.44 acres, located at 9450 SE Gomez Avenue in Hobe Sound.

Existing zoning:	R-2B and R-2
Future land use:	Residential Estate Density (2 units per acre)
Commission district:	District 3
Community redevelopment area:	N/A
Municipal service taxing unit:	District 3 Municipal Service Taxing Unit
Planning area:	Mid County

F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department

Unresolved issues:

Item #1:

Compatibility with the Future Land Use Map. The Growth Management Department staff has reviewed the Future Land Use Map Amendment in a separate report. Should the proposed change to the Future Land Use Map be adopted, the proposed RS-5 zoning district would correctly implement the respective Low Density Residential Future Land Use designation.

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved issues:

No site plan has been proposed. See Section F. above.

Additional Information:

Changes to the zoning atlas do not authorize any development activity. Criteria associated with this area

of review are applied in conjunction with site plan review processes. Any specific department issues will be addressed at such time as development of the subject site is proposed.

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

See above statement.

I. Determination of compliance with the property management requirements – Engineering Department

See above statement.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

See above statement.

K. Determination of compliance with transportation requirements - Engineering Department

See above statement.

L. Determination of compliance with county surveyor - Engineering Department

See above statement.

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department

See above statement.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

See above statement.

O. Determination of compliance with utilities requirements - Utilities Department

See above statement.

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

See above statement.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

See above statement.

R. Determination of compliance with Martin County Health Department and Martin County School Board

See above statement

S. Determination of compliance with legal requirements - County Attorney's Office

Review is ongoing.

T. Determination of compliance with the adequate public facilities requirements - responsible departments

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

U. Post-approval requirements

Not applicable.

V. Local, State, and Federal Permits

No Local, State and Federal Permits are applicable to a rezoning action which does not permit any development activities.

W. Fees

Not applicable.

X. General application information

Applicant and Property Owner: Sunshine State Carnations, Inc.

Y. Acronyms

ADA..... Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP..... Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA..... Local Planning Agency
MCC..... Martin County Code

MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD South Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. *Figures/Attachments*

Figures within the report:

Figure 1, Past Zoning Resolutions

Figure 2, Proposed Zoning Map

Attachment 1, Permitted Uses -Category “B” Districts

[illegible]

[illegible]

[illegible]

USE CATEGORY	H R 1	H R 1 A	R 1	R 1 A	R 1 B	R 1 C	R 2	R 2 B	R 2 C	R 2 T	R T P	E	E 1	W E 1
Salvage yards														
Yard trash processing														
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002														

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 669, pt. 1, 6-28-2005;
Ord. No. 809, pt. 1, 9-9-2008)