

CPA 22-06,
Calusa Creek Ranch Text
Amendment

Agency Comments

December 15, 2023

RESPONSE VIA EMAIL ONLY

Mr. Paul Schilling
Director
Martin County
Growth Management Department
2401 S.E. Monterey Road
Stuart, Florida 34996

Dear Mr. Schilling:

Thank you for submitting Martin County's proposed comprehensive plan amendment for our review pursuant to the Expedited State Review process. The reference number for this amendment package is 23-05ESR.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than January 12, 2024.

Pursuant to 163.3184(3)(c)1. If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment.

Pursuant to 163.3184(3)(c)2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the second public hearing to the state land planning agency and any other agency or local government that provided timely comments under subparagraph (b)2.

If you have any questions please contact Donna Harris, Plan Processor at (850) 717-8491 or Yazmin Valdez, Regional Planning Administrator, who will be overseeing the review of the amendments, at (850)717-8524.

Sincerely,



Barbara Powell, Deputy Bureau Chief
Bureau of Community Planning and Growth

BP/dh

cc: External Agencies

From: [Clyde Dulin](#)
To: [Daphne Schaub](#)
Subject: FW: Martin County 23-05ESR Proposed
Date: Tuesday, January 16, 2024 5:16:32 PM
Attachments: [image001.png](#)

Clyde Dulin, AICP
Comprehensive Planning Administrator
Growth Management Department
Martin County Board of County Commissioners
(772) 221-2327 (o)

From: Paul Schilling <pschilli@martin.fl.us>
Sent: Tuesday, January 16, 2024 4:57 PM
To: Clyde Dulin <cdulin@martin.fl.us>
Cc: Maria Harrison <mharriso@martin.fl.us>
Subject: FW: Martin County 23-05ESR Proposed

Paul Schilling
Director
Growth Management Department
Martin County Board of County Commissioners
772-288-5473

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Tuesday, January 16, 2024 4:46 PM
To: Paul Schilling <pschilli@martin.fl.us>; DCPexternalagencycomments <dcpexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Martin County 23-05ESR Proposed



To: Paul Schilling, Growth Management Department Director

Re: Martin County 23-05ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



[Dep Customer Survey](#)





January 12, 2024

Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Preston Farris
Tampa

Gary Lester
Oxford

Albert Maury
Coral Gables

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Office of the
Executive Director
Roger A. Young
Executive Director

Charles "Rett" Boyd
Assistant Executive Director

George Warthen
Chief Conservation Officer

Jessica Crawford
Chief of Staff

850-487-3796
850-921-5786 FAX

Managing fish and wildlife resources for their long-term well-being and the benefit of people.

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: 850-488-4676

Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

Paul Schilling,
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, Florida 34996
pschilli@martin.fl.us

Re: Martin County 23-05ESR (CPA #22-06, Calusa Creek Ranch) and Martin County 23-06ESR (CPA #23-12, The Ranch PUD), Comprehensive Plan Amendments

Dear Mr. Schilling:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the above-referenced comprehensive plan amendments and provide the following comments and recommendations for consideration in accordance with Chapter 163.3184, Florida Statutes. While there are no objections to the amendment, the following technical assistance information is provided to assist the Department of Economic Opportunity, the County, and any applicants during the amendment review and future project planning.

Project Description

The proposed comprehensive plan amendments (CPAs) include a text amendment, Martin County 23-05ESR (CPA #22-06), which proposes minor changes to the language governing the Rural Lifestyle Future Land Use designation, and a future land use map (FLUM) amendment, (CPA #23-12), which would change approximately 3,902 acres from Agricultural to Rural Lifestyle. Concurrent applications have been submitted for these CPAs, and approval of the FLUM amendment is dependent on the adoption of the text amendment. These changes will allow for the development of golf courses, golf cottages, and associated amenities on existing agricultural land. Further, the amendment will allow for the development of residential multi-slip docking facilities along the St. Lucie canal. The land area planned for development occupies less than 20% of the subject property. According to the proposed CPA, a minimum of 25% of the native upland habitat and all wetlands within the site will be preserved and managed under a preserve area management plan.

The subject property is located on both the north and south sides of SW Kanner Highway for approximately 2 miles and the south side of SW Bridge Road for approximately 1 mile. The dominant land covers on the site include 1,758 acres of improved pasture, 502.1 acres of mesic flatwoods, 472.4 acres of marshes, 342.5 acres of tree nurseries, 191.9 acres of wet flatwoods, 161.7 acres of mesic hammock, 150.6 acres of wet prairie, 119.1 acres of mixed hardwood-coniferous, 114.3 acres of unimproved pasture, 48.3 acres of cypress, 23.8 acres of mixed shrub-scrub wetland, and 15.2 acres of shrub and brushland.

Potentially Affected Resources

An initial environmental assessment and wetland delineation was conducted by EDC, Inc., via pedestrian, vehicular, and aerial surveys. According to the environmental report, the following federally and state listed species may be reasonably expected to occur on site, based on the location and habitat characteristics:

- Audubon's crested caracara (*Polyborus plancus audubonii*, Federally Threatened [FT]).
- Wood stork (*Mycteria americana*, FT)

- Everglade snail kite (*Rostrhamus sociabilis plumbeus*, Federally Endangered [FE])
- Gopher tortoise (*Gopherus polyphemus*, State Threatened [ST])
- Southeastern American kestrel (*Falco sparverius paulus*, ST)
- Florida burrowing owl (*Athene cunicularia*, ST)
- Roseate spoonbill (*Platalea ajaja*, ST)
- Little blue heron (*Egretta caerulea*, ST)
- Tricolored heron (*Egretta tricolor*, ST)
- Florida sandhill crane (*Antigone canadensis pratensis*, ST)
- Bald eagle (*Haliaeetus leucocephalus*)

Of the species listed above, the southeastern American kestrel, gopher tortoise, little blue heron, roseate spoonbill, Florida sandhill crane, tricolored heron, and wood stork were observed during the initial site assessment. Adult caracara were observed foraging in or transversing through the subject property, but no evidence of nesting was observed during a separate survey. The consultant plans to conduct surveys for Florida sandhill crane during nesting season and formal surveys for gopher tortoise will be conducted prior to any proposed development activities on the property.

FWC staff conducted a geographic information system (GIS) analysis of the project area. The analysis found that the project site is also located near, within, or adjacent to:

- USFWS Consultation Area for the following federally listed species:
 - Florida scrub-jay (*Aphelocoma coerulescens*, FT)
 - Florida bonneted bat (*Eumops floridanus*, FE)
- Potential habitat for the following federally and state listed species:
 - Florida manatee (*Trichechus manatus latirostris*, FE)
 - Eastern indigo snake (*Drymarchon couperi*, FT)
 - Eastern black rail (*Laterallus jamaicensis jamaicensis*, FT)
 - Least tern (*Sternula antillarum*, ST)
- Existing Conservation Areas
 - John C. and Mariana Jones/Hungryland Wildlife Environmental Area (managed by FWC)
 - Palmar Complex/C-44 Basin Harmony Ranch (managed by South Florida Water Management District)

Comments and Recommendations

Florida Manatee

The Florida manatee can be found within shallow coastal and inland waters across Florida, including inland springs, rivers, and lakes. Florida manatee use of the St. Lucie Canal is documented by aerial survey, mortality, and satellite telemetry data. To reduce the risk of entrapment and drowning of manatees, manatee exclusion devices (such as grating) should be installed and maintained over any existing or proposed pipes or culverts greater than 8 inches, but smaller than 8 feet in diameter that are submerged or partially submerged and reasonably accessible to manatees. If horizontal or vertical bars are used, no more than 8-inch gaps on center should be allowed. Grates should be in place at the accessible end(s) during all phases of the construction process and as a final design element to restrict manatee access. Please also note that any proposed upland development and proposed docking facilities must be consistent with the Martin County Manatee Protection Plan (MPP).

Southeastern American Kestrel

Suitable habitat for southeastern American kestrels may be found within the proposed project area. FWC staff recommend that surveys be conducted from April to August within potentially suitable foraging habitat according to the methodology outlined in the *Species Conservation Measures and Permitting Guidelines for Southeastern American Kestrel* (<https://myfwc.com/media/24482/seamkestrelgl.pdf>). Surveys from May to July are ideal to avoid confusion with the migratory subspecies of American kestrel (*Falco sparverius sparverius*). Surveys may be completed outside of the April to August survey season when necessary, with any kestrels observed assumed to be southeastern American kestrels. Surveys are valid until the beginning of the following breeding season (March). If surveys encounter active nest cavities, FWC staff recommend avoiding project activities within 490 feet (150 meters) of the nest during the breeding season (March through July) to avoid disturbance. In areas of suitable kestrel habitat, the *Guidelines* also recommend retaining snags whenever possible.

Florida Burrowing Owl

Florida burrowing owls typically occupy areas with short groundcover like agricultural fields and prairies and suitable habitat may be found on the project site. FWC staff recommend the applicant survey the property for burrowing owls prior to construction activities to ensure that no burrowing owl burrows occur onsite. Additional information and guidance for conducting burrowing owl surveys can be found in the *Species Conservation Measures and Permitting Guidelines for the Florida Burrowing Owl* (<https://myfwc.com/media/2028/florida-burrowing-owl-guidelines.pdf>). If Florida burrowing owls are observed onsite, FWC staff recommend that the applicant contact FWC staff identified at the close of this letter to discuss avoidance, minimization, and permitting options.

Wading Birds

According to the environmental assessment, a nesting area for wading birds was identified on the subject property. FWC staff recommend that specific surveys be conducted for wading birds in the freshwater forested wetlands, cypress, and marshes prior to the commencement of any clearing, grading, or filling activities. Surveys should be conducted during their breeding season, which extends from March through August. The *Species Conservation Measures and Permitting Guidelines for Little Blue Heron, Reddish Egret, Roseate Spoonbill, Tricolored Heron* (<https://myfwc.com/media/18634/threatenedwadingbirds-guidelines.pdf>) can be referenced for biological information, survey methodology, measures for avoiding impacts, and recommended conservation practices. If there is evidence of nesting during this period, FWC staff recommend that any wading bird nest sites be buffered by 100 meters (330 feet) to avoid disturbance by human activities. If nesting is discovered after site activities have begun, if the removal or trimming of trees with active nests is unavoidable, or if maintaining the recommended buffer is not possible, the applicant may contact the FWC staff identified below to discuss potential permitting alternatives.

Least Tern

While the existing conditions onsite likely do not support least tern nesting activity, clearing associated with construction may create conditions conducive for beach-nesting bird nesting. Cleared sites such as areas that have undergone surface scraping may attract ground nesting species such as least terns or other imperiled beach-nesting birds (IBNB) during nesting season. IBNB nests have been documented on a variety of disturbed sites, including construction sites. Least terns deposit their eggs in shallow depressions or scrapes in the substrate, possibly lined with pebbles, grasses, or coquina shells. Egg-laying usually begins in late April or early May and colonies may range in size from a few breeding pairs to many hundreds. FWC staff recommend

the following measures to reduce nesting potential during construction:

- Conduct construction activities outside of the breeding season (generally April through August) if feasible, or,
- If the site is cleared during the breeding season, clear the site only when ready to build, and
- Avoid leaving cleared areas with little to no activity for an extended amount of time.

If nesting is observed, FWC staff are available to discuss necessary nest buffers and potential permitting alternatives. The *Species Conservation Measures and Permitting Guidelines for American Oystercatcher, Snowy Plover, Black Skimmer, and Least Tern* (<https://myfwc.com/media/29766/ibnb-guidelines.pdf>) can be referenced for additional biological information, measures for avoiding impacts, and conservation practices.

Non-native Fish and Wildlife

The Early Detection & Distribution Mapping System (EDDMapS) indicates high priority invasive species, such as tegus (*Salvator spp.*), have been reported in this area. These species are considered a high risk to Florida's ecology, economy, or human health and safety. Workers authorized to access the site who encounter these species or other nonnative wildlife listed as Conditional or Prohibited (<http://www.myfwc.com/wildlifehabitats/nonnatives/regulations/>), are requested to report these sightings, whether dead or alive to <http://www.IveGot1.org>. Reports of observations, high-resolution photos, proof of captures, and removals of any high priority invasive species are used to monitor populations and coordinate rapid response efforts for nonnative species. If workers require assistance capturing or removing priority nonnative wildlife, they should call FWC's Exotic Species Hotline at 1-888 IVE GOT1 (888-483-4681).

Ecological Corridors

Data from the Florida Natural Areas Inventory's (FNAI) Conservation Needs Assessment indicates that portions of the subject property fall within a priority 5 ranked area of the Florida Ecological Greenways Network database. This database identifies the most important ecological corridors and intact landscapes across Florida for the protection of the state's native wildlife, ecosystem services, and ecological resiliency. Severance or reduction of ecological corridors could constitute a significant adverse impact to important state wildlife resources through habitat fragmentation, isolation of existing wildlife populations, and hinderance of genetic exchange. FWC staff are available to provide technical assistance which may minimize adverse impacts to designated ecological corridors as projects within the subject property are being planned.

Wildlife Crossings

Wildlife crossings can be considered in land use planning when significant areas of productive green space, including wetland and upland forests or small streams or riparian zones, are crossed by major roads. The overall purpose and need for the crossings are to maintain habitat connectivity within natural landscape linkages on the property, avoid habitat degradation, reduce wildlife roadkills, and public safety. Factors to consider when planning wildlife crossings include the total extent of habitat, type of natural systems crossed by the roadway, wildlife species that will potentially utilize the crossing, and an understanding and control of nearby or adjacent planned land uses. There are numerous wildlife crossing designs which are suitable for target mammals, amphibians, and reptile species, including some designs that provide for both aquatic and terrestrial species movement as well as habitat and hydrological connectivity. Structure types may include bridges, box culverts, and large drainage pipes which can be designed and constructed at appropriate locations. Fencing erected along the outside right-of-way is also needed to exclude animals from the roadway and funnel and encourage them to use the structure.

Signage for wildlife underpasses and lower speed limits are also useful in the area of heavy animal use near undercross structures. While there are numerous resources to designing wildlife underpasses, examples and guidelines for various wildlife underpasses in Florida can be obtained from The Florida Department of Transportation at:

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/environment/pubs/wildlifecrossingguidelines_2018revisions.pdf?sfvrsn=e84b7844_0 or

from the U.S. Department of Transportation at:

http://www.fhwa.dot.gov/environment/critter_crossings/main.cfm.

Wetland Buffers

The ecotone between a wetland and the adjacent upland habitats is important to be delineated as a wetland buffer. Often a wetland buffer is focused on water quality as required by a local government or state water management district. However, buffers that protect water quality may not be sufficient in size to protect wetland-dependent wildlife or aquatic species. For example, nesting wading birds may require a set-back distance from pedestrian activities to prevent the adults from flushing from the nest. Some amphibians and invertebrates may breed and develop in water then move miles away from water into upland habitats to forage and burrow. Therefore, when planning for wetland buffers, considerations for wetland-dependent wildlife species' home ranges and movement patterns may need to be considered.

Habitat Management

Large developments with large conservation areas or ecological corridors may benefit from a specific Wildlife and Habitat Management Plan (WHMP) which can provide a framework for habitat management activities that will ensure these areas continue to provide habitat for fish and wildlife resources. A WHMP can include a list of state and federally listed species which may occur on the site and includes actions to minimize, avoid, and mitigate impacts to those species. Similar plans also include information on proposed maintenance activities such as prescribed fire, invasive plant management, or methods to address nuisance and exotic animal species. FWC staff are available to assist in the development of a management plan that includes these details so that conservation areas and open space may continue to provide habitat for fish and wildlife resources. FWC staff also recommend coordination the USFWS Florida Ecological Service Office at fw4flesregs@fws.gov for technical assistance for development of a site specific WHMP.

Lakes and Ponds

According to the pending CPAs, golf courses are proposed for the subject property. The creation of lakes and ponds could provide potential wildlife habitat as well as a recreational area for fishing and wildlife viewing. Lakes and ponds can be managed for both fish production and wildlife habitat, including wading birds and waterfowl. The best design for stormwater ponds is those with complex edges. The addition of native wetland plants along this gradual slope, ideally constructed at a 4:1 grade, could provide a vegetated littoral fringe which could increase the habitat value of the site and possibly provide foraging or nesting areas for several wading bird species. Littoral fringe habitat may also provide spawning habitat for fish which would enhance future recreational fishing opportunities for the community. FWC staff recommend a commitment to long-term maintenance and development of a plan for managing exotic invasive plant species that can significantly degrade habitat values and impact ponds, wetlands, and nearby natural areas. The FWC's *Florida Wildlife Conservation Guide* provides more information on this topic with suggested guidelines for construction and management of stormwater ponds (<http://myfwc.com/conservation/you- conserve/recreation/pond-management/>).

Smoke Shed

The residential development is proposed within a smoke shed (periodically smoke-filled corridor) that originates from use of prescribed fire as a management tool at the John C. and Mariana Jones/Hungryland Wildlife Environmental Area and other nearby conservation lands. Prescribed fire is required to maintain many of the natural upland communities that exist on these conservation areas. Natural resource management staff and land managers on these conservation lands will continue to use prescribed burning to manage wildlife habitat and reduce fuel loads that may otherwise lead to catastrophic wildfires that not only affect wildlife but threaten human life and property. FWC staff recommend that the applicant include provisions in any homeowners' association or covenant documents that inform future residents that prescribed burning is an acceptable practice for natural resource management and that the area is within a smoke shed. Developers of lands within two miles of native habitat managed by fire may wish to consider Florida Forest Service recommendations at <https://www.fdacs.gov/Forest-Wildfire/For-Communities/Firewise-USA> to create Fire-Wise communities.

Federal Species

This site may also contain habitat suitable for the federally listed species identified above. FWC staff recommends coordination with the U.S. Fish and Wildlife Service (USFWS) Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species. The USFWS Florida ESO can be contacted at (352) 448-9151 or email at fw4flesregs@fws.gov.

FWC staff appreciates the opportunity to provide input on this project and looks forward to working with the applicant throughout the permitting process. For specific technical questions regarding the content of this letter, please contact Nicolas Colletier at (561) 882-5711 or by email at Nicolas.Colletier@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,



Jason Hight, Director
Office of Conservation Planning Services

jh/nc
Martin County 23-06ESR_57729_01122024

Cc: DCPexternalagencycomments@deo.myflorida.com

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B5
From: Staff
Date: January 12, 2024
Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Martin County Comprehensive Plan
Amendment No. 23-05ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, authorizes the regional planning council to review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Martin County was received on December 14, 2023 and contains one text amendment to the Future Land Use Element (FLUE) of the County's comprehensive plan. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed text amendment revises the Rural Lifestyle land use designation and is being proposed concurrently with a Future Land Use Map amendment (No. 23-06ESR), The Ranch PUD, that proposes to revise the land use designation on ±3,902.64 acres from Agricultural to Rural Lifestyle.

The Rural Lifestyle future land use designation, adopted on September 13, 2022, permits applicants with a minimum of 1,000 acres adjacent to an urban service district to seek an amendment to the Future Land Use Map and a concurrent amendment to the Zoning Atlas for a Planned Unit Development (PUD). However, those applications require a choice:

- Seek a density of one unit per 20 acres or less on the 1,000 acres, comply with the requirements of the Rural Lifestyle future land use, and all other requirements of the Plan; or
- Seek a density between one unit per 20 acres and a maximum of one unit per five acres, and encumber additional land under an easement that removes the density. One acre must be

protected by an easement for every two acres assigned the Rural Lifestyle future land use designation. All other requirements of the Rural Lifestyle future land use and comprehensive plan remain applicable.

The proposed text amendment, shown in ~~strikeout~~ and underline and included as Exhibit 2, would not change the options described above but would potentially allow assignment of the Rural Lifestyle future land use designation on properties with a minimum of 3,000 acres that are within 6,000 feet of the Primary Urban Service District or a Freestanding Urban Service District. However, such applicants seeking the Rural Lifestyle future land use would be limited to a density of one unit per 20 acres or less. Additional lands would not be encumbered with an easement and all other requirements of the Rural Lifestyle future land use would apply.

Martin County staff recommended approval because the proposed text amendment:

- Permits the same maximum density as the Agricultural future land use designation (one unit per 20 acres) when located 6,000 feet from the Primary Urban Service District (PUSD) or a Freestanding Urban Service District (FUSD).
- Prohibits a density of one unit per five acres unless the property is adjacent to the PUSD, a FUSD, or the Secondary Urban Service District (SUSD)
- Requires a minimum of 3,000 contiguous acres provide 70% open space.
- Clarifies the density for dormitory housing. This will be applicable to minimum 1,000-acre or 3,000-acre properties seeking the Rural Lifestyle land use designation.
- Adds language requiring enhanced nutrient-reducing onsite-sewage treatment and disposal systems instead of standard septic systems. This will be applicable to minimum 1,000-acre or 3,000-acre properties seeking the Rural Lifestyle land use designation.
- Meets or exceeds the new requirements of Chapter 2023-169 Laws of Florida.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on December 17, 2023. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. However, Council offers the following comments for consideration by the County prior to adoption:

1. Future Land Use Policy 4.13A.18(A)(1) would be enhanced by stipulating that any “open space” within the bounds of an individual subdivided house lot does not count towards the required 70% on-site open space since this open space may become isolated by fencing and replaced by patios, etc. over time.

2. It appears that Policy 4.13A.18(C)(11)(c) will allow new development with individual septic tanks. Martin County has set admirable goals and devoted substantial public money for the elimination of existing septic systems and these goals will be harder to achieve if new systems are allowed. In addition, requiring connection to central sewer will help ensure that Rural Lifestyle developments are reasonably close to urbanized areas and services.

Recommendation

Council should approve this report and authorize its transmittal to Martin County and FloridaCommerce.

Council Action – January 19, 2024

Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Text Amendment Shown in ~~Strikeout~~ and Underline Format

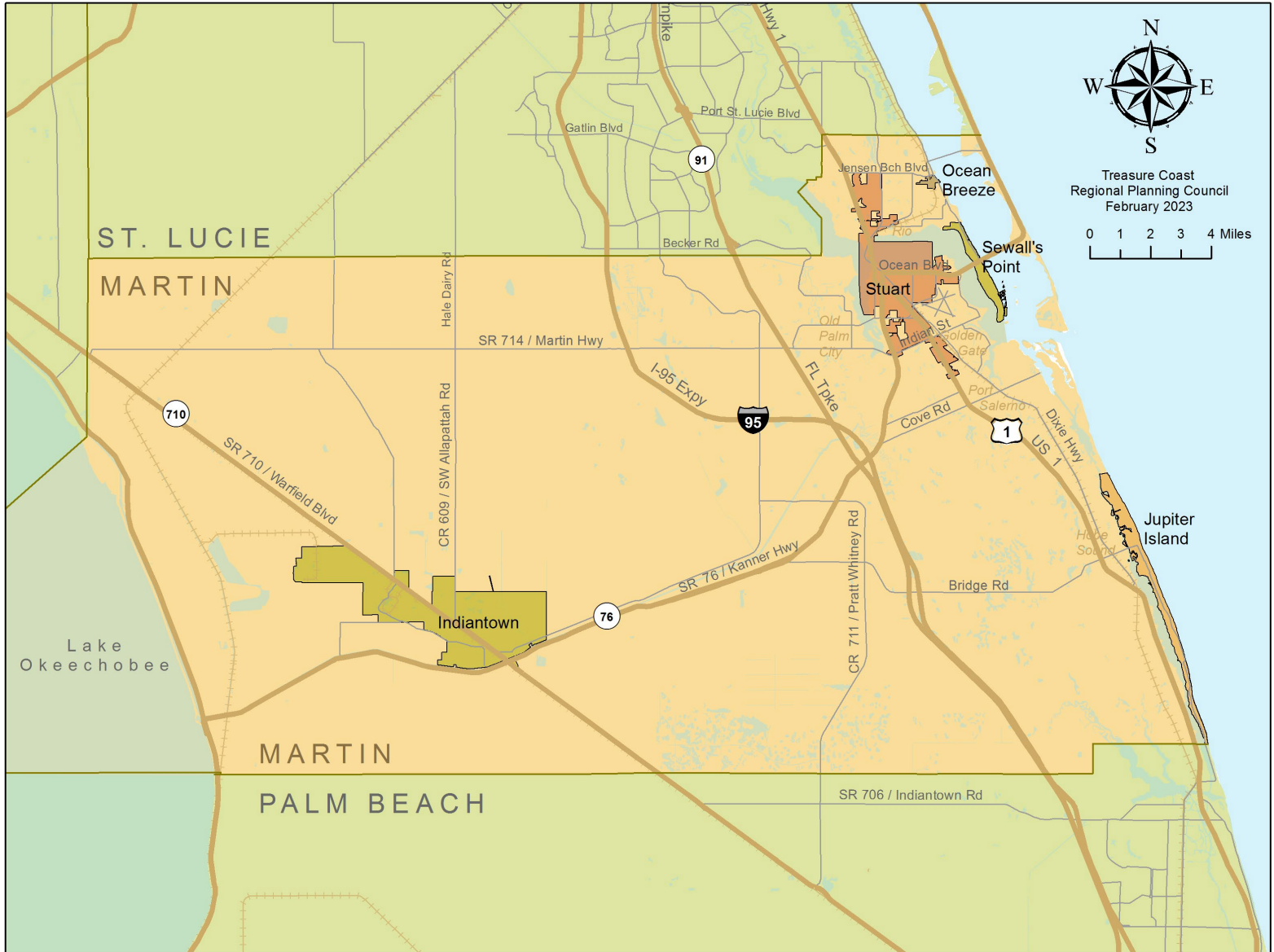


Exhibit 1
General Location Map

Exhibit 2

Text Amendment Shown in ~~Strikeout~~ and Underline Format

Chapter 4, FUTURE LAND USE ELEMENT

Policy 4.13A.18. Rural Lifestyle. The Rural Lifestyle future land use designation is intended to guide development of self-supporting, self-contained and rural communities including affiliated recreational amenities with an emphasis on maintaining and enhancing natural and manmade open space and promoting sustainability and stewardship of the land and water.

(A) In order to be eligible for the Rural Lifestyle future land use designation the following size and locational criteria is required:-

(1) ~~a minimum of 1,000 contiguous acres~~ Be located within unincorporated Martin County and outside the Primary Urban Service District and satisfy one of the following: are required. To minimize the extension of utility service,

(a) be comprised of a minimum of 1,000 contiguous acres and a portion of the ~~minimum 1,000 contiguous acres must be adjacent to the Primary Urban Service District, the Secondary Urban Service District or a Freestanding Urban Service District;~~ or

(b) be comprised of a minimum of 3,000 contiguous acres and, a portion of the 3,000 contiguous acres must be within 6,000 feet of the Primary Urban Service District or a Freestanding Urban Service District.

(2) For purposes of this policy, adjacent property is the same as “abutting” or “adjoining” or “immediately adjacent” property and shall refer to property with a shared property line regardless of easements on the abutting properties. Properties separated by an existing road right-of-way shall be considered adjacent and contiguous.

(3) Properties adjacent to or located within 6,000 feet of the urban service districts within or adjacent to the Village of Indiantown municipal limits are not eligible for the Rural Lifestyle land use designation.

(4) To minimize the potential impact on public facilities and services, no property eligible for the Rural Lifestyle future land use designation may have a density of more than one unit per twenty (20) acres unless the property satisfies the size and locational criteria under Section 1(a) above and satisfies all other standards established herein.

(B) Approval of an amendment to the Future Land Use Map changing the future land use designation on a specific parcel to Rural Lifestyle shall be required.

(C) Development of a specific parcel with the Rural Lifestyle future land use designation shall be implemented through a Planned Unit Development (PUD) zoning agreement and concurrent rezoning approved pursuant to the requirements of the Land Development Regulations and the standards established herein.

(1) Within a specific parcel designated as Rural Lifestyle on the Future Land Use Map, development shall not exceed a maximum building height of four-stories or 40 feet and a minimum of 70 percent of the gross land area shall be established and maintained as open space. Wetlands, landlocked water bodies, upland habitat and land used for agricultural production may be used in calculating open space.

(2) Blended densities, as described in Chapter 4, Future Land Use Element, shall be permitted.

(3) Within the Rural Lifestyle future land use designation, gross residential density, including employee dormitory housing, shall not exceed ~~a~~ the maximum of ~~one unit per 5 acres~~ density of the PUD.

- (4) Employee dormitory housing shall be allowed, otherwise only detached single-family dwellings are permitted. Duplex dwellings and multi-family dwellings are prohibited.
- (a 5) Development proposed at a density of one unit per 20 acres or less shall be required to comply with all minimum preserve area, habitat protection and open space requirements in the Comprehensive Plan. Development proposed at a density of more than one unit per 20 acres shall be required to exceed the minimum habitat protection and open space requirements and provide proportionally more of the type of public benefits listed in subsection (9 16) below.
- (b 6) Development proposed at a density of more than one unit per 20 acres, but not exceeding the allowed maximum of one unit per five acres, shall provide open space preservation outside of the specific parcel designated as Rural Lifestyle on the Future Land Use Map. A minimum of one acre of open space shall be provided off-site for every two acres assigned the Rural Lifestyle future land use designation. The open space provided off-site shall be located within unincorporated Martin County and maintained in perpetuity. The following forms of open space may be provided off-site:
- Native upland habitat,
 - Wetland habitat,
 - Lands in agricultural production,
 - Areas of restored habitat
 - Water farming.
- (e 7) The off-site open space shall be encumbered by a perpetual conservation or agricultural easement conveyed to at least one governmental organization and a 501 (c)(3) conservation organization, to be specified within the PUD Zoning Agreement. The property shall not be designated as Rural Lifestyle on the Future Land Use Map and shall not be rezoned, but shall be governed by the PUD Zoning Agreement and identified therein by legal description. The perpetual easement shall restrict future use of the property in perpetuity to open space, prohibiting development of the property inconsistent with this policy and the terms and conditions established within the PUD Zoning Agreement.
- Amendments to the Future Land Use Map should consider the potential for on-site open space and off-site open space to create contiguous open spaces and corridors with other adjacent open spaces and preserves.
- (d 8) Golf cottages are permitted as an accessory use to a golf course as long as the golf cottages remain owned, controlled and operated by the owner(s) of the golf course for the exclusive use of members and their guests. Golf cottages shall not be counted toward the maximum gross density. One golf cottage per hole of each regulation 18-hole golf course shall be allowed up to a maximum of 54 golf cottages. Each golf cottage shall be limited to 6 bedrooms.
- (e 9) Dormitories provided for permanent or temporary employee housing shall comply with all requirements of the Florida Building Code. A maximum of 6 employee dormitory beds shall be permitted per 100 acres of a specific parcel with a Rural Lifestyle future land use designation. The maximum number of single-family dwelling units permitted in the Rural Lifestyle future land use shall be reduced by one unit for every six employee dormitory beds.
- (f 10) One accessory dwelling unit shall be allowed on the same lot as a single-family dwelling unit. The accessory dwelling unit shall meet the following requirements:
- An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
 - It shall not count as a separate unit for the purpose of density calculations.
 - Construction of an accessory unit shall require recordation of a unity of title prohibiting the conveyance of the accessory dwelling unit separate from the primary dwelling unit.

- (4-11) Notwithstanding the prioritization of public services and any prohibition to the extension of services outside the Primary Urban Service District, described in Chapters 4, 10 and 11, the Rural Lifestyle future land use designation may receive potable water and sanitary sewer service through facilities provided by a regional utility.

The extension of utility services from or through the Primary Urban Service District, the Secondary Urban Service District or Freestanding Urban Service District to a specific parcel with a Rural Lifestyle future land use designation and a Planned Unit Development zoning classification shall not serve any other property outside the ~~Planned Unit Development agreement~~ Rural Lifestyle future land use designation.

All costs associated with the extension, ongoing service and maintenance of utility services serving a specific parcel with a Rural Lifestyle future land use designation and a Planned Unit Development zoning classification shall be paid by the Planned Unit Development. The following additional requirements shall also be applicable:

- (a) A utility plant for a regional sewage system shall not be constructed within the Rural Lifestyle future land use designation.
- (b) Package water and wastewater treatment plants, as defined in Chapter 2, shall not be permitted in the Rural Lifestyle future land use designation.
- (c) ~~On-site sewage treatment and disposal systems (septic systems) shall comply with the requirements of Chapter 10, Sanitary Sewer Services Element.~~ Where the extension of wastewater utility service is not cost feasible for the regional utility or the applicant does not choose to connect to sanitary sewer lines, enhanced nutrient-reducing onsite sewage treatment and disposal systems (as defined in Section 373.802 F.S.) may be used.
- (d) A specific Municipal Services Taxing Unit (MSTU) may be established for all costs associated with the extension, ongoing service and maintenance of utility services within each Planned Unit Development within the Rural Lifestyle future land use designation.

- (§ 12) The applicant for a PUD shall plan and appropriately fund public facilities consistent with Policy 14.1B.2. which requires that future development shall pay for the full cost of the capital improvements needed to address the impacts of such development. The PUD Agreement shall include conditions that address public facilities, infrastructure and the timing of development to be adopted prior to or concurrent with final site plan approval.

- (6 13) An economic analysis prepared by a qualified economic analyst shall evaluate the PUD's impact on the availability of public services and facilities, and the benefits provided by the PUD, to show a net positive fiscal impact to the County.

- (a) Physical improvements made within the PUD shall have a taxable value that far exceeds the value of physical improvements typically found in the Agricultural future land use designation (1 unit per 20 acres). The gross density permitted within the Rural Lifestyle future land use shall not exceed one unit per five acres.

- (7-14) PUD Zoning Agreement. All development within a specific parcel designated as the Rural Lifestyle on the Future Land Use Map must be developed in accordance with a Planned Unit Development (PUD) Zoning Agreement.

- (8 15) Approval of a PUD agreement and master plan shall occur concurrently with a Future Land Use Map amendment becoming effective. The PUD master plan must include the entire acreage receiving the Rural Lifestyle future land use designation. If approval of a final site plan does not occur within five years, the Board of County Commissioners may initiate an amendment to the Future Land Use Map to cause the property to revert to its prior future land use designation or the most appropriate designation and rezone the property to a consistent zoning district.

(9 16) At a minimum, the PUD Zoning Agreement shall require the following public benefits:

- (a) The offset of biological and ecological impacts of new development through low impact development and environmentally beneficial practices including community farming, water and energy conservation techniques and innovative stormwater management systems that restore and enhance native habitat.
- (b) Enhanced water quality above the minimum requirements established in the Martin County Land Development Regulations through retention, detention and on-site irrigation prior to discharge into receiving waters and ultimately discharging into the St. Lucie River, the Loxahatchee River or the Indian River Lagoon.
- (c) Protection and management of natural lands in perpetuity over and above minimum wetland and upland preserve area and open space requirements. The PUD Zoning Agreement shall require the perpetual management and/or maintenance of off-site lands encumbered by an agricultural or conservation easement and establish a funding mechanism for the required management and/or maintenance.
- (d) Compatibility with adjacent agricultural uses and surrounding rural development through site design and location of open space.
- (e) Foster healthy lifestyles by creating an interconnected trail system providing access to managed natural areas, open space, parks and civic spaces.
- (f) Minimize greenhouse gas emissions and vehicle miles traveled by providing a mix of transportation alternatives including multi-modal paths, alternative powertrain vehicles and equipment, on-site charging stations, etc.
- (g) Provide for self-supporting project elements such as first-aid, private security, recreation amenities, residential multi-slip docking facilities, community store and/or land use restrictions to reduce traffic impact and dependence on the lands within the urban service districts. A community store shall be restricted to utilization by only the residents, guests and employees of the PUD and shall not exceed 6,000 square feet.
- (h) Provide private or public recreation uses and events that support or complement sustainable rural or agricultural lifestyles and local charities or that provide direct environmental benefit, employment or economic opportunities.