



MARTIN COUNTY, FLORIDA

DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

SOUTH FLORIDA SHOOTING GROUNDS

LDR TEXT AMENDMENT

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|------------------------------|---|
| Applicant: | South Florida Shooting Grounds, LLC |
| Property Owner: | South Florida Shooting Grounds, LLC |
| Agent for the Applicant: | Gunster Law Firm, Robert S. Raynes, Jr. |
| County Project Coordinator: | Peter Walden, Principal Planner |
| Growth Management Director: | Nicki van Vorno, AICP |
| Project Number: | S188-009 |
| Application Type and Number: | D020 201700175 |
| Report Number: | 2018_0711_S188-009_Staff_Report_Final |
| Application Received: | 05/31/2017 |
| Transmitted: | 06/01/2017 |
| Date of Report: | 10/12/2017 |
| Resubmittal Received: | 01/11/2018 |
| Transmitted: | 01/11/2018 |
| Date of Report: | 01/26/2018 |
| Resubmittal Received: | 03/22/2018 |
| Transmitted: | 03/23/2018 |
| Date of Report: | 04/09/2018 |
| Revised Report: | 05/17/2018 |
| Revised Report: | 07/11/2018 |

B. Project description and analysis

This is a request to amend the Land Development Regulations of Article 3, Division 1, Section 3.3 Definitions, and Article 3, Division 3, Section 3.99.1. The request also adds a Section 3.99.2.A - 3.99.2.G. addressing Sporting Clay Courses and amends Table 3.11.- Permitted Uses.

The request is related to a revised site plan application of an existing outdoor shooting range. The existing site plan consists of a shotgun shooting range, clubhouse and associated facilities on 41.4 acres of a 645 acre parcel in western Martin County. The property also has agricultural uses that occupy over 280 acres of the property. The owner plans to establish a sporting clay course on natural areas throughout the acreage and is seeking permitting for additional buildings and site plan expansion. The amended text is proposed to clarify the parameters of a sporting clay course and provide regulations for the safe and environmentally sound operation of a sporting clay course in Martin County.

Sporting Clays is a form of clay pigeon shooting, typically laid out on a course that provides multiple shooting stations. Sporting clays provide different presentations of targets, with varying trajectories, angles, speed and target size. A typical course consists of ten to fifteen stations, with each station presenting targets from trap machines. Safety is the main consideration in course design and operation. Several organizations and publications have provided technical data evaluating shot distance and safety precautions, this information as well as data comprised from local and statewide sporting clay courses in operation was reviewed as part of this amendment proposal. There are environmental concerns as well as most shot and bullets are mostly comprised of lead, a known environmental pollutant.

State statutes provide for local government oversite and regulation of shooting ranges as specified in State Statute [823.16 (7)] Fla. Stat.(2017) "Except as otherwise provided in this act, this act shall not prohibit a local government from regulating the location and construction of a sport shooting range after the effective date of this act." The LDR amendments are intended to provide the necessary guidelines to ensure the proper development of shooting clay courses while not impeding on existing state statutes.

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 | Peter Walden | 219-4923 | Comply |
| F | Development Review | Peter Walden | 219-4923 | Comply |
| G | County Attorney | Krista Storey | 288-5443 | Review Ongoing |

D. Review Board action

Review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

This matter was heard before the LPA on April 19, 2018. The LPA voted 3-1, recommending the Board approve the amendment to the LDRs as amended to remove the PS-2 Zoning District from the permitted uses for shooting clay courses. Staff has removed the PS-2 zoning district from the permitted use table as recommended.

This matter was heard before the Board of County Commissioners on June 12, 2018. Although the ordinance was passed, the applicant agreed to make changes to the amendment to further strengthen the proposed amendment language to address the Boards concerns for safety.

E. Location and site information

Parcel number(s) and address:
04-38-39-000-0001.0-80000 500 SW Long Dr

| | |
|--------------------------------|--------------------------------------|
| Existing Zoning: | AG-20A |
| Future land use: | FLU-AG, Future Land Use Agricultural |
| Census tract: | Not Applicable |
| Commission district: | 5 |
| Community redevelopment area: | Not Applicable |
| Municipal service taxing unit: | District 5 |
| Planning area: | West County |
| Storm surge zone: | Not Available |
| Taxing district: | District F |
| Traffic analysis zone: | 51 |

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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

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

Review ongoing

H. Post-approval requirements

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.

I. 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: | \$3,115.00 | \$3,115.00 | \$0.00 |
| Advertising fees*: | TBD | | |
| Recording fees**: | TBD | | |
| Mandatory impact fees: | TBD | | |
| Non-mandatory impact 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.

J. General application information

Applicant: South Florida Shooting Grounds, LLC
Shapiro Pertnoy Companies

3222-C Commerce Place
West Palm Beach, FL 33407
561-793-5852

Agent: Gunster Law Firm
Robert S. Raynes, Jr.
800 SE Monterey Commons Boulevard, Suite 200
Stuart, FL 34996

K. 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

L. Attachments