



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

456 SOUTH OCEAN, LLC REZONING

Applicant:	456 South Ocean, LLC (Jake Leone)
Property Owner:	456 South Ocean, LLC
Agent for Applicant:	Gunster (Robert S. Raynes, Jr.)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	S281-001
Record Number:	DEV2025040011
Report Number:	2025_0711_S281-001_DRT_STAFF_FINAL
Application Received:	04/24/2025
Transmitted:	04/25/2025
Date of Report:	05/25/2025
Date of Report Revision:	07/11/2025
LPA Meeting:	08/07/2025
BCC Meeting:	08/12/2025

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B. Project description and analysis

This is a request by Gunster on behalf of 456 South Ocean, LLC for a proposed amendment to the county zoning atlas to change the existing zoning district on thirty-eight parcels of land with an approximate area of 1,913.59-acres from A-1, Small Farms District and A-2, Agricultural District to AR-5A, Agricultural Ranchette District. The subject site is located at the northeast intersection of SW 96th Street and SW Citrus Boulevard, west of the Saint Lucie River extending north to Interstate 95 and the Florida Turnpike in Palm City. Included with this application is a request for a Certificate of Public Facilities Exemption.

The property's zoning districts are A-1, Small Farms District consistent with an Agricultural Ranchette

Future Land Use (FLU) and A-2, Agricultural District which is consistent with an Agricultural FLU. Both A-1 and A-2 are Category “C” zoning districts defined in Article 3, Division 7 of the Martin County Land Development Regulations (LDR’s). The properties FLU is Agricultural Ranchette. The A-2 zoning district is inconsistent with the underlying Future Land Use Map (FLUM) of the County’s Comprehensive Growth Management Plan (CGMP) therefore this request to rezone is considered mandatory per Section 3.402 of the Martin County Land Development Regulations (2016).

There are two (2) standard Category “A” zoning districts available to implement the Agricultural Ranchette land use policies of the CGMP which are AR-5A, Agricultural Ranchette District (0.20 units per acre) and AR-10A, Agricultural Ranchette District (0.10 units per acre). In addition to the standard zoning district, the PUD (Planned Unit Development) District is also available as an option. 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 future land use designation for the property on the Future Land Use Map (FLUM) of the County’s Comprehensive Growth Management Plan (CGMP) is Agricultural Ranchette which shall have a density of one single-family dwelling unit per five gross acres, a maximum building height of 40 feet and maintain at least 50 percent of the gross land as open space per Policy 4.13A.3 of the CGMP.

The following tables show the permitted uses and development standards for the AR-5A and AR-10A Category “A” Districts.

Table 1: Permitted Uses

Category “A” Agricultural and Residential Districts (Excerpted from LDR, Art. 3, Div. 2, Sec. 3.11, Table 3.11.1)

USE CATEGORY	AR5A	AR10A
<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		

USE CATEGORY	AR5A	AR10A
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 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

USE CATEGORY	AR5A	AR10A
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
Solar energy facilities (solar farms)		
Solid waste disposal areas		
Utilities	P	P
<i>Commercial and Business Uses</i>		
Adult business		
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 and motels		
Kennels, commercial	P	P
Limited retail sales and services		
Marinas, commercial		
Marine education and research		
Medical services		
Parking lots and garages		
Recreational vehicle parks		

USE CATEGORY	AR5A	AR10A
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, indoor		
Shooting ranges, outdoor		
Sporting clay course		
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		
<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	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 for AR-5A, Agricultural Ranchette, Category A zoning District.

Table 2 Development Standards

(Excerpt from LDR, Table 3.12.1)

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	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)

		Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
Category	Zoning District	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; and,

The subject property was designated as Rural Ranchette, one unit per five acres on the original FLUM adopted in 1982. The existing Future Land Use is Agricultural Ranchette, one unit per five acres, Policy 4.12.A.2. The requested AR-5A Zoning District, a Category “A” district, was designed to implement the Agricultural Ranchette Future Land Use policies of the CGMP. 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; and,

Zoning implementation policies and requirements are contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code. Pursuant to Article 3 there are 2 “straight” Category A zoning districts available to implement the Agricultural Ranchette future land use classification, which are the AR-5A Zoning District and the AR-10A zoning district. Therefore, rezoning the subject property to the AR-5A Zoning District is consistent with the Land Development Regulations. In addition to the “straight” zoning district, the PUD (Planned Unit Development) District is also available as another option.

The granting of a zoning change by the County does not exempt the applicant from any of the County’s Land Development Regulations and no development of the property is proposed as part of this application requesting a rezoning. 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; and,

The subject site is located at the northeast intersection of SW 96th Street and SW Citrus Boulevard, west of the Saint Lucie River extending north to Interstate 95 and the Florida Turnpike in Palm City. The address for one parcel is 3655 SW 96TH Street, Palm City.

The property is not in a Community Redevelopment Area (CRA). The property consists of lots platted by the Palm City Farms, Tropical Fruit Farms, and Saint Lucie Inlet Farms plats and range in area from 3 to 535 acres.

The requested zoning change to the AR-5A Zoning District is compatible with the distribution of uses in the area and implements the future land use on the property.

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

The requested zoning district of AR-5A is the only Category “A” zoning district consistent with the future land use designation and the currently existing development associated with the areas adjacent to, and within proximity of, the subject site. The pattern of development which has focused on agricultural and residential uses is well established. A review of historical aerials and a comparison of the original future land use map to the current parcel configurations and development of the area indicate that conditions have not substantially changed in the area since the adoption of the County’s Future Land Use Map in 1982.

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

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 request to rezone does not increase the maximum Density allowed by the Agricultural Ranchette Future Land Use Designation. Pursuant to Section 5.32.B.3.f.(7), Land Development Regulations of Martin County Code, zoning district changes to a zoning district which is consistent with the Future Land Use designation of the Comprehensive Growth Management Plan is exempt from the requirements of Article 5 adequate public facilities. Moreover, rezoning does not authorize any development 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; and,

The proposed amendment to the zoning atlas is consistent with the Agricultural Ranchette assigned to the Future Land Use Map in 1982. 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 public 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	Brian Elam	772-288-5501	Comply

G	Development Review	Brian Elam	772-288-5501	Comply
H	County Attorney	Elysse A. Elder	772-288-5925	Review Ongoing
I	Adequate Public Facilities	Brian Elam	772-288-5501	Exempt

Staff has reviewed this rezoning application of a property to the appropriate zoning district designation, has determined that the application 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 application.

D. Review Board action

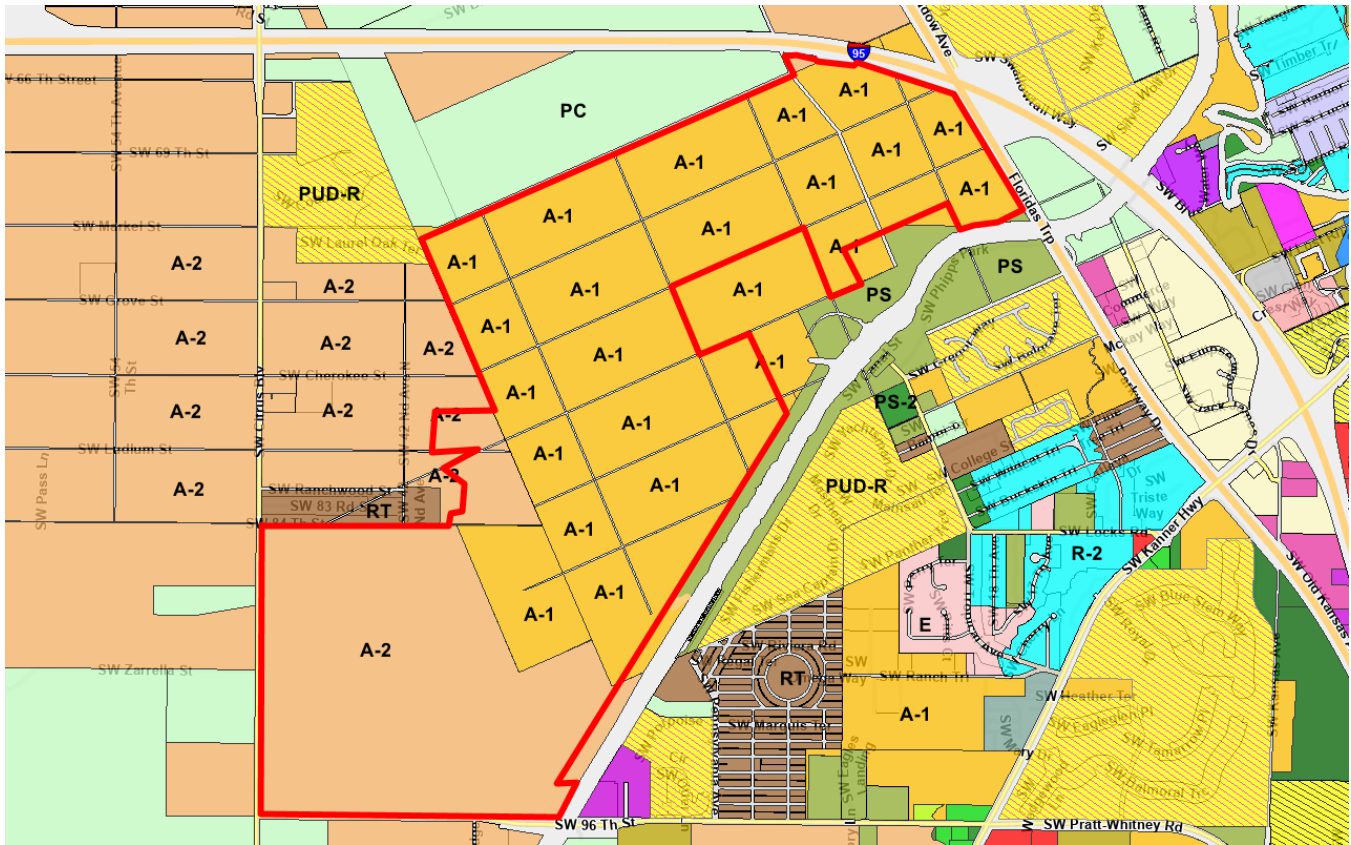
This application is classified as an amendment to the official zoning map. Pursuant to Section 10.3.B., Land Development Regulations (LDR), Martin County, Florida, a review of this application at a public hearing is required by the Local Planning Agency (LPA), which shall provide a recommendation for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

Item	PCN	Address	Zoning	Acreage
1	02-39-40-000-046-00000-3	Unassigned	A-2	10.23
2	02-39-40-000-047-00000-1	Unassigned	A-2	7.81
3	02-39-40-000-050-00000-5	Unassigned	A-1; A-2	39.51
4	11-39-40-000-002-00000-7	Unassigned	A-2	535
5	11-39-40-000-016-00000-7	Unassigned	A-2	30
6	11-39-40-000-016-00010-5	3655 SW 96 th Street, Palm City	A-2	9.3
7	12-39-40-000-000-00040-1	Unassigned	A-1	17
8	12-39-40-000-011-00000-6	3655 SW 96th Street, Palm City	A-2	46
9	46-38-41-000-000-00011-4	Unassigned	A-1; A-2	3.38
10	55-38-41-000-001-00010-4	Unassigned	A-1	32.41
11	55-38-41-000-002-00010-2	Unassigned	A-1	36
12	55-38-41-000-003-00010-0	Unassigned	A-1	36
13	55-38-41-000-004-00010-8	Unassigned	A-1	37
14	55-38-41-000-005-00010-5	Unassigned	A-1	25.5
15	55-38-41-000-005-00040-9	Unassigned	A-1	47.78
16	55-38-41-000-006-00010-3	Unassigned	A-1	80
17	55-38-41-000-007-00010-1	Unassigned	A-1	41.33
18	55-38-41-000-008-00010-9	Unassigned	A-1	79.12
19	55-38-41-000-009-00010-7	Unassigned	A-1	80
20	55-38-41-000-010-00010-5	Unassigned	A-1	80
21	55-38-41-000-011-00010-3	Unassigned	A-1	80
22	55-38-41-000-012-00010-1	Unassigned	A-1	80
23	55-38-41-000-013-00010-9	Unassigned	A-1	80
24	55-38-41-000-014-00010-7	Unassigned	A-1	40

Figure 1 Location Map

Figure 2 Zoning Atlas Excerpt (Approximate Boundary in Red)



Property to the East:
Property to the North:

ROW, I-95; ROW, Florida Turnpike; PS, Public Servicing District
PC, Public Conservation; ROW I-95; RT, Mobile Home Subdistrict; A-
2, Agricultural District

Property to the West:
Property to the South:

A-2, Agricultural District; PUD-R, Country Place
A-2, Agricultural District; AR-5A, Agricultural Ranchette; PS, Public
Servicing District

[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 is 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 fees required. Approval of the development order is conditioned upon the applicant's submittal of all required fees to the Growth Management Department (GMD), 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 <u>Martin County Board of County Commissioners</u> and sent or delivered to the Growth Management Department at 2401 SE Monterey Rd., Stuart, FL 34996
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 <u>Martin County Clerk of Court</u> and sent or delivered to the Growth Management Department at 2401 SE Monterey Rd., Stuart, FL 34996.

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: 456 South Ocean, LLC
 Jake Leone
 221 Royal Poinciana Way, Suite 1
 Palm Beach, Florida 33480
 561-602-9726
 Jake.leone@frisbiegroup.com

Agent/Attorney: Gunster
 Robert S. Raynes, Jr.
 800 SE Monterey Commons Boulevard, Suite 200
 Stuart, Florida 34996
 772-288-1980
 rraynesjr@gunster.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/Wastewater Service Agreement

O. Attachments