

Martin Commerce Park LLC REZONING

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A. Application Information

Applicant: Martin Commerce Park LLC

Represented by: Morris Crady, AICP
Lucido & Associates

Planner: Samantha Lovelady, AICP, Principal Planner
Growth Management Director: Paul Schilling

Request Number: CPA 23-10 Martin Commerce Park LLC Rezoning

<u>PUBLIC HEARINGS:</u>	<u>Date</u>	<u>Action</u>
Local Planning Agency:	September 19, 2024	Vote 2-1 to recommend approval.
Board of County Commission Adoption:	November 12, 2024	

B. Project description and analysis

This application is a request for a zoning district change from A-2, AG-20A, and AR-5A to Limited Industrial on ±167 acres. This request is made concurrent with a proposed Future Land Use Map amendment 23-10 Martin Commerce Park LLC and CPA 23-09 Martin Commerce Park LLC Text. CPA 23-10 proposes to assign the Industrial future land use designation to the entire ±167-acres. CPA 23-09 proposes site-specific text changes applicable to the entire ±167-acres extending water and sewer services. The ±167-acre property is located east of Interstate-95 and south of SW Martin Highway.

Staff recommendation:

Staff recommends approval of the proposed zoning district change from A-2, AG-20A, AR-5A to LI, Limited Industrial. The decision on the appropriate zoning depends on the final decision for the future land use designation on the property and the site-specific text amendments. The proposed zoning district, LI, implements the Industrial future land use designation. The following is an excerpt from Section 3.10.B., Land Development Regulations (LDR), Martin County, Fla.:

Cat.	Zoning District	District Purpose
A	LI (Limited Industrial District)	The LI district is intended to implement CGMP policies for lands designated Industrial on the Future Land Use Map of the CGMP. This district is designed to minimize the potential for negative impacts on surrounding properties.
A	GI (General Industrial District)	The GI district is intended to implement CGMP policies for lands designated Industrial on the Future Land Use Map of

		the CGMP.
A	HI (Heavy Industrial District)	The HI district is intended to implement CGMP policies for lands designated Industrial on the Future Land Use Map of the CGMP.

Permitted Uses:

The existing zoning districts, A-2, AG-20A, and AR-5A are consistent with the existing future land use designations Agricultural and Agricultural Ranchette. The proposed LI zoning district is consistent with the proposed future land use designation, Industrial.

Below is an excerpt from Article 3 of the LDR, showing the permitted use schedule for the proposed zoning district, LI and the more intense GI and HI. The "P" indicates that the uses permitted are within that zoning district, provided the uses can be developed in accordance with the requirements set forth in Divisions 3 and 4 and all other applicable requirements of Article 3 of the Land Development Regulations.

**TABLE 3.11.2
PERMITTED USES - CATEGORY "A" NONRESIDENTIAL DISTRICTS**

USE CATEGORY	LI	GI	HI
<i>Residential Uses</i>			
Accessory dwelling units	P	P	P
<i>Agricultural Uses</i>			
Agricultural processing, indoor		P	P
Agricultural processing, outdoor			P
Agricultural veterinary medical services	P	P	
Aquaculture	P	P	P
Plant nurseries and landscape services	P	P	
<i>Public and Institutional Uses</i>			
Administrative services, not-for-profit	P	P	P
Cemeteries, crematory operations and columbaria	P	P	P
Correctional facilities		P	P
Educational institutions	P	P	P
Electrical generating plants			P
Places of worship	P	P	
Post offices	P		
Protective and emergency services	P	P	P
Public libraries	P		
Public parks and recreation areas, active	P	P	P
Public parks and recreation areas, passive	P	P	P
Recycling drop-off centers	P	P	P

Solid waste disposal areas			P
Utilities	P	P	P
<i>Commercial and Business Uses</i>			
Adult business	P	P	P
Business and professional offices	P	P	
Commercial amusements, indoor	P		
Commercial amusements, outdoor	P		
Commercial day care	P	P	
Construction industry trades	P	P	P
Construction sales and services	P	P	P
Financial institutions	P	P	
Flea markets	P	P	
General retail sales and services	P		
Golf driving ranges	P		
Hotels, motels, resorts and spas	P	P	
Kennels, commercial	P	P	P
Limited retail sales and services	P		
Medical services	P		
Pain management clinics	P		
Residential storage facilities	P	P	
Restaurants, convenience, with drive-through facilities	P		
Restaurants, general	P	P	
Shooting ranges, indoor	P	P	P
Trades and skilled services	P	P	P
Vehicular sales and service	P	P	
Vehicular service and maintenance	P	P	P
Veterinary medical services	P	P	P
Wholesale trades and services	P	P	P
<i>Transportation, Communication and Utilities Uses</i>			
Airports, general aviation		P	P
Truck stop/travel center			P
<i>Industrial Uses</i>			
Biofuel facility		P	P
Extensive impact industries		P	P

Limited impact industries	P	P	P
Mining			P
Salvage yards		P	P
Yard trash processing			P
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002	P	P	
<i>Life Science, Technology and Research (LSTAR) Uses</i>			
Biomedical research	P	P	P
Bioscience research	P	P	P
Computer and electronic components research and assembly	P	P	P
Computer and electronic products research and assembly	P	P	P
Computer programming/software research	P	P	P
Computer system design	P	P	P
Electromedical apparatus research and assembly	P	P	P
Electronic equipment research and assembly	P	P	P
Laser research and assembly	P	P	P
Lens research	P	P	P
Management, scientific and technical services	P	P	P
Marine Research	P	P	P
Medical and dental labs	P	P	P
Medical equipment assembly	P	P	P
Optical equipment assembly	P	P	P
Optical instruments assembly	P	P	P
Optoelectronics assembly	P	P	P
Pharmaceutical products research	P	P	P
Precision instrument assembly	P	P	P
Professional, scientific and technical services	P	P	P
Reproducing magnetic and optical media	P	P	P
Research and development laboratories and facilities, including alternative energy	P	P	P
Scientific and technical consulting services	P	P	P
Simulation training	P	P	P
Technology centers	P	P	P
Telecommunications research	P	P	P
Testing laboratories	P	P	P

Targeted Industries Business (TIB) Uses			
Aviation and aerospace manufacturing	P	P	P
Business-to-business sales and marketing	P	P	P
Chemical manufacturing	P	P	P
Convention centers	P	P	P
Credit bureaus	P	P	P
Credit intermediation and related activities	P	P	P
Customer care centers	P	P	P
Customer support	P	P	P
Data processing services	P	P	P
Electrical equipment and appliance component manufacturing	P	P	P
Electronic flight simulator manufacturing	P	P	P
Fiber optic cable manufacturing	P	P	P
Film, video, audio and electronic media production and postproduction	P	P	P
Food and beverage products manufacturing	P	P	P
Funds, trusts and other financial vehicles	P	P	P
Furniture and related products manufacturing	P	P	P
Health and beauty products manufacturing	P	P	P
Information services and data processing	P	P	P
Insurance carriers	P	P	P
Internet service providers, web search portals	P	P	P
Irradiation apparatus manufacturing	P	P	P
Lens manufacturing	P	P	P
Machinery manufacturing	P	P	P
Management services	P	P	P
Marine and marine related manufacturing	P	P	P
Metal manufacturing	P	P	P
National, international and regional headquarters	P	P	P
Nondepository credit institutions	P	P	P
Offices of bank holding companies	P	P	P
On-line information services	P	P	P
Performing arts centers	P	P	P
Plastics and rubber products manufacturing	P	P	P

Printing and related support activities	P	P	P
Railroad transportation	P	P	P
Reproducing magnetic and optical media manufacturing	P	P	P
Securities, commodity contracts	P	P	P
Semiconductor manufacturing	P	P	P
Simulation training	P	P	P
Spectator sports	P	P	P
Surgical and medical instrument manufacturing	P	P	P
Technical support	P	P	P
Telephonic and on-line business services	P	P	P
Textile mills and apparel manufacturing	P	P	P
Transportation air	P	P	P
Transportation equipment manufacturing	P	P	P
Transportation services	P	P	P
Transaction processing	P	P	P
Trucking and warehousing	P	P	P
Wood and paper product manufacturing	P	P	P

Development standards

The land development standards set forth in Tables 3.12.1 and 3.12.2 shall apply to all lands zoned in accordance with this Division. The development standards in the following table are consistent with the minimum lot size and minimum open space requirements of the Industrial future land use designation. The 167-acre site exceeds the minimum lot size, 15,000 square feet. The platted lots within the 167 acre site also exceed 15,000 square feet. Please see excerpts below:

**TABLE 3.12.1
DEVELOPMENT STANDARDS**

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	LI	15,000	100		20.00	40	30 (I)	20	—
A	GI	30,000	125	—	20.00	50	40	20	—
A	HI	43,560	125	—	—	60	40	20	—

Note: (I) The maximum building height shall be 40 feet for all commercial and business uses permitted in the LI zoning district as set forth in Table 3.11.2.

**TABLE 3.12.2.
STRUCTURE SETBACKS**

C A T	Zoning District	Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
		1	2	3	4	1	2	3	4	1	2	3	4
A	LI	15(c)	15(c)	15(c)	15(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)
A	GI	15(c)	15(c)	15(c)	15(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)	10(c)
A	HI	40	40	40	40	40	40	40	40	40	40	40	40

(c) Where the real property boundary abuts an RE, RS, MH, RM, HR-1, HR-1A, R-1, R-1A, R-1B, R-1C, R-2, R-2B, R-2C, R-2T, RT, TP, E, E-1, WE-1 zoning district, a residential use in a PUD, or the real property boundary of a public school, these increased setbacks shall apply:

Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)				
1	2	3	4	1	2	3	4	1	2	3	4	Corner
25	25	25	25	20	20	30	40	15	20	20	30	25

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 727, pt. 1, 10-24-2006; Ord. No. 809, pt. 1, 9-9-2008; Ord. No. 866, pt. 2, 6-22-2010; Ord. No. 937, pt. 1, 8-6-2013; Ord. No. 1014, pt. 2, 12-6-2016; Ord. No. 1165, pt. 1, 8-10-2021)

Standards for Amendments to the Zoning Atlas

1. The Comprehensive Growth Management Plan (CGMP) requires that Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016).
2. The Martin County Land Development Regulations (LDR), Article 3, Section 3.2.E.1. provides 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.”

3. 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,

As described earlier in this report, the LI zoning district implements the Industrial future land use.

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

The ±167-acre area has 5 and 20-acre platted lots that exceed the minimum 15,000 square foot lot size for the LI zoning district. Any proposed development on the site must comply with all applicable land development regulations.

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,

North of the proposed amendment are lands with a Commercial PUD zoning and with an A-2 zoning, both have an agricultural use classification. Martin County Transfer Station, Seven J’s Industrial Park (Palm City Industrial Park) and the Sheriff’s Shooting Range are just north of that. The Stuart West and Cobblestone residential community is adjacent to Martin Hwy. and the Martin County Transfer Station. To the south of the parcels is Interstate 95 and AG-20A zoning with an agricultural use classification. To the west is Interstate 95 and A-2 zoning with an agricultural use classification. Lands to the east are A-2 with an agricultural use classification. The proposed Industrial zoning district appears most consistent with the adjacent Commercial PUD zoning district. The LI zoning is compatible with the larger area containing the Seven Js and the AgTec Freestanding Urban Service Districts, permitting industrial development.

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

There have been some changes in the surrounding area:

- Resolution 8-8-78 changed the zoning from A-2 to PUD-R. This change is the site of the Cobblestone and Stuart West neighborhoods.
- Resolution 89-4.1 changed the zoning from A-2 to AR-5A. This change is the site has an agricultural use.
- Resolution 16-7.1 changed the zoning from A-2 to PUD. This change is the site of AgTEC future land use designation.
- Resolution 88-9.23 changed zoning from A-2 to PUD-C. This change is this site of Martingale Commons PUD.
- Resolution 22-9.61 changed zoning from GI to PUD. This change is the site of Seven J’s North Industrial Park.
- Resolution 18-9.7 changed zoning from A-2 to PMUV. This change is the site of the

Newfield Mixed-Use Development.

Most of the land surrounding the subject site has the A-2 zoning district, assigned in 1967. The other surrounding zoning districts are PUD-C, PUD-R and AR-5A. The 1982 Comprehensive Plan identified the subject site for Agricultural and Agricultural Ranchette development with a density of one unit per 5 or 20 acres. Some of the existing zoning and land use designations on the subject parcels are not consistent. The proposed change from A-2, AR-5A and AG-20A to LI is consistent with the proposed future land use designation.

Figure 1 - Parcels Location Map, parcels outlined in blue – 2023 Aerial



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

The subject property is located outside of the Primary Urban Services District of the County. Changing the zoning district from A-2, AR-5A and AG-20A to LI will increase the demands on public facilities. Public facilities and services, such as centralized water and sewer service, may be provided by way of a Freestanding Urban Service District. Urban public services may need to extend a full four miles outside the existing Primary Urban Service District. The adjacent land is a Freestanding Urban Service District.

- 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 land use pattern that has been established and recognized on the Future Land Use Map (FLUM) of the CGMP for development contains residential and agricultural land uses within proximity to the subject parcel. The rezoning to LI, Limited Industrial District, would not constitute a logical, timely and orderly development pattern to the area as required services would need to extend up to four miles from the Primary Urban Service District.

However, CPAs 06-20 and 10-04 are both nonresidential changes that required concurrent adoption of Freestanding Urban Service Districts that permit Industrial development in the area. CPA 06-20 is the site of the Seven J's Industrial Park (Palm City Industrial Park) on the north side of SW Busch Street and CPA 10-04 is the site of the AgTEC future land use designation located west of I-95 and north of SW Martin Hwy. Please see the full text of the staff report for CPA 23-10 Martin Commerce Park LLC FLUM.

Figure 2 - Current Zoning Atlas, parcels outlined in blue.

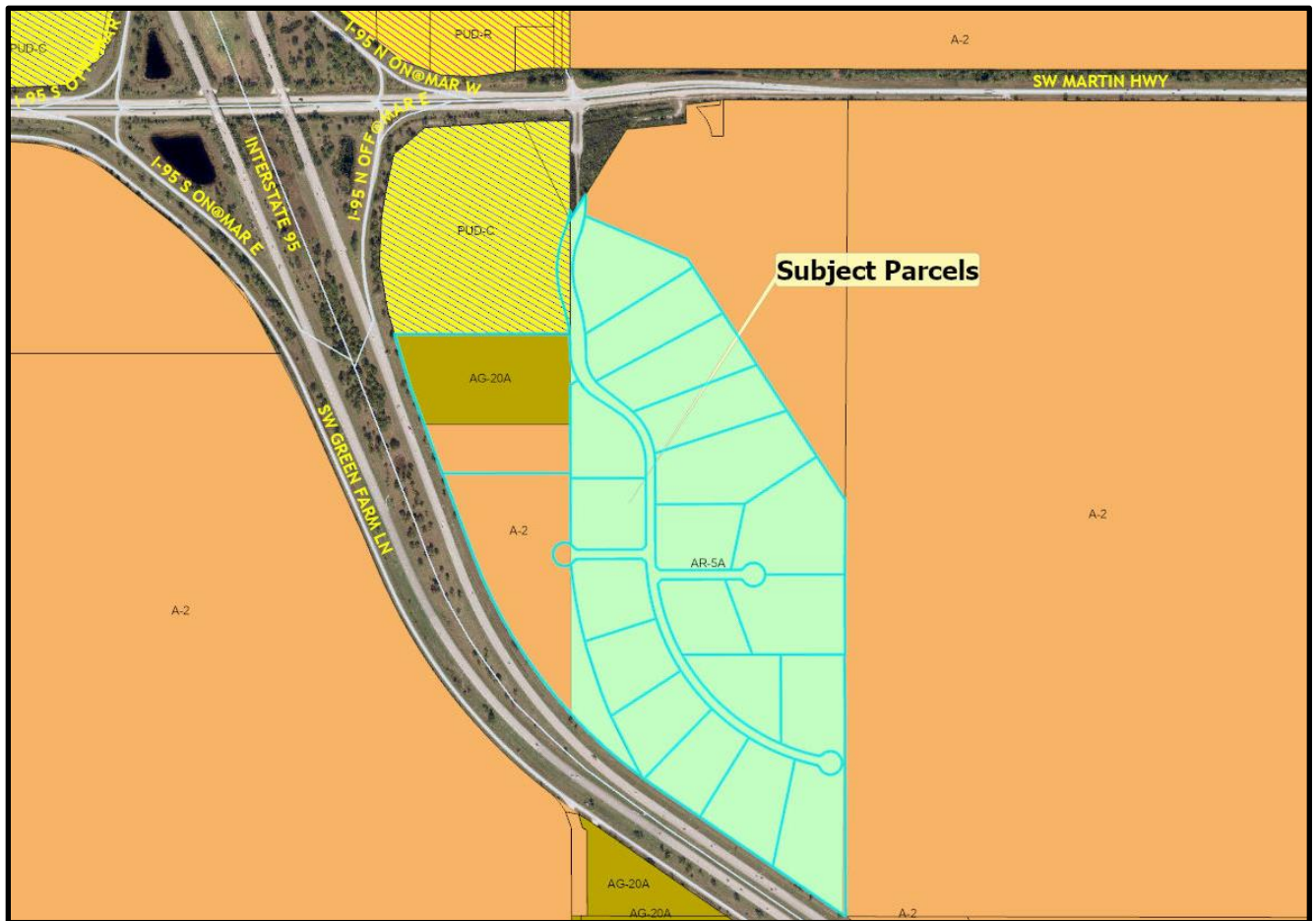
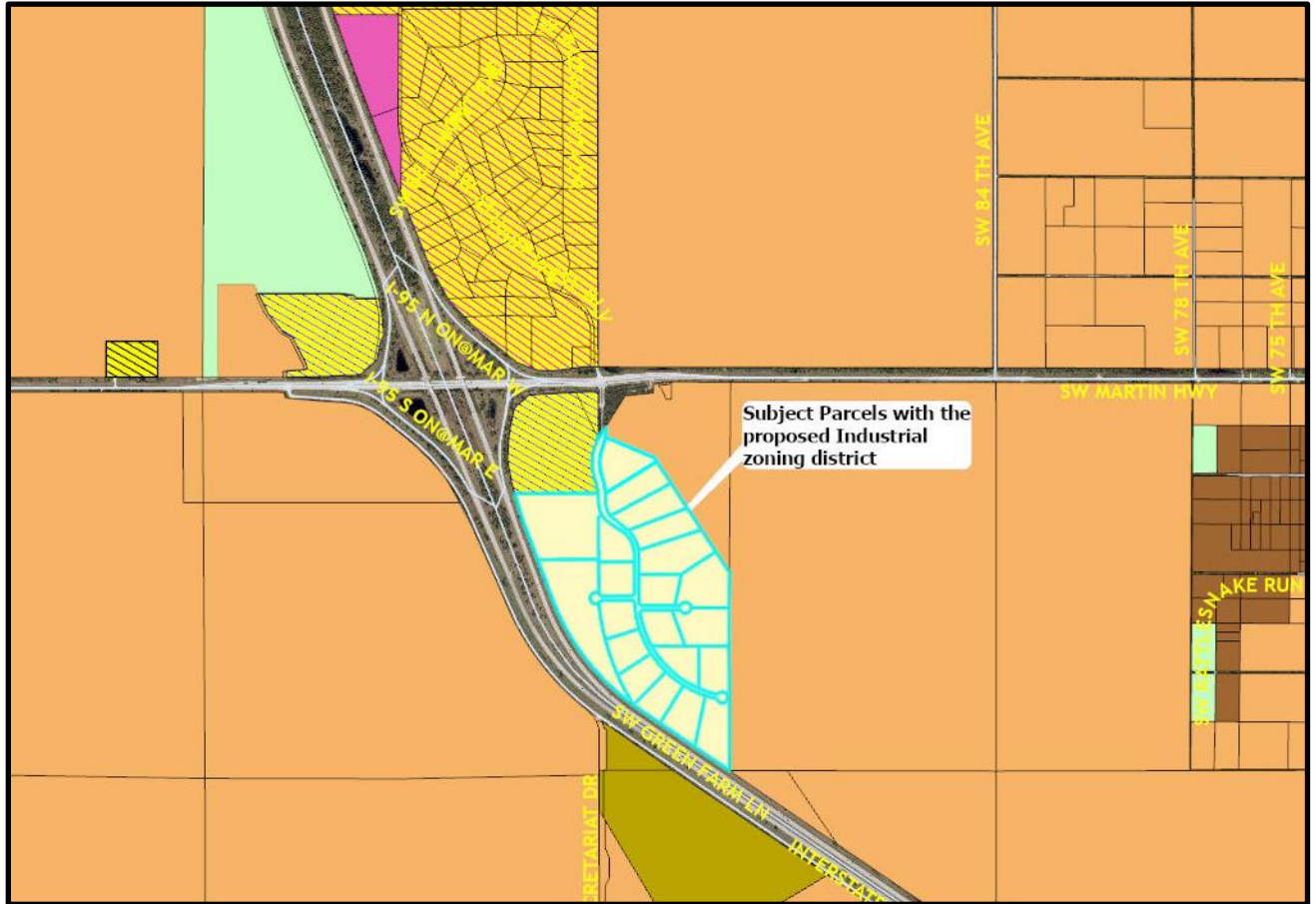


Figure 3 - Proposed Zoning Atlas, parcels outlined in blue.



Zoning district designations of abutting properties:

- To the north: PUD-C, Planned Unit Development – Commercial; A-2, Agricultural
- To the south: A-2, Agricultural; AG-20A
- To the east: A-2, Agricultural
- To the west: A-2, Agricultural

Figure 4 - Proposed Future Land Use Map



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

This CPA 23-10 rezoning with a concurrent FLUM and text amendment CPA 22-09, have not been presented at a public hearing yet.

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	Samantha Lovelady	288-5664	Pending
G	Development Review	Samantha Lovelady	288-5664	Pending
S	County Attorney	Elysse Elder	288-5443	Review Ongoing
T	Adequate Public Facilities	Samantha Lovelady	288-5664	Exempt

D. Review Board action

This application is classified as an amendment to the official zoning atlas. Pursuant to Section 10.3.B., LDR, Martin County, Fla. (2019), a review of this application at a public hearing is required by the LPA, which shall provide a recommendation for the Board's consideration. Pursuant to Section 10.5.F., LDR, Martin County, Fla. (2019), final action on the request for an amendment to the official zoning atlas is required by the BCC at a public hearing.

E. Location and site information

Location: The ±167-acre property is located east of Interstate-95 and south of SW Martin Highway.

Existing zoning:	AG-20A, A-2 and AR-5A
Future land use:	Agricultural and Agricultural Ranchette
Commission district:	District 5
Community redevelopment area:	N/A
Municipal service taxing unit:	District 5
Planning area:	Indiantown/West County

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

Findings of Compliance:

The decision on the appropriate zoning depends on the final decision for the future land use designation on the property and the site-specific text amendments. The proposed zoning district, LI, implements the Industrial future land use designation.

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

Findings of Compliance:

The decision on the appropriate zoning depends on the final decision for the future land use designation on the property and the site-specific text amendments. The proposed zoning district, LI, implements the Industrial future land use designation.

Additional Information:

Changes to the zoning atlas do not authorize any development activity. Criteria associated with this area of review are applied in conjunction with site plan review processes. Any specific department issues will be addressed at such time as development of the subject site is proposed.

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

See section G. above.

I. Determination of compliance with the property management requirements – Engineering Department

See section G. above.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

See section G. above.

K. Determination of compliance with transportation requirements - Engineering Department

See section G. above.

L. Determination of compliance with county surveyor - Engineering Department

See section G. above.

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department

See section G. above.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

See section G. above.

O. Determination of compliance with utilities requirements - Utilities Department

See section G. above.

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

See section G. above.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

See section G. above.

R. Determination of compliance with Martin County Health Department and Martin County School Board

See section G. above.

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

Review is ongoing.

T. 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. (2016). 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.

U. Post-approval requirements

Not applicable.

V. Local, State, and Federal Permits

No Local, State and Federal Permits are applicable to a rezoning action which does not permit any development activities.

W. Fees

Not applicable.

X. General application information

Applicant: Martin Commerce Park LLC

Y. 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

Z. Figures/Attachments

- Figures within the report:
- Figure 1, Parcel Location Map
- Figure 2, Current Zoning Atlas
- Figure 3, Proposed Zoning Atlas
- Figure 4, Proposed FLUM