



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

GREEN RIDGE RANCH REZONING

Applicant/Property Owner:	Eric Brush
Agent for the Applicant:	Cotleur & Hearing, George Missimer
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	G088-001
Record Number:	DEV2024010014
Report Number:	2024_0314_G088-001_Staff_Report_Final
Application Received:	02/22/2024
Transmitted:	02/26/2024
Date of Report:	03/14/2024
LPA Meeting:	04/02/2024
BOCC Meeting:	04/09/2024

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B. Project description and analysis

This is a request by Cotleur & Hearing on behalf of Mr. Eric Brush for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 20.1-acre undeveloped site from A-2 (Agricultural) to AR-5A (Agricultural Ranchette). The site is located west of SW Greenridge Lane, approximately 0.64 miles southwest of the intersection of SW Greenridge Lane and SW 96th Street, in Palm City. Included is a request for a Certificate of Public Facilities Exemption.

The site is currently zoned A-2, Agricultural District with a Future Land Use (FLU) designation of Agricultural Ranchette. The A-2, Agricultural District is a Category “C” district that is not consistent with the Agricultural Ranchette FLU assigned to the area; therefore, this request to rezone is considered

mandatory.

The Agricultural Ranchette FLU designation is intended to protect and preserve areas of Martin County generally located between the fringe of the agricultural heartland and the outer fringe of urban development. These areas are situated in locations removed from urban services, have developed at very sparse densities and maintain their original agricultural and rural character. The CGMP recognizes the primary value of these lands for small agricultural operations, recreational equestrian activities and small stables, rural residences and open space. It therefore assigns reasonable development options consistent with the existing and anticipated agricultural character in the area.

There are two (2) standard Category “A” zoning districts available to implement the Agricultural Ranchette land use policies of the CGMP which are the AR-5A and AR-10A Districts. In addition to the standard zoning districts, the PUD (Planned Unit Development) District is also available. The PUD District offers more design flexibility to applicants for proposed projects. In exchange the district requires additional benefits to the County and more controls by the County. The applicant is proposing to rezone the property to the AR-5A, Agricultural Ranchette District.

The following tables include the permitted uses and development standards for the available standard Category “A” zoning districts.

**Table 1: Permitted Uses
(Excerpted from LDR, Art. 3, Div. 2, Sec. 3.11, Table 3.11.1 – Category “A” Agricultural and Residential Districts)**

USE CATEGORY	AR-5A	AR-10A
<i>Residential Uses</i>		
Accessory dwelling units		
Apartment hotels		
Mobile homes		
Modular homes	P	P
Multifamily dwellings		
Single-family detached dwellings	P	P
Single-family detached dwellings, if established prior to the effective date of this ordinance		
Townhouse dwellings		
Duplex dwellings		
Zero lot line single-family dwellings		
<i>Agricultural Uses</i>		
Agricultural processing, indoor		

Agricultural processing, outdoor		
Agricultural veterinary medical services	P	P
Aquaculture	P	P
Crop farms	P	P
Dairies		
Exotic wildlife sanctuaries	P	P
Farmer's markets	P	P
Feed lots		
Fishing and hunting camps	P	
Orchards and groves	P	P
Plant nurseries and landscape services	P	P
Ranches	P	P
Silviculture	P	P
Stables, commercial	P	P
Storage of agricultural equipment, supplies and produce		
Wildlife rehabilitation facilities	P	P
<i>Public and Institutional Uses</i>		
Administrative services, not-for-profit	P	P
Cemeteries, crematory operations and columbaria	P	P
Community centers	P	P
Correctional facilities		
Cultural or civic uses		
Dredge spoil facilities		
Educational institutions		
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 (6) or fewer residents	P	P
Neighborhood boat launches		

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	P	P
Places of worship	P	P
Post offices		
Protective and emergency services	P	P
Public libraries		
Public parks and recreation areas, active	P	P
Public parks and recreation areas, passive	P	P
Public vehicle storage and maintenance		
Recycling drop-off centers	P	P
Residential care facilities		
Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance	P	P
Solid waste disposal areas		
Utilities	P	P
<i>Commercial and Business Uses</i>		
Adult business		
Ancillary retail use		
Bed and breakfast inns	P	P
Business and professional offices		
Campgrounds		
Commercial amusements, indoor		
Commercial amusements, outdoor		
Commercial day care	P	P
Construction industry trades		
Construction sales and services		
Family day care	P	P
Financial institutions		
Flea markets		
Funeral homes		
General retail sales and services		

Golf courses	P	P
Golf driving ranges		
Hotels, motels, resorts and spas		
Kennels, commercial	P	P
Limited retail sales and services		
Marinas, commercial		
Marine education and research		
Medical services		
Pain management clinics		
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		
Residential storage facilities		
Restaurants, convenience, with drive-through facilities		
Restaurants, convenience, without drive-through facilities		
Restaurants, general		
Shooting ranges		
Shooting ranges, indoor		
Shooting ranges, outdoor		
Trades and skilled services		
Vehicular sales and service		
Vehicular service and maintenance		
Veterinary medical services		
Wholesale trades and services		
<i>Transportation, Communication and Utilities Uses</i>		
Airstrips	P	P
Airports, general aviation		
Truck stop/travel center		
<i>Industrial Uses</i>		
Biofuel facility		
Composting, where such use was approved or lawfully established prior to March 1, 2003		

Extensive impact industries		
Limited impact industries		
Mining	P	P
Salvage yards		
Yard trash processing		
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002		

The following table identifies minimum development standards in the available zoning districts.

**Table 2: Development Standards
(Excerpt from LDR, Table 3.12.1)**

Category	Zoning District	Min. Lot Area	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	AR-5A	5 ac.	300	0.20	--	--	30	50	--
A	AR-10A	10 ac.	300	0.10	--	--	30	50	--

**Table 3: Structure Setbacks
(Excerpt from LDR, Table 3.12.2)**

Category	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	AR-5A	40	40	40	40	40	40	40	40	40	40	40	40
A	AR-10A	40	40	40	40	40	40	40	40	40	40	40	40

Standards for Amendments to the Zoning Atlas

The Comprehensive Growth Management Plan (CGMP) states in Chapter 4, Section 4.4: “Goal 4.4 To eliminate or reduce uses of land that are inconsistent with community character or desired future land uses.” And, in Objective 4.4A. “To eliminate inconsistencies between the FLUM and the zoning maps and regulations.” Mandatory rezonings aim to apply a Category A zoning district that is consistent with the existing Future Land Use.

The Martin County Land Development Regulations (LDR), Article 3, Section 3.2 E.1. provide 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.

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;

The subject property is designated for Agricultural Ranchette on the Future Land Use Map (FLUM) of the CGMP. The zoning implementation policies and requirements contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code identify two (2) standard zoning districts to implement the Agricultural Ranchette future land use classification: the AR-5A district and the AR-10A district.

In addition to the standard zoning districts the PUD (Planned Unit Development) District is also available as a fourth option. The PUD District offers more design flexibility to applicants for proposed projects in exchange for additional benefits provided to the public and more controls by the County, which is considered concurrently with a proposed site plan. The choice of the most appropriate district for the subject property is a policy decision by the Local Planning Agency (LPA) and the Board of County Commissioners (BOCC).

Policy 4.13A.3 of Chapter 4, Future Land Use Element, of the CGMP addresses the Agricultural Ranchette land use designation:

The FLUM identifies lands allocated for Agricultural Ranchette development. These lands are primarily located west of the Sunshine State Parkway and in the western part of Martin County. The Agricultural Ranchette designation is intended

to protect and preserve areas of Martin County generally located between the fringe of the agricultural heartland and the outer fringe of urban development. These areas are situated in locations removed from urban services, have developed at very sparse densities and maintain their original agricultural and rural character. The CGMP recognizes the primary value of these lands for small agricultural operations, recreational equestrian activities and small stables, rural residences and open space. It therefore assigns reasonable development options consistent with the existing and anticipated agricultural character in the area. A density of one single-family dwelling unit per five gross acres shall be permitted in areas designated for Agricultural Ranchettes.

Residential dwelling units on these lands should be related to the agricultural uses. Five-acre lots with this land use designation shall meet this requirement. This Plan recognizes the need to concentrate urban development near the urban core where facilities may be more economically provided, maintained and operated. These areas still require minimal levels of urban services, such as fire and emergency medical service, so Ranchette areas should be located adjacent to the Secondary Urban Service District.

The zoning regulations shall govern future development options in the areas designated for Agricultural Ranchette development and shall be consistent with the CGMP. Standards in the Land Development Regulations shall assure that future development is compatible with established uses sharing common lot lines to provide for smooth transitions in use and densities. All Agricultural Ranchette development shall have a maximum building height of 40 feet and maintain at least 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space.

This application requests a rezoning of the property to the AR-5A zoning district, one of the two Category “A” zoning districts created specifically to implement the CGMP policies for land designated Agricultural Ranchette on the FLUM. The granting of a zoning change to the AR-5A, Agricultural Ranchette District, by the County will be consistent with the policies set forth in the CGMP

b. Whether the proposed amendment is consistent with all applicable provisions of the LDR;

The zoning implementation policies and requirements contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code identify two (2) standard zoning districts to implement the Agricultural Ranchette future land use classification: the AR-5A district and the AR-10A district. Therefore, rezoning the subject property to the AR-5A district is consistent with the Land Development Regulations.

With respect to the other Land Development Regulation requirements related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc., full compliance cannot be assessed until a specific plan has been selected for the property and an application is submitted to the County. The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County.

c. Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use;

As shown in the figures contained in Section E below, the subject property fronts SW Greenridge Lane. The subject 20.1-acre site is surrounded by the A-2 zoning district; however, the AR-5A zoning district is present less than 100 feet north of the subject site. The surrounding properties have the Agricultural Ranchette FLU designation. The A-2 zoning district is a Category "C" district. Development on the adjacent A-2-zoned lots other than single family residential dwellings would require a rezoning to a Category "A" district. Therefore, the proposed AR-5A zoning district for the subject property is compatible with the existing A-2 zoning on the surrounding properties.

Based on 2023 aerial imagery and Martin County Property Appraiser data, the adjoining properties to the north, south, and west appear to be used for agricultural purposes. Existing rural residences are present to the east of the subject property across SW Greenridge Lane as part of the Greenridge Estates residential subdivision. The Greenridge Estates plat was recorded in March 1978 and consists of thirty-two (32) 5-acre lots. The requested AR-5A zoning district requires a minimum lot size of 5 acres, which would be compatible with the existing Greenridge Estates subdivision to the east.

Existing development within the area consists primarily of agricultural and residential uses, consistent with the location and future land use designation. Therefore, the requested AR-5A zoning district is suitable to the site and is compatible with the character of the existing land uses in the adjacent and surrounding area.

d. Whether and to what extent there are documented changed conditions in the area;

The pattern of development which has focused on agricultural and residential uses is well established. Based on a review of historical aerial imagery, the subject site and surrounding properties to the north, west, and south appear to have been used for agricultural purposes since at least as early as the 1960s. The plat for the Greenridge Estates residential subdivision to the east of the subject site was recorded in March 1978. Development of the Greenridge Estates subdivision has been in conformance with the Agricultural Ranchette land use designated for the area.

Any development proposed on the property in conformance with the Agricultural Ranchette future land use designation and AR-5A zoning district will be required to meet the County development standards. Therefore, the proposed AR-5A zoning is compatible with the existing historical uses and the current contemporaneous development pattern and is appropriate for this property.

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

The property is located outside the Primary Urban Services District. As such, the full range of urban services at service levels established by the CGMP is not available for the property. The property fronts an open road, SW Greenridge Lane. The current zoning, A-2, permits single family residences. The request to rezone does not increase the maximum density allowed by the Agricultural Ranchette FLU designation; therefore, the rezoning to AR-5A does not increase the demands on Public Facilities.

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;

The proposed amendment to the zoning atlas is consistent with the Agricultural Ranchette FLU designation assigned to the property. The AR-5A zoning district has been exclusively used to implement the Agricultural Ranchette FLU designation. The permitted uses and Land Development regulations pertaining to the AR-5A zoning district are well suited for the area and will conserve the value and development pattern that is well established.

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

The subject application requires a public hearing before the Local Planning Agency, who will make a recommendation on the request; and, before the Board of County Commissioners, who will take final action on the request. The two hearings will provide the public an opportunity to participate in the review and decision-making process.

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 current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	John Sinnott	772-320-3047	Comply
G	Development Review	John Sinnott	772-320-3047	Comply
H	County Attorney	Elysse Elder	772-288-5925	Review Ongoing

I Adequate Public Facilities John Sinnott 772-320-3047 Exempt

Staff has reviewed this petition for a rezoning of property to the appropriate zoning district designation, has determined that the petition has been submitted and reviewed consistent with the procedural requirements of Article 10 and is in compliance with the substantive provisions of Article 3. Staff recommends approval of this rezoning petition.

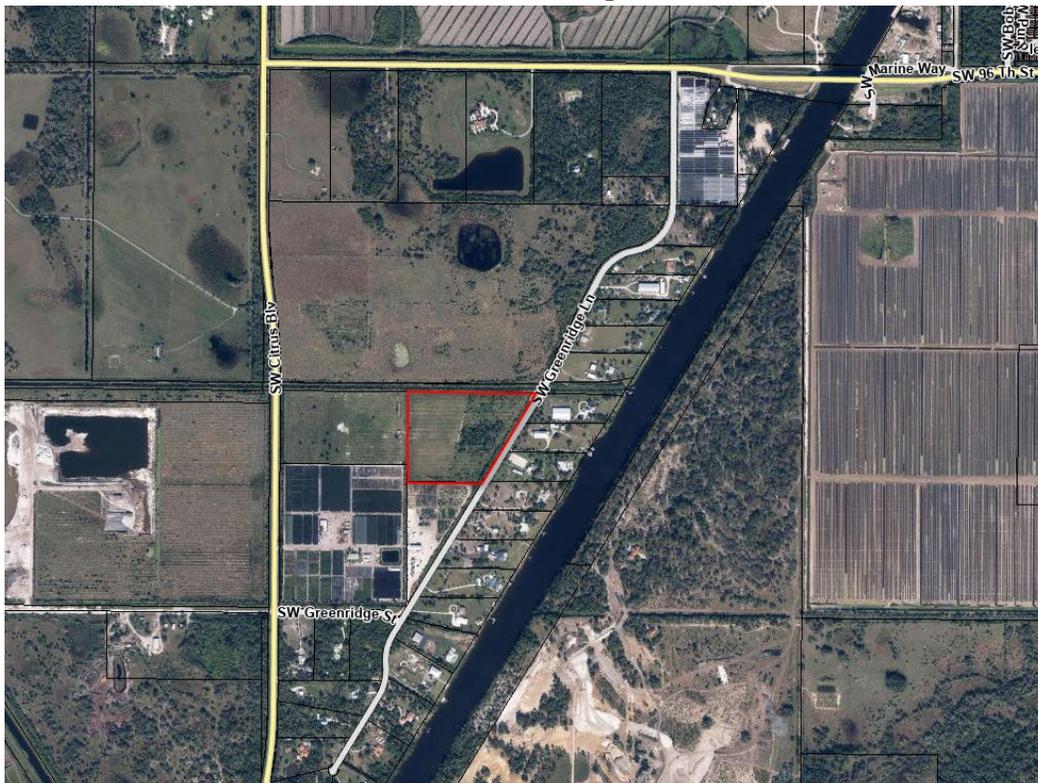
D. Review Board action

This application is classified as an amendment to the official zoning map. Pursuant to Section 10.3.B., Land Development Regulations (LDR), Martin County, Fla. (2023), a review of this application at a public hearing is required by the Local Planning Agency (LPA), which shall provide a recommendation for the Board’s consideration. And, pursuant to Section 10.5.F., LDR, Martin County, Fla. (2023), final action on this request for an amendment to the official zoning map is required by the Board of County Commissioners (BCC) at a public hearing.

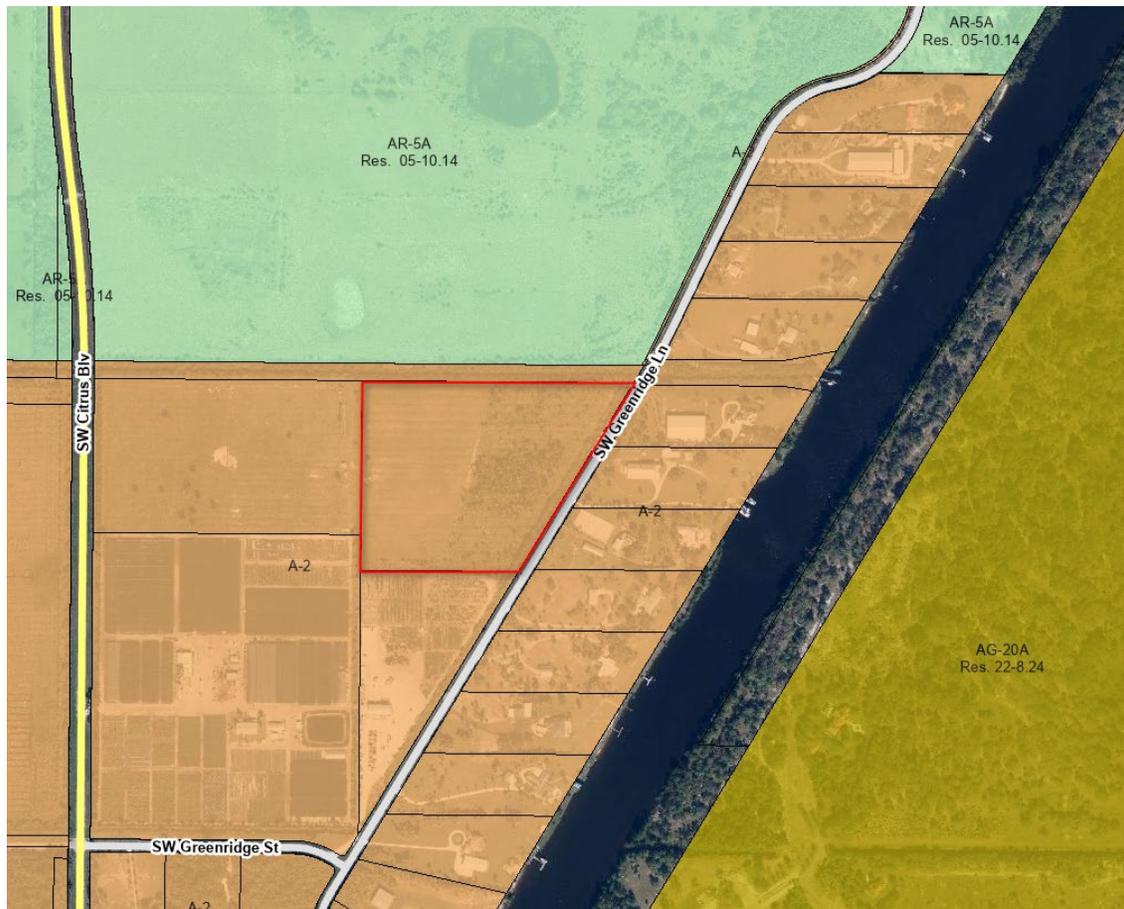
E. Location and site information

Parcel number: 14-39-40-000-000-00020-1
Existing Zoning: A-2
Future Land use: Agricultural Ranchette
Gross area of site: 20.1 acres

**Figure I:
Location Map**

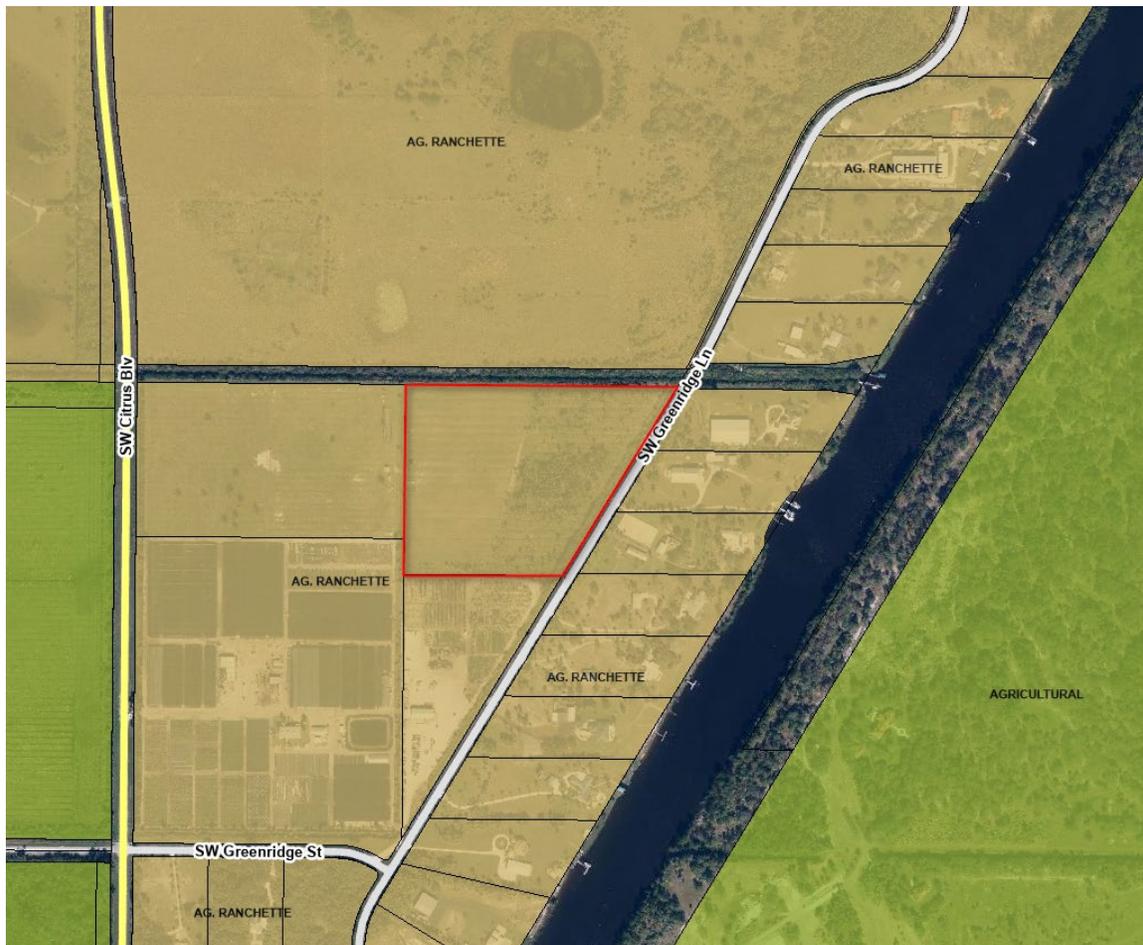


**Figure II:
Zoning Map**



Property to the East: A-2
Property to the North: A-2, AR-5A
Property to the West: A-2
Property to the South: A-2

**Figure III:
Future Land Use Map**



Property to the East: Agricultural Ranchette
Property to the North: Agricultural Ranchette
Property to the West: Agricultural Ranchette
Property to the South: Agricultural Ranchette

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

Findings of Compliance:

The application proposes rezoning to a standard zoning district defined in the Land Development Regulations for the purpose of implementing the Comprehensive Growth Management Plan (CGMP) for lands designated Agricultural Ranchette on the Future Land Use Map of the CGMP Martin County, FLA, LDR §3.10.

Policy 4.4A.1. Rezoning. Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations by the following means:

- (1) Parcels being considered for amendment to the Future land use designation shall be concurrently evaluated for rezoning to the most appropriate zoning district in the most recently adopted Land Development Regulations.
- (2) Property owners seeking master or final site plan approval shall be required to rezone to the most appropriate zoning district in the most recently adopted Land Development Regulations.

[Martin County, Fla, CGMP, Chapter 4, Goal 4.4, Policy 4.4A.1]

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and, pursuant to the analysis provided in Section B of this report, finds this application in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

Additional Information:

Information #1:

Notice Of A Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR, § 10.6.E.1.

Information #2:

Newspaper advertisement.

Notice(s) of public hearings regarding development applications shall be published by the County at least 14 days prior to the date of the public hearing in the legal advertisement section of a newspaper of general circulation in Martin County. The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application MARTIN COUNTY, FLA., LDR §10.6.D.

Information #3:

Public Hearings

Based upon the staff findings of compliance, this application will be scheduled for the next LPA meeting and following that hearing will be scheduled for the next BCC meeting dependent upon the County's scheduling policy.

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

Review Ongoing

I. 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. 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

J. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item	Description	Requirement
1.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
2.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

K. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits associated with amendments to the County Zoning Atlas.

L. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$1,000.00	\$1,000.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.
 ** Recording fees will be identified on the post approval checklist.

M. General application information

Applicant/Owner: Eric Brush
 261 N. Alternate A1A #A
 Jupiter, FL 33477

Agent: Coteleur & Hearing
 1934 Commerce Lane, Suite 1
 Jupiter, FL 33458
 George Missimer
 561-406-1008
gmissimer@coteleur-hearing.com

N. 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

O. Attachments

N/A