

MARTIN COUNTY EAR-BASED COMPREHENSIVE PLAN AMENDMENT

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REQUEST NUMBER: CPA 24-14: Chapter 14, Capital Improvements Element

Report Issuance Date: September 25, 2024

APPLICANT: Martin County Board of County Commissioners

REPRESENTED BY: Paul Schilling
Growth Management Director
Martin County Board of County Commissioners

PLANNER-IN-CHARGE: Lisa Wichser, Chief Project Engineer
Jenna Knobbe, Senior Planner

<u>PUBLIC HEARINGS:</u>	<u>Date</u>	<u>Action</u>
Local Planning Agency (LPA):	October 3, 2024	
Board of County Commission Transmittal:	October 22, 2024	
Board of County Commission Adoption:	TBD	

APPLICANT REQUEST: A text amendment to Chapter 14, of the Comprehensive Growth Management Plan (CGMP), to implement the recommended changes of the adopted Evaluation and Appraisal Report (EAR).

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendments to Chapter 14, Capital Improvements.

EXECUTIVE SUMMARY: Changes proposed for Chapter 14 based upon those identified in the EAR. Additional changes proposed for Chapter 14 include revisions to level of service standards for category A public facilities, the addition of resiliency planning language, amending level of service standards for internal consistency within the CGMP, and general housekeeping changes.

BACKGROUND: The Evaluation and Appraisal Report, is a required part of the State growth management process and could be generally described as a mechanism for determining whether the need exists to amend the County's Comprehensive Growth Management Plan. Due to changes made by the Florida Legislature in 2011 via the Community Planning Act, local governments no longer need to submit evaluation and appraisal reports to the State reviewing agencies. Instead, local governments, at least every seven years, pursuant to Rule Chapter 73C-49, Florida Administrative Code, must determine if a need exists to amend the comprehensive plan to reflect changes in state requirements since the last time the comprehensive plan was updated. If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to the State Coordinated review process in s. 163.3184. Additionally, local governments shall

comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

Staff began this work effort last year. The County Commission has been briefed via memos and Board items. The following chart summarizes the work done.

Aug. 29, 2023	Treasure Coast Regional Planning Council (TCRPC) presented a community public outreach workshop
Nov. 21, 2023	BCC authorized notifying the State Land Planning Agency by letter that amendments are necessary.
Jan. 18, 2024	Treasure Coast Regional Planning Council (TCRPC) presented a second community public outreach workshop
Feb. 15, 2024	LPA reviewed the full EAR.
Feb. 20, 2024	State Land Planning Agency acknowledged receipt of the Nov. 21, 2023 MC letter and established November 27, 2024 as the deadline for transmittal of EAR based amendments to State Agencies.
Mar. 5, 2024	BCC received a report from TCRPC summarizing public input and adopted Resolution 24-3.2 initiating EAR based amendments.

The Local Planning Agency must conduct a public hearing on each amendment and provide a recommendation. The Board of County Commissioners must hold a transmittal public hearing on each amendment, prior to November 27, 2024 and then the amendments will be reviewed by the various state and regional agencies that participate in the State Coordinated Review Process. After that review the Board of County Commissioners must hold its adoption public hearing.

CONTENT AND FORMAT:

The attached amendment consists of an updated Chapter 14. The attached Chapter contains, in strike and underline, the proposed changes to the Element to implement the recommendations of the EAR and any local issues identified.

DATA AND ANALYSIS:

Please see the attached excerpt from the Evaluation and Appraisal Report that specifies changes in Florida Statutes regarding impact fees, concurrency, changes in planning periods, and environmental protection.

Since Chapter 14, Capital Improvements, contains definitions and summaries of topics discussed elsewhere in the CGMP, changes to other chapters may need to be reflected in Chapter 14, Capital Improvements. Therefore, additional updates to Chapter 14, Capital Improvements may be necessary based on changes made to other chapters of the CGMP for the sake of internal consistency prior to final adoption.

PROPOSED CHANGES:

1. The title of Section 14.3 is renamed for consistency with its subsections.

2. LOS standards set forth in Policy 14.1A.2. are revised for consistency with Chapter 5, the Transportation Element, Chapter 10, the Sanitary Sewer Services Element, Chapter 11, the Potable Water Services Element, and Chapter 13, the Drainage and Natural Groundwater Aquifer Recharge Element.
3. The LOS standards set forth in Policy 14.1A.2 related to Life Support and Fire Suppression are consolidated at the request of the Fire Rescue Department.
4. The LOS standards set forth in Policy 14.1A.3 related to Category B facilities are revised for consistency with Section 1.7.E of Chapter 1, Preamble, regarding weighted average population.
5. Emphasis on potable water systems is made to differentiate these from stormwater management systems throughout.
6. The LOS standards related to State and Federal roadways set forth in Policies 14.1A.4 and 14.1A.5 are consolidated.
7. Miscellaneous grammatical corrections are proposed.
8. The requirement for LOS standards for Public Transportation (transit) is removed from Policies 14.1C.4.(1)(c) and 14.1C.6.(2)(a) and from Section 14.5.D.(1)(a)(3) because the County does not have LOS Standards to evaluate for public transportation (transit) and Section 163.3180(5)(h)1.b, Florida Statutes, requires local governments that continue to implement a transportation concurrency systems exempt public transit facilities from concurrency.
9. Policy 14.1C.5(1)(b)(2) and Policy 14.1C.5(1)(c) are revised to remove the word “mandatory” from classifying public facilities. Impact fees are collected at the time of building permit, and the County no longer classifies its public facilities as “mandatory” or “non-mandatory”.
10. Policy 14.1E.1(7) is revised to change section references from specific policies to specific chapters of the CGMP. This makes the required compliance standards for the design and construction of public capital facilities broader in terms of the historic preservation and natural resource protection standards that the project must comply with.

FIGURES/ATTACHMENTS:

- Chapter 14, Capital Improvements Element in ~~striketrough~~ and underline.
- Excerpt from the Evaluation and Appraisal Report, a Matrix for Evaluating Plan Policies.
- Florida Administrative Code 62-6.008 System Size Determinations.
- Public comment relating to Chapter 14.