



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. *Application Information*

THE RANCH PUD (FKA CALUSA CREEK RANCH) ZONING AGREEMENT INCLUDING A MASTER SITE PLAN AND PHASING PLAN

| | |
|-----------------------------|--|
| Property Owner: | JWA Ranch, LLC |
| Applicant: | Same as owner |
| Agent: | Urban Design Studio & Tyson J. Waters, Esq. |
| County Project Coordinator: | Peter Walden, AICP Deputy Growth Management Director |
| Growth Management Director: | Paul Schilling |
| Project Number: | S239-004 |
| Record Number: | DEV2023040008 |
| File Name: | 2024_0402_S239-004_Staff_Report_Final |
| Submittal Received: | 04/25/2023 |
| Transmitted: | 04/25/2023 |
| Staff Report: | 07/05/2023 |
| Resubmittal Received: | 08/16/2023 |
| Transmitted: | 08/16/2023 |
| Date of Report: | 12/19/2023 |
| Complete Report: | 02/23/2024 |
| Resubmittal Received: | 03/01/2024 |
| Transmitted: | 03/04/2024 |
| Date of Report: | 03/20/2024 |
| Revised Report: | 04/04/2024 |

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B. *Project Description*

This is a Request by Urban Design Studio & Tyson J. Waters, Esq. for approval of the Ranch PUD Zoning Agreement including a master site plan and phasing plans for 175 single family detached homes, 2 golf courses with related facilities and the associated infrastructure on an approximate 3,903 acre undeveloped property located on SW Kanner Highway adjacent to and west of the SW bridge Road Intersection. Included is a Deferral of Public Facilities Reservation.

The property includes approximately 3,460 acres on the south side of SW Kanner Highway and

approximately 442 acres on the north side of Kanner Highway which is also adjacent to the C-44 Canal. The property has a Future Land Use designation of Agricultural and is zoned A-2, Agricultural. The property is outside of the Primary Urban Service District (PUSD).

The property has a concurrent Comprehensive Plan amendment for a future land use change and text amendment regarding changes to enable the PUD, clustering of residential units and the extension of water and wastewater service to the property. This application is contingent on the approval of those amendments. The FLUM amendment and CGMP text amendment were heard before the BCC on December 5th, 2023, the Board voted to transmit the amendments to the appropriate state agencies for review and comment.

C. Reviewing Agency Findings

Development applications must demonstrate compliance with the Comprehensive Plan, the LDR and the Code prior to approval by the decision-maker. Various county departments/division participate in the development review process to ensure the applicable requirements and development review procedures have been met.

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 Pan | Pete Walden | 219-4923 | Comply |
| G | Site Design | Pete Walden | 219-4923 | Comply |
| H | Commercial Design | Pete Walden | 219-4923 | N/A |
| H | Community Redevelopment | Pete Walden | 219-4923 | N/A |
| I | Property Management | Ellen MacArthur | 288-5794 | Comply |
| J | Environmental | Shawn McCarthy | 288-5508 | Comply |
| J | Landscaping | Karen Sjoholm | 288-5909 | Comply |
| K | Transportation | Lukas Lambert | 221-2300 | Comply |
| L | County Surveyor | Tom Walker | 288-5928 | N/A |
| M | Engineering | Michael Grzelka | 288-5920 | Comply |
| N | Addressing | Emily Kohler | 288-5692 | Comply |
| N | Electronic File Submission | Emily Kohler | 288-5692 | Comply |
| O | Utilities/Water/Wastewater | James Christ | 320-3034 | Comply |
| O | Wellfields | James Christ | 320-3034 | Comply |
| P | Fire Prevention | Doug Killane | 288-5633 | Comply |
| P | Emergency Management | Sally Waite | 219-4942 | N/A |
| Q | ADA | Michael Grzelka | 288-5920 | N/A |
| R | Health Department | Nicholas Clifton | 221-4090 | N/A |
| R | School Board | Juan Lameda | 219-1200 | Comply |
| S | County Attorney | Elysse Elder | 288-5925 | On-Going |
| T | Adequate Public Facilities | Pete Walden | 219-4923 | Deferral |

D. Action Required for Approval

This application meets the threshold criteria for a major development, pursuant to Table 10.2.C.1.B., LDR, Martin County, Fla. (2019), and requires two public hearings.

The first public hearing shall be before the Local Planning Agency, who will make a recommendation on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The second public hearing shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The applicant addressed the non-compliance findings from the staff report dated, February 23, 2024, with the resubmittal dated March 1, 2024, The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant’s responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Site Location and Information

Site Location: PCNs 22394000000000204, 23394000000000408, 25394000000000109
27394000000000105, 34394000000000101, 35394000000000108
26394000000000205, 36394000000000106

Site location Map

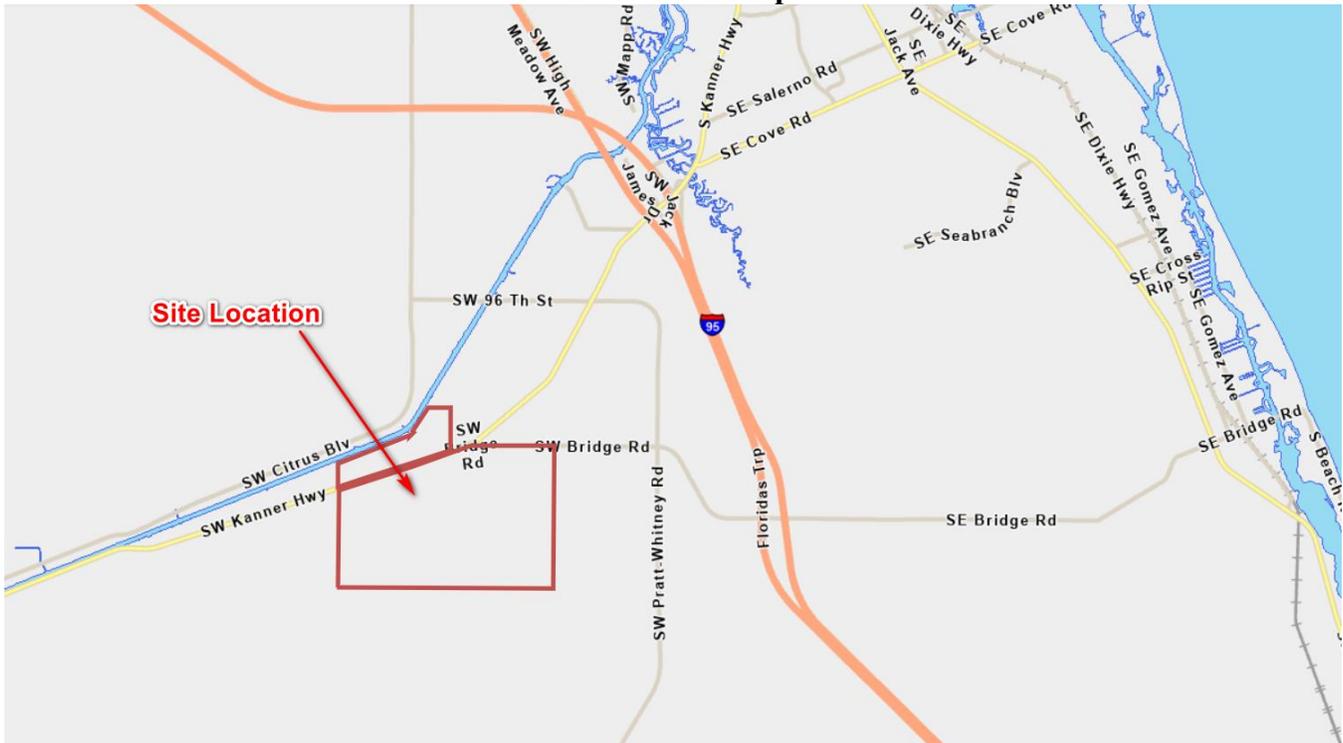


Figure 2: Arial Map

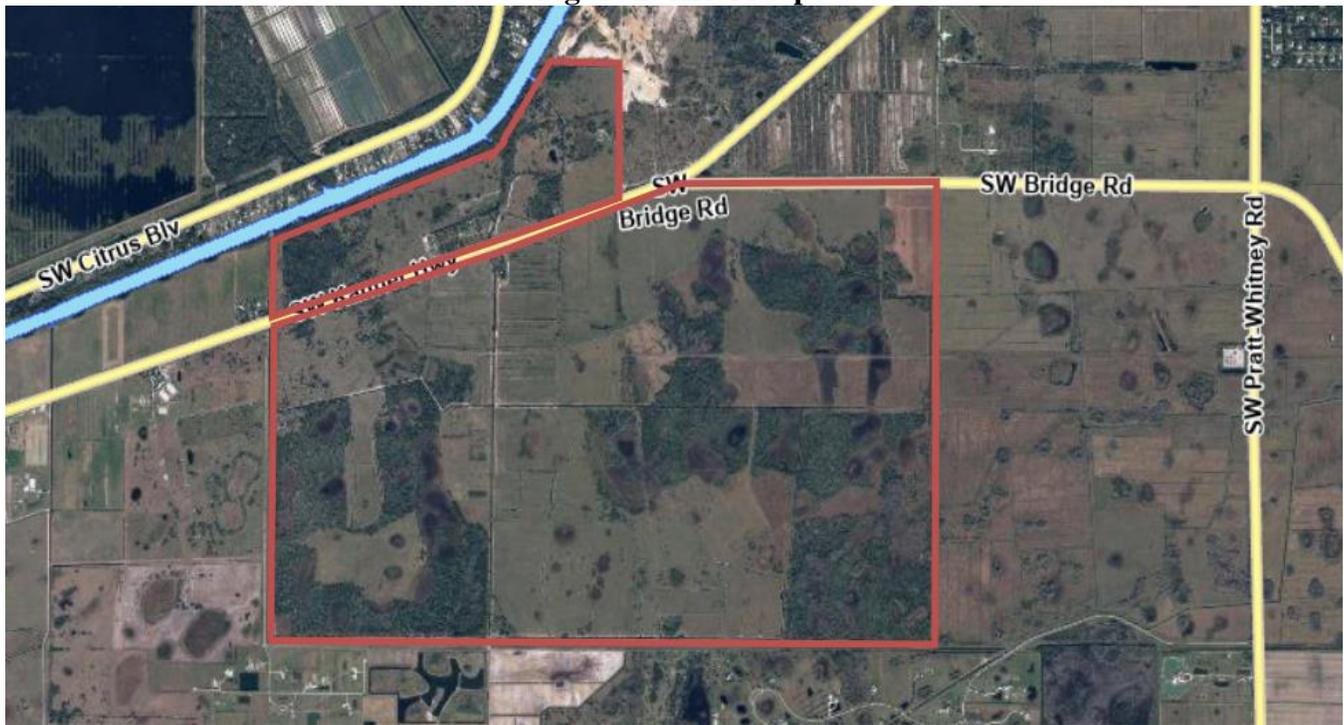
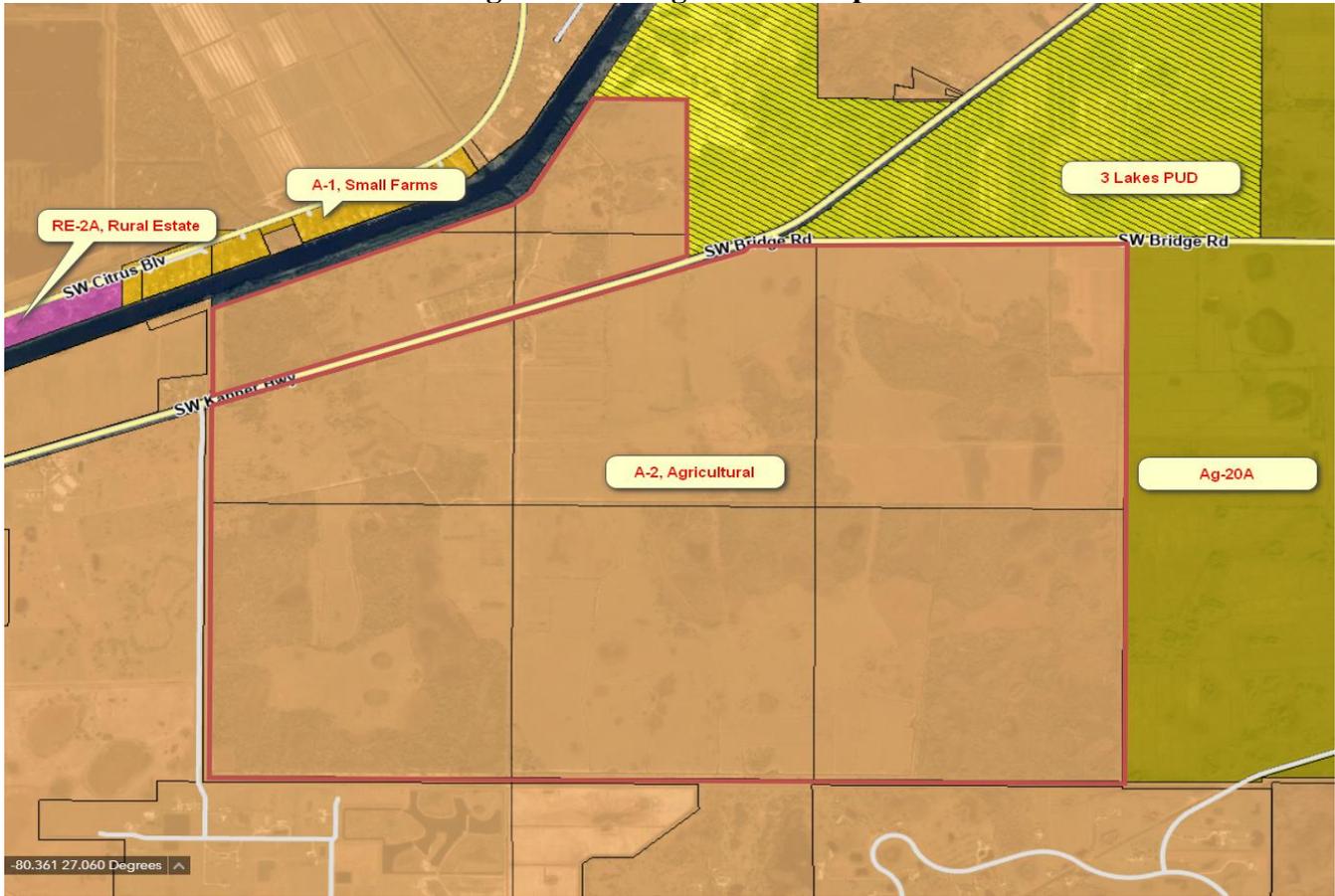


Figure 3: Current Land Use Map Excerpt



Surrounding Land Uses: Agricultural and Rural Lifestyle

Figure 4: Zoning Atlas Excerpt



F. Compliance with Comprehensive Plan Requirements - Growth Management

Policy 4.1E.6. PUD

A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

Findings of Compliance:

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

G. Compliance with Development Review, Land Use, Zoning, and Site Design Requirements – Growth Management

Findings of Compliance:

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Information #1:

Notice Of a Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 1,000 feet of the boundaries of the affected property. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area MARTIN COUNTY, FLA., LDR §10.6.E.1. (2019).

Information #2:

Effect of a Master Site Plan Development Order

Issuance of a master site plan development order shall authorize the applicant to submit the final site plan(s) for the development in accordance with the terms and conditions of the master site plan, including the timetable of development. Issuance of a master site plan development order shall not constitute approval to build or construct any improvement and is not the final approval necessary for construction of the development MARTIN COUNTY, FLA., LDR §10.2.D.1.g. (2021).

H. Compliance with Commercial Design Requirements (Article 20) and Community Redevelopment Design Standards – Growth Management and Community Redevelopment Authority

Commercial Design

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Community Redevelopment Agency/ CRA

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

I. Compliance with Property Management Requirements - Engineering

Findings of Compliance:

RIGHT OF WAY

It has been determined that the Applicant is required to dedicate 15 feet of right of way along the property frontage on SW Bridge Road to meet half of the total required right-of-way width of 130-feet (for swale drainage) as measured from the centerline of the existing Right of Way. Please ensure that the ROW dedication is shown on the Master Site Plan.

An equestrian trail is required along SW Bridge Road. A right of way dedication will be required to accommodate the required trail if it cannot be accommodated within the existing right of way. Please ensure that the equestrian trail is shown on the Master Site Plan.

Turn lanes are required for developments along undivided roadways with a speed limit of 35 MPH and over. An additional right of way dedication (32 feet total dedication) is required in the area of the right turn lane to fit the required shoulder, the required swale and full equestrian trail fit within the right of way after the 15' along SW Bridge Road. Please ensure that the additional right of way for the right turn lane is shown on the Master Site Plan.

Note: The applicant has shown proposed right-of-way dedications on the Master Site Plan.

J. Compliance with Environmental and Landscaping Requirements - Growth Management

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations. The master site plan sheets illustrate all the preserve areas including wetlands, wetland buffers, and upland preserve areas. The plan sheets also include all required preserve data to demonstrate compliance with county wetland and upland preserve requirements. The project is preserving more than the required 25% of upland habitat and 30% of upland habitat within the golf course area. The preserve design also provides connectivity of native uplands and wetland areas throughout the project. Additional information related to listed species will be provided at the time of final site plan approval and approval of the Preserve Area Management Plan (PAMP). The environmental benefits are outlined within the PUD Agreement.

Landscaping

Findings of Compliance

This project is a N/A for landscaping. No landscape plans are being reviewed in association with this application for Zoning and Masterplan. Landscape plans will be submitted and reviewed at time of Final Site Plan Review. It appears that areas provided on the Master Plan will provide for required landscape areas.

K. Compliance with Transportation Requirements - Engineering

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by Kimley Horn, dated August 2023. The site's maximum impact was estimated to be 263 directional trips during the PM peak hour. SW Kanner Highway is the recipient of a majority of the generated trips. The generalized service capacity of SW Kanner Highway is 1160. The project impact is 10.7% of the generalized volume of that roadway. SW Kanner Highway is currently operating at a level of service A/B; it is anticipated to operate at level of service C at buildout (year 2030).

L. Compliance with County Surveyor - Engineering

Staff finds review for compliance with regulations and requirements of this section is not applicable to the project, as currently proposed.

M. Compliance with Engineering, Storm Water, and Flood Management Requirements - Engineering

Findings of Compliance:

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8- Division 8- Excavation, Fill, and Mining: This application is for a Master Site Plan approval; therefore, construction is not proposed at this time and compliance with Division 8 will be determined during the Final Site Plan approval. Division 8 is not applicable.

Division 9- Stormwater Management: The applicant has demonstrated the proposed development will retain the 25- year, 3 day storm event prior to discharging into the adjacent conveyance ditches. The applicant proposed a stormwater system consisting of dry detention swales, wet conveyance ditches, wet ponds, draining piping, culverts, internal control methods between pods, and a control structure upstream on the exiting C-44 Canal connection. The applicant demonstrated the water quality volume is

being met in the proposed prior to discharging; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10- Flood Protection: The site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation of 25.30 -feet NAVD is set at or above the maximum predicted stage of the 100-year 3-day storm event (25.24-feet NAVD88 Pod A1, 24.76-feet NAVD88 Pod A2, 24.76-feet NAVD88 Pod B, 24.76-feet NAVD88 Pod C); therefore, the applicant demonstrated compliance with Division 10.

Division 14- This application is for a Master Site Plan approval; therefore, construction is not proposed at this time and compliance with Division 14 will be determined during the Final Site Plan approval.

Division 19- Roadway Design: The applicant proposes to construct right and left turn lanes on Bridge Road. The applicant is proposing to construct, mill and resurface, and stripe the pavement for Bridge Road in compliance with Division 19. The applicant has demonstrated compliance with Division 19.

Development Order Conditions:

1. The OWNER shall dedicate 32-feet of right-of-way along SW Bridge Road to include the required turn lanes and equestrian trail.

N. Compliance with Addressing and Electronic Filing Requirements – Growth Management & Information Technology

Addressing

Findings of Compliance:

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2022).

Electronic Filing

Findings of Compliance:

The AutoCAD dwg file of the master site plan was received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2023).

O. Determination of compliance with Utilities requirements – Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

P. Compliance with Fire Rescue and Emergency Management Requirements – Fire Department

WATER SUPPLY

NEEDED FIRE FLOW REQUIREMENT FOR BUILDINGS

Identify the Needed Fire Flow Requirements for all buildings / structures. Fire flow calculations shall be prepared by a professional engineer currently licensed in the state of Florida for each newly constructed building. Per Florida Administrative Code section 61G15-32.004

18.4.5.1 One- and Two-Family Dwellings.

18.4.5.1.1 The minimum fire flow and flow duration requirements for one- and two-family dwellings having a fire flow area that does not exceed 5000 ft² (334.5 m²) shall be 1000 gpm (3785 L/min) for 1 hour.

Developments unable to meet the fire flow requirements must provide the following;

All Structures that are in excess of 1000 square feet or two stories or greater in height shall be provided with a sprinkler system installed in accordance with NFPA 13D, *Standard for the installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes*. Compliance with all other provisions of the National Fire Protection Association is required. Specifically, stabilized roads and hydrant installations shall be completed before issuance of building permits pursuant to NFPA 241.

18.4.5.2 Buildings Other Than One- and Two-Family Dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in **Table 18.4.5.1.2.**

NFPA 1: Fire Code -18.2.2.2 Access to Gated Subdivisions or Developments.

The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.

All electric gates and barrier arms entering a Martin County Community and gated Commercial property are required to install a radio transceiver system (www.click2enter.net) and an electric key switch (www.knoxbox.com)

Martin County Fire Rescue utilizes the Knox Access system. www.knoxbox.com

Click2enter Inc. www.click2enter.net

Contact the Fire Prevention office at (772)288-5633 for information.

Q. Compliance with Americans with Disability Act (ADA) Requirements - General Services

N/A

No construction is being proposed as part of this application; therefore, staff review for compliance requirements associated with this area of regulations is not applicable.

R. Compliance with Martin County Health Department and School Board

N/A for Health Department

If any onsite sewage and disposal systems are required for development, the Martin County Department of Health will review for compliance.

Findings of Compliance for School Board

The proposed master plan is only a preliminary approval of school concurrency. Final site plan approval will require a school concurrency analysis.

S. Compliance with Legal Requirements - County Attorney's Office

Review ongoing

T. Determination of Adequate Public Facilities & Development Competition – Growth Management

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities (Section 5.32.D.3.a, LDR)

Service provider – Martin County

Findings – positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Service provider – Martin County

Findings – positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings – in place

Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings – in place

Source - Growth Management Department

Roads facilities (Section 5.32.D.3.f, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - in place

Source - Engineering Department

Reference - see Section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section R of this staff report

U. Post Approval Submittal Requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the

Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below.

| Item | Description | Requirement |
|------|---|--|
| 1. | Response to Post Approval Requirements List | The applicant will submit a response memo addressing the items on the Post Approval Requirements List. |
| 2. | Post Approval Fees | The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners. |
| 3. | Recording Costs | The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court. |
| 4. | Warranty Deed | One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred. |
| 5. | Approved Master Site Plan and Phasing Plan | One (1) 24” x 36” paper copy of the approved Master Site Plan and Phasing Plan. |
| 6. | PUD Phase 1 Final Site Plan | One (1) 24” x 36” paper copy of the approved Phase 1, PUD Final Site Plan. |
| 7. | Digital Copy of Master Plan | One (1) digital copy of Master Site Plan and Phasing Plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version must match the hardcopy version as submitted. |
| 8. | PUD Zoning Agreement | Original and one (1) copy of the executed approved PUD zoning agreement. |
| 9. | Flash/Thumb Drive | One (1) blank USB flash/ thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans. |
| 10. | update plans | Dimension the proposed right-of-way dedication for the required turn lanes along SW Bridge Road. The Dedications were labeled and dimensioned on the Master Site plan as 32-feet, but the left |

turn lane cross section shows 21-feet. Revise for consistency.

V. Local, State, and Federal Permits

All outside permits for construction of infrastructure will be due prior to the Preconstruction meeting.

W. Fees and Recording Costs

Fees for this application are calculated as follows:

| <u>Fee type:</u> | <u>Fee amount:</u> | <u>Fee payment:</u> | <u>Balance:</u> |
|------------------|--------------------|---------------------|-----------------|
| Application | \$13,800.00 | \$13,800.00 | \$0 |
| Advertising* | TBD | TBD | TBD |
| Recording* | TBD | TBD | TBD |
| Inspection | TBD | \$0 | TBD |

- * Advertising fees will be determined once the ads have been placed and billed.
- * Recording fees are determined and remitted to the County Clerk.

X. Development Team Contact Information

Owner/Applicant

JWA Ranch, LLC
 Kenneth S. Bakst
 13401 Oakmeade,
 Palm Beach Gardens, Florida 33418

Agent

Urban Design Studio & Tyson J. Waters, Esq.
 610 Clematis Street Suite CU-02
 West Palm Beach, Florida 33401
 561-366-1100

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. Attachments

N/A