

PROPOSED AMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE PLAN

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REQUEST NUMBER: CPA 21-05 LCSC

Report Issuance Date: August 4, 2022

APPLICANT: Loblolly Community Service Corporation Property

REPRESENTED BY: Morris A. Crady, AICP
Lucido & Associates

PLANNER-IN-CHARGE: Glenn Rosado, Planner
Growth Management Department

<u>PUBLIC HEARINGS:</u>	Date	Action
Local Planning Agency:	August 4, 2022	
BCC Transmittal Hearing:	August 16, 2022	
Board of County Commission Adoption:	TBD	

SITE LOCATION: The site is located on east side of S.E. Gomez Avenue, north of the Loblolly Bay subdivision.

APPLICANT REQUEST: The request is for a comprehensive plan amendment to the Future Land Use Map (FLUM) changing ±51.79 acres from Residential Estate Density to ±14.70 acres Institutional General and ±37.09 acres Institutional Conservation. All of this land is proposed to change ownership from LCSC to FIND.

STAFF RECOMMENDATION:

Staff recommends approval of the FLUM change, to Institutional Conservation for the wetland portion of the site and Institutional General for the upland portion of the site. Please see Figure 2 which shows the proposed land use changes and the proposed swap of ownership.

EXECUTIVE SUMMARY:

The subject site is shown below, highlighted in blue (Figure 1).

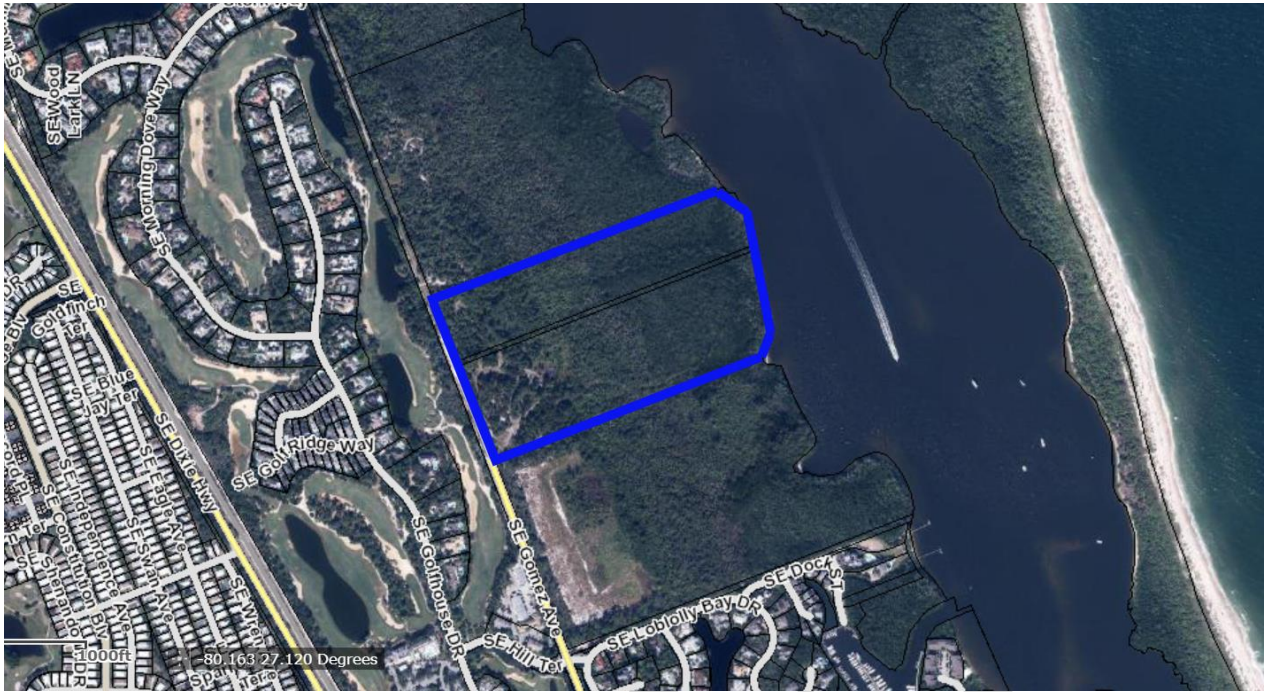


Figure 1: Location Map

This request is related to a proposed Future Land Use Map amendment on ±51.2 acres south of the parcel outlined in blue.

1. PROJECT/SITE SUMMARY

1.1. Physical/Site Summary

The subject property is ±51.79 acres. The parcel is within the following:

- Planning District:* South County
- Adjacent Planning District:* Port Salerno
- Commission District:* District 3
- Taxing District:* District 3 Municipal Service Taxing Unit
- Urban Service District:* The subject property is located inside the Primary Urban Service District (PUSD)

1.2 Major Roadways

The major roadway closest to the subject parcel is SE Gomez Avenue, which is a major collector road, upon which the parcel is located.

1.3. Current Amendment Requests

- A. CPA 21-04, Florida Inland Navigation District (FIND), is a request to amend the FLUM on ±63.6 acres located on S.E. Gomez Avenue, from Conservation to Residential Estate Density (2 units per acre).
- B. CPA 21-12, Waterside, is a request to amend the FLUM on 298 acres west of SW Kanner Hwy. The proposal would change 243 acres from Agricultural to Low Density Residential and change 54 acres from Industrial to Low Density Residential (5 units per acre).

- C. CPA 21-09, Becker B14 FLUM, is a request to amend the FLUM on 1493.91 acres located north of S.E. Bridge Road and east of the I-95 Interchange, from Agricultural to a new future land use designation.

1.4. Past Changes in Future Land Use Designations

There have been some changes in the surrounding area. Since adoption of the Comprehensive Growth Management Plan in 1982, five amendments to the FLUM have occurred in the immediate area. The adopted amendments are summarized below:

- A. CPA 17-14, Pettway. The CPA changed the Future Land Use Map from Commercial General to Medium Density Residential and a concurrent zoning change from R-3A (Liberal Multi-Family) to RS-8 (Medium Density Residential). Three parcels are located north of Pettway Street between US-1 and SE Dennie Drive.
- B. CPA 18-07, Hamm Parcel, was a request to change 27 acres from Low Density and Commercial Limited to Institutional Conservation.
- C. CPA 19-18, Tradewinds at Hobe Sound, was a request to change 27 acres from Medium Density, Commercial/Office Residential and Commercial Limited to High Density.
- D. CPA 21-02, Federal Hwy and Ridgeway Terr. is a request to amend the FLUM on 1.38 acres at 8530 S.E. Federal Hwy., from Medium Density Residential to General Commercial.
- E. CPA 21-06, Maggy's Hammock, is a request to amend the FLUM to change the 5.4-acre parcel from Residential Estate Density (2 units per acre) to Institutional Public Conservation.

1.5. Adjacent Future Land Use

North: Public Conservation

South: Public Conservation

East: N/A.

West: Residential Estate Density (2 units per acre).

1.6. Environmental Considerations

1.6.1. Wetlands, soils and hydrology

The Soil Survey of the Martin County Area, published by the United States Department of Agriculture (1978), lists the soil type on the subject property as:

- **Salerno sand.** This nearly level soil is poorly drained. Slopes are predominantly smooth and range from 0 to 2 percent. Typically, the surface layer is black to very dark gray sand.
- **Jonathon series.** Dark gray sand; weak fine granular structure; very friable; mixture of uncoated sand grains and organic matter granules strongly acidic.
- **Basinger Fine Sand.** -0 to 5 centimeters (0 to 2 inches); very dark gray rubbed, fine sand; weak fine granular structure; very friable; many fine roots; many uncoated light gray sand grains; strongly acid; clear smooth boundary.
- **Bessie Muck.** The Bessie series consists of very deep, very poorly drained, slow or very slow permeable organic soils in coastal mangrove swamps that are subject to daily or periodic flooding by high tides. They formed in marine deposits of organic materials over clayey and sandy sediments. Near the type location, the mean annual temperature is about 74 degrees F., and the mean annual precipitation is about 57 inches. Slope is less than 1

percent.

- **Okeelanta Muck.** The Okeelanta series consists of very deep, very poorly drained, rapidly permeable soils in large freshwater marshes and small depressional areas of the Southern Flatwoods (MLRA 155) and the Southern Florida Lowlands (MLRA 156B) Major Land Resource Areas. They formed in moderately thick deposits of decomposed hydrophytic non-woody sapric material overlying marine sand. Near the type location, the mean annual temperature is about 74 degrees F., and the mean annual precipitation is about 59 inches. Slopes range from 0 to 2 percent.

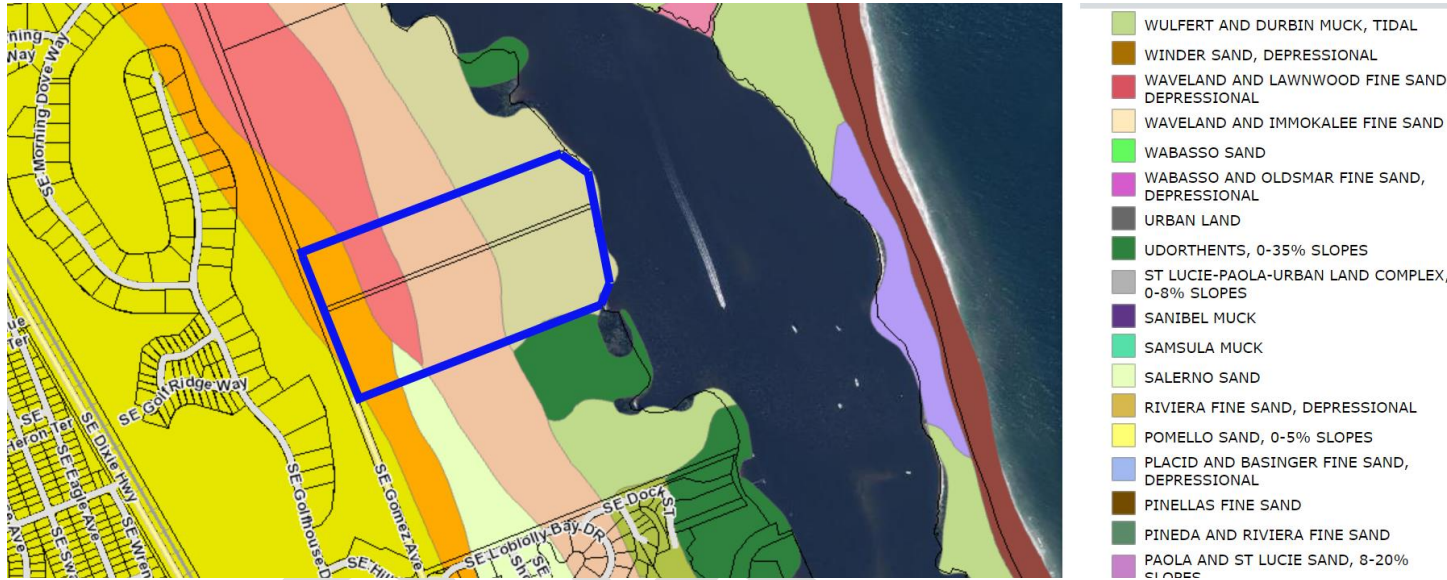


Figure 2: Soils map that shows the subject site, highlighted in blue



Figure 3: Wetland Composite Map

The composite wetlands data shows a high probability of wetlands on the eastern portion of the site. However, confirmation of wetlands and verifying the location and extend of wetlands can only be determined by on-site delineation by an environmental professional.

1.6.2. Wellfield protection

The following is a description of the presence of existing wellfields proximate to the site and applicable wellfield protection measures.

The subject parcel is not within any wellfield protection zones but is near them. See Figure 4.

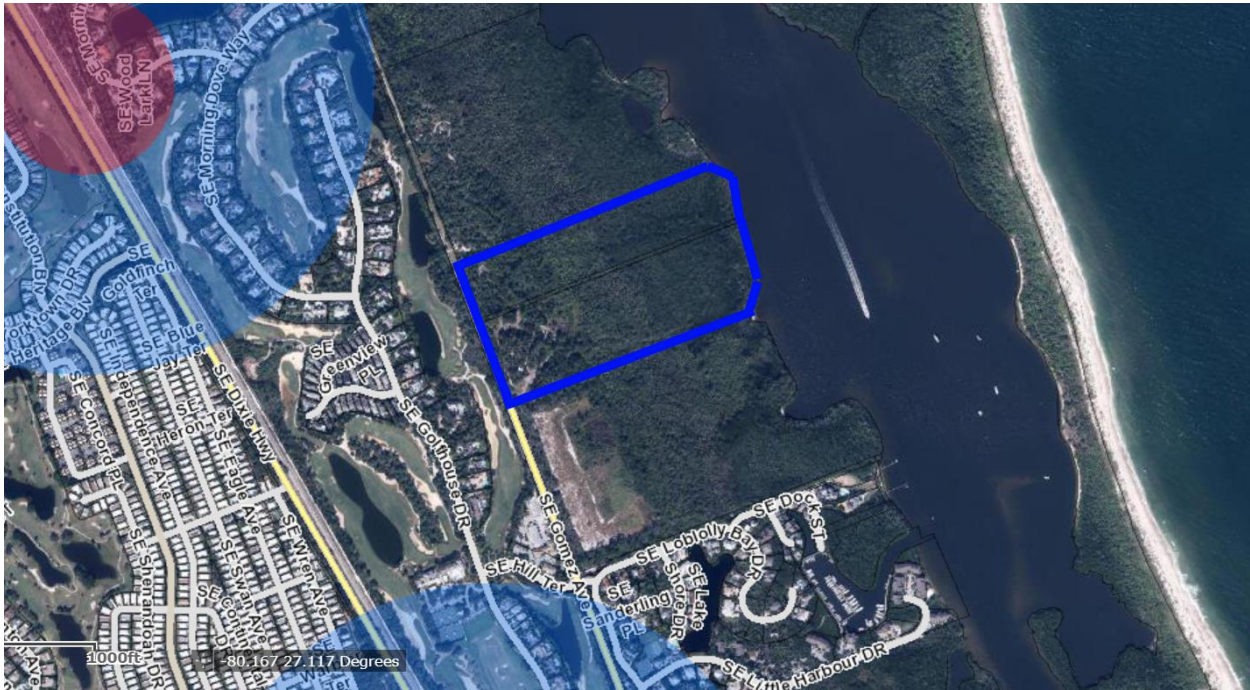


Figure 4: Shows the subject site near wellfield protection zones.

1.7. Adjacent Existing Uses

Below is a summary of the existing adjacent land uses in the general vicinity of the subject property:

North – Undeveloped

South – Undeveloped

East – Indian River

West- Loblolly Pines Residential Subdivision

2. ANALYSIS

2.1. Criteria for a Future Land Use Amendment (Section 1-11 CGMP)

In evaluating each Future Land Use Map amendment request, staff begins with the assumption that the Future Land Use Map, as amended, is generally an accurate representation of the intent of the Board of County Commissioners, and thus the community, for the future of Martin County. Based on this assumption, staff can recommend approval of a requested change provided that consistency is maintained with all other elements of this Plan and at least one of the following four items is found to apply. If staff cannot make a positive finding regarding any of the items in (a) through (d), staff shall recommend denial. Criterion (a), and (b) have been met and Criterion (c) and (d) have not been met.

(a) Past changes in land use designations in the general area make the proposed use logical and consistent with these uses and adequate public services are available; or

There have not been numerous changes in the immediate area. However, changing the subject site to Institutional, Conservation and Institutional, General future land use designations is consistent with the land use designations in the general area and there are adequate public services in the area. Criterion not met.

(b) Growth in the area, in terms of development of vacant land, redevelopment and availability of public services, has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics; or

Not applicable. Development on the lands in the immediate area has been consistent with the adopted Future Land Use Map.

(c) The proposed change would correct what would otherwise appear to be an inappropriately assigned land use designation; or

The Residential Estate Density future land use designation is not inappropriate for the current owner.

(d) The proposed change would fulfill a public service need that enhances the health, safety or general welfare of County residents.

The proposed change would be appropriate for the proposed owner. It would continue to provide a dredge spoil site for the Florida Inland Navigation District and would assign the correct future land use designation, Institutional General to the upland portion of the site. Criterion met.

One of the four criterion has been met and staff can make a positive recommendation.

2.2. Urban Sprawl

Urban sprawl is defined as a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

Florida Statute 163.3177(6)(a)9.a. states that any amendment to the future land use element shall discourage the proliferation of urban sprawl and provides thirteen indicators to judge whether a future land use amendment discourages the proliferation of urban sprawl. This proposed amendment complies with 13 out of 13 sprawl criteria that discourages the proliferation of urban sprawl.

Florida Statute provides an additional eight criteria, of which four must be met, in order to judge whether an amendment can be determined to discourage the proliferation of urban sprawl. This proposed amendment meets 8 out of 8 criteria that determine the application discourages urban sprawl.

An evaluation of the thirteen indicators for urban sprawl and a determination on the eight criteria for this future land use request follows:

(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

No. The proposed change will change the land use designation to Institutional, Conservation and Institutional, General. Discourages the proliferation of urban sprawl.

(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

No. This is not a rural area. It is well within the Primary Urban Service District. Discourages the proliferation of urban sprawl.

(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

No, it does not. The proposed Institutional, Conservation and Institutional, General designations would not allow for urban development in that manner. Discourages the proliferation of urban sprawl.

(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

Currently, according to the composite wetland map, there is a high probability of wetlands on the subject site, which is currently vacant and has never been developed. Any proposed development on the property would require an environmental assessment to identify wetlands on or within 100 feet of the property. Regarding groundwater protection, it can be noted that the subject site is near wellfield protection zones and may be within an aquifer recharge area; however, this can be analyzed further during the site development process. Discourages the proliferation of urban sprawl.

(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

No, this site is within the primary urban service district. The proposed future land use designation does not diminish agricultural areas or agricultural activities. The subject site is not near or adjacent to active farmlands or agricultural areas. Discourages the proliferation of urban sprawl.

(VI) Fails to maximize use of existing public facilities and services.

The proposed change would continue to allow the Florida Inland Navigation District to deposit spoil. It would not encourage residential development. Discourages the proliferation of urban sprawl.

(VII) Fails to maximize use of future public facilities and services.

The proposed change may increase the use of future public facilities or services because the amendment would convert the upland portion of the parcel into Institutional, General. Discourages the proliferation of urban sprawl.

(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

No, this site has adequate utilities, water/sewer systems and will not demand an extra increase in cost/time towards that. The subject site is located within the PUSD. Public services (law enforcement, fire, libraries, parks etc.) are currently provided to the area of the subject site. The proposal will not result in land use patterns that will disproportionately increase the cost/time of providing the public services.

(IX) Fails to provide a clear separation between rural and urban uses.

No, this site is well within the Primary Urban Service District. There are no rural uses. Discourages the proliferation of urban sprawl. Discourages the proliferation of urban sprawl.

(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

No, the proposed change will assign the appropriate future land use designation to permit relocating a Florida Inland Navigation spoil site. Discourages the proliferation of urban sprawl.

(XI) Fails to encourage a functional mix of uses.

No, the proposed change will permit the assignment of future land use designations appropriate for the wetlands on site. The site is located within the PUSD and is in an urban area with a mix of various uses such as conservation and residential uses. Discourages the proliferation of urban sprawl.

(XII) Results in poor accessibility among linked or related land uses.

No, the parcel is located on SE Gomez Avenue, which is a major collector road. The proposed land use changes will not change the accessibility among existing land uses. Discourages the proliferation of urban sprawl.

(XIII) Results in the loss of significant amounts of functional open space.

No, the proposed Institutional, General future land use requires 40 percent of the gross land area to be set aside as open space. The proposed future land use designation will not result in a loss of public open space. Discourages the proliferation of urban sprawl.

The site complies with all 13 sprawl criteria listed above.

2.2.1. Proliferation of Urban Sprawl

In order for the application to be determined to discourage the proliferation of urban sprawl, the amendment must incorporate development patterns or urban forms that achieve four or more of the following:

(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Wetland ecosystems will not be negatively impacted because all wetlands must be protected. Discourages the proliferation of urban sprawl.

(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

The proposed change for this site will not require the extension of public infrastructure and services because public infrastructure and services are already provided to the existing neighborhoods. Discourages the proliferation of urban sprawl.

(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

No, it will not promote compact development or a mix of uses and will not support multimodal transit. Discourages the proliferation of urban sprawl.

(IV) Promotes conservation of water and energy.

Yes, assigning the Institutional, Conservation future land use to the subject parcel will protect the wetland habitat on the eastern portion of the site. Maintaining a dredge site close to the Intercoastal Waterway will minimize the energy needed to process dredge material. Discourages the proliferation of urban sprawl.

(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

The proposed change will have no impact on agricultural areas and activities. Discourages the proliferation of urban sprawl.

(VI) Preserves open space and natural lands and provides for public open space and recreation needs.

The proposed change to Institutional, Conservation and Institutional, General will continue to provide publicly owned open space. Discourages the proliferation of urban sprawl.

(VII) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.

The proposed FLUM change will not affect the residential and nonresidential balance of land uses. Discourages the proliferation of urban sprawl.

(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

The proposed future land use designation does not provide for transit-oriented development or new towns as defined in s. 163.3164 and does not remediate existing low-density patterns in the vicinity that constitute sprawl. However, this sprawl criterion does not apply to this future land use change. Discourages the proliferation of urban sprawl.

All eight criteria listed above have been met to determine the application discourages urban sprawl.

2.3 Land Use Compatibility

The Institutional, General future land use designation would provide the Florida Inland Navigation District with the means to conduct their dredge removal operations on the upland portion of the site. The Institutional, Conservation future land use designation would preserve the wetland

portion. The land north of the subject site is vacant acreage with the Public Conservation designation and would be compatible with the Institutional, Conservation portion of the site.



Figure 5 – Future Land Use Map that shows the subject site, highlighted in red

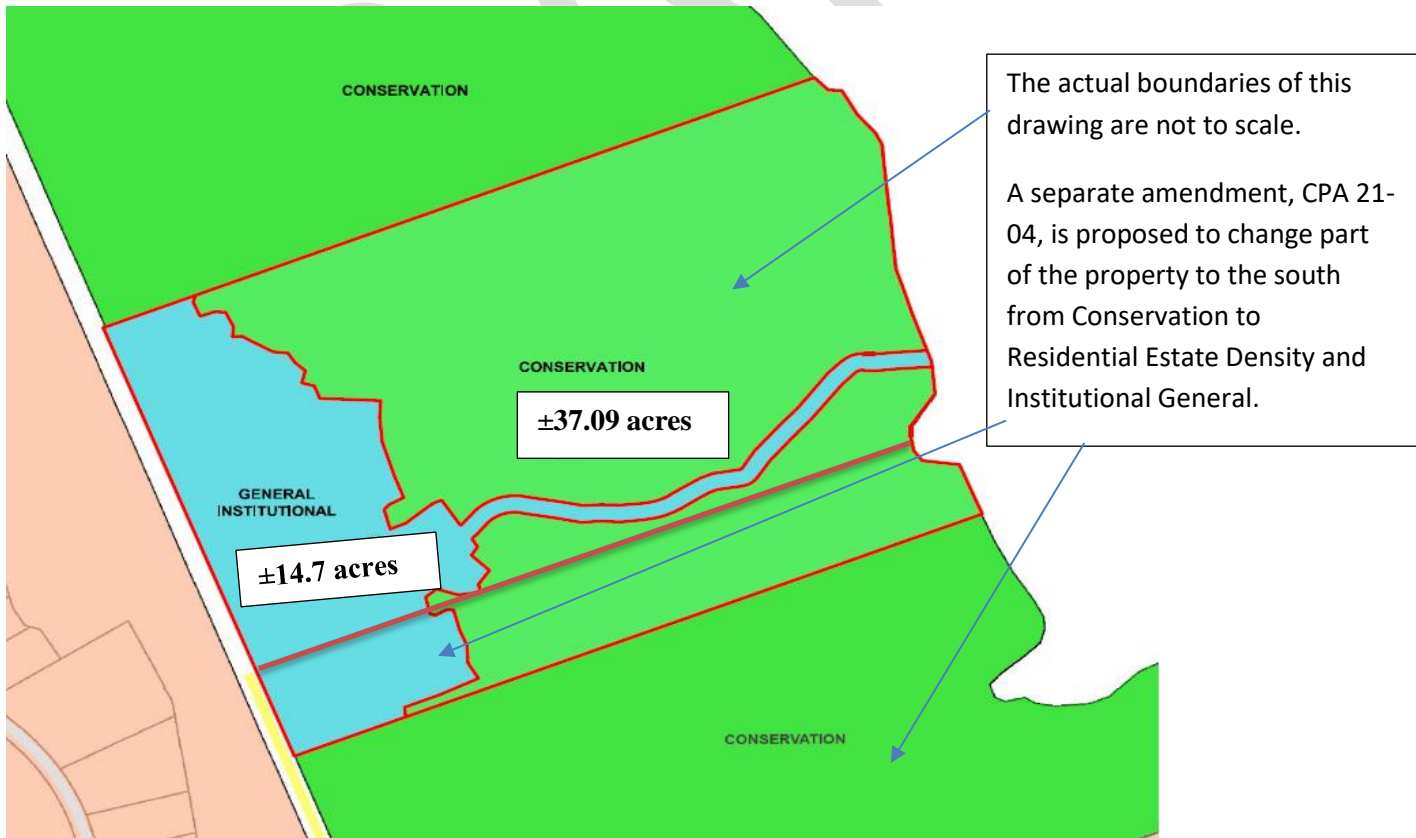


Figure 6 – Proposed Future Land Use Map, highlighted in red

2.4 Consistency with the Comprehensive Growth Management Plan

Below is an excerpt from the CGMP describing Institutional, Conservation extracted from Objective 4.13A.11., Martin County, Fla. (2021). The subject site fits the description of Institutional, Conservation and Institutional, General. This objective is intended to provide adequate and appropriate lands for institutional and conservation land uses.

(2) *Public Conservation.* The Public Conservation category recognizes publicly owned areas designed for conservation uses. In addition, privately owned land subject to perpetual easements as provided under Objective 4.5F may be designated Institutional Public Conservation. Only development compatible with conservation and passive recreation uses shall be permitted in the Public Conservation category. This may include access, parking and other facilities that enable the management of the resource and the public's enjoyment of it. Conservation areas include the DuPuis Preserve in south Martin County and the Savannas in north Martin County. Environmentally sensitive lands acquired by the County shall be reclassified to the Institutional-Conservation land use designation during the next plan amendment cycle.

(3) *General Institutional.* The General Institutional category accommodates public and not-for-profit facilities such as schools, government buildings, civic centers, prisons, major stormwater facilities, fire and emergency operation centers, public cemeteries, hospitals, publicly owned water and sewer systems, dredge spoil management sites and airports. Investor-owned regional public water and sewer systems and private cemeteries may be allowed in General Institutional. Lands acquired by the County for General Institutional uses shall be reclassified to the Institutional-General land use designation during the next plan amendment cycle, as will lands or property rights acquired by the Florida Inland Navigation District as future dredge spoil management sites.

Although Institutional use is reserved for the uses cited above, this shall not prohibit for-profit medical offices and other ancillary facilities owned by a nonprofit hospital as long as they are part of a PUD. The impervious area covered by buildings and required parking for such medical offices shall not include more than 12 percent of the site.

Public and/or private development of airport property owned or managed by the County shall be subject to an Airport Zoning District or Planned Unit Development (Airport) zoning district developed to implement this policy. It shall apply only to airports owned or managed by the County.

Privatized government operations shall be allowed in Institutional land use when the land is publicly owned, and the private entity is acting under contract with the government that would normally provide the service.

All Institutional development must meet all suitability and compatibility standards in the CGMP. Minimum open space requirement shall be 40 percent, maximum building height shall be 40 feet and maximum building coverage shall be 45 percent.

As noted above, the FLUM change to General Institutional on the upland portion of the site would allow for the Florida Inland Navigation District to conduct future dredge management operations. Please see the text above highlighted in gray describing the General Institutional future land use as appropriate for the lands used by the Florida Inland Navigation District.

2.5. Capital Facilities Impact (i.e. Concurrency Management)

Policy 4.1B.2. of the Future Land Use Element states: “All requests for amendments to the FLUMs shall include a general analysis of (1) the availability and adequacy of public facilities and (2) the level of services required for public facilities in the proposed land uses. This analysis shall address, at a minimum, the availability of category A and category C service facilities as defined in the Capital Improvements Element. No amendment shall be approved unless present or planned public facilities and services will be capable of meeting the adopted LOS standards of this Plan for the proposed land uses. The Capital Improvements Element, or other relevant plan provisions, and the FLUMs may be amended concurrently to satisfy this criterion. The intent of this provision is to ensure that the elements of the CGMP remain internally consistent.”

2.5.1.2. Drainage Facilities

Level of Service for drainage facilities is listed below. Compliance with the following levels of service requirements must be evaluated with the submittal of a site plan. The developed site must comply with the following policies.

Policy 14.1A.2.(2) County water management systems:

Level of Service

Major Drainage Ways (over one square mile) - 8.5" in a 24-hour period (25 year/24-hour design storm)

Underground Facilities Utilizing Storm Sewers - 6" in a 24-hour period (5 year/24-hour design storm)

All Other Facilities - 7" in a 24-hour period (10-year/24-hour design storm)

Finished Floor Elevation - 100-year/3-day storm

(a) Building floors shall be at or above the 100-year flood elevations, as determined from the most appropriate information, including Federal Flood Insurance Rate Maps. Both tidal flooding and the 100-year, 3-day storm event shall be considered in determining elevations. Lower floor elevations will be considered for agricultural buildings and boat storage facilities that are nonresidential and not routinely accessed by the public.

(b) All project sites shall control the timing of discharges to preclude any off-site impact for any storm event. The peak discharge rate shall not exceed the predevelopment discharge rate for the 25-year frequency, 3-day duration storm event.

The minimum roadway flood protection design storm shall be the 10-year frequency, 24-hour duration storm event unless the roadway is classified as a scenic corridor, in which case the flood protection design storm will consider maintaining the character of the roadway.

2.5.1.3. Transportation

Policy 5.2A.1, states: “*Establish a base level of service.* The LOS standard for all roadways in unincorporated Martin County is LOS D in the peak hour/peak direction. Standards for the State Highway System are guided by FDOT's latest 'LOS Policy'. The methodology for determining roadway facilities' level of service shall adhere to the methodologies identified in the latest FDOT's Q/LOS Handbook.”

2.5.1.4 Solid Waste Facilities

The proposed Future Land Use designation does not exceed the level of service (LOS) criteria for solid waste facilities. The required LOS in Martin County is 1.06 tons of capacity per weighted population. The weighted average population (the average of seasonal and full-time residents)

countywide in Fiscal year 2022 is 163,180 persons. In fiscal year 2022, there are 244,770 tons of available capacity or 1.50 tons per weighted person. A change from Industrial to COR will not reduce the level of service below capacity.

2.5.1.5. Parks/Recreation Facilities

Parks and recreation facilities are calculated on a countywide basis. The county has a total population in Fiscal Year 2022 of 163,280 persons. There are currently 943.61 acres of active parkland available in the County. The 2022 Capital Improvements Plan provides the following LOS analysis for services. The proposed change will not reduce active parks and recreation level of service below capacity.

	REQUIRED LOS	PROVIDED	CURRENT LOS
ACTIVE PARKLAND	3 acres per 1,000 residents	844 acres	5.17 acres per 1,000 residents
BEACH FACILITIES	9 parking spaces per 1,000 residents	1,350 spaces	8.3 spaces per 1,000 residents

2.5.1.6. Fire/Public Safety/EMS

The following table shows the levels of service adopted in Chapter 14, Capital Improvements. Level of Service Area: Unincorporated Martin County. The analysis is based upon a 2022 (weighted average) population in unincorporated Martin County of 149,797 persons. The proposed future land use change will not diminish the level of service below capacity.

	Travel time	Areas of Martin County	Required LOS Percent of time	Current LOS Percent of time
Advanced life support	8 minutes	Urban	90	96
Advanced life support	20 minutes	Rural	90	96
Basic life support	6 minutes	Urban	90	96
Basic life support	15 minutes	Rural	90	96
Fire response	6 minutes	Urban	90	96
Fire response	15 minutes	Rural	90	96

2.5.1.7. Public Educational Facilities

The LOS for public school facilities is established by CGMP Policy 17.1A.1. Pursuant to CGMP Policy 17.1B.1, final site plans that include residential units can be approved by the County “only after receipt of a School Concurrency Report from the School District stating that adequate capacity exists for the anticipated students.”

Please see the attached General School Capacity Analysis. At a future date, during the final site plan review process, the County must coordinate with the School Board of Martin County for a LOS analysis as provided for under Section 17.7. CGMP.

2.5.2. Non-Mandatory Facilities

2.5.2.1. Libraries

Library level of service is calculated on a countywide basis and has a goal of two volumes of reading material for each weighted resident. The Fiscal Year 2023 Capital Improvement Plan

shows the current LOS is 1.82 volumes per weighted resident. There is currently a deficit in volumes per weighted resident. The proposed future land use change will not impact the Library level of services, as they are already below the required level of service.

3. FIGURES/ATTACHMENTS

Figure 1, Location Map

Figure 2, Soils Map

Figure 3, Wetland Map

Figure 4, Wellfield Map

Figure 5, FLUM Map

Figure 6, Proposed FLUM Map

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