

PROPOSED AMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE PLAN

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REQUEST NUMBER: CPA 21-04 FIND

Report Issuance Date: August 4, 2022

APPLICANT: Florida Inland Navigation District MSA5 (FIND)

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 ±62.98 acre parcel is located on S.E. Gomez Avenue, adjacent to the Loblolly Bay Community.

APPLICANT REQUEST: The request is for a comprehensive plan amendment to the Future Land Use Map (FLUM) changing ±51.2 acres from Institutional Conservation to Residential Estate Density and ±3.16 acres from Institutional Conservation to Institutional General, leaving ±8.62 acres of Institutional Conservation within a ±62.98-acre parcel. The ±51.2 acres are proposed for transfer from FIND to Loblolly (LCSC).

STAFF RECOMMENDATION:

Staff recommends approval of the proposed FLUM change concurrent with a separate application CPA 21-05 LCSC.

EXECUTIVE SUMMARY:

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

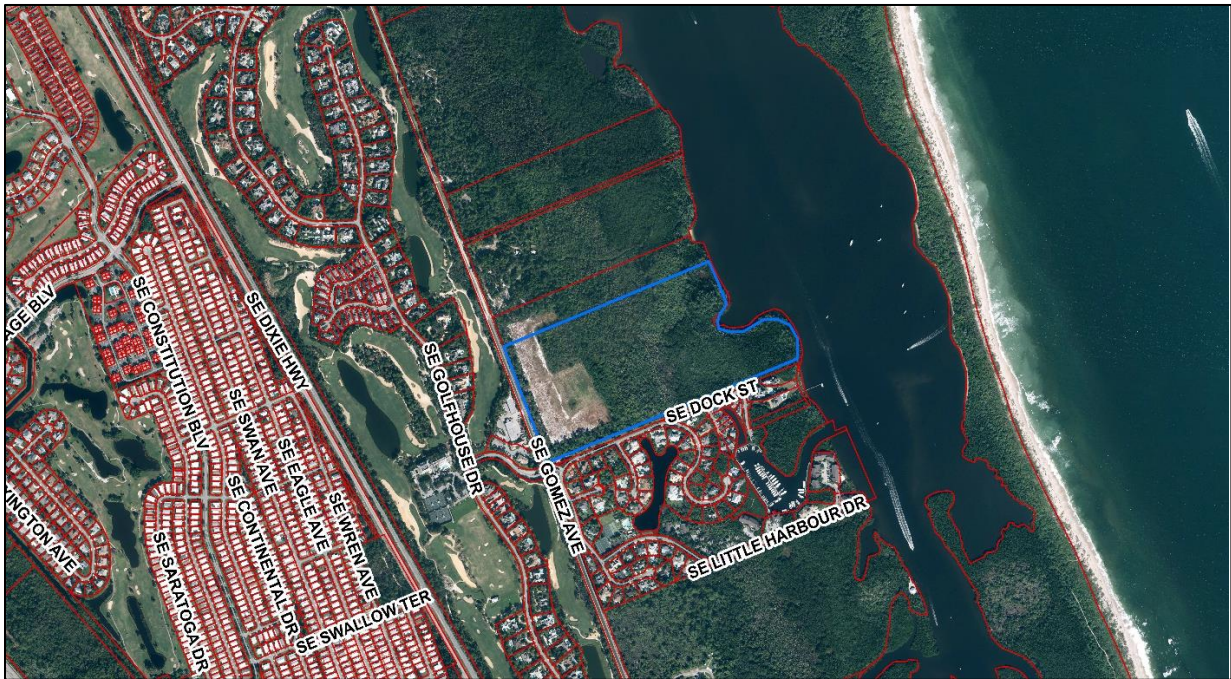


Figure 1 - Location Map

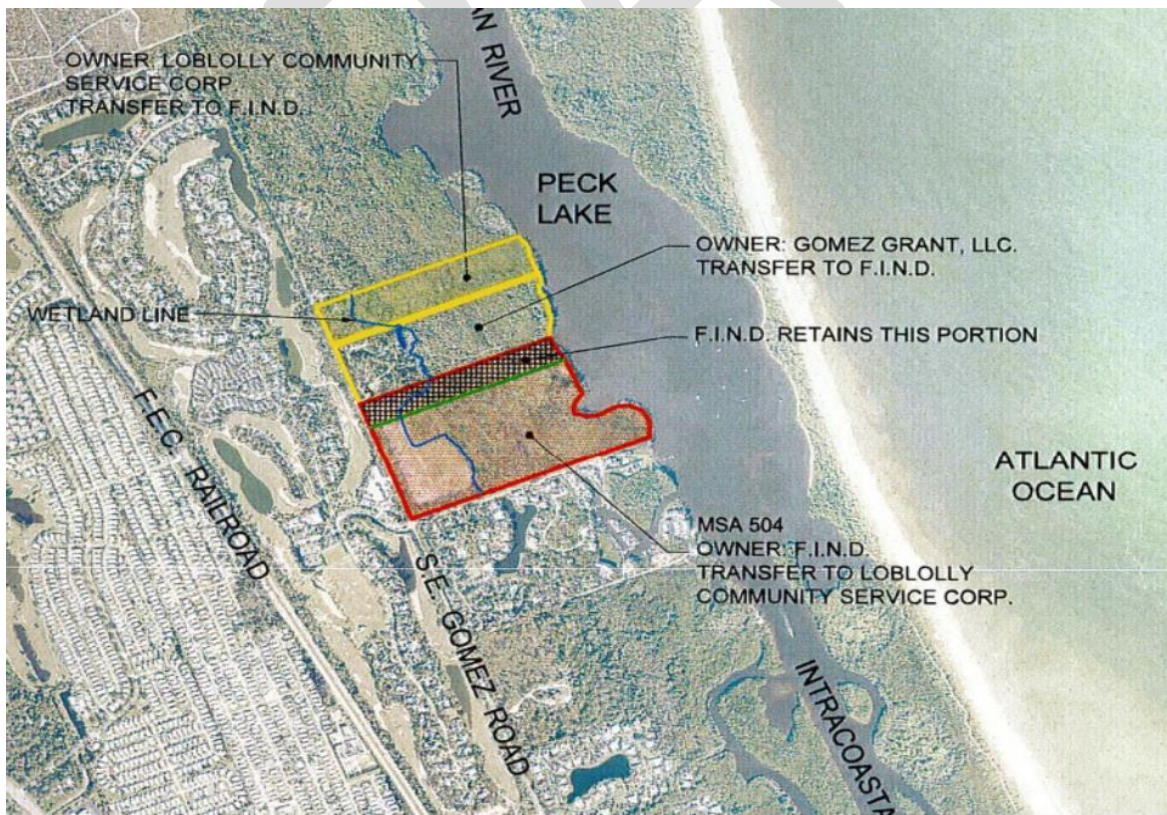


Figure 2 shows a proposed property ownership swap

1. PROJECT/SITE SUMMARY

1.1. Physical/Site Summary

The subject property is ±62.98 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 21-05, Loblolly Community Service Corporation (LCSC), is a request to amend the FLUM on 51.2 acres located on S.E. Gomez Avenue, from Residential Estate Density (2 unit per acre) to Conservation.
- 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 Residential and Limited Commercial to Institutional Conservation.
- C. CPA 19-18, Tradewinds at Hobe Sound, was a request to change 27 acres from Medium Density Residential, Commercial Office/Residential and Limited Commercial to High Density Residential.
- D. CPA 21-02, Federal Hwy. and Ridgeway Terr. was 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, was 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: Residential Estate Density (2 units per acre)

South: Residential Estate Density (2 units per acre)

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.
- **Udorthents.** Well drained soils that consists of mixed sand and loamy overburden material and rock fragments or boulders.
- **Wulfert and Durband Muck, Tidal.** Tidal soils are found along coastal areas in salt marshes, mangrove or tidal swamps, and areas adjacent to the Intracoastal Waterway that have tidal flooding influence. These soils can be nearly level to sloping sandy beaches, or very poorly drained coastal marshes and swamps consisting of variable-textured mineral and organic materials, subject to frequent tidal flooding. The water table, which is typically saltwater, can range from one foot below to one foot above the soil surface throughout the year.
- **St. Lucie Sand.** The St. Lucie series consists of very deep, excessively drained soils that formed in sandy marine and/or eolian deposits. St. Lucie soils are on dunes, ridges and knolls on marine terraces. Slopes range from linear to convex and range from 0 to 20 percent.
- **Paola Sand.** The Paola series consists of very deep, excessively drained soils that formed in sandy marine sediments. Paola soils are on hills, ridges, and flats on marine terraces. Slopes are linear to convex and range from 0 to 20 percent.

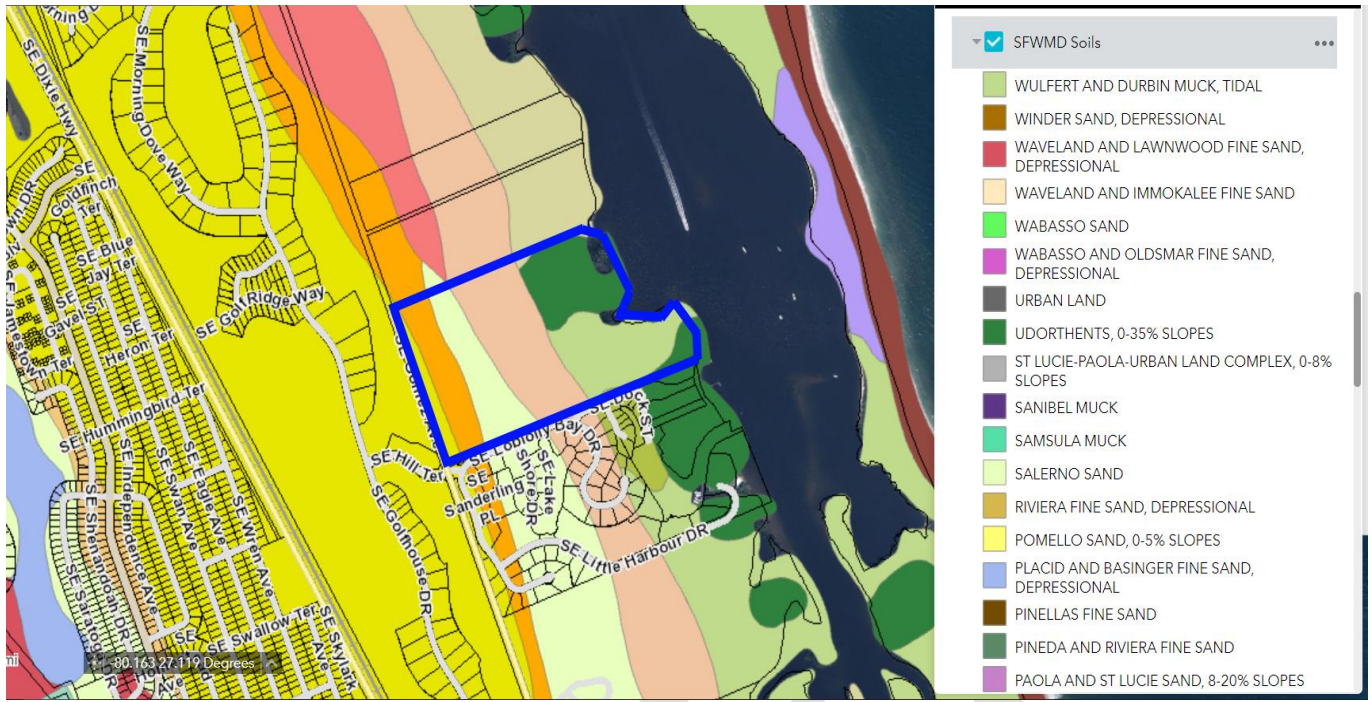


Figure 3 - Soils map that shows the subject site, highlighted in blue



Figure 4 - 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 5.

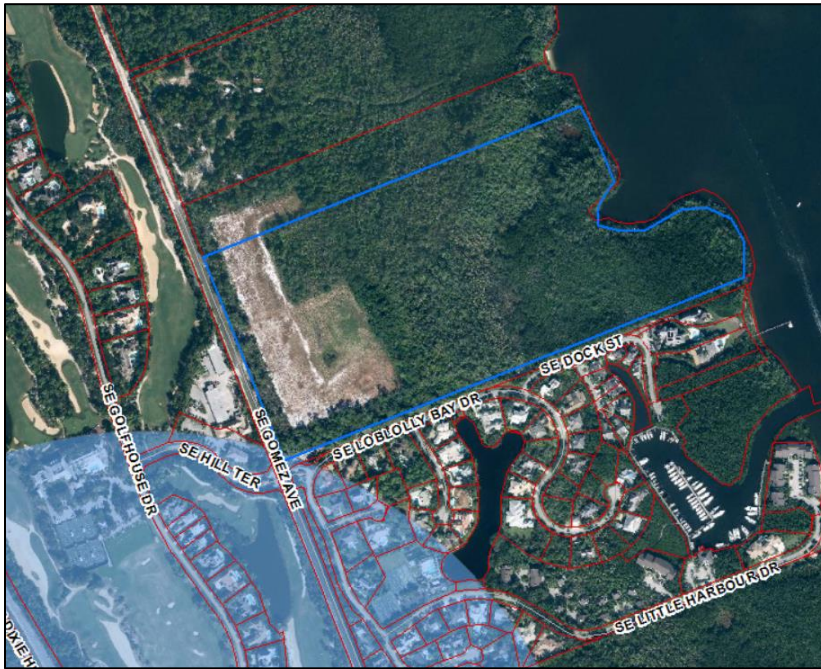


Figure 5 - Shows the subject site near a wellfield protection zone.

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 – Loblolly Bay Residential Subdivision

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 (c) has been met and Criterion (a), (b) 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 Residential Estate Density (2 upa) future land use designation 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 assignment of Residential Estate Density (2 upa) next to existing Residential Estate Density development is more compatible. The Conservation land use designation currently assigned to the site is inappropriate for use by the FIND. The Conservation future land use designation only permits minimum impacts to the native habitat. Criterion met.

(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 not correct a public facility deficiency. Criterion not applicable.

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 7 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:

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

The site is not a substantial area of the jurisdiction. However, it does promote low density single-use development in the Primary Urban Service District. 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.

This is not a rural area. It is well within the Primary Urban Service District. 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.

No, the Martin County land development regulations will require the protection of estuarine wetland systems. FIND has already partially cleared the upland portion of the site. 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 increase the use of existing public facilities or services because the amendment would convert the parcel into Residential Estate Density. Discourages the proliferation of urban sprawl.

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

The proposed change would increase the use of future public facilities or services because the amendment would convert the parcel into Residential Estate Density. 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.

This site is well within the Primary Urban Service District. Discourages the proliferation of urban sprawl.

(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.

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

It permits infill development adjacent to existing residential neighborhoods. Discourages the proliferation of urban sprawl.

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

The proposed change does not encourage a functional mix of uses. However, the site is located adjacent to an existing residential development on the west and south and will be compatible. Discourages the proliferation of urban sprawl.

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

No, this site does not result in poor accessibility among related land uses. 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.

Yes, it may result in a loss of public open space. Encourages the proliferation of urban sprawl. However, this land use change may be considered concurrent with the proposed land use change on the adjacent property, CPA 21-05.

The site complies with 12 of 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. The proposed change would allow development on an upland area that has already been cleared by FIND. 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. However, the density is consistent with the surrounding densities and is located in PUSD. Discourages the proliferation of urban sprawl.

(IV) Promotes conservation of water and energy.

Yes, assigning the Residential Estate Density future land use to the subject parcel will allow for development requiring potable water and energy expenditures. However, since the subject parcel is located near an existing residential development, the impact on water and energy consumption would be minimal. 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 will allow for residential development at 2 units per acre. However, according to Policy 4.13A.7, all residential development shall maintain a minimum of 50 percent of the gross land area as 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 land use change may be considered concurrent with the proposed land use change on the adjacent property, CPA 21-05. 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 Residential Estate Density future land use designation would be the same as the future land use designation of the parcels to the south, which is currently the Loblolly Bay Community. The land west of the subject site is also Residential Estate Density and is compatible to the proposed future land use designation. The land north of the subject site is vacant acreage. The lands west of the subject site are developed with single family units.

Converting the subject site to Residential Estate Density would be compatible with the neighboring lands and their uses. Furthermore, ±3.16 acres of the northern portion of the subject site shall, as proposed, change to Institutional General, and ±8.62 acres would Institutional Conservation. The neighboring parcels along with their land uses will not be negatively impacted by the proposed land use change.

2.4 Consistency with the Comprehensive Growth Management Plan

Below is an excerpt from the CGMP describing Residential Estate Density extracted from Policy 4.13A.7., CGMP, Martin County, Fla. (2021). The subject site fits the description of Residential

Estate Density land use designation. According to this policy, the FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Staff recommends designating most of the subject site as Residential Estate Density to remain compatible with adjacent lands.

- (2) *Residential Estate Densities.* Residential Estate densities are primarily assigned to established, stable residential areas with a density up to two units per gross acre in the Primary Urban Service District. These areas are generally on the fringe of the PUSD and lack accessibility to a full complement of urban services. The CGMP also assigns estate densities to selected areas near existing estate development that share similar characteristics with existing residential estates and to areas in the urban service districts that require density limitations because of unique problems of urban services. In reviewing specific densities, the aim shall be to preserve the stability and integrity of established residential development and provide equitable treatment to lands sharing similar characteristics. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities. Existing agricultural uses in this land use designation shall be allowed to continue in a nonconforming status.

The Residential Estate Density future land use can have a maximum density of 2 units per gross acre and may be further restricted by the zoning district and the site plan proposed. Please see the separate staff report for the rezoning. The applicant is requesting to rezone the subject property from A-1A to RE-1/2A permitting ½ acre lots. Depending on what type of use the subject property will have, appropriate buffering and screening may be provided to ensure that none of the neighboring properties are negatively impacted.



Figure 6 – Existing Future Land Use Map that shows the subject site, highlighted in red



Figure 7: Proposed Future Land Use Map which shows the subject site, highlighted in red

The subject site is located near major collector roads, such as SE Gomez Ave. The subject site is also located adjacent to other Estate Densities, Loblolly Bay and Loblolly Pine and meets the standards mentioned in Policy 4.13A.7.(2), CGMP, Martin County, Fla. (2021). The subject site is within the PUSD and has access to all the public facilities and services. Future land use designations such as Residential Estate Density are appropriate for sites within the PUSD. Additionally, development of the subject parcel will be infill development.

The aerial photographs show a large portion of the upland area has been cleared and not preserved as conservation or passive recreation uses. Please see policy 4.13A.11.(2) describing the Institutional Conservation future land use designation.

- (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.

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 FDOTs Q/LOS Handbook.”

The proposed future land use change will increase the number of potential trips on the road network. However, this land use change may be considered concurrent with the proposed land use change on the adjacent property, CPA 21-05. Please see the attached memorandum from the Public Works Department.

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	847 acres	5.25 acres per 1,000 residents
BEACH FACILITIES	9 parking spaces per 1,000 residents	1,350 spaces	8.4 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 FY 2022 (weighted average) population in unincorporated Martin County of 148,623 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

2.5.1.1. 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, Changes between applications

Figure 3, Soils Map

Figure 4, Wetland Composite Map

Figure 5, Wellfield Map

Figure 6, FLUM Map

Figure 7, Proposed FLUM Map

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