

PROPOSED TEXT AMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN

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REQUEST NUMBER: CPA 23-09, Martin Commerce Park LLC Text

Report Issuance Date: September 3, 2024

APPLICANT: Martin Commerce Park LLC

REPRESENTED BY: Morris Crady, AICP
Lucido & Associates

PLANNER-IN-CHARGE: Samantha Lovelady, AICP, Principal Planner
Growth Management Department

<u>PUBLIC HEARINGS:</u>	<u>Date</u>	<u>Action</u>
Local Planning Agency (LPA):	September 19, 2024	Voted 2 – 1 to approve
Board of County Commission Transmittal:	September 24, 2024	Voted 4 – 1 to approve
Board of County Commission Adoption:	TBD	

APPLICANT REQUEST

The proposed text amendments are to the Martin County Growth Management Plan (CGMP) to add these parcels to a short list of properties to receive water and sewer outside of the urban service districts. Different text is proposed for the policies of the CGMP. The chapter and policies proposed for an amendment include Chapter 4, Future Land Use Element, Policies 4.1B.2., 4.7A.3.1., 4.7A.14., and to create a Freestanding Urban Service District by amending Policy 4.13A.10., Figure 4-2, Chapter 10, Sanitary Sewer Element, Chapter 11, Potable Water Services Element /10 Year Water Supply Facilities Work Plan, Figure 11-1 and Figure 11-2.

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments for the reasons identified in this staff report.

EXECUTIVE SUMMARY

The proposed text amendments are being reviewed concurrently with a Future Land Use Map Amendment, that will be the subject of a separate staff report, CPA 23-10, Martin Commerce Park LLC FLUM. The proposed change is from Agricultural and Agricultural Ranchette to Industrial located on a 167-acre property between Interstate 95 and SW 84th Avenue, on the south side of SW Martin Highway, adjacent to the Martingale PUD and Interstate 95.

The applicant is seeking to establish a Freestanding Urban Service District on this ±167-acre property by amending Chapter 4, Policy 4.13A.10. Industrial development, Figure 4-2., Chapter 11, Potable Water Services Element /10 Year Water Supply Facilities Work Plan, Figure 11-1 and Figure 11-2. For consistency, the applicant is seeking text changes within the following policies 4.1B.2, 4.7A.3.1., and 4.7A.14.

The proposed text amendment includes a restriction with a maximum developable area restricted to 1,100,000 square feet on approximately 101 acres of the 167-acre amendment area, with the remaining 66-acres in a recorded conservation easement and preserve area management plan. There is also a non-residential deed restriction being placed on the proposed amendment area. There is also a requirement that future development pay the full cost of capital facilities needed to address the impact of any development.

At an April 19, 2022, Board of County Commissioners meeting, the Business Development Board identified this location as one of the most viable areas in the county for economic development. Please see the attached letter dated June 7, 2022, addressed to the Business Development Board.

Figure 1, Location Map of subject parcels outlined in light blue.

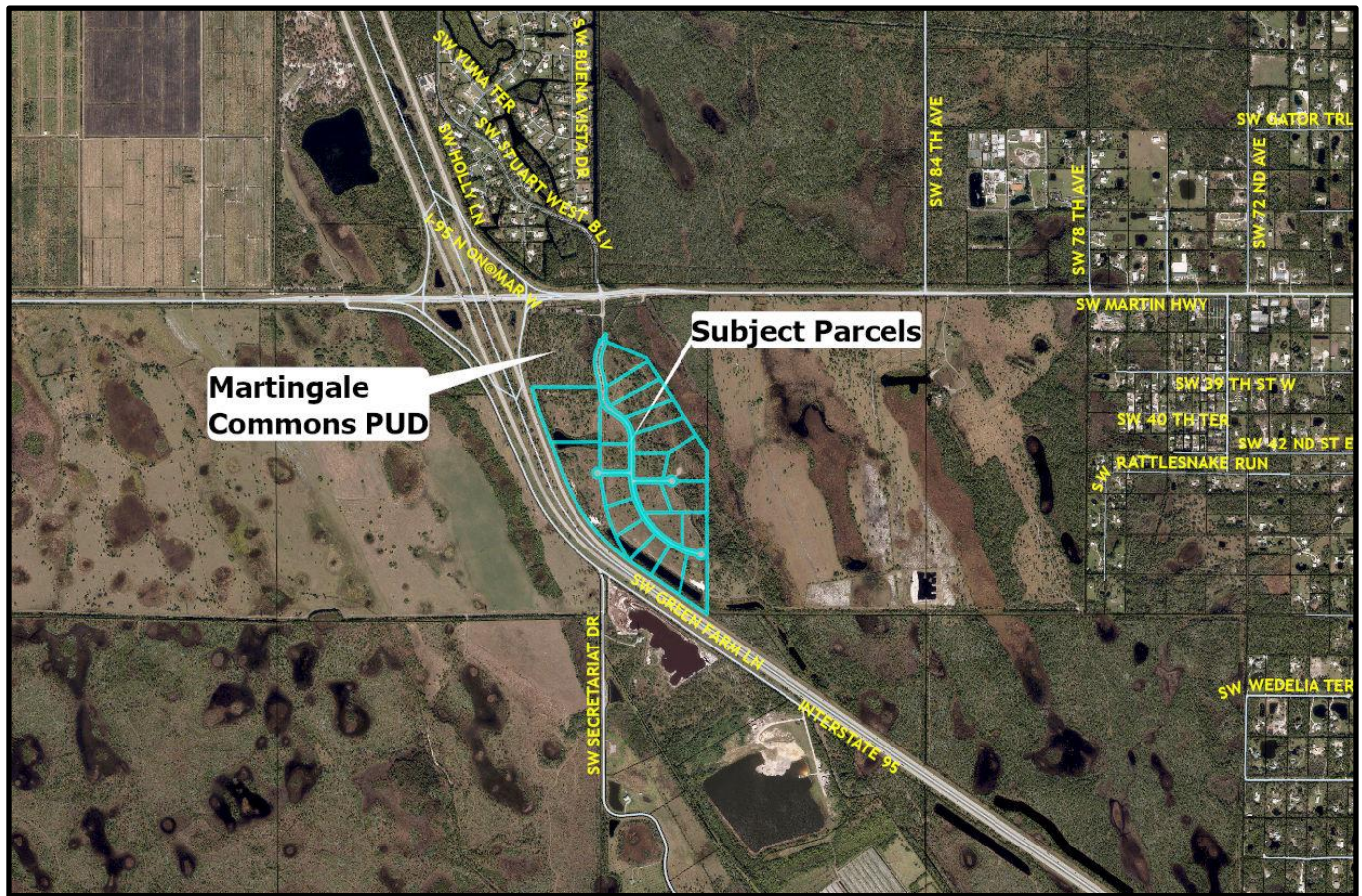


Figure 2, The parcels are outlined in blue and shown in proximity to the Primary, Secondary and Freestanding Urban Service Districts.



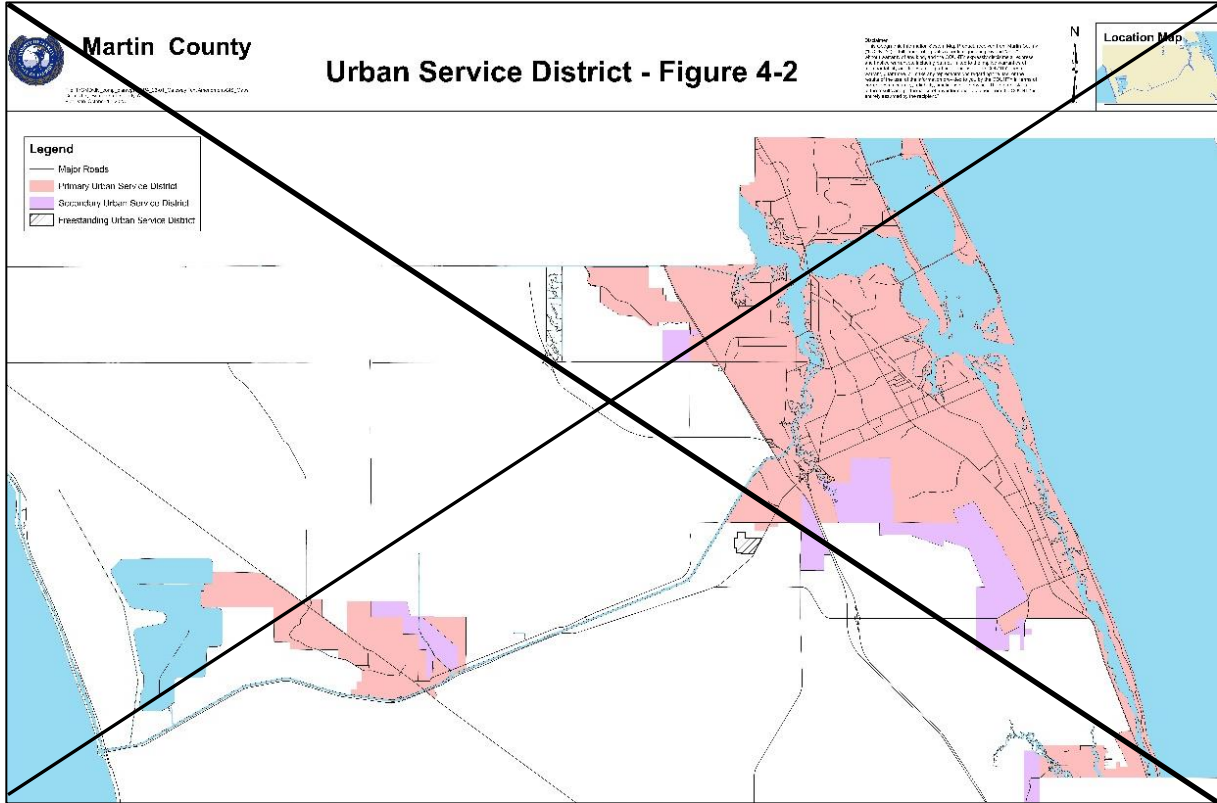
STAFF ANALYSIS

Policy Changes

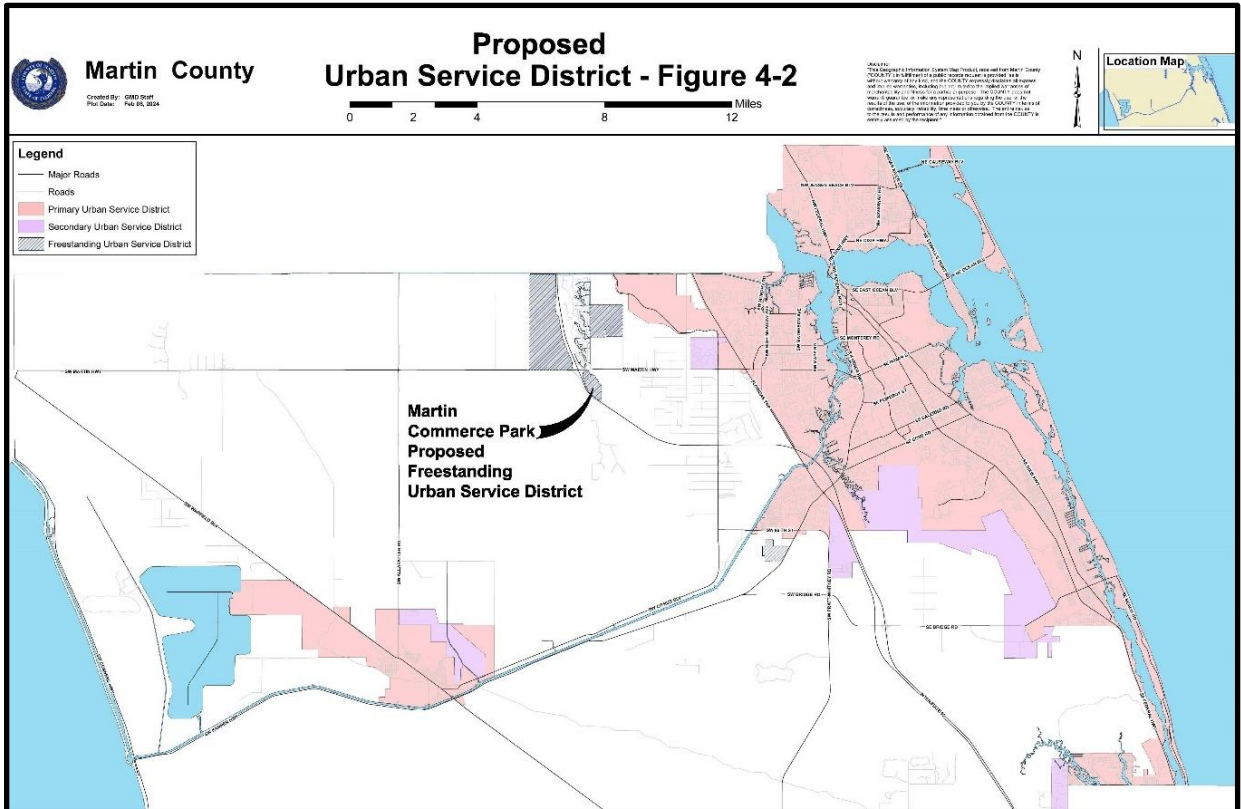
Part I. Amendment to Figure 4-2, Urban Service Districts.

The application materials indicate adding a Freestanding Urban Service District to Figure 4-2. The applicant submitted a proposed amendment Figure 4-2. The amended figure adds the Seven J’s Freestanding Urban Service District to the map, along with the AgTEC (also known as Sunrise Grove).

Existing Figure 4-2

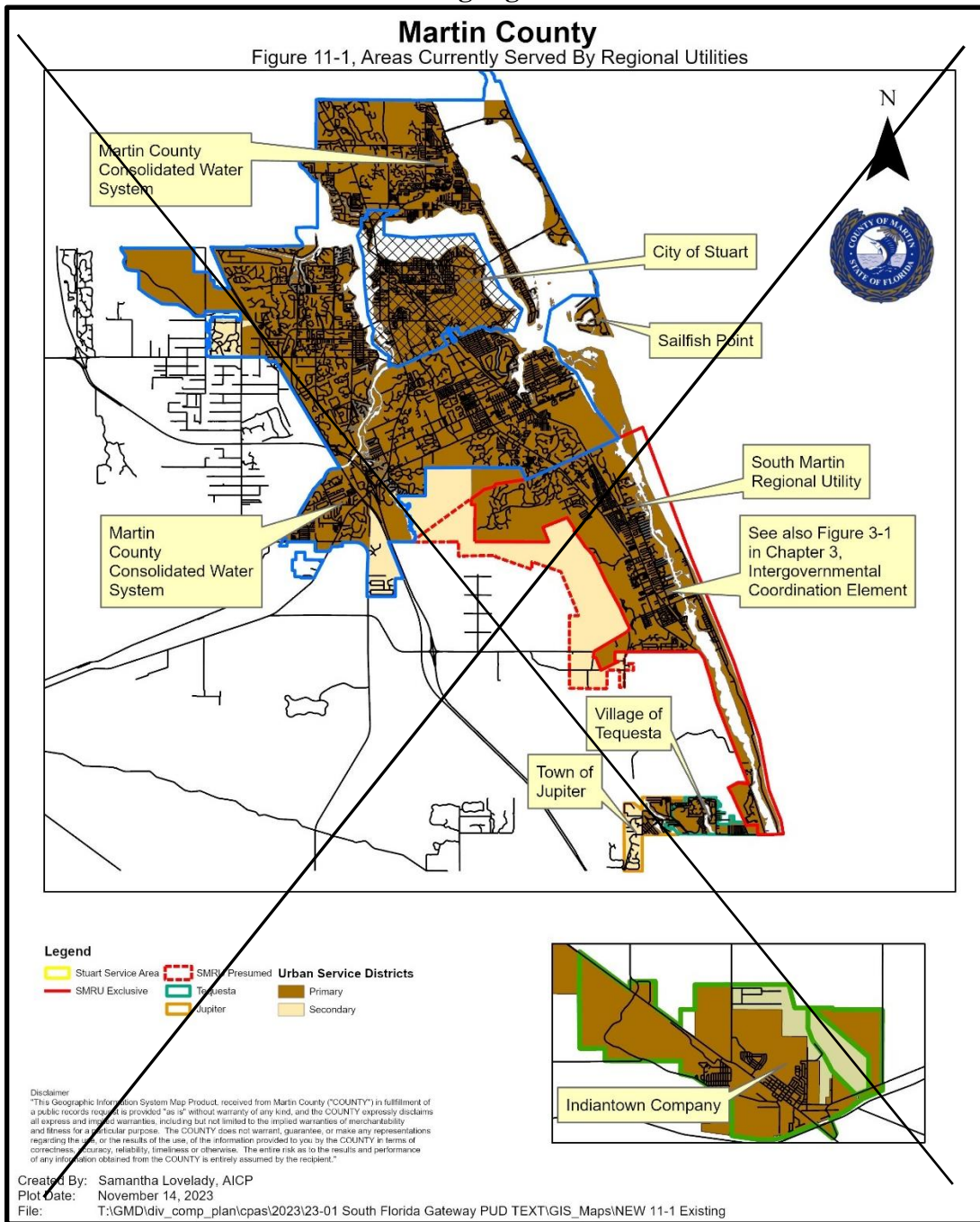


Proposed Figure 4-2



Part II. Amendment to Figure 11-1, Areas Currently Served by Regional Utilities.

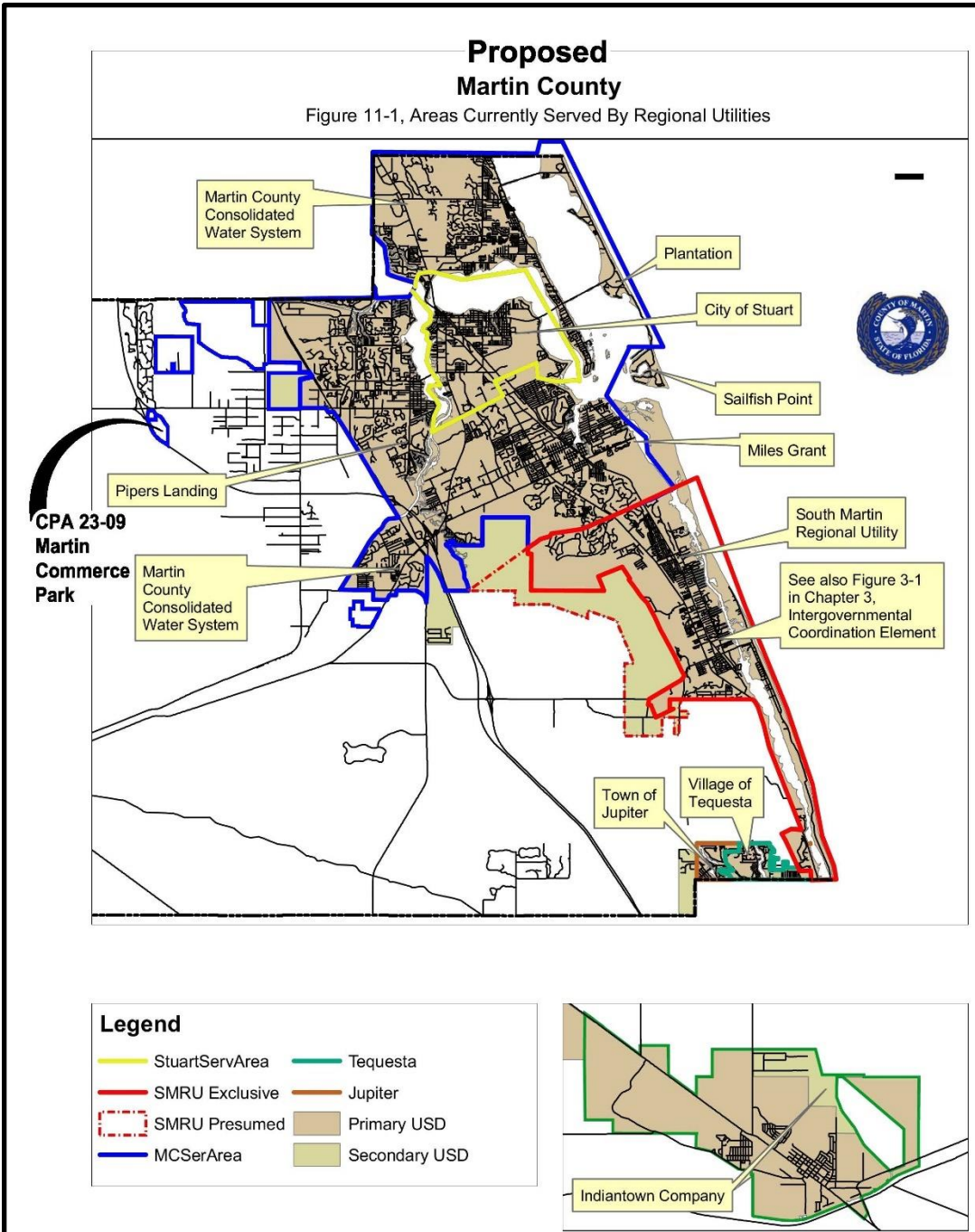
Existing Figure 11-1



Proposed Figure 11-1

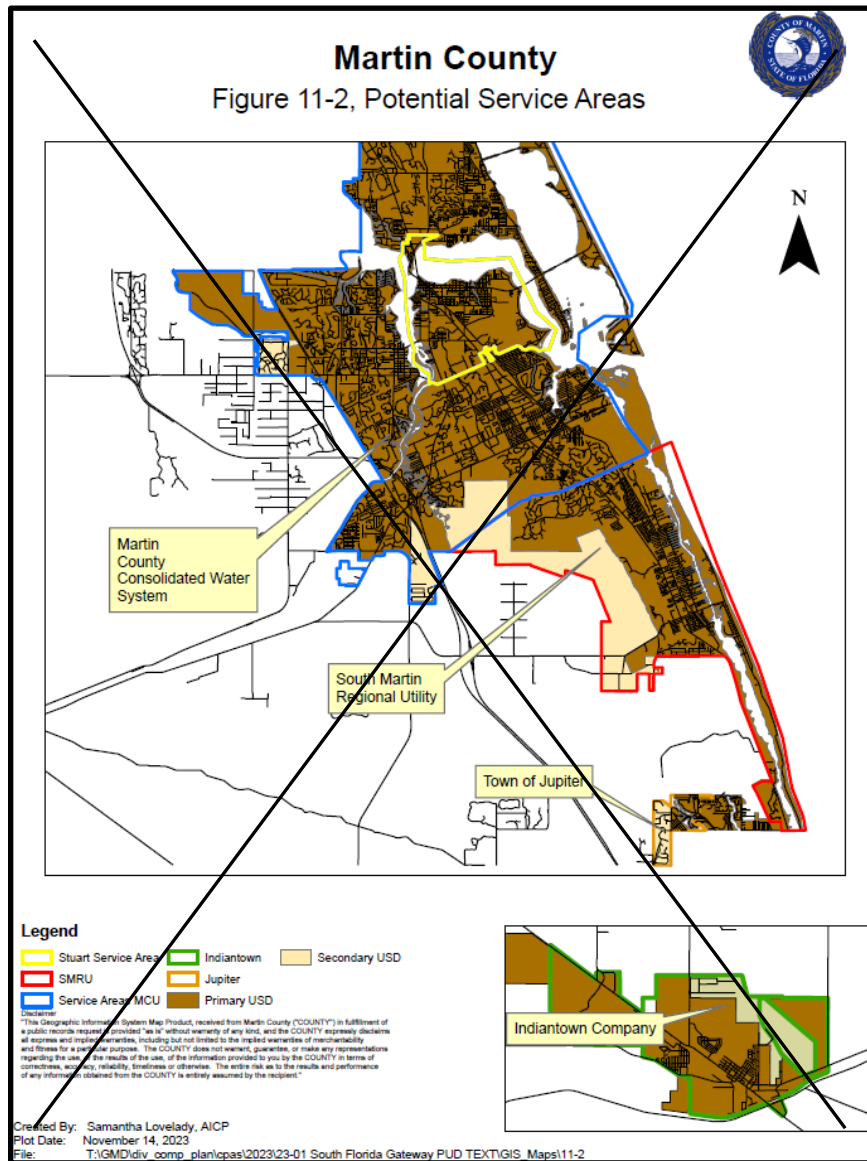
Proposed Martin County

Figure 11-1, Areas Currently Served By Regional Utilities

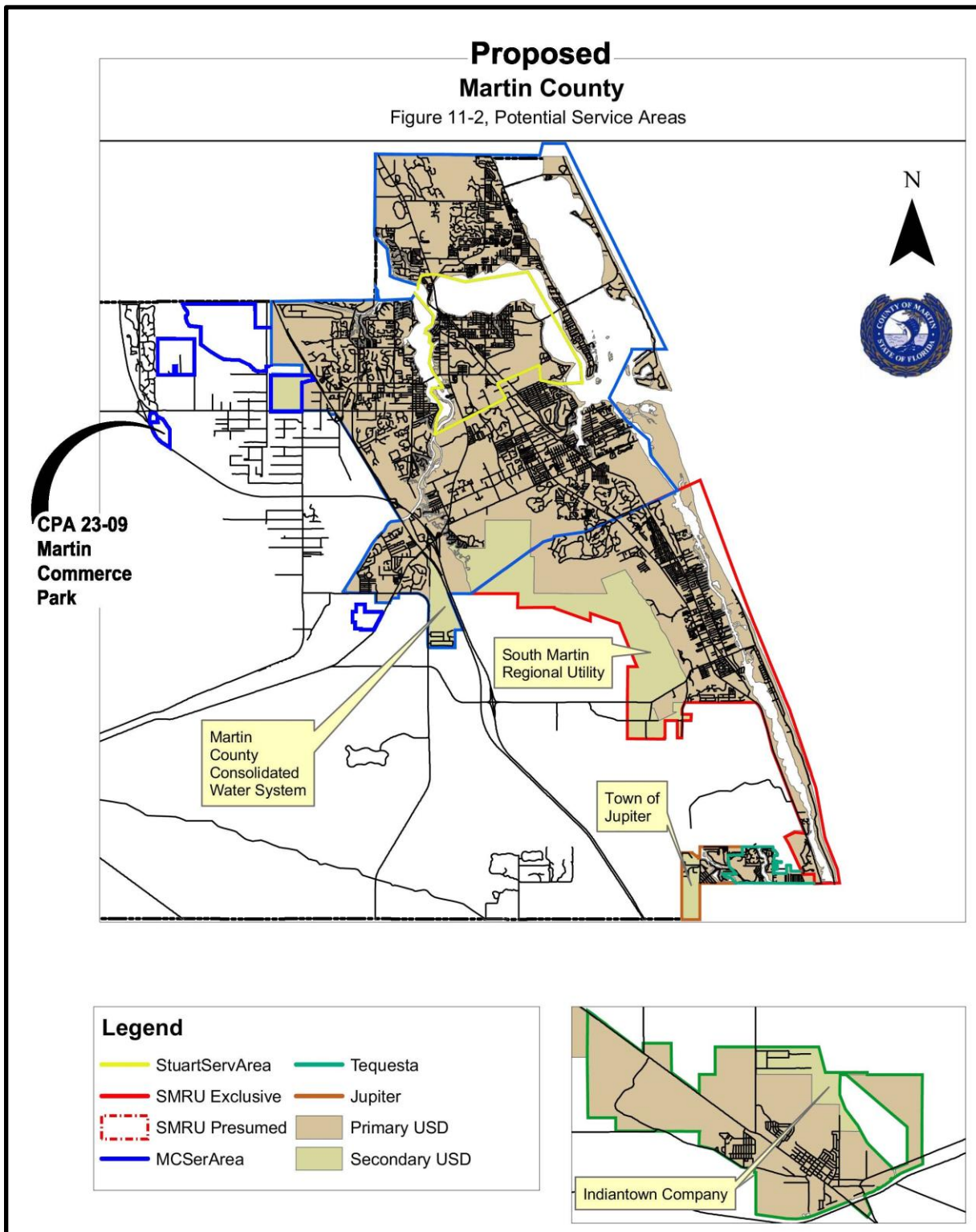


Part III. Amendment to Figure 11-2, Potential Service Areas.

Existing Figure 11-2



Proposed Figure 11-2



Part IV. Amendment to Policy 4.1B.2.

The application is proposing a change to Policy 4.1B.2. that includes a list of sites where development restrictions have been agreed to on specific parcels. Concurrent with the proposed amendment to the Future Land Use Map, the applicant has proposed the following text amendment restricting the

maximum development potential on the 167 acres. Please see the underlined text.

Policy 4.1B.2. Analysis of availability of public facilities. 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.

Compliance with this provision is in addition to, not in lieu of, compliance with the provisions of Martin County's Concurrency Management System. When a map amendment is granted under this provision, it does not confer any vested rights and will not stop the County from denying subsequent requests for development orders based on the application of a concurrency review at the time such orders are sought.

Martin County may adopt sub-area development restrictions for a particular site where public facilities and services, such as arterial and collector roads, regional water supply, regional wastewater treatment/disposal, surface water management, solid waste collection/disposal, parks and recreational facilities, and schools, are constrained and incapable of meeting the needs of the site if developed to the fullest capacity allowed under Goal 4.13 of this Growth Management Plan. The master or final site plan for a site that is subject to such sub-area development restrictions shall specify the maximum amount and type of development allowed. Sub-area development restrictions apply to the following sites:

Staff Analysis: The following text applies to a 35-acre site on SE Cove Rd.

(1) The tract of real property described in the Warranty Deed recorded at OR Book 2157, Page 2403, of the Public Records of Martin County, shall be developed consistent with the assigned future land use designation. However, the net outbound PM peak hour trips generated by all uses on the subject property shall be limited to 340 trips, as demonstrated during the review of final site plans consistent with Article 5, Adequate Public Facilities, Division 3, Traffic Impact Analysis Land Development Regulations.

Staff Analysis: The following text applies to 250 acres known as the Gateway PUD on SW Kanner Hwy.

(2) The following restrictions shall be applied to the tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance Number 1153 and Ordinance 1210, less and except property described in Ordinance 1208.

(a) Uses on the subject property shall be limited to nonresidential uses. Residential uses shall not be permitted.

(b) Uses on the property shall be consistent with the future land use designations for the property and the applicable land use policies of the Martin County Comprehensive Growth Management Plan (CGMP).

(c) The net inbound AM peak hour trips generated by all uses shall be limited to 950 trips, as demonstrated during the review of final site plans consistent with Article 5, Adequate Public Facilities, Division 3, Traffic Impact Analysis Land Development Regulations.

(d) All future applications for development approval shall be processed as a Planned Unit Development (PUD).

(e) The building footprint of any individual warehouse or distribution facility shall not exceed 1,050,000 square feet.

(f) No final site plan shall be approved, which provides access to SW 96 th Street from that portion of the property designated as Industrial on the Future Land Use Map, unless it is restricted to provide access for emergency purposes only.

Staff Analysis: The following text applies to Florida State Parks and was created when the future land use change occurred on the Atlantic Ridge State Park.'

(3) This sub-area policy applies only to lands within the boundaries of Florida state parks within Martin County, Florida. Recreation facilities allowed in the state parks shall be limited to those supporting resource-based outdoor recreation activities specifically identified in the park's approved management plan which has been developed according to F.S. sections 253.034 and 259.032, and F.A.C. 18-2 including, but not limited to, hiking, biking and equestrian trails, swimming areas, interpretive visitor centers, resource-based camping accommodations for use by tents, pop-up campers and other recreational vehicles, and cabins. All uses within the state parks must conform to the park's management plan. Activities which are normally allowed in this land use category but are prohibited under this sub-area policy include fairgrounds, commercial marinas, ball fields, dredge spoil facilities and other user-based (active) recreation facilities.

Staff Analysis: The following text applies to the Grove 23 Golf Course.

(4) The tract of real property described in the Special Warranty Deeds recorded at OR Book 3020, Page 2321, and OR Book 3020, Page 2328 of the Public Records of Martin County that is limited to an 18-hole private golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 5,000 gallons per day for the clubhouse, maintenance area, guardhouse and golf course shelters; and up to four (4) golf cottages, which may be permitted as an accessory use to the golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 2,000 gallons per day subject to State Health Department regulations.

Staff Analysis: The following text applies to 16 acres of land at the corner of SW Kanner Hwy. and SW Pratt Whitney Rd. where a Publix is proposed.

(5) The development of the tract of real property described in the Warranty Deed record in OR Book 3022, Page 766, Public Records of Martin County, Florida, shall be restricted and managed as follows:

(a) The subject property shall be limited to a maximum of 63,810 square feet of gross floor area.

Staff analysis: The proposed language below would be added to 4.1B.2 as subsection (6).

(6) The following restrictions shall be applied to the tract of real property known as Martin Commerce Park designated as Industrial on the future land use map and described in Ordinance No.??

(a) Residential uses shall be prohibited by this policy and deed restriction recorded in the OR Bk?,Pg?

(b) The maximum non-residential building square footage on the entire project site shall be limited to cumulative total of 1,100,000 square feet.

(c) All future applications for development approval shall be processed as a Planned Unit Development (PUD)

(d) Prior to the issuance of the first Certificate of Occupancy, the owner/developer of Martin Commerce Park shall construct a traffic signal at the intersection of SW Martin Highway and SW Stuart West Boulevard.

(e) The owner/developer shall plan and appropriately fund public facilities consistent with Policy 14.1B.2 which requires that future development pay the full cost of capital facilities needed to address the impacts of such development. This shall include an amendment to the Capital Improvements Element, if needed, and a PUD Agreement that addresses public facilities, infrastructure, and the timing of development.

Staff Analysis:

If the Future Land Use Map amendment proposed in CPA 23-10 is adopted, the Ordinance number would be inserted in subsection (6). In that way the legal description attached to the ordinance would describe the approximate 167 acres.

Adoption of subsection (6)(a) would allow development on the 167 acres in CPA 23-10 to comply with Policy 4.13.10. which states “Industrially designated areas are not generally adaptive to residential use and they shall not be located in areas designated for residential development unless planned for a mixed-use development allowed under Goal 4.3 or in a large-scale PUD.”

The concurrent FLUM amendment includes an amendment to the Zoning Atlas from AG-20A, A-2, and AR-5A to LI, Limited Industrial. Subsection (6)(c) requires a future rezoning from LI to PUD. This will require development on the 167 acres to be done through a Planned Unit Development.

Part V. Policy 4.7A.3.1 allows exceptions for parcels that were not previously approved for development.

“Policy 4.7A.3.1. All future development of a use or intensity that requires public urban facilities, including water and sewer, will be permitted only within the Primary Urban Service District, except the following facilities may be served with water and sewer service:

(1) The Martin Correctional Institution, consistent with an interlocal agreement between Martin County, the City of Port St. Lucie and the Florida Department of Corrections for service to be provided by the City of Port St. Lucie.

(2) The 107-acre parcel of County owned land located on the north side of SW Citrus Boulevard, approximately 2,000 feet east of the Indiantown airport, parcel number 03-40-39-000-000-00011-0 and parcel number 34-39-39-000-000-00021-0.

(3) The tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance Number 1153 and Ordinance 1210, less and except property described in Ordinance 1208.

(4) The tract of real property known as Martin Commerce Park designated as Industrial on the future land use map and described in Ordinance No??

Staff Analysis:

This proposed amendment to Policy 4.7A.3.1. would permit the extension of water and sewer services to the 167 acres located south of the Martingale Commons PUD and listed in Policy 4.7A.3.1(4) above. It is appropriate to locate the proposed exception in Policy 4.7A.3.1. because development requiring water and sewer service was not approved and/or did not previously exist on the subject 167 acres.

Part VI. The applicant is seeking to add an exception in Policy 4.7A.14.

“Policy 4.7A.14. Allowable development outside the Primary Urban Service District. The following forms of development are recognized exceptions to the general prohibitions on development outside of the Primary Urban Service District set forth in Policies 4.7A.1. through 4.7A.13.:

- (1) The County landfill, parcel number 07-38-40-000-000-00020-7.
- (2) The AgTEC land use category as set forth in Policy 4.13A.9.
- (3) Facilities in Jonathan Dickinson State Park, as set forth in Policy 10.1A.7. and Policy 11.1C.10.
- (4) Seven J's Industrial Area, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.
- (5) Martingale Commons PUD f/k/a Palm City 95 PUD.
- (6) Sheriff's Shooting Range, parcel number 07-38-40-000-000-00030-5.
- (7) Parcel number 28-40-42-000-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.
- (8) The 107-acre parcel of County owned land located on the north side of SW Citrus Boulevard, approximately 2,000 feet east of the Indiantown airport, parcel number 03-40-39-000-000-00011-0 and parcel number 34-39-39-000-000-00021-0.
- (9) The tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance Number 1153 and Ordinance 1210, less and except property described in Ordinance 1208.
- (10) Development on the parcels described in that certain deed recorded in Official Records Book 2571, Page 1380, of the Public Records of Martin County, Florida, consisting of 321 acres, more or less, and located south of Kansas Avenue and east of SW Pratt Whitney Road.
- (11) South Fork High School.

(12) The tract of real property known as Martin Commerce Park designated as Industrial on the future land use map and described in Ordinance No.??

Staff Analysis:

For internal consistency, subsection (12) above may be added consistent with proposed Policy 4.7A.3.1.(4)

Part VII. Below is the text describing the Industrial Future Land Use designation. This text authorizes the creation of Freestanding Urban Service Districts. Each of the Freestanding Urban Service Districts are identified. The applicant has proposed adding a fourth Freestanding Urban Service District, the Martin Commerce Park.

“Policy 4.13A.10. Industrial development. The FLUM allocates land resources for existing and anticipated future industrial development needs. The allocation process gives high priority to industry's need for lands accessible to rail facilities, major arterials or interchanges, labor markets and the services of the Primary Urban Service District (Figure 4-2). Industrial development includes both Limited Impact and Extensive Impact Industries. Limited Impact Industries include research and development, light assembly and manufacturing. Extensive Impact Industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, steam/electricity co-generation plants and uses customarily associated with airports.

Private development of airport property shall be subject to an Airport Zoning District or Planned Unit Development (Airport) Zoning District, when such a district is adopted to implement this policy.

The locational criteria require that all development in areas designated Industrial shall provide assurances that regional water distribution and wastewater collection utilities shall be provided by a regional public utility system, as described in the Sanitary Sewer Services Element and the Potable Water Services Element. Areas of the County where freestanding urban services (i.e., regional utility system) can be provided by a group of industrial users may be considered as independent or freestanding urban service districts. They may be illustrated as such on Figure 4-2 in conjunction with formal amendments to the FLUM as provided in section 1.11, Amendment Procedures. All such freestanding urban service districts must comply with the adopted LOS standards in this Plan and the Capital Improvements Element.

The Seven Js Industrial Area (which covers the same area as the plat of Seven Js Subdivision, recorded in Plat Book 15, Page 97 of the Public Records of Martin County, Florida) is hereby established as a Freestanding Urban Service District. Any package wastewater treatment plants constructed in it shall be fully funded and maintained by the landowner.

The AgTEC future land use category is hereby established as a Freestanding Urban Service District.

The tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance No. 1153 is hereby established as a Freestanding Urban Service District.

Staff Analysis: The three existing Freestanding Urban Service Districts are listed above. They are

Seven Js, located adjacent to the Martin County Transfer Station, the AgTEC property located west of I-95 and the Gateway industrial development located west of SW Kanner Hwy. and south of SW 96th St. The Applicant's proposed text is shown below:

The tract of real property known as Martin Commerce Park designated as Industrial on the future land use map and described in Ordinance No?? is hereby established as a Freestanding Urban Service District.

The applicant provided in their overall project summary that,

“The commerce park would be served by county water and sewer. Martin Commerce Park is contributing a proportionate fair share of the costs for the Western Corridor Water and Sewer Main Extension with connection at the entry of the Martin Commerce Park site. Martin Commerce Park is committed to investing over \$2.9 million (40+%) towards their proportionate share of the water and sewer extension which runs along SW Martin Highway west to SW Martingale Drive.”

The proportionate share contribution described above is for the existing approved 32-acre Martingale Commons commercial PUD that was formally part of the Expressway Oriented Transient Commercial Service Center. The proportionate share contribution was not calculated for the additional 167-acres of proposed Freestanding Urban Service District. This proposed text amendment does not consider capacity for the additional 167 acres and 1,100,000 additional square feet of industrial development.

There is 66-acres in a recorded conservation easement and preserve area management plan. That leaves approximately 101 for useable space.

The applicant has provided the Western Corridor Water and Sewer Main Extension map the identifies the property and the utility infrastructure.

There is a letter from the Martin County Utilities Department issued on June 14, 2023, stating, “Martin County Utilities will need to evaluate raw water capacity, potable and wastewater treatment, and potable water and wastewater distribution in order to provide utilities for this project.”

The applicant has proposed an amendment to Policy 4.1B.2. restricting the development within the Freestanding Urban Service District, the proposed text amendments include an amendment to the Capital Improvements Element or other relevant plan provisions to ensure all public facilities will be provided.

The applicant has provided for this with the following text in Policy 4.1B.2:

(e) The owner/developer shall plan and appropriately fund public facilities consistent with Policy 14.1B.2 which requires that future development pay the full cost of capital facilities needed to address the impacts of such development. This shall include an amendment to the Capital Improvements Element, if needed, and a PUD Agreement that addresses public facilities, infrastructure, and the timing of development.

For consistency purposes, the applicant is also requesting changes to Policy 10.1A.8 and Policy 10.1A.12, as shown below:

Policy 10.1A.8. Sanitary sewer lines may be extended from the Primary Urban Service District to serve the following previously approved projects provided that the project is proceeding in accordance with its timetable of development, is consistent with all conditions of approval, and is maintaining its schedule of construction or other activities established in the development order.

(1) Lots 67, 68, 75, 89, 90, 119 through 122 and lots 191 through 220 of Canopy Creek PUD (f/k/a Tuscawilla PUD as recorded in Plat Book 16, Pages 039-001 to 039-036, Public Records of Martin County, Florida).

(2) Bridgewater Preserve as recorded in Plat Book 16, Pages 033-001 to 033-007, Public Records of Martin County, Florida. Any increase in residential density shall require approval by the Board of County Commissioners for a PUD Zoning Agreement and revised master/final site plan which is consistent with the Rural Density future land use designation and requires that the project connect to the existing potable water and sanitary sewer lines.

(3) Seven J's Industrial Subdivision, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.

(4) The County landfill, parcel number 07-38-40-000-000-00020-7.

(5) Martingale Commons PUD f/k/a Palm City 95 PUD.

(6) Sheriff's Shooting Range, parcel number 08-38-40-000-000-00011-0.

(7) Parcel number 28-40-42-000-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.

(8) The tract of real property known as Martin Commerce Park designated as industrial on the future land use map and described in Ordinance No. ???

Policy 10.1A.12 needs to be amended because Martingale Commons PUD and Seven J's Industrial Area are planned to have water and sewer services through the Freestanding Urban Service Districts.

~~Policy 10.1A.12. Package treatment plants shall be prohibited, except within the Seven J's Industrial Area and Martingale Commons PUD, provided that the respective project is proceeding in accordance with its timetable of development and conditions of approval.~~

Part VIII.

Economic Development. At an April 19, 2022, Board of County Commissioners meeting, the Business Development Board identified this location as one of the most viable areas in the county for economic development. Please see the attached letter dated June 7, 2022, addressed to the Business Development Board. The presentation and letter list a group of properties that are considered areas of opportunity. The Martin Commerce Park property was discussed at that meeting as one of those areas.

If the Martin Commerce Park Freestanding Urban Service District is created, the Commercial and Industrial inventory will also expand by 167 acres, of which 66 acres are protected by a Preserve Area Master Plan and Conservation easement.

The Commercial and Industrial Land Analysis, attached, concludes that the County has a sufficient inventory of commercial and industrial land within the unincorporated areas for the present and near future. It also notes projection methods appear much less useful than they have been in the past. Changes in the marketplace like e-commerce could greatly reduce the need for both developed and undeveloped commercial land while increasing the demand for logistics centers on industrial land. That analysis does not preclude adding industrial acreage to this intersection. Recognizing the Business Development Boards identification of the intersection at Interstate 95 and Martin Highway as an Industrial Development location, there may or may not be a community desire for this area to be utilized as such. In the past, this intersection has been classified for use by the Expressway Oriented Transient Commercial Service Center (EOTCSC) and the Expressway Oriented Research and Biotech Center (EORB), both of which have been repealed. The analysis does not prevent a policy decision that may be considered by the Board.

Conclusion:

- The proposed 167-acre Freestanding Urban Service District would add a fourth Freestanding Urban Service District. The two existing Freestanding Urban Service Districts include the 1,717 acre AgTEC Freestanding Urban Service District west of I-95 and the 240-acre Seven Js Freestanding Urban Service District adjacent to the Martin County Transfer Station.
- It would also add 167 acres to the Commercial and Industrial Inventory for unincorporated Martin County.
- At an April 19, 2022, Board of County Commissioners meeting, the Business Development Board identified this location as one of the most viable areas in the county for economic development.
- Water and sewer service is permitted at the adjacent 32-acre Martingale Commons PUD, however it is not planned for the 167 acres south of the Martingale Commons PUD.

If the Board considers creating another Freestanding Urban Service District in this area, staff recommends amending Figure 4-2 to show all of the freestanding Urban Service Districts, and amending Policy 4.1B.2., 4.7A.3.1, 4.7A.14, 4.13A.10, 10.1A.8 and 10.1A.12.

FIGURES/ATTACHMENTS

Figure 1, a location map that shows the subject area

Figure 2, a location map that shows the specific parcel in proximity to the Urban Service Districts

Attachment, Martin County Utilities Department letter issued on June 14, 2023

Attachment, Letter addressed to the Business Development Board issued on June 7, 2022

Attachment, Commercial and Industrial Land Analysis approved August 8, 2023