



# **Martin County Local Planning Agency Agenda**

2401 SE MONTEREY  
ROAD, STUART, FL

Cynthia Hall

William J. Flanagan

Donald Foely III

James Moir

Scott Watson

Kimberly Everman

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Thursday, June 20, 2019

7:00 PM

Commission Chambers

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## **CALL TO ORDER**

## **ROLL CALL**

### **MINU APPROVAL OF MINUTES**

### **MINU-1 LOCAL PLANNING AGENCY MINUTES TO BE APPROVED**

Agenda Item: **19-0625**

Attachments: LPA MINUTES 6-6-2019.docx

### **OLD OLD BUSINESS**

### **OLD-2 SUNRISE RESTAURANTS, LLC (C110-007) (QUASI-JUDICIAL)**

Agenda Item: **19-0580**

Attachments: C110-007\_Sunrise Restaurants.pdf

### **NEW NEW BUSINESS**

### **NEW-3 BR 24 LLC REZONING (B121-003) (QUASI-JUDICIAL)**

Agenda Item: **19-0574**

Attachments: 2019\_0620\_B121-003\_LPA.pdf

### **NEW-4 PUBLIC HEARING TO CONSIDER COMPREHENSIVE PLAN AMENDMENT Cpa 18-10, CRA TEXT AMENDMENTS**

Agenda Item: **19-0575**

Attachments: CPA\_18-10.staff report.pdf  
Ch.18.LPA draft.docx  
OtherChapters.LPA draft.docx  
Ch.18.MATRIX.6.12.19.docx  
Published\_Ad.6.20.19.LPA.pdf

**NEW-5 PUBLIC HEARING TO consider adoption of an ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS TO CREATE ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH REDEVELOPMENT CODE, AND TO DELETE SECTION 3.261, JENSEN BEACH REDEVELOPMENT AREA.**

Agenda Item: **19-0641**

Attachments: ORDINANCE.doc  
Art.\_12\_Div.\_1.pdf  
Art.\_12\_Div.\_2.pdf  
Published\_Ad.6.20.19.LPA.pdf

**PUBLIC COMMENT**

1. PUBLIC
2. MEMBERS
3. STAFF

**ADJOURN**

ADA

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# Local Planning Agency

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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**File ID:** 19-0625

**MINU-1**

**Meeting Date:** 6/20/2019

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**PLACEMENT:** Approval of Minutes

**TITLE:**

**LOCAL PLANNING AGENCY MINUTES TO BE APPROVED**

**EXECUTIVE SUMMARY:**

The LPA is asked to approve minutes from the June 6, 2019 Local Planning Agency meeting.

**PREPARED BY:** Maria Harrison, Planning Assistant

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LOCAL PLANNING AGENCY MEETING  
Martin County Commission Chambers  
2401 S.E. Monterey Road  
Stuart, Florida 34996

MEETING MINUTES- June 6, 2019

Present:

Chairman .....	Jim Moir
Vice Chairman.....	Scott Watson
Agency Members .....	William J. Flanagan
.....	Don Foley, III
.....	Cindy Hall

School Board Liaison ..... Kimberly Everman

Staff Present:

Growth Management Department:

Director .....	Nicki van Vonno
Acting County Attorney .....	Krista Storey
Deputy Director .....	Paul Schilling
Principal Planner .....	Peter Walden
Principal Planner.....	Samantha Lovelady
Agency Recorder.....	Mary Holleran

**1. CALL TO ORDER**

The meeting was called to order at 7:00 pm by Jim Moir, Chairman. A quorum was noted.

**2. CONSENT AGENDA**

**A. Approval of Consent Agenda/Minutes of May 16, 2019**

\* **MOTION – MOVED** by Ms. Hall to approve the Consent Agenda and Minutes of the LPA meeting of May 16, 2019.

\*\* **SECONDED** by Mr. Foley.

**CARRIED UNANIMOUSLY**

**3. UNFINISHED BUSINESS**

**A. Public Hearings – None**

**B. Requests and Presentations – None**

**4. NEW BUSINESS**

**A. Public Hearings**

**1. Sunrise Restaurants LLC (C110-007) (Quasi-Judicial)**– Request by Sunrise Restaurants, LLC for approval of an amendment to the County Zoning Atlas for Limited Commercial District designation. A zoning district change from the R-3A Liberal Multiple-Family District to the LC Limited Commercial District, or the most appropriate zoning district is proposed for an approximately 2.29 acre parcel located approximately 1,000 feet north of the intersection of NE Indian River Drive and NE Causeway Boulevard in Jensen Beach at 4000 NE Indian River Drive. Included is a request for a Certificate of Public Facilities Exemption.

**Requested by:** Morris A. Crady, AICP, Lucido and Associates

Chairman Moir reviewed the agenda item and confirmed for the record:

\*\*\* Ex parte communication Disclosures – None

\*\*\* Interveners – None

Ms. Storey noted the Applicant requested this item to be continued to June 20, 2019 and it would not be appropriate for this item to be heard. A motion was called to continue this item.

\* **MOTION – MOVED** by Mr. Foley to continue Sunrise Restaurants LLC (C110-007) request for rezoning to continue this item to the LPA meeting of June 20, 2019.

\*\* **SECONDED** by Ms. Hall

**CARRIED UNANIMOUSLY**

Mr. Moir and Ms. Hall advised they were unable to attend the June 20<sup>th</sup> meeting. A quorum was confirmed with the remaining members.

**2. West Stuart Business Center (E016-036) (Quasi-Judicial)** – Request by West Stuart Business Center for a revised Major Final Site Plan for the development of a 91,924 square foot office/warehouse center and the associated infrastructure on an approximate 8.5 acre parcel located approximately 1,000 feet north of the intersection of NE Indian River Drive and NE Causeway Boulevard in the platted Ellipse Industrial Park. The site is located on lot 18 of the Ellipse Industrial Park. The parcel is on the east side of SW Ellipse Way about 1/5 of a mile east of SW Jack James Drive and backs up to interstate I-95 in Stuart.

**Requested by:** Brad Currie, AICP, Engineering Design and Construction

**Presented by:** Peter Walden, Principal Planner, Growth Management Department

Chairman Moir reviewed the agenda item and confirmed for the record:

\*\*\* Ex parte communication Disclosures – None

\*\*\* Interveners – None

\*\*\* Mr. Walden provided a copy of his resume, professional experience, agenda item and Staff's Report

\*\*\* Return Receipt Notices were provided by the applicant

\*\*\* All individuals wishing to speak on this item were sworn in (S/I)

Mr. Walden (S/I) reviewed the request for approval of a revised Major Final Site Plan for West Stuart Business Center, LLC, for the 8.5 acre parcel, Lot 18 of the Ellipse Industrial Park located at 7805 SW Ellipse Way in Stuart, FL. The Ellipse Industrial subdivision is located between I-95 and the Florida Turnpike with access from SW Kanner Highway in Stuart. Lot 18, one of the largest tracts has already been approved for some development (as shown).

The Ellipse was approved for a Minor Final Site Plan for the construction of 2 warehouse/office buildings totaling 39,800 sq. ft. and met the threshold for a Minor Site Plan and approved administratively and this project is complete. This application proposes to add an additional 52,114, sq. ft. of office/warehouse space for a total of 91,924 sq. ft., of building area and meet the current threshold as a Major Final Site Plan. Included in this application is a request is for a Public Facilities Reservation. A Location Map displayed the site location (pg.3/15 staff report). Access to the site will be as originally constructed for the first part of the development of lot 18.

The project is designed to accommodate multiple contractors need for warehouse, office and storage space and because of the amount of different uses and the need for overflow parking, a parking rate adjustment has been requested. An additional 39 spaces along the back of the project has been requested to be constructed as per Section 4.624, Article 4, and constructed as shown. Staff recommended approval of the parking rate adjustment.

Staff recommends approval of the revised Major Final Site Plan pursuant to Sec. 10.1.F. LDRs, Martin County Code and demonstration of compliance with the CGMP, LDRs and all applicable Codes.

LPA – Mr. Moir asked how close the pervious area for the parking lot gets to the easement for I-95. Mr. Walden explained there was considerable landscaping in that area and he displayed the fairly large amount of landscaping in question.

The Applicant:

Brad Currie, (S/I) Engineering Design and Construction, \*\*\* provided the Receipts for Notices. He indicated staff covered all the points, and clarified the amount of spaces along the southern and north end of the property line He discussed the size of the spaces for the parking rate adjustment, indicating the need for the different users. He agreed with staff's recommendation of approval and confirmed compliance in all areas.

Public Comments: None

\* **MOTION – MOVED** by Mr. Flanagan to accept staff's recommendation of approval of West Stuart Business Center, LLC request for a revised Major Final Site Plan.

\*\* **SECONDED** by Mr. Watson

**CARRIED UNANIMOUSLY**

**B. Requests and Presentations - None**

**3. Comprehensive Plan Amendment 19-03 Martin County Fairgrounds Utilities Extension and 19-14, Chapter 10, Sanitary Sewer Services Element** – Request to consider the combined text amendments to propose changes to Chapter 4, Future Land Use Element, Chapter 10, Water Sewer Services Element and Chapter 11, Potable Water Services Element Element/10 Year Water Supply Facilities Work Plan to allow for the provision of water and sewer services to the Martin County Fairgrounds. It also proposes amended policies to improve consistency between Chapter 10, Sanitary Sewer Services Element and Chapter 11, Potable Water Service Element/10 Year Water Supply Facilities Work Plan and lastly other modifications include removing references to Indiantown.

**Requested by:** Nicki van Vonno, AICP, Growth Management Department Director

**Presented by:** Samantha Lovelady, AICP, Principal Planner, Growth Management Dept.

Ms. Lovelady indicated the request was to amend the following chapters to the CGMP – Chapter 4, Future Land Use Element, Chapter 10, Sanitary Sewer Services Element, and Chapter 11, Potable Water Services Element. Staff recommended approval of Chapter 4, Future Land Use Element, and Chapter 10, Sanitary Sewer Element and Potable Water Services Element.

Ms. Lovelady provided a review of the three parts of the text amendment. First – the BOCC initiated an amendment to allow water and sewer services to the future location of the Martin County Fairground; The Amendment covers three chapters of the CGMP Chapters 4, 10 and 11; and a Resolution to initiate the amendments was approved by the BOCC on January 8, 2019.

The request to amend the text of the CGMP is to allow for water and sewer services outside the PUSD for the relocation of the Martin County Fairgrounds, as the current location of the fairgrounds may not be a viable site for the Annual Martin County Fair further than 2019 due to the parking limitations. There is no County owned property large enough to accommodate a fairground within the PUSD, therefore, the CGMP required three amendments to allow the Indiantown Company to provide utility services (extension of public potable waters facilities and regional sewage systems) to property in Indiantown outside of the PUSD.

The provision of potable water and sanitary sewer services is governed by the policies found in Chapters 10 and 11 and the proposed text amendment provides consistent language for both potable water and sanitary sewer services (pg. 7/8). Ms. Lovelady reviewed changes to Chapter 4 that include strike-outs of the references to Indiantown ( pg. 4), and exceptions for the parcel outside the PUSD. Chapter 10 created policy for exceptions outside the PUSD and shows language deletions, and Chapter 11 was combined into Chapter 10, for the extension of potable water lines from the PUSD to the new location of the Martin County Fairgrounds.

Ms. Lovelady completed review of Chapters 4, 10 and 11 references to Indiantown and the DRI and CRA, exceptions, creating policy, changes and provisions for language consistency. A copy of this report has been provided to Indiantown.

Mr. Moir commented that with the Fairgrounds outside the USD of the Village of Indiantown, if the Village going to provide water and sewer services. Ms. Lovelady indicated the Indiantown Company will provide water and sewer service and the capacity for public utility exemption is up to them.

Ms. van Vonno addressed a comment from Mr. Flanagan and said they are under the CGMP and the County's LDRs that were in place and adopted on that Dec. 31<sup>st</sup> date. They are currently going through the CGMP process and widening of the plan is underway. The LDRs remain in effect unless there are changes made, and they have three years after incorporation for the Plan to be adopted.

Mr. Moir commented the Fair was in a No-Man's land between the Airport and Fairgrounds and that area will become part of the USD. He was concerned with the clarity of the agreement for the extension of water and sewer outside of the USD to the new location for the Martin County Fairgrounds in Indiantown, hoping there was a clear definition and delineation of the Fairgrounds property, and not permitting that extension of water and sewers to others. Discussion ensued on the availability of that extended line in Indiantown.

## Local Planning Agency Meeting- Minutes –June 6, 2019

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Ms. Storey advised the parcel references between Martin County Fairgrounds regarding negotiations for a proposed lease is ongoing and not completed. It is owned by the Martin County Fair Association who will be moving out.

Ms. Lovelady referred to parcels that Martin County owned, and said other parts of the CGMP will have references pointed out.

Mr. Flanagan acknowledged staff's good work on the proposed amendment.

Public Comment – None

\* **MOTION – MOVED** by Mr. Watson to approve staff's recommendation of approval as proposed for CPA 19-03 Martin County Fairgrounds Utilities Extension and CPA 19-14, Chapter 10 Sanitary Sewer Services Element and Potable Water Services Element.

\*\* **SECONDED** – by Mr. Foley

**CARRIED UNANIMOUSLY**

### 5. COMMENTS

A. **Public** – None

B. **Members** – Mr. Jim Moir, Ms. Cindy Hall and Krista Storey, Acting County Attorney will not be present at the next LPA meeting scheduled for June 20<sup>th</sup>.

C. **Staff** – None

### 6. ADJOURN

There was no further business. The meeting was adjourned at 7:45 pm

Recorded and Prepared by:

Approved by:

\_\_\_\_\_  
Mary F. Holleran, Agency Recorder

\_\_\_\_\_  
Jim Moir, Chairman

\_\_\_\_\_  
Date

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## Agenda Item Summary

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File ID: 19-0580

OLD-2

Meeting Date: 6/20/2019

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**PLACEMENT:** Old Business

**TITLE:**

SUNRISE RESTAURANTS, LLC (C110-007) (QUASI-JUDICIAL)

**EXECUTIVE SUMMARY:**

Request by Sunrise Restaurants, LLC for approval of an amendment to the County Zoning Atlas for a limited commercial district designation. A zoning district change from the R-3A Liberal Multiple-Family District to the LC Limited Commercial District, or the most appropriate zoning district, is proposed for an approximate 2.29 acre parcel located approximately 1,000 feet north of the intersection of NE Indian River Drive and NE Causeway Boulevard in Jensen Beach at 4000 NE Indian River Drive. Included is a request for a Certificate of Public Facilities Exemption.

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Catherine Riiska, M.S., P.W.S., Principal Planner, Growth Management Department

- Item continued from June 6, 2019

**PREPARED BY:** Joan Seaman, Administrative Specialist II



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## **A. Application Information**

### **SUNRISE RESTAURANTS, LLC REZONING**

Applicant:	Sunrise Restaurants, LLC, Fred Ayres
Property Owner:	Sunrise Restaurants, LLC
Agent for the Applicant:	Lucido and Associates, Morris A. Crady
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	C110-007
Application Type and Number:	DEV2019030010
Report Number:	2019_0503_C110-007_DRT_Staff_FINAL.docx
Application Received:	03/28/2019
Transmitted:	04/01/2019
Staff Report:	05/01/2019
LPA Hearing:	06/06/2019
BCC Hearing:	06/18/2019

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## **B. Project description and analysis**

This is an application for a proposed amendment to the county Zoning Atlas for a Commercial Limited district designation (Section 3.2.E, LDR). A Zoning District change from R-3A, Liberal Multiple Family Residential District, to the LC, Limited Commercial District, or the most appropriate zoning district, is proposed for an approximate 2.29-acre parcel located approximately 1,000 feet north of the intersection of NE Indian River Dr and NE Causeway Blvd in Jensen Beach at 4000 NE Indian River Dr. The parcel, which is bisected by NE Indian River drive, is bounded on the west by the FEC railroad right-of-way and on the east by the Indian River.

The portion of the site, located on the west side of NE Indian River Drive, contains a structure formerly known as the Admiral's Table restaurant that was originally developed in the 1970's and has been vacant for approximately 20 years, with associated paved parking in various states of deterioration. The portion of the site located on the east side of NE Indian River Drive abuts the Indian River and is undeveloped. The future land use designation for the entire property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Commercial Limited, which is a classification that is allocated to commercial sites accessible to major thoroughfares near residential neighborhoods intended to accommodate commercial uses of a scale and intensity that shall

be compatible with adjacent residential neighborhoods. Areas designated for Limited Commercial development are not intended to accommodate large-scale retail sales, service or trade activities that generally serve a larger market area. Pursuant to Section 3.402., LDR, the existing Category C R-3A zoning district is inconsistent with the Commercial Limited future land use designation. Therefore, the request to rezone this property is considered mandatory.

There is one (1) Category A standard zoning district that is available to implement the Commercial Limited future land use policies of the CGMP, which is the LC Limited Commercial district. In addition to the standard zoning districts, the PUD (Planned Unit Development) District is also available as another option. The PUD District offers more design flexibility to applicants for proposed projects. In exchange the PUD zoning district requires additional benefits to the County and more controls by the County. The applicant is proposing to rezone the property to the LC Limited Commercial district. The following tables provide the permitted uses and the development standards for the available standard zoning district LC, followed by the standards for the existing category C R-3A zoning district.

**TABLE 3.11.2 (EXCERPT)**  
**PERMITTED USES – CATEGORY “A” NONRESIDENTIAL DISTRICTS**

USE CATEGORY	LC
<i><b>Residential Uses</b></i>	
Accessory dwelling units	
Apartment hotels	P
Mobile homes	
Modular homes	
Multifamily dwellings	
Single-family detached dwellings	
Single-family detached dwellings, if established prior to the effective date of this ordinance	
Townhouse dwellings	
Duplex dwellings	
Zero lot line single-family dwellings	
<i><b>Agricultural Uses</b></i>	
Agricultural processing, indoor	
Agricultural processing, outdoor	
Agricultural veterinary medical services	
Aquaculture	
Crop farms	
Dairies	
Exotic wildlife sanctuaries	

Farmer's markets	
Feed lots	
Fishing and hunting camps	
Orchards and groves	
Plant nurseries and landscape services	P
Ranches	
Silviculture	
Stables, commercial	
Storage of agricultural equipment, supplies and produce	
Wildlife rehabilitation facilities	
<i><b>Public and Institutional Uses</b></i>	
Administrative services, not-for-profit	P
Cemeteries, crematory operations and columbaria	
Community centers	P
Correctional facilities	
Cultural or civic uses	P
Dredge spoil facilities	
Educational institutions	P
Electrical generating plants	
Fairgrounds	
Halfway houses	
Halfway houses, on lots where such use was lawfully established prior to the effective date of this ordinance	
Hospitals	
Neighborhood assisted residences with six (6) or fewer residents	
Neighborhood boat launches	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities, on lots where such use was lawfully established prior to the effective date of this ordinance	
Places of worship	P
Post offices	P
Protective and emergency services	P

Public libraries	P
Public parks and recreation areas, active	P
Public parks and recreation areas, passive	P
Public vehicle storage and maintenance	
Recycling drop-off centers	P
Residential care facilities	P
Solid waste disposal areas	
Utilities	P
<b><i>Commercial and Business Uses</i></b>	
Adult business	
Ancillary retail use	
Bed and breakfast inns	P
Business and professional offices	P
Campgrounds	
Commercial amusements, indoor	P
Commercial amusements, outdoor	
Commercial day care	P
Construction industry trades	P
Construction sales and services	P
Family day care	
Financial institutions	P
Flea markets	
Funeral homes	P
General retail sales and services	
Golf courses	
Golf driving ranges	
Hotels, motels, resorts and spas	P
Kennels, commercial	
Limited retail sales and services	P
Marinas, commercial	
Marine education and research	
Medical services	P
Pain management clinics	P

Parking lots and garages	P
Recreational vehicle parks	P
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance	
Residential storage facilities	P
Restaurants, convenience, with drive-through facilities	
Restaurants, convenience, without drive-through facilities	P
Restaurants, general	P
Shooting ranges	
Shooting ranges, indoor	P
Shooting ranges, outdoor	
Trades and skilled services	
Vehicular sales and service	
Vehicular service and maintenance	
Veterinary medical services	P
Wholesale trades and services	
<b><i>Transportation, Communication and Utilities Uses</i></b>	
Airstrips	
Airports, general aviation	
Truck stop/travel center	
<b><i>Industrial Uses</i></b>	
Biofuel facility	
Composting, where such use was approved or lawfully established prior to March 1, 2003	
Extensive impact industries	
Limited impact industries	
Mining	
Salvage yards	
Yard trash processing	
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002	
<b><i>Life Science, Technology and Research (LSTAR) Uses</i></b>	
Biomedical research	P

Bioscience research	P
Computer and electronic components research and assembly	P
Computer and electronic products research and assembly	P
Computer programming/software research	P
Computer system design	P
Electromedical apparatus research and assembly	P
Electronic equipment research and assembly	P
Laser research and assembly	P
Lens research	P
Management, scientific and technical services	P
Marine Research	P
Medical and dental labs	P
Medical equipment assembly	P
Optical equipment assembly	P
Optical instruments assembly	P
Optoelectronics assembly	P
Pharmaceutical products research	P
Precision instrument assembly	P
Professional, scientific and technical services	P
Reproducing magnetic and optical media	P
Research and development laboratories and facilities, including alternative energy	P
Scientific and technical consulting services	P
Simulation training	P
Technology centers	P
Telecommunications research	P
Testing laboratories	P
<b><i>Targeted Industries Business (TIB) Uses</i></b>	
Aviation and aerospace manufacturing	
Business-to-business sales and marketing	P
Chemical manufacturing	
Convention centers	
Credit bureaus	P

Credit intermediation and related activities	P
Customer care centers	P
Customer support	P
Data processing services	P
Electrical equipment and appliance component manufacturing	
Electronic flight simulator manufacturing	
Fiber optic cable manufacturing	
Film, video, audio and electronic media production and postproduction	P
Food and beverage products manufacturing	
Funds, trusts and other financial vehicles	P
Furniture and related products manufacturing	
Health and beauty products manufacturing	
Information services and data processing	P
Insurance carriers	P
Internet service providers, web search portals	P
Irradiation apparatus manufacturing	
Lens manufacturing	
Machinery manufacturing	
Management services	P
Marine and marine related manufacturing	
Metal manufacturing	
National, international and regional headquarters	P
Nondepository credit institutions	P
Offices of bank holding companies	P
On-line information services	P
Performing arts centers	P
Plastics and rubber products manufacturing	
Printing and related support activities	
Railroad transportation	
Reproducing magnetic and optical media manufacturing	
Securities, commodity contracts	P
Semiconductor manufacturing	

Simulation training	P
Spectator sports	
Surgical and medical instrument manufacturing	
Technical support	P
Telephonic and on-line business services	P
Textile mills and apparel manufacturing	
Transportation air	
Transportation equipment manufacturing	
Transportation services	
Transaction processing	P
Trucking and warehousing	
Wood and paper product manufacturing	

**TABLE 3.12.1 (excerpted)  
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	LC	10,000	80	10.00	20.00	50	30	30	—

**TABLE 3.12.2 (excerpted)  
STRUCTURE SETBACKS**

		Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
C A T	Zoning District	1	2	3	4	1	2	3	4	1	2	3	4
A	LC	25	25	25	25	20	20	30	40	10	10	20	

### Category C Zoning District Standards

#### Sec. 3.407. – R-3A Liberal Multiple-Family District.

3.407.A. Uses permitted. In this district, a building or structure or land shall be used for only the following purposes subject to any additional limitations pursuant to section 3.402:

1. Any uses permitted in the R-3 Multiple-Family Residential District.

2. Restaurants and/or lunchrooms, not the drive-in type, with an enclosed seating capacity of ten persons or more.
3. Beauty parlors and barbershops.
4. Dry cleaning and laundry pickup stations.
5. Fire stations.
6. Boat docks and dry and wet storage facilities under cover, and facilities for maintenance and repairs of boats or yachts, upon submission of plans for review and approval of the planning and zoning board.
7. Mobile home and travel trailer sales.
8. Gasoline or other motor fuel stations, provided all structures and buildings, except principal use signs, and including storage tanks shall be placed not less than 25 feet from any side or rear property lines.
9. Professional and business offices.
10. Retail stores.

3.407.B. Required lot area and width. Lots or building sites shall have an area of not less than 7,500 square feet, with a minimum width of 60 feet measured at the building line:

1. Single-family structures: The minimum lot size shall be the same as above. A minimum of 600 square feet of living area shall be required, exclusive of carports, breezeways or utility rooms.
2. Two-family structures: The minimum lot size shall be 7,500 square feet, with a minimum width of 75 feet a minimum of 800 square feet of living area per two-family structure shall be required, exclusive of carports, breezeways or utility rooms.
3. Apartment buildings: There shall be a minimum building site of 15,000 square feet with a minimum width of 100 feet measured at the building line for the first four apartment units. For each additional apartment unit, 2,600 square feet shall be added to the required minimum building site and an additional five feet shall be added to the required minimum width at the building line. A maximum density of 15 apartment units may be permitted per acre depending on available community services and capital improvements. There shall be a minimum of 325 square feet of living area in each apartment unit.
4. Triplex structures: The minimum lot size shall be 11,250 square feet, with a minimum width of 88 feet; a minimum of 1,200 square feet of living area per three-family structure shall be required, exclusive of carports, breezeways or utility rooms.

3.407.C. Minimum yards required.

1. Front:
  - 1 story: 20 feet.
  - 2 stories: 25 feet.
2. Sides and rear:
  - 1 story: 6 feet.
  - 2 stories: 10 feet.
3. For structures in excess of two stories, five feet shall be added to the required yards per story.
4. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
5. No structure shall be built within 65 feet of the center line of a designated through-traffic highway.
6. No setback or yard shall be required adjacent to water frontage.

3.407.D. Building height regulations.

1. The maximum building height in this district shall be four stories or 40 feet.

3.407.E. Percentage of land coverage.

1. One- to four-story dwelling structures and accessory structures shall not occupy more than 30 percent of the building site required.

**Standards for Amendments to the Zoning Atlas**

1. The Comprehensive Growth Management Plan (CGMP) states in Chapter 4, Section 4.4: “Goal 4.4 To eliminate or reduce uses of land that are inconsistent with community character or desired future land uses.” And, in Objective 4.4A. “To eliminate inconsistencies between the FLUM and the zoning maps and regulations.”
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,***

The subject property is designated for Commercial Limited land use on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The zoning implementation policies and requirements are contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code identify one (1) standard zoning districts, LC Limited Commercial District, that is available to implement the Commercial Limited future land use classification.

In addition to the standard zoning districts the PUD (Planned Unit Development) District is also available as a fourth option. The PUD District offers more design flexibility to

applicants for proposed projects in exchange for additional benefits provided to the public and more controls by the County, which is considered concurrently with a proposed site plan. The choice of the most appropriate district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.1., Land Development Regulations (LDR), Martin County Code (MCC).

Policy 4.13A.8.(2) of Chapter 4, Future Land Use Element, of the CGMP addresses the Commercial Limited land use designation:

*Limited Commercial development is allocated to commercial sites accessible to major thoroughfares near residential neighborhoods. The scale and intensity of commercial uses in Limited Commercial areas shall be compatible with adjacent residential neighborhoods. Sites in this designation are intended for shops with limited inventory of goods as well as transient lodging facilities consistent with the CGMP and the Land Development Regulations. This designation is not generally intended to accommodate residential development. Duly approved residential uses existing at the effective date of the CGMP shall be considered permitted uses.*

*Areas designated for Limited Commercial development are not intended to accommodate large-scale retail sales, service or trade activities that generally serve a larger market area. Such stores would usually require a larger floor area, carry a relatively larger inventory and require a substantially greater parking area.*

*Land Development Regulations implementing the Limited Commercial future land use designation shall be consistent with these development standards. Minimum net lot sizes shall be 10,000 square feet. FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units shall be 20 units per gross acre. Maximum building coverage shall be 50 percent. Minimum open space shall be 30 percent. Maximum building height shall be 30 feet.*

*Residential use shall be allowed in the Limited Commercial future land use designation as part of a mixed-use project in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided for in Policy 4.3A.3.*

This application requests a rezoning of the property to the LC Zoning District, which is the one Category A standard zoning district created specifically to implement the CGMP policies for lands designated Commercial Limited on the Future Land Use Map of the CGMP. The site fronts and spans NE Indian River Drive, a minor arterial roadway, serving as a major thoroughfare along the west bank of the Indian River, is in close proximity to residential neighborhoods, and therefore meets the locational criteria of sites suitable for the Commercial Limited future land use designation and development. The proposed redevelopment of this subject site, for which this rezoning is intended for application of the standards associated with the Commercial Limited land use, is a local restaurant, which is a permitted use under the proposed zoning district of LC and does not include the use of large-

scale retail sales, service or trade activities that generally serve a larger market area. The site is located within the primary urban services district and will be required to demonstrate compliance with all applicable standards for the Commercial Limited land use designation in the CGMP.

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

There is one (1) standard zoning district that is available to implement the Commercial Limited future land use policies of the CGMP, which is the requested LC Limited Commercial District.

The subject property has an area of approximately 2.3 acres and a lot width of approximately 250 linear feet fronting the right-of-way for NE Indian River Drive for both the eastern and western portions of the parcel, consistent with the minimum development standards governing the requested LC Zoning District, as shown above in Table 3.12.1. With respect to the other Land Development Regulation requirements related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc., full compliance is being assessed regarding the specific redevelopment plan that has been submitted to the County under a separate application (C110-008) that is under review. This request to rezone the subject property is consistent with the information the County provided to the applicant at a pre-application workshop held with the County Development Review Team on September 6, 2018, and is considered mandatory.

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations and no redevelopment of the property is proposed as part of this application requesting a rezoning. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County.

***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,***

As shown in the figures contained in Section E below, the subject property is bisected by and has two frontages on NE Indian River Drive, within a corridor designated for commercial limited land use along this major thoroughfare and within close proximity to land designated for and developed for residential use. The adjacent parcels to the north and south have the same Limited Commercial land use. The primary land use pattern that has been established and recognized on the Future Land Use Map (FLUM) of the CGMP for the local area include a concentration of commercial limited uses along the NE Indian River Drive corridor. The proposed zoning district of LC is the one standard Category A zoning district created for the implementation of the Commercial Limited future land use designation and permits the existing and proposed redevelopment of the site. Existing development within the area consists primarily of limited commercial uses in immediate vicinity and residential land uses in near proximity, consistent with the intent of the Commercial Limited future land use designation as described in the CGMP. Therefore, the requested LC zoning district is suitable to the site and is compatible with the character of the existing land uses in the adjacent and surrounding area.

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

The requested zoning district of LC is the one standard Category A zoning district that is consistent with the future land use designation and the currently existing development associated with the areas adjacent to, and within proximity of, the subject site. This project is located within the primary urban service district and the infrastructure needed to support and provide services to the existing and proposed development in this local area are available. Development that has occurred within recent years located both north and south of the site is in conformance with the future land use designations for the area. The redevelopment being proposed on the property via a separate application is a permitted use within the proposed LC zoning district and in conformance with the Commercial Limited future land use designation. The proposed redevelopment of the site is under review via a separate application (C110-008) and it will be required to meet the County development standards. Therefore, the proposed LC zoning is compatible with the existing historical uses and the current contemporaneous development pattern and is appropriate for this property.

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

The subject property is located within the Primary Urban Services District of the County. As such, the full range of urban services at service levels established by the CGMP is available or must be made available for any uses that are planned for the property. Water and wastewater services to the site will be provided by Martin County Utilities, the regional service provider for this area of the County.

***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 commercial limited land uses within proximity to the subject parcel along the NE Indian River Drive corridor. The rezoning to LC, Limited Commercial District, would be consistent with the Commercial Limited Future Land Use provisions and provide the nearby residents with the reinstatement of a historically available use, a restaurant establishment in a convenient location. The application of the requested LC zoning district is consistent with the ongoing logical development of the locale and would improve conditions by allowing for redevelopment of an unused, abandoned site via the County's current standards. This development pattern is well established adjacent to, and within the vicinity of, the subject parcel and the extension of this pattern to the subject property through the assignment of the requested LC zoning district is suitable, contemplated and supported by the CGMP.

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

The subject application requires a public hearing before the Local Planning Agency, who will make a recommendation on the request; and, before the Board of County Commissioners, who will take final action on the request. The two public hearings will provide the public an opportunity to participate in the review and decision making process.

### 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	Catherine Riiska	288-5667	Comply
G	Development Review	Catherine Riiska	288-5667	Comply
H	County Attorney	Krista Storey	288-5443	Review Ongoing
I	Adequate Public Facilities	Catherine Riiska	288-5667	Exempt

Staff has reviewed this petition for a rezoning of property to the appropriate zoning district designation, has determined that the petition has been submitted and reviewed consistent with the procedural requirements of Article 10 and is in compliance with the substantive provisions of Article 3. Staff recommends approval of this rezoning petition.

### D. Review Board action

This application is classified as an amendment to the official zoning map. Pursuant to Section 10.4.A.1., Land Development Regulations (LDR), Martin County, Fla. (2016), a review of this application at a public hearing is required by the Local Planning Agency (LPA), which shall provide a recommendation for the Board's consideration. And, pursuant to Section 10.5.A.1., LDR, Martin County, Fla. (2016), final action on this request for an amendment to the official zoning map is required by the Board of County Commissioners (BCC) at a public hearing.

### E. Location and site information

Parcel number(s) and address:

053941000014000210

8100 SW Jack James Drive

Existing Zoning:

PUD-C, Commercial Planned Unit Development (expired)

Future land use:

Industrial

Gross area of site:

1.26 acres

**Figure 1: Location Map**



**Figure 2: Subject Site 2018 Aerial**



Adjacent existing or proposed development:

To the north: Savannah State Park (across NE Jensen Beach Blvd)  
To the south: Single Family Residential  
To the east: Commercial, Retail, and Multifamily Residential  
To the west: Single Family Residential (across Drainage ROW)

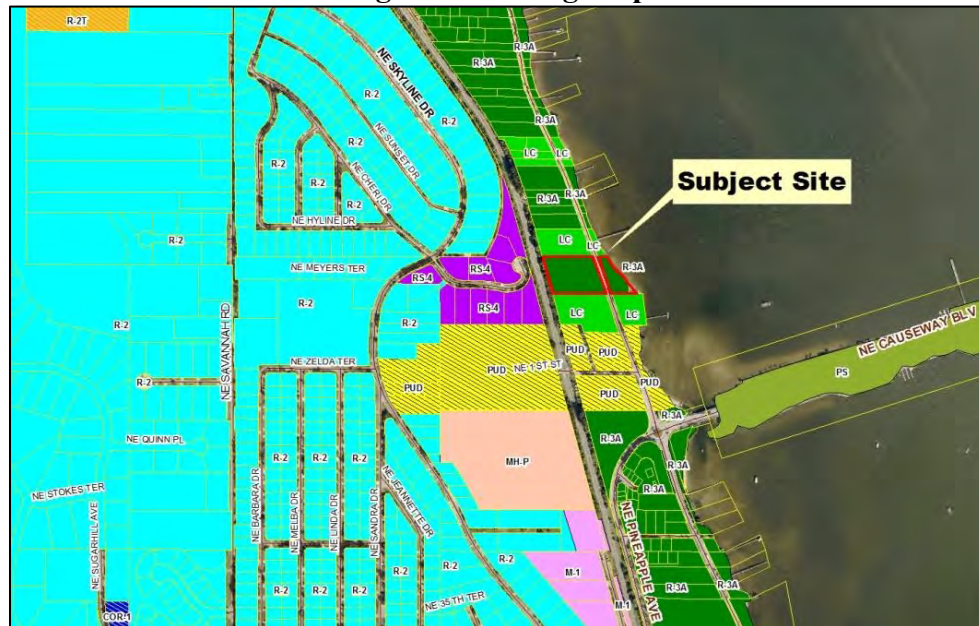
**Figure 3: Local Area 2018 Aerial**



Zoning district designations of abutting properties:

To the north: R-3A, Liberal Multiple Family (across NE Jensen Beach Blvd)  
 To the south: R-2, Single Family Residential  
 To the east: R-3A, Liberal Multiple Family, and PUD-R  
 To the west: RS-6, Single Family Residential (across Drainage ROW)

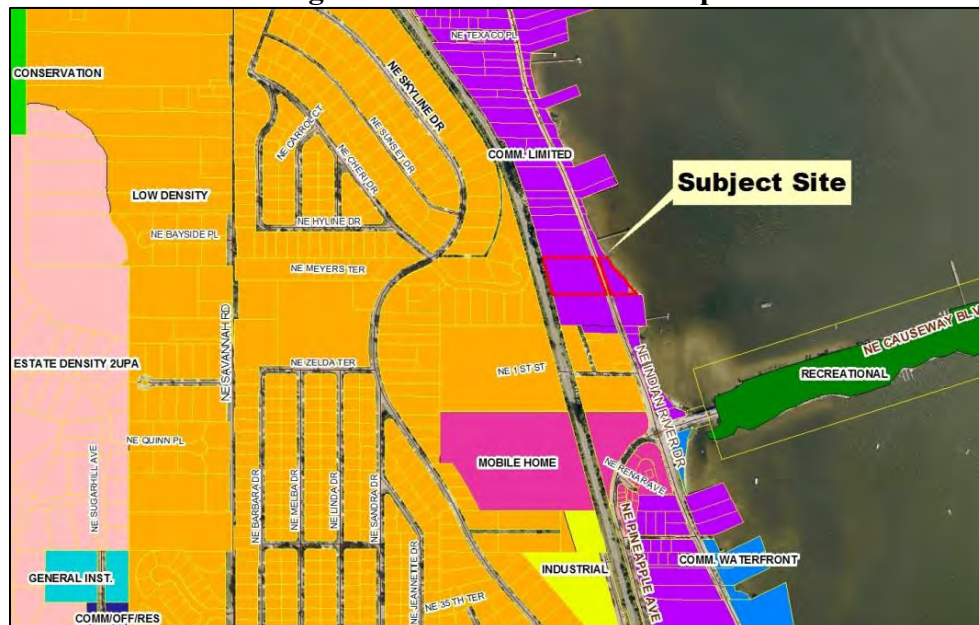
**Figure 4: Zoning Map**



Future land use designations of abutting properties:

To the north: Conservation (across NE Jensen Beach Blvd)  
 To the south: Estate Density 2 UPA  
 To the east: COR, Commercial Office/Residential  
 To the west: Medium Density Residential (across Drainage ROW)

**Figure 5: Future Land Use Map**



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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

**Additional Information:**

**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 10.12) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. 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.

**Information #2:**

Notice(s) of public hearings regarding development applications shall be published at least 14 days prior to the date of the public hearing (seven calendar days if the application is being expedited pursuant to section 10.12) in the legal advertisement section of a newspaper of general circulation in Martin County. The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application. [Section 10.6.D., LDR, MCC]

**Information #3:**

Once everyone has signed off with a comply, the project will be scheduled for the next LPA meeting dependent upon the County's scheduling policy. Following the LPA meeting, the project will be scheduled for the next BCC meeting dependent upon the County's scheduling policy.

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

**Review Ongoing**

***I. 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.

#### ***J. Post-approval requirements***

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.

##### **Item #1:**

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.

##### **Item #2:**

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.

#### ***K. Local, State, and Federal Permits***

There are no applicable Local, State and Federal Permits associated with amendments to the County Zoning Atlas.

#### ***L. Fees***

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$1,000.00	\$1,000.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

\* Advertising fees will be determined once the ads have been placed and billed to the County.

\*\* Recording fees will be identified on the post approval checklist.

### **M. General application information**

Applicant: Sunrise Restaurants, LLC  
Fred Ayres  
3945 NE Indian River Drive  
Jensen Beach, FL 34957

Agent: Lucido and Associates  
Morris A. Crady  
701 SE Ocean Blvd.  
Stuart, FL 34994  
772-220-2100  
[mcrady@lucidodesign.com](mailto:mcrady@lucidodesign.com)

### **N. 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/Waste Water Service Agreement

### **O. Attachments**



**lucido&associates**

**TRANSMITTAL  
(VIA HAND DELIVERY)**

<b>Date:</b>	March 28, 2019		
<b>To:</b>	Catherine Riiska Martin County Growth Management Dept.		
<b>From:</b>	Morris A. Crady, AICP		
<b>Subject:</b>	Conchy Joe's Restaurant Mandatory Rezoning Application (C110-007)	<b>Project No.</b>	18-041

In response to the attached completeness letter dated March 22, 2019, please find enclosed the application fee check in the amount of \$1,000, the original application package and a CD with PDF copies of the application.

The items needing additional attention have been addressed as follows:

**Item #1: Recorded Deed** – The certified statement of no transfer of the subject property has been added to the application. For your information, this requirement is not included on the County's rezoning application checklist.

**Item #2: Surrounding Property Owners List** – The list will be provided no later than 14 days prior to the first scheduled public hearing.

**Item #3: Disclosure of Interest Affidavit** – The affidavit has been revised as requested.

If you have any questions or need additional information, please feel free to contact me or my assistant, Shirley Lyders.



# MARTIN COUNTY

## BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

DOUG SMITH  
STACEY HETHERINGTON  
HAROLD E. JENKINS II  
SARAH HEARD  
EDWARD V. CIAMPI

Commissioner, District 1  
Commissioner, District 2  
Commissioner, District 3  
Commissioner, District 4  
Commissioner, District 5

TARYN KRYZDA, CPM County Administrator  
KRISTA A. STOREY Acting County Attorney

TELEPHONE (772) 288-5400  
WEBSITE [www.martin.fl.us](http://www.martin.fl.us)

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March 22, 2019

Mr. Morris Crady  
Lucido & Associates  
701 SE Ocean Blvd  
Stuart, FL 34996

Application No: DEV2019030010  
Project Number: C110-007

RE: Completeness Review  
CONCHY JOE'S RESTAURANT REZONING

Dear Mr. Crady,

The above referenced application has been determined to be complete for review by the County. Catherine Riiska will be the County's project coordinator for this request. As such, please direct all future questions and correspondence to her attention.

Although the review was determined complete, the following items need additional attention.

Item #1: RECORDED DEED: A copy of the recorded deed(s) for the subject property and any contract for purchase of the property.

Comments: Please submit a certified statement of no property transfer since the deed was obtained.

Item #2: PROPERTY OWNERS: Certified list of property owners to be notified by letter of the public hearings.

Comments: Required. Please provide no later than 14 days prior to the first scheduled hearing.

Item #3: DISCLOSURE of INTEREST AFFIDAVIT: Please submit a completed financial disclosure affidavit form. [Section 10.2.B.3., LDR, MCC]

Comments: Please update section 4 to correctly reflect additional application submitted for this site and attach a stand-alone legal description, not the legal deed.

At this time, please submit the full application with a bookmarked disc and an extra set of plans, along with an application fee in the amount of **\$1,000.00** (check payable to Martin County Board of County Commissioners) to the Growth Management Department, Development Review Division. Each set must duplicate the application submitted for this completeness review. Each set must contain original signed and sealed documents. The review of the application will commence the date after the project coordinator distributes the copies to the various agencies and individuals who participate in the review process for this application. At the end of the review period, you will be provided with a copy of a completed staff report for this application.

In the meantime, it is required that a sign be erected on the subject property. The project number **C110-007** must be included on the sign(s). Prior to preparing your sign, please read Section 10.6 Article 10 L.D.R., which contains the required information that must be on the sign. Please provide documentation (i.e., photograph and certification to the project coordinator) that the property has been posted in accordance to the notification requirements.

Sincerely,



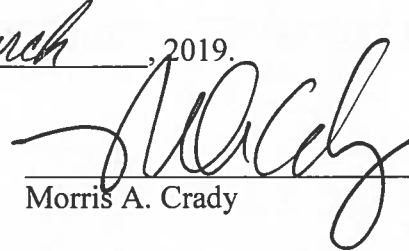
Nicki van Vonno, AICP *FOL*  
Growth Management Director

NvV:PW:kk

cc: Sunrise Restaurants, LLC,  
3945 NE Indian River Drive, Jensen Beach, FL 34957

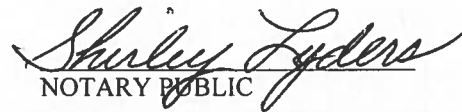
To the best of my knowledge and belief, there has been no transfer of the former Admiral's Table property since the Warranty Deed into Sunrise Restaurants, LLC was recorded in O.R. Book 2983, Page 1301, public records of Martin County, Florida.

DATED THIS 28<sup>th</sup> DAY OF March, 2019.

  
Morris A. Crady

STATE OF FLORIDA  
COUNTY OF MARTIN

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 28<sup>th</sup> DAY OF March, 2019 BY MORRIS A. CRADY, WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:





**lucido&associates**

March 11, 2019

HAND DELIVERY

Nicki van Vonno, Director  
Martin County Growth Management Department  
2401 SE Monterey Road  
Stuart, FL 34996

**Re: Conchy Joe's Restaurant – Mandatory Rezoning Application for Former Admiral's Table Parcel with Certificate of Public Facilities Exemption (Our ref. #18-041)**

Dear Nicki:

On behalf of the property owner, Sunrise Restaurants, LLC, we are pleased to submit this application for a mandatory rezoning from R-3A to LC as discussed at the pre-application workshop on September 13, 2018.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials:

1. Application form;
2. Digital submittal affidavit;
3. Project narrative;
4. The owner's notarized power of attorney for representation by Lucido & Associates;
5. The Disclosure of Interest Affidavit;
6. The recorded deed documenting ownership by Sunrise Restaurants, LLC;
7. The legal description;
8. Location map;
9. Aerial map;
10. Parcel assessment map;
11. Future land use map; and
12. Zoning map.

The following standard application materials are not provided for the reasons indicated:

- **School Impact Worksheet** - Not applicable to commercial projects.
- **Surrounding property owners list** – To be provided prior to the public hearing.

Upon a determination of completeness, we will submit the mandatory application fee in the amount of \$1,000.00.

Please feel free to contact me or my assistant, Shirley Lyders, if you have any questions or comments.

Sincerely,

Morris A. Crady, AICP  
Senior Vice President



Martin County, Florida  
Growth Management Department  
DEVELOPMENT REVIEW DIVISION  
2401 SE Monterey Road, Stuart, FL 34996  
772-288-5501 [www.martin.fl.us](http://www.martin.fl.us)

# DEVELOPMENT REVIEW APPLICATION

## A. General Information:

1. Type of Application: Zoning Change

2. Proposed Development's Name:

CONCHY JOE'S

3. Former Development's Name:

N/A

4. Previous Project Number:

5. Pre-Application Meeting Date:

6. Property Owner:

Name or Company Name SUNRISE RESTAURANTS, LLC

Company Representative FRED AYRES

Address 3945 NE INDIAN RIVER DRIVE

City JENSEN BEACH

State FL

Zip 34957

Phone

Fax

Email

7. Agent:

Select from the List

Name or Company Name LUCIDO & ASSOCIATES

Company Representative MORRIS A. CRADY

Address 701 SE OCEAN BOULEVARD

City STUART

State FL

Zip 34994

Phone

Fax

Email

MCRADY@LUCIDODESIGN.COM

8. Contract Purchaser:

Select from the List

Name or Company Name

Company Representative

Address

City

State

Zip

Phone

Fax

Email

9. Land Planner:

Same as the Agent

Name or Company Name

Company Representative

Address

City

State

Zip

Phone

Fax

Email

Select from the list

**10. Landscape Architect:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**11. Surveyor:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**12. Civil Engineer:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**13. Traffic Engineer:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**14. Architect:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**15. Attorney:**

Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

**16. Environmental Planner:** Same as Agent  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

**17. Other Professional:** \_\_\_\_\_  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

**18. Parcel Control Number(s):**  
 15-37-41-001-004-00010-3  
 \_\_\_\_\_  
 \_\_\_\_\_

**19. Certifications by Professionals:**

Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

*When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877, F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial.*

☒ This box must be checked if the applicant waives the limitations.

**B. Applicant or Agent Certification:**

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

  
 \_\_\_\_\_  
 Applicant's signature  
 MORRIS A. CRADY  
 \_\_\_\_\_  
 Printed name

3-11-19  
 \_\_\_\_\_  
 Date

# NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 14th day of March, 2019, by MORRIS A. CRADY.

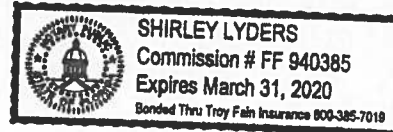
He or she

☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

*Shirley Lyders*  
Notary public signature

\_\_\_\_\_  
Printed name

State of \_\_\_\_\_ at-large





Martin County Development Review  
Digital Submittal Affidavit

I, Morris A. Crady, attest that the electronic version included for the project Admiral's Table Rezoning application is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

  
Applicant Signature

3-11-19  
Date



## **PROJECT NARRATIVE**

### **Former “Admiral’s Table” Restaurant Parcel Rezoning from R-3A to LC March 11, 2019**

#### ***Existing Property Characteristics***

The subject property is approximately 2.3 acres located on NE Indian River Drive, less than ¼ mile north of the Jensen Causeway. The former “Admiral’s Table” restaurant was originally developed in the 1970’s and has been vacant for the past 20 years. This parcel, which was recently acquired under a separate business entity by the owner of Conchy Joe’s, includes an existing building of approximately 6,400 sf and associated paved parking in various states of deterioration.

The owner’s intent is to restore and improve the restaurant by adding a micro-brewery, a 2<sup>nd</sup>-story waterfront dining area and improved parking in conjunction with the proposed expansion and renovation of Conchy Joe’s restaurant.

#### ***Proposed Rezoning***

The property is designated for Limited Commercial future land use and zoned R-3A. According to our discussion with Growth Management staff at the September 13, 2018 workshop, a mandatory rezoning is required from R-3A to LC in order to redevelop the site.

**Sunrise Restaurants, LLC**  
**P.O. Box 1056**  
**Jensen Beach, FL 34958**

December 17, 2018

Nicki van Vonno, Director  
 Martin County Growth Management Department  
 2401 S.E. Monterey Road  
 Stuart, FL 34996

Re: Formerly Admiral's Table Restaurant  
 Parcel I.D. #15-37-41-001-004-00010-3

Dear Ms. van Vonno:

As owner of the above-referenced property, please consider this correspondence as formal authorization for Lucido & Associates to represent Sunrise Restaurants, LLC during the governmental review process of the application.

Sincerely,

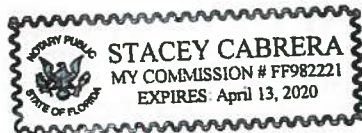
**SUNRISE RESTAURANTS, LLC,**  
 a Florida limited liability company


By:   
 Frederic M. Ayres, IV, Manager

STATE OF FLORIDA  
 COUNTY OF MARTIN

The foregoing was acknowledged before me this 13<sup>th</sup> day of December, 2018, by FREDERIC M. AYRES, IV, Manager of SUNRISE RESTAURANTS, LLC, a Florida limited liability company. He ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

(Notarial Seal)



  
 NOTARY PUBLIC  
 My Commission Expires: April 13, 2020



This Instrument Prepared By / Return To:  
Jennifer L. Williamson, Esquire  
CRARY BUCHANAN, P.A.  
759 SW Federal Hwy., Suite 106  
Stuart, FL 34994  
(772) 287-2600

### WARRANTY DEED (from Corporation)

**THIS WARRANTY DEED**, Made and executed the 23 day of March, 2018, by **Amadco, Inc., a Florida corporation**, existing under the laws of Florida, and having its principal place of business at 4300 Biscayne Blvd., Suite 305, Miami, Florida 33137, hereinafter called the Grantor, to **Sunrise Restaurants, LLC, a Florida limited liability company**, whose post office address is 759 SW Federal Highway, Suite 106, Stuart, Florida 34994, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of **\$10.00** and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Martin County, Florida, to-wit:

That part of Lot 4 lying East of the F.E.C. Railroad Right-of-Way in Ballantine and Moore's Subdivision, as recorded in Plat Book 1, Page 205, Public Records of St. Lucie (now Martin) County, Florida, and the North 86.9 feet of Tract 6A, lying East of the F.E.C. Railroad Right-of-Way in Gaines Estate Subdivision, as recorded in Plat Book 1, Page 90, Public Records of Martin County, Florida.

PARCEL I.D. NO.: 15-37-41-001-004-00010-3

Subject to: restrictions, reservations, covenants, conditions, and easements of record; taxes for 2018 and the years subsequent thereto, and all applicable laws, ordinances and governmental regulations, including without limitation, zoning and building codes and ordinances.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

**In Witness Whereof** the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

Jaymy Bengio, Witness  
[Print Name of Witness]

Eckha Gornater, Witness  
[Print Name of Witness]

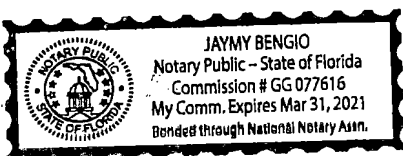
Amadco, Inc., a Florida Corporation

By: Sami S. Qubain  
Its: President

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me this 23 day of March, 2018, by Sami S. Qubain, as President of Amadco, Inc., a Florida corporation, on behalf of the corporation. He (PLEASE CHECK ONE OF THE FOLLOWING) [ FL DL ] is personally known to me, or [ X ] has produced (TYPE OF IDENTIFICATION) as identification.



Jaymy Bengio (Print Name)  
Notary Public – State of Florida  
Commission Number:  
My Commission Expires:

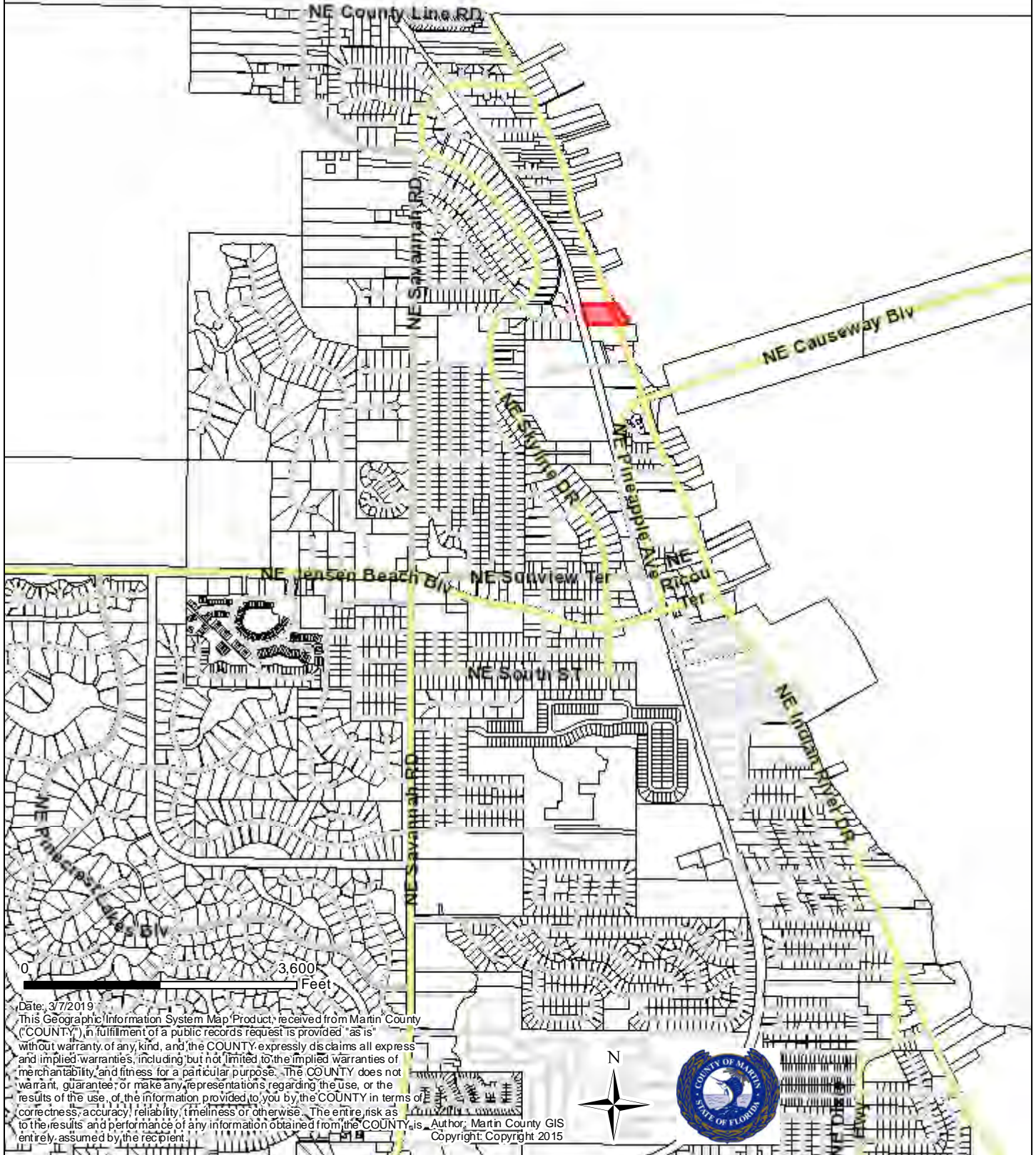
EXHIBIT A  
LEGAL DESCRIPTION

THE PART OF LOT 4 LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN BALLANTINE & MOORE SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 205, PUBLIC RECORDS OF ST LUCIE (NOW MARTIN) COUNTY, FLORIDA AND THE NORTH 86.9 FEET OF TRACT 6A LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN GAINES ESTATES SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA

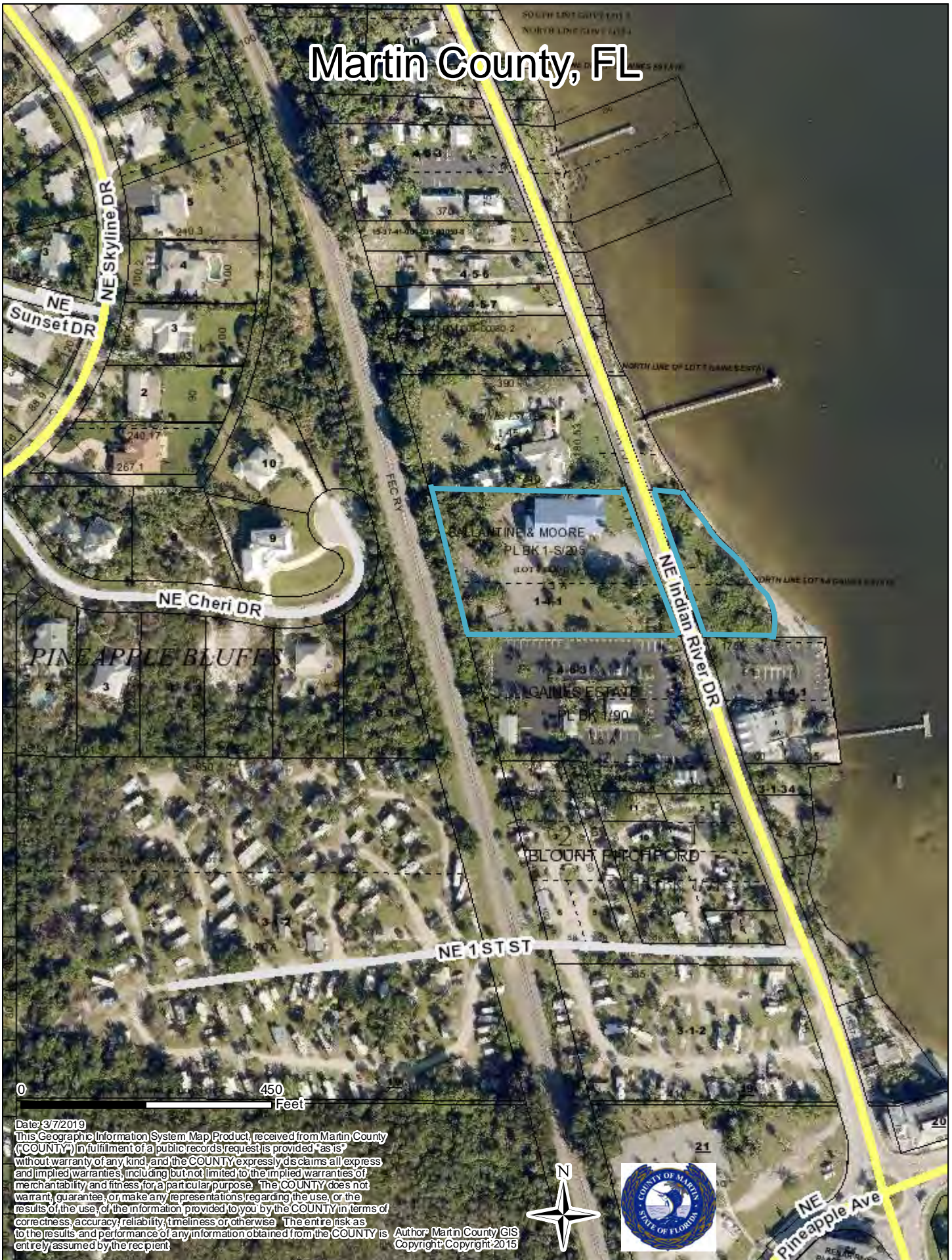
SAID PARCEL CONSISTING OF 2.289 ACRES OR 100,640 SQUARE FEET MORE OR LESS.

SAID PARCEL SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND/OR DEDICATIONS.

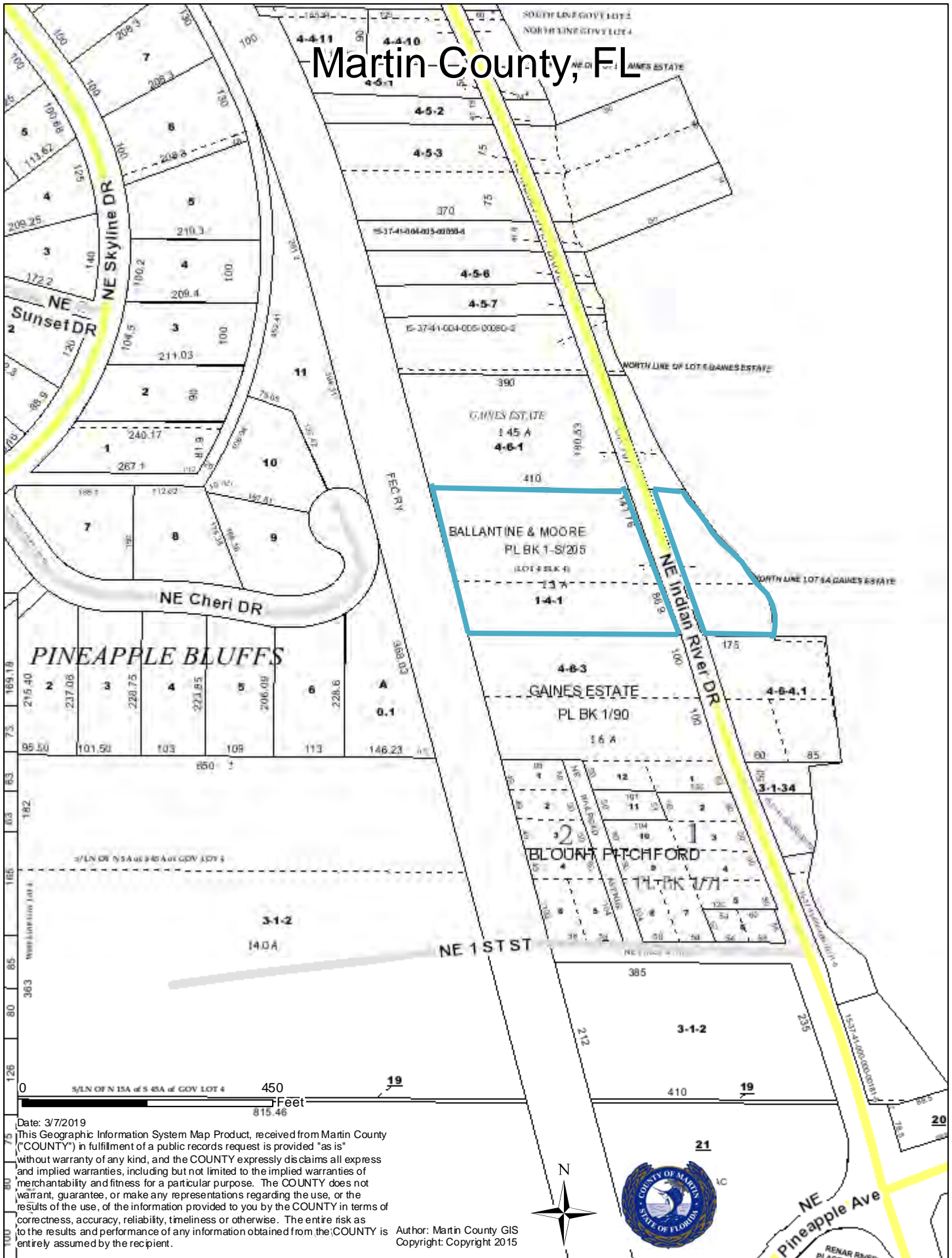
# Martin County, FL



# Martin County, FL



# Martin County, FL

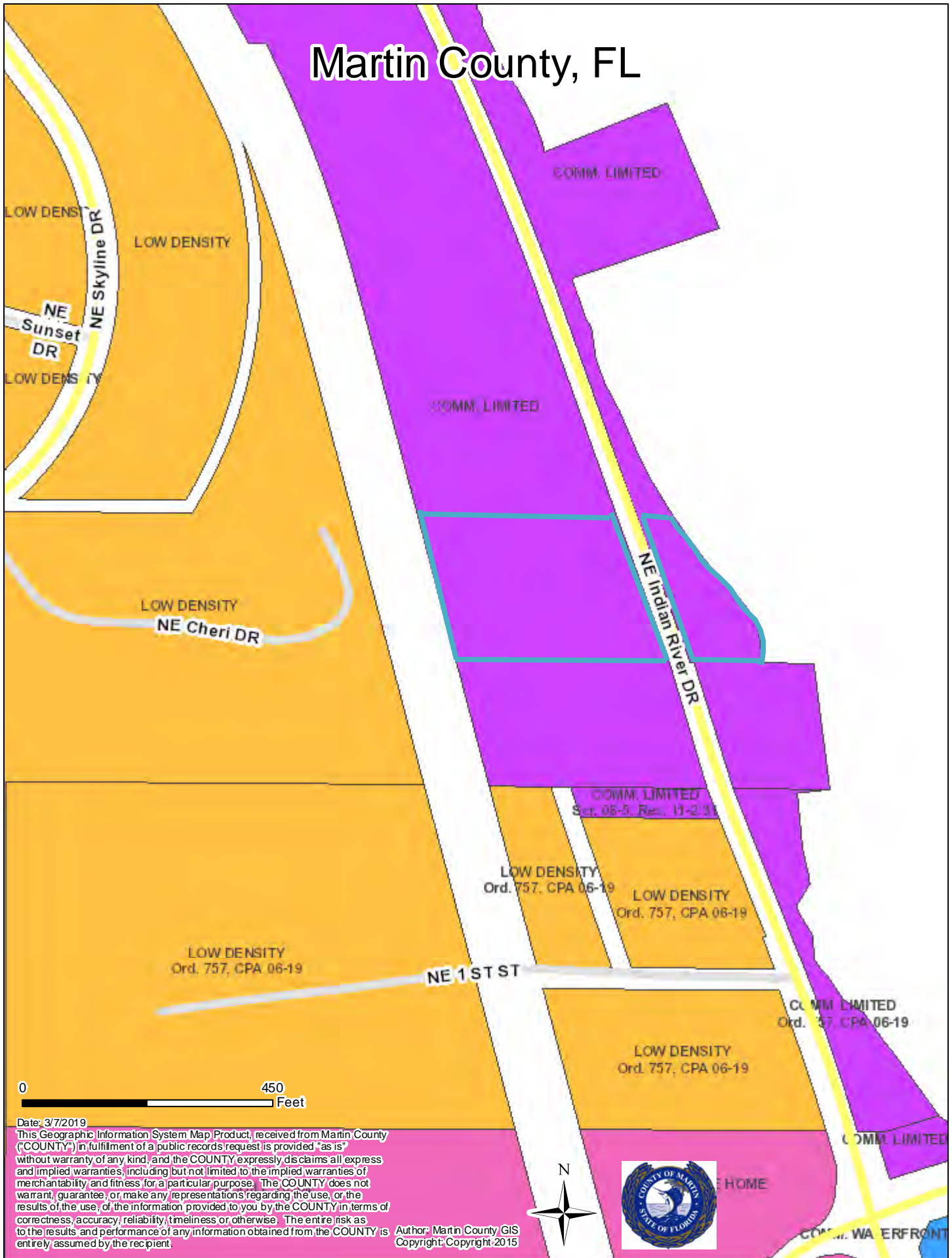


Date: 3/7/2019

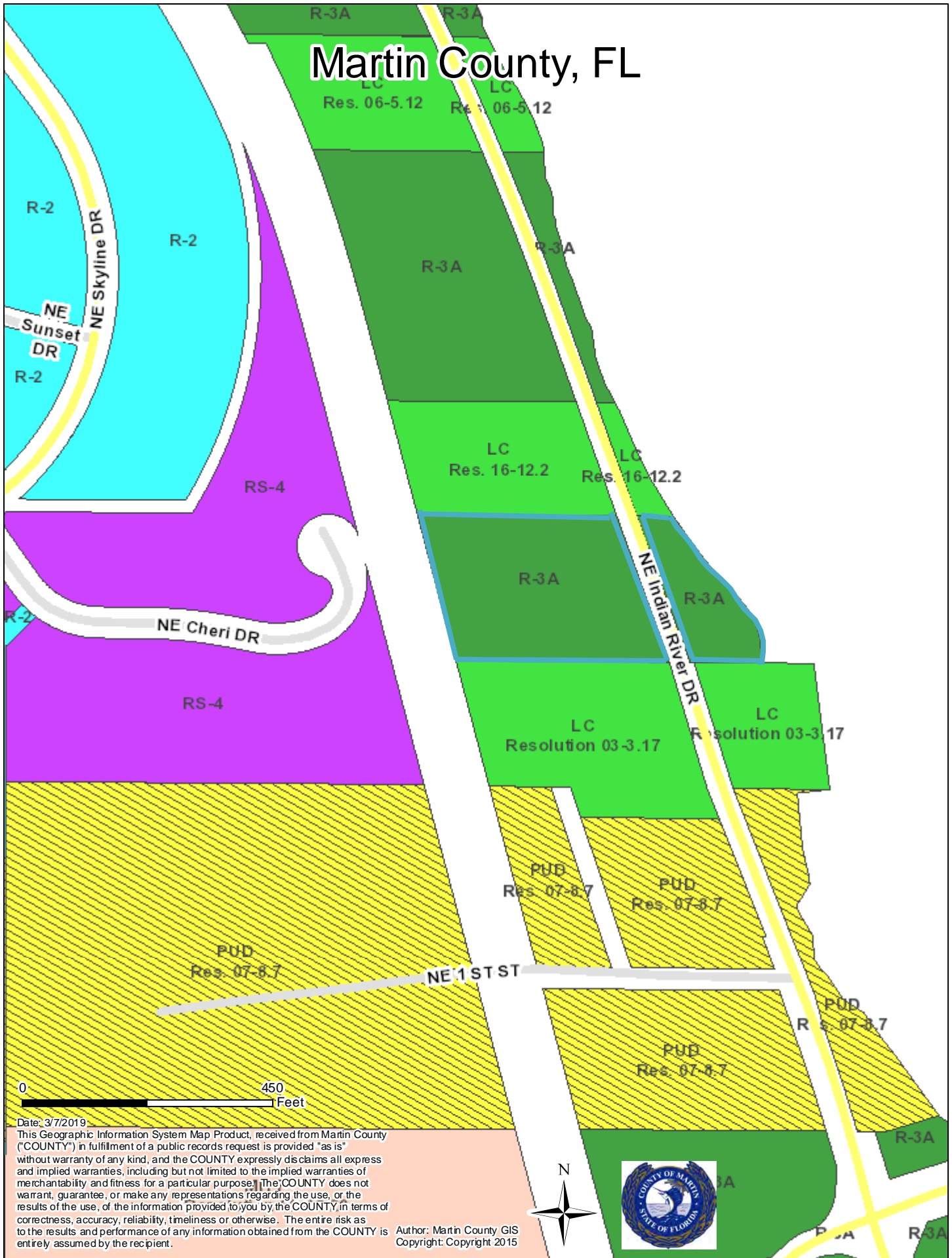
This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
Copyright: Copyright 2015

# Martin County, FL



# Martin County, FL



Date: 3/7/2019

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Author: Martin County GIS  
Copyright: Copyright 2015



## DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
SUNRISE RESTAURANTS, LLC	P.O. Box 1056 Jensen Beach, FL 34958

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
Frederic M. Ayres, IV (See attached corporation summary)	P.O. Box 1056 Jensen Beach, FL 34957	

(If more space is needed attach separate sheet)

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application *
C110-008	Frederic M. Ayres, IV P.O. Box 1056 Jensen Beach, FL 34957	3-22-19	Major revised final site plan	Pending

(If more space is needed attach separate sheet)

- Status defined as:  
A = Approved  
P = Pending  
D = Denied  
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT


  
Frederic M. Ayres, IV

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 13<sup>th</sup> day of December 2018, by Frederic M. Ayres, IV, who is personally known to me or have produced \_\_\_\_\_ as identification.



(Notary Seal)

  
Notary Public, State of Florida  
Print Name: Stacey Cabrera  
My Commission Expires: April 13, 2020



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Limited Liability Company

**SUNRISE RESTAURANTS, LLC**

### Filing Information

**Document Number** L17000135023  
**FEI/EIN Number** 82-5103129  
**Date Filed** 06/21/2017  
**State** FL  
**Status** ACTIVE

### Principal Address

4000 NE INDIAN RIVER DRIVE  
 JENSEN BEACH, FL 34957

Changed: 04/09/2018

### Mailing Address

PO BOX 1056  
 JENSEN BEACH, FL 34958

Changed: 04/09/2018

### Registered Agent Name & Address

AYRES, FREDERIC M, IV  
 4000 NE INDIAN RIVER DRIVE  
 JENSEN BEACH, FL 34957

Name Changed: 04/09/2018

Address Changed: 04/09/2018

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

DARLEY, NICHOLAS  
 4000 NE INDIAN RIVER DRIVE  
 JENSEN BEACH, FL 34957

Title MGR

CABRERA, STACEY

4000 NE INDIAN RIVER DRIVE  
JENSEN BEACH, FL 34957

**Annual Reports**

Report Year	Filed Date
2018	04/09/2018

**Document Images**

[04/09/2018 -- ANNUAL REPORT](#)

[View image in PDF format](#)

[06/21/2017 -- Florida Limited Liability](#)

[View image in PDF format](#)

**Exhibit "A"**  
**(Disclosure of Interest and Affidavit)**  
**(Legal Description)**

EXHIBIT A  
LEGAL DESCRIPTION

THE PART OF LOT 4 LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN BALLANTINE & MOORE SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 205, PUBLIC RECORDS OF ST LUCIE (NOW MARTIN) COUNTY, FLORIDA AND THE NORTH 86.9 FEET OF TRACT 6A LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN GAINES ESTATES SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA

SAID PARCEL CONSISTING OF 2.289 ACRES OR 100,640 SQUARE FEET MORE OR LESS.

SAID PARCEL SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND/OR DEDICATIONS.



## **TRANSMITTAL**

**(VIA HAND DELIVERY)**

<b>Date:</b>	April 25, 2019		
<b>To:</b>	Catherine Riiska Martin County Growth Management Dept.		
<b>From:</b>	Shirley Lyders		
<b>Subject:</b>	Conchy Joe's Restaurant Mandatory Rezoning Application (M.C. Project #C110-007)	<b>Project No.</b>	18-041

Attached, for your records, is the certified list of surrounding property owners within 500 feet of the subject property.



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

April 25, 2019

Ownership Search

Prepared For: Lucido & Associates

We hereby certify that a search has been made of the Martin County Property Appraiser's records regarding a 500 foot area surrounding the following described parcel of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID:        See Exhibit "B" attached hereto  
OWNER:        & made a part hereof.  
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).

A handwritten signature in blue ink that reads 'Karen Rae Hyche'.

Karen Rae Hyche  
President



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

## OWNERSHIP REPORT

SEARCH NO. P19-11,452/KRH

THE ATTACHED REPORT IS ISSUED TO LUCIDO & ASSOCIATES. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE SUM OF \$1,000.00.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 500 foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.

736 Colorado Ave. Ste. A

Stuart FL 34994

By: Karen Rae Hyche

Karen Rae Hyche



This Instrument Prepared By / Return To:  
 Jennifer L. Williamson, Esquire  
 CRARY BUCHANAN, P.A.  
 759 SW Federal Hwy., Suite 106  
 Stuart, FL 34994  
 (772) 287-2600

### WARRANTY DEED (from Corporation)

**THIS WARRANTY DEED**, Made and executed the 23 day of March, 2018, by **Amadco, Inc.**, a Florida corporation, existing under the laws of Florida, and having its principal place of business at 4300 Biscayne Blvd., Suite 305, Miami, Florida 33137, hereinafter called the Grantor, to **Sunrise Restaurants, LLC**, a Florida limited liability company, whose post office address is 759 SW Federal Highway, Suite 106, Stuart, Florida 34994, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**WITNESSETH:** That the Grantor, for and in consideration of the sum of **\$10.00** and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Martin County, Florida, to-wit:

That part of Lot 4 lying East of the F.E.C. Railroad Right-of-Way in Ballantine and Moore's Subdivision, as recorded in Plat Book 1, Page 205, Public Records of St. Lucie (now Martin) County, Florida, and the North 86.9 feet of Tract 6A, lying East of the F.E.C. Railroad Right-of-Way in Gaines Estate Subdivision, as recorded in Plat Book 1, Page 90, Public Records of Martin County, Florida.

PARCEL I.D. NO.: 15-37-41-001-004-00010-3

Subject to: restrictions, reservations, covenants, conditions, and easements of record; taxes for 2018 and the years subsequent thereto, and all applicable laws, ordinances and governmental regulations, including without limitation, zoning and building codes and ordinances.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

**In Witness Whereof** the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered in our presence:

Jaymy Bengio Witness  
 [Print Name of Witness]  
Erlene Gonsler Witness  
 [Print Name of Witness]

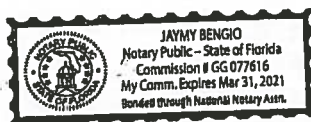
Amadco, Inc., a Florida Corporation

By: Sami S. Qubain  
 Its: President

(CORPORATE SEAL)

STATE OF FLORIDA  
 COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me this 23 day of March, 2018, by Sami S. Qubain, as President of Amadco, Inc., a Florida corporation, on behalf of the corporation. He (PLEASE CHECK ONE OF THE FOLLOWING) [ ] is personally known to me, or [ ☒ ] has produced FL DL (TYPE OF IDENTIFICATION) as identification.



Jaymy Bengio [Print Name]  
 Notary Public - State of Florida  
 Commission Number:  
 My Commission Expires:

Exhibit "A"

# **Martin County, Florida - Laurel Kelly, C.F.A**

*generated on 4/25/2019 11:45:03 AM EDT*

## **Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
15-37-41-001-004-00010-3	619	4000 NE INDIAN RIVER DR, JENSEN BEACH	\$806,350	4/20/2019

### Owner Information

<b>Owner(Current)</b>	SUNRISE RESTAURANTS LLC
<b>Owner/Mail Address</b>	759 SW FEDERAL HWY STE 106 STUART FL 34994
<b>Sale Date</b>	3/23/2018
<b>Document Book/Page</b>	<u>2983 1301</u>
<b>Document No.</b>	2686368
<b>Sale Price</b>	2000000

### Location/Description

<b>Account #</b>	619	<b>Map Page No.</b>	
<b>Tax District</b>	6006	<b>Legal Description</b>	BALLANTINE & MOORE LOT 4 E OF F E C RY, BLK 4 & PART OF TRACT 6A OF GAINES ESTATES BEING: N 86.9 OF TRACT 6A E OF RY R/W
<b>Parcel Address</b>	4000 NE INDIAN RIVER DR, JENSEN BEACH		
<b>Acres</b>	2.2890		

### Parcel Type

<b>Use Code</b>	2100 Restaurant/cafeterias
<b>Neighborhood</b>	20200 Indian River Drive

### Assessment Information

<b>Market Land Value</b>	\$632,700
<b>Market Improvement Value</b>	\$173,650
<b>Market Total Value</b>	\$806,350

Exhibit "B"

Sunrise Restaurants LLC  
759 SW Federal Hwy. Ste. 106  
Stuart FL 34994

Town of Ocean Breeze  
PO Box 1025  
Jensen Beach FL 34958

Florida East Coast Railway LLC  
7150 Philips Hwy. Ste. 300  
Jacksonville FL 32256

Jensen Beach MHP LLC  
295 Madison Ave. 2<sup>nd</sup> Floor  
New York NY 10017

F M Ayres 2 LLC  
PO Box 2803  
Jensen Beach FL 34958

Just Believe Recovery Center LLC  
1475 NE Jensen Beach Blvd.  
Jensen Beach FL 34957

Irene E. Gomes  
4150 NE Indian River Dr.  
Jensen Beach FL 34957

Thomas S. & Heather L. Lucius  
4120 NE Indian River Dr.  
Jensen Beach FL 34957

Peirce Lee Braun  
4110 NE Indian River Dr.  
Jensen Beach FL 34957-4013

Camelot San Castle Enterprises  
LLC  
PO Box 2025  
Palm City FL 34991

GDHG Realty LLC  
773 Havana Dr.  
Boca Raton FL 33487

Pineapple Bluffs Prop. Owners  
3880 NE Cheri Dr.  
Jensen Beach FL 34957

Jeffrey A. & Rebecca G. Bobo  
3860 NE Cheri Dr.  
Jensen Beach FL 34957

Peter J. & Laura A. Wynbrandt  
3360 NE Aviary Pl.  
Jensen Beach FL 34957

Colby & Darlene Benham  
3801 NE Cheri Dr.  
Jensen Beach FL 34957

Joseph J. & Mary C. Borgerding  
3800 NE Cheri Dr.  
Jensen Beach FL 34957

Donna L. Banister Rev. Trust  
3881 NE Cheri Dr.  
Jensen Beach FL 34957

Benjamin Meares & Mary Kathryn  
Ferguson  
961 NE Zebrina Senda  
Jensen Beach FL 34957

Todd A. Mize  
Sandra K. Rozier  
3781 NE Cheri Dr.  
Jensen Beach FL 34957

Stephen L. & Marilyn B. Hero (Tr)  
4063 NE Skyline Dr.  
Jensen Beach FL 34957

Robert Emmett Heekin Rev. Trust  
Jane Louise Heekin Rev. Trust  
4043 NE Skyline Dr.  
Jensen Beach FL 34957

Stephen L. & Marilyn B. Hero  
4063 NE Skyline Dr.  
Jensen Beach FL 34957

James F. Samuel Rev. Trust  
4083 NE Skyline Dr.  
Jensen Beach FL 34957

Larry & Kathleen Donnell  
4113 NE Skyline Dr.  
Jensen Beach FL 34957

Darlene Burba  
4133 NE Skyline Dr.  
Jensen Beach FL 34957-3840

**SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS**

*(month) (day), (2019)*

*(addressee from the certified property owners list)*  
*(address)*

Subject and Location: **Sunrise Restaurants, LLC, Rezoning** (C110-007) Request to rezone approximately 2.3 acres of property from the R-3A Liberal Multiple-Family District, to the LC Limited Commercial District, or the most appropriate zoning district. The subject site is located at 4000 NE Indian River Drive in Jensen Beach, adjacent to the Indian River Lagoon and bisected by Indian River Drive, approximately 1,000 feet north of NE Causeway Blvd. Included is a request for a Certificate of Public Facilities Exemption.

Dear *(property owner)*:

As a landowner within 500 feet of the property identified in the above description and shown on the map attached to this letter, please be advised that consideration of an amendment to the zoning atlas as noted above will occur at two public hearings.

The date, time and place of the scheduled hearings are as follows:

Time and Date: **LOCAL PLANNING AGENCY**  
7:00 P.M., or as soon after as the matter may be heard, on  
Thursday, June 6, 2019

Time and Date: **BOARD OF COUNTY COMMISSIONERS**  
9:00 A.M., or as soon after as the matter may be heard, on  
Tuesday, June 18, 2019

Place: Martin County Administrative Center  
2401 S.E. Monterey Road  
Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the

subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 business days prior to the meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Nicki van Vonno, Growth Management Department Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator 772-320-3131, the County Administration Office 772-288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback).

Sincerely,

*(applicant's name)*

Attachment: Location Map



lucido&associates

## TRANSMITTAL

(VIA HAND DELIVERY)

<b>Date:</b>	April 8, 2019		
<b>To:</b>	Catherine Riiska Martin County Growth Management Dept.		
<b>From:</b>	Shirley Lyders		
<b>Subject:</b>	Conchy Joe's Restaurant Mandatory Rezoning Application (M.C. Project #C110-007)	<b>Project No.</b>	18-041

Pursuant to Article 10.6.B of the Development Review Procedures, attached is the certification regarding the posting of the sign for your records.

Doug Fitzwater  
220 Hibiscus Avenue  
Stuart, FL 34996

Ms. Shirley Lyders  
Lucido & Associates  
701 SE Ocean Blvd.  
Stuart, FL 34994

Proposed Rezoning  
Conchy Joe's  
File Number C110-007

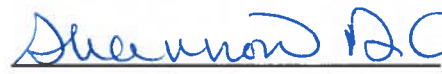
Dear Ms. Lyders:

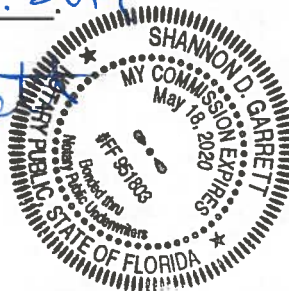
This is to certify that the above referenced sign was installed per Martin County requirements and comply with the standards of the notice provisions of Article 10, Section 10.6: Development Review Procedures.

  
 Doug Fitzwater

State of Florida  
County of Martin

Doug Fitzwater, who is personally known to me, acknowledged the forgoing instrument before me on April 8, 2019

  
 Notary Public, State of Florida





Treasure Coast Newspapers

TCPALM

The Stuart News

1939 SE Federal Highway, Stuart, FL 34994

**AFFIDAVIT OF PUBLICATION**

STATE OF FLORIDA  
COUNTY OF MARTIN

Before the undersigned authority personally appeared, Natalie Zollar, who on oath says that she is Classified Inside Sales Manager of the Stuart News, a daily newspaper published at Stuart in Martin County, Florida: that the attached copy of advertisement was published in the Stuart News in the following issues below. Affiant further says that the said Stuart News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid or promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Customer	Ad Number	Copyline	PO #
433969 - MARTIN COUNTY BOCC (LEGALS)	2279172	CONCHY JOES C110-007	

**Pub Dates**  
May 10, 2019

Sworn to and subscribed before me this day of, May 10, 2019, by

Natalie Zollar, who is  
Natalie Zollar  
(X) personally known to me or  
( ) who has produced \_\_\_\_\_ as identification.

Karol E Kangas  
Karol Kangas Notary Public



**BEFORE THE LOCAL PLANNING  
AGENCY AND THE BOARD OF  
COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

**NOTICE OF PUBLIC HEARINGS**

Subject: **Sunrise Restaurants, LLC, Rezoning (C110-007)**  
Request to rezone approximately 2.3 acres of property from the R-3A Liberal Multiple-Family District, to the LC Limited Commercial District, or the most appropriate zoning district, with a request for a Certificate of Public Facilities Exemption.

Location: The site is located at 4000 NE Indian River Drive in Jensen Beach, adjacent to the Indian River Lagoon and bisected by Indian River Drive, approximately 1,000 feet north of NE Causeway Blvd.

Public hearing:  
**LOCAL PLANNING AGENCY**

Time and Date:  
7:00 P.M. or as soon as the matter can be heard on Thursday, June 6, 2019

Public hearing:  
**BOARD OF COUNTY  
COMMISSIONERS**

Time and Date:  
9:00 A.M. or as soon as the matter can be heard on Tuesday, June 18, 2019

Place:  
Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in these proceedings are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 business days

prior to the LPA or BCC meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating the he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

If any person who decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, including copies of the agenda item materials, please call the Growth Management Department at (772) 288-5495. All written comments should be sent to Nicki van Vonno, Growth Management Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996.

THIS NOTICE DATED THIS 1ST DAY OF MAY, 2019.

Publish: Stuart News

Publish Date: May 10, 2019  
TCN 2279172



# Local Planning Agency

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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File ID: 19-0574

NEW-3

Meeting Date: 6/20/2019

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**PLACEMENT:** New Business

**TITLE:**

BR 24 LLC REZONING (B121-003) (QUASI-JUDICIAL)

**EXECUTIVE SUMMARY:**

Request by BR 24, LLC for a zoning change from the current A-1 (Agricultural Ranchette) to the RE-2A (Rural Density) to bring consistent an approximate 17 acre parcel part of a 60-acre tract located south of Bridge Road between I 95 and US-1 in Hobe Sound. Included is a request for a Certificate of Public Facilities Exemption.

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Catherine Riiska, M.S., P.W.S., Principal Planner, Growth Management Department

**PREPARED BY:** Joan Seaman, Administrative Specialist II



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## **A. Application Information**

### **BR 24, LLC REZONING**

Applicant:	BR 24, LLC, Ed Hickey, Managing Member
Property Owner:	BR 24, LLC
Agent for the Applicant:	Morris A. Crady, Lucido and Associates
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	B121-003
Record Number:	DEV2019040012
Report Number:	2019_0529_B121-003_DRT_Staff_FINAL.docx
Application Received:	05/02/2019
Transmitted:	05/03/2019
Staff Report:	05/29/2019
LPA Hearing:	06/20/2019
BCC Hearing:	07/30/2019

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback).

## **B. Project description and analysis**

This is an application for a proposed amendment to the county Zoning Atlas for a Rural Density residential district designation pursuant to Section 3.2.E., Land Development Regulations (LDR), Martin County, Fla. (2002). A Zoning District change from the A-1, Small Farms District, to the RE-2A, Rural Estate District, or the most appropriate zoning district, is proposed for an approximately 17.12-acre subject site fronting the north side of SE 138<sup>th</sup> Street approximately 2,800 feet west of SE Powerline Avenue and spanning northward to within 730 feet of the south side of SE Bridge Road, in Hobe Sound. This application includes a request for a Certificate of Public Facilities Exemption.

The subject site is vacant and part of an overall larger contiguous site that has been subject to site grading and environmental improvements as part of an excavation and fill permit issued in 2013. The permit authorized the construction of 13.9-acre surface water lake, with the resultant fill retained on-site, and included the establishment of wetland and upland preserve areas and lake littoral plantings, with an approved preserve area management plan (PAMP).

The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Rural Density. The current zoning on the property

is A-1, Small Farms District. The A-1 zoning was created in 1967 as a part of the County's original zoning regulations and was carried over to the current Article 3, Zoning Districts, Land Development Regulations (LDR), Martin County Code (MCC) as a Category C district, which is intended to be used until a rezoning to a Category A district is needed or required to accommodate proposed future uses of the property. The Category A districts were created to implement the land use policies of the CGMP. The current A-1 zoning of the subject property is not consistent with the Rural Density land use policies of the CGMP, pursuant to Section 3.402., LDR, Martin County Fla. (2016). Therefore, the request to rezone this site is considered mandatory.

There is one (1) standard zoning district that is available to implement the Rural Density land use policies of the CGMP, which is the RE-2A, Rural Estate District. In addition to the standard zoning district, the PUD (Planned Unit Development) District is also available as another option. The PUD District offers more design flexibility to applicants for proposed projects. In exchange, this requires additional benefits to the County and more controls by the County and the proposed rezoning must come forth concurrently with a site plan. The applicant is requesting to rezone the subject site to the standard RE-2A zoning district.

The choice of the most appropriate district for the subject property is a policy decision that the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the "standards for amendments to the zoning atlas" provided in Section 3.2 E., Land Development Regulations (LDR), Martin County Code (MCC). The following tables provide the permitted uses and the development standards for the available standard zoning district of RE-2A, followed by the standards for the existing A-1 zoning district.

**TABLE 3.11.1 (excerpt)**  
**PERMITTED USES – CATEGORY "A" AGRICULTURAL AND RESIDENTIAL DISTRICTS**

USE CATEGORY	RE-2A
<i><b>Residential Uses</b></i>	
Accessory dwelling units	
Apartment hotels	
Mobile homes	
Modular homes	P
Multifamily dwellings	
Single-family detached dwellings	P
Single-family detached dwellings, if established prior to the effective date of this ordinance	
Townhouse dwellings	
Duplex dwellings	
Zero lot line single-family dwellings	
<i><b>Agricultural Uses</b></i>	

Agricultural processing, indoor	
Agricultural processing, outdoor	
Agricultural veterinary medical services	P
Aquaculture	
Crop farms	
Dairies	
Exotic wildlife sanctuaries	
Farmer's markets	
Feed lots	
Fishing and hunting camps	
Orchards and groves	P
Plant nurseries and landscape services	P
Ranches	
Silviculture	P
Stables, commercial	P
Storage of agricultural equipment, supplies and produce	
Wildlife rehabilitation facilities	
<b><i>Public and Institutional Uses</i></b>	
Administrative services, not-for-profit	
Cemeteries, crematory operations and columbaria	
Community centers	P
Correctional facilities	
Cultural or civic uses	
Dredge spoil facilities	
Educational institutions	
Electrical generating plants	
Fairgrounds	
Halfway houses	
Halfway houses, on lots where such use was lawfully established prior to the effective date of this ordinance	
Hospitals	

Neighborhood assisted residences with six (6) or fewer residents	P
Neighborhood boat launches	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities, on lots where such use was lawfully established prior to the effective date of this ordinance	
Places of worship	P
Post offices	
Protective and emergency services	P
Public libraries	
Public parks and recreation areas, active	P
Public parks and recreation areas, passive	P
Public vehicle storage and maintenance	
Recycling drop-off centers	P
Residential care facilities	
Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance	
Solar energy facilities (solar farms)	
Solid waste disposal areas	
Utilities	
<b><i>Commercial and Business Uses</i></b>	
Adult business	
Ancillary retail use	
Bed and breakfast inns	P
Business and professional offices	
Campgrounds	
Commercial amusements, indoor	
Commercial amusements, outdoor	
Commercial day care	P
Construction industry trades	
Construction sales and services	

Family day care	P
Financial institutions	
Flea markets	
Funeral homes	
General retail sales and services	
Golf courses	P
Golf driving ranges	
Hotels, motels, resorts and spas	
Kennels, commercial	
Limited retail sales and services	
Marinas, commercial	
Marine education and research	
Medical services	
Pain management clinics	
Parking lots and garages	
Recreational vehicle parks	
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance	
Residential storage facilities	
Restaurants, convenience, with drive-through facilities	
Restaurants, convenience, without drive-through facilities	
Restaurants, general	
Shooting ranges	
Shooting ranges, indoor	
Shooting ranges, outdoor	
Trades and skilled services	
Vehicular sales and service	
Vehicular service and maintenance	
Veterinary medical services	
Wholesale trades and services	
<b><i>Transportation, Communication and</i></b>	

<i>Utilities Uses</i>	
Airstrips	P
Airports, general aviation	
Truck stop/travel center	
<i>Industrial Uses</i>	
Composting, where such use was approved or lawfully established prior to March 1, 2003	
Extensive impact industries	
Limited impact industries	
Mining	
Salvage yards	
Yard trash processing	
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002	

**TABLE 3.12.1 (excerpt)**  
**DEVELOPMENT STANDARDS**

<b>C A T</b>	<b>Zoning District</b>	<b>Min. Lot Area (sq. ft.)</b>	<b>Min. Lot Width (ft)</b>	<b>Max. Res. Density (upa)</b>	<b>Max. Hotel Density (upa)</b>	<b>Max. Building Coverage (%)</b>	<b>Max. Height (ft)/(stories)</b>	<b>Min. Open Space (%)</b>	<b>Other Req. (footnote)</b>
A	RE-2A	2 ac.	175	0.50	-	-	30	50	-

**TABLE 3.12.2 (excerpt)**  
**STRUCTURE SETBACKS**

		<b>Front/by story (ft.)</b>				<b>Rear/by story (ft.)</b>				<b>Side/by story (ft.)</b>			
<b>C A T</b>	<b>Zoning District</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
A	RE-2A	30	30	30	30	30	30	30	30	30	30	30	30

## Category C Zoning District Standards

### Sec. 3.411.1. - A-1 Small Farms District.

#### 3.411.1.A. Uses permitted.

In this district, a building or structure or land shall be used for only the following purposes:

1. Any use permitted in the R-2A Two-Family Residential District.
2. Barns, dairies, greenhouses, guesthouse, servants' quarters and other accessory buildings.
3. Truck farming, fruit growing, poultry raising, nurseries and field crops.
4. Roadside stands for the sale of fruit, vegetables and other products produced on the premises thereof.
5. Drive-in theatres, private stables.
6. Commercial radio and/or television transmitting stations, towers, poles, masts, antennas, power plants and the other incidental and usual structures pertaining to such stations. All structures and attachments thereto and appurtenances thereof shall comply with all of the applicable requirements of the Federal Communications Commission and the Civil Aeronautics Board and/or authority. Towers, poles, masts and antennas shall be designed and stamped by a registered engineer or architect to assure the structure, masts, etc., will withstand hurricane force winds.
7. Trailers. The minimum lot size for a trailer shall be 20 acres and there shall be no more than one trailer on any lot. The trailer shall not be located within 100 feet of any property line. The trailer shall be permitted to remain only so long as the principal use of the property is agricultural. The trailer shall only be used as a residence. The trailer shall be screened from view of abutting lots and public streets to a height of six feet, for example, by means of an opaque fence or landscape buffer.
8. Farmer's markets, as defined in Division 2 and pursuant to the requirements set forth in section 3.71.1 of the Land Development Regulations.

#### 3.411.1.B. Required lot area. The required lot area shall not be less than two acres.

#### 3.411.1.C. Minimum yards required.

1. Front: 25 feet.
  2. Rear and side: 25 feet.
  3. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
  4. No structure shall be built within 65 feet of the center line of a designated through-traffic highway.
  5. A minimum setback or yard of 20 feet shall be required adjacent to water frontage.
- (Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 623, pt. 1, 11-5-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 669, pt. 1, 6-28-2005)

## Standards for Amendments to the Zoning Atlas

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).

Section 3.2.E., LDR, Martin County, Fla. (2002), provides the following “Standards for amendments to

the Zoning Atlas”.

1. *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.*
2. *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,***

The subject property is designated for Rural Density residential land use on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The zoning implementation policies and requirements are contained in Article 3, Zoning Regulations, Land Development Regulations. Martin County Code identifies one standard zoning districts, the RE-2A District, as available to implement the Rural Density future land use classification, in addition to the PUD Zoning option.

Policy 4.13A.5.(1) of Chapter 4, Future Land Use Element, of the CGMP addresses the Rural Density land use designation:

*Rural density (one unit per two acres) Rural lands shall be developed at a density of no more than one dwelling unit per two gross acres. This density recognizes the need to concentrate urban development on lands closer to the urban core where intensive facilities and services can be provided cost-effectively. This policy also provides reasonable development options to landowners whose property is on the fringe of secondary urban development in sparsely developed rural or rural suburban areas.*

*All Rural development shall have a maximum building height of 40 feet and maintain at least 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space. Golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the course due to their characteristically high water and nutrient loads. Golf courses may be used in calculating open space as long as 30 percent of the residential area consists of open space. This section shall not apply to construction of a single-family home on a lot of record.*

*Zoning regulations shall provide standards for these areas designed to ensure that development is compatible with the need to preserve their rural character. These standards shall reflect the high value placed on open space, need to preserve wetland areas, function and value of recharge areas, and need to minimize changes in natural hydrology. Standards governing agricultural land conversion in Policy 4.13A.1.(2) shall also be used as criteria in evaluating future plan amendment requests in areas designated for Rural development.*

*One accessory dwelling unit shall be allowed on Rural density lots of at least two acres as follows:*

*(a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.*

*(b) It shall not count as a separate unit for the purpose of density calculations.*

*(c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.*

*(d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.*

This application requests a rezoning of the property to the RE-2A Zoning District, which is the only Category A zoning district created specifically to implement the CGMP policies for lands designated Rural Density Residential on the Future Land Use Map of the CGMP. The criteria within the Land Development Regulations that implement the Comprehensive Plan policies for this land use will be applied through the development review application process at the time development of the site is proposed.

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

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, and no development of the property is proposed as part of this application requesting a rezoning. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County. The subject site is designated as Rural Density on the Future Land Use Map, the specific development standards of which are provided by the Article 3 zoning development standards. Proposed future development of the site will be required to meet all provisions of the LDR through the review of a development review application, with respect to the Land Development Regulation requirements including those related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc. A demonstration of full compliance with applicable County Codes will be required for development review staff to bring forth a recommendation of approval.

***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,***

Pursuant to the Comprehensive Plan policies governing Rural Density future land use, this land use designation recognizes the need to concentrate urban development on lands closer to the urban core where intensive facilities and services can be provided cost-effectively, but provides reasonable development options to landowners whose property is on the fringe of secondary urban development in sparsely developed rural or rural suburban areas. Zoning regulations, and specifically the RE-2A zoning district, provides standards for these areas designed to ensure that development is compatible with the need to preserve their rural character. As shown in the figures contained in Section E below, the subject property is located within and at the boundary of the secondary urban service district. and within an area exhibiting rural characteristics. The site is contiguous with a large area predominantly designated for rural density land use, established via the FLUM between lands designated for agricultural use to the west and more intensive uses to the east such as industrial and low density residential. Additionally, the pattern of development established immediately adjacent to the north of the subject site and in near proximity currently consists of predominantly rural residential uses. Future redevelopment of the existing uses or the vacant lands in proximity to the site will be required to be consistent with the designated rural density land use policies. Therefore, based upon the pattern of the existing development, the consistency with the adjacent existing uses and future land use designations, and the suitability of the site for the proposed zoning, the RE-2A zoning district is the most appropriate zoning district to ensure that the property is developed in a manner compatible with the existing and anticipated character of the area.

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

The requested zoning district of RE-2A is the only standard Category A zoning district that is consistent with the site's future land use designation. This requested zoning district permits rural residential uses consistent with those existing adjacent to the site and in the immediate vicinity. The parcel is located within, and on the boundary of, the secondary urban service district and the required minimum lot sizes of the proposed zoning district are consistent with the designated land use policies and with the rural character and appropriate densities for anticipated availability and/or demands upon available public services. A review of local permitting and historical aerials indicates that the rural residential and agricultural uses established in the area have predominantly been present for over two decades and remain primarily unchanged. Future development in the area will be required to be consistent with the same designated land use policies pursuant to the designated Rural Density future land use. Therefore, the proposed RE-2A zoning is compatible with the existing historical development and is the most appropriate for this property.

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

The subject property is located within the Secondary Urban Services District of the County. The Rural Density land use designation is identified in Policy 4.13.A.5. of the Comprehensive Growth Management Plan (CGMP) as lands allocated for development in a manner intended to protect the value of rural suburban lands located outside the normal economical service radius of intensive (primary) urban services. The Future Land Use Map (FLUM) has designated the subject site for a residential use with a maximum density of 1 unit per 2 acres, which implements policy 4.7B.1., CGMP, which states, "In the Secondary Urban Services District, Martin County shall designate land uses that (1) will provide for the efficient and economical use and extension of urban services, and (2) are consistent with the reduced

intensity of urban services normally associated with densities of one unit per gross acre (Estate Density RE-1A) and one unit per two gross acres (Rural Density).” Sanitary sewer services are not available at the site and the minimum required lot area for residential use per the Rural Density land use classification is consistent with the requirements of the CGMP, Chapter 10 Sanitary Sewer Elements for the utilization of on-site septic disposal and treatment systems. The proposed RE-2A Rural Estate District is consistent with the appropriate densities and public services available at the base level of service adopted in the Capital Improvements Element for lands located within the Secondary Urban Service District. Any proposed development for the site would be required to demonstrate that adequate public services are accommodated and reserved for the proposed use in conformance with the Land Development Regulations and Comprehensive Growth Management Plan requirements at the time of development review prior to a recommendation of approval from Staff for any development of the site.

- 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,*

This rezoning action does not authorize any development and redevelopment of this site will be subject to Growth Management and Building department and zoning review prior to authorization of construction. The subject site has been designated for Rural Density future land use on the Future Land Use Map of the Comprehensive Growth Management Plan. Therefore, the use of the site for development in accordance with the requirements for Rural Density land use, and with the requested RE-2A zoning district, which implements the Rural Density land use goals, has been established on the site in addition to property adjacent to the site. The extension of this pattern to the subject property through the assignment of the requested RE-2A zoning district is suitable, contemplated and supported by the CGMP.

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

The subject application requires a public hearing before the Local Planning Agency, who will make a recommendation on the request; and, before the Board of County Commissioners, who will take final action on the request. The two hearings will provide the public an opportunity to participate in the review and decision making process.

### **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:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Catherine Riiska	288-5667	Comply
G	Development Review	Catherine Riiska	288-5667	Comply
H	School Board	Kimberly Everman	223-3105	Comply
I	County Attorney	Krista Storey	288-5443	Review Ongoing
J	Adequate Public Facilities	Catherine Riiska	288-5667	Exempt

#### D. Review Board action

Pursuant to Sections 10.1.D., 10.4.A.1., and 10.5.A.1., LDR, Martin County, Fla. (2016), applications for a zoning map change requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency (LPA) who will make a recommendation on the request pursuant to Section 10.4.A.1, LDR, Martin County, Fla. (2016). This hearing has been scheduled for June 20, 2019.

The second public hearing shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Section 10.5.A.1., LDR, Martin County, Fla. (2016). This hearing has been scheduled for July 30, 2019.

Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, Martin County, Fla. (2019), 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. Location and site information

Parcel number(s) and address:

323942000000001636	Unaddressed
323942000000001306	Unaddressed
313942000001000101	Unaddressed
313942000001000307	Unaddressed
313942000001000316	Unaddressed
Existing Zoning:	A-1, Small Farms
Future land use:	Rural Density
Future land use:	Rural Density
Gross area of site:	17.12 acres

**Figure 1: Location Map**



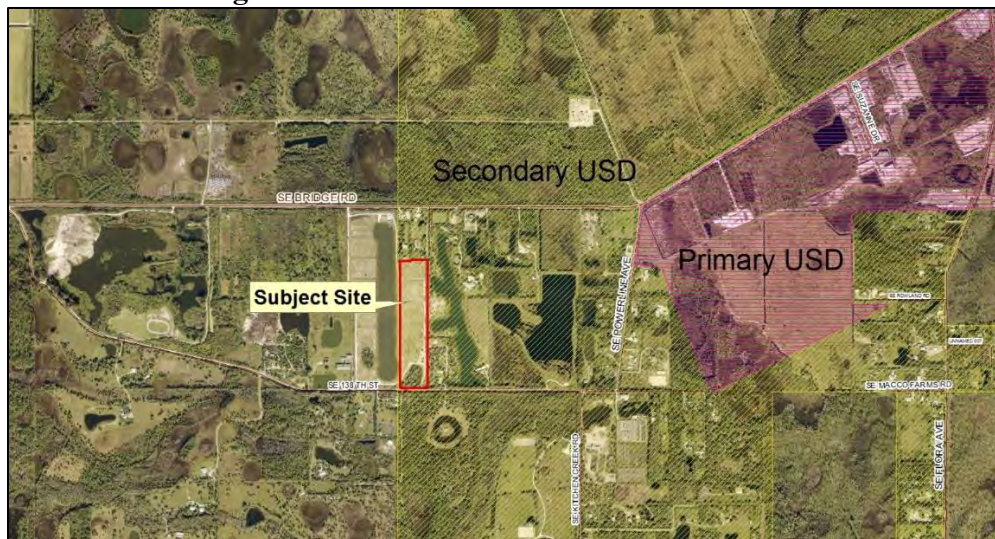
**Figure 2: Subject Site 2018 Aerial**



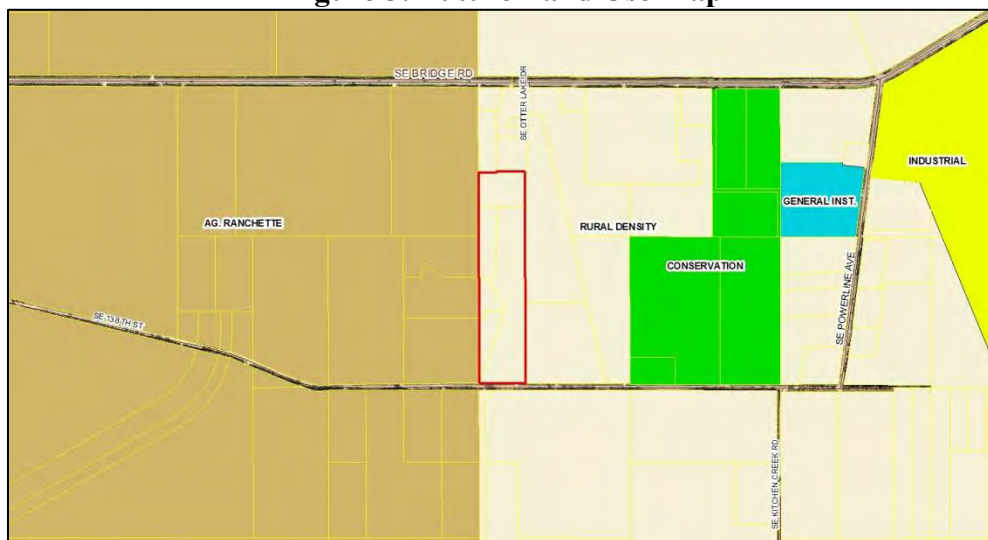
**Figure 3: Local Area 2018 Aerial**



**Figure 4: Urban Service District Boundaries**



**Figure 5: Future Land Use Map**



**Figure 6: Zoning Map**



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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

## **Additional Information:**

### **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 10.12) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. 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.

### **Information #2:**

Notice(s) of public hearings regarding development applications shall be published at least 14 days prior to the date of the public hearing (seven calendar days if the application is being expedited pursuant to section 10.12) in the legal advertisement section of a newspaper of general circulation in Martin County. The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application. [Section 10.6.D., LDR, MCC]

## ***H. Determination of compliance with Martin County Health Department and Martin County School Board***

### **Martin County School Board**

The School Board staff has reviewed this application for compliance with Florida Statutes, Martin County code and School Board Policy and has no objection to this application. The General School Capacity Analysis has identified a deficiency of school capacity, which would be addressed at the time development is proposed for the site. The General School Capacity Analysis is provided as Exhibit 1 to this report.

## ***I. Determination of compliance with legal requirements - County Attorney's Office***

### **Review Ongoing**

## ***J. 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.

### ***K. Post-approval requirements***

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.

#### **Item #1:**

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.

#### **Item #2:**

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.

### ***L. Local, State, and Federal Permits***

There are no Local, State, or Federal Permits applicable to this request to amend the Zoning Atlas.

### ***M. Fees***

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$1,000.00	\$1,000.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	N/A		
Non-mandatory impact fees:	N/A		

\* Advertising fees will be determined once the ads have been placed and billed to the County.

\*\* Recording fees will be identified on the post approval checklist.

### ***N. General application information***

Applicant: BR 24, LLC  
Ed Hickey, Managing Member  
13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

Agent: Lucido and Associates  
Morris A. Crady  
701 SE Ocean Boulevard  
Stuart, FL 34994  
772-220-2100  
[mcrady@lucidodesign.com](mailto:mcrady@lucidodesign.com)

## ***O. 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/Waste Water Service Agreement

## ***P. Attachments***

**Exhibit 1** – Martin County School Board General School Capacity Analysis

## Martin County School District

### General School Capacity Analysis

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

**Applicant/Project:** BR 24 LLC Rezoning  
**Project#:** B121-003  
**Date:** 5/17/19  
**Applicant Request:** A request for Rezoning only

#### Student Generation Calculation:

Residential Units	5
Current Student Generation Rate	.229
Elementary	1
Middle	0
High	0
Total Forecasted	1

#### School Zone Enrollment & Permanent Capacity:

CSA	2019-2020 (as of 10/12/18) Enrollment	2022-2023 COFTE Projected Enrollment	2022-2023 Perm. FISH Capacity
South Zone – Elementary (Hobe Sound, Seawind & Crystal Lake)	1810	1764	2151
South Zone – Middle (Anderson Middle, Murray Middle)	1784	1729	2136
South Zone – High School (South Fork)	1938	1865	1699

Note: Current Enrollment reported from FOCUS, Projections through School District CIP Application

#### Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that the elementary and middle schools currently have capacity, but the high school level is projected to exceed the permanent capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units. At that time mitigation to reach Level of Service (LOS) standards for the School District may need to be remedied.

Prepared by: **Kimberly Everman, Capital Projects Planning Specialist**  
Phone: 772-223-3105, ext. 134  
Email: evermak@martin.k12.fl.us



**TRANSMITTAL  
(VIA HAND DELIVERY)**

<b>Date:</b>	May 2, 2019		
<b>To:</b>	Catherine Riiska Martin County Growth Management Dept.		
<b>From:</b>	Morris A. Crady, AICP		
<b>Subject:</b>	BR 24 LLC Mandatory Rezoning Application (B121- 003)	<b>Project No.</b>	19-105

In response to the attached completeness letter dated May 1, 2019, please find enclosed the application fee check in the amount of \$1,000, the original application package and a CD with PDF copies of the application.

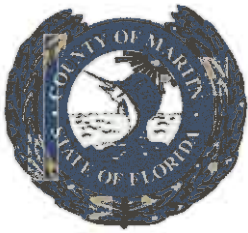
The items needing additional attention have been addressed as follows:

**Item #1: Application** – The new application form is included.

**Item #2: Digital submission affidavit** – The County's new form is included.

**Item #3: Land dedication documentation** – This is not a requirement for a rezoning application. Should a land dedication be required in the future, it will be processed simultaneously with a final site plan application.

If you have any questions or need additional information, please feel free to contact me or my assistant, Shirley Lyders.



# MARTIN COUNTY

## BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

**DOUG SMITH**

Commissioner, District 1

**STACEY HETHERINGTON**

Commissioner, District 2

**HAROLD E. JENKINS II**

Commissioner, District 3

**SARAH HEARD**

Commissioner, District 4

**EDWARD V. CIAMPI**

Commissioner, District 5

**TARYN KRYZDA, CPM**

County Administrator

**KRISTA A. STOREY**

Acting County Attorney

**TELEPHONE**

(772) 288-5400

**WEBSITE**

[www.martin.fl.us](http://www.martin.fl.us)

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May 1, 2019

Mr. Morris Crady  
Lucido & Associates  
701 SE Ocean Blvd.  
Stuart, FL 34994

Application No: DEV2019040012  
Project Number: B121-003

RE: Completeness Review  
BR 24 LLC REZONING

Dear Mr. Crady,

The above referenced application has been determined to be complete for review by the County. Catherine Riiska will be the County's project coordinator for this request. As such, please direct all future questions and correspondence to her attention.

Although the review was determined complete, the following items need additional attention.

**Item #1: APPLICATION:** Please use the new application form.

Comments: Please use the updated application form available on the county website at [www.martin.fl.us/devrev](http://www.martin.fl.us/devrev).

**Item # 2: AFFIDAVIT:** Complete the affidavit for digital submission.

Comments: Please use the updated form available on the county website at [www.martin.fl.us/devrev](http://www.martin.fl.us/devrev).

**Item #3:** If available, land dedication documentation.

Comments: Required. Please provide.

At this time, please submit the full application with a bookmarked disc and an extra set of plans, along with an application fee in the amount of **\$1,000.00** (check payable to Martin County Board of County Commissioners) to the Growth Management Department, Development Review Division. Each set must duplicate the application submitted for this completeness review. Each set must contain original signed and sealed documents. The review of the application will commence the date after the project coordinator distributes the copies to the various agencies and individuals who participate in the review process for this application. At the end of the review period, you will be provided with a copy of a completed staff report for this application.

In the meantime, it is required that a sign be erected on the subject property. The project number **B121-003** must be included on the sign(s). Prior to preparing your sign, please read Section 10.6 Article 10 L.D.R., which contains the required information that must be on the sign. Please provide documentation (i.e., photograph and certification to the project coordinator) that the property has been posted in accordance to the notification requirements.

Sincerely,

A handwritten signature in cursive script that reads "Nicki van Vonno".

Nicki van Vonno, AICP  
Growth Management Director

NvV:CR:kk

cc: Mr. Ed Hickey, BR 24 LLC, 13451 SE Otter Lake Drive, Hobe Sound. FL 33455



April 24, 2019

HAND DELIVERY

Nicki van Vonno, Director  
Martin County Growth Management Department  
2401 SE Monterey Road  
Stuart, FL 34996

**Re: BR 24 LLC – Mandatory Rezoning Application with Certificate of Public Facilities  
Exemption (Our ref. #19-105)**

Dear Nicki:

We are pleased to submit this application for a mandatory rezoning from A-1 to RE-2A. As more specifically described in the enclosed project narrative, the approximately 17-acre tract is designated for Rural Density future land use and zoned A-1. To bring the zoning into conformity with the future land use designation, a mandatory rezoning to RE-2A is required. This finding was confirmed at a pre-application workshop on March 28, 2019.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials:

1. Application form;
2. Digital submittal affidavit;
3. Project narrative;
4. The owner's notarized power of attorney for representation by Lucido & Associates;
5. The Disclosure of Interest Affidavit;
6. The recorded deed documenting ownership by BR 24 LLC;
7. The no transfer statement;
8. The sketch and legal description;
9. Aerial map;
10. Parcel assessment map;
11. Future land use map;
12. Zoning map; and
13. School impact worksheet.

The list of surrounding property owners will be provided prior to the public hearing.

Upon a determination of completeness, we will submit the mandatory application fee in the amount of \$1,000.00.

Please feel free to contact me or my assistant, Shirley Lyders, if you have any questions or comments.

Sincerely,

Morris A. Crady, AICP  
Senior Vice President



**Martin County, Florida**  
**Growth Management Department**  
**DEVELOPMENT REVIEW DIVISION**  
 2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

## DEVELOPMENT REVIEW APPLICATION

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### A. GENERAL INFORMATION

**Type of Application:** Zoning Change

**Name or Title of Proposed Project:** BR 24 LLC

#### Brief Project Description:

A MANDATORY REZONING FROM A-1 TO RE-2A FOR THIS 17-ACRE PARCEL DESIGNATED RURAL DENSITY IS REQUIRED TO MAINTAIN CONSISTENCY WITH THE LDR AND COMPREHENSIVE PLAN.

**Was a Pre-Application Held?** ☒ YES/NO ☐ **Pre-Application Meeting Date:** 3-28-19

**Is there Previous Project Information?** ☐ YES/NO ☒

**Previous Project Number if applicable:** \_\_\_\_\_

**Previous Project Name if applicable:** \_\_\_\_\_

#### Parcel Control Number(s)

31-39-42-000-001-00030-7

31-39-42-000-001-00010-1

32-39-42-000-000-00163-6

31-39-42-000-001-00031-6

32-39-42-000-000-00130-6


### B. PROPERTY OWNER INFORMATION

**Owner (Name or Company):** BR 24 LLC

**Company Representative:** ED HICKEY, MANAGING MEMBER

**Address:** 13451 SE OTTER LAKE DRIVE

**City:** HOBE SOUND, **State:** FL **Zip:** 33455

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

This Document Prepared By and Return to:  
Frederick G. Sundheim, Jr.  
Oughterson, Sundheim & Associates, P.A.  
310 S.W. Ocean Blvd.  
Stuart, FL 34994

INSTR # 2037407  
OR BK 02277 FG 0079  
Pgs 0079 - 80; (2pgs)  
RECORDED 09/07/2007 02:26:45 PM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
DEED DOC TAX 2,846.90  
RECORDED BY J Murray

Parcel ID Number: 31-39-42-000-001-00030-70000

# Warranty Deed

This Indenture, Made this 29th day of August, 2007 A.D., Between  
Guy Haggard and Katherine Haggard, husband and wife

of the County of Orange, State of Florida, grantors, and  
BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, Coral Gables, FL 33156

of the County of Miami-Dade, State of Florida, grantee.

**Witnesseth** that the GRANTORS, for and in consideration of the sum of  
-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Martin State of Florida to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**


THIS PROPERTY IS VACANT LAND AND DOES NOT CONSTITUTE THE GRANTOR'S HOMESTEAD  
NOR IS IT CONTIGUOUS THERETO.


Subject to all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31,  
2006.

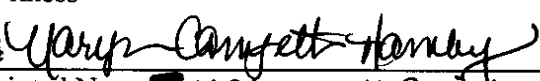
and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

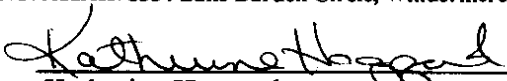
**In Witness Whereof**, the grantors have hereunto set their hands and seals the day and year first above written.

**Signed, sealed and delivered in our presence:**

  
Printed Name: JUSTIN LUNA  
Witness

  
Guy Haggard (Seal)  
P.O. Address: 8334 Lake Burden Circle, Windermere, FL 34786

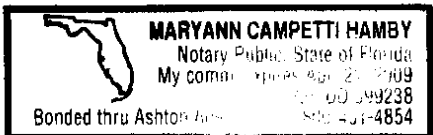
  
Printed Name: MARYANN CAMPETTI HAMBY  
Witness

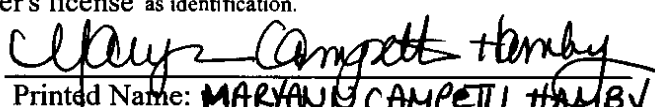
  
Katherine Haggard (Seal)  
P.O. Address: 8334 Lake Burden Circle, Windermere, FL 34786

STATE OF Florida  
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 29th day of August, 2007 by  
Guy Haggard and Katherine Haggard, his wife

who are personally known to me or who have produced their Florida driver's license as identification.



  
Printed Name: MARYANN CAMPETTI HAMBY  
Notary Public  
My Commission Expires:

## EXHIBIT "A"

### LEGAL DESCRIPTION

Being a portion of the East half of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the West Half of the Southwest quarter of the Northwest quarter of Section 32. All in Township 39 South, Range 42 East; Martin County, Florida, being more particularly described as follows: Commence at the Southwest corner of the said East half of the Southeast quarter of the Northeast quarter; thence run N 00 deg 21'08" E along the west line of the said East half, for a distance of 604.00 feet, to the point of beginning, of the parcel of land hereinafter described: thence continue N 00 deg 21'08" E along the last described course, for a distance of 360.00 feet; thence run S 89 deg 27'31" E along a line 964.00 feet North of and parallel with as measured on the perpendicular to the South line of the said Southeast quarter of the Northeast quarter, for a distance of 165.00 feet; thence run N 00 deg 21'08" E, along a line 165.00 feet East of and parallel with, as measured on the perpendicular to the said West line, for a distance of 92.72 feet, to the point of curvature of a circular curve to the right, having a radius of 25.00 feet, a central angle of 128 deg 48'29" for an arc distance of 56.20 feet, to the point of tangency; thence run S 50 deg 50'23" E, for a distance of 179.98 feet; thence run S 89 deg 27'31" E, along a line 964.00 feet North of and parallel with as measured on the perpendicular to the said South line, for a distance of 360.50 feet; thence run S 50 deg 50'23" E, for a distance of 63.21 feet; thence run S 27 deg 53'40" E, for a distance of 288.57 feet; thence run N 89 deg 23'10" W, along a line 671.08 feet North of and parallel with as measured on the perpendicular to the South line of the said West half of the Southwest quarter of the Northwest quarter, for a distance of 180.53 feet; thence run S 00 deg 16'52" W, along a line 48.57 feet east of and parallel with as measured on the perpendicular to the West line of the said West half of the Southwest quarter of the Northwest quarter, for a distance of 67.02 feet; thence run N 89 deg 27'31" W, along a line 604.00 feet North of and parallel with as measured on the perpendicular to the said South line and it's Easterly prolongation, for a distance of 711.80 feet, to the Point of Beginning. Together with an easement for ingress-egress over the following described property: The West 50.00 feet of the Northwest quarter of the Northwest quarter, less the North 1091.00 feet, lying South of the South right of way line of State Road No. 708; and the West 50.00 feet of the North 50.00 feet of the Southwest quarter of the Northwest quarter, all in Section 32; and together with the North 50.00 feet and the West 50.00 feet of the East half of the Southeast quarter of the Northeast quarter of Section 31, all in Township 39 South, Range 42 East, Martin County, Florida.

This Document Prepared By and Return to:  
Frederick G. Sundheim, Jr.  
Oughterson, Sundheim & Associates, P.A.  
310 S.W. Ocean Blvd.  
Stuart, FL 34994

Parcel ID Number: 31-39-42-000-001-00010-1

## Warranty Deed

This Indenture, Made this 30 day of August, 2007 A.D., **Between**  
**Mark Bozicevic and Joy Bozicevic, husband and wife, as to an undivided 1/3 interest**  
of the County of PALM BEACH, State of Florida, **, grantors, and**  
**BR 24, LLC, a Florida limited liability company**  
whose address is: 9231 School House Road, CORAL GABLES, FL 33156  
of the County of MIAMI-DADE, State of Florida, **, grantee.**  
**Witnesseth** that the GRANTORS, for and in consideration of the sum of \_\_\_\_\_ DOLLARS,  
\_\_\_\_\_ **TEN DOLLARS (\$10)** and other good and valuable consideration to GRANTEES in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Martin State of Florida to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS  
NOT GRANTOR'S HOMESTEAD NOR CONTIGUOUS THERETO.

Subject to all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31,  
2006.

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

**In Witness Whereof**, the grantors have hereunto set their hands and seals the day and year first above written.

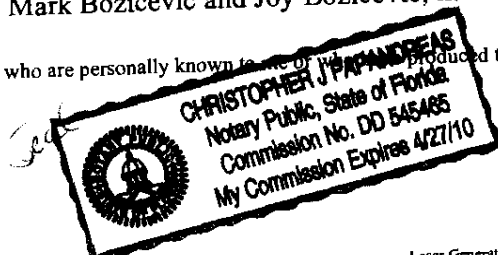
**Signed, sealed and delivered in our presence:**

**JEFF** Jeff Kendall (Seal)  
Printed Name: JEFF KENDALL  
Witness #1 P.O. Address: 8814 Wendy Lane South, West Palm Beach, FL 33411  
**Joy** Joy Bozicevic (Seal)  
Printed Name: Megan Powell  
Witness #2 P.O. Address: 8814 Wendy Lane South, West Palm Beach, FL 33411

**STATE OF** Florida  
**COUNTY OF** PALM BEACH

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of August, 2007 by  
**Mark Bozicevic and Joy Bozicevic, husband and wife**

who are personally known to me or who produced their Florida driver's license as identification.



Christopher J. Papandreas  
Printed Name: Christopher J. Papandreas  
Notary Public  
My Commission Expires: April 27, 2010

## EXHIBIT "A"

### LEGAL DESCRIPTION

Being a portion of the East Half of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the West Half of the South 3/4 of the Northwest Quarter of Section 32, all in Township 39 South, Range 42 East; Martin County, Florida, being more particularly described as follows: Begin at the Northwest corner of the East half of the Southeast quarter of the Northeast quarter; thence run S 89 deg 35'44" E, along the North line of said East half of the Southeast quarter of the Northeast quarter for a distance of 662.33 feet, to the Northeast corner of the said East half of the Southeast quarter of the Northeast quarter; thence run N 00 deg 16'52" E, along the West line of the said South 3/4 of the Northwest quarter, for a distance of 256.01 feet; thence run S 89 deg 17'27" E, along a line 1041.00 feet south of and parallel with as measured perpendicular to the South right-of-way line of State Road No. 708, for a distance of 174.45 feet; thence run S 03 deg 18'15" W, for a distance of 595.09 feet; thence run S 39 deg 09'37" W, for a distance of 80.00 feet; thence run N 50 deg 50'23" W for a distance of 63.21 feet; thence run N 89 deg 27'31" W, along a line 964.00 feet north of and parallel with as measured perpendicular to the South line of the said East half of the Southeast quarter of the Northeast quarter for a distance of 360.50 feet; thence run N 50 deg 50'23" W, for a distance of 179.98 feet, to the point of curvature of a circular curve to the left; having a radius of 25.00 feet, a central angle of 128 deg 48'29", for an arc distance of 56.20 feet to the point of tangency; thence run S 00 deg 21'08" W, along a line 165.00 feet east of and parallel with as measured perpendicular to the west line of the said east half of the Southeast quarter Northeast quarter, for a distance of 92.72 feet; thence run N 89 deg 27'31" W, along a line 964.00 feet north of and parallel with as measured perpendicular to the said South line, for a distance of 165.00 feet; thence run N 00 deg 21'08" E, along the said West line, for a distance of 360.38 feet, to the Point of Beginning. Together with an Easement for ingress-egress over the following described property: The West 50.00 feet of the Northwest quarter of the Northwest quarter, less the North 1091.00 feet, lying south of the South right of way line of State Road No. 708; and the West 50.00 feet of the North 50.00 feet of the Southwest quarter of the Northwest Quarter, all in Section 32; and together with the North 50.00 feet and the West 50.00 feet of the East half of the Southeast quarter of the Northeast quarter of Section 31, Township 39 South, Range 42 East, Martin County, Florida.

R-1850  
DS-1400-

INSTR # 2112020  
OR BK 02356 PG 0988  
Pgs 0988 - 989 (2pgs)  
RECORDED 10/17/2008 02:24:47 PM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
DEED DOC TAX 1,400.00  
RECORDED BY K Wintercorn

This Document Prepared By and Return to:  
Frederick G. Sundheim, Jr.  
Oughterson, Sundheim & Associates, P.A.  
310 S.W. Ocean Blvd.  
Stuart, FL 34994

Parcel ID Number: 32-39-42-000-000-00163-60000

# Warranty Deed

This Indenture, Made this 8th day of October, 2008 A.D., Between  
Lloyd L. Lolmaugh and Evelyn M. Lolmaugh, husband and wife

of the County of Martin, State of Florida, grantors, and  
BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, CORAL GABLES, FL 33156

of the County of MIAMI-DADE, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Martin State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to all restrictions, reservations and easements of record, if any, and  
taxes subsequent to December 31, 2007.

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS NOT  
GRANTOR'S HOMESTEAD.

Unofficial Copy

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Beverly Inciardi  
Printed Name: Beverly Inciardi  
Witness

Lloyd L. Lolmaugh (Seal)  
Lloyd L. Lolmaugh  
P.O. Address: 6116 SE Bridge Road, Hobe Sound, FL 33455

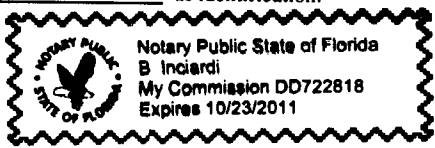
Frederick G. Sundheim, Jr.  
Printed Name: Frederick G. Sundheim, Jr.  
Witness

Evelyn M. Lolmaugh (Seal)  
Evelyn M. Lolmaugh  
P.O. Address: 6116 SE Bridge Road, Hobe Sound, FL 33455

STATE OF Florida  
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 8th day of October, 2008 by  
Lloyd L. Lolmaugh and Evelyn M. Lolmaugh, husband and wife

who are personally known to me or who have produced their FL D's  
as identification.



Beverly Inciardi  
Printed Name: Beverly Inciardi  
Notary Public  
My Commission Expires: 10/23/2011

Title No.: H-70C / 430800487

**LEGAL DESCRIPTION  
EXHIBIT "A"**

From the point of intersection of the West section line of Section 32, Township 39 South, Range 42 East, and the Southerly right of way line of State Road 708 (said point being 37 feet, more or less, South of the Northwest corner of Section 32, Township 39 South, Range 42 East); thence run South along the West line of said Section, 742 feet to the Point of Beginning and the Northwest corner of the parcel herein described; from said point of beginning, continue thence South along the West line of said Section 32, a distance of 299 feet to a point; thence Easterly parallel to the South right of way line of the aforesaid State Road 708, a distance of 405 feet to a point; thence Northerly and parallel to the West line of Section 32, a distance of 315 to a point; thence Westerly parallel to said South right of way of State Road 708, a distance of 244 feet to a point; thence South parallel to the West line of Section 32, a distance of 16 feet to a point; thence Westerly parallel to said right of way line of State Road 708 for a distance of 161 feet to the Point of Beginning.

Together with easement for ingress and egress over and across the following:

Commencing at the point of intersection between the West line of Section 32, Township 39 South, Range 42 East and the Southerly right of way line of State Road 708, (said point being 37 feet South of the Northwest corner of said Section 32); thence run East along the South line of State Road 708 for a distance of 400 feet to the Point of Beginning; Thence run South 75 feet; thence East 5 feet; thence South 651 feet; thence East 25 feet; thence North 726 feet to the South line of State Road 708; thence West along said South line 30 feet to the Point of Beginning.

R-1850  
DS-2870-02

INSTR # 2184095  
OR BK 02428 PG 0784  
Pgs 0784 - 785 (2pgs)  
RECORDED 12/17/2009 04:27:49 PM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
DEED DOC TAX 2,870.00  
RECORDED BY C Hunter

This Document Prepared By and Return to:  
Frederick G. Sundheim, Jr.  
Oughterson, Sundheim & Associates, P.A.  
310 S.W. Ocean Blvd.  
Stuart, FL 34994  
(772) 287-0660

Parcel ID Number: 31-39-42-000-001-00031-60000

# Warranty Deed

This Indenture, Made this 7 day of December, 2009 A.D., Between Gary Mahler and Deidre Mahler, husband and wife

of the County of Palm Beach, State of Florida, grantors, and BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, CORAL GABLES, FL 33156

of the County of MIAMI-DADE, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of TEN DOLLARS (\$10) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Martin, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31, 2009.

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS NOT GRANTOR'S HOMESTEAD NOR CONTIGUOUS THERETO.

Unofficial Copy

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever. In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
Printed Name: ROBERT GEYER  
Witness

[Signature] (Seal)  
Gary Mahler  
P.O. Address: 11965 N. Lake Drive, Boynton Beach, FL 33436

[Signature]  
Printed Name: CAROLYN S. KETTLE  
Witness

[Signature] (Seal)  
Deidre Mahler  
P.O. Address: 11965 N. Lake Drive, Boynton Beach, FL 33436

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 8 day of December, 2009 by Gary Mahler and Deidre Mahler, husband and wife

who are personally known to me or who have produced their \_\_\_\_\_ as identification.

(Seal)



CAROLYN S. KETTLE  
MY COMMISSION # DD 744876  
EXPIRES: January 17, 2012  
Bonded Thru Budget Notary Services

[Signature]  
Printed Name: CAROLYN S. KETTLE  
Notary Public  
My Commission Expires: 1-17-12

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Being a portion of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the Southwest quarter of the Northwest quarter of Section 32, all in Township 39 South, Range 42 East, Martin County, Florida, more particularly described as follows:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of the said Northeast quarter; thence run North 00 degrees 21' 08" East along the West line of the said Southeast quarter of the Southeast quarter of the Northeast quarter for a distance of 33.00 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 00 degrees 21' 08" East along the last described course for a distance of 571.00 feet; thence run South 89 degrees 27' 31" East along a line 604.00 feet North of and parallel with as measured on the perpendicular to the South line of the said Southeast quarter of the Northeast quarter and its Easterly prolongation for a distance of 711.80 feet; thence run North 00 degrees 16' 52" East along a line 48.57 feet East of and parallel with as measured on the perpendicular to the West line of the said Southwest quarter of the Northwest quarter for a distance of 67.02 feet; thence run South 89 degrees 23' 10" East along a line 671.08 feet North of and parallel with as measured on the perpendicular to the South line of the said Northwest quarter for a distance of 180.53 feet; thence run South 20 degrees 04' 11" West for a distance of 676.72 feet; thence run North 89 degrees 27' 31" West along a line 33.00 feet North of and parallel with as measured on the perpendicular to the said South line of the Southeast quarter of the Southeast quarter of the Northeast quarter for a distance of 663.93 feet, to the Point of Beginning, containing 10.3017 acres, more or less.

Less the South 50.00 feet for road puposes, (of the Southeast quarter of the Southeast quarter of the Northwest quarter of said Section 31) per certified copy of minutes of meeting of Board of County Commissioners, Martin County, Florida, as of September 3, 1940; recorded in Deed Book 10, Page 407.

Containing in all, 10.0413 acres or 437,397 square fee, more or less.

K-1850  
DS-4550-

INSTR # 2190830  
OR BK 02435 PG 1028  
Pgs 1028 - 1029 (2pgs)  
RECORDED 02/05/2010 01:40:50 PM  
MARSHA EWING  
CLERK OF MARTIN COUNTY FLORIDA  
DEED DOC TAX 4,550.00  
RECORDED BY C Hunter

Prepared by and return to:  
Frederick G. Sundheim, Jr.  
Attorney at Law  
Oughterson, Sundheim & Associates, P.A.  
310 SW Ocean Blvd.  
Stuart, FL 34994  
772-287-0660  
File Number: H-116C  
Will Call No.: 12

Parcel Identification No. 32-39-42-000-000-00130-6

[Space Above This Line For Recording Data]

# Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 27 day of January, 2010 between Mark Bozicevic and Joy Bozicevic, husband and wife whose post office address is 8814 S. Wendy Lane, West Palm Beach, FL 33411 of the County of Palm Beach, State of Florida, grantor\*, and BR 24, LLC, a Florida limited liability company whose post office address is 9231 School House Road, Miami, FL 33156 of the County of Miami-Dade, State of Florida, grantee\*,

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Subject to taxes for 2010 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

-W- [Signature]  
Witness Name: B. INCARDI

X [Signature] (Seal)  
Mark Bozicevic

-W- [Signature]  
Witness Name: FRED SUNDHEIM JR

X [Signature] (Seal)  
Joy Bozicevic

N- State of Florida  
County of Martin

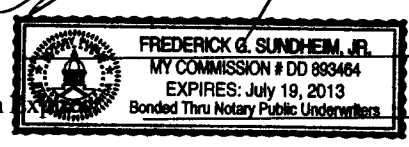
The foregoing instrument was acknowledged before me this 27 day of January, 2010 by Mark Bozicevic and Joy Bozicevic, who [ ] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

[Signature]  
Notary Public

Printed Name:

My Commission



## Exhibit A

BEING A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; MARTIN COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 32; THENCE RUN S 89° 23' 10" E, ALONG THE SOUTH LINE OF THE SAID NORTHWEST QUARTER, FOR A DISTANCE OF 405.00 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 404.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE WEST LINE OF THE SAID NORTHWEST QUARTER, FOR A DISTANCE OF 33.00 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN-AFTER DESCRIBED: THENCE CONTINUE N 00° 16' 52" E, ALONG THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 1470.53 FEET; THENCE RUN N 45° 16' 52" E, FOR A DISTANCE OF 77.78 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 459.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 289.69 FEET; THENCE RUN N 45° 16' 52" E, FOR A DISTANCE OF 35.45 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 484.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 538.85 FEET; THENCE RUN S 89° 17' 27" E, ALONG THE WESTERLY PROLONGATION OF THE SOUTH PROPERTY LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 168, PAGE 363, FOR A DISTANCE OF 5.00 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 489.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 210.00 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 708; THENCE RUN N 89° 17' 27" W, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 60.00 FEET; THENCE RUN S 00° 16' 52" W, ALONG A LINE 429.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 726.67 FEET; THENCE RUN N 89° 17' 27" W, FOR A DISTANCE OF 25.00 FEET; THENCE RUN S 00° 16' 52" W, ALONG A LINE 404.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 315.00 FEET; THENCE RUN N 89° 17' 27" W, ALONG A LINE 1041.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 708, FOR A DISTANCE OF 230.55 FEET, TO A POINT: (HEREINAFTER REFERRED TO AS POINT "A") THENCE RUN S 03° 18' 15" W, FOR A DISTANCE OF 595.09 FEET; THENCE RUN S 39° 09' 37" W, FOR A DISTANCE OF 80.00 FEET; THENCE RUN S 27° 53' 40" E, FOR A DISTANCE OF 288.57 FEET; THENCE RUN S 20° 04' 11" W, FOR A DISTANCE OF 676.72 FEET; THENCE RUN S 89° 23' 10" E, ALONG A LINE 33.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID SOUTH LINE OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 405.00 FEET, TO THE POINT OF BEGINNING.  
CONTAINING 10.8765 ACRES (473,779 SQ. FT.) MORE OR LESS.

Parcel Identification Number: 32-39-42-000-000-00130-6

To the best of my knowledge and belief, there has been no transfer of the subject property since the deeds into BR 24 LLC were recorded in the public records of Martin County, Florida.

DATED THIS 24<sup>th</sup> DAY OF April, 2019.

  
Morris A. Crady

STATE OF FLORIDA  
COUNTY OF MARTIN

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 24<sup>th</sup> DAY OF April, 2019 BY MORRIS A. CRADY, WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES:



# SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)

COUNTY ROAD NO. 708  
(S.E. BRIDGE ROAD)

(100' RIGHT-OF-WAY)

POINT OF  
COMMENCEMENT  
N.W. CORNER  
SECTION 32-39-42

N. LINE 32-39-42

WEST LINE SECTION 32

S00°13'13"E 771.19'

31-39-42-000-001-00000-3

N00°12'23"W  
16.00'

S89°46'42"E  
161.54'

S89°46'42"E  
243.93'

POINT OF BEGINNING

32-39-42-000-000-00163-6

32-39-42-000-000-00131-5

SOUTH LINE NW1/4, NW1/4 SECTION 32  
NORTH LINE SW1/4, NW1/4 SECTION 32

31-39-42-000-001-00010-1

N00°13'13"W 1830.93'

31-39-42-000-001-00010-1

32-39-42-000-000-00130-6

S00°12'22"E 1846.26'

31-39-42-000-001-00030-7

WEST LINE SECTION 32

31-39-42-000-001-00031-6

31-39-42-000-001-00031-6

RIGHT-OF-WAY  
DEEDED TO  
MARTIN COUNTY

N89°52'24"W  
405.00'

SOUTH LINE NW1/4 SECTION 32

S.E. 138TH STREET  
(100' RIGHT-OF-WAY)

## LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)



FLORIDA REGISTRATION #5102

CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CHRISTIAN FENEX AND ASSOCIATES, LLC  
PROFESSIONAL SURVEYING AND MAPPING

ENVIRONMENTAL CONSULTING

3401 SW 72ND AVE., PALM CITY, FLORIDA

P.O. BOX 2533, PALM CITY, FL 34991

PH.(772)283-2977 EMAIL FENEXC@BELLSOUTH.NET

LICENSED BUSINESS # 6858

DRAWING DATE

04/01/19

F.B.

folder

PG.

SCALE

1" = 300'

W.O.#

216039

SKETCH NO.  
216039\_sketch&description.dwg

# Martin County, FL

SE Bridge RD

SE Otter  
Lake DR

SE 138 TH ST

0 940 Feet

Date: 4/2/2019  
This Geographic Information System Map Product, received from Martin County (COUNTY) in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
Copyright: Copyright 2015



# Martin County, FL

SE Bridge RD

SE Otter  
Lake DR

SE 138 TH ST

0 940 Feet

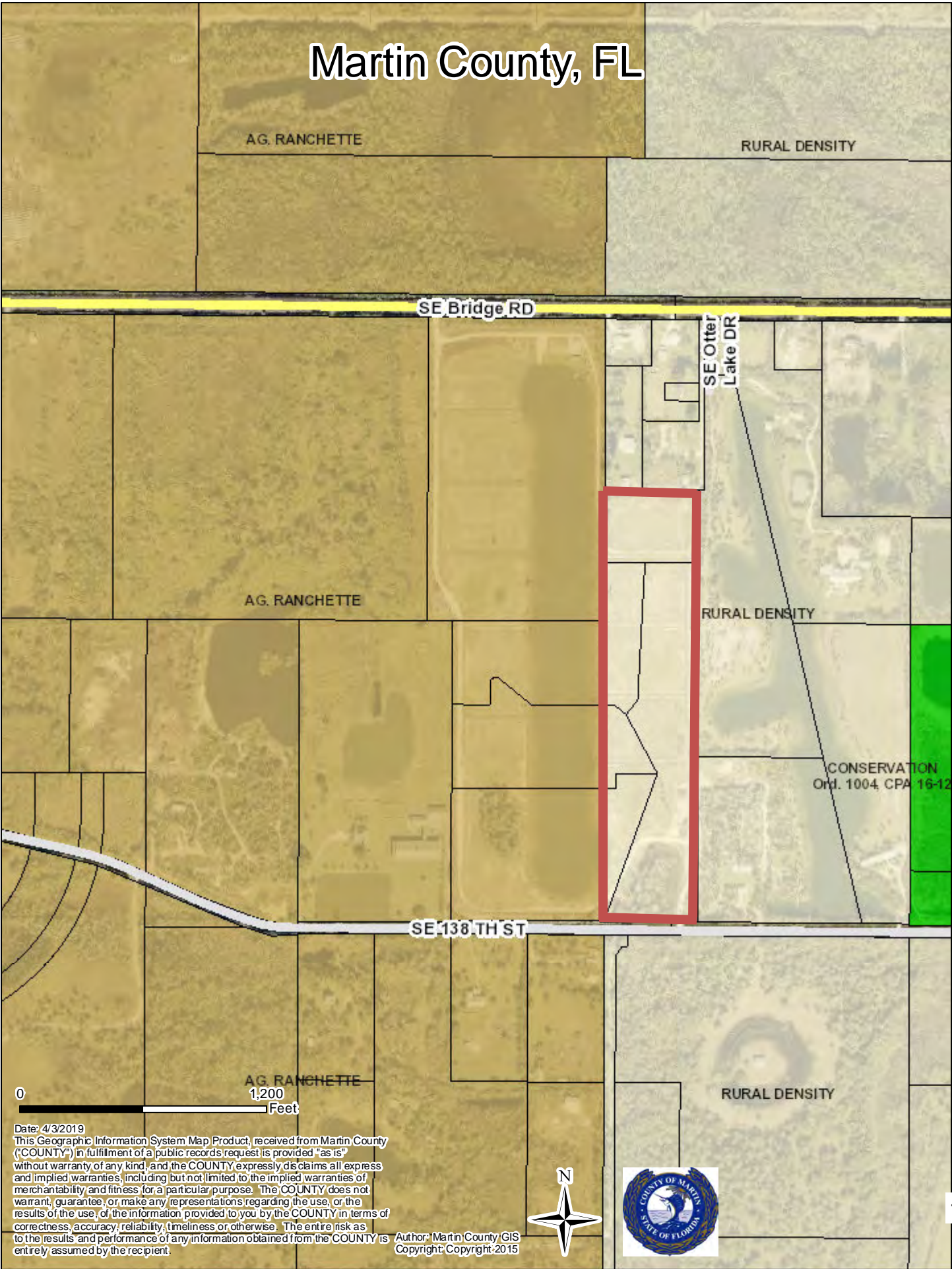
Date: 4/2/2019

This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
Copyright: Copyright-2015



# Martin County, FL



Date: 4/3/2019  
This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
Copyright: Copyright 2015

# Martin County, FL

A-1

RE-2A  
Res. 07-11.12

SE Bridge RD

SE Otter Lake DR

A-1

PC  
Res. 16-8.6

SE 138 TH ST

0 1,200 Feet

A-1

PUD  
Res. 10-3.8

A-1

Date: 4/3/2019  
This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS  
Copyright: Copyright 2015

The map displays various land parcels in Martin County, Florida. A central parcel is highlighted with a red border. The map includes labels for roads such as SE Bridge RD, SE Otter Lake DR, and SE 138 TH ST. Zoning designations like A-1, RE-2A, PC, and PUD are shown. A scale bar indicates distances up to 1,200 feet, and a north arrow is present. The Martin County seal is located in the bottom right corner.

107



## School Impact Worksheet

The purpose of this school impact worksheet is to assist in planning for future public school facility needs and concurrency requirements. It is to be completed for any proposed residential project, and residential rezoning, amendments to FLUM with residential components, and DRIs.

**Date:** April 15, 2019  
**Parcel ID#:** See attached  
**Project Name:** BR 24 LLC Rezoning  
**Former Project Name:** N/A  
**Owner/Developer:** BR 24 LLC  
**Contact Name/Number:** Morris A. Crady, Lucido & Associates 772-220-2100  
**Total Project Acreage:** 17.12  
**Year 1 of the Build-Out:** 2026

- Please indicate the most likely build-out scenario. Show build-out by year and number of units/year.

Unit Type	Number of Units	First 5-year Period					Second 5- year Period				
		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10
Single-family detached	5					5					
Multi-family											
Apartment											
Townhouse											
Other											

Note: If build-out is expected to go beyond the 10 year period above, please attach an additional table with build-out years until project completion.

- Project number and type of residential dwelling units at build-out, as follows:

Unit Type	Number of Units	Typical Unit Floor Area (sq. ft.)	Estimated Price (\$) Per Unit	Number Restricted to 55+ Age Group
Single-family detached	5	1,800-2,300	\$250,000	NA
Multi-family				
Apartment				
Townhouse				
Other				

- Please include a location map showing elementary, middle and high schools within a two-mile radius of the proposed project. If no schools are within a two-mile radius of the project, please indicate the nearest schools to the project.

**BR 24 LLC MANDATORY REZONING APPLICATION****PARCEL CONTROL NUMBERS:**

31-39-42-000-001-00030-7  
31-39-42-000-001-00010-1  
32-39-42-000-000-00163-6  
31-39-42-000-001-00031-6  
32-39-42-000-000-00130-6



**Plot Name:** Q:\projects\grod\chubb\map\_data\chubb.mxd  
**Created By:** Emily Kullback #178 (Chubb)  
**Plot Date:** Updated 7/18/13 by wingard@uoregon.edu

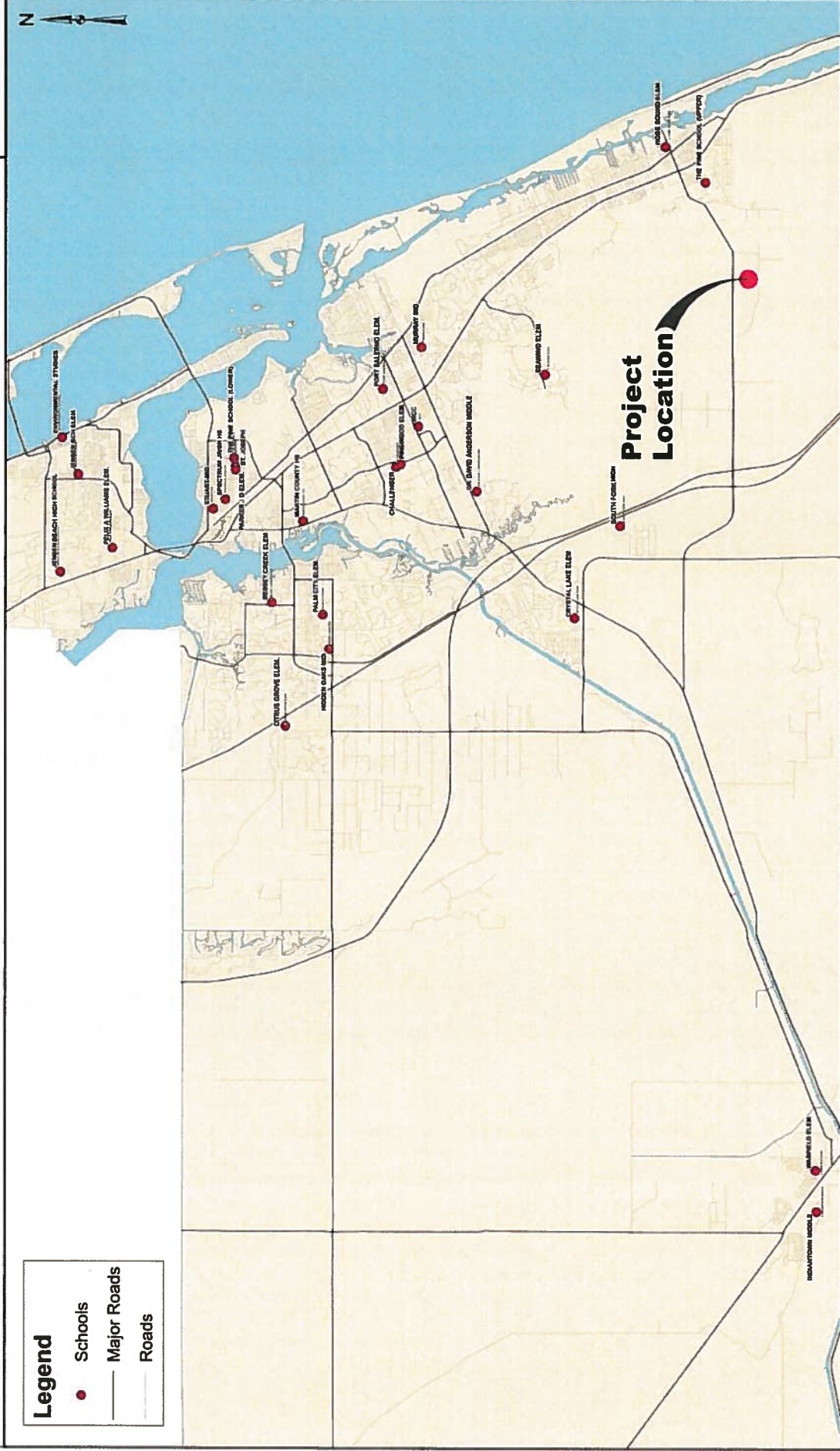
# Martin County

## School Locations



1

**Disclaimer:** This Designated Information System Map Product, prepared from Maricopa County ("COUNTY") is a delivery of a public resource required by statute ("as required"). It is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all warranties expressed or implied, including but not limited to any implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, make any representation regarding, or accept any liability for the accuracy, completeness, reliability, appropriateness, or usefulness of any specific information appearing herein. The entire risk as to the results and performance of any information obtained from the COUNTY is hereby assumed by the recipient.



### DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
BR 24 LLC	13451 SE Otter Lake Drive Hobe Sound, FL 33455

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
Edwin W. Hickey (See attached corporation summary)	13451 SE Otter Lake Drive Hobe Sound, FL 33455	50
Lori H. Hickey	13451 SE Otter Lake Drive Hobe Sound, FL 33455	50

(If more space is needed attach separate sheet)

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

<b>Name</b>	<b>Address</b>	<b>Interest</b>

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

<b>Application Name and/or Project Number</b>	<b>Names &amp; Addresses of Parties involved</b>	<b>Date</b>	<b>Type of Application</b>	<b>Status of Application *</b>
None				


(If more space is needed attach separate sheet)

- Status defined as:  
A = Approved  
P = Pending  
D = Denied  
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

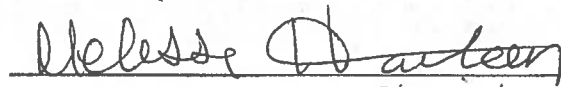
FURTHER AFFIANT SAYETH NOT.

AFFIANT

  
Edwin W. Hickey

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 17th day of April 2019, by Edwin W. Hickey, who is personally known to me or have produced FL Driver license as identification.

  
Notary Public, State of Florida  
Print Name: Melissa Horton  
My Commission Expires: 1/29/23

(Notary Seal)





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Limited Liability Company

BR 24 LLC

### Filing Information

**Document Number** L07000019153

**FEI/EIN Number** 20-8503116

**Date Filed** 02/20/2007

**State** FL

**Status** ACTIVE

### Principal Address

13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

Changed: 01/14/2018

### Mailing Address

13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

Changed: 01/14/2018

### Registered Agent Name & Address

HICKEY, EDWIN W  
13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

Address Changed: 01/14/2018

### Authorized Person(s) Detail

#### **Name & Address**

Title MGRM

HICKEY, EDWIN W  
13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

Title MGR

HICKEY, LORI H  
13451 SE Otter Lake Drive  
Hobe Sound, FL 33455

# SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)

COUNTY ROAD NO. 708  
(S.E. BRIDGE ROAD)  
(100' RIGHT-OF-WAY)

POINT OF  
COMMENCEMENT  
N.W. CORNER  
SECTION 32-39-42

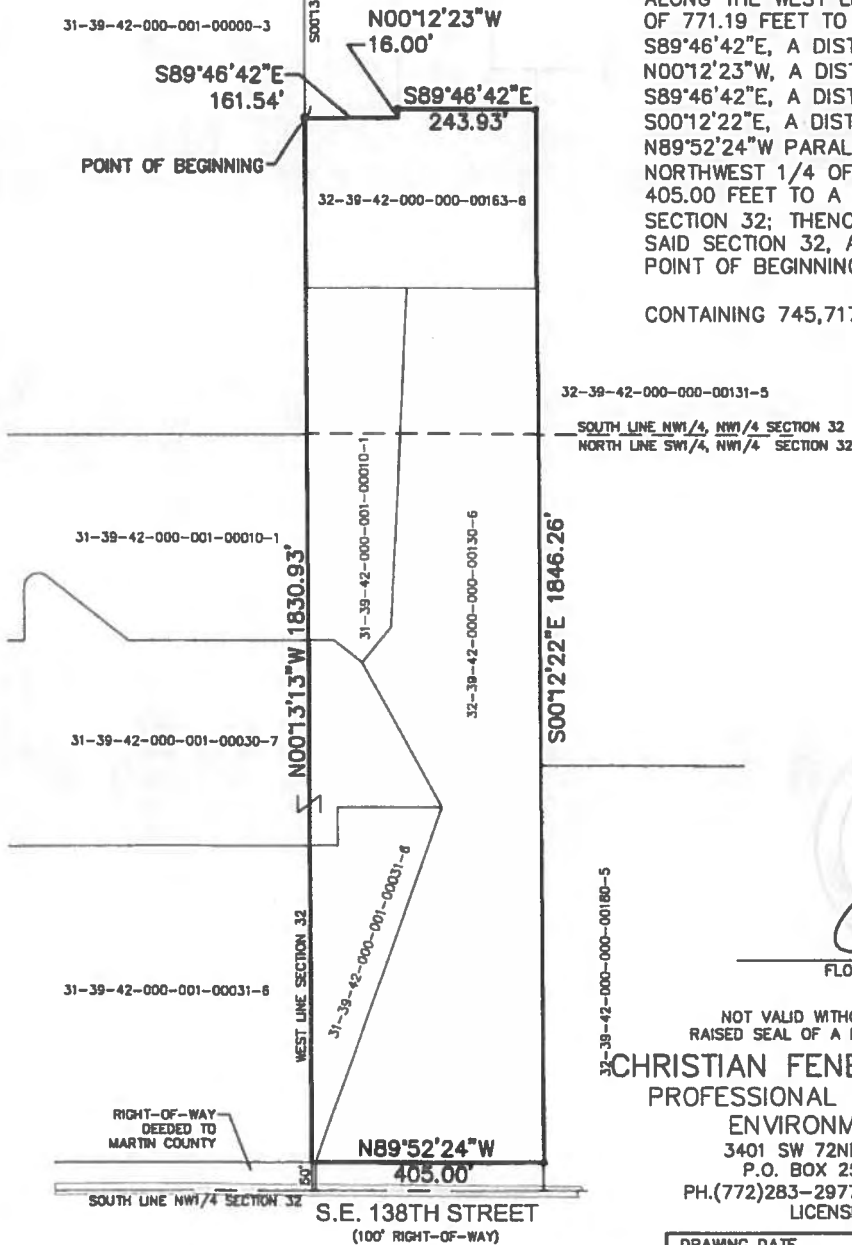
N. LINE 32-39-42

## LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)



FLORIDA REGISTRATION #5102

CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CHRISTIAN FENEX AND ASSOCIATES, LLC  
PROFESSIONAL SURVEYING AND MAPPING  
ENVIRONMENTAL CONSULTING  
3401 SW 72ND AVE., PALM CITY, FLORIDA  
P.O. BOX 2533, PALM CITY, FL 34991  
PH.(772)283-2977 EMAIL FENEXC@BELLSOUTH.NET  
LICENSED BUSINESS # 6858

DRAWING DATE	F.B.	PG.	SCALE	W.O.#
04/01/19	folder		1" = 300'	216039

SKETCH NO.  
216039-sketch&description.dwg

Doug Fitzwater  
220 Hibiscus Avenue  
Stuart, FL 34996

Ms. Shirley Lyders  
Lucido & Associates  
701 SE Ocean Blvd.  
Stuart, FL 34994

Notice of Proposed Rezoning  
Application Number: B121-003

Dear Ms. Lyders:

This is to certify that the above referenced sign was installed per Martin County requirements and complies with the standards provided by the Martin County Comprehensive Planning Department.

  
Doug Fitzwater

State of Florida  
County of Martin

Doug Fitzwater, who is personally known to me, acknowledged the forgoing instrument before me on May 8, 2019.

  
Notary Public, State of Florida





736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

May 9, 2019

Ownership Search

Prepared For: Lucido & Associates

We hereby certify that a search has been made of the Martin County Property Appraiser's records regarding a 1000 foot area surrounding the following described parcel of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID:        See Exhibit "B" attached hereto  
OWNER:        & made a part hereof.  
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).

A handwritten signature in blue ink that reads 'Karen Rae Hyche'.

Karen Rae Hyche  
President



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

## OWNERSHIP REPORT

SEARCH NO. P19-11,459/KRH

THE ATTACHED REPORT IS ISSUED TO LUCIDO & ASSOCIATES. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE SUM OF \$1,000.00.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 1000 foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.  
736 Colorado Ave. Ste. A  
Stuart FL 34994

By: Karen Rae Hyche  
Karen Rae Hyche

# SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)

COUNTY ROAD NO. 708  
(S.E. BRIDGE ROAD)  
(100' RIGHT-OF-WAY)  
N. LINE 32-39-42

POINT OF COMMENCEMENT  
N.W. CORNER  
SECTION 32-39-42

31-39-42-000-001-00000-3

N00°12'23"W  
16.00'  
S89°46'42"E  
161.54'  
S89°46'42"E  
243.93'

POINT OF BEGINNING

32-39-42-000-000-00163-6

32-39-42-000-000-00131-5

SOUTH LINE NW1/4, NW1/4 SECTION 32  
NORTH LINE SW1/4, NW1/4 SECTION 32

31-39-42-000-001-00010-1

31-39-42-000-001-00030-7

31-39-42-000-001-00031-6

RIGHT-OF-WAY  
DEEDED TO  
MARTIN COUNTY

SOUTH LINE NW1/4 SECTION 32

WEST LINE SECTION 32  
N00°13'13"W 1830.93'

31-39-42-000-001-00010-1  
31-39-42-000-001-00031-6

32-39-42-000-000-00130-6

S00°12'22"E 1846.26'

32-39-42-000-000-00180-5

N89°52'24"W  
405.00'

S.E. 138TH STREET  
(100' RIGHT-OF-WAY)

## LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)



FLORIDA REGISTRATION #5102  
CHRISTIAN FENEX

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CHRISTIAN FENEX AND ASSOCIATES, LLC  
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3401 SW 72ND AVE., PALM CITY, FLORIDA  
P.O. BOX 2533, PALM CITY, FL 34991  
PH.(772)283-2977 EMAIL FENEXC@BELLSOUTH.NET  
LICENSED BUSINESS # 6858

DRAWING DATE	F.B.	PG.	SCALE	W.O.#
04/01/19	folder		1" = 300'	216039

SKETCH NO.  
216039\_sketch&description.dwg

Exhibit "A"

**Martin County, Florida - Laurel Kelly, C.F.A**

generated on 5/9/2019 12:05:27 PM EDT

**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
32-39-42-000-000-00130-6	62573	UNASSIGNED, HOBE SOUND	\$329,320	5/4/2019

**Owner Information**

<b>Owner(Current)</b>	BR 24 LLC
<b>Owner/Mail Address</b>	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
<b>Sale Date</b>	1/27/2010
<b>Document Book/Page</b>	<u>2435 1028</u>
<b>Document No.</b>	2190830
<b>Sale Price</b>	650000

**Location/Description**

<b>Account #</b>	62573	<b>Map Page No.</b>	T-32A
<b>Tax District</b>	3003	<b>Legal Description</b>	PART OF W1/2 OF NW1/4 OF SEC 32 DESC AS: COM AT PT ON S R/W BRIDGE RD & 430' E OF W/LN SEC, CONT E ALG R/W 60 S 210, W 5, S 538.85, SWLY 35.45, S 289.69, SWLY 77.78 FOR POB.. S 1470.53 TO N R/W SE 138TH ST, W 405, NELY 676.72, NWLY 288.57, NELY 80, N 595.09, E 230.55, S TO POB. (AKA PART OF PARCEL 4-B)
<b>Parcel Address</b>	UNASSIGNED, HOBE SOUND		
<b>Acres</b>	9.4090		

**Parcel Type**

<b>Use Code</b>	6300 GrazLD Soil Cpcty CL III
<b>Neighborhood</b>	677000 Bridge Road

**Assessment Information**

<b>Market Land Value</b>	\$329,320
<b>Market Improvement Value</b>	
<b>Market Total Value</b>	\$329,320

Exhibit "B"

1 of 5

**Martin County, Florida - Laurel Kelly, C.F.A**

generated on 5/9/2019 12:00:11 PM EDT

**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
32-39-42-000-000-00163-6	62580	UNASSIGNED, HOBE SOUND	\$96,950	5/4/2019

**Owner Information**

<b>Owner(Current)</b>	BR 24 LLC
<b>Owner/Mail Address</b>	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
<b>Sale Date</b>	10/8/2008
<b>Document Book/Page</b>	<u>2356 0988</u>
<b>Document No.</b>	2112020
<b>Sale Price</b>	200000

**Location/Description**

<b>Account #</b>	62580	<b>Map Page No.</b>	T-32A
<b>Tax District</b>	3003	<b>Legal Description</b>	COM AT PI S R/W BRIDGE RD & W/LN OF SEC 32, S 742' FOR POB.. CONT S 299', E 405', N 315', W 244', S 16' & W 161' TO POB.
<b>Parcel Address</b>	UNASSIGNED, HOBE SOUND		
<b>Acres</b>	2.7700		

**Parcel Type**

<b>Use Code</b>	6300 GrazLD Soil Cpcty CL III
<b>Neighborhood</b>	677000 Bridge Road

**Assessment Information**

<b>Market Land Value</b>	\$96,950
<b>Market Improvement Value</b>	
<b>Market Total Value</b>	\$96,950

2 of 5

**Martin County, Florida - Laurel Kelly, C.F.A**

generated on 5/9/2019 12:06:12 PM EDT

**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00010-1	62532	UNASSIGNED, HOBE SOUND	\$92,420	5/4/2019

**Owner Information**

<b>Owner(Current)</b>	BR 24 LLC
<b>Owner/Mail Address</b>	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
<b>Sale Date</b>	9/7/2007
<b>Document Book/Page</b>	<u>2277 0143</u>
<b>Document No.</b>	2037427
<b>Sale Price</b>	148300

**Location/Description**

<b>Account #</b>	62532	<b>Map Page No.</b>	T-31A
<b>Tax District</b>	3003	<b>Legal Description</b>	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG NW COR OF E1/2 OF SE1/4 OF NE1/4 OF SEC 31, E 662.33', N 256.01', E 174.45', SLY 595.09', SWLY 80', NWLY 63.21', W 360.50', NWLY 179.98' TO CURVE, THENCE ALG CURVE 56.2', S 92.72', W 165', N 360.38' TO POB (AKA PARCEL 3-B)
<b>Parcel Address</b>	UNASSIGNED, HOBE SOUND		
<b>Acres</b>	7.4800		

legal includes more land

**Parcel Type**

<b>Use Code</b>	6300 GrazLD Soil Cpty CL III
<b>Neighborhood</b>	677000 Bridge Road

**Assessment Information**

<b>Market Land Value</b>	\$92,420
<b>Market Improvement Value</b>	
<b>Market Total Value</b>	\$92,420

Subject property

located within

3 of 5

**Martin County, Florida - Laurel Kelly, C.F.A**

generated on 5/9/2019 12:08:14 PM EDT

**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00030-7	62533	UNASSIGNED, HOBE SOUND	\$81,860	5/4/2019

**Owner Information**

<b>Owner(Current)</b>	BR 24 LLC
<b>Owner/Mail Address</b>	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
<b>Sale Date</b>	9/7/2007
<b>Document Book/Page</b>	<u>2277 0079</u>
<b>Document No.</b>	2037407
<b>Sale Price</b>	406700

**Location/Description**

<b>Account #</b>	62533	<b>Map Page No.</b>	T-31A
<b>Tax District</b>	3003	<b>Legal Description</b>	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG 604' N/O SW COR OF E1/2 OF SE1/4 OF NE1/4, CONT N 360', E 165', N 92.72' TO CURVE, CURVE 56.2', SE 179.98', E 360.50', SELY 63.21', SELY 288.57', W 180.53', S 67.02', W 711.80' TO POB (AKA PARCEL 2-B)
<b>Parcel Address</b>	UNASSIGNED, HOBE SOUND		
<b>Acres</b>	6.8400		

*legal includes more land*

**Parcel Type**

<b>Use Code</b>	6300 GrazLD Soil Cpty CL III
<b>Neighborhood</b>	677000 Bridge Road

**Assessment Information**

<b>Market Land Value</b>	\$81,860
<b>Market Improvement Value</b>	
<b>Market Total Value</b>	\$81,860

*Subject property located within*

*4 of 5*

**Martin County, Florida - Laurel Kelly, C.F.A**

generated on 5/9/2019 12:09:31 PM EDT

**Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00031-6	62534	UNASSIGNED, HOBE SOUND	\$360,500	5/4/2019

**Owner Information**

<b>Owner(Current)</b>	BR 24 LLC
<b>Owner/Mail Address</b>	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
<b>Sale Date</b>	12/8/2009
<b>Document Book/Page</b>	<u>2428 0784</u>
<b>Document No.</b>	2184095
<b>Sale Price</b>	410000

**Location/Description**

<b>Account #</b>	62534	<b>Map Page No.</b>	T-31A
<b>Tax District</b>	3003	<b>Legal Description</b>	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG 33' N/O SW COR OF SE1/4 OF SE1/4 OF NE1/4, CONT N 571', E 711.80', N 67.02', E 180.53', SWLY 676.72' & W 663.93' TO POB (AKA PARCEL 1-B)
<b>Parcel Address</b>	UNASSIGNED, HOBE SOUND		
<b>Acres</b>	10.3000		

*legal includes more land*

**Parcel Type**

<b>Use Code</b>	6300 GrazLD Soil Cpcty CL III
<b>Neighborhood</b>	677000 Bridge Road

**Assessment Information**

<b>Market Land Value</b>	\$360,500
<b>Market Improvement Value</b>	
<b>Market Total Value</b>	\$360,500

*Subject property  
located within*

*5 of 5*

BR 24 LLC  
13451 SE Otter Lake Dr.  
Hobe Sound FL 33455

Worldwide Fabrics Limited  
Partnership  
241 Bradley Pl.  
Palm Beach FL 33480

Canopus Sound LLC  
1 Holtec Blvd.  
Camden NJ 08104

Shubhra Amy Singh  
5751 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

Scott A. Jenkins  
5950 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

James M. & Catherine D. Adkins  
8782 SE Sandcastle Cir.  
Hobe Sound FL 33455

Susana T. Valente  
Yannick D. Even  
5910 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

James A. & Merriam M. Holt  
5850 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

Merriam M. Holt  
5900 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

Silver Spur Holdings LLC  
13451 SE Otter Lake Dr.  
Hobe Sound FL 33455

Heissenberg Family Financial Inv.  
725 NE Bayberry Ln.  
Jensen Beach FL 34957

3 Putt Hobe Sound LLC  
6250 SE Bridge Rd.  
Hobe Sound FL 33455

Timothy R. Datillio  
6390 SE Bridge Rd.  
Hobe Sound FL 33455

Hickey Hob LLC  
9231 School House Rd.  
Coral Gables FL 33156

Dbridge Holdings LLC  
13451 SE Otter Lake Dr.  
Hobe Sound FL 33455

Timothy A. & Misty M. Peacock  
6120 SE Bridge Rd.  
Hobe Sound FL 33455

Timothy Dore  
Hannah Wyman  
6122 SE Bridge Rd.  
Hobe Sound FL 33455

Lloyd L. & Evelyn M. Lolmaugh  
6116 SE Bridge Rd.  
Hobe Sound FL 33455

Barbara Riggins  
12770 SE Circle Dr.  
Hobe Sound FL 33455

Martin County  
2401 SE Monterey Rd.  
Stuart FL 34996

Mark & Joy Bozicevic  
8814 S. Wendy Ln.  
West Palm Beach FL 33411

Stephen J. Krigbaum  
6271 SE 138<sup>th</sup> St.  
Hobe Sound FL 33455

**SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS**

(month) (day), (2019)

(addressee from the certified property owners list)  
(address)

Subject and Location: **BR 24, LLC, Rezoning (B121-003)** Request by BR 24, LLC, for approval of an amendment to the zoning atlas to change the zoning from the existing A-1, Small Farms District, to the RE-2A, Rural Estate District, or the most appropriate zoning district, for approximately 17 acres located on the south side of SE Bridge Road approximately 2.7 miles west of US-1, in Hobe Sound. Included is a request for a Certificate of Public Facilities Exemption.

Dear (property owner):

As a landowner within 1,000 feet of the property identified in the above description and shown on the map attached to this letter, please be advised that consideration of an amendment to the zoning atlas as noted above will occur at two public hearings.

The date, time and place of the scheduled hearings are as follows:

Time and Date: **LOCAL PLANNING AGENCY**  
7:00 P.M., or as soon after as the matter may be heard, on  
Thursday, June 20, 2019

Time and Date: **BOARD OF COUNTY COMMISSIONERS**  
9:00 A.M., or as soon after as the matter may be heard, on  
Tuesday, July 30, 2019

Place: Martin County Administrative Center  
2401 S.E. Monterey Road  
Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive

mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 days prior to the meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Nicki van Vonno, Growth Management Department Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator 772-320-3131, the County Administration Office 772-288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback).

Sincerely,

*(applicant's name)*

Attachment: Location Map

# Classifieds

To Advertise, visit: **classifieds.tcpalm.com**

■ Classifieds Phone: **772.283.5252**  
 ■ Classifieds Email: **tcpalmclass@gannett.com**  
 ■ Hours: **Monday - Friday 8:00am - 5:30pm**

All classified ads are subject to the applicable rate card, copies of which are available from our Advertising Dept. All ads are subject to approval before publication. The Treasure Coast reserves the right to edit, refuse, reject, classify or cancel any ad at any time. Errors must be reported in the first day of publication. The Treasure Coast shall not be liable for any loss or expense that results from an error in or omission of an advertisement. No refunds for early cancellation of order.

## Public Notices

### BEFORE THE LOCAL PLANNING AGENCY AND THE BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA NOTICE OF PUBLIC HEARINGS

Subject: **BR 24, LLC, Rezoning (B121-003)** Request by BR 24, LLC, for approval of an amendment to the zoning atlas to change the zoning from the existing A-1, Small Farms District, to the RE-2A, Rural Estate District, or the most appropriate zoning district. Included is a request for a Certificate of Public Facilities Exemption.  
 Location: The site consists of approximately 17 acres located on the south side of SE Bridge Road approximately 2.7 miles west of US-1, in Hobe Sound.

Public hearing: **LOCAL PLANNING AGENCY**  
 Time and Date: 7:00 P.M. or as soon as it can be heard on Thursday, June 20, 2019  
 Public hearing: **BOARD OF COUNTY COMMISSIONERS**  
 Time and Date:  
 9:00 A.M. or as soon as it can be heard on Tuesday, July 30, 2019  
 Place: Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in these proceedings are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 days prior to the LPA or BCC meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating the he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

If any person who decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based. For further information, including copies of the agenda item materials, please call the Growth Management Department at (772) 288-5495. All written comments should be sent to Nicki van Vonn, Growth Management Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. THIS NOTICE DATED THIS 30TH DAY OF MAY, 2019.  
 Publish Date: June 4, 2019  
 TCN: 3599770

## Foreclosure

IN THE COUNTY COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR MARTIN COUNTY, FLORIDA  
 CASE NO.: 432018CC000923  
 JUDGE: WATERS  
 THE RETREAT AT SEABRANCH HOMEOWNERS ASSOCIATION, INC.,  
 Plaintiff,  
 vs.  
 JOHN M. SOUTH, et al.,  
 Defendants.

### NOTICE OF FORECLOSURE SALE

NOTICE IS HEREBY GIVEN that the Clerk of the Circuit Court of Martin County, will on the 23rd day of July 2019 at 10:00 a.m., at [www.martin.realestate.com](http://www.martin.realestate.com), offer for sale and sell at public outcry to the highest and best bidder for cash, the following described property situated in Martin County, Florida, to wit: Lot 330, THE RETREAT, PHASE 3, A P.U.D., according to the Plat thereof, as recorded in Plat Book 15, Page 53, Public records of Martin County, Florida.  
 Property Address: 8285 SE Angelina Court, Hobe Sound, FL 33455  
 pursuant to the Final Judgment of Foreclosure entered on May 28, 2019 by Judge Jennifer Alcantara Waters in the Martin County Court Docket Number 432018CC000923.

**Note: Any person claiming an interest in the surplus from this sale, if any, other than the property owner as of the date of the lis pendens must file an action within 60 days after the date of the sale.**  
 DATED: May 29, 2019.  
 ROSS EARLE BONAN & ENSOR, P.A.

Post Office Box 2401  
 Stuart, Florida 34995  
 Telephone: (772) 287-1745  
 Facsimile: (772) 287-8045  
 Email: [jpc@reblawpa.com](mailto:jpc@reblawpa.com)  
 By:  
 John P. Carrigan, Esquire  
 Florida Bar No.: 68439

### Copies via US Mail to:

John M. South  
 c/o Michael J. Ryan, Esq.  
 Ryan Law Group, LLC  
 636 U.S. Hwy 1, Ste. 110  
 North Palm Beach, FL 33408

Capital One Bank (USA) N.A.  
 8000 Towers Crescent Drive,  
 16th Floor  
 Vienna, VA 22182  
 Pub June 4th & 11th 2019 TCN 3596792

## Name Change/Adoption

IN THE CIRCUIT COURT FOR MARTIN COUNTY, FLORIDA PROBATE DIVISION  
 IN RE: GUARDIANSHIP OF File Number 17-771 GA  
 JOHN R. SMITH, incapacitated.  
**FORMAL NOTICE BY PUBLICATION OF TRANSFER OF JURISDICTION**  
 YOU ARE HEREBY NOTIFIED

## Public Notices

## Notice To Creditors

MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.  
 All other creditors of the decedent and other persons having claims or demands against decedent's estate, including unmatured, contingent or unliquidated claims, must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.  
 ALL CLAIMS NOT SO FILED WILL BE FOREVER BARRED.  
 The date of first publication of this Notice is May 28, 2019.

Carol A. Davidson, Personal Representative  
 866 West Alcira Drive  
 Westville, Indiana 46391

Carmen W. Nicotra, Personal Representative  
 1065 9TH Square  
 Vero Beach, Florida 32960

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail on the Agency for Healthcare Administration c/o Florida Medicaid TPL Recovery Program, P.O. Box 12188, Tallahassee, FL 32317-2188 (with death certificate copy) and the Florida Department of Revenue, Mail Stop 1-3841, 5050 W. Tennessee St. Tallahassee, FL 32399 this 24th day of May, 2019.

Michael T. Calvit, Esquire  
 P.O. Box 644048  
 Vero Beach, FL 32964  
 Phone: 772-231-2889  
 Fax: 772-231-2866  
 Email: [calvitlaw@bellsouth.net](mailto:calvitlaw@bellsouth.net)  
 FL Bar ID 708267  
 Attorney for Personal Representatives

Agency for Healthcare Administration  
 c/o Florida Medicaid TPL Recovery Program  
 P.O. Box 12188  
 Tallahassee, FL 32317-2188

Florida Department of Revenue  
 Mail Stop 1-3841  
 5050 W. Tennessee St.  
 Tallahassee, FL 32399  
 May 28, 2019 TSN 2286196

## Notice To Creditors

IN THE CIRCUIT COURT FOR INDIAN RIVER COUNTY, FLORIDA  
 PROBATE DIVISION  
 IN RE: ESTATE OF  
 MARVIN G. BRATTAIN a/k/a  
 MARVIN GLENN BRATTAIN  
 File No. 312019CP000368  
 Division  
 Deceased.

### NOTICE TO CREDITORS

The administration of the estate of MARVIN G. BRATTAIN a/k/a MARVIN GLENN BRATTAIN, deceased, whose date of death was January 26, 2019 and is pending in the Circuit Court for Indian River County, Florida, Probate Division, the address of which is 2000 16th Avenue, Vero Beach, Florida 32960. The names and addresses of the personal representative and the personal representative's attorney are set forth below. All creditors of the decedent and other persons having claims or demands against decedent's estate, including unmatured, contingent or unliquidated claims, must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THIS FIRST PUBLICATION OF THIS NOTICE.  
 ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.  
 NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.  
 The date of the first publication of this Notice is May 31st, 2019.

Attorney for Personal Representative: Co-Personal Representative:  
 John Joseph McHugh, Jr., Esquire  
 Email: [john@jjmchughlaw.com](mailto:john@jjmchughlaw.com)  
 Florida Bar No. 444626  
 John Joseph McHugh, Jr., Esquire  
 P.O. Box 2807  
 Vero Beach, Florida 32961  
 Telephone: 772-778-1100  
 Jeffrey M. Brattain and Gary A. Brattain  
 c/o John Joseph McHugh, Jr.  
 P.O. Box 2807  
 Vero Beach, Florida 32961  
 Pub: June 4, 11, 2019  
 TCN: 3597617

## Notice To Creditors

IN THE CIRCUIT COURT FOR INDIAN RIVER COUNTY, FLORIDA  
 PROBATE DIVISION  
 IN RE: ESTATE OF  
 LINDA LEIGH HURSH  
 Deceased.

### File No. 312019CP000514 NOTICE TO CREDITORS

The administration of the estate of Linda Leigh Hursh, deceased, whose date of death was May 4, 2019, is pending in the Circuit Court for Indian River County, Florida, Probate Division, the address of which is 2000 16th Avenue, Vero Beach, FL 32960. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.  
 ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.  
 NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is June 4, 2019  
 Attorney for Personal Representative:

Stephanie M. LeBlanc  
 Attorney  
 Florida Bar Number: 117759  
 STEPHANIE LEBLANC  
 5070 Highway A1A, Suite 221  
 Vero Beach, FL 32963  
 Telephone: (772) 404-6010  
 Fax: (772) 404-6011  
 E-Mail: [stephanie@verobeachlawgroup.com](mailto:stephanie@verobeachlawgroup.com)

Secondary E-Mail: [gina@verobeachlawgroup.com](mailto:gina@verobeachlawgroup.com)  
 Stephanie M. LeBlanc  
 5070 Hwy A1A, Suite 221  
 Vero Beach, Florida 32963  
 June 4 & 11, 2019 TCN 3603349

## Notice To Creditors

IN THE CIRCUIT COURT FOR MARTIN COUNTY, FLORIDA  
 PROBATE DIVISION  
 File No. 19-373 CP  
 IN RE: ESTATE OF  
 PATRICIA A. ROBINSON  
 Deceased.

### NOTICE TO CREDITORS

The administration of the estate of PATRICIA A. ROBINSON, deceased, whose date of death was March 27, 2019, is pending in the Circuit Court for Martin County, Florida, Probate Division, the address of which is 100 SE Ocean Blvd, Stuart, Florida 34994. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.

All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.  
 ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN FLORIDA STATUTES SECTION 733.702 WILL BE FOREVER BARRED.  
 NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

The date of first publication of this notice is June 4, 2019.  
 Personal Representative  
 Frank R. Robinson  
 24 Canon del Agua  
 Placitas, New Mexico 87043  
 Attorney for Personal Representative:  
 Thomas H. Thurlow III  
 E-Mail Addresses:  
[todd@thurlowpa.com](mailto:todd@thurlowpa.com),  
[tt3service@thurlowpa.com](mailto:tt3service@thurlowpa.com)  
 Florida Bar No. 0127043  
 Thurlow & Thurlow, P.A.  
 17 Martin Luther King Jr. Blvd  
 P.O. Box 106  
 Stuart, Florida 34995-0106  
 Telephone: (772) 287-0980  
 Pub June 4th & 11th 2019 TCN 3597814

## NOTICE OF AGENCY ACTION

Notice is hereby provided that the South Florida Water Management District, on May 23, 2019, issued a permit modification to Environmental Resource permit (permit) with conditions, Permit No. 47-00051-S, Application No. 170310-5 to Evans Grove Lands, LLC, 660 Beachland Blvd, Suite 301, Vero Beach, FL 32963 for construction and operation of a 7,444.00 acre dispersed water storage (DWVS) project known as Scott Water Farm, located in Okeechobee County, Florida, Sections 1-3 and 10-15, Township 34S, Range 36E, and Indian River County, Florida, Sections 30-31, Township 33S, Range 37E.

A copy of the permit can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, Regulatory Division, by telephone at 561-682-6911, by e-mail at [permits@sfwmd.gov](mailto:permits@sfwmd.gov), or by accessing the permit directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

The District's agency action is final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition.

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

### RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry. Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of

the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.

- Filings by e-mail must be transmitted to the Office of the District Clerk at [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov). The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

### INITIATION OF AN ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

**MEDIATION**  
 The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

### RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.

Pub June 4, 2019  
 TCN3601998



## Agenda Item Summary

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File ID: 19-0575

NEW-4

Meeting Date: 6/20/2019

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**PLACEMENT:** New Business

**TITLE:**

PUBLIC HEARING TO CONSIDER COMPREHENSIVE PLAN AMENDMENT CPA 18-10, CRA TEXT AMENDMENTS

**EXECUTIVE SUMMARY:**

In December 2017, the Board of County Commissioners adopted Resolution 17-12.3 to initiate the amendment of the text of the Comprehensive Growth Management Plan (CGMP) to strengthen Goals, Policies and Objectives that encourage in-fill development and redevelopment in the Community Redevelopment Areas (CRAs).

This is the first public hearing on the proposed creation of the new Chapter 18, Community Redevelopment Element, devoted to Martin County's six CRAs. Amendment of the text of Chapter 2, Overall Goals and Definitions, Chapter 4, Future Land Use Element, Chapter 6, Housing Element, Chapter 8, Coastal Management Elements, Chapter 9, Conservation and Open Space Element, Chapter 13, Drainage and Natural Groundwater Aquifer Recharge Element, and Chapter 14, Capital Facilities, of the CGMP are also proposed as necessary to recognize the establishment of Chapter 18 and to correct a small discrepancy between Chapter 5 and Chapter 14.

**REQUESTED BY:** Board of County Commissioners

**REPRESENTED BY:** Nicki van Vonno, AICP, Growth Management Director

**REQUESTED ACTION:**

Make a motion that the Local Planning Agency approve CPA 18-10, amending the text of the Comprehensive Growth Management Plan by creating Chapter 18, the Community Redevelopment Element, and making related amendments to Chapters 2, 4, 6, 8, 9, 13, and 14.

**ALTERNATIVE ACTION:**

Make a motion that the Local Planning Agency continue the public hearing to a date certain and direct staff to make certain changes or return with additional information or analysis.

**PREPARED BY:** Irene A. Szedlmayer, AICP, Senior Planner, Growth Management Department

## **PROPOSED AMENDMENT OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN**

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback)

**REQUEST NUMBER:** CPA 18-10, CRA Text Amendments

**DATE OF REPORT:** June 12, 2019

**APPLICANT:** Martin County Board of County Commissioners

**REPRESENTED BY:** Nicki vanVonno, AICP, Growth Management Director

**PLANNER-IN-CHARGE:** Irene A. Szedlmayer, AICP, Senior Planner, Growth Management Department

### **PUBLIC HEARINGS:**

Local Planning Agency:	June 20, 2019
Board of County Commission Transmittal:	July 30, 2019
Board of County Commission Adoption:	September 10, 2019

**APPLICANT REQUEST:** This is a proposal to amend the text of the Comprehensive Growth Management Plan to establish a new chapter devoted to Martin County's six Community Redevelopment Areas (CRAs). Chapter 18, the Community Redevelopment Element, will consolidate in one location all goals, objectives and policies specifically related to the CRAs. Amendments are also proposed to Chapter 2, Overall Goals and Definitions; Chapter 4, Future Land Use Element; Chapter 6, Housing Element, Chapter 8, Coastal Management Element; Chapter 9, Conservation and Open Space Element, Chapter 13, Drainage and Natural Groundwater Aquifer Recharge Element, and Chapter 14, Capital Facilities, of the CGMP to make necessary edits in recognition of the establishment of new and revised policies in Chapter 18.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed Chapter 18 and the proposed amendments to the other chapters of the CGMP.

### **I. EXECUTIVE SUMMARY**

In December 2017, the Board of County Commissioners adopted Resolution 17-12.3 to initiate amendments to the text of the Comprehensive Growth Management Plan (CGMP) "to strengthen Goals, Policies and Objectives that encourage in-fill development and redevelopment in the Community Redevelopment Areas." One

aspect of the staff response to that Board direction is the enclosed draft Chapter 18, Community Redevelopment Element. Additionally, two policy recommendations will not be included in Chapter 18 but rather will comprise amendments to policies in Chapter 4, Future Land Use Element, and Chapter 6, Housing Element. Amendments are made to other chapters of the Plan to recognize the new and revised Goals, Objectives and Policies in Chapter 18.

The scheduled public hearing follows sixteen (16) public meetings:

***Neighborhood Advisory Committees***

January 2019 - Hobe Sound NAC and Rio NAC

February 2019 - Golden Gate NAC, Old Palm City NAC and Port Salerno NAC

March 2019 - Jensen Beach NAC

***Community Redevelopment Agency***

November 21, 2018

December 17, 2018

January 28, 2019

February 25, 2019

May 28, 2019

June 17, 2019

***Local Planning Agency***

January 17, 2019

February 21, 2019

***Board of County Commissioners***

February 26, 2019

April 9, 2019

The amendments are summarized below:

1. Just as with the other chapters of the CGMP, a background section and a current conditions section will precede the Goals, Objectives and Policies.
2. The current CGMP Goal 4.2 ("To alleviate the negative impacts of inadequate public facilities and services and substandard structures for affected areas in the County.") and its Objectives and Policies are incorporated into Chapter 18, as Goal 18.1 and Objectives and Policies under Goal 18.1. See, page 10. New Objectives are included regarding regional public wastewater collection and treatment systems, regional potable water distribution systems, and community stormwater systems. See, Objective 18.1C through Objective 18.1E., on pages 12 to 14.
3. As recommended by the Treasure Coast Regional Planning Council, two new future

land use designations are proposed: CRA Center and CRA Neighborhood. See Objective 18.2A (page 14) and Objective 18.2C. (page 16), respectively.

The boundaries of the CRA Center will generally follow the boundaries of the existing Mixed-Use Overlay but various development standards will apply equally to mixed-use projects, residential projects and commercial projects. The CRA Center future land use designation will replace the Mixed-Use Overlay and the other underlying future land use designations. The CRA Neighborhood future land use designation will apply to the predominately residential neighborhoods outside of the CRA Center.

Three exceptions are the Marine Waterfront Commercial, Institutional and Industrial future land use designations which will not be replaced by the CRA Center or CRA Neighborhood future land use designations. See, Objective 18.2E., page 17, and Objective 18.2F and Objective 18.2G., page 18.

4. The Future Land Use Map will be amended to assign the CRA Center and CRA Neighborhood future land use designations to each CRA, one at a time. See, Objective 18.2B., page 16, and Objective 18.2D., page 17.
5. The existing exemption from density transition that applies to some development in the CRAs is proposed to be expanded. Currently, mixed-use development projects in a Mixed-Use Overlay are exempt from density transition policies. Current Comp Plan policy requires only that mixed-use projects that abut residential development outside the Mixed-Use Overlay provide special buffers. The draft Chapter 18 proposes that new development in a CRA be exempt from density transition and that instead the zoning code regulate mass, scale, height, setbacks, landscaping, and/or architectural rhythm to ensure a proper transition between an existing residential use and a new use. See, Policy 18.2A.4.(6) on page 16, Policy 18.2C.3.(4) on page 17, and Policy 18.3A.9 (12) on page 22.
6. Policies governing the Mixed-Use Overlays are retained in Chapter 18 because they must remain in effect until the Future Land Use Map is amended for the 6<sup>th</sup> and final CRA. See Goal 18.3 and Objective 18.3A., page 19. At such time as the Future Land Use Map is amended for all of the CRAs to designate CRA Center and CRA Neighborhood and to eliminate the Mixed-Use Overlay, Chapter 18 will be amended to delete the policies referencing the Mixed-Use Overlays. See Objective 18.3B. and Policy 18.3B.1, page 23.
7. Goal 18.4 provides for urban design standards in the CRAs. See page 24. Objective 18.4A. addresses neighborhood and building standards. Objective 18.4B. addresses roadway design. See, page 24.
8. The policies providing for alternative means of compliance with County-wide policies are set-forth in Goal 18.5. See page 25. A separate objective is established regarding open space (Objective 18.5A.), native upland habitat (Objective 18.5B.), shoreline protection zones (Objective 18.5C.), roadways (Objective 18.5D.), and Mobile Home future land use (Objective 18.5E.).

9. The policies to govern open space in the CRAs are set forth under Objective 18.5A., beginning on page 25. The key policy changes are that the CRAs are required to develop open space plans and the CRA will be permitted to aggregate cash payments made in-lieu-of on-site open space in order to realize CRA open space objectives rather than be required to have the open space in public ownership for each small development that seeks to utilize this policy. The proposed policy also expands the ability for impervious or covered areas serving as civic open space to count as open space.
10. Increased flexibility is recommended for native upland habitat preservation policies in the CRAs. Chapter 18 allows the County to receive cash payments in-lieu-of on-site preservation and provides for a conservation easement on private land in addition to public ownership of the off-site parcel to substitute for on-site preservation. The policy has been proposed to be made stricter in that if the required on-site upland habitat preservation area is equal to or greater than 1 acre or if species listed as endangered, threatened or of special concern, the native upland habitat must be preserved on-site and cannot be transferred off-site. See Objective 18.5B. beginning on page 26.
11. The proposed amendments to the Shoreline Protection Zone policies applicable inside the CRAs are set-forth in Objective 18.5C. and Policy 18.5C.1. See, page 27.
12. The CRAs are designated as Transportation Concurrency Exception Areas in Policy 18.5D.1. See, page 28.
13. Policy 6.1D.8., the no net loss of mobile home lands policy is made inapplicable to CRAs by Policy 18.5E.1. See page 28.
14. A policy designed to remedy an inequality between infill development or redevelopment of previously platted lots in a CRA and development on un-platted land is addressed by the amendment of Policy 4.1E.4. Gross Density, by creating the option to include within gross land area one-half of adjacent right-of-way when development is proposed on previously platted lots in a CRA.

## **II. LOCATION**

The proposed text amendments will apply to Martin County's six Community Redevelopment Areas, which are illustrated on Figures 1 through 6 below. Please note, the scale of the maps changes from CRA to CRA.

Figure 1. Jensen Beach Community Redevelopment Area



Figure 2. Rio Community Redevelopment Area

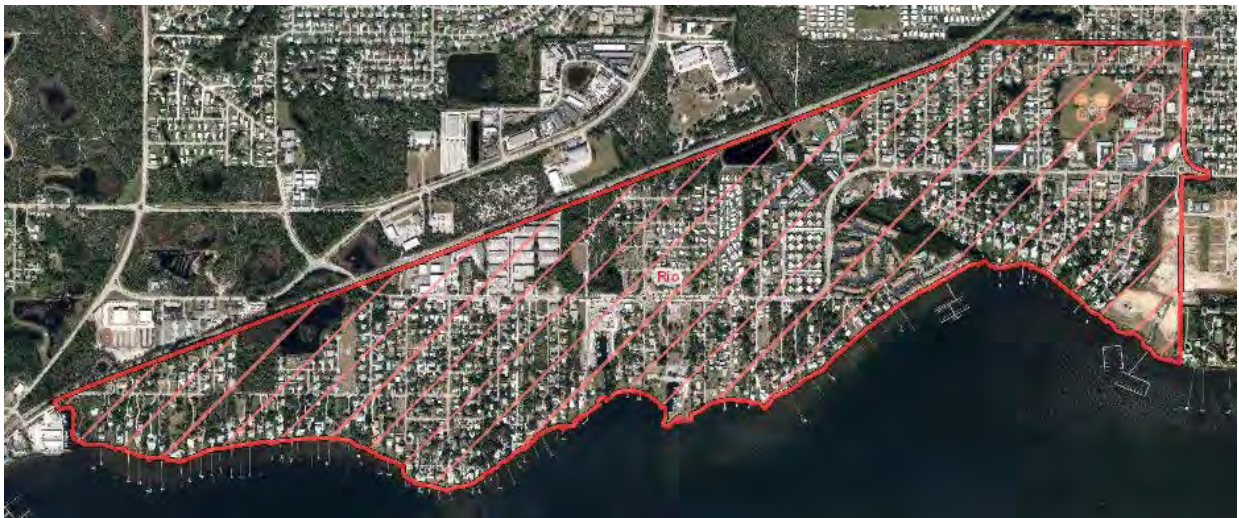


Figure 3. Old Palm City Community Redevelopment Area

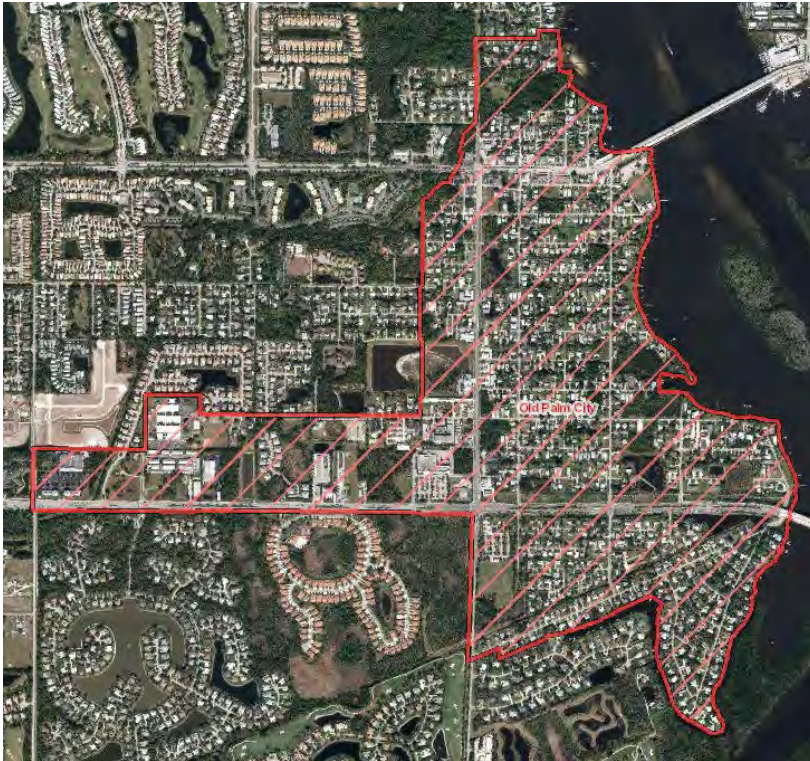


Figure 4. Hobe Sound Community Redevelopment Area

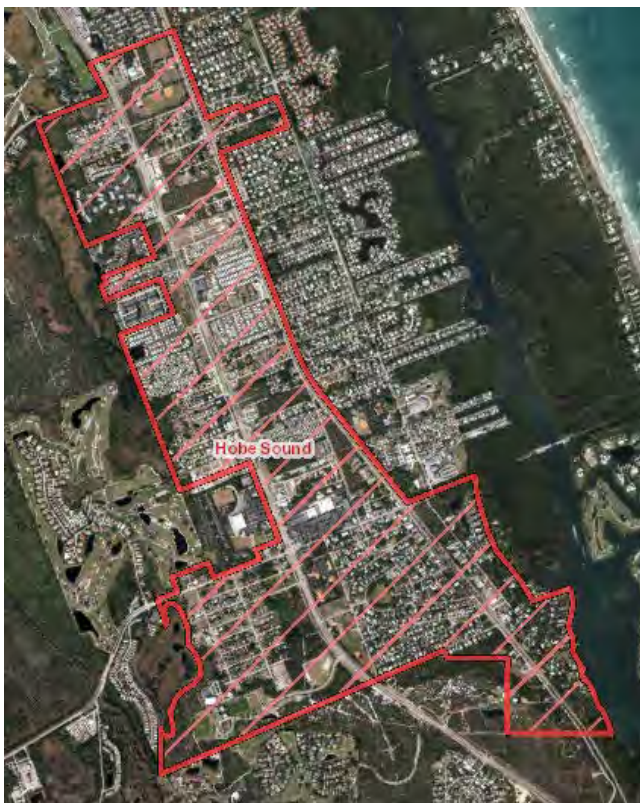


Figure 5. Golden Gate Community Redevelopment Area



Figure 6. Port Salerno Community Redevelopment Area



### **III. CONCLUSION**

Staff recommends approval of the proposed Chapter 18, Community Redevelopment Element, and approval of the related amendments in Chapter 2, Overall Goals and Definitions; Chapter 4, Future Land Use Element; Chapter 6, Housing Element, Chapter 8, Coastal Management Element; Chapter 9, Conservation and Open Space Element, Chapter 13, Drainage and Natural Groundwater Aquifer Recharge Element, and Chapter 14, Capital Facilities, of the CGMP.

### **IV. APPENDICES**

- A. Proposed Chapter 18, Community Redevelopment Element
- B. Proposed Amendments to Chapters 2, 4, 6, 8, 9, 13, and 14.
- C. A chart aligning Goals, Objectives and Policies in Chapter 18 to changes proposed in other CGMP Chapters.

## **Chapter 18 - COMMUNITY REDEVELOPMENT**

### **Section 18.1 – Background**

Martin County's six Community Redevelopment Areas (CRAs) are Jensen Beach, Port Salerno, Hobe Sound, Rio, Old Palm City and Golden Gate. Martin County's CRAs are older neighborhoods where historic charm and the need to reverse deterioration occur side-by-side. Some local businesses are thriving but at the same time the need to revitalize the business climate persists. The CRAs are the location of substantial existing investment as well as areas in need of focused investment in urban infrastructure. Finally, the CRAs are the home of long-term and new residents and business-owners who wish to actively participate in planning and investing for the present and future of their communities.

The CRAs were the historic focus of population and economic activity in Martin County. These historic communities pre-date the establishment of Martin County in 1925. For example, the Sewell's Point Land Company Map of Golden Gate was initially recorded in 1911 and revised in 1913; the Port Salerno Town Map was recorded in 1912; the Map of Palm City was recorded in 1912, followed by the Amended Plat of Palm City in 1916; the Hobe Sound Plat was recorded in 1913; and the Olympia Plat was recorded in 1924.

Following significant public engagement, in June of 1997, the Martin County Board of County Commissioners established the Martin County Community Redevelopment Agency. A Community Redevelopment Agency is a public entity that finances redevelopment within focused, geographic areas called CRAs and is governed by state law as well as local law. Under Florida law (Chapter 163, Part III), local governments may designate CRAs when certain conditions exist. To establish a CRA, a municipality follows the guidelines outlined in the Community Redevelopment Act, Chapter 163, Part III, Florida Statutes and (1) adopts a Finding of Necessity that formally identifies the conditions within the boundaries of the CRA; (2) adopts a Community Redevelopment Plan that addresses the needs of the targeted area; and (3) establishes a Redevelopment Trust Fund enabling the County to direct a percentage of property tax revenues to implement the redevelopment plan. Pursuant to Martin County's Community Redevelopment Ordinance, the Community Redevelopment Plans are required to be consistent with state statute, the Comprehensive Growth Management Plan (CGMP), the 2020 Sustainable Vision Plan, the Martin County Septic to Sewer Plan, the Capital Improvement Plan for Roads, and the Stormwater/Water Quality Needs Assessment.

The Martin County Board of County Commissioners (Board), in accordance with Section 39.3 of Martin County General Code, directs the activities of the Community Redevelopment Agency (Agency). The Board appoints the seven members of the Agency, designates the chair and vice chair of the Agency, sets the percentage of Tax Increment Financing available for investment in the CRA, and approves the Agency budget.

The Community Redevelopment Agency adopts redevelopment plans and budgets, provides direction to staff and makes recommendations to the Board of County Commissioners. The members of the Agency must reside within a CRA, be a resident of Martin County and engage in business within a CRA, or be a resident of Martin County and own property within one mile of a CRA. Additionally, members of the Agency must have served as chair of a Neighborhood Advisory Committee (NAC), or in the case of the at-large member, have served as a member of an NAC. Each individual CRA is guided in part by a Neighborhood Advisory Committee (NAC), the members of which are appointed by the Board to provide advice and recommendations regarding the implementation of the Community Redevelopment Plans. To be eligible to serve on the NAC, a person must be a resident of the CRA, be a resident of Martin County and the owner or senior manager of a business in the CRA, or be a resident of Martin County and own real property within one mile of the CRA.

As articulated in the 2018 County-wide Community Redevelopment Plan, the mission of the Martin County Community Redevelopment Agency is the revitalization and restoration of the neighborhoods and town centers of the CRAs. The Agency seeks to maintain the unique character of the communities by encouraging sustainable economic investment and promoting walkability and livability. The vision for the CRAs is economically and environmentally sound, safe and healthy neighborhoods and vibrant town centers that celebrate the distinctive identity and character of each CRA while contributing to the overall sustainability of Martin County. The Community Redevelopment Agency seeks to achieve this through implementation of certain core values including innovation, collaboration, consistency, sustainability and stewardship.

Redevelopment projects are largely funded through Tax Increment Financing (TIF). The year the CRA was established is designated as the base year. The base year for Jensen Beach and Port Salerno is 1999, for Rio and Hobe Sound it is 2000; and for Old Palm City and Golden Gate it is 2002. The assessed value of all real property within the CRA in that base year is the base year value. TIF represents a percentage of new property tax revenue generated within the CRA due to increased property valuation since the base year. The percentage of the tax-increment that is allocated annually to the CRA Trust Funds can range from 50% to 95%. Tables 18-1 and 18-2 (next page) present total taxable value of real property in the CRAs and changes in real property valuation over time. Supplemental funding for CRAs can also come from grants, public/private partnerships, contributions, donations, investment, loans or bond revenues.

The projects, activities, and progress of the CRAs are examined and published in the Agency Annual Report. The Annual Report publishes measurements such as total number of building permits, total value of the improvements represented by the building permits, projects planned, underway and completed, and the status of each of the six CRA Trust accounts.

Since the CRAs were established in 1997, the CGMP policies governing land development within them have been amended several times. It was in 2003 that

Table 18-1  
Taxable Value of Real Property in the CRAs

	<u>Total Taxable Value of Real Property in Current Dollars<sup>(1)</sup></u>			
	<u>2002<sup>(2)</sup></u>	<u>2007</u>	<u>2013</u>	<u>2018</u>
<u>Jensen Beach</u>	<u>\$12,390,923</u>	<u>\$34,029,833</u>	<u>\$25,099,079</u>	<u>\$40,537,496</u>
<u>Rio</u>	<u>104,402,668</u>	<u>241,504,646</u>	<u>146,171,830</u>	<u>183,430,657</u>
<u>Old Palm City</u>	<u>93,653,780</u>	<u>207,930,780</u>	<u>122,858,211</u>	<u>163,327,484</u>
<u>Hobe Sound</u>	<u>107,323,571</u>	<u>256,595,583</u>	<u>163,253,639</u>	<u>208,721,775</u>
<u>Golden Gate</u>	<u>51,415,512</u>	<u>135,682,154</u>	<u>61,368,800</u>	<u>89,817,503</u>
<u>Port Salerno</u>	<u>90,101,824</u>	<u>242,078,172</u>	<u>127,646,819</u>	<u>167,722,447</u>
<u>TOTAL CRA</u>	<u>\$459,290,280</u>	<u>\$1,117,823,175</u>	<u>\$646,400,391</u>	<u>\$853,557,362</u>

(1) Dollar figures are unadjusted for inflation.

(2) 2002 is the first year for which data is available for all Martin County CRAs.

Source: Property Appraiser of Martin County, Table: Martin County CRA Inventory Historical, <https://www.pa.martin.fl.us/tools-downloads/data-downloads>

Table 18-2  
Change over Time of Taxable Value of Real Property in the CRAs

<u>Geography</u>	<u>Percent Change</u>			
	<u>2002-07</u>	<u>2007-13</u>	<u>2013-18</u>	<u>2002 -2018</u>
<u>Jensen Beach</u>	<u>175%</u>	<u>-26%</u>	<u>62%</u>	<u>227%</u>
<u>Rio</u>	<u>131%</u>	<u>-39%</u>	<u>25%</u>	<u>76%</u>
<u>Old Palm City</u>	<u>122%</u>	<u>-41%</u>	<u>33%</u>	<u>74%</u>
<u>Hobe Sound</u>	<u>139%</u>	<u>-36%</u>	<u>28%</u>	<u>94%</u>
<u>Golden Gate</u>	<u>164%</u>	<u>-55%</u>	<u>46%</u>	<u>75%</u>
<u>Port Salerno</u>	<u>169%</u>	<u>-47%</u>	<u>31%</u>	<u>86%</u>
<u>TOTAL CRA</u>	<u>143%</u>	<u>-42%</u>	<u>32%</u>	<u>86%</u>

mixed-use development in the CRAs was first allowed. The CRA Mixed-Use future land use overlays were established and policies for mixed-use development in the CRAs outside the Mixed-Use future land use overlay adopted.

This Chapter 18 was adopted in 2019 to more effectively accomplish CGMP Goal 4.2, which is "To alleviate the negative impacts of inadequate public facilities and services and substandard structures in the County." It supports the goals set forth in the six Redevelopment Plans and provides the CGMP policy structure to support substantial

revisions to the LDR applicable within the CRAs. The intention is to provide in one coherent chapter all Goals, Objectives and Policies that apply within Martin County's six CRAs. However, the implementation process for Chapter 18 is ongoing.

Chapter 18 created two new CRA-specific future land use designations—CRA Center future land use and CRA Neighborhood future land use. In order to implement the new future land use designations, each of the six CRA areas will undergo the comprehensive plan amendment process. The Future Land Use Map will be amended for each CRA to replace the Mixed-Use Overlay and the underlying future land use designations within the Mixed-Use Overlay with the CRA Center future land use. Land areas outside of the CRA Center will receive the CRA Neighborhood future land use. Two exceptions are the Marine Waterfront Commercial and Institutional future land uses, which are retained in the CRAs.

Because the Future Land Use Map will be amended to assign the CRA Center and CRA Neighborhood future land use designations to each CRA one at a time, the Goals, Objectives and Policies governing the Mixed-Use Overlays must be retained until such time as the Future Land Use Map has been amended for every CRA. When the Future Land Use Map has been amended to assign the CRA Center and the CRA Neighborhood future land use designations to every CRA, the Comprehensive Plan will be amended again to delete all Goals, Objectives and Policies relevant to Mixed-Use Overlays and any other text that is no longer needed.

## **Section 18.2 – Current Conditions**

### **A. Area**

The CRAs vary in total land area and in land area within the Mixed-Use future land use overlay. Jensen Beach is the smallest CRA, with just 67 acres, while Hobe Sound is the largest, with 1,024 acres. Generally, the larger the CRA's land area, the smaller is the percentage of the CRA that is in the Mixed-Use future land use overlay. See Table 18-3.

The important role of the CRAs in the County exceeds that which would be expected solely by land area. The 3,482 acres located within Martin County's six CRAs represent just one percent of the County's total land area and seven percent of the Primary Urban Service District (excluding the incorporated municipalities). Nine percent of Martin County's population lives in a CRA. Additionally, the CRAs have historically been the focus of population and commerce in Martin County and they continue to provide the locales where County residents and visitors gather together at restaurants, shops and community events.

Table 18-4 provides the percentage of land assigned to different categories of future land use designations by CRA and for the CRAs overall. One key point is that for five of the six CRAs, residential future land use designations predominate. The percentage of land with a residential future land use designation ranges from 46% in Hobe Sound to 66% in Rio. Jensen Beach is the exception with only seven percent of its land having a

Table 18-3  
Land Area in Martin County's CRAs

	<u>Area (in acres)</u>		<u>% of CRA that is Mixed- Use Overlay</u>
	<u>Total</u>	<u>Mixed-Use Overlay</u>	
<u>Jensen Beach</u>	<u>67.24</u>	<u>67.24</u>	<u>100%</u>
<u>Rio</u>	<u>542.20</u>	<u>150.31</u>	<u>28%</u>
<u>Old Palm City</u>	<u>609.51</u>	<u>90.21</u>	<u>15%</u>
<u>Hobe Sound</u>	<u>1,023.66</u>	<u>78.47</u>	<u>8%</u>
<u>Golden Gate</u>	<u>379.19</u>	<u>125.60</u>	<u>33%</u>
<u>Port Salerno</u>	<u>860.57</u>	<u>159.00</u>	<u>18%</u>
<u>TOTAL</u>	<u>3,482.37</u>	<u>670.83</u>	<u>19%</u>

residential future land use designation. Another noteworthy point is the amount of land dedicated to right-of-way. Overall, 22% of the land in Martin County's CRAs is dedicated to right-of-way. This ranges from a high of 29% in Golden Gate to just 13% in Rio. The sheer volume of land devoted to right-of-way points to the importance of street design and the creation of a public realm that fully supports and advances the vision for the CRAs. While roadways are expensive to redevelop and to maintain, the quality of streets directly contributes to the value of adjoining and nearby parcels. The public rights-of-way are land controlled by the County. They represent a tremendous resource for accomplishing stormwater objectives, improving active transportation (walking and biking), providing parking, and beautifying the community.

Table 18-4  
Percentage of Land Area in the CRAs  
by Category of Future Land Use Designation and Right-of-way

	<u>Residential</u>	<u>Commercial</u>	<u>Institutional</u>	<u>Industrial</u>	<u>Right-of- Way</u>
<u>Golden Gate</u>	<u>51%</u>	<u>8%</u>	<u>4%</u>	<u>5%</u>	<u>29%</u>
<u>Hobe Sound</u>	<u>46%</u>	<u>18%</u>	<u>14%</u>	<u>0%</u>	<u>19%</u>
<u>Jensen Beach</u>	<u>7%</u>	<u>63%</u>	<u>0%</u>	<u>0%</u>	<u>15%</u>
<u>Old Palm City</u>	<u>53%</u>	<u>16%</u>	<u>5%</u>	<u>3%</u>	<u>26%</u>
<u>Port Salerno</u>	<u>57%</u>	<u>7%</u>	<u>6%</u>	<u>2%</u>	<u>25%</u>
<u>Rio</u>	<u>66%</u>	<u>14%</u>	<u>4%</u>	<u>4%</u>	<u>13%</u>
<u>ALL CRAs</u>	<u>53%</u>	<u>14%</u>	<u>8%</u>	<u>2%</u>	<u>22%</u>

## B. Population

The U.S. Census Bureau conducts a census every ten years. In 2000, the population of Martin County was 126,731. It grew by 13.4% to reach 146,318 in 2010. In 2010, nine percent of Martin County's population lived in one of the six CRAs. Table 18-5 represents the change over time of population in the CRAs.

Table 18-5  
Population in the CRAs and Martin County

	<u>2000</u>	<u>2010</u>	<u>% change</u> <u>2000 to 2010</u>
<u>Jensen Beach</u>		<u>100</u>	
<u>Golden Gate</u>		<u>3,041</u>	
<u>Port Salerno</u>		<u>3,620</u>	
<u>Rio</u>		<u>2,322</u>	
<u>Palm City</u>		<u>2,344</u>	
<u>Hobe Sound</u>		<u>2,341</u>	
<u>CRA Total</u>		<u>13,768</u>	
<u>Martin County</u>	<u>126,731<sup>(1)</sup></u>	<u>146,318<sup>(1)</sup></u>	<u>13.4%</u>

<sup>(1)</sup> 2017 Population Technical Report; U.S. Census.

## C. Natural Resources

### 1. Shorelines

Martin County has more than 135 miles of shoreline. As in the County overall, in the CRAs, land uses and activity in the coastal area must protect natural resources, provide recreational opportunities, support tourism and redevelopment, and enhance the local economy. CGMP Policy 8.1D.1. prioritizes the use of waterfront land as follows:

1. Public boat ramps and public use marinas;
2. Other water-oriented recreation, including the development of public access to the water through county owned conservation lands;
3. Commercial fishing and sport fishing;
4. Water-dependent industries or utilities;
5. Targeted businesses that are water-dependent or water-related;
6. Water-related uses; and
7. Residential with marinas or other water-oriented recreation uses.

Martin County's CRAs have shorelines along the Indian River Lagoon, the St. Lucie River, the Manatee Pocket, and Willoughby Creek. Eight-and-one-half miles of the County's 135 miles of shoreline (six percent) are located in a CRA. Jensen Beach, Rio and Port Salerno each have a long history of boating and fishing activities. These CRAs represent important concentrations of existing commercial marinas and marine industries. CGMP Figure 8-1 illustrates the concentration of water-dependent and water-related uses, such as boat ramps, commercial marinas and marine industries in the CRAs.

The Jensen Beach, Rio and Port Salerno CRAs host several Marine Service Areas. Marine Service Areas are sites with Waterfront General Commercial Zoning or used as marinas or marine repair facilities, including all related boat storage and repair areas. Marine Service Areas cannot be converted to permanent housing unless the marine service uses can be replaced on the same parcel or another parcel not already designated a Marine Service Area. See, CGMP Policy 4.13A.8(4). The Goals Objectives and Policies in this chapter and the Land Development Regulations will continue to protect Marine Service Areas. Furthermore, all waterfront property, particularly that property with multi-slip commercial docks, is controlled by the Boat Facilities Siting Plan and the Manatee Protection Plan (referenced in Chapter 8, the Coastal Management Element). Jensen Beach, Rio and Port Salerno are all identified as preferred locations for the redevelopment and expansion of boating facilities in the Martin County Boat Facility Siting Plan (2002). Additionally, the 2002 Boat Facility Siting Plan identified the opportunity to reconfigure stormwater management systems to improve water quality as one benefit of the redevelopment of existing marinas.

Development along the shorelines in the CRAs began decades before Martin County adopted Shoreline Protection Zone (SPZ) policies in 1982. Much of the existing development does not comply with the policies adopted in 1982 and revised over the years, particularly in 1990 and 1997. Redevelopment in compliance with all currently applicable regulations can reduce the developable area, increase setbacks from the water, increase required open space and reduce the functionality of a site. As a result, investment in and redevelopment of waterfront property has been hindered. Chapter 18 adopts SPZ policies applicable within the CRAs to require protection of natural resources and water quality without reducing the function of a site.

In addition to protecting the shorelines from degradation caused by human activity, it is also necessary to consider sustainability in light of changing coastal conditions related to accelerating sea-level rise. Coastal High Hazard Areas are present in the CRAs. See CGMP Figure 8-7. The Coastal High Hazard Area (CHHA) is the area below the elevation of the Category 1 storm (sustained wind speed of 74 mph) surge line established by the Sea, Lake and Overland Surges from Hurricanes model (SLOSH) developed by the National Weather Service. Storm surge is the abnormal rise of water generated by a storm, over and above the predicted astronomical tides. Along coastal areas, storm surge is often the greatest threat to life and property from a hurricane.

(Source: National Hurricane Center, <https://www.nhc.noaa.gov/surge/slosh.php> (accessed on 4/22/19))

Separate from State regulation of Coastal High Hazard Areas, the Federal Emergency Management Agency publishes the Flood Insurance Rate Maps. Martin County participates in the Community Rating System that establishes minimum finished floor elevations in Special Flood Hazard Areas. The combined effect of policies and regulations related to Shoreline Protection Zones, Coastal High Hazard Areas, and Special Flood Hazard Areas can discourage redevelopment of sites and structures that most need increased resilience. Encouraging sustainable, resilient redevelopment will help Martin County preserve the historic character of the CRAs.

## 2. Wetlands

Wetlands serve many important hydrological and ecological values and functions. Martin County, as well as the CRAs, will protect wetlands in accordance with the wetland protection policies found in Chapter 9.

## 3. Native Upland Habitat

As discussed in Section 18.1., the CRAs were the first areas of Martin County to develop, even before Martin County was carved out of Palm Beach and St. Lucie Counties in 1925. Adoption of Plan policies protecting native upland habitat did not occur until 1990. The Comprehensive Plan contains Goals, Objectives and Policies requiring that 25% of native upland habitat be preserved. In many areas of the CRAs, native upland habitat no longer exists, and preservation requirements are not applicable.

The Rio and Hobe Sound CRAs contain some undeveloped lots hosting native upland habitat, much of which appears to be rare and unique habitat. Rio appears to have about 17 acres of native upland habitat on 5 separate undeveloped parcels. Hobe Sound appears to have approximately 55 acres of native upland habitat on 24 separate undeveloped parcels (excluding platted single-family lots, land subject to a Preserve Area Management Plan, and land held for conservation.) Pursuant to current policies, requiring 25% of native upland habitat to be preserved, Rio will retain some 4.25 acres over five separate parcels and Hobe Sound will retain 13 or 14 acres over 24 parcels. Upon meeting the required 25% set-aside, fifty-four acres will likely be lost to development. Policies in Chapter 18 provide additional options for the preservation of native upland habitat by development in the CRAs in order to facilitate compact walkable development and preservation of sustainable areas of native upland habitat.

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## D. Infrastructure and Public Facilities

### 1. Mobility and Transportation

As presented in Table 18-4, roadway right-of-way represents a significant resource in the CRAs. This right-of-way presents the opportunity to achieve many CRAs goals- sidewalks, beautification, on-street parking, and stormwater management. Due to the fundamental impact roadways and the right-of-way have on the visual appeal, economic competitiveness, safety and walkability of a community, and because the roadways are in public ownership, roadway improvements have been and continue to be a priority within the CRAs. It should be noted that many of these rights-of-way were created when the communities were platted in the 1910s and 1920s and are narrower than today's standards that are established to provide two-way vehicular travel with wider sidewalks and bicycle facilities. This presents another challenge to redevelopment within the CRAs.

None of Martin County's CRAs are currently served by the Martin County public transit system, but the 2014-2023 Transit Development Plan calls for introducing transit service when funds are available. The CRAs would benefit from access to public transit. Generally, the feasibility of public transit, in terms of frequency of service and number of routes, improves as residential and employment densities increase.

In Chapter 5, roadways that do not currently meet Level of Service (LOS) criteria but that will not be expanded by the addition of two or more through lanes due to physical, environmental or policy constraints are called constrained facilities. Because the built environment makes it impracticable to widen roadways, and because the CRA desires to accommodate bicyclists and pedestrians safely and conveniently, and to encourage a compact, walkable urban form, new options may be needed when roadways in the CRAs are unable to provide the adopted LOS.

The NACs, the Community Redevelopment Agency and the Board of County Commissioners may need to evaluate and plan for traffic impacts of high speed passenger rail service anticipated between Orlando and Miami. While the proposed passenger rail service has previously missed numerous projected start-dates, in April 2019, \$1.75 billion in bonds were sold. These bonds are intended for construction of the corridor between West Palm Beach and Orlando. The current projected start date for service is 2022.

### 2. Drainage and Stormwater Management

The creation of the lots and roadways occurred in the CRAs long before modern stormwater management was common. Substantial development occurred in the CRAs prior to the development of flood protection and water quality methodologies, such as wet and dry detention and retention of stormwater run-off. Contemporary

stormwater goals include controlled discharges of clean stormwater run-off from developed sites in a manner that simultaneously projects the site and neighboring sites from flooding. The smaller size of development sites and the desired compact, walkable urban form make stormwater detention and retention basins impractical in the CRAs. The lack or insufficiency of off-site drainage infrastructure also presents challenges to in-fill development and redevelopment. Therefore, particular attention to drainage and stormwater management is needed to encourage in-fill development and redevelopment in the CRAs.

### 3. Public Water and Wastewater Systems

Lack of public potable water distribution systems and public wastewater collection systems was acknowledged in the 1997 Finding of Necessity that preceded the establishment of the CRAs. While investments have been made and progress has been achieved, substantial areas within the CRAs still lack basic urban infrastructure. In Rio, Old Palm City and Port Salerno CRAs, there are residences located on lots ranging from as small as 6,000 to 12,000 sq. ft. where potable water is provided by an individual well and sanitary wastewater is collected and treated by on-site sewer facilities (OSTDS). New residences are allowed to be built on these lots, without regional utilities because they are platted lots of record and state and county law exempt from modern standards governing individual wells and OSTDS. In comparison, lots created between 1982 and 2014, must have at least one-half acre of useable area in order to install an on-site potable well and on-site sewer facility and lots created after 2014 must have at least one acre of usable upland area in order to utilize an OSTDS. The County has prioritized a program to connect all properties in the CRAs within its service area to its regional collection and treatment system. Only the Hobe Sound CRA is not served by Martin County.

### Section 18.4. - Goals, Objectives and Policies

**Goal 18.1.** 4.2. To alleviate the negative impacts of inadequate public facilities and services and substandard structures for affected areas in the County.

*Objective 18.1A.* 4.2B. To encourage in-fill development and redevelopment through the designation of Community Redevelopment Areas (CRAs).

*Policy 18.1A.1.* 4.2B.1. Creation of community redevelopment areas. All CRAs shall be created in accordance with the provisions of F.S. Chapter 163, Part III.

*Policy 18.1A.2.* 4.2B.2. Location of Community Redevelopment Areas. CRAs shall not be established outside the Primary Urban Service District.

*Policy 18.1A.3.* 4.2B.3. Resources to aid redevelopment. Martin County shall continue to provide technical, planning and financial resources to

aid the residents and landowners with redevelopment and in-fill development.

*Policy ~~18.1A.4. 4.2B.4.~~ Designation of community redevelopment areas.* Martin County has designated the following CRAs in unincorporated Martin County: Jensen Beach, Rio, Old Palm City, Hobe Sound, Golden Gate and Port Salerno, Hobe Sound, Rio, Golden Gate, Old Palm City and Indiantown. These specific geographic areas are identified in the community redevelopment plan for each area, which were initially adopted by the Board of County Commissioners ~~as of June between 2000 and 2003.~~ and are designated on the FLUM. Any new CRAs or any changes to the boundaries of a CRA shall require an amendment to the CGMP and to the FLUM.

*Policy ~~18.1A.5. 4.2B.5.~~ Priority for capital improvements in CRAs.* In developing its Capital Improvement Plan and as provided in the Capital Improvements Element, Martin County shall give priority to capital projects ~~identified in adopted community redevelopment plans that~~ provide infrastructure improvements in designated CRAs.

*Policy ~~18.1A.6. 4.2B.1.~~ Consistency of land use policies.* Land use policies for CRAs or portions of them in a Coastal High-Hazard Area or a Special Flood Hazard Area shall be consistent with all CGMP policies regulating construction in such areas.

*Objective ~~18.1B. 4.2A.~~* To continue to assist areas in need of redevelopment.

*Policy ~~18.1B.1. 4.2A.1.~~ Mechanisms for attracting private investment.* Using fiscally sound means, the County shall investigate and establish mechanisms for attracting private investment into the CRAs. ~~redevelopment activities.~~

*Policy ~~18.1B.2. 4.2A.2.~~ Requirements for redevelopment plans.* At a minimum, redevelopment plans, activities and regulations shall:

- (1) Be consistent with policies set forth in this Plan, including statutory condemnation and eminent domain provisions;
- (2) Be coordinated with the availability of the following public facilities and services at the levels of service adopted in the CGMP: transportation, potable water, sanitary sewer, drainage and aquifer recharge, solid waste and recreation;
- (3) Address the impacts of redevelopment activities on the natural systems and historic resources of Martin County;
- (4) Provide for the visual continuity of designated redevelopment areas through application of sound principles of architectural design and landscaping.

*Policy ~~18.1B.3. 4.3A.8.~~ Expedited review in CRAs. ~~By December~~*

~~2011~~ Martin County's Land Development Regulations shall ~~incorporate~~ maintain its provisions for expedited review of redevelopment and in-fill projects in ~~designated~~ the CRAs.

~~Policy 18.1.B.4. 4.3A.6. Consistency with all applicable policies, redevelopment plan.~~ The ability to develop the maximum density and intensity of use permitted by a future land use designation ~~is are~~ not guaranteed. All development must comply with all applicable CGMP policies, the Land Development Regulations, and the Martin County Code. ~~Density and intensity must be consistent with the community redevelopment plan for the area and Goal 4.3, as well as with the redevelopment overlay districts, Land Development Regulations and infrastructure limitations..~~

~~Policy 18.1B.5. 4.2A.3. Amendments supporting redevelopment.~~ In conjunction with the continuing efforts of the Affordable Housing Advisory Committee, as well as objectives and policies established in the Housing Element, the County shall periodically consider amendments to the CGMP and/or Land Development Regulations regarding mechanisms to address areas in need of redevelopment and renewal and the provision of affordable housing.

Objective 18.1C. To support the desired land uses in the CRAs, protect public health, and reduce non-point-source pollution entering the St. Lucie River, Willoughby Creek, Manatee Pocket, and the Indian River Lagoon.

Policy 18.1C.1. The County shall complete and maintain the public wastewater collection and treatment systems to serve the entire Jensen Beach CRA.

Policy 18.1C.2. The County shall complete and maintain the public wastewater collection and treatment systems to serve the entire Rio CRA.

Policy 18.1C.3. The County shall complete and maintain the public wastewater collection and treatment systems to serve the entire Old Palm City.

Policy 18.1C.4. The County shall complete and maintain the public wastewater collection and treatment systems to serve the entire Golden Gate CRA.

Policy 18.1C.5. The County shall complete and maintain the public wastewater collection and treatment systems to serve the entire Port Salerno CRA.

Policy 18.1C.6. The County shall work with South Martin Regional Utilities to provide public wastewater collection and treatment systems to serve the entire Hobe Sound CRA.

Objective 18.1D. To support the desired land uses in the CRAs, protect groundwater resources and protect public health.

Policy 18.1D.1. The County shall complete and maintain the public potable water treatment and distribution system to serve the entire Jensen Beach CRA.

Policy 18.1D.2. The County shall complete and maintain the public potable water treatment and distribution system to serve the entire Rio CRA.

Policy 18.1D.3. The County shall complete and maintain the public potable water treatment and distribution system to serve the entire Old Palm City CRA.

Policy 18.1D.4. The County shall maintain the public potable water treatment and distribution system to serve the entire Golden Gate CRA.

Policy 18.1D.5. The County shall complete and maintain the public potable water treatment and distribution system to serve the entire Port Salerno CRA.

Policy 18.1D.6. The County shall work with South Martin Regional Utilities to complete the public potable water system to serve the Hobe Sound CRA.

Objective 18.1E. To plan, design, finance and implement community stormwater management systems in each CRA that are consistent with a small-town compact urban form and protect the St. Lucie River and the Indian River Lagoon from non-point-source pollution.

Policy 18.1E.1. The County shall determine what infrastructure is needed for each CRA to adequately protect the CRA from flooding assuming maximum lot coverage pursuant to the future land use map.

Policy 18.1E.2. The Land Development Regulations shall encourage to the fullest extent practicable the use of innovative engineering and best management practices including, but not limited to, green infrastructure and low impact design to manage, treat, retain and detain stormwater in the CRAs.

Policy 18.1E.3. ~~13.1E.8. Stormwater needs in CRAs, community redevelopment areas.~~ The County shall review the stormwater needs of the CRAs mixed-use projects in community redevelopment areas and shall provide exceptions or alternative compliance measures for these areas in the Land Development Regulations. Any exceptions shall

assure that other properties do not flood and that the timing, quantity and quality of stormwater runoff does not ~~has no potentially~~ negatively impacts on the St. Lucie River or other receiving bodies. Where offsite water management facilities are used they must be in place and functioning prior to the issuance of a building permit.

*Policy 18.1E.4.* The County and the Community Redevelopment Agency shall investigate the feasibility and effectiveness of a stormwater utility ordinance, special assessment, or other funding mechanisms for individual CRAs based on the amount of impervious area, to fund stormwater treatment and management improvements.

*Policy 18.1E.5.* Landscaped areas in the CRAs shall be designed to serve as integral components of a community stormwater treatment system.

*Policy 18.1E.6.* The Community Redevelopment Agency shall engage in a campaign with existing residents and businesses to retrofit properties with low-impact stormwater best management practices, such as pervious driveways, rain gardens, rain barrels or cisterns.

*Policy 18.1E.7.* Community stormwater detention or retention basins shall be designed to also serve as public open space through the provision of walking trails and benches, whenever feasible.

**Goal 18.2.** To facilitate the revitalization, restoration and strengthening of the CRA town centers and neighborhoods by establishing future land use designations that allow and encourage a compact, walkable, small-town urban form.

*Objective 18.2A.* The CRA Center future land use designation applies to the urbanized core of the CRAs and along certain corridors where mixed-use development patterns exist or are allowed.

*Policy 18.2A.1. Quality of life.* Development in the CRA Center shall be designed to improve residents' quality of life by:

- (1) Encouraging compatibility and pedestrian and bicycle links between commercial development and surrounding residential areas;
- (2) Accommodating small businesses and home-based businesses;
- (3) Increasing economic and social integration by providing opportunities for diverse housing types;
- (4) Encouraging vibrant, compact development;
- (5) Providing for local, small-scale employment, shopping and civic opportunities; and
- (6) Maintaining or attaining a small-town urban form, with well-connected, walkable streets, on-street parking, small parking lots, public open

spaces, community facilities, and high quality buildings of similar scale related to each other in form and proportion.

*Policy 18.2A.2. Mixed-use development.* Opportunities for mixed-use development in the CRA Center shall be provided by allowing both mixed-use projects and a mixed-use pattern. A mixed-use project contains a complementary mix of residential, commercial, institutional and/or limited impact industrial uses that are planned and approved as a single, unified project. A mixed-use pattern is a dynamic mix of residential, commercial, institutional, and/or limited impact industrial uses located within walking distance that develops incrementally over time. A mixed-use pattern may, but need not, involve more than one type of land use on any individual lot.

*Policy 18.2A.3. Land Development Regulations.* The Land Development Regulations (LDR) shall establish redevelopment zoning districts and regulations for each CRA to implement the CRA Center future land use. The LDR shall detail permitted uses, building size and height, intensities of non-residential uses, densities of residential uses, open space, landscaping and parking requirements, and roadway design, as appropriate and consistent with this Chapter.

*Policy 18.2A.4. Development Standards.* All development in the CRA Center future land use designation shall comply with the following requirements, which shall be further delineated in the LDR:

- (1) *Residential density.* Residential density in the CRA Center shall not exceed 15 units per gross acre and may be further limited in the LDR.
- (2) *Residential density, small units.* Policy 4.3A.3.(2) When the result of this calculation is a number that ends in 0.5 or higher, the total unit count shall be rounded up. When calculating the number of residential units in a mixed-use project in the CRA Center future land use designation on lot sizes of one one-half acre or less, units of 800 or fewer square feet shall be counted as one half of a unit.
- (3) *Residential density, affordable housing.* When calculating the number of residential units in a mixed-use project on lot sizes greater than one one-half acre, units of 800 or fewer square feet shall be counted as half a unit if at least 50 percent of the units are restricted to affordable housing. meeting the requirements of Policy 6.1D.5. All mixed-use projects, regardless of size, shall be allowed at least one residential unit.
- (4) *Building height.* Building height in the CRA Center shall not exceed four stories or 40 feet and may be further restricted in the LDR.
- (5) *Open space.* The minimum open space in the CRA Center shall be 20

percent. The LDR may require a higher percentage of open space.

(6) *Transition between uses.* The LDR shall provide for the regulation of mass, scale, height, setbacks, landscaping, and/or architectural rhythm to make a proper transition between an existing residential use and a new use. The buffers and transitions between different land uses and development intensities provided by Objectives 2.1A., 4.1F., and 4.9D. shall not apply in the CRA Center FLU designation.

(7) *Neighborhood and Building Design.* Development in the CRA Center future land use must comply with Goal 18.4.

*Objective 18.2B.* To amend the Future Land Use Map to assign the CRA Center future land use designation in each CRA.

*Policy 18.2B.1. Future Land Use Map.* As a future land use designation, the boundaries of the CRA Center shall be shown on the Future Land Use Map. Any change to the boundary of the CRA Center future land use designation shall require a Future Land Use Map amendment to the CGMP.

*Objective 18.2C. CRA Neighborhood future land use designation.* The CRA Neighborhood future land use designation is generally located outside the urbanized center of each CRA and outside corridors where mixed-use development patterns exist or are allowed.

*Policy 18.2C.1. Quality of Life.* Redevelopment and in-fill development in the CRA Neighborhood future land use designation shall be designed to improve residents' quality of life by:

- (1) Maintaining the primacy of residential land uses while allowing a mix of residential uses;
- (2) Allowing limited commercial activity, primarily on collector or arterial roadways or where commercial activity historically has been located;
- (3) Attaining or maintaining a small-town urban form, with well-connected, walkable streets, public open spaces and recreational facilities, and buildings whose form and proportion are consistent with existing buildings;
- (4) Maintaining and upgrading the character and building stock of residential neighborhoods;
- (5) Accommodating home-based businesses;
- (6) Increasing economic and social integration by providing opportunities for a diversity of housing types that are compatible with the character of existing neighborhoods;
- (7) Improving public facilities such as adding sidewalks and calming traffic; and,

(8) providing a coordinated system of recreation and open space.

*Policy 18.2C.2. Land Development Regulations.* The LDR shall establish redevelopment zoning districts and zoning regulations for each CRA to implement the CRA Neighborhood future land use. The LDR shall detail permitted uses, building size and height, intensities of non-residential uses, density of residential uses, open space, landscaping and parking requirements, and roadway design, as appropriate and consistent with this Chapter.

*Policy 18.2C.3. Development Standards.* All development in the CRA Neighborhood future land use designation shall comply with the following requirements, which shall be further delineated in the LDR:

- (1) *Residential density.* Residential density in the CRA Neighborhood shall not exceed 10 units per gross acre and may be further restricted in the LDR.
- (2) *Building height.* Building heights in the CRA Neighborhood future land use designation shall not exceed four stories or 40 feet and may be further restricted in the LDR.
- (3) *Open Space.* The minimum open space in the CRA Neighborhood shall be no less than 30 percent. The LDR may require a higher percentage of open space.
- (4) *Transition between uses.* The LDR shall provide for the regulation of mass, scale, height, setbacks, landscaping, and/or architectural rhythm to provide for proper transitions or to provide necessary buffers between an existing residential use or structure and a new use or structure. The buffers and transitions provided by Objectives 2.1A., 4.1F., and 4.9D. shall not apply in the CRA Center future land use designation.
- (5) *Neighborhood and Building Design.* Development in the CRA Neighborhood future land use must comply with Goal 18.4.

*Objective 18.2D.* To amend the Future Land Use Map to assign the CRA Neighborhood future land use designation in each CRA.

*Policy 18.2D.1. Future Land Use Map.* As a future land use designation, the boundaries of the CRA Neighborhood shall be shown on the Future Land Use Map. Any change to the boundary of the CRA Neighborhood future land use designation shall require a Future Land Use Map amendment to the CGMP.

*Objective 18.2E. Marine Waterfront Commercial in the CRAs.* To preserve marine waterfront uses, the Marine Waterfront Commercial future land use

designation is retained in the CRAs.

*Policy 18.2E.1. Marine Service Areas.* All development on Marine Waterfront Commercial future land use is subject to the protection of Marine Service Areas provided in CGMP Policy 4.13A.8.(4).

*Policy 18.2E.2. Mixed-Use Development on Marine Waterfront Commercial future land use in the CRAs.* The land in the Jensen Beach, Rio and Port Salerno CRAs designated Marine Waterfront Commercial on the Future Land Use Map, and not a Marine Service Area, as shown on CGMP Figure 18.2E., may be utilized consistent with CGMP Policy 4.13A.8.(4), or for a mixed-use project, consistent with this Chapter and the LDR.

*Policy 18.2E.3. Minimum open space.* Notwithstanding CGMP Policy 4.13A.8.(4), minimum open space in the Marine Waterfront Commercial future land use within the CRAs shall be 20 percent.

*Policy 18.2E.4. Land Development Regulations.* The LDR shall establish a redevelopment zoning district and zoning code for each CRA to implement the Marine Waterfront Commercial future land use. The LDR shall detail permitted uses, building size and height, intensities of non-residential uses, density of residential uses, open space, landscaping and parking requirements, as appropriate and consistent with this Chapter and Policy 4.13A.8.(4).

*Policy 18.2E.5. Other Coastal Management Policies.* Goals, Objectives and Policies set forth in Chapter 8, the Coastal Management Element, remain in force and effect in the CRAs, except as they have been specified in Chapter 18.

*Objective 18.2F. Institutional future land uses in the CRAs.* The Institutional future land use designation is retained in the CRAs.

*Policy 18.2F.1. Land Development Regulations.* The Institutional future land use designation shall be implemented within the CRAs through the Public Recreation, Public Conservation and General Institutional Zoning Districts, as provided in Article 3, LDR and consistent with CGMP Policy 4.13A.11.

*Objective 18.2G. Industrial future land uses in the CRAs.* The Industrial future land use designation is retained in the CRAs.

*Policy 18.2G.1. Land Development Regulations.* The Industrial future land use designation shall be implemented within the CRAs through the Industrial Zoning Districts, as provided in Article 3, LDR and consistent

with CGMP Policy 4.13A.10., except that mixed-use development projects are also permitted, consistent with this Chapter and the LDR.

**Goal 18.3. 4.3.** To provide opportunities for mixed residential and nonresidential uses, including Traditional Neighborhood Development, in CRAs that have not adopted the CRA Center and CRA Neighborhood future land use designations, in order to: ~~The goal of allowing mixed use in specified areas of CRAs and in Traditional Neighborhood Development is to:~~

- Encourage redevelopment and in-fill development;
- Provide for livable urban areas that mitigate the impacts of mixing uses;
- Provide a coordinated system of recreation and open space;
- Provide for pedestrian-friendly communities ~~that reduce dependence on the automobile~~;
- Reduce infrastructure needs by integrating and sharing parking, drainage and other public facilities;
- Meet the needs of neighborhood residents; ~~and~~
- Provide residents with a variety of housing choices.

Objective 18.3A. Martin County shall encourage but not mandate mixed-use development in the CRAs. Opportunities for mixed use shall be provided by allowing different types of land uses in close proximity and functionally integrated to share infrastructure.

Policy 18.3A.1. Types of Mixed-use Development. Mixed-use development encompasses both mixed-use projects and mixed-use patterns. A mixed-use project contains a complementary mix of residential, commercial, institutional and/or limited impact industrial uses in close proximity that are planned and approved as a single, unified project. A mixed-use pattern is a dynamic mix of residential, commercial, institutional, and/or limited impact industrial uses located within walking distance that develops incrementally over time. A mixed-use pattern may or may not involve more than one type of land use on any individual lot.

Policy 18.3A.2. 4.3A.1. Location of mixed-use development in the CRAs. Martin County shall allow mixed-use development in the CRAs areas that are listed in Policy 4.2B.4., as follows:

- (1) Mixed-use projects and mixed-use patterns shall be allowed in a Mixed-Use Overlay (MUO) area(s) developed for designated CRAs, as described in Policy 4.2B.4., and as designated on the FLUM.
- (2) Mixed-use projects are also allowed outside of a Mixed-Use Overlay MUO in the following future land uses designations:
  - (a) Commercial Office/Residential (COR) as described in Policy

4.13A.8.(1);

(b) Limited Commercial (LG) as described in Policy 4.13A.8.(2);

(c) General Commercial (GC) as described in Policy 4.13A.8.(3); .

~~Mixed-use development in these land use categories shall remain consistent with the nonresidential use and intensity requirements in each of these land use designations (see Goal 4.13) except that residential use shall be allowed. Residential density shall be consistent with the mixed-use densities described in this section (Objective 4.3A.) [moved to Policy 18.3A.9.]~~

~~Policy 18.3A.3. 4.13.A.14. Mixed-Use Overlay. The Future Land Use Map designates Mixed-Use Overlays (MUO) to certain areas in CRAs to allow mixed-use development regardless of the underlying future land use designation. designated community redevelopment areas as specified in Policy 4.2B.4. Mixed-Use Overlays MUO areas are intended to support a compact urban form and provide for local, small-scale employment, shopping and civic opportunities. The overlay areas seek to attain a small town urban form, with walkable streets, on-street parking, small parking lots, public open spaces, community facilities, and buildings of similar scale related to each other in form and proportion. Generally, the Mixed-Use Overlays areas cover the urbanized core of the CRA and certain corridors where mixed-use is development patterns exist or are allowed. to encourage redevelopment.~~

~~Policy 18.3A.4. Redevelopment and in-fill development in the Mixed-Use Overlays these areas shall be designed to improve residents' quality of life by:~~

- ~~(1) encouraging compatibility and pedestrian links between commercial developments and surrounding residential areas;~~
- ~~(2) accommodating home-based small businesses; and~~
- ~~(3) increasing economic and social integration by providing opportunities for diverse housing types and reduced traffic and other infrastructure needs.~~

~~Policy 18.3A.5. The nonresidential component of a mixed-use project in a MUO Mixed-Use Overlay shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and or compatible Limited Industrial, as provided in the Land Development Regulations. consistent with the requirements of Policy 4.3A.2.~~

~~Policy 18.3A.6. Boundaries of the Mixed-Use Overlays overlay area shall be shown on the Future Land Use Map (FLUM). New overlay areas or changes in the boundaries of existing overlay areas can be made only by FLUM amendments to the CGMP. which shall assess the impacts~~

~~of conversion to mixed use.~~

~~The MUO shall allow and encourage mixed use as defined under Goal 4.3 (Mixed Use). Mixed-use development in a Mixed Use Overlay in a CRA shall comply with the thresholds for densities and intensities of use identified in Policies 4.3A.2. and 4.3A.3. Martin County shall allow mixed-use development in this designation consistent with the applicable redevelopment overlay districts found in the Land Development Regulations.~~

*Policy 18.3A.7. LDR requirements for mixed-use projects in Mixed-Use Overlays.* The LDR shall regulate mixed-use projects in a Mixed-Use Overlay through redevelopment zoning overlays for each CRA. The LDR shall detail, building coverage and height, permitted uses, buffers, landscaping and parking requirements as appropriate and consistent with the policies in this Chapter. ~~Goal 4.3. [end of text copied from Policy 4.13.A.14.]~~

*Policy 18.3A.8. LDR requirements for mixed-use patterns in Mixed-Use Overlays.* ~~The~~ LDR shall include provisions for mixed-use patterns in Mixed-Use Overlays that are consistent with Policy 4.13A.14. and Chapter 18. The LDR shall detail permitted uses, building coverage and height, and landscaping and parking requirements.

*Policy 18.3A.9. 4.3A.3. Requirements for all development in a Mixed-Use Overlay.* All development projects in a Mixed-Use Overlay ~~the designated CRAs must~~ shall meet the following requirements, which shall be further delineated in the LDR.

- (1) ~~Constructed Residential~~ densities shall range from 2 units to 15 units per gross acre.
- (2) ~~When the result of this calculation is a number that ends in 0.5 or higher, the total unit count shall be rounded up. When calculating the number of units in a mixed-use project on lot sizes of one one-half acre or less, units of 800 or fewer square feet shall be counted as one half of a unit.~~
- (3) When calculating the number of units in a mixed-use project on lot sizes greater than one ~~one-half~~ acre, units of 800 or fewer square feet shall be counted as half a unit if at least 50 percent of the units are restricted to affordable housing, ~~meeting the requirements of Policy 6.1D.5. All mixed-use projects, regardless of size, shall be allowed at least one residential unit.~~
- (4) Permitted uses shall be mutually supportive and compatible with the scale of neighborhood development. Clustered living, working,

shopping and other activities shall serve the local population and help to create self-contained neighborhoods.

- (5) Highway-dependent retail and wholesale commercial with a regional market, ~~high-~~ extensive-impact industrial uses and other uses incompatible with a residential mixed-use neighborhood shall not be allowed.
- (6) Projects shall be designed primarily for pedestrians and only secondarily for cars. Drive-through businesses shall not be allowed. Pedestrian circulation systems shall assure ties to adjacent commercial and mixed-use areas as well as the surrounding residential community.
- (7) Urban design techniques that avoid a "sea of parking" and large parking areas in front of buildings shall be required.
- (8) A mixed-use project in an MUO shall include a non-residential use that is allowed by the Land Development Regulations that apply to the site from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial consistent with the requirements of Objective 4.3A.
- (9) A mixed-use project located on a parcel designated Marine Waterfront Commercial on the FLUM and in a Mixed-Use Overlay an MUO may satisfy its required nonresidential component with nonresidential Waterfront Commercial uses.
- (10) Development shall comply with the density and intensity standards (units per acre, height, lot coverage, building coverage, etc.) set forth in the LDR. Maximum building coverage shall be 100 percent.
- (11) Building height shall comply with the limits established in the LDR applicable to each parcel. may range from one to three stories with a maximum of 35 feet. Floors devoted to parking shall count toward the maximum number of stories.
- (12) The LDR shall provide for the use of mass, scale, height, setbacks, landscaping, and/or architectural rhythm to make a proper transition or provide a necessary buffer between an existing residential use and new uses. Objective 2.1A, 4.1F, and 4.9D. shall be inapplicable to mixed-use development.

~~A Mixed Use Overlay shall have between 20 percent and 75 percent residential use based on the total building square footage.~~

*Policy ~~18.3A.10, 4.3A.5.~~ Additional requirements for mixed-use projects located outside Mixed-Use Overlays. in CRAs. Mixed-use projects outside a Mixed-Use Overlay and in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the LDR:*

- (1) Mixed-use shall be allowed only on land designated for Commercial

Office/Residential, Limited Commercial and General Commercial.

- (2) ~~Land use limitations~~ The non-residential uses and development intensity shall remain consistent with the limitations of the underlying future land use except that residential development shall be encouraged allowed as part of any mixed-use development. Residential density shall not exceed 15 dwelling units per gross acre. Densities shall be consistent with the mixed-use densities of Policy 4.3A.3.
- (3) Mixed-use projects shall have between 20 percent and 75 percent residential use based on the total building square footage of the project.

Objective 18.3B. The applicable policies and LDR regulations applicable to Mixed-Use Overlays shall remain in effect until such time as no CRA retains a Mixed-Use Overlay.

Policy 18.3B.1. Future Land Use Map. When the Future Land Use Map has been amended to delete the Mixed-Use Overlay from each CRA and to assign the CRA Center and CRA Neighborhood future land use designations in each CRA, the text of the CGMP shall be amended to remove all Goals, Policies and Objectives that apply to the Mixed-Use Overlay.

~~Policy 4.3A.6. Consistency with redevelopment plan.~~ Maximum density and intensity of use are not guaranteed by right. Density and intensity must be consistent with the community redevelopment plan for the area and Goal 4.3, as well as with the redevelopment overlay districts, Land Development Regulations and infrastructure limitations. [moved to Policy 18.1B.4]

~~Policy 4.3A.7. Buffers in CRAs.~~ Buffers for mixed use in CRAs shall be as follows: [This subject now addressed elsewhere, e.g. Policies 18.2A.4., 18.2C.3., 18.3A.9]

- (1) ~~Buffers and land use transitions internal to a mixed-use project are exempt from policies that require density and use transitions and physical buffers inappropriate for compact mixed-use development including Objective 4.9E; Policy 4.13A.7.(5)(d); Policy 4.13A.8.(1)(a); Policy 4.13A.8.(3); Objective 4.1F and Objective 4.9D. Land Development Regulations shall require urban design techniques, use control and other strategies for resolving the impacts of mixing different uses in close proximity. These shall include performance standards with specific requirements.~~
- (2) ~~To encourage redevelopment, mixed-use projects that are entirely within an MUO, regardless of adjacent land use, shall require no buffers beyond those required in the Community Redevelopment Plan and the redevelopment overlay district. Ultimate conversion and redevelopment consistent with the community redevelopment plan and the redevelopment overlay district will provide for long-term~~

compatibility of adjacent uses.

- ~~(3) Mixed-use projects in an MUO that abut the boundary of an MUO shall have special provisions for buffers. Where the mixed-use project is adjacent to existing uses of lesser intensity outside the MUO, buffers shall protect those uses from adverse impacts. In this situation, mixed-use projects at the edge of the MUO shall be exempt from the density allocation requirements of Objective 4.1F.~~

**Goal 18.4.** To protect and enhance the quality of life and business climate in all CRAs through adoption and implementation of urban design standards.

Objective 18.4A. Neighborhood and Building Design. Natural vistas shall be preserved, attractive well-defined public spaces shall be created, and high quality buildings shall be promoted in the CRAs.

Policy 18.4A.1. Design principles. All development in the CRAs shall be designed in accordance with the following principles, which shall be further delineated in the Land Development Regulations.

- (1) Mixed-use development shall be functionally integrated to encourage shared vehicular and pedestrian access and parking areas. [from Obj.4.3A.]
- (2) The residential component of mixed-use development is important to encourage residents to live, work and shop in the same neighborhood. [from Obj.4.3A.]
- (3) Permitted uses shall be mutually supportive and compatible with the scale of neighborhood development. Clustered living, working, shopping and other activities shall serve the local population and help to create self-contained neighborhoods. [Policy 4.3A.3.(3)]
- (4) Highway-dependent retail and wholesale commercial with a regional market, high-impact industrial uses and other uses incompatible with a residential mixed-use neighborhood shall not be allowed. [Policy 4.3A.3.(4)]
- (5) Projects shall be designed primarily for pedestrians and only secondarily for cars. Drive-through businesses shall not be allowed. Pedestrian circulation systems shall assure ties to adjacent commercial and mixed-use areas as well as the surrounding residential community. [Policy 4.3A.3.(5)]
- (6) Large parking areas located between a building and a public right-of-way shall be prohibited. This policy is not applicable to development of parking lots that constitute the principle use. [Policy 4.3A.3.(6)]

Objective 18.4B. Roadway design in the CRAs shall facilitate a compact, walkable, small town urban form that is safe and inviting for all roadway users.

Policy 18.4B.1. Roadway design in the CRAs shall exhibit a high degree of connectivity. Gated roads shall be prohibited. The use of cul-de-sacs shall be limited to circumstances where barriers as such water, wetlands, preserve areas, railroads, or highways make connectivity impossible or unwise.

Policy 18.4B.2. Roadway landscaping in the CRAs shall be designed to detain and treat stormwater through utilization of green infrastructure to the greatest extent practicable.

**Goal 18.5.** To provide development within all CRAs alternative means of compliance with County policies in order to encourage infill development and redevelopment and achieve a compact, walkable small-town urban form.

Objective 18.5A. To facilitate attainment of a coordinated system of public open space and recreation areas within the CRAs.

Policy 18.5A.1. An open space plan that indicates the general location of desired open space and pedestrian and cyclist connectivity through the community shall be prepared for each CRA.

Policy 18.5A.2. Within the CRAs, impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, or covered gathering spaces.

Policy 18.5A.3. Development within a CRA may meet its obligation to provide open space by providing open space at another location or by making a cash payment in-lieu-of providing open space, subject to the following criteria:

- (1) the off-site open space shall be located in the same CRA as the development site;
- (2) the cash payment made in-lieu-of on-site open space shall be equal to the per acre value of the total development site as determined by a current appraisal multiplied by the amount of required open space in acres;
- (3) an off-site parcel acquired for the purpose of this policy shall be of adequate size to independently provide community open space or be located such that it helps achieve a network of small open spaces connected by sidewalks, bicycle trails or walking paths;
- (4) utilization of this policy to provide no on-site open space shall be limited to project sites that are less than one-half acre; and,
- (5) cash payments received by the CRA pursuant to this policy shall be utilized solely for the purpose of acquiring land and making improvements to the land as are necessary to achieve the public open space objective.

Objective 18.5B. To facilitate compact, walkable, urban development in the CRAs while advancing the County's goal to preserve no less than 25% of native upland habitat.

Policy 18.5B.1. Development within a CRA may meet its obligation to preserve no less than 25% of the common native upland habitat and 25% of the total upland area when special upland habitat is present on the development site, as required by CGMP Policies 2.2B.1, 9.1G.6., and 9.1G.7., by preserving native upland habitat off-site at another location in Martin County. Native upland habitat may be preserved at another location in the following manner and subject to each of the following conditions:

- (1) Ownership of the land shall be transferred to Martin County or a conservation easement on private land benefitting Martin County shall be recorded in the County property records.
- (2) The off-site habitat shall be part of a sustainable preserve system.
- (3) The off-site habitat shall be the same habitat type. Off-site common habitat can be substituted for on-site common habitat. Off-site rare habitat can be substituted for on-site rare or common habitat. The off-site preserve area shall be roughly equivalent or larger in area, taking into account relative habitat values, as the habitat present on the development site.
- (4) An off-site transfer of the obligation to preserve native upland habitat, pursuant to this policy, shall not be permitted if the required on-site preserve area equals or exceeds one acre or if the habitat contains plants or wildlife which are listed as endangered, threatened or of special concern; and,
- (5) Existing preserve areas on previously developed sites cannot be transferred off-site unless and until LDR are adopted to govern that process.

Policy 18.5B.2. Development within a CRA may meet its obligation to preserve no less than 25% of native upland habitat present on the development site, as required by CGMP Policies 2.2B.1, 9.1G.6., and 9.1G.7., by making a cash payment in-lieu-of on-site preservation, subject to each of the following conditions:

- (1) The cash payment made in-lieu-of on-site upland habitat preservation shall be equal to the per acre value of the development site as determined by a current appraisal multiplied by the amount of required habitat in acres.
- (2) A cash payment in-lieu-of on-site preservation of native upland habitat, pursuant to this policy, shall not be permitted if the required on-site

preserve area equals or exceeds 1 acre if the habitat contains plants or wildlife which is listed as endangered, threatened or of special concern

*Policy 18.5B.3.* Martin County shall use payments received pursuant to Policy 18.5B.2. in the following manner:

- (1) payments received pursuant to this policy shall be memorialized along with the type and value of the habitat and land area for which the payment was made;
- (2) the funds shall be utilized to acquire land or to purchase a conservation easement on land in Martin County that will be part of a sustainable preserve system;
- (3) up to 25% of funds received pursuant to this policy may be utilized to plant native vegetation and restore the natural habitat on the 27 acres acquired by Martin County in December 2017, the deed for which is recorded in Book 2965 at page 2237, and commonly called the Hobe Sound Preserve.

*Objective 18.5C.* To facilitate in-fill development and redevelopment in the CRAs, provide public access to the waterfront, preserve shoreline mangroves and protect shoreline stability, and reduce non-point source water pollution entering the Indian River Lagoon, St. Lucie River, Willoughby Creek, and Manatee Pocket.

*Policy 18.5C.1. Shoreline Protection Zone.* Land with the Marine Waterfront Commercial future land use designation and within a CRA, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay shall have a shoreline protection zone of 25 feet. The landward extent of the shoreline protection zone may be developed or redeveloped, as provided below:

- (1) Existing non-conforming impervious surfaces and structures may be relocated, redeveloped or enlarged vertically provided that there is no net increase in the square footage of impervious surfaces within the shoreline protection zone.
- (2) Except as authorized in (1) above, the square footage of impervious surfaces shall not exceed forty percent of the shoreline protection zone area.
- (3) Pervious walkways shall be allowed within the shoreline protection zone where they provide public access to the water or between adjoining properties.
- (4) Existing manmade boat basins or boat "cut-outs" may be reduced or eliminated provided there is no impact to wetlands, seagrass or oyster

beds. Elimination of a basin shall not permit the creation of upland area waterward of the natural shoreline, prior to man-made impacts.

(5) Any development or redevelopment authorized pursuant to this policy, shall:

- a. Protect all shoreline mangroves;
- b. Incorporate a living shoreline element into the site plan to the extent feasible. Where a living shoreline is not feasible, an alternative proposal for mitigation shall be provided;
- c. Direct stormwater away from the shoreline and meet the minimum stormwater requirements for rate, quantity, quality, and timing of the discharge; and,
- d. Ensure no shoreline erosion.

Objective 18.5D. To recognize the vision for compact, walkable, mixed-use development and the environmental, historical, aesthetic or social restraints on additional roadway lanes in the CRAs.

Policy 18.5D.1. Consistent with Policy 5.1B.6, CRAs are designated as Transportation Concurrency Exception Areas (TCEA). Development within the TCEAs which is otherwise consistent with the CGMP shall be exempt from the County's transportation concurrency requirement.

Policy 18.5D.2. The County shall continue to investigate and evaluate the feasibility and effectiveness of LOS standards for pedestrians, cyclists and public transit on roadways in the CRAs.

Objective 18.5E. To facilitate redevelopment of vacant residential land within the CRAs.

Policy 18.5E.1. Policy 6.1D.8., the County's no net loss of mobile home lands shall be inapplicable within the CRAs.

## **Chapter 2 – Overall Goals and Definitions**

**Goal 2.1.** Martin County shall broaden, enhance, and protect the quality of life of Martin County residents.

**Objective 2.1A.** Text amendments to the CGMP and amendments to the FLUM shall allocate land use so as to provide for compatibility with existing development and long term planning goals.

**Policy 2.1A.3.** In areas of residential development, project design shall ensure that comparable density and dwelling unit types are planned for the area of the project abutting existing residential development. For purposes of this policy, abutting property is the same as "adjacent," "immediately adjacent" or "adjoining" property and shall refer to property with a shared property line or to properties separated only by right of ways or easements. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.

- (1) Projects directly adjacent to lands used or designated for higher density may be given maximum density.
- (2) Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density and shall provide for reduced density next to the existing lower density residential area.
- (3) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply: For projects abutting a residential development of lesser density, a density transition zone of comparable density and compatible dwelling unit types, shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density. (Ex. - the depth of the first block of single family lots.)
- (4) Where the tiering Policy 4.1 F.2.(1) and (2) applies, there shall be no requirement to construct residential units within the applicable area of the proposed development. However, if the area is left vacant, no other construction shall be allowed except for underground utilities, sidewalks, swales, stormwater ponds, and dry retention areas.
- (5) ~~A mixed use development containing residential units within a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.~~ This policy shall not apply in the CRAs. Buffers and transitions in the CRAs shall be governed by Chapter 18 (CGMP Policy 18.2A.4.(6) and CGMP Policy 18.2C.3.(4)).

**Goal 2.2.** Martin County shall ensure natural resource conservation and conservation of the area's natural communities.

**Objective 2.2B.** Martin County shall preserve native upland habitat that may be utilized by threatened and endangered plant and animal species.

**Policy 2.2B.1.** ~~Except as set forth in Policy 9.1G.11,~~ Martin County shall assure that a minimum of 25% of existing upland native habitat will be preserved in all development where such habitat exists. Within Community Redevelopment Areas, off-site preservation can substitute for on-site preservation, consistent with Objective 18.5B. Additional requirements for native upland habitat that is endangered or threatened, and for unique oak/cabbage palm hammocks are outlined in Chapter 9.

**Policy 2.2B.2.** Upland preservation areas and PAMPs approved by the county to protect them shall be designed and maintained to ensure sustainability.

**Policy 2.2B.3.** Martin County shall protect native habitats utilized by species that are designated by the federal government and the State of Florida as "Endangered" or "Threatened."

**Objective 2.2C.** Martin County shall ensure that all official actions of the County support and further a safe, healthy and ecologically balanced St. Lucie River Estuary and Indian River Lagoon, which are natural resources that are vital to the economy and quality of life of Martin County and the Treasure Coast. This objective will not be applicable where official actions do not impact the St. Lucie River Estuary and Indian River Lagoon, or where development activities comply with the comprehensive plan and land development regulations.

**Policy 2.2C.9.** All new development shall provide a 75 foot shoreline protection zone, extending landward from mean high water, within which there shall be no construction within or reductions to the shoreline protection zone, except as set forth below. The shoreline protection zone shall be defined as all estuarine waters within Martin County and all surface waters of the State that are both hydrologically connected to the estuarine waters and navigable. The shoreline protection zone shall extend 75 feet laterally upland from the mean high water. Within the waters described above, "wetlands" shall be protected as described in Chapters 2 and 9.

As used in this Policy, "navigable" shall include the following estuarine river systems in Martin County; St. Lucie River, Indian River and Loxahatchee River, including canals, tributaries and sovereign submerged lands regardless of the existence of a lease, easement or license.

For purposes of applying a shoreline protection zone, the term "navigable" shall not include: surface waters of the state that are connected to estuarine waters by a weir or other manmade structure, such as the S-80

lock; and ditches, swales and other constructed conveyances that are connected to the estuary by a pipe.

(1) There shall be no reductions to the size of the shoreline protection zone except as stated below:

- (a) For lots of record (as of April 1, 1982) with an upland area of one acre or less, the landward extent of the shoreline protection zone shall be reduced to 25 feet. The shoreline protection zone shall not require additional "construction setbacks" from the shoreline protection zone. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone. The shoreline protection zone shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013. If no native vegetation exists within this zone, there is no requirement to replant with this material.
- (b) Replacement of existing structures within the shoreline protection zone shall not be subject to a 75 foot shoreline protection zone.
- (c) Nonresidential lots of record (April 1, 1982) more than one acre in size with hardened shorelines may reduce the shoreline protection zone from the mean high water line to 50 feet.
- (d) Development within the shoreline protection zone may provide reasonable access to the water, such as bridges, docks, elevated walkways and boat entry facilities. Access shall be allowed when a plan for the proposed development demonstrates the need for access and alteration of the shoreline protection zone is minimized. Water access shall be perpendicular to the shoreline and shall generally not be wider than 60 feet for Marine Waterfront Commercial Future Land Use, 150 feet for Institutional Future Land Use, and 12 feet for other development.
- (e) Existing facilities within the shoreline protection zone may be maintained, rebuilt or reconstructed within the existing footprint.
- (f) Removal of exotic vegetation or planting of appropriate native vegetation shall be allowed.
- (g) Where an existing master site plan which is in compliance with its original timetable and has been found to be in compliance with policies in effect at the time of approval, specifies a shoreline protection zone which differs from policies in effect at the time of final site plan approval, the shoreline protection zone specified in the approved master site plan shall be deemed consistent with this policy.

- (h) Single-family residential lots of record on plats approved after April 1, 1982 may be developed in accordance with the regulations (buffer, transition zone, setback, shoreline protection zone and performance criteria) in effect at the time that the plat was approved.
- (i) For residential lots of record (as of April 1, 1982) with an upland area of more than one acre but not more than two acres, the landward extent of the shoreline protection zone may be reduced to less than 75 feet but shall not be reduced to less than 25 feet for either primary or accessory structures. New principal structures on lots shall maintain a shoreline protection zone from mean high water equal to or greater than the average shoreline protection zone of the nearest principal residences on adjacent lots. The average shoreline protection zone of the nearest principal residences on adjacent lots shall be determined by measuring from the point of each of the existing principal residences nearest to mean high water.
- (j) As provided in Chapter 18 for land with the Marine Waterfront Commercial future land use designation and within a CRA, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay.
- (2) Commercial marinas are water-dependent uses requiring proximity to the water. Commercial marinas that exist as of August 13, 2013 may be reconfigured and redeveloped, as provided below:

...

## Section 2.4. - Definitions

...

*Community Redevelopment Area (CRA):* A slum or blighted area, or an area with a shortage of housing that is affordable to residents of low or moderate income, including the elderly; or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout; or a combination thereof; and designated by the Board of County Commissioners governing body as appropriate for community redevelopment. Community Redevelopment Areas shall be designated on the Future Land Use Map.

...

*Mixed-Use Overlay (MUO):* A future land use overlay area as shown on the Future Land Use Map within a designated community redevelopment area where mixed-use projects are development is authorized and encouraged.

Mixed-use development: A mix of residential, commercial, institutional, and/or limited impact industrial uses existing as a mixed-used pattern or developed as a mixed-use project.

Mixed-use pattern: A dynamic mix of residential, commercial, institutional and/or limited impact industrial uses located within walking distance, that develops incrementally over time, and may, but need not, involve more than one type of land use on any individual lot.

Mixed-use project (MUP): A parcel of land, development project with one or more buildings containing a mix of residential, commercial, institutional and/or limited impact industrial uses that are more than one land use type where the land uses are in close proximity and planned and approved as a single, unified project, complementary whole, and are functionally integrated for the use of shared infrastructure.

. . .

Redevelopment: The replacement, rehabilitation or repurposing of existing improvements on a previously developed site.

. . .

## **Chapter 4 – Future Land Use Element**

**Goal 4.1.** To manage growth and development in a way that is fiscally efficient, consistent with the capabilities of the natural and manmade systems, and maintains quality-of-life standards acceptable to Martin County's citizens.

**Objective 4.1E.** To review development applications for consistency with the applicable goals, objectives and policies of the CGMP.

**Policy 4.1E.4. Gross density.** The permitted densities stipulated in section 4.4 (Goals, Objectives and Policies) and on the FLUM designations shall be gross residential densities and the gross land area of which this density is applied is described as follows. These densities shall be applied to contiguous land areas under common ownership, with the following provisions and exceptions:

- (1) In cases where land abuts the waters of the Atlantic Ocean, St. Lucie River, Indian River, Loxahatchee River, Intracoastal Waterway, Lake Okeechobee or any tributary or manmade canal, the boundary of the land shall be delineated as established by State Statutes.
- (2) No submerged land areas waterward of the boundary described above shall be included under this definition.
- (3) No land areas proposed to be allocated to nonresidential uses shall be included under this definition except for contiguous land areas for:

- (a) Utilities under common ownership and principally supporting the residential use;
- (b) Recreational facilities for the primary use of on-site residents;
- (c) Dedication to the County or other County-approved agencies or not-for-profit corporations;
- (d) In mixed-use projects in the seven designated community redevelopment areas (CRAs) as described in Goal 4.3.
- (4) Maximum gross density is defined as maximum allowable units divided by gross land areas.
- (5) For development proposed for previously platted lots in a CRA and subject to calculation of gross residential density, the property owner may opt to include within the gross land area one-half of any right-of-way adjoining the development site.

**Objective 4.1F.** *Density allocations and intensity.* All projects must comply with the provisions of the concurrency management system (Goal 4.1) to assure all required services are available. In considering density allocation in site plan approvals, the County shall consider the following:

**Policy 4.1F.1.** Projects directly adjacent to lands used or designated for higher intensity use may be given maximum density.

**Policy 4.1F.2.** Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density.

- (1) In all such cases the project with higher density shall provide for reduced density next to the existing lower density residential area.
- (2) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply:

For the residential portion of said project abutting the existing development or area of lesser density, a density transition zone of comparable density and compatible dwelling unit types shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density (i.e., the depth of the first block of single-family lots).

**Policy 4.1F.3.** *The following criteria shall be met when applying Policy 4.1F.2.*

- (1) For purposes of this policy, abutting property is the same as "adjacent" 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 with a minimum 30 foot right of way shall not be considered abutting.

- (2) Lands outside the urban service district, agricultural property and residential lots 2 acres or larger shall be protected by buffers and by 4.1F.2. but the tiering Policy in 4.1F.2. (2) shall not apply.
- (3) Where the tiering Policy 4.1F.2. (2) applies, there shall be no requirement to construct residential units within the applicable area of the proposed development. However, if the area is left vacant, no other construction shall be allowed except for underground utilities, sidewalks, swales, stormwater ponds and dry retention areas.
- (4) Other buffers required by the Comprehensive Plan or Land Development Regulations shall also be applicable.
- ~~(5) Residential structures within a Mixed Use Overlay. A mixed use development containing residential units within a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.~~

**Policy 4.1F.4.** Policies 4.1F.1., 4.1F.2., and 4.1F.3. shall not apply within the CRAs. Buffers and transitions between uses in the CRAs shall be governed by Chapter 18 (CGMP Policy 18.2A.4.(6) and CGMP Policy 18.2C.3.(4)).

**Goal 4.2.** To alleviate the negative impacts of inadequate public facilities and services and substandard structures for affected areas in the County.

**Objective 4.2A.** To continue to assist areas in need of redevelopment.

**Policy 4.2A.1. Mechanisms for attracting private investment.** Using fiscally sound means, the County shall investigate and establish mechanisms for attracting private investment into redevelopment activities.

**Policy 4.2A.2. Requirements for redevelopment plans.** At a minimum, redevelopment plans, activities and regulations shall:

- (1) Be consistent with policies set forth in this Plan, including statutory condemnation and eminent domain provisions;
- (2) Be coordinated with the availability of the following public facilities and services at the levels of service adopted in the CGMP: transportation, potable water, sanitary sewer, drainage and aquifer recharge, solid waste and recreation;
- (3) Address the impacts of redevelopment activities on the natural systems and historic resources of Martin County;
- (4) Provide for the visual continuity of designated redevelopment areas through application of sound principles of architectural design and landscaping.

***Policy 4.2A.3. Amendments supporting redevelopment.*** In conjunction with the continuing efforts of the Affordable Housing Advisory Committee, as well as objectives and policies established in the Housing Element, the County shall periodically consider amendments to the CGMP and/or Land Development Regulations regarding mechanisms to address areas in need of redevelopment and renewal and the provision of affordable housing.

***Objective 4.2B.*** ~~To encourage redevelopment through the designation of CRAs.~~

***Policy 4.2B.1. Creation of community redevelopment areas.*** ~~All CRAs shall be created in accordance with the provisions of F.S. Chapter 163, Part III.~~

***Policy 4.2B.2. Location of community redevelopment areas.*** ~~CRAs shall not be established outside the Primary Urban Service District.~~

***Policy 4.2B.3. Resources to aid redevelopment.*** ~~Martin County shall continue to provide technical, planning and financial resources to aid the residents and landowners with redevelopment and in-fill development.~~

***Policy 4.2B.4. Designation of community redevelopment areas.*** ~~Martin County has designated the following CRAs in unincorporated Martin County: Jensen Beach, Port Salerno, Hobe Sound, Rio, Golden Gate, Old Palm City and Indiantown. These specific geographic areas are identified in the community redevelopment plan for each area, which were adopted by the Board of County Commissioners as of June 2003, and are designated on the FLUM. Any new CRAs or any changes to CRA boundaries shall require an amendment to the CGMP and to the FLUM.~~

***Policy 4.2B.5. Analysis of land use impacts.*** ~~Any Plan amendment and/or FLUM amendment that expands the boundary of a CRA or creates a new CRA must contain an analysis of the impacts of potential land use changes. Since designation of a CRA allows mixed use under certain conditions, there must be data and analysis supporting the conclusion that the potential impacts of the CRA creation or expansion are consistent with the CGMP. The analysis shall include review of the availability and adequacy of public facilities and the level of service necessary to support mixed use as well as potential fiscal impacts, land use impacts and land use need relative to population.~~

***Policy 4.2B.6. Priority for capital improvements in CRAs.*** ~~In developing its Capital Improvement Plan and as provided in the Capital Improvements Element, Martin County shall give priority to capital projects identified in adopted community redevelopment plans that provide infrastructure improvements in designated CRAs.~~

~~**Policy 4.2B.7.** Consistency of land use policies. Land use policies for CRAs or portions of them in a Coastal High Hazard Area shall be consistent with all CGMP policies regulating construction in such areas.~~

**Objective 4.2B.** ~~4.2C.~~ To encourage redevelopment by designating brownfields and pursuing public/private partnerships to redevelop designated sites.

*Policy **4.2B.1.** ~~4.2C.1.~~ Establishment of brownfields.* Brownfield areas shall be established in accordance with applicable federal and state regulations.

*Policy **4.2B2.** ~~4.2C.2.~~ Inventory of brownfields.* Martin County shall inventory potential brownfield sites.

*Policy **4.2B3.** ~~4.2C.3.~~ Funding for brownfield redevelopment.* Martin County shall seek federal and state funding to clean up and redevelop brownfields.

**Objective 4.2C.** ~~4.2D.~~ To continue to provide a public education program to inform potentially eligible lower-income households and neighborhoods about housing assistance.

*Policy **4.2C.1.** ~~4.2D.1.~~ Brownfield Program.* At a minimum, the program shall:

- (1) Monitor housing assistance and related programs and determine which areas could be eligible for such programs;
- (2) Provide public workshops to ensure that residents in eligible areas are aware of the availability of such assistance and the procedures for obtaining it.

**Goal 4.3.** To provide opportunities for mixed residential and nonresidential uses, including Traditional Neighborhood Development. The goal of allowing mixed-use in specified areas of CRAs and in Traditional Neighborhood Development is to:

- Encourage redevelopment and in-fill;
- Provide for livable urban areas that mitigate the impacts of mixing uses;
- Provide a coordinated system of recreation and open space;
- Provide for pedestrian-friendly communities that reduce dependence on the automobile;
- Reduce infrastructure needs by integrating and sharing parking, drainage and other public facilities;
- Meet the needs of neighborhood residents;
- Provide residents with a variety of housing choices.

~~**Objective 4.3A.** To encourage, but not mandate, mixed use in designated CRAs as described in Policies 4.3A.1 through 4.3A.9. Mixed use projects shall contain a mix of uses in close proximity to each other and shall be planned as a unified, complementary whole to reduce transportation and other infrastructure impacts.~~

~~The mix of uses in each project shall be pedestrian oriented and neighborhood friendly. Mixed-use projects may contain both nonresidential and residential components. The nonresidential component shall be made up of commercial or light industrial uses, which shall include a use from one or more of the following: Commercial Office/Residential (COR), Limited Commercial (LC), General Commercial (GC) and compatible Industrial consistent with the requirements of this objective. The residential component is important to encourage residents to live, work and shop in the same neighborhood. Mixed-use projects shall be functionally integrated to encourage shared vehicular and pedestrian access and parking areas. The mix of uses may include residential, institutional, retail, office, recreation and open space and other appropriate uses as determined by the Board of County Commissioners.~~

**~~Policy 4.3A.1. Mixed-use development in CRAs.~~** Martin County shall allow mixed-use development in the CRA areas listed in Policy 4.2B.4., as follows:

- ~~(1) In a Mixed Use Overlay (MUO) area(s) developed for designated CRAs, as described in Policy 4.2B.4., and as designated on the FLUM.~~
- ~~(2) Outside of an MUO in the following land uses:~~
  - ~~(a) COR as described in Policy 4.13A.8.(1);~~
  - ~~(b) LC as described in Policy 4.13A.8.(2);~~
  - ~~(c) GC as described in Policy 4.13A.8.(3).~~

~~Mixed-use development in these land use categories shall remain consistent with the nonresidential use and intensity requirements in each of these land use designations (see Goal 4.13) except that residential use shall be allowed. Residential densities shall be consistent with the mixed-use densities described in this section (Objective 4.3A).~~

**~~Policy 4.3A.2. Provisions for mixed-use projects in Land Development Regulations.~~** Martin County's Land Development Regulations include provisions for mixed-use projects to implement the Mixed Use Overlay in the seven CRAs designated in Policy 4.2B.4., and provide for mixed use in Commercial Office/Residential, Limited Commercial and General Commercial in the seven designated CRAs outside the Mixed Use Overlay.

**~~Policy 4.3A.3. Requirements for mixed-used projects.~~** All mixed-use projects in the designated CRAs must meet the following requirements, which shall be further delineated in the Land Development Regulations.

- ~~(1) Constructed residential densities shall range from 2 units to 15 units per acre.~~
- ~~(2) When the result of this calculation is a number that ends in 0.5 or higher, the total unit count shall be rounded up. When calculating the~~

~~number of units in a mixed-use project on lot sizes of one-half acre or less, units of 800 or fewer square feet shall be counted as one half of a unit. When calculating the number of units in a mixed-use project on lot sizes greater than one-half acre, units of 800 or fewer square feet shall be counted as half a unit if at least 50 percent of the units are restricted to affordable housing, meeting the requirements of Policy 6.1D.5. All mixed-use projects, regardless of size, shall be allowed at least one residential unit.~~

- ~~(3) Permitted uses shall be mutually supportive and compatible with the scale of neighborhood development. Clustered living, working, shopping and other activities shall serve the local population and help to create self-contained neighborhoods.~~
- ~~(4) Highway-dependent retail and wholesale commercial with a regional market, high-impact industrial uses and other uses incompatible with a residential mixed-use neighborhood shall not be allowed.~~
- ~~(5) Projects shall be designed primarily for pedestrians and only secondarily for cars. Drive-through businesses shall not be allowed. Pedestrian circulation systems shall assure ties to adjacent commercial and mixed-use areas as well as the surrounding residential community.~~
- ~~(6) Urban design techniques that avoid a "sea of parking" and large parking areas in front of buildings shall be required.~~

~~**Policy 4.3A.4. Requirements for projects inside Mixed Use Overlay in CRAs.** All mixed-use projects in an MUO in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the Land Development Regulations:~~

- ~~(1) A Mixed Use Overlay shall cover the area in the urbanized core of the CRA where conversion to mixed use is allowed to encourage redevelopment.~~
- ~~(2) All land use designations in the Mixed Use Overlay areas shall allow mixed use regardless of the underlying land use designations. The nonresidential component of a mixed-use project in an MUO shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial consistent with the requirements of Objective 4.3A.~~
- ~~(3) A mixed-use project located on a parcel designated Waterfront Commercial on the FLUM in an MUO may satisfy its required nonresidential component with nonresidential Waterfront Commercial uses. Boundaries shall be shown on the FLUM. New mixed-use overlay areas or changes in boundaries of existing mixed-use overlay~~

~~areas can be made only by FLUM amendment, which shall assess the impacts of conversion to mixed use.~~

- ~~(4) Maximum building coverage shall be 100 percent.~~
- ~~(5) Building heights may range from one to three stories with a maximum of 35 feet. Floors devoted to parking shall count toward the maximum number of stories.~~
- ~~(6) A Mixed Use Overlay shall have between 20 percent and 75 percent residential use based on the total building square footage.~~

**~~Policy 4.3A.5. Requirements for projects outside Mixed Use Overlay in CRAs.~~** ~~Projects outside a Mixed Use Overlay and in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the Land Development Regulations.~~

- ~~(1) Mixed use shall be allowed only on land designated for Commercial Office/Residential, Limited Commercial and General Commercial.~~
- ~~(2) Land use limitations shall remain consistent with the limitations of the underlying land use except that residential development shall be encouraged as part of any mixed-use development. Densities shall be consistent with the mixed use densities of Policy 4.3A.3.~~
- ~~(3) Mixed use projects shall have between 20 percent and 75 percent residential use based on the total building square footage of the project.~~

**~~Policy 4.3A.6. Consistency with redevelopment plan.~~** ~~Maximum density and intensity of use are not guaranteed by right. Density and intensity must be consistent with the community redevelopment plan for the area and Goal 4.3, as well as with the redevelopment overlay districts, Land Development Regulations and infrastructure limitations.~~

**~~Policy 4.3A.7. Buffers in CRAs.~~** ~~Buffers for mixed use in CRAs shall be as follows:~~

- ~~(1) Buffers and land use transitions internal to a mixed-use project are exempt from policies that require density and use transitions and physical buffers inappropriate for compact mixed-use development including: Objective 4.9E; Policy 4.13A.7.(5)(d); Policy 4.13A.8.(1)(a); Policy 4.13A.8.(3); Objective 4.1F and Objective 4.9D. Land Development Regulations shall require urban design techniques, use control and other strategies for resolving the impacts of mixing different uses in close proximity. These shall include performance standards with specific requirements.~~
- ~~(2) To encourage redevelopment, mixed-use projects that are entirely within an MUO, regardless of adjacent land use, shall require no buffers beyond those required in the Community Redevelopment Plan~~

~~and the redevelopment overlay district. Ultimate conversion and redevelopment consistent with the community redevelopment plan and the redevelopment overlay district will provide for long-term compatibility of adjacent uses.~~

- ~~(3) Mixed-use projects in an MUO that abut the boundary of an MUO shall have special provisions for buffers. Where the mixed-use project is adjacent to existing uses of lesser intensity outside the MUO, buffers shall protect those uses from adverse impacts. In this situation, mixed-use projects at the edge of the MUO shall be exempt from the density allocation requirements of Objective 4.1F.~~

~~**Policy 4.3A.8. Expedited review in CRAs.** By December 2011 Martin County's Land Development Regulations shall incorporate provisions for expedited review of redevelopment and in-fill projects in designated CRAs.~~

~~**Policy 4.3A.9. Open space requirements.** For mixed-use projects in an MUO area, the minimum open space shall be 20 percent. The maximum building coverage may be 100 percent if alternative compliance measures are used to comply with minimum open space requirements. All other Plan requirements must be met.~~

~~**Policy 4.3A.10. Alternative compliance for mixed-use projects in a Mixed Use Overlay of a CRA.** Mixed-use projects in an MUO of one of the seven designated CRAs may provide an off-site alternative to the minimum 20 percent on-site open space requirement to meet community-wide goals for open space and recreational activities. Mixed-use projects in an MUO shall have no open space requirements, provided the applicant contributes, through either cash or land, off-site open space identified in the specific community redevelopment plan for that CRA area. Whether through prior purchase by the CRA and cash donation to cover the cost or through land donation, the off-site parcel must be in place and in public ownership at the time of final site plan approval or of any earlier approvals allowing site clearing. Existing public conservation areas may not be used as an alternative for on-site compliance unless they were purchased specifically for the purpose of meeting this policy.~~

**Objective 4.3A. 4.3B.** To incorporate in the Land Development Regulations the Traditional Neighborhood Development Regulations. These regulations shall be reviewed along with other Land Development Regulations for continuous improvement. The Traditional Neighborhood Development Regulations will provide a range of housing types and commercial opportunities. Traditional neighborhood development aims to encourage traditional and environmentally sound land development, thereby facilitating the economic and efficient use of land in the County.

**Policy 4.3A.1. ~~4.3B.1.~~ Criteria for Traditional Neighborhood Development.** At a minimum, the location of the Traditional Neighborhood shall:

- (1) Be appropriate for new in-fill development and redevelopment projects in the Urban Service District;
- (2) Allow redevelopment of underused shopping centers into mixed-use communities;
- ~~(3) In the case of redevelopment in CRAs, require the involvement of an active citizens organization that is representative of area residents, business people and landowners;~~
- (3) ~~(4)~~ In no case shall the Traditional Neighborhood Development Regulations be used to allow strip commercial or highway-dependent commercial uses or to allow inappropriate intensity in existing neighborhoods that would disrupt rather than unify them.

**Policy 4.3A.2. ~~4.3B.2.~~ Traditional Neighborhood Development regulations.** Traditional Neighborhood Development Regulations shall:

- (1) Allow clustering of living, working, recreational, shopping and other activities supportive of the local population into self-contained neighborhoods;
- (2) Require pedestrian circulation systems that functionally and physically integrate the various land use activities;
- (3) Incorporate performance standards that regulate buildings by type rather than use;
- (4) Include building setback requirements allowing buildings to abut front sidewalks;
- (5) Allow on-street parking, where deemed appropriate, to buffer walkways from roadways and increase pedestrian safety;
- (6) Concentrate any necessary boundaries along back-to-back property borders so that similar uses front across streets;
- (7) Allow the residents and/or landowners of an area, together with experienced design consultants, to determine the desired character of the community through joint development of controls for architectural and landscape design, signs, streetlights, trees and preservation of natural vistas;
- (8) Include parking standards that acknowledge the pedestrian nature of the community;
- (9) Require well-defined public spaces, buildings and vistas that terminate on focal points, thereby making the area memorable and contributing to a sense of place;

- (10) Permit well-designed, unobstructive sidewalk cafes, including tables and accessory items, where appropriate, to generate business and improve ambiance; and
- (11) Allow for mixed residential and commercial development, i.e., residential uses with supportive commercial uses within a single structure or complex of structures.

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**Goal 4.13.** To allocate land uses as indicated on the Year 2025 Land Use Map to provide for compatibility with existing development, consistency with the Capital Improvements Element, protection of natural resources and implementation of the adopted LOS standards.

**Objective 4.13A.** To revise the Land Development Regulations as necessary to implement policies for land use allocation.

**Policy 4.13A.7. Residential development.** The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

(1) General policies for all urban Residential development:

- (a) All Residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.
- (b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.
- (c) Proposed Residential developments with golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the golf course, due to the characteristically high water and nutrient loads of golf courses. Golf course developments that retain over 30 percent of their golf course area in preserved native habitat may count this in calculating open space as long as 30 percent of the residential area consists of open space.
- (d) One accessory dwelling unit shall be allowed on Residential lots consistent with Section 10.2.B and the following criteria:

- 1) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
  - 2) It shall not count as a separate unit for the purpose of density calculations.
  - 3) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.
  - 4) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.
- (e) ~~In mixed-use projects developed in accordance with Objective 4.3A, and in affordable housing consistent with Policy 6.1D.5., impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, covered gathering spaces, etc.~~
- (f) ~~The following Residential future land use designations may be a part of a mixed-use project, as allowed by policies under Goal 4.3 in any of the mixed-use overlays found in the seven CRAs designated in Policy 4.2B.4. Residential densities for a mixed-use project in a mixed-use overlay shall be as provided in Goal 4.3.~~

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***Policy 4.13A.8. Commercial development.*** The Future Land Use Map identifies the allocation of commercial land for offices and services, limited commercial, general commercial and marine waterfront commercial activities. The allocation is compatible with the goals and objectives in the CGMP and consistent with supportive research and analysis.

- (1) Commercial Office/Residential development (COR) . . .
- (2) Limited Commercial development . . .
- (3) General Commercial development . . .

- (4) *Marine Waterfront Commercial.* The Future Land Use Map designates Marine Waterfront Commercial areas to accommodate marine resort, marina and water-related services along highly accessible waterfront sites with the potential to satisfy the unique location, market and resource needs of water-dependent more intense marine service/industrial uses. Waterfront Commercial uses are generally either water-dependent or water-related. Specific zoning regulations shall regulate the nature of marine waterfront commercial operations. They shall also assist in maintaining the stability of adjacent and nearby residential areas through use restrictions, landscaping and screening, and nuisance abatement standards. The regulations shall also guard against environmentally adverse impacts to biologically

active and environmentally sensitive habitats in a manner consistent with the Coastal Management and Conservation and Open Space Elements.

The Land Development Regulations shall provide several marine waterfront commercial zoning districts to accommodate relevant activities, including transient residential facilities, other facilities oriented to marine resorts such as restaurants and shops, and more intense marine service uses that have specific siting criteria to assure compatibility with human and natural resources identified in section 8.4.A5.

Marine Waterfront Commercial sites shall have a minimum net lot size of 10,000 square feet, with a residential density not exceeding 10 units per gross acre and a hotel/motel density not exceeding 20 units per gross acre. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum building coverage shall be 50 percent. Minimum open space shall be 30 percent. Maximum building height shall be 30 feet for parcels zoned for resort (water-related) uses and 40 feet for parcels zoned for general (water-dependent) uses.

Residential use shall be allowed in the Marine Waterfront Commercial future land use designation as part of a mixed-use project in a CRA, as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. if the mixed-use project is in a Mixed-Use Overlay. Residential densities shall be as provided for in this policy, Policy 4.3A.2. The nonresidential use in a mixed-use project on Marine Commercial Waterfront future land use shall be a water-related or water-dependent use. Mixed-use projects are subject to the restriction on the conversion of Marine Service Areas to permanent residential use. A mixed-use project in a an MUO located on a parcel designated Waterfront Commercial on the Future Land Use Map may satisfy its required nonresidential component with nonresidential waterfront commercial uses.

Marine Service Areas. Although Marine Waterfront Commercial areas allow for a variety of uses, Marine Service Areas shall not be developed or converted to permanent residential uses other than as accessory uses accessory dwelling units (e.g., such as a watchman's quarters).

(a) At a minimum, the following shall be considered Marine Service Areas:

- 1) Parcels zoned Waterfront General Commercial, including those zoned after the effective date of the Marine Service Area provision; and

- 2) Parcels or portions of parcels used as marinas or marine repair facilities, including all related boat storage and repair areas, but not including vacant areas or portions of the parcel devoted to uses other than marinas or marine repair.
- (b) This restriction on permanent residential use in Marine Service Areas took effect on March 20, 2006. However, Land Development Regulations shall also be adopted to allow landowners to petition for amendments to the Marine Service Area map under certain circumstances. At a minimum, the petition process shall provide for amendments to the map where the landowner can demonstrate that:
- (c) Land equally or more suitable for use as a Marine Service Area can be redesignated as such, so as to ensure no net loss of the total Marine Service Area. The Land Development Regulations may provide limits as to acceptable locations for such new Marine Service Areas; or
- (d) The existing marine service uses on the site proposed for conversion to permanent residential uses can be replaced by developing similar marine service uses on the same parcel or on a different parcel not already designated as a Marine Service Area (including combinations of on-site and off-site improvements). The Land Development Regulations may provide limits as to acceptable locations for such new marine service uses; or
- (e) A particular parcel of land in a Marine Service Area cannot reasonably be developed or redeveloped for marine service uses due to changes in the surrounding area or government regulations related to marine service uses.

Where new Commercial Waterfront lands are created via amendments to the Future Land Use Map, the Board of County Commissioners shall also determine whether such lands shall be designated as Marine Service Area. Lands that are changed from Commercial Waterfront to another future land use designation shall automatically be removed from the Marine Service Area with no additional action required.

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**Policy 4.13A.10. Industrial development.** The FLUM allocates land resources for existing and anticipated future industrial development needs. The allocation process gives high priority to industry's need for lands accessible to rail facilities, major arterials or interchanges, labor markets and the services of the Primary Urban Service District (Figure 4-2). Industrial development includes both Limited Impact and Extensive Impact Industries. Limited Impact Industries include research and

development, light assembly and manufacturing. Extensive Impact Industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, steam/electricity co-generation plants and uses customarily associated with airports.

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

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

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

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

Industrially designated areas are not generally adaptive to residential use, and they shall not be located in areas designated for residential development unless planned for a mixed-use development allowed under Goal 4.3 or in a large-scale PUD. This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Such a use may be permitted through the Land Development Regulations.

Residential use is permitted in the Industrial future land use designation as part of a mixed-use project in a CRA, pursuant to Policy 18.2F.1., except as restricted by the LDR. Residential densities shall not exceed 15 dwelling units per acre and may be further limited in the LDR.

Based on the extensive impacts that industrial development frequently generates, industrial development shall be encouraged to develop under provisions of a PUD zoning district to give the applicant maximum design flexibility and to avoid major unanticipated adverse impacts.

The Land Development Regulations shall be amended to include performance standards for regulating the nuisance impacts sometimes associated with intense commercial and industrial development. Sites acceptable for development by limited impact industries shall contain a minimum of 15,000 square feet, maximum building coverage of 40 percent and maximum building height of 30 feet. Sites better suited for development by extensive impact industries shall have a minimum lot size of 30,000 square feet, maximum building coverage of 50 percent and maximum building height of 40 feet. Minimum open space for either use shall be 20 percent. The FAR shall be governed by the parking standards of the Land Development Regulations. Salvage yards shall be considered an industrial use due to the potential intensity and nature of the use, acreage requirements, aesthetic impact and associated heavy truck traffic.

~~Residential use shall be permitted in the Industrial future land use designation as part of a mixed-use project, in a Mixed Use Overlay, as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided for in Policy 4.3A.2.~~

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***Policy 4.13A.14. Mixed-Use Overlay.*** The Future Land Use Map designates Mixed-Use Overlays (MUO) to areas in designated community redevelopment areas as ~~specified in Policy 4.2B.4.~~ MUO areas are intended to support a compact urban form and provide for local, small-scale employment, shopping and civic opportunities. The overlay areas seek to attain a small town urban form, with walkable streets, on-street parking, small parking lots, public open spaces, community facilities and buildings of similar scale related to each other in form and proportion. Generally, mixed-use overlay areas cover the urbanized core of the CRA where mixed use is allowed to encourage redevelopment. See Chapter 18. ~~Redevelopment of existing sites and in-fill development in these areas shall be designed to improve residents' quality of life by (1) encouraging compatibility and pedestrian links between commercial developments and surrounding residential areas; (2) accommodating home-based small businesses; (3) increasing economic and social integration by providing opportunities for diverse housing types and reduced traffic and other infrastructure needs. Opportunities for mixed use in these overlay areas shall be provided by allowing different types of land uses in close proximity, planned as a unified, complementary whole, and functionally integrated to share infrastructure.~~

~~Martin County shall encourage but not mandate mixed-use development in a Mixed Use Overlay in designated CRAs. All land use designations in MUO areas shall allow mixed use regardless of the mixed-use project's~~

~~land use designations. The nonresidential component of a mixed-use project in an MUO shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial, consistent with the requirements of Policy 4.3A.2. Boundaries of the overlay area shall be shown on the FLUM. New overlay areas or changes in the boundaries of existing overlay areas can be made only by FLUM amendments, which shall assess the impacts of conversion to mixed use.~~

~~The MUO shall allow and encourage mixed use as defined under Goal 4.3 (Mixed Use). Mixed use development in a Mixed Use Overlay in a CRA shall comply with the thresholds for densities and intensities of use identified in Policies 4.3A.2. and 4.3A.3. Martin County shall allow mixed-use development in this designation consistent with the applicable redevelopment overlay districts found in the Land Development Regulations. Specific redevelopment regulations shall detail building coverage and height, permitted uses, buffers, landscaping and parking requirements consistent with the policies in Goal 4.3.~~

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**Policy 4.13A.16. CRA Center.** The CRA Center Future Land Use designation is intended to encourage a compact urban form and provide for local, small-scale employment, shopping and civic opportunities. These areas should maintain or attain a small-town urban form, with walkable streets, on-street parking, small parking lots, public open spaces, community facilities, and buildings of similar scale related to each other in form and proportion. The CRA Center Future Land Use designation is intended for the urbanized core of the CRAs and along certain corridors where mixed-use development patterns exist or are allowed. See Chapter 18.

**Policy 4.13A.17. CRA Neighborhood.** The CRA Neighborhood Future Land Use designation is appropriate in or near compact urban areas. The intent is to maintain a small-town urban form, with walkable streets, public open spaces and recreational facilities, and buildings whose form and proportion are similar to existing buildings. The CRA Neighborhood Future Land Use is generally located outside the urbanized center of each CRA and outside corridors where mixed-use development patterns exist or are allowed. The primacy of residential uses shall be maintained, while allowing limited commercial activity, primarily on collector or arterial roadways or where commercial activity historically has been located. See Chapter 18.

## ***Chapter 6 – Housing Element***

**Goal 6.1.** To provide a diverse housing stock adequate to serve the needs of current and future populations of Martin County, consistent with the desired development character of the County as set forth in this Plan.

**Objective 6.1D.** To provide adequate and affordable housing for extremely low, very low, low, moderate, and workforce income households, including households with special housing needs, such as rural, farm worker and the elderly.

**Policy 6.1D.8. No net loss of mobile home lands.** Lands designated Mobile Home Density on the Future Land Use Map shall be changed to another designation only where (1) other suitable lands can be redesignated as Mobile Home Density or (2) where the proposal to change the designation is accompanied by a planned unit development application that will, at a minimum, ensure (1) no involuntary displacement of mobile home residents and (2) any site-built units that replace mobile home units qualify as affordable housing, as defined in Chapter 2, Overall Goals and Definitions, for at least 30 years after initial occupancy. The affordable units proposed in the PUD must contain a combination of units affordable to households with extremely low, very low, low, moderate, and workforce incomes as determined by the BCC. This policy is not applicable within Martin County's Community Redevelopment Areas.

## ***Chapter 8 – Coastal Element***

**Goal 8.1.** To effectively manage, conserve, preserve and protect Martin County's coastal natural resources, giving consideration to an equitable balance of public and private property rights; by developing and implementing programs and procedures, limiting coastal development activities and providing for mitigation of development impacts.

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**Objective 8.1C.** To protect and preserve the functions and values of the estuarine river systems, which serve a multitude of functions, including wildlife habitat, flood control and erosion control.

**Policy 8.1C.1. Shoreline performance standards.** The County shall enforce shoreline performance standards in review of estuarine development proposals. This shall include docks, which are defined as fixed or floating structures providing access to submerged lands. Martin County shall protect the estuarine rivers and the shoreline in order to protect the stability of the estuary, enhance water quality and preserve

shoreline mangrove communities, where they are not protected by policies established in Chapter 9, Conservation and Open Space.

- (1) *Shoreline protection zone.* The shoreline protection zone shall be defined as all estuarine waters within Martin County and all surface waters of the State that are both hydrologically connected to the estuarine waters and navigable. The shoreline protection zone shall extend 75 feet laterally upland from the mean high water. All new development shall provide a 75 foot shoreline protection zone, extending landward from mean high water, with which there shall be no construction within or reductions to the shoreline protection zone, except as set forth below. Within the waters described above, "wetlands" shall be protected as described in Objective 9.1G.

As used in this Policy, "navigable" shall include the following estuarine river systems in Martin County; St. Lucie River, Indian River and Loxahatchee River, including canals, tributaries and sovereign submerged lands regardless of the existence of a lease, easement or license. For purposes of applying a Shoreline Protection Zone, the term "navigable" shall not include;

- (a) Surface waters of the State that are connected to estuarine waters by a weir or other manmade structure, such as the S-80 lock;
  - (b) Ditches, swales and other constructed conveyances that are connected to the estuary by a pipe.
- (2) *Mangroves.* The shoreline protection zone mangroves shall include mangrove communities containing red (*Rhizophora mangle*) and black (*Avicennia germinans*) mangroves. White (*Laguncularia racemosa*) and Buttonwood mangroves (*Conocarpus erectus*) may be included in the shoreline protection zone if they are integrally tied to the estuarine environmental system.
- (3) *Performance standards.*

- (a) *Vegetation.* Any mangrove or wetland vegetative communities that are isolated inland, separated from estuarine waters by non-wetland natural vegetation communities, and outside the shoreline protection zone, shall be preserved and protected in accordance with the provisions of Chapter 9, Conservation and Open Space. But they shall not be subject to the restrictions of the shoreline protection zone of Policy 8.1C.1.

The existence of a narrow band of Australian Pine or other berm vegetation such as those created by mosquito impoundment dikes shall not constitute "isolation" as used above. This standard shall not be interpreted as allowing destruction of non-mangrove wetlands landward of the area protected by this standard when

such wetlands are protected by other policies and standards in this element.

- (b) *Protection of the shoreline protection zone.* Shoreline protection zones and any other designated upland preserve areas shall be protected from encroachment due to construction and/or building maintenance activities. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone.

New construction proposed for areas adjacent to the shoreline protection zone shall be set back a minimum of 10 feet (or greater if warranted by specific site conditions) for primary structures. Minimum setbacks for accessory structures (pool decks, screen enclosures, driveways, etc.) shall be 5 feet. Construction setbacks to the shoreline protection zone are required unless specifically identified in the exceptions in this Policy.

- (c) *Water access.* Development shall not be permitted in the shoreline protection zone defined in Policy 8.1C.1(1), except to provide the property owner reasonable access to the water.

- 1) This development shall be restricted to accessways running perpendicular to the shoreline, and shall be no greater than 12 feet in width.
- 2) For properties designated for marine waterfront commercial use, access to the water may extend through the shoreline protection zone. This extension must be accomplished in a manner that is least disruptive to the existing native vegetation. The access must be accepted by the Growth Management Department. The alterations through the shoreline protection zone should generally not be wider than 60 feet. Where vehicle turnaround and maneuver areas are needed, the area of alteration shall likewise be limited to 60 feet in width as with the approach road, but these areas may be designed to be contiguous with the accessway. The access shall comply with all applicable state and federal regulations. Boat entry and retrieval facilities shall be allowed.
- 3) For properties designated for institutional use on the CGMP Future Land Use Maps, and where the properties are used for public boat ramps, docking, fishing piers and related facilities providing benefits exceeding those lost as a result of shoreline protection zone alterations, an accessway running generally perpendicular to the shoreline shall be no wider than 150 feet at its maximum point. This exemption shall be used only to the extent necessary to provide access to the water.

- 4) For bridges proposed within public rights-of-way crossing estuarine waters or surface waters of the state, public access shall be allowed by clearing that portion of affected native vegetation, so long as a revegetation plan is reviewed and approved by Martin County and in accordance with applicable state regulations.
  - 5) The Growth Management Director (or designee) shall approve any request for access only after receiving a satisfactory plan of the proposed development. The plan shall demonstrate the need for access and shall designate the property boundaries to scale (including the limits of the shoreline protection zone). The plan shall also demonstrate the reason for the development and other information as may be required by the Land Development Regulations. The decision of the Growth Management Director may be appealed to the Board of County Commissioners.
  - 6) The Board of County Commissioners may approve the request upon a finding of need, together with a finding that the plan represents the minimum reasonable mangrove destruction needed for access.
- (d) *Shoreline uses.* Except as may otherwise be provided herein, no structure shall be permitted within the shoreline protection zone, except docks and bridges in public rights-of-way (waterward of the mangrove line) and elevated walkways, limited to those necessary for the use and enjoyment of the shoreline property owner and County-approved public utilities. Elevated walkways that cross over navigable waters of the state shall be reviewed by the Board of County Commissioners for compliance with the policies of this plan.
- (e) *Existing development.* Within the landward extent of the shoreline protection zone, no permits shall be required for maintenance of existing uses or of uses permitted by this section.
- (f) *Reserved.*
- (g) *Management plans.* The landward extent of the shoreline protection zone shall be designated as a Preserve Area, provided the minimum upland preserve area width requirements are met as established, by Policy 9.1G.8. Areas not meeting the minimum preserve area criteria will be sloped, revegetated and maintained free of invasive exotic vegetation to prevent the need for shoreline hardening. A management plan will not be required for a shoreline protection zone that does not meet minimum width requirements. A Preserve Area Management Plan shall not be required on publicly-owned land where a management plan has already been approved by, or required pursuant to an agreement with, the state of Florida.

(h) *Exceptions.* The following exceptions to Policy 8.1C.1 above are to be recognized:

- 1) For lots of record (April 1, 1982) with an upland area of one acre or less, the landward extent of the shoreline protection zone shall be reduced to 25 feet. The shoreline protection zone shall not require additional "construction setbacks" from the shoreline protection zone. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone. The shoreline protection zone shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013. If no native vegetation exists within this zone, there is no requirement to replant with this material.
- 2) Single-family residential lots of record on plats approved after April 1, 1982 may be developed in accordance with the regulations (buffer, transition zone, setback, shoreline protection zone and performance criteria) in effect at the time that the plat was approved.
- 3) Non-residential lots of record (April 1, 1982) more than one acre in size with hardened shorelines may reduce the shoreline protection zone from the mean high water line to 50 feet.
- 4) Existing facilities within the shoreline protection zone may be maintained, rebuilt or reconstructed within the existing foot print.
- 5) Replacement of existing structures within the shoreline protection zone shall not be subject to a 75 foot shoreline protection zone.
- 6) Where an existing master plan which is in compliance with its original timetable and has been found to be in compliance with policies in effect at the time of approval, specifies a shoreline protection zone which differs from policies in effect at the time of final plan approval, the shoreline protection zone specified in the approved master plan shall be deemed consistent with this policy.
- 7) Areas in the shoreline protection zone that have been voluntarily altered after the effective date of the Comprehensive Plan (adopted 1982) by planting wetland vegetation, including mangroves, shall be exempt from additional setbacks from such plantings. Such alterations must be documented; and must not have been required for remedial purposes or as part of any prior development approval.

- 8) Removal of exotic vegetation or planting of appropriate native vegetation shall be allowed.
- 9) For residential lots of record (as of April 1, 1982) with an upland area of more than one acre but not more than two acres, the landward extent of the shoreline protection zone may be reduced to less than 75 feet but shall not be reduced to less than 25 feet for either primary or accessory structures. New principal structures on lots shall maintain a shoreline protection zone from mean high water equal to or greater than the average shoreline protection zone of the nearest principal residences on adjacent lots. The average shoreline protection zone of the nearest principal residences on adjacent lots shall be determined by measuring from the point of each of the existing principal residences nearest to mean high water.
- 10) Commercial marinas are water-dependent uses requiring proximity to the water. Commercial marinas that exist as of August 13, 2013 may be reconfigured and redeveloped, as provided below:
  - [a] Impervious surfaces and other encroachments in to the shoreline protection zone may be relocated within the shoreline protection zone provided, there is no net increase in the square footage of impervious surfaces.
  - [b] Planting of native vegetation shall not be required landward of vertical seawalls where no such vegetation exists.
  - [c] Existing commercial marinas shall maintain existing access through the shoreline protection zone for water-dependent uses and this area shall not be limited to the 60 foot wide access provided for properties designated for marine waterfront commercial use, Policy 8.1C.1.(3) (c) 2).
    1. Where redevelopment of existing commercial marina developments requires relocation of boat entry facilities, access through the shoreline protection zone may be expanded beyond existing access where clear need is demonstrated.
    2. Where redevelopment of existing commercial marina developments is proposed, existing pedestrian access and access for loading between vehicles and vessels within the shoreline protection zone may be maintained.
  - [d] Commercial marinas with existing manmade boat basins or boat "cut-outs" may be allowed to reduce or eliminate the manmade basin provided, there is no impact to wetlands, seagrass or oyster beds. Elimination of a basin shall not

permit the creation of upland area waterward of the natural shoreline, prior to man-made impacts.

- [e] Any redevelopment, as authorized in this section, shall demonstrate that impact to the estuary from stormwater runoff will meet the minimum storm water requirements (in place at the time of the proposed redevelopment) for rate, quantity, quality, and timing of the discharge.
  - [f] The shoreline protection zone shall not require additional "construction setbacks" from the shoreline protection zone. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the shoreline protection zone. The shoreline protection zone shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013.
- 11) The construction of state required public access facilities on Martin County conservation lands shall be allowed. Each project shall be reviewed to ensure that environmental impacts are kept to a minimum.
  - 12) As provided in Chapter 18 for land with the Marine Waterfront Commercial future land use designation and within a CRA, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay.

## **Chapter 9 – Conservation and Open Space Element**

**Goal 9.1.** To effectively manage, conserve and preserve the natural resources of Martin County — air, water, soils, habitat, fisheries and wildlife, and especially the St. Lucie Estuary and the Indian River Lagoon — giving consideration to an equitable balance of public and private property rights.

*Objective 9.1G. Natural systems.* To protect and preserve the many functions and values of wetland and upland natural systems, including flood control, groundwater aquifer recharge and wildlife habitat.

**Policy 9.1G.5. Preservation of upland native habitat.** Martin County shall ensure preservation of at least 25 percent of the existing upland native habitat in the County. To attain this goal, the current total County upland preservation percentage of 10.9 percent shall be increased to 15 percent in 1995, 20 percent in 2000 and 25 percent in 2005 (see Table 9-5). These percentage goals shall be attained for both endangered/rare and common uplands, to the maximum extent feasible.

The policies related to native upland habitat aim to protect and preserve native upland habitat in place within all developments. The following definitions apply:

- (1) *Native upland habitat:* Native plant community associations, including canopy, understory and groundcover, or any combination of them that are generally undisturbed and unimproved.
- (2) *Special upland habitats:* Native upland habitats that are endangered, unique, threatened or rare in Martin County, or regionally rare.

Determination of endangered or regionally rare habitat will be based on habitats identified by the Florida Natural Areas Inventory's (FNAI) Guide to the Natural Communities of Florida and supported by applicable state and federal authorities. Special upland habitats include natural upland communities that are ranked as either rare or imperiled or critically imperiled in the FNAI Guide.

Special upland habitats in Martin County include but are not limited to sand pine/scrub oak associations, turkey oak associations, hardwood hammock associations, tropical hammock associations, coastal hammock associations and cabbage palm/oak hammock that may have such native trees as cypress, magnolia, maple and bay trees.

- (3) *Common upland habitats:* Native upland habitats that are not included in the definition of special habitats. This definition also includes natural upland communities that are not ranked as rare, imperiled, or critically imperiled natural communities as ranked in the FNAI Guide. Mesic flatwood communities (FNAI) are a common native upland habitat in Martin County.

Native upland habitats acquired by the County for conservation or set aside with development have been mapped and will continue to be updated and refined as new data becomes available.

**Policy 9.1G.6.** *Preserve requirements for common habitat.* Twenty-five percent of common native upland habitat occurring on-site shall be preserved in place in all developments, unless the upland habitat requirements are met by the preservation of special upland habitat.

**Policy 9.1G.7.** *Preserve requirements for special habitat.* Where special upland habitat occurs on-site, all of the special habitat up to 25 percent of the total upland property on-site, shall be preserved.

**Policy 9.1G.9.** *Alternative compliance for mixed-use projects within the Mixed Use Overlay of a designated CRA.* Objective 18.5B. provides alternative means to comply with the obligation to preserve no less than 25% of native upland habitat for development located in a CRA. ~~For lots of record as of February 20, 1990, that are located within the Mixed Use Overlay of one of the seven designated CRAs, compliance other than on-site preservation may be allowed to meet the goals for preserving upland native habitat. Off-site preservation of upland native habitat may be substituted where the following standards are met:~~

- ~~(1) Special habitat is not present on site;~~
- ~~(2) The off-site habitat shall be the same size, type and habitat value as the native upland habitat on-site and shall be located within the CRA;~~
- ~~(3) The off-site preserve area shall be part of a sustainable preserve system planned for the CRA;~~
- ~~(4) The applicant either pays the full cash value of the offsite preserve or donates land that is part of a planned CRA preserve system;~~
- ~~(5) Whether through prior purchase by the CRA and cash donation to cover its cost or through land donation, the offsite parcel is in place and in public ownership at the time of final site plan approval or any earlier approvals that allow site clearing. Existing public conservation areas must not be used as an alternative for on-site compliance unless they were purchased specifically for the purpose of meeting this policy.~~

## **Chapter 13 – Drainage and Natural Groundwater Aquifer Recharge Element**

**Goal 13.1.** To protect and improve the quantity and quality of Martin County's groundwater and surface water resources.

*Objective 13.1E.* To reduce the adverse environmental impacts of overdrainage and restore presently impacted affected areas.

. . .

*Policy 13.1E.8. Stormwater needs in community redevelopment areas.* The County shall review the stormwater needs of the CRAs ~~mixed-use projects in community redevelopment areas~~ and shall provide exceptions or alternative compliance measures for these areas in the Land Development Regulations. Any exceptions shall assure that other properties do not flood and that the timing, quantity and quality of stormwater runoff does not ~~has no potentially~~ negatively impacts on the St. Lucie River or other receiving bodies. Where offsite water management facilities are used they must be in place and functioning prior to the issuance of a building permit.

. . .

## ***Chapter 14 – Capital Improvements***

**Goal 14.1.** To use sound fiscal policies to provide adequate public facilities concurrent with, or prior to, development in order to achieve and maintain adopted standards for levels of service and to exceed the adopted standards, when possible, and to promote policies of the Comprehensive Growth Management Plan that are cost-effective in terms of capital improvement needs and programming.

*Objective 14.1A.* To establish standards for levels of service for each type of public facility, to determine what capital improvements are needed in order to achieve and maintain the standards for existing and future populations, and to repair or replace existing public facilities.

*Policy 14.1A.2. LOS standards for category A facilities.* The standards for category A public facilities levels of service shall be as follows:

(1) County arterial and collector roads:

Level of service D; peak hour/peak direction ~~season~~ on all County arterial and collector roads.

. . .

CGMP Chapter 18		Other Chapters of CGMP
<b>Goal 18.1.</b> “To alleviate the negative impacts of inadequate public facilities and services and substandard structures for affected areas in the County.”		
a.	Goal 18.1 is an exact restatement of Goal 4.2.	Goal 4.2 is retained in Ch. 4. Its scope is not limited to the CRAs.
b.	Objective 18.1A. is the former Obj. 4.2B. Policies 18.1A.1 through 18.1A.6. are the former Policies 4.2B.1 through 4.2B.7. Non-substantive amendments are made.	Objective 4.2B. and Policies 4.2B.1 through 4.2B.7. are deleted from Ch. 4. Their scope is limited to CRAs.
c.	Obj. 18.1B. is the restatement of Obj. 4.2A. and Policies 18.1B.1. and 18.1B.2. are restatements of Policies 4.2A.1 and 4.2A.2.	Objective 4.2A. and Policies 4.2A.1 and 4.2A.2. are retained in Ch. 4. Their scope is not limited to CRAs.
d.	Objectives 18.1C (wastewater), 18.1D. (potable water), and 18.1E. (stormwater) and the policies under these objectives are new.	No amendment is needed to any other chapter.
e.	Policy 18.1E.3. allows the LDRs to establish exceptions or alternative compliance for stormwater in the CRAs.	Policy 13.1E.8. is the same policy as Policy 18.1E.3. Stylistic edits were made to keep the text of the policies identical.
<b>Goal 18.2.</b> “To facilitate the revitalization, restoration and strengthening of the CRA town centers and neighborhoods by establishing future land use designations that allow and encourage a compact, walkable, small-town urban form.”		
a.	The text of the policies originates from Goal 4.3 and its objectives and policies, as well as Policy 4.13A.14. (Mixed-Use Overlay)	

b.	Objective 18.2A. creates the CRA Center future land use designation. The text of the policies originates from Goal 4.3 and the objectives and policies under it, as well as Policy 4.13A.14. (Mixed-Use Overlay)	Policy 4.13A.16, CRA Center, is created to recognize this future land use designation.
c.	Policy 18.2A.4.(6) is the substitute for density transition in the CRA Center.	Policy 2.1A.3. (density transition) is amended to provide that it does not apply within the CRAs.  Policy 4.1F.4. is created to provide that Policies 4.1F.1., 4.1F.2., and 4.1F.3. (density transition) do not apply in the CRAs and that buffering and transition between uses are governed by Ch. 18.
d.	Objective 18.2C. creates the CRA Neighborhood future land use designation. The text of the policies originates from Goal 4.3 and its objectives and policies, as well as Policy 4.13A.14. (Mixed-Use Overlay)	Policy 4.13A.17, CRA Neighborhood, is created to recognize this future land use designation
e.	Policy 18.2C.3.(4) is the substitute for density transition in the CRA Neighborhood future land use designation.	Policy 2.1A.3. (density transition) is amended to provide that it does not apply within the CRAs.  Policy 4.1F.4. is created to provide that Policies 4.1F.1., 4.1F.2., and 4.1F.3. (density transition) do not apply in the CRAs and that buffering and transition between uses are governed by Ch. 18.
<p><b>Goal 18.3.</b> is a restatement of Goal 4.3.</p> <p>“To provide opportunities for mixed residential and nonresidential uses, including Traditional Neighborhood Development, in CRAs that have not adopted the CRA Center and CRA Neighborhood future land use designations, in order to:</p> <ul style="list-style-type: none"> <li>▪ Encourage redevelopment and in-fill development;</li> <li>▪ Provide for livable urban areas that mitigate the impacts of mixing uses;</li> </ul>		<p>Goal 4.3 is retained in Ch. 4 because it provides for mixed-use and traditional neighborhood development outside the CRAs.</p> <p>It is amended to remove reference to the CRAs.</p>

	<ul style="list-style-type: none"> <li>▪ Provide a coordinated system of recreation and open space;</li> <li>▪ Provide for pedestrian-friendly communities that reduce dependence on the automobile;</li> <li>▪ Reduce infrastructure needs by integrating and sharing parking, drainage and other public facilities;</li> <li>▪ Meet the needs of neighborhood residents; and</li> <li>▪ Provide residents with a variety of housing choices.</li> </ul>	
a.	<p>The objectives and policies are carried over from the objectives and policies under Goal 4.3.</p>	<p>Obj. 4.3A. and Policies 4.3A.1. through 4.3A.10. are deleted. Their substance is incorporated into Chapter 18.</p> <p>Obj. 4.3B. is renumbered to 4.3A.</p> <p>Policy 4.13A.7.(1)(f) is deleted because it is redundant with Policy 18.3A.3. (mixed-use development may occur in a Mixed-Use Overlay regardless of the underlying future land use designation)</p> <p>Policy 4.13A.14. (Mixed-Use Overlay) is retained in Ch. 4. but amended to reduce redundancy.</p>
b.	<p>Objective 18.2E.</p> <p><i>“Marine Waterfront Commercial in the CRAs. To preserve marine waterfront uses, the Marine Waterfront Commercial future land use designation is retained in the CRAs.”</i></p> <p>Policy 18.2E.1 restates protection of Marine Services Areas from conversion to permanent residential use established by CGMP Policy 4.13A.8.(4)</p>	<p>Policy 4.13A.8.(4) is amended to clarify rules for mixed-use development in the CRAs.</p>
c.	<p>Objective 18.2F.</p> <p><i>“Institutional future land uses in the CRAs. The Institutional future land</i></p>	<p>No amendment is needed in any other Chapter.</p>

	use designation is retained in the CRAs.”	
e.	Objective 18.2G. “Industrial future land uses in the CRAs. The Industrial future land use designation is retained in the CRAs.”	<i>Policy 4.13A.10. Industrial development</i> , is amended to reference Chapter 18 rather than Goal 4.3.
<b>Goal 18.4.</b> “To protect and enhance the quality of life and business climate in all CRAs through adoption and implementation of urban design standards.”		
a.	Objectives and Policies arise from existing objectives and policies. The text is mostly just reorganized. Some substantive changes made.	No amendments needed in Chapter 4 other than those identified previously.
<b>Goal 18.5.</b> “To provide development within all CRAs alternative means of compliance with County policies in order to encourage infill development and redevelopment and achieve a compact, walkable small-town urban form.”		
a.	Obj. 18.5A. To facilitate attainment of a coordinated system of public open space and recreation areas within the CRAs.	Policy 4.13A.7.(1), general policies for all residential development, paragraph (e), is amended to remove reference to mixed-use projects, but otherwise retained in Ch. 4 because it also applies to affordable housing development. This provision regarding impervious or covered community gathering areas as open space in mixed-use projects is copied to Ch. 18 and expanded to apply to all development in a CRA by Policy 18.5A.2.
b.	Obj. 18.5B. To facilitate compact, walkable, urban development in the CRAs while advancing the County’s	Policy 2.2B. is amended to reference Objective 18.5B rather than Policy 9.1G.11.

	goal to preserve no less than 25% of native upland habitat.	Policy 9.1G.9. is amended to direct the reader to Chapter 18 and Objective 18.5B.
c.	Obj. 18.5C. To facilitate in-fill development and redevelopment in the CRAs, provide public access to the waterfront, preserve shoreline mangroves and protect shoreline stability, and reduce non-point source water pollution entering the Indian River lagoon, St. Lucie River and Manatee Pocket.	<p>Policy 2.2C.9.(1) is amended to provide a tenth exception to the prohibition on development within the 75-foot shoreline protection zone, landward from mean high water, “as provided in Chapter 18 for land with the Marine Waterfront Commercial future land use designation and within in a CRA, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay.”</p> <p>Policy 8.1C.1.(3)(h) is amended to provide an additional exception to the 75-foot shoreline protection zone, “as provided in Chapter 18 for land with the Marine Waterfront Commercial future land use designation and within in a CRA, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay.”</p>
	No reference in Chapter 18 is needed.	<p>Policy 4.1E.4. Gross density, is amended to include as a category of land allocated for nonresidential purposes that is included within the gross land area on which gross residential density is calculated:</p> <p>(5) For development proposed for previously platted lots in a CRA and subject to calculation of gross residential density, the property owner may opt to include within the gross land area one-half of any right-of-way adjoining the development site.</p>
	No reference in Chapter 18 is needed.	<i>Policy 6.1D.8.</i> No net loss of mobile home lands, is amended to provide that it is not applicable within the CRAs.

		Policy 13.1E.8. is the same policy as Policy 18.1E.3. Edits were made to keep the policies identical.
		<i>Policy 14.1A.2. LOS standards for category A facilities was edited to correct an inconsistency with Policy 5.2A.1.</i>

# Walmart helping more workers attend college

Charisse Jones  
USA TODAY

Walmart wants to keep schooling its workers.

Employees will now be able to get degrees in fields ranging from computer science to cybersecurity for the tuition tab of \$1 a day. Those who are in high school will be able to earn free college credits and other educational perks for the first time.

Those changes mark the expansion of the retailer's "Live Better U" initiative, launched last year, that enables employees to pursue degrees and also get college credits for on-the-job training.

More than 7,500 Walmart employees have taken part in the offering that initially enabled them to study at Brandman University, the University of Florida and Bellevue University. Purdue University Global, Southern New Hampshire University and Wilmington University are also participating.

The chance to get a degree for the cost of a dollar a day comes at a time when college tuition is soaring and collective student loan debt has topped \$1.5 trillion. Walmart said that in addition to helping employees attain higher education, the program will potentially help the company create and hold on to a better trained workforce.

"They wanted access to higher education to improve their lives," said Drew Holler, senior vice president of associate experience at Walmart. "What we know also is it's going to help us with retention ... and it's providing skills we need in the future."

In addition to adding 14 tech-oriented degrees or certificates to the program, Walmart is extending the college initiative to high school students in its workforce.

To pursue their studies, the high schoolers can have set shifts on specific days for up to 13 weeks. They can also get free prep for the ACT and SAT college entrance exams, and earn up to seven hours of free college credits.

"High school students face challenges when it comes to work and education," said Julie Murphy, executive vice president, people, for Walmart U.S. "The cost of college remains a significant barrier."

Less than 25,000 of Walmart's employees are high schoolers, but roughly 300 of the company's store managers began working for the retailer when they were in high school, Murphy said.

Any employee who had not previously earned college credits could win a \$1,500 scholar award after graduating. Up to 5,000 staffers will be eligible for the cash annually.

# New York school district to use facial recognition

Carolyn Thompson  
ASSOCIATED PRESS

LOCKPORT, N.Y. – A New York school district finished installing a facial recognition system intended to spot potentially dangerous intruders, but state officials concerned about privacy said they want to know more before the technology is implemented.

Education Department spokeswoman Emily DeSantis said Monday that department employees plan to meet with Lockport City School officials about the system being tested this week. In the meantime, she said, the district has said it will not use facial recognition software while it checks other components of the system.

The rapidly developing technology has made its way into airports, motor vehicle departments, stores and stadiums, but is so far rare in public schools.

Lockport is preparing to bring its system online as cities elsewhere are considering reining in the technology's use. San Francisco in May became the first U.S. city to ban its use by police and other city departments and Oakland is among others considering similar legislation.

A bill by Democrat Assembly Member Monica Wallace would create a one-year moratorium on the technology's use in New York schools to allow lawmakers time to review it and draft regulations. The legislation is pending.

Lockport Superintendent Michelle Bradley, on the district's website, said the district's initial implementation of the system this week will include adjusting cameras mounted throughout the buildings and training staff members who will monitor them from a room in the high school. The system is expected to be fully online on Sept. 1.

"Much to our dismay, school shootings continue to occur in our country," wrote Bradley, who did not respond to email and telephone messages Monday. "In many cases, these shootings involve students connected to the schools where these horrific incidents occur."

The \$1.4 million Canadian-made Aegis system, funded through a state technology bond, is designed to enable security officers to quickly respond to the appearance of expelled students, disgruntled employees, sex offenders or certain weapons the system is programmed to detect.

Only students seen as threats will be loaded into the database. Administrators have said it could thwart shootings like the February 2018 attack in which expelled student Nikolas Cruz is charged with killing 17 at Marjory Stoneman Douglas High School in Parkland, Florida.

"This would have identified (Cruz) as not being able to be in that building," Tony Olivo, a security consultant who recommended the system for Lockport, told The Associated Press last year.



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## NOTICE OF PUBLIC HEARINGS

The Martin County Local Planning Agency will conduct public hearings on June 20, 2019, beginning at 7:00 P.M., or as soon thereafter as the items may be heard, to review the following items:

- Application CPA 18-10, CRA Text Amendments: A request to amend the text of the Comprehensive Growth Management Plan (CGMP) to create a new Chapter 18, the Community Redevelopment Element, and amendments to Chapter 2, Overall Goals and Definitions, Chapter 4, Future Land Use Element, Chapter 8, Coastal Management Elements, and Chapter 9, Conservation and Open Space Element, of the CGMP.
- The proposed adoption of an ordinance related to Martin County Land Development Regulations. The title of the ordinance is:  
**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; DELETING SECTION 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT AREA, AND MAKING AMENDMENTS TO OTHER ARTICLES, DIVISIONS OR SECTIONS OF THE LAND DEVELOPMENT REGULATIONS AS NECESSARY TO MAINTAIN INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE**

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be sent to: Nicki van Vonno, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact Irene Szedlmayer, Sr. Planner, Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



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## Agenda Item Summary

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File ID: 19-0641

NEW-5

Meeting Date: 6/20/2019

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**PLACEMENT:** New Business

**TITLE:**

PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS TO CREATE ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH REDEVELOPMENT CODE, AND TO DELETE SECTION 3.261, JENSEN BEACH REDEVELOPMENT AREA.

**EXECUTIVE SUMMARY:**

REQUESTED BY: Board of County Commissioners

REPRESENTED BY: Susan Kores, Office of Community Development Manager

PRESENTED BY: Dana Little, Urban Design Director, Treasure Coast Regional Planning Council

The Community Redevelopment Agency contracted with the Treasure Coast Regional Planning Council (TCRPC) for the development of new land development regulations (LDR) for Martin County's six Community Redevelopment Areas (CRA). The goals for the new LDRs are to effectively and efficiently facilitate achievement of the vision contained in the Redevelopment Plans and the Comprehensive Growth Management Plan for the CRAs and to make it easier for residents, property owners, the development community, and County staff to understand and implement.

After working closely with the Martin County Growth Management Department, Office of Community Development, and the Public Works Department to understand the intricacies of the interplay between future land use designations, mixed-use future land use overlays, underlying zoning districts, redevelopment zoning overlays, Comprehensive Plan policies, and zoning regulations, the TCRPC is recommending the creation of a new Chapter 12 of the LDR, a Redevelopment Code.

The development of Article 12, Redevelopment Code, is occurring alongside the development of a proposed new Chapter of the Comprehensive Growth Management Plan, Chapter 18, Community Redevelopment. The amendment of the Comprehensive Plan and the LDRS involves these steps:

1. Amendment of the Comprehensive Plan by the adoption of CPA 18-10, CRA Text Amendment, creating Chapter 18, the Community Redevelopment Element, including the creation of two new future land use designations-CRA Center and CRA Neighborhood.
2. Amendment of the Future Land Use Map for each CRA to delete the Mixed-Use Future Land Use Overlays and to designate the CRA Center and CRA Neighborhood future land uses to replace the existing future land use designations. The exceptions to the replacement by the CRA Center and CRA Neighborhood are the Institutional, Industrial and Marine Waterfront Commercial future land use<sup>205</sup>

designations which will be retained in the CRAs. The amendment of the Future Land Use Map will occur one CRA at a time.

3. Amendment of the LDR by the adoption of Article 12, Redevelopment Code, Division 1, General, and Division 2, Jensen Beach Redevelopment Code. Adoption of Article 12, Divisions 1 and 2 will be followed by the adoption of Division 3, Rio Redevelopment Code, Division 4, Old Palm City Redevelopment Code, Division 5, Hobe Sound Redevelopment Code, etc.

4. Amendment of the County Zoning Atlas to assign the new zoning districts and sub-districts created by Article 12 to each CRA and to delete the CRA Zoning Overlays. The amendment of the Zoning Atlas will occur one CRA at a time.

The intent of Article 12 is to create a consistent “Operating System” that is tailored to each CRA but utilizes consistent text, graphics, methodology and level of detail. The organization of Article 12 can be summarized as follows:

1. Each CRA will be its own Zoning District, for example, the Jensen Beach Redevelopment District.
2. Each Redevelopment District will include sub-districts. The sub-districts include Core, Corridor, General, Waterfront, Industrial, Multi-family, Mobile Home, Detached 1 and Detached 2. Some CRAs may not have all of these sub-districts.
3. The Zoning Atlas will show each CRA Zoning District. The Regulating Plan for each CRA will show the Sub-Districts.
4. In addition to zoning standards such as permitted uses and setbacks, Article 12 will also include building types, and standards for streets, landscaping, parking, stormwater, signs, and architecture.

The proposed drafts of Article 12, Division 1, General, and Article 12, Division 2, Jensen Beach Redevelopment Code, are included with this agenda item.

#### **REQUESTED ACTION:**

Make a motion that the Local Planning Agency recommend adoption of the amendments of the Land Development Regulations creating Article 12, Redevelopment Codes, Division 1, General, and Division 2, Jensen Beach Redevelopment Code.

#### **ALTERNATIVE ACTION:**

Make a motion that the Local Planning Agency continue the public hearing to a date certain and direct staff to make certain changes or return with additional information or analysis.

**PREPARED BY:** Irene A. Szedlmayer, AICP, Senior Planner, Growth Management Department

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY**

**ORDINANCE NUMBER**

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS; DELETING 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT AREA, AND MAKING AMENDMENTS TO OTHER ARTICLES, DIVISIONS OR SECTIONS OF THE LAND DEVELOPMENT REGULATIONS AS NECESSARY TO MAINTAIN INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners has adopted the Martin County Comprehensive Growth Management Plan within which are included goals, objectives, and policies related to zoning and land development; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals, objectives and policies through the adoption of consistent land development regulations; and

WHEREAS, the proposed adoption of Article 12, Division 1 and Division 2, of the Land Development Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners finds the proposed amendments consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan,

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY, FLORIDA, THAT:**

**PART 1: CREATION OF ARTICLE 12**

Article 12, Redevelopment Code, Division 1, General, and Division 2, Jensen Beach Community Redevelopment Code, Land Development Regulations, Martin County Code, is hereby created as set forth in Exhibit A and Exhibit B, attached hereto and incorporated by reference.

**PART 2: AMENDMENT OF ARTICLE 3, DIVISION 6, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS**

Article 3, Division 6, Section 3.261, Jensen Beach Community Redevelopment Area, is deleted in its entirety.

### **PART 3: APPLICABILITY OF ORDINANCE.**

This Ordinance shall be applicable throughout the unincorporated area of Martin County

### **PART 4: CONFLICTING PROVISIONS.**

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this ordinance to the extent of such conflict, except for ordinances concerning either adoption or amendment of the Comprehensive Growth Management Plan.

### **PART 5: SEVERABILITY.**

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

### **PART 6: FILING WITH THE DEPARTMENT OF STATE.**

The clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of state via electronic transmission.

### **PART 7: CODIFICATION.**

Provisions of this ordinance shall be incorporated into the Martin County Land Development Regulations. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be renumbered or re-lettered.

### **PART 8: EFFECTIVE DATE.**

This ordinance shall take effect upon filing with the Office of Secretary of State. Notwithstanding such effective date, applications for building permits that were submitted prior to the effective date of this ordinance may be approved if consistent with Section 3.261., LDR, as provided prior to amendment by this Ordinance.

**PASSED AND DULY ADOPTED THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2019.**

ATTEST:

BOARD OF COUNTY  
COMMISSIONERS,  
MARTIN COUNTY, FLORIDA

\_\_\_\_\_  
CAROLYN TIMMANN, CLERK  
OF THE CIRCUIT COURT  
AND COMPTROLLER

\_\_\_\_\_  
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

\_\_\_\_\_  
KRISTA A. STOREY  
ASSISTANT COUNTY ATTORNEY

*Proposed*

# Article 12

## Redevelopment Codes

*Land Development Regulations for  
Community Redevelopment Areas  
within Martin County, Florida*

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<b>Division 1</b>	<b>Redevelopment Codes</b>
Section 12.1.01	Purpose & Intent
12.1.01.A	Content of Redevelopment Codes
12.1.01.B	Adoption and modification of Redevelopment Codes
12.1.01.C	Function of Redevelopment Code; consistency with other regulations
12.1.01.D	Comprehensive Plan
12.1.01.F	Form-based code
12.1.01.H	Subdistricts
12.1.01.I	How to use Article 12
Section 12.1.02	Regulating Plan
Section 12.1.03	Permitted uses in each use group
Section 12.1.04	Development Standards
Section 12.1.05	Building Types & Building Frontage Standards
Section 12.1.06	Street Standards
Section 12.1.07	Parking Standards
Section 12.1.08	Stormwater Standards
Section 12.1.09	Landscape Standards
Section 12.1.10	Wall & Fence Standards
Section 12.1.11	Sign Standards
Section 12.1.12	Applicability
Section 12.1.13	Review Process
Section 12.1.14	Glossary

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12.1.00

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<b>Division 2</b>	<b>Jensen Beach</b>
Section 12.2.01	General
Section 12.2.02	Regulating Plan
Section 12.2.03	Permitted Uses
Section 12.2.04	Development Standards
Section 12.2.05	Building Types Standards
Section 12.2.06	Street Standards
Section 12.2.07	Parking Standards
Section 12.2.08	Stormwater Standards
Section 12.2.09	Landscape Standards
Section 12.2.10	Wall & Fence Standards
Section 12.2.11	Sign Standards
Section 12.2.12	Architectural Standards

<b>Division 5</b>	<b>Port Salerno</b>
Section 12.5.01	General
Section 12.5.02	Regulating Plan
Section 12.5.03	Permitted Uses
Section 12.5.04	Development Standards
Section 12.5.05	Building Types Standards
Section 12.5.06	Street Standards
Section 12.5.07	Parking Standards
Section 12.5.08	Stormwater Standards
Section 12.5.09	Landscape Standards
Section 12.5.10	Wall & Fence Standards
Section 12.5.11	Sign Standards
Section 12.5.12	Architectural Standards

<b>Division 3</b>	<b>Rio</b>
Section 12.3.01	General
Section 12.3.02	Regulating Plan
Section 12.3.03	Permitted Uses
Section 12.3.04	Development Standards
Section 12.3.05	Building Types Standards
Section 12.3.06	Street Standards
Section 12.3.07	Parking Standards
Section 12.3.08	Stormwater Standards
Section 12.3.09	Landscape Standards
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Section 12.3.11	Sign Standards
Section 12.3.12	Architectural Standards

<b>Division 6</b>	<b>Hobe Sound</b>
Section 12.6.01	General
Section 12.6.02	Regulating Plan
Section 12.6.03	Permitted Uses
Section 12.6.04	Development Standards
Section 12.6.05	Building Types Standards
Section 12.6.06	Street Standards
Section 12.6.07	Parking standards
Section 12.6.08	Stormwater Standards
Section 12.6.09	Landscape Standards
Section 12.6.10	Wall & Fence Standards
Section 12.6.11	Sign Standards
Section 12.6.12	Architectural Standards

<b>Division 4</b>	<b>Old Palm City</b>
Section 12.4.01	General
Section 12.4.02	Regulating Plan
Section 12.4.03	Permitted Uses
Section 12.4.04	Development Standards
Section 12.4.05	Building Types & Standards
Section 12.4.06	Street Standards
Section 12.4.07	Parking Standards
Section 12.4.08	Stormwater Standards
Section 12.4.09	Landscape Standards
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Section 12.4.11	Sign Standards
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<b>Division 7</b>	<b>Golden Gate</b>
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Section 12.7.02	Regulating Plan
Section 12.7.03	Permitted Uses
Section 12.7.04	Development Standards
Section 12.7.05	Building Types Standards
Section 12.7.06	Street Standards
Section 12.7.07	Parking Standards
Section 12.7.08	Stormwater Standards
Section 12.7.09	Landscape Standards
Section 12.7.10	Wall & Fence Standards
Section 12.7.11	Sign Standards
Section 12.7.12	Architectural Standards

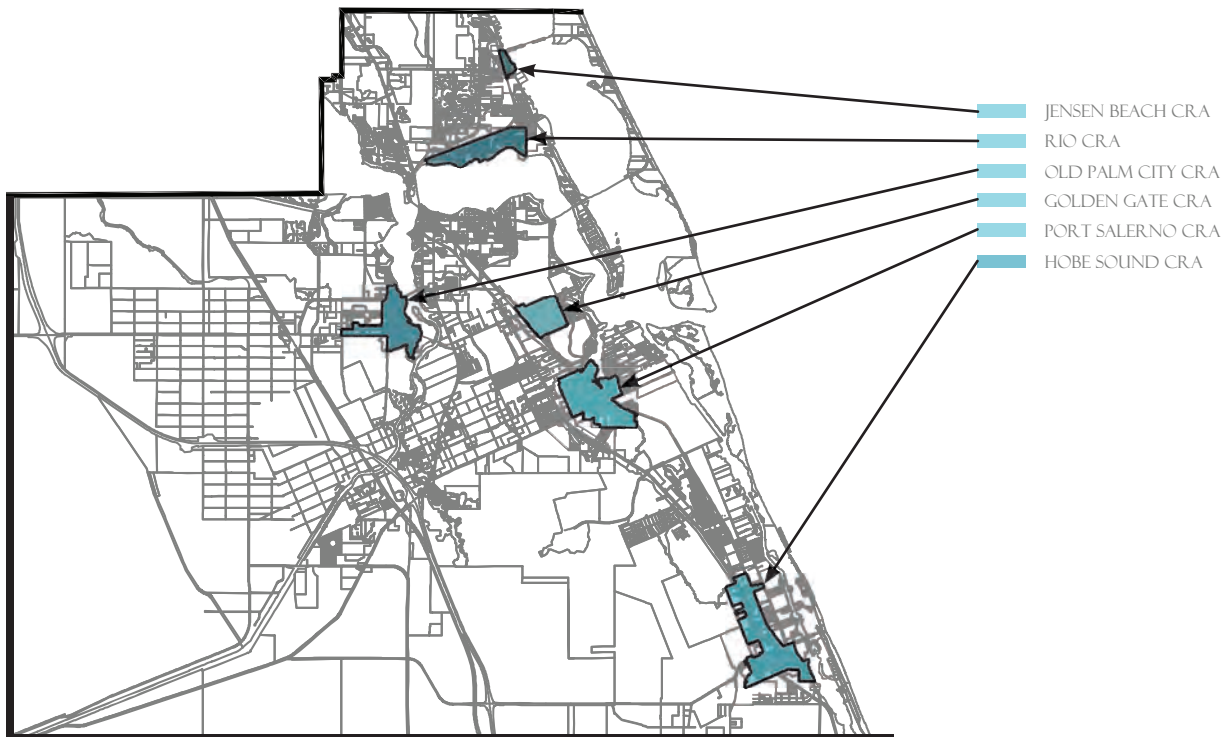
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**12.1.01 Purpose & Intent.** Redevelopment Codes may be established to provide zoning procedure to implement Comprehensive Growth Management Plan policies by providing opportunities for traditional neighborhood design and mixed residential and commercial uses in redeveloping areas. Redevelopment Codes may be adopted only for Community Redevelopment Areas that have been formally designated by Martin County in accordance with the Comprehensive Growth Management Plan.

**12.1.01.A. Content of Redevelopment Codes.** Redevelopment Codes are designed to preserve and revitalize older residential neighborhoods and commercial areas by providing a redevelopment zoning districts that replace the prior underlying zoning districts and establishing special standards for development, in accordance with the adopted community redevelopment plans. Each Community Redevelopment Areas may have with its own redevelopment zoning district. Article 12 provides redevelopment codes and zoning districts for each of the following Community Redevelopment Areas, as shown in Figure 12-1:

1. Jensen Beach CRA Division 2
2. Rio CRA Division 3 (reserved)
3. Old Palm City CRA Division 4 (reserved)
4. Port Salerno CRA Division 5 (reserved)
5. Hobe Sound CRA Division 6 (reserved)
6. Golden Gate CRA Division 7 (reserved)

**Figure 12-1 - Martin County Community Redevelopment Areas**





## Purpose & Intent

### 12.1.01

**12.1.01.B. Adoption and modification of Redevelopment Codes.** The adoption or modification of redevelopment codes and redevelopment zoning districts and the assignment of land to a redevelopment zoning district and subdistrict shall be by ordinance amending the land development regulations. When such ordinance assigns land to a redevelopment zoning district and subdistrict or modifies the current assignment, public notice shall be the same as for development applications and for amendments to the Martin County zoning atlas as set forth in Article 10, except that:

1. The notice of public hearing that is mailed to surrounding property owners must also be mailed to owners of property that is the subject of the application.
2. Instead of posting one or more signs on every parcel that is the subject of the application, signs must be posted on both sides of streets within the affected area, as follows:
  - a. On block faces that are less than 750 feet long, a sign must be posted on at least one parcel.
  - b. On block faces that are longer than 750 feet, signs must be posted on that block face so they are no farther apart than 750 feet.

**12.1.01.C. Function of Redevelopment Codes; consistency with other regulations.** Development under Redevelopment Codes shall comply with all requirements of the Martin County Land Development Regulations and General Ordinances, except where such requirements are in conflict with the requirements of this Article. In the case of a conflict with the requirements of this Article, such conflicting requirements are superseded by the requirements of this Division.

**12.1.01.D. Comprehensive Plan.** The State of Florida requires all cities and counties in the State to adopt comprehensive plans. In general, a comprehensive plan is needed to ensure that land development is conducted pursuant to sound planning principles. As a companion effort to the creation of Article 12, CRA Land Development Regulations, a new Chapter 18, CRA Comprehensive Plan Chapter has been developed specifically for the CRA areas. Chapter 18 and the future land use map must be amended to designate CRA Center and/or CRA Neighborhood areas and eliminate mixed-use overlays before Article 12 redevelopment codes may be applied. All development in a CRA shall comply with the County Growth Management Plan (CGMP). In the event of a conflict between a CGMP policy and a requirement of this Article, the stricter provision shall apply.

**12.1.01.E. Form-based code.** The Redevelopment Codes are form-based codes, land development regulations that foster predictable built results and a high-quality public realm by using physical form (rather than full separation of uses) as the code's primary organizing principle.

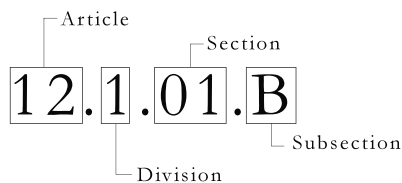
**12.1.01.F. Subdistricts.** The land in each redevelopment zoning district is controlled by a regulating plan which that may identify the following subdistricts:

1. The **Core** subdistrict is a pedestrian-oriented center for surrounding neighborhoods and the entire CRA. These are centers of dining, shopping, housing, and entertainment, with shaded sidewalks, large windows, intimate pedestrian spaces, outdoor dining, and richly detailed building facades. A broad mix of uses is encouraged in the Core Subdistrict.

2. The **Corridor** subdistrict extends the pedestrian-oriented building types, frontages, and streetscapes along a major roadway.
3. The **General** subdistrict offers a wide variety of housing, civic spaces, and pedestrian-oriented businesses. The General subdistrict also fosters a mix of uses but is more residential in scale and character.
4. The **Waterfront** subdistrict is defined by marinas and working waterfronts. In some redevelopment zoning districts, it may also promote a mixed-use waterfront environment with restaurants, entertainment, resort and residential uses.
5. The **Industrial** subdistrict identifies areas where industrial uses permitted and encouraged.
6. The **Multifamily** subdistrict allows for denser and more varied residential buildings.
7. The **Detached** subdistrict is predominantly single-family homes with front yards and walkable sidewalks.
8. The **Mobile Home** subdistrict identifies where mobile homes are permitted.

## 12.1.01.G. How to use Article 12.

1. Review the standards outlined in Division 1, which apply to all redevelopment codes.
2. Division 2 through Division 7 outline standards specific to each redevelopment code including its redevelopment zoning district. Review the Division applicable to the specific site.
3. Locate the site on the Regulating Plan. The regulating plan will identify the subdistrict, of each site in the redevelopment zoning district and the existing street network, and lot pattern, and will provide additional regulatory information pertaining to that redevelopment zoning district
4. Determine Permitted Uses for the subdistrict.
5. Determine applicable Development Standards for the subdistrict including lot size, density, and height.
6. Determine the allowed Building Types and/or Frontage Types for the subdistrict and development standards that correspond to those types.
7. Review applicable Stormwater Standards, Parking Standards, Wall and Fence Standards, Sign Standards, Architectural Standards and other standards that may be specific to the redevelopment zoning district and/or specific subdistrict within a redevelopment zoning district.
8. Organization of Article 12 numbering.



## 12.1.02. Regulating Plan

1. **Purpose.** Regulating Plans are adopted for each redevelopment zoning district. These Regulating Plans illustrate zoning subdistricts and provide detail about the existing and desired character of individual streets, blocks, and civic spaces. Certain standards in redevelopment zoning districts are keyed to specific features shown on the Regulating Plan to manage the form and scale of buildings and their relationship with other buildings, and with the public realm.
2. **Content.** Regulating Plans contain regulatory information including the following:
  - a. **Perimeter.** Perimeter of the redevelopment zoning district.
  - b. **Subdistricts.** All land in a Redevelopment Zoning District is assigned to a subdistrict that provides regulations for the characteristics and location of that land. Subdistricts are designated on the regulating plans.
  - c. **Primary and Secondary Streets and Alleys.** Primary Streets are intended to develop over time as pedestrian environments and, as such, are held to higher standards in the regulations regarding building placement, building frontage, and the location of parking and service uses. Streets not designated as Primary Streets are considered Secondary Streets. Secondary Streets can accommodate service functions and vehicular-oriented development needs, including parking, loading, and drive-through facilities. Alleys are important assets in the Redevelopment Zoning Districts, performing many functions within small rights-of-way.
  - d. **Required Commercial Frontage.** Portions of primary streets within Redevelopment Zoning Districts are intended to support businesses, civic uses, and reinforce local character. These streets are designated as Required Commercial Frontage and are held to stricter standards regarding allowable frontage types and uses located within sidewalk level stories. Required Commercial Frontage shall be non-residential and open to the public. Frontages shall be shopfront and arcades.
  - e. **Future Streets and Alleys Connections.** Potential future connections may also be illustrated on Regulating Plans. Future connections are desired new vehicular or pedestrian connections to existing streets or alleys that will improve the overall transportation network. Future connection designations are not precise alignments or specific locations. The appropriateness of final street designations, exact alignment, location, maintenance responsibility and dedication of these intended links of the transportation network will be determined during the development review and approval process.
  - f. **Marine Service Areas.** Marine Service Areas cannot be converted to permanent housing unless the marine service uses can be replaced on the same parcel or another parcel not already designated a Marine Service Area. See, CGMP Policy 4.13A.8(4).
3. **Legal effect.** Regulating plans are an integral part of these Land Development Regulations. They supplement the Martin County Zoning Atlas by providing a greater level of detail for redevelopment zoning districts so that the regulations and standards in this article will apply in the appropriate locations. Changes to regulating plans may be made only by amending these Land Development Regulations.

## 12.1.03 Permitted Uses.

1. Table 12-2 below identifies potential uses of land included in “use groups” with similar impacts. Each use group contains one or more of the uses described in the LDR (see definitions in Division 1 of Article 3, standards for specific uses in Division 3 of Article 3 and the Glossary contained in 12.1.14). Each Redevelopment Zoning subdistrict contains a table describing which use groups are permitted in that zoning subdistrict.
2. All uses listed are not permitted. Refer to the Permitted Use Tables for perspective Redevelopment Zoning District for permitted uses within a Redevelopment Zoning District.
3. The Growth Management Director may approve uses other than those listed in the permitted use tables upon a finding that the use is functionally similar to the permitted uses and that the use is not likely to generate harmful impacts or create incompatibilities with other uses in the area. Prior to the decision, the Growth Management Director may request a recommendation from the particular Neighborhood Advisory Committee. The Growth Management Director shall keep a record of all such determinations.
4. **Accessory Dwelling Units.** Standards for accessory dwelling units are provided with Development Standards 12.1.04.

**Table 12-2 Permitted Uses in Each Use Group**

Residential Use Groups	Residential Uses in this Use Group
Accessory dwelling units	Accessory dwelling units, as accessory use
Mobile homes	Mobile homes Single-family detached dwellings
Other dwelling types	Apartment hotels Multifamily dwellings Single-family detached dwellings, if established prior to the effective date of this ordinance Townhouse dwellings Zero lot line single-family dwellings Family day care
Single-family dwellings	Single-family detached dwellings Duplex dwellings Modular homes Family day care, as accessory use
Bed and breakfast inns	Bed and breakfast inns
Agricultural Use Groups	Agricultural Uses
<u>Urban Farming</u>	Urban Agriculture Agrihood Farmer’s Market

Table 12-2 Permitted Uses in Each Use Group Continued

Commercial & Business Use Groups	Commercial & Business Uses in this Use Group
Business & professional offices	Business & professional offices
Construction services, limited impact	Construction industry trades Trades & skilled services
Construction services, extensive impact	Construction sales & services
Convenience store with fuel	Convenience store with fuel
Drive-through facility	Drive-through facility, excluding restaurants with drive-through facilities
Hotels, motels, resorts & spas	Hotels, motels, resorts & spas
Marinas	Marinas, commercial Marine fuel sales Marine power sales, service and repair Watercraft sales, rentals, and charters Marine education & research
Medical offices	Medical services Veterinary medical services
Parking lots & garages	Parking lots & garages
Restaurants	Restaurants, convenience without drive-through facilities Restaurants, general
Retail & services, limited impact	Ancillary retail use Artisan, art studio, galleries Health and fitness club Limited retail sales & services
Retail & services, general impact	Commercial amusements, indoor Commercial day care Financial institutions Funeral homes General retail sales & services Residential storage facilities Theater, indoor
Retail & services, extensive impact	Commercial amusements, outdoor Flea markets Golf courses Golf driving ranges Plant nurseries & landscape services Kennels, commercial Shooting ranges, indoor Theater, outdoor
RV parks. & campgrounds	Recreational vehicle parks
Vehicular service & maintenance	Vehicular service & maintenance
Wholesale trades & services	Wholesale trades & services
Working waterfront	Working waterfront Boat yards

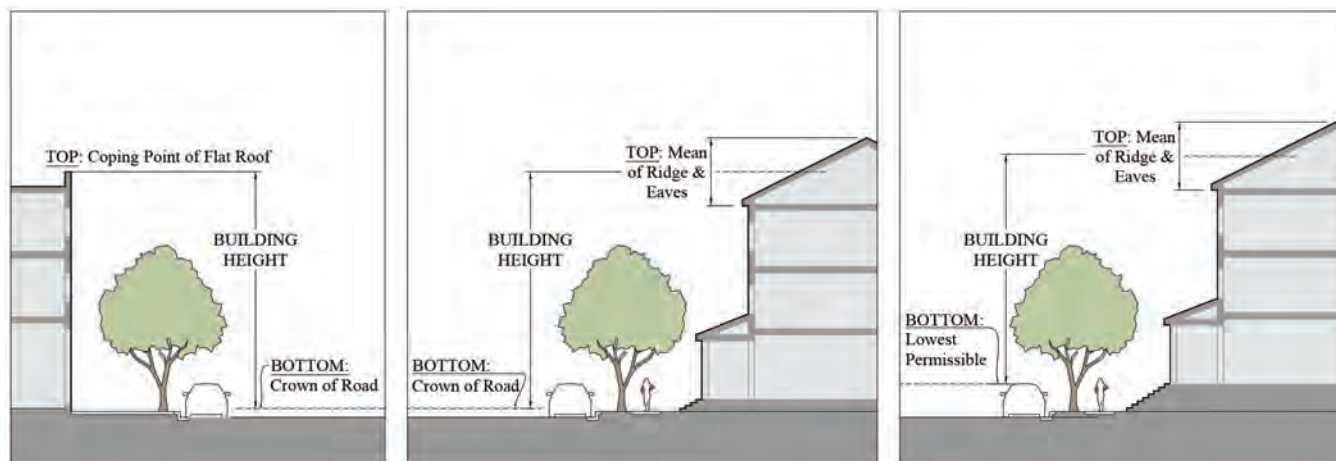
**Table 12-2 Permitted Uses in Each Use Group Continued**

Public & Institutional Use Groups	Public & Institutional Uses in this Use Group
Institutional uses, limited impact	Administrative services, not-for-profit Community centers Cultural or civic uses Neighborhood assisted residences with six or fewer residents Neighborhood boat launches Places of worship Post offices Protective & emergency services Public libraries Public parks and recreation areas, passive Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance
Institutional uses, general impact	Educational institutions Public parks & recreation areas, active Residential care facilities Recycling drop-off centers Utilities
Industrial Use Groups	Industrial Uses in this Use Group
Limited impact industries	Limited impact industries
Extensive impact industries	Extensive impact industries

**12.1.04 Development standards.** Development standards are established in all Redevelopment Zoning Districts. The following provisions apply in all Redevelopment Zoning Districts, except as may be modified in a particular district:

1. **Lot Size.** County standards within Section 3.15.B of Article 3 Division 2 describe how lot width are measured in Redevelopment Zoning Districts. Section 3.15.C provides exceptions to minimum lot size requirements.
2. **Height.** Where maximum building heights are established in feet, refer to Section 3.14 for details on how building heights are calculated. Figure 12-3 illustrates provisions below.
  - a. **TOP:** either the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip and gambrel roofs.
  - b. **BOTTOM:** Lowest floor elevations for all structures shall be:
    - i. Above the predicted elevation of stormwater that will stage within a development after a 100-year storm having a three-day duration and without any discharge from the development; or
    - ii. In accordance with Division 10, Flood Protection, of the County's Land Development Regulations for properties that are in a Special Flood Hazard Area as designated on the County's adopted Flood Insurance Rate Maps; or
    - iii. A minimum of 18 inches above the crown of the nearest street, unless approved by the County Engineer and the Building Official, for properties that do not have an approved stormwater management system and are not in a Special Flood Hazard Area; or
    - iv. Above minimum elevations that are required by other Federal, State or local regulations.
  - c. The height exceptions for steeples, parapet walls, mechanical equipment, etc. that are described in Section 3.14.B of Article 3 Division 2 apply equally in CRAs.

**Figure 12-3 Building Height Diagrams**



**3-STORY BUILDING**  
4 FULLY CONCEALED PARKING LEVELS

PL

Parking Active Use 3rd story

Parking Active Use 2nd story

Parking Active Use 1st story

**3-STORY BUILDING**  
PARKING LEVEL EXPOSED TO SECONDARY STREET

PL

3rd story

2nd story

1st story

Active Use

Active Use

Parking

- 224

5. **Building and Parking Placement.**

- a. **Setbacks.** County standards within Section 3.16 of Article 3 Division 2 describe how setbacks are measured in Redevelopment Zoning Districts. Section 3.15.B provides exceptions to minimum lot size requirements.
- b. **Frontage.** Frontage is the percentage of the total width of a lot minus the required setbacks, which is required to be occupied by the primary façade of a building. Building frontage requirements are set within each building type.
  - i. The primary façade shall be generally parallel to the right-of-way, located in accordance with the minimum and maximum front setback requirements of the zoning subdistrict.
  - ii. The location of the primary façade is not changed by the projection of architectural elements such as cornices, bay windows, awnings, porches, balconies, stoops, or arcades.
  - iii. On corner lots, the primary façade shall extend from the corner to ensure that new development or civic open space defines the corner.

6. **Accessory uses and structures.** Accessory uses and structures shall be governed by Section 3.201, LDR, except as provided in this section.

7. **Accessory Dwelling Units**

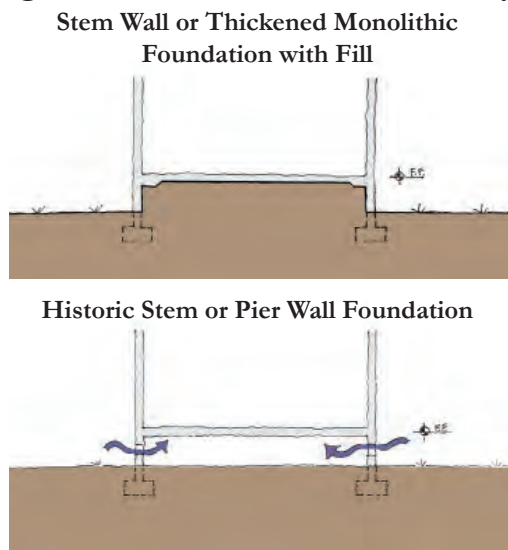
- a. Accessory dwelling units are permitted on any property on which a single-family residence is located.
- b. Accessory dwelling units shall not count as a separate unit for purposes of calculating density.
- c. Accessory dwelling units may be the second floor of a garage, a freestanding cottage, or physically attached to the principal dwelling.
- d. Accessory dwelling units shall not exceed a footprint of 850 square feet.
- e. Accessory dwelling units may have separate utility meters or share utilities with the principal dwelling, as required or permitted by the utility provider.
- f. Accessory dwelling or the land either one occupies shall not be sold or conveyed separately from the principal dwelling unit.

8. **Garages, sheds and similar structures** shall not be located between the principal structure and the road right-of-way. Garages shall not extend beyond the primary facade of the primary structure and shall be located no less than five feet behind the principal structure's front wall.

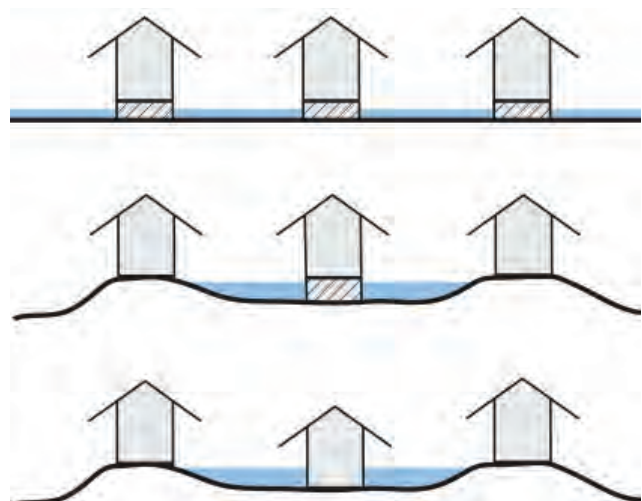
9. **Shielding from Street.** Garages, sheds, exposed pumps or electrical meters, air conditioning compressors or projecting air conditioning window units, clothes lines or clothes drying, antennas and satellite dishes, and similar structures and uses shall not be located between the front of a building and a street. Garbage cans shall not be located between the front of a building and a street, except on pick-up days.

10. **Gates and guardhouses.** Private gated communities are not permitted within the Redevelopment Zoning Districts. Gates and guardhouses may not be installed on public or private streets or alleys in redevelopment zoning districts. This prohibition does not preclude gates that control access to a single parking lot.
11. **Building Length.** Buildings may not be longer than 200 feet without a street, alley, or paseo providing through access to another street, alley or paseo. Paseos shall be a minimum of 15 feet wide, open to the public and open to the sky. The building face shall have transparent windows covering at least 50% of the wall area and the incorporation of storefront standards is encouraged.
12. **Foundation Types.** Where buildings are required or desired to be raised above existing grade a foundation type shown in Figure 12-5.1 is preferred to a slab on grade foundation. Figure 12-5.2 illustrates the neighborhood impact of foundation types.

**Figure 12-5.1 Preferred Foundation Types**

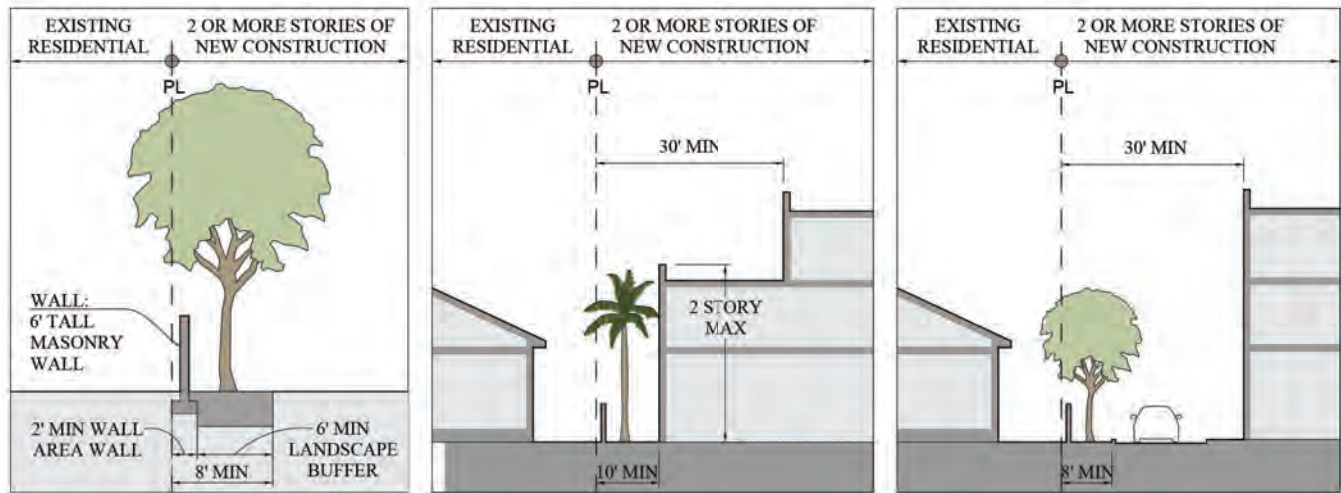


**Figure 12-5.2 Impact of Foundation Types on Neighborhood Resiliency**



13. **Transitions.** Where the rear or side of a property directly abuts a residential zoning district or an existing single family home without any division or separation between them of 30' feet or more, such as a street, alley, railroad, waterway, park, or other public open space; the following shall apply:
  - a. For buildings or portions of buildings three stories or less in height, a minimum side set back of 10 feet from the property line shall be provided.
  - b. A minimum side and rear building setbacks of 30 feet shall be provided from the property line for the portion of the building that is over two stories in height.
  - c. A solid finished masonry wall six feet in height shall be located within 2 feet of the inside and adjacent to the portion of the property line which directly abuts the residential property followed by a minimum of a 6 foot planting strip with a hedge or tree. Walkways and other pedestrian or bicycle connections shall be placed through the wall if they provide links CGMP determines would promote desirable connectivity between properties.

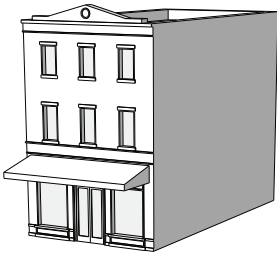
Figure 12-6 Transition Requirements between Existing Residential and New Construction



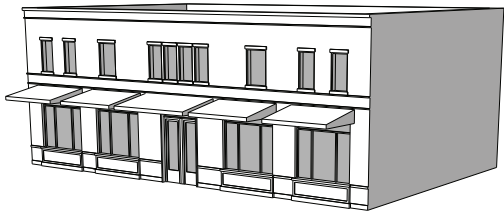
## 12.1.05 Building Types

1. **Building types** are applied in certain redevelopment zoning districts. The following building types may be incorporated or modified for use in Redevelopment Zoning Districts:
  - a. A **shopfront building** has ground-floor space immediately adjoining the sidewalk that can accommodate business uses with doors and large windows facing the sidewalk.
  - b. A **mixed-use building** has multiple tenants or occupancies and may contain residences, lodging and/or businesses to the extent allowed in the subdistrict. Mixed-use buildings may have a shop frontage on the ground floor, but may not be required.
  - c. An **office building** has a one or more commercial tenants, occupancies, or businesses. Office buildings may have a shop frontage on the ground floor, but may not be required.
  - d. An **apartment building** contains multiple residences above and/or beside each other in a building that occupies most of its lot width and is placed close to the sidewalk. Off-street parking is provided to the side or rear.
  - e. A **townhouse** is a building with common walls on one or both sides and a private garden to the rear. Service and parking access are from the rear.
  - f. A **live/work building** consists of commercial and residential functions. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activities or industry.
  - g. A **side yard house** is a detached building that occupies one side of the lot adjacent an open space which runs from the front yard to the rear yard. This building type is often seen in a series of similar building types.
  - h. A **cottage** is a detached building with a small front yard often located on a narrow lot. Parking can be accommodated with on-street parking, a driveway, or detached garage to the rear.
  - i. A **cottage court** or a pocket neighborhood is a series of small detached houses arranged around a common open space. Homes may share other common amenities like storage and parking areas. Parking can be accommodated on street and in parking lot to the rear.
  - j. A **duplex** is an attached building with one common wall that separates two dwelling units within a single lot. Duplexes can be designed to blend in with detached single family houses.
  - k. A **all yard house** has yards on all sides and may contain accessory structures toward rear.
  - l. An **outbuilding** is an accessory building, usually located toward the rear of the same Lot as a Principal Building, and sometimes connected to the Principal Building.
  - m. An **industrial building** will vary in scale depending on its intended use. Some commercial uses may be permitted, but its primary focus is industrial. Parking and loading shall be accommodated in Alleys or Secondary Streets whenever possible.

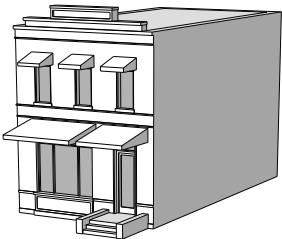
Table 12-7 Building Types Matrix



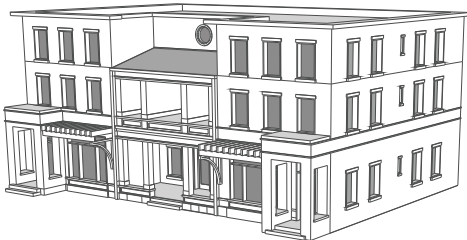
Shopfront Building



Mixed-Use Building



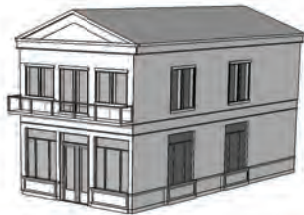
Office Building



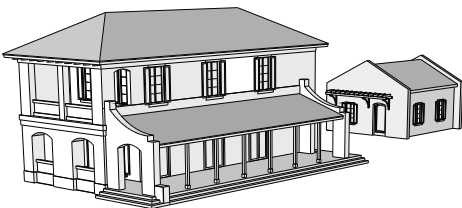
Apartment Building



Townhouse Building



Live/Work Building



Side Yard House



Duplex

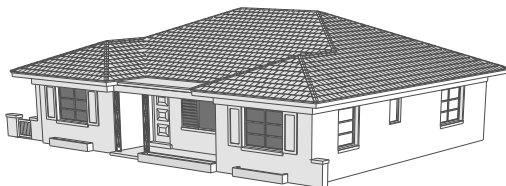


Table 12-7 Continued Building Types Matrix



Cottage

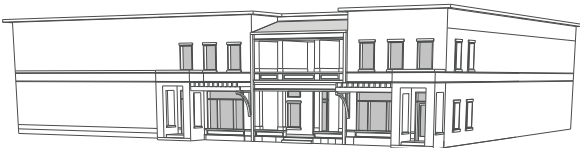
Cottage Court *[Added as part of this draft]*



All Yard House



Outbuilding



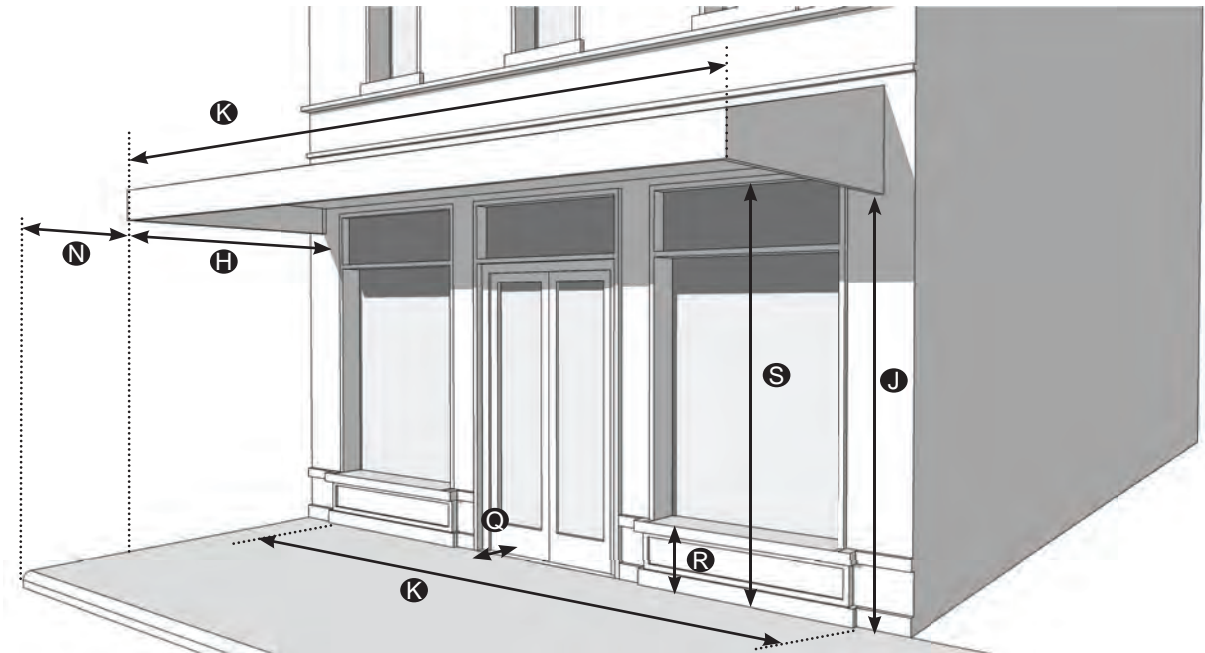
Industrial Building

2. **Building Frontage Types.** Building Frontage Types are applied in certain redevelopment zoning districts. The following frontage types may be incorporated or modified for use in redevelopment zoning districts:
- a. A **storefront frontage**
  - b. An **arcade** or gallery frontage
  - c. A **bracketed balcony frontage**
  - d. A **porch frontage**
  - e. A **stoop frontage**
  - f. A **forecourt frontage**

I

Frontage Types  
12.1.05

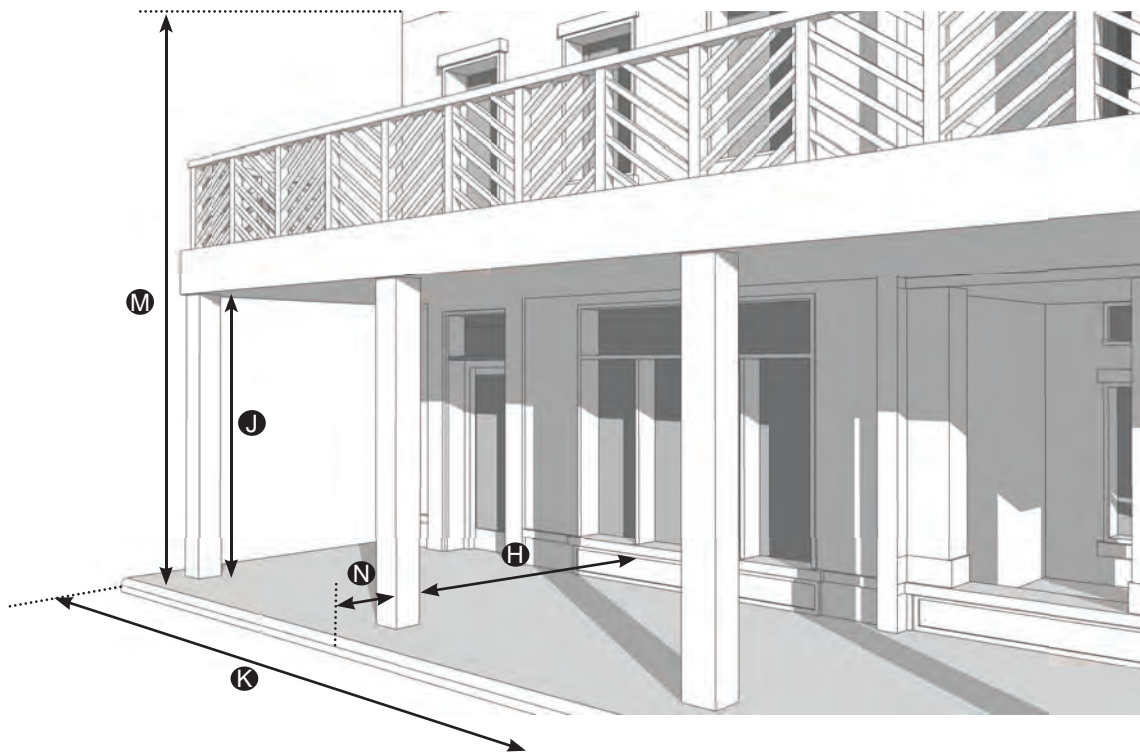
Figure 12-7.01 - Storefront Frontage



Description		
The storefront is a frontage type along sidewalk level of the ground story, typically associated with commercial uses. Storefronts are frequently shaded by awnings or arcades.		
Dimensions		
Width, length of facade	70% minimum	K
Door recess	10 foot max	Q
Storefront base	1 foot min, 3' max	R
Glazing height	8 feet minimum	S
Awning or Eyebrow		
Depth	3 feet minimum	H
Height, ground level clear	8 feet minimum	J
Width, length of facade	70% minimum	K
Set back from curb	2 feet minimum	N



**Figure 12-7.02 - Arcade Frontage**



## Description

An Arcade is a covered, unglazed, linear hallway attached to the front of a building, supported by columns or pillars. The arcade extends into the public right-of-way, over the streetscape area, creating a shaded environment ideal for pedestrians. This frontage type is typically associated with commercial uses. Arcades shall remain open to the public at all times.

## Dimensions

Depth, clear	8 feet minimum	(H)
Height, ground level clear	10 feet minimum	(J)
Width, length of facade	70% minimum	(K)
Finish level above sidewalk	n/a	
Height, stories	2 stories maximum	(M)
Set back from curb	2 feet min. / 4' max.	(N)



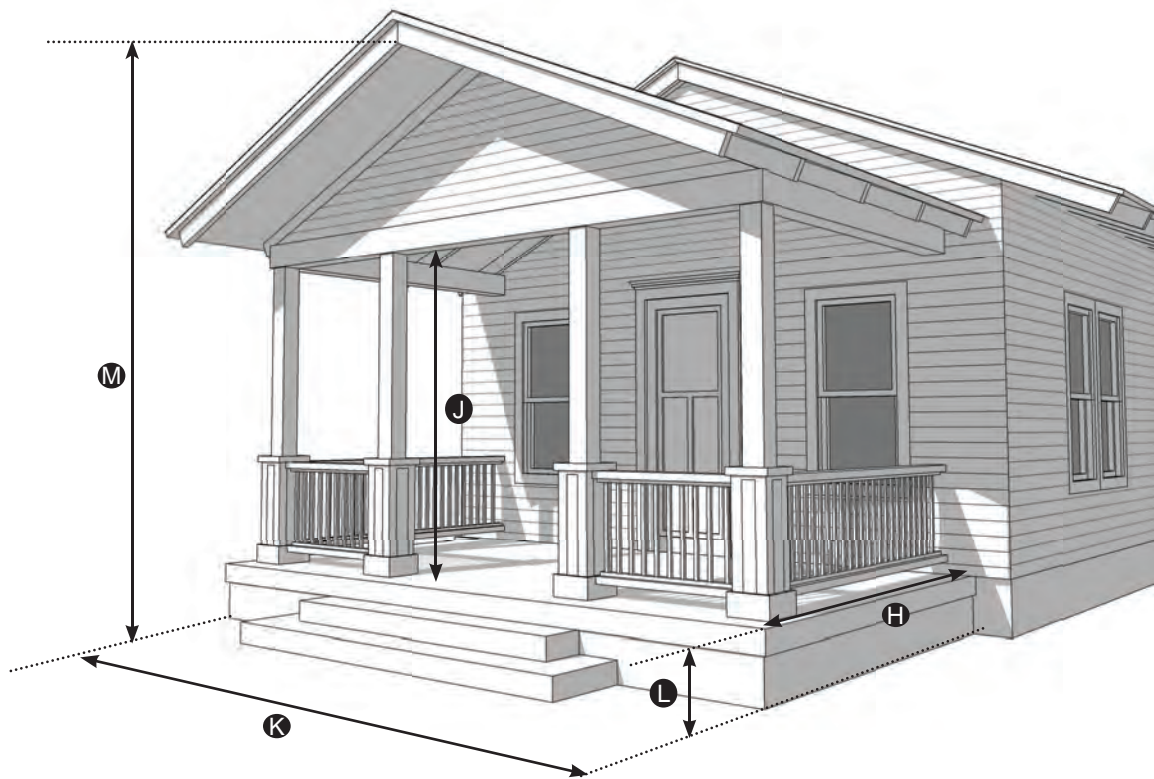
Figure 12-7.03 - Bracketed Balcony Frontage



Description		
A bracketed balcony is a second-story balcony, located over the main building entry, which provides cover for a person entering or exiting the building, emphasizes the entryway, and creates a semi-public space overlooking the street. Bracketed balconies are typically associated with buildings with commercial uses in the ground story; however, bracketed balconies may be used with residential uses if combined with a stoop.		
Dimensions		
Depth	5 feet maximum	H
Height, ground level clear	10 feet minimum	J
Width	4 feet minimum	K
Finish level above sidewalk	n/a	
Height, stories	n/a	
Set back from curb	n/a	



Figure 12-7.04 - Porch Frontage



Description

A porch is an open-air structure attached to a building forming a covered entrance large enough for comfortable use as an outdoor room. All porches shall cover at least 40% of the width of the facade the porch enfronts, including any garage. Front porches may be screened. A porch may be allowed to encroach into a site's setback, but it is not permitted to encroach into the right-of-way, or pedestrian clear zone

Dimensions

Depth	8 foot minimum	H
Height, ground level clear	8 foot minimum	J
Width, length of facade	40% minimum	K
Finish level above sidewalk	24" minimum	L
Height, stories	2 stories maximum	M
Set back from curb	n/a	



**Figure 12-7.05 - Stoop Frontage****Description**

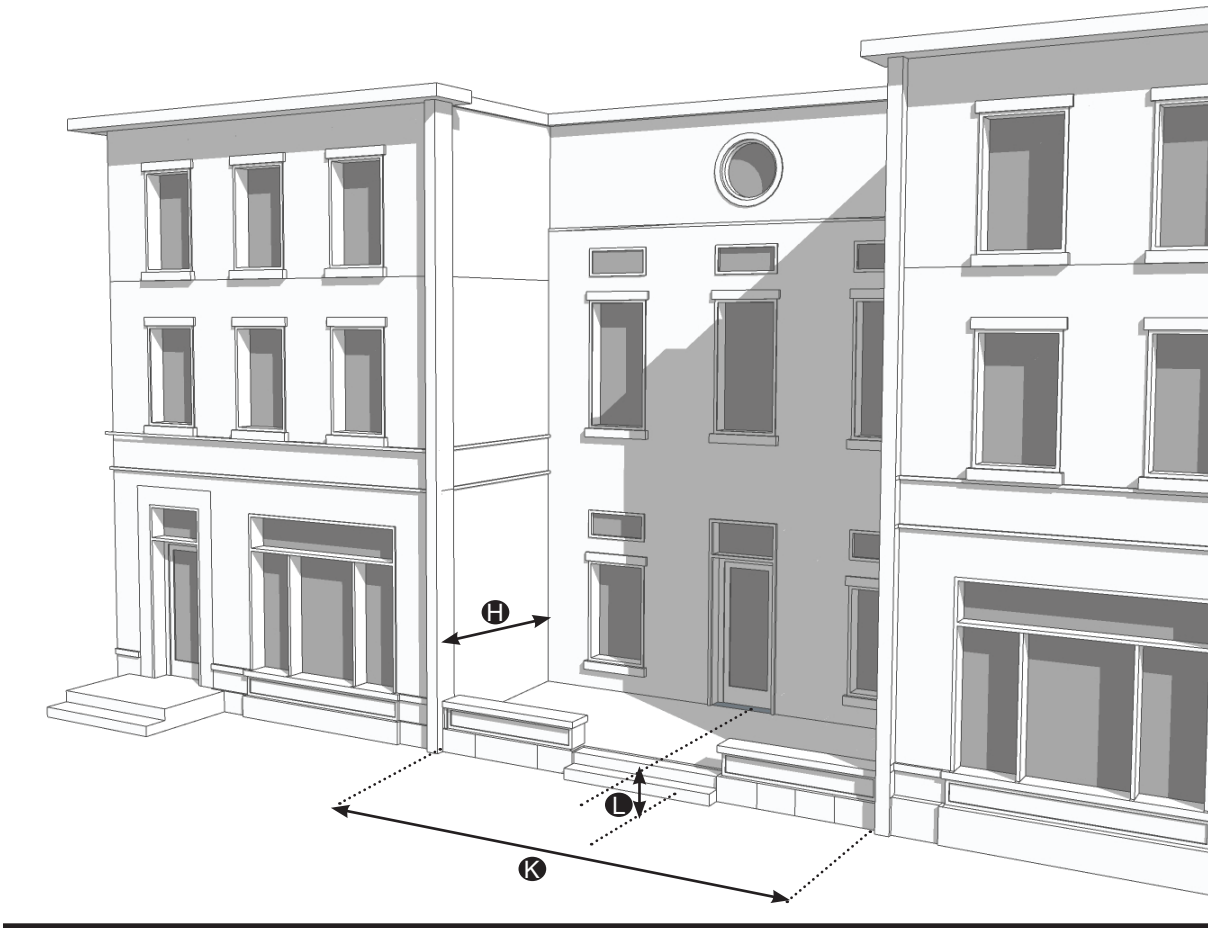
A stoop is a small staircase leading to the entrance of a building that may be covered. The elevation of the stoop is necessary to ensure privacy for residential uses in the ground story of buildings. Stoops should provide sufficient space for a person to comfortably pause before entering or after exiting the building. A stoop may be allowed to encroach into a site's setback, but is not permitted to encroach into the right-of-way, or or pedestrian clear zone.

**Dimensions**

Depth	5 feet minimum	(H)
Height, ground level clear	8 foot minimum	(J)
Width, clear	4 feet minimum	(K)
Finish level above sidewalk	24" minimum	(L)
Height, stories	1 story maximum	(M)
Set back from curb	n/a	



Figure 12-7.06 - Forecourt Frontage



Description		
A forecourt is an open area in front of the main building entrance(s) designed as a small garden or plaza. Low walls or balustrades no higher than three feet six inches in height when solid may enclose the forecourt. Forecourt walls are constructed of similar material as the principal building or are composed of a continuous, maintained hedge. A forecourt may afford access to one or more first floor residential dwelling units or incorporate storefronts for commercial uses. Forecourts are typically associated with multifamily, mixed-use, and commercial buildings.		
Dimensions		
Depth, clear	20 feet maximum	H
Height, ground level clear	n/a	
Width, length of facade	12 feet min. / 50% of facade max.	K
Finish level above sidewalk	36" maximum	L



## 12.1.06

**Street standards.**

1. **Intent.** The intent of this section is to provide flexibility for the design of traditional neighborhood streets and to achieve the transportation, environmental, aesthetic, economic, safety, and maintenance objectives for each street and neighborhood. These streets expands options for vehicular, pedestrian, and bicycle access through an integrated network of narrow streets that incorporates traffic calming and often allows on-street parking.
2. **Street layout principles.** All development and public improvements within Redevelopment Zoning Districts shall incorporate the following street layout principles:
  - a. Street layout should exhibit a high degree of overall connectivity, with allowances for topographic or wetlands conditions.
  - b. Cul-de-sacs are strongly discouraged, but may be used where physical barriers preclude street connectivity.
  - c. Oversized blocks should be avoided so that neighborhoods can be traversed easily.
  - d. Shade trees should be planted between the sidewalk and vehicles.
  - e. Wherever possible, provisions should be made for on-street parking.
3. **Description of street types.** Table 12-8 describes a series of street types that are appropriate for redevelopment zoning districts.
4. **New streets.** Private development in a redevelopment zoning district that includes a new street or alley or the extension of an existing street or alley must select one of the street types in Table 12-8 and must construct the street or alley to the street design standards in Figures 12.1.08.01 through 12.1.08.17.
5. **Existing streets.** Public agencies that construct or reconstruct streets in a redevelopment zoning district should adapt the street design standards in Article 12 to the greatest extent possible, taking into account existing conditions including right-of-way constraints that may require adjustments to these standards.
6. **Specific standards.**
  - a. **Street design standards.** The minimum and maximum standards for TND street designs are provided in Figures 12.1.08.01 through 12.1.08.17. These standards address the following subjects:
    - i. **Travel lanes** – primarily for vehicular circulation
    - ii. **Parking lanes** – on-street parallel parking
    - iii. **Bike facility** – may be the shared use of a travel lane or a separate bicycle lane; bicycle lanes are always required if included among the "Top 20 Priorities" of the 2012 *Martin County Bicycle and Pedestrian Action Plan* or identified as a project recommendation in the latest MPO bicycle, pedestrian and trails master plan.
    - iv. **Pavement width** – cumulative width of pavement from center to each edge. Where appropriate, pavement may included pervious areas to manage stormwater.
    - v. **Sidewalk** – concrete sidewalk

- vi. **Pedestrian Clear Zone** – A pedestrian clear zone at least six feet (6') wide shall be provided on all streetscapes. Any portion of the pedestrian clear zone within the front setback area shall be improved as an extension of the public sidewalk and shall match the public sidewalk in design and material, providing a seamless physical transition.
- vii. **Furnishing zone** – paved area between a sidewalk and vehicles for street furniture, tree wells, and extra sidewalk width
- viii. **Median** – vegetated area between travel lanes (required only where indicated) Medians when preset are encouraged to integrate stormwater water management.
- ix. **Edge of pavement** – curbs may be required
- x. **Planting strip** – vegetated area between a sidewalk and vehicles. Planting strips are encouraged to integrate stormwater water management.
- xi. **Street trees** – required type and placement of street trees
- xii. **Not required** – this phrase means a particular element is not required; however it is not prohibited if its design is appropriate to the context and is approved by the County Engineer
- b. **Deviation from street design standards.**
  - i. The decision-maker may allow deviations from the standards contained in Figures 12.1.08.01 through 12.1.08.17 when necessary due to the location of existing buildings, constrained right-of-way, or to meet other community needs or goals for of the particular street segment. Such deviations may include, but are not limited to, the a width of a furnishings zone, sidewalk, median, or bike facility that is greater or less than that provided in Figures 12.1.08.01 through 12.1.08.17.
  - ii. These street design standards may also be modified by provisions of a particular Redevelopment Zoning District.
- c. **Block standards.** Blocks created by new streets may not exceed 660 feet on any side of the block. Block perimeters may not exceed 2,000 feet.
- d. **Gates and guardhouses.** Gates and guardhouses may not be installed on public or private streets or alleys in redevelopment zoning districts. This prohibition does not preclude gates that control access to a single parking lot.
- e. **Stormwater and landscape.** The recommended filtration strategies from the Stormwater Design Toolkit (Martin County CRA, January 2012) should be used whenever feasible. Green infrastructure stormwater best practices, such as pervious paving, bioretention systems, rain gardens, bioswales, and stormwater planters, are encouraged to slow and treat stormwater while providing additional community benefits.

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## Street Standards

12.1.06

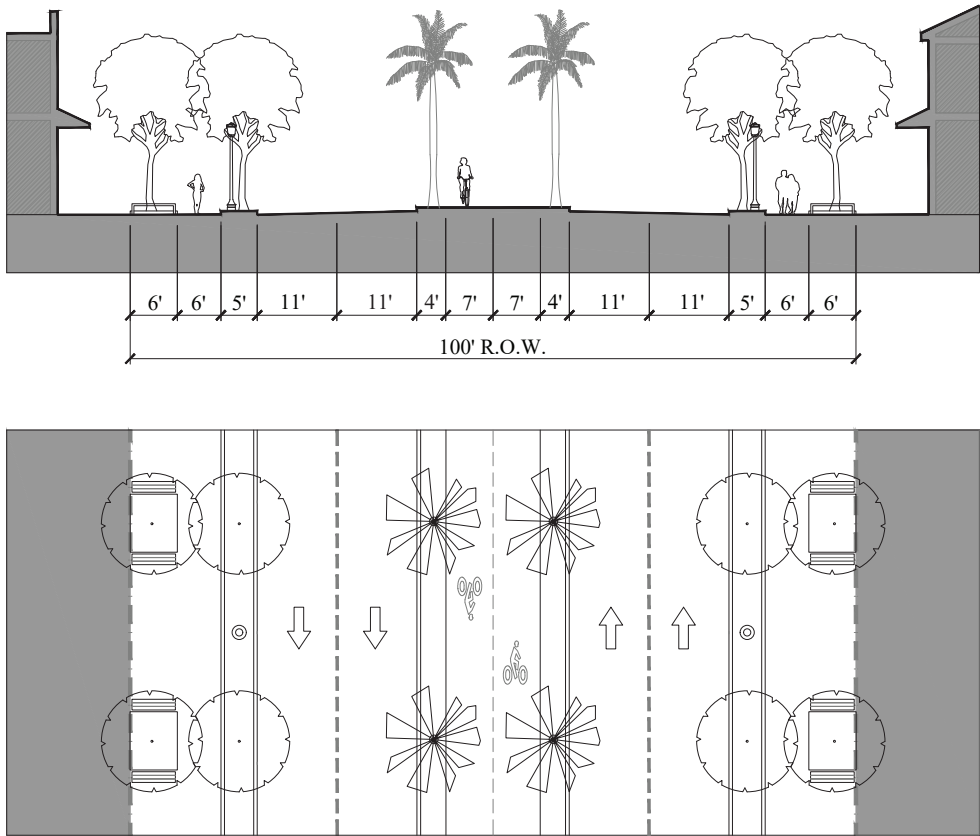
### 7. Conflicting standards.

- a. The standards contained in the following sub-sections of section 4.834 do not apply to streets designed in conformity with Article 12:
  - i. Sub-section 4.843.B (Right-of-way requirements),
  - ii. Sub-section 4.843.C. (Lane and buffer widths), and
  - iii. Sub-section 4.843.E. (Radius at street intersections).
- b. The standards contained in sub-section 4.627 of Article 4, Division 14, Parking and Loading, do not apply to streets designed in conformity with Article 12.

**Table 12-8 - Description of Street Types**

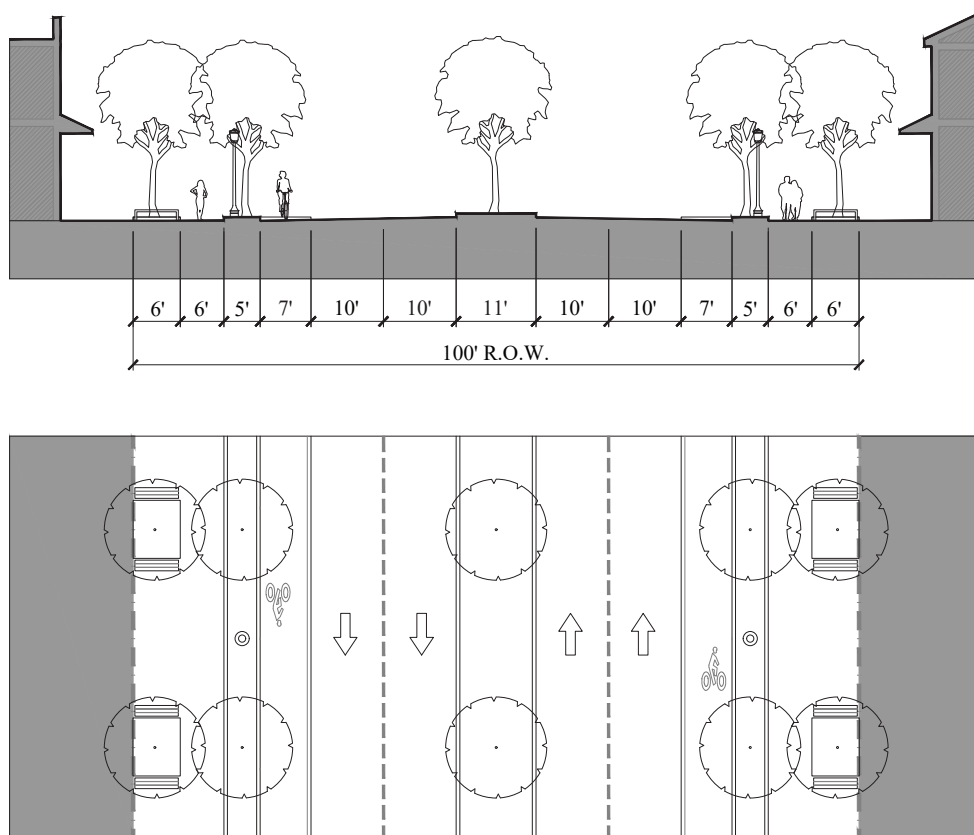
Street Type	Description	ROW minimum	Design Speed
Boulevard 1	A roadway with four travel lanes and a center median with a two way cycle track.	100	30-35 mph
Boulevard 2	A street with four travel lane a center median which allows for a turning lane where need and a raised bike lane on each side of the roadway. A wide sidewalk accommodates a large pedestrian zone and furnishing zone.	100	30-35 mph
Avenue 1	A street four travel lanes, center median, buffered bike lanes and on-street parking.	90	30-35 mph
Avenue 2	A street two travel lanes, center median, buffered bike lanes and on-street parking.	90	30-35 mph
Avenue 3	A street two travel lanes, center median, raised bike lanes or multi-use path and on-street parking.	90	30-35 mph
Main Street 1	A street with two travel lane a center median. A wide sidewalk accommodates a large pedestrian zone and furnishing zone or a multi-use path.	80	20-25 mph
Main Street 2	A street two travel lanes, buffered bike lanes and on-street parking.	80	20-25 mph
Main Street 3	A street two travel lanes, center median, buffered bike lanes and on-street parking. Roadway assumes buildings are setback from the right-of-way.	80	20-25 mph
Main Street 4	A street two travel lanes, center median, and raised bike lanes.	80	20-25 mph
Local Street 1	A local street two travel lanes, center turn lane, and buffered bike lane.	70	20 mph
Local Street 2	A local street with two travel lanes, on-street parking, and wide pedestrian and furnishing zone.	70	20 mph
Local Street 3	A local street with parallel parking, street trees, and sidewalks on both sides.	60	20 mph
Local Street with Shared Use Path	A local street with two travel lanes, and wide pedestrian and furnishing zone at one side and a shared use path at the other side of the roadway.	50	20 mph
Neighborhood 1	A local street with parallel parking, street trees, and sidewalks on both sides.	50	20 mph
Neighborhood 2	A local street with parallel parking on one side of the roadway, street trees, and sidewalks on both sides.	50	20 mph
Yield Street	A narrow local street that slows vehicular travel with parallel parking, street trees, and sidewalks on both sides.	44'	≤20 mph
Alley	A one-way service lane that provides access to properties abutting another street.	15	10 mph

Figure 12-8.01 - Boulevard 1



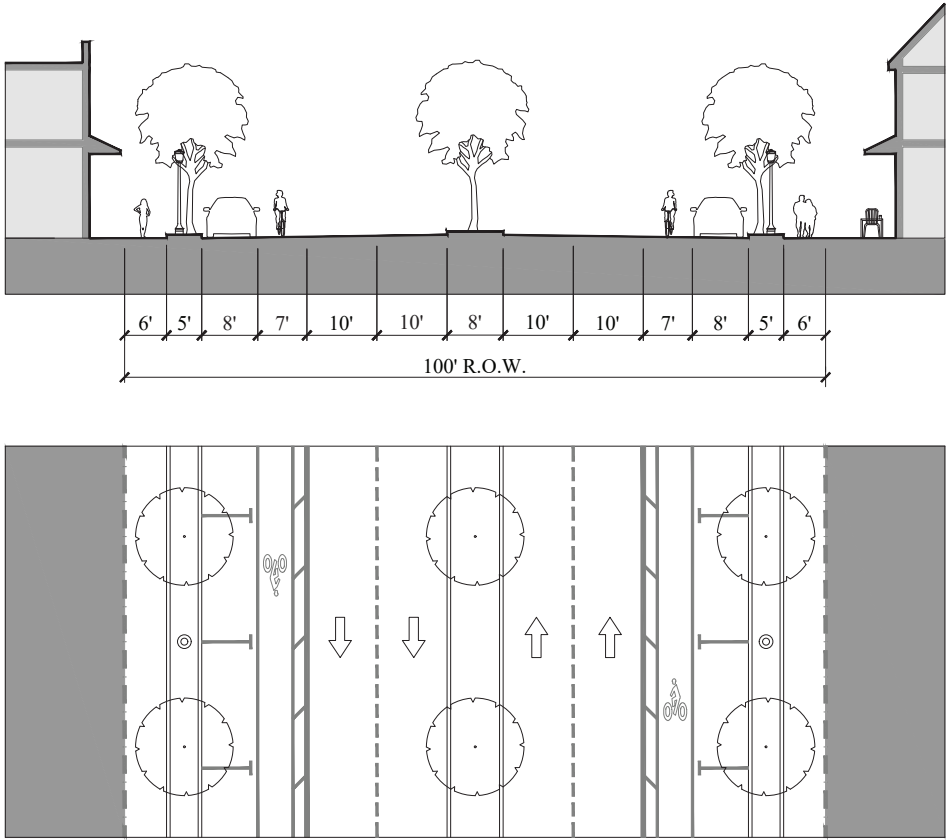
Type	Boulevard 1
Traffic Lanes	11 feet wide
Parking Lanes	Not required
Bike Facility	2-way cycle track 7 feet both lanes
R.O.W. Width	100 feet
Pavement Width	22 feet and 22 feet
Vehicular Design Speed	30-35 mph
Pedestrian Zone	6 feet
Furnishing Zone	6 feet
Median	22' median with cycle track
Road Edge Treatment	Curb
Planter Width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.02 - Boulevard 2



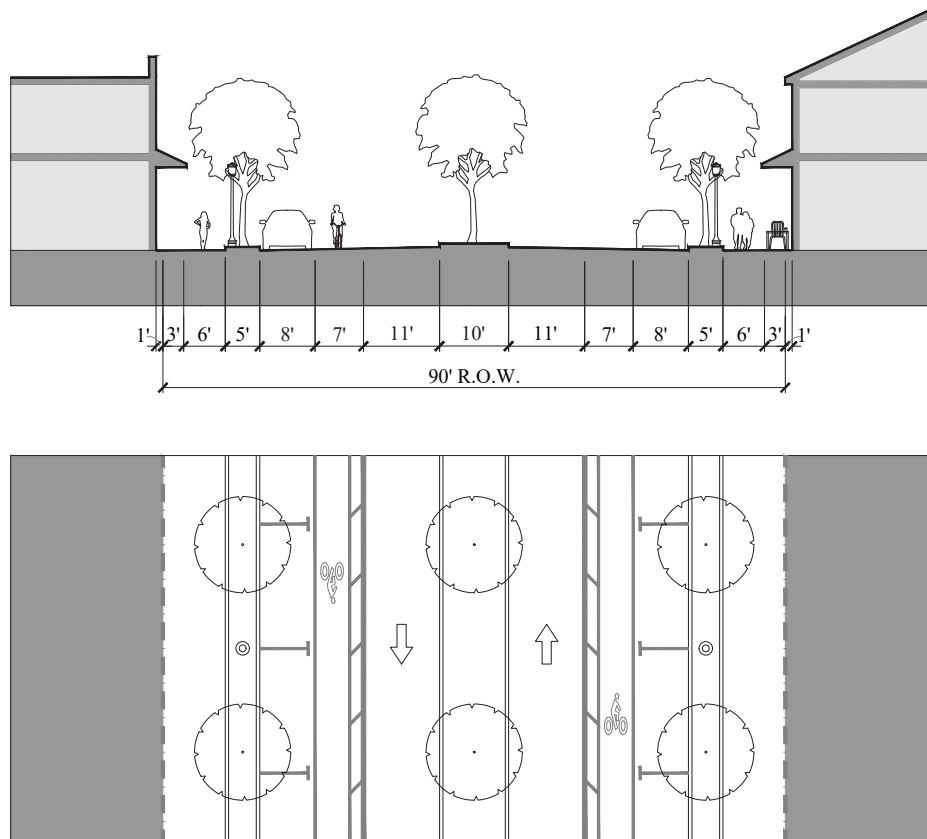
Type	Boulevard 2
Traffic Lanes	10 feet wide
Parking Lanes	Not required
Bike Facility	7 feet raised bike lane
R.O.W. Width	100 feet
Pavement Width	20 feet and 20 feet
Vehicular Design Speed	30-35 mph
Pedestrian Zone	6 feet
Furnishing Zone	6 feet
Median	11 feet
Road Edge Treatment	Curb
Planter Width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.03 - Avenue Street 1



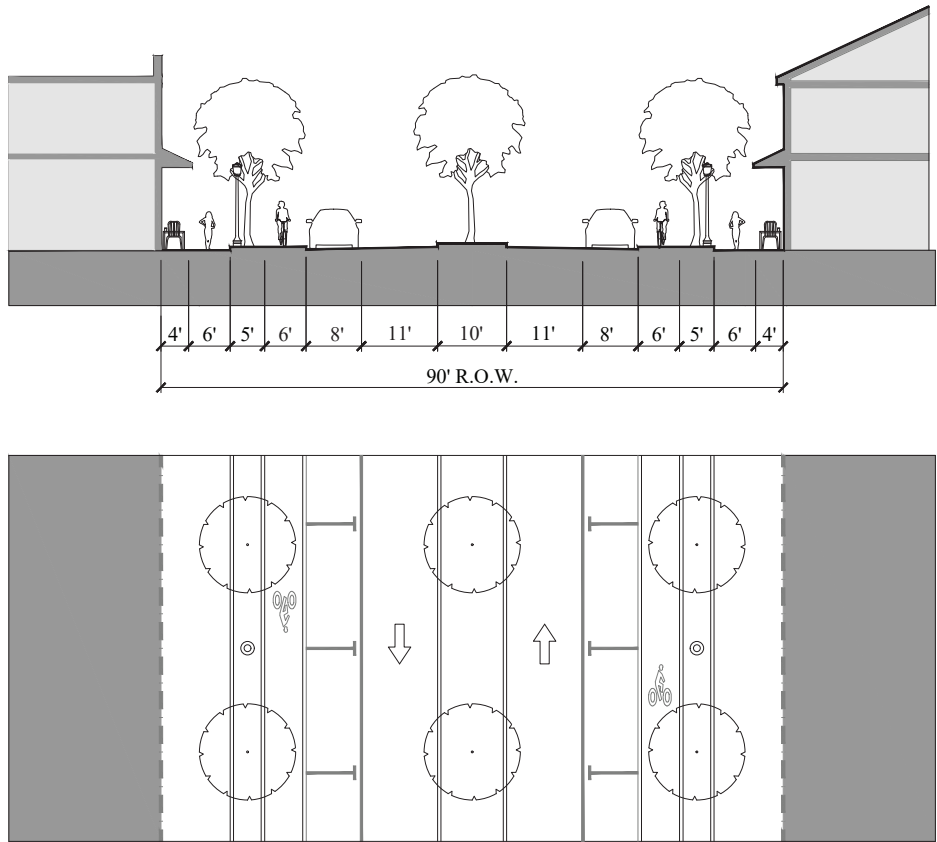
Type	Avenue 1
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	7 feet buffered lane
R.O.W. Width	100 feet
Pavement Width	35 feet and 35 feet
Vehicular Design Speed	30-35 mph
Pedestrian Zone	6 feet
Furnishing Zone	5 feet
Median	8 feet
Road Edge Treatment	Curb
Planter Width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.04 - Avenue Street 2



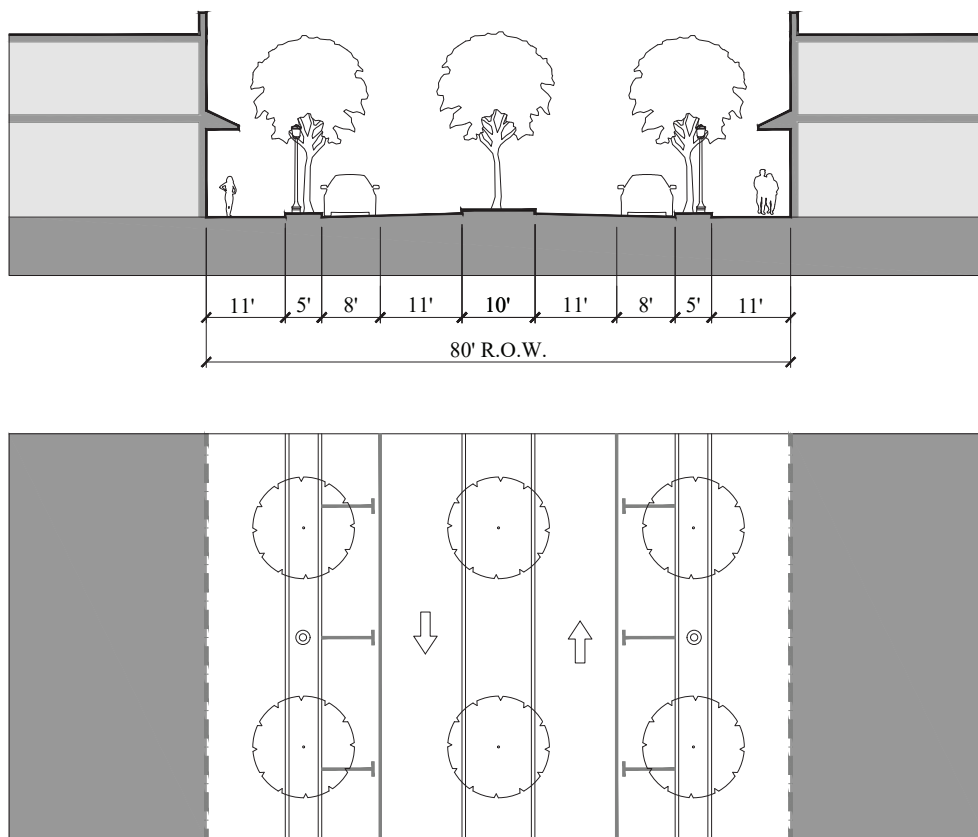
Type	Avenue 2
Traffic Lanes	11 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	7 feet buffered lane
R.O.W. Width	90 feet
Pavement Width	26 feet and 26 feet
Vehicular Design Speed	30-35 mph
Pedestrian Zone	6 feet
Furnishing Zone	5 feet
Median	10 feet
Road Edge Treatment	Curb
Planter Width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.05 - Avenue Street 3



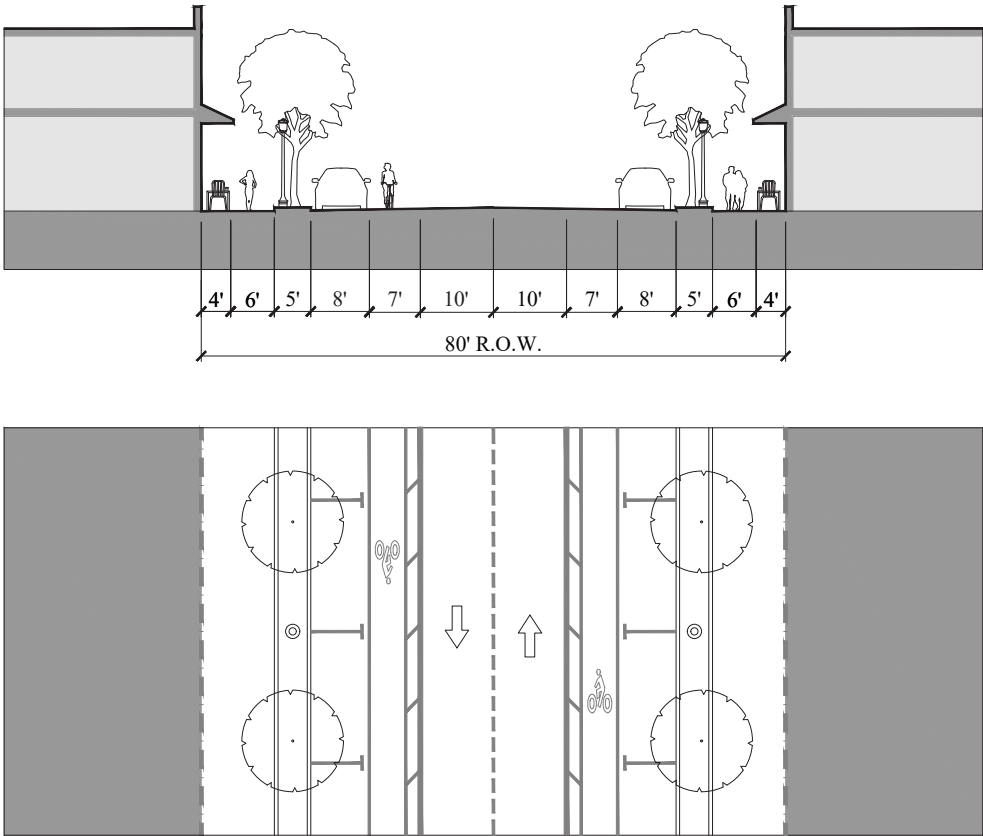
Type	Avenue 3
Traffic Lanes	11 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	7 feet raised bike lane
R.O.W. Width	90 feet
Pavement Width	19 feet and 19 feet
Vehicular Design Speed	30-35 mph
Pedestrian Zone	6 feet
Furnishing Zone	5 feet
Median	10 feet
Road Edge Treatment	Curb
Planter Width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.06 - Main Street 1



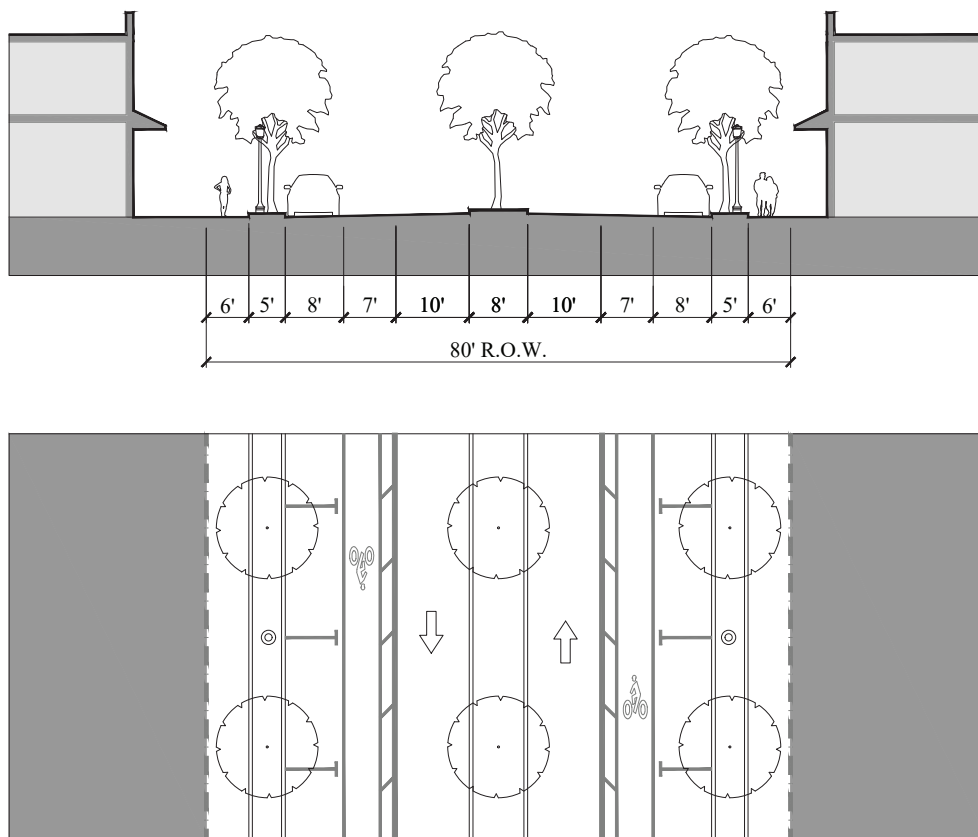
Type	Main Street 1
Traffic Lanes	11 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	Shared lane
R.O.W. Width	80 feet
Pavement Width	19 feet and 19 feet
Vehicular Design Speed	20-25 mph
Pedestrian Zone	11 feet
Furnishing Zone	5 feet
Median	10 feet
Road Edge Treatment	Curb
Planter width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.07 - Main Street 2



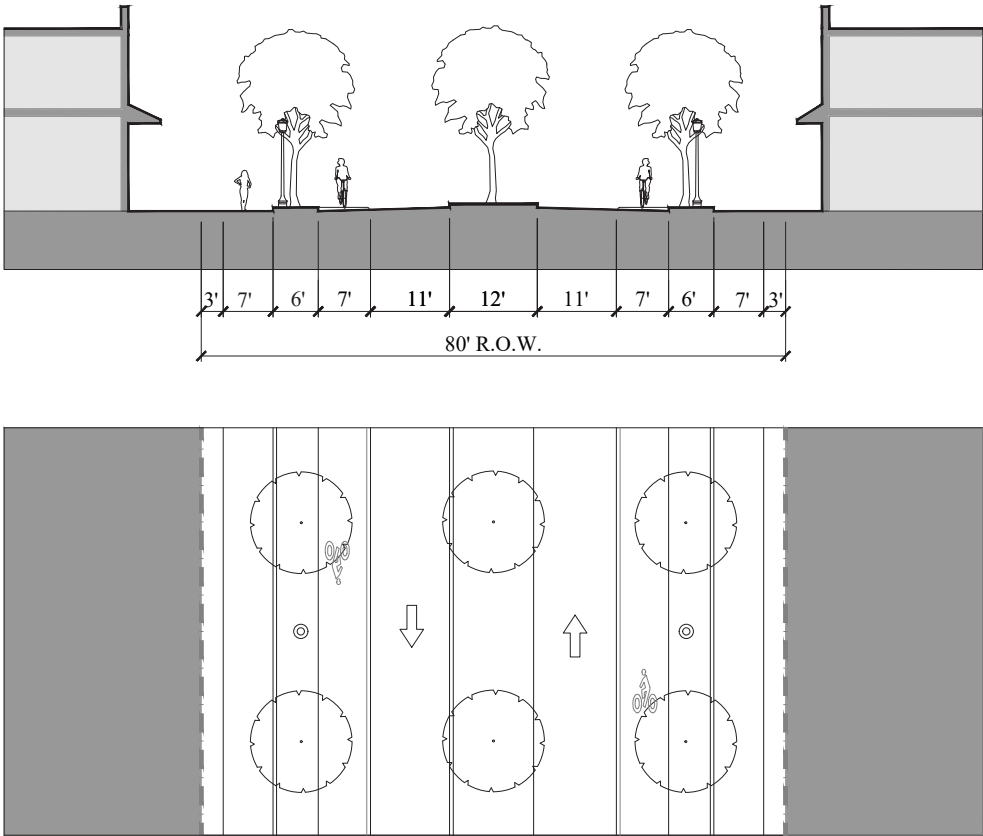
Type	Main Street 2
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	7 foot buffered lane
R.O.W. Width	80 feet
Pavement Width	50 feet
Vehicular Design Speed	20-25 mph
Pedestrian Zone	6 feet
Furnishing Zone	5 feet
Median	Not required
Road Edge Treatment	Curb
Planter width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.08 - Main Street 3



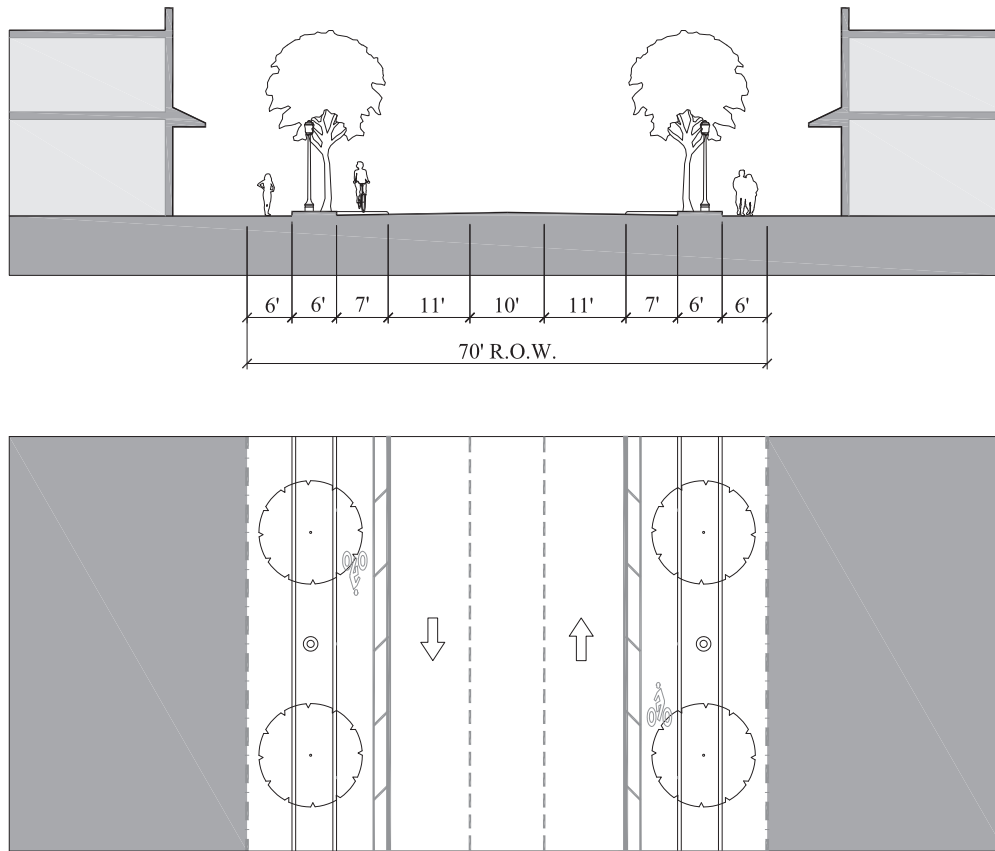
Type	Main Street 3
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	7 foot buffered lane
R.O.W. Width	80 feet
Pavement Width	25 feet and 25 feet
Vehicular Design Speed	20-25 mph
Pedestrian Zone	8 feet
Furnishing Zone	5 feet
Median	8 feet
Road Edge Treatment	Curb
Planter width	5 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.09 - Main Street 4



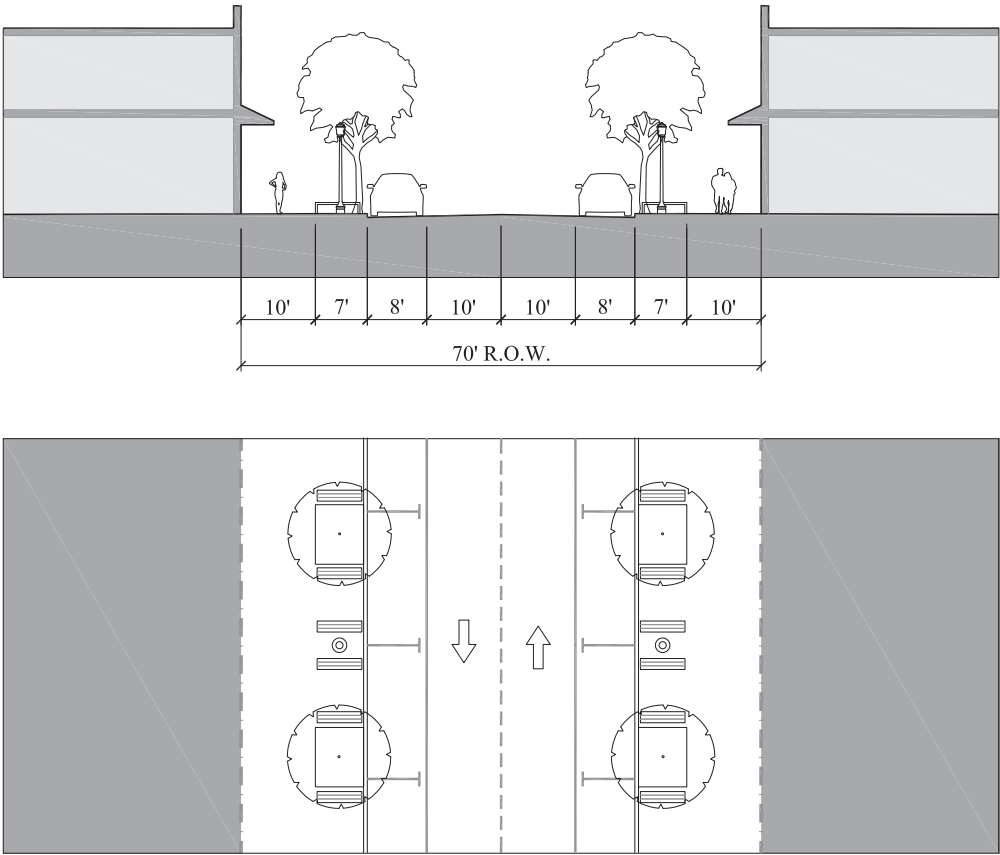
Type	Main Street 4
Traffic Lanes	11 feet wide
Parking Lanes	Not required
Bike Facility	7 foot raised bike lane
R.O.W. Width	80 feet
Pavement Width	23 feet and 23 feet
Vehicular Design Speed	20-25 mph
Pedestrian Zone	7 feet
Furnishing Zone	6 feet
Median	12 feet
Road Edge Treatment	Curb
Planter width	6 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.10 - Local Street 1



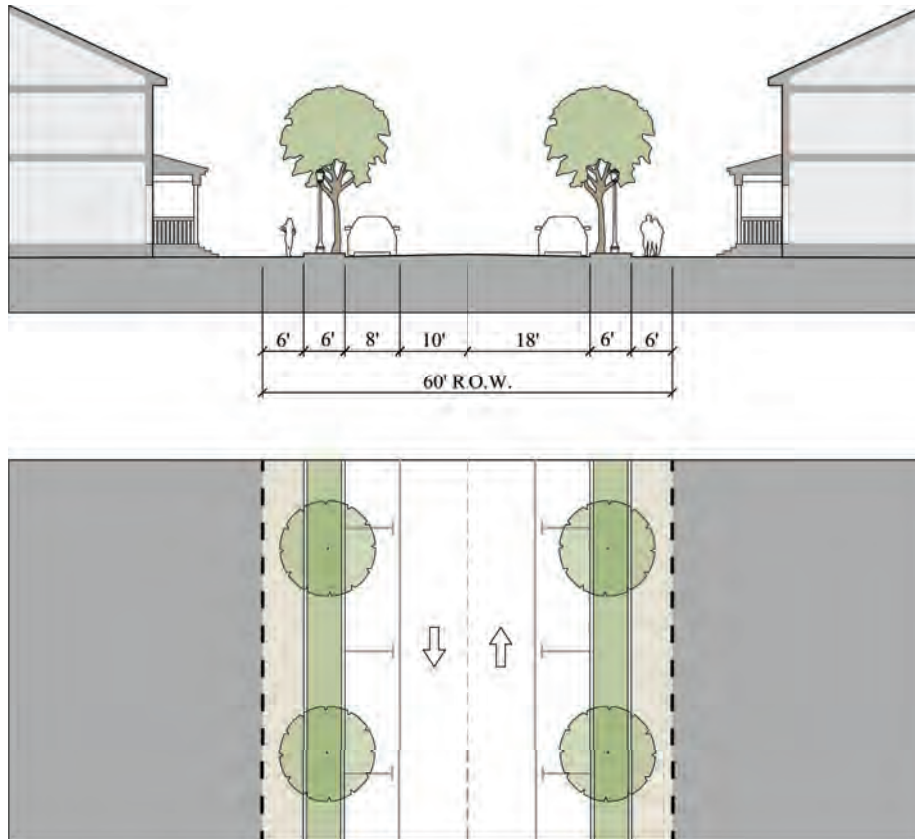
Type	Local Street 1
Traffic Lanes	11 feet wide
Parking Lanes	Not required
Bike Facility	7 foot buffered lane
R.O.W. Width	70 feet
Pavement Width	44 feet
Vehicular Design Speed	20 mph
Pedestrian Zone	6 feet
Furnishing Zone	6 feet
Median	Not required
Road Edge Treatment	Curb
Planter width	6 foot planting strip
Planting	Shade trees 30 feet on center

Figure 12-8.11 - Local Street 2



Type	Local Street 2
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	Not required
R.O.W. Width	70 feet
Pavement Width	36 feet
Vehicular Design Speed	20 mph
Pedestrian Zone	10 feet
Furnishing Zone	7 feet
Median	Not required
Road Edge Treatment	Curb
Planter width	7 foot planting box or tree well
Planting	Shade trees 30 feet on center

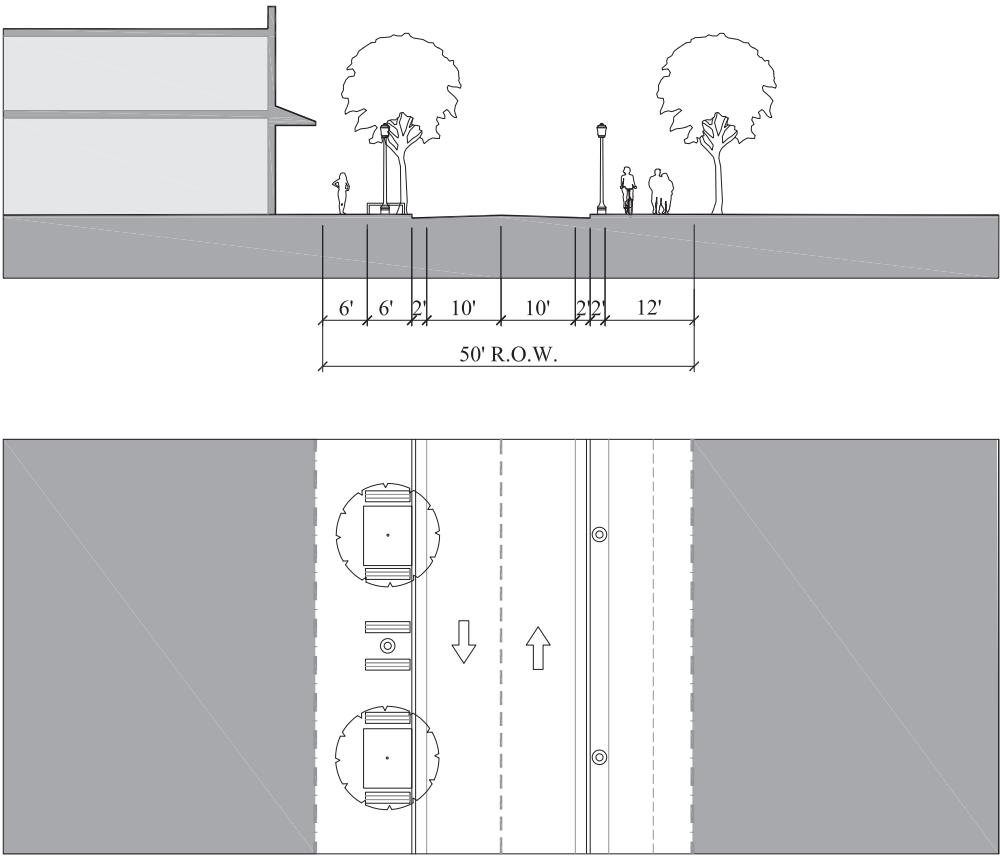
Figure 12-8.12 - Local Street 3



Type	Local Street 3
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	Shared lane
R.O.W. Width	60 feet
Pavement Width	36 feet
Vehicular Design Speed	20 mph
Pedestrian Zone	6 feet
Furnishing Zone	6 feet
Median	Not required
Road Edge Treatment	Curb
Planter width	6 foot planting strip
Planting	Shade trees 30 feet on center

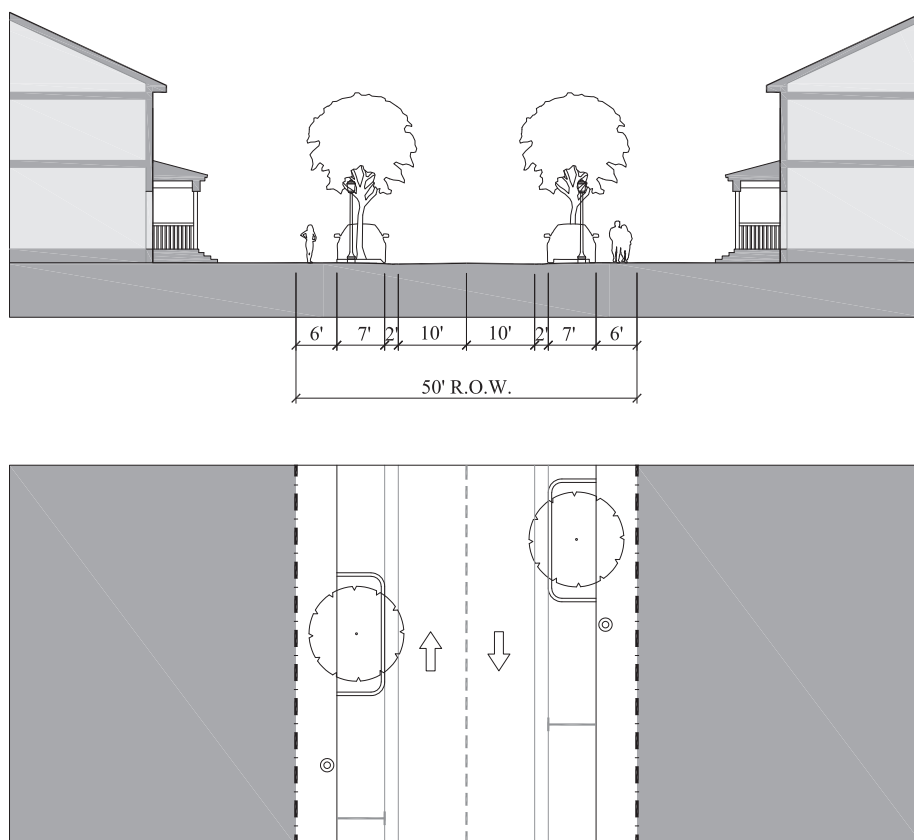


Figure 12-8.13 - Local Street with Shared Use Path



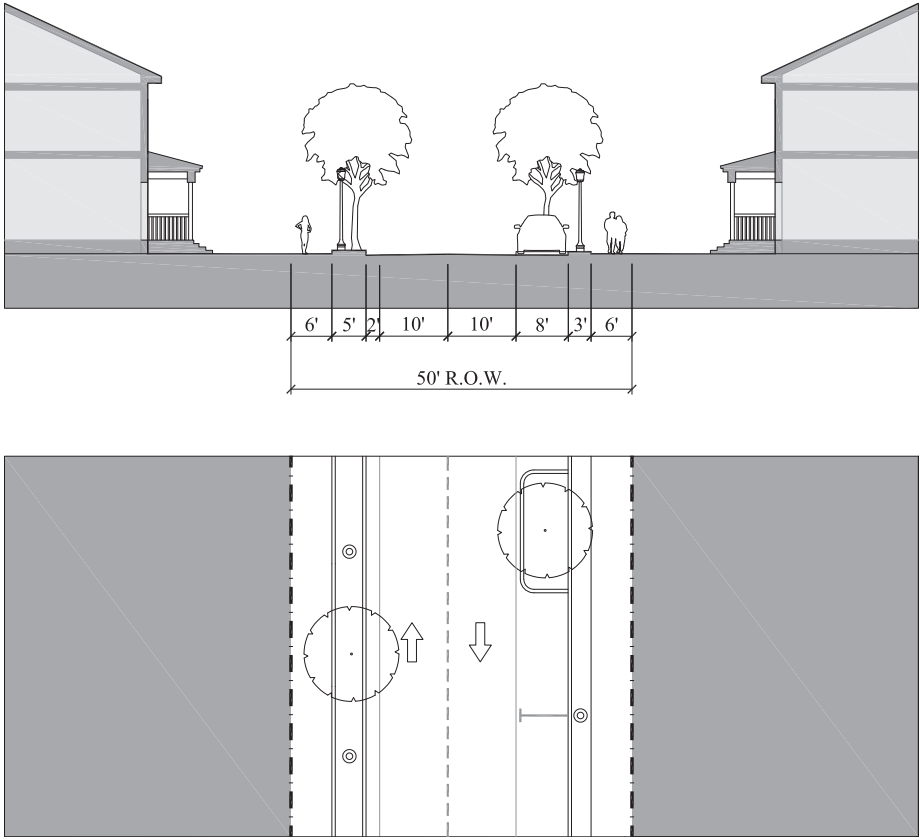
Type	Local Street with Shared Use Path
Traffic Lanes	10 feet wide
Parking Lanes	Not required
Bike Facility	Not required
R.O.W. Width	50 feet
Pavement Width	24 feet with curb
Vehicular Design Speed	20 mph
Pedestrian Zone	6 feet
Furnishing Zone	7 feet one side 2 feet other side
Median	Not required
Road Edge Treatment	Curb
Planter width	6 foot planting box or tree well
Planting	Shade trees 30 feet on center

Figure 12-8.14 - Neighborhood Street 1



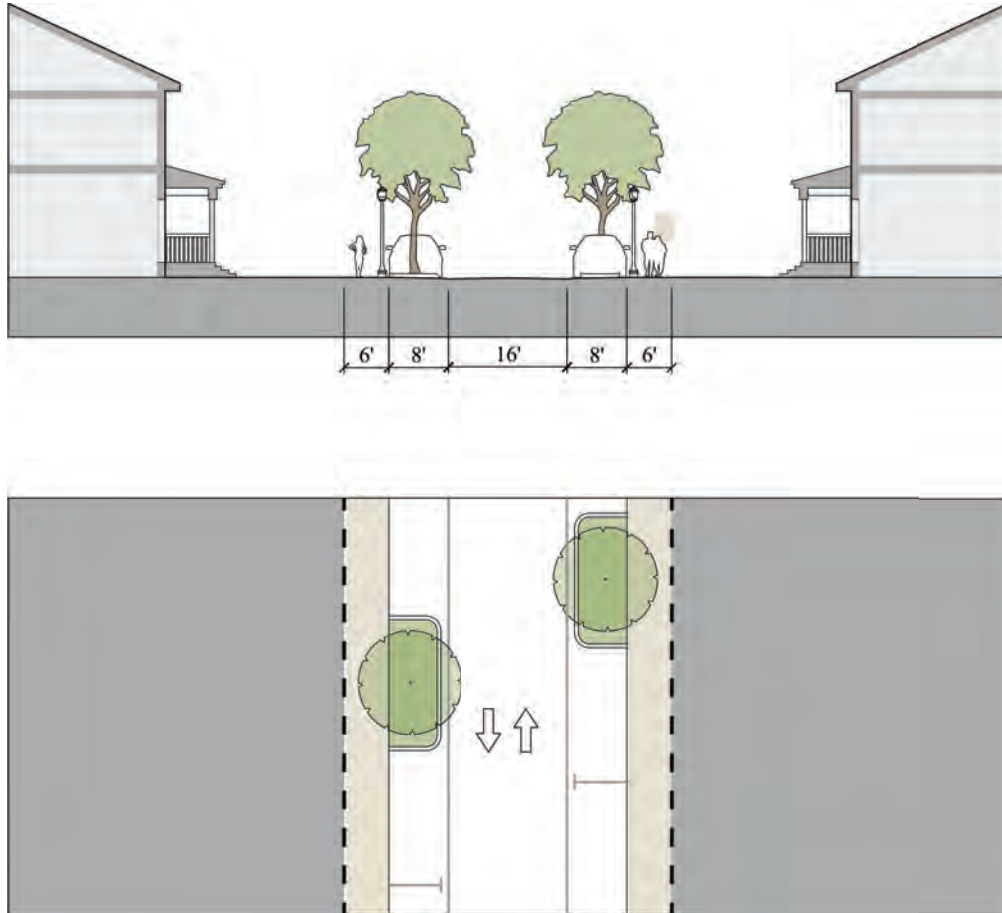
Type	Neighborhood 1
Traffic Lanes	10 feet wide
Parking Lanes	7 feet parallel on either or both sides
Bike Facility	Shared lane
R.O.W. Width	50 feet
Pavement Width	38 feet with valley gutters
Vehicular Design Speed	20 mph
Pedestrian Zone	4 feet (6 foot sidewalk with furnishing zone)
Furnishing Zone	2 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planter width	7 foot bulb-outs
Planting	Shade trees 30 feet on center

Figure 12-8.15 - Neighborhood Street 2



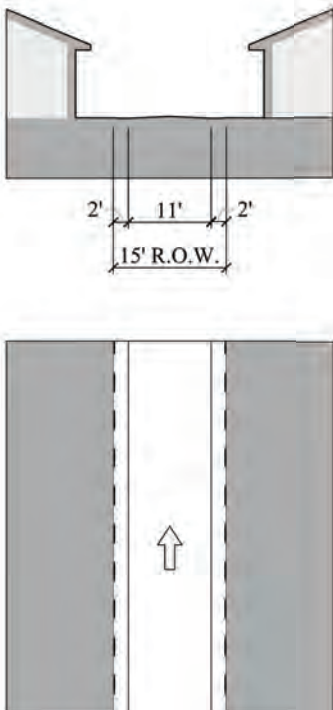
Type	Neighborhood 2
Traffic Lanes	10 feet wide
Parking Lanes	8 feet parallel at one sides
Bike Facility	Shared lane
R.O.W. Width	50 feet
Pavement Width	30 feet
Vehicular Design Speed	20 mph
Pedestrian Zone	6 feet
Furnishing Zone	5 feet and 3 feet
Median	Not required
Road Edge Treatment	Curb
Planter Width	5 foot planting strip and 7 foot bulb-outs
Planting	Shade trees 30 feet on center

Figure 12-8.16 - Yield Street



Type	Yield Street
Traffic Lanes	Shared 16 foot paved thoroughfare 2-way traffic with valley gutters
Parking Lanes	8 feet parallel on either or both sides
Bike Facility	Shared lane
R.O.W. Width	44 feet
Pavement Width	32 feet
Vehicular Design Speed	< 20 mph
Pedestrian Zone	4 feet (6 foot sidewalk with furnishing zone)
Furnishing Zone	2 feet
Median	Not required
Road Edge Treatment	Valley gutter
Planter Width	7 foot bulb-outs
Planting	Shade Trees at bulb-outs

Figure 12-8.17 - Alley



Type	Alley
Traffic Lanes	11 foot paved 1-way traffic
Parking Lanes	Not required
Bike Facility	Shared lane
R.O.W. Width	15 feet
Pavement Width	15 feet with valley gutter
Vehicular Design Speed	10 mph
Sidewalk Width	Not required
Road Edge Treatment	Valley gutter
Planter Width	Not required
Planting	Not required

# I

## Parking Standards

12.1.07

### 12.1.07. Parking Standards.

1. **Parking rates.** Table 12-9 below provides minimum parking rates for the number of off-street parking spaces required in redevelopment zoning districts, unless specifically modified further in a redevelopment zoning district. These rates apply in place of the general county-wide parking rates in Table 4.14.1 in Section 4.624 of Division 14 of Article 4

**Table 12-9 - Parking Rates for Each Use Group**

Residential Use Groups	Parking Rate
Accessory dwelling units	1 space per unit
Mobile homes	1 space per unit
Other dwelling types	1 space per unit
Single-family dwellings	2 spaces per unit
Bed and breakfast inns	0.5 spaces per guest room
Commercial & Business Use Groups	
Business & professional offices	1 space per 500 sf
Construction services, limited & extensive impacts	1 space/300 sf gross floor area plus 1 space/company vehicle (see 4.624)
Convenience store with fuel	1 space per 300 sf
Drive-through, for any use	-
Hotels, motels, resorts & spas	1 space per unit
Marinas	1 space/5 wet or dry slips plus 1 space/employee (see 4.624)
Medical offices	1 space per 250 sf
Parking lots & garages	-
Restaurants	1 space per 200 sf
Retail & services, limited impact	1 spaces per 350-sf
Retail & services, general impact	1 spaces per 350-sf
Retail & services, extensive impact	1 spaces per 250-sf
RV parks.	(see parking rates in section 4.624)
Vehicular service & maintenance	2 spaces/3 employees plus 1 space/150 sf repair/service area (see 4.624)
Wholesale trades & services	1 space per 2,000 sf
Working waterfront	(see parking rates in section 4.624)
All Agricultural Use Groups	(see parking rates in section 4.624)
All Public & Institutional Use Groups	(see parking rates in section 4.624)
Industrial Use Groups	(see parking rates in section 4.624)

Note: Square footages refer to gross floor area unless otherwise noted.

2. **Loading standards.** The county-wide loading standards in Section 4.626 do not apply in all Redevelopment Zoning Districts, unless specifically included or modified further in a particular Redevelopment Zoning District.
3. **Parking design standards.** The county-wide parking design standards in Section 4.627 include certain modifications that apply in all Redevelopment Zoning Districts, unless specifically modified further in a particular Redevelopment Zoning District.
4. **On-street parking.** On-street within a public right-of-way, along the lot frontage can be counted towards on-site parking requirements.
5. **Combined parking lot.** Where feasible combined parking lots or continuous parking lots are encouraged.
6. **Bicycle parking.** Commercial and mixed-use development shall provide bicycle parking in accordance with Art. 4, Division 20, Section 4.873, LDR. Redevelopment Zoning Districts may require additional bicycle parking as described in a particular Redevelopment Zoning District.
7. **Pedestrian Access.** Parking lots and structures shall provide pedestrian and bicycle access directly from a street. In addition, pedestrian access shall also be provided directly from a building. Pedestrian access shall be separated from the vehicular travel path.
8. **Special Parking Alternative for Redevelopment Centers (SPARC) program.** This program provides a mechanism for landowners to satisfy all or part of their on-site parking requirement by paying for a proportionate share of the cost of providing public or other off-site parking.
  - a. **Establishment** of SPARC fund accounts. Martin County shall establish a SPARC fund accounts, one for each Community Redevelopment Area participating in the program, into which shall be deposited all payments made pursuant to this program. Monies deposited into said accounts shall be used by the Martin County Board of County Commissioners, or their assigns, for the exclusive purpose of developing public parking within the particular Community Redevelopment Area. Appropriate uses of SPARC funds includes, but is not limited to, the cost associated with land acquisition, lease payments, construction, reconstruction, and signage. Said cost shall include the cost of all labor and materials, the cost to acquire all lands, property, rights, easements, and franchises acquired, the cost of financing, the cost of interest prior to and during construction and, for one year after completion of construction, discount on the sale of municipal bonds, the cost of plans and specifications, surveys of estimates of costs and of revenues, the costs of engineering and legal services, and such other costs and expenses necessary or incident to determining the feasibility or practicability of such construction or reconstruction, administrative expenses, and such other expenses as may be necessary or incident, to the construction or reconstruction of its financing.
  - b. **Provision of public or other common parking facilities.** The master plan for each Community Redevelopment Area that authorizes the use of the SPARC program shall include provisions for the development of the public or other common parking facilities to be developed with SPARC funds, such as, but not limited to, potential locations for common parking, the preferred form of parking (e.g., elevated parking

## Parking Standards

12.1.07

structures or on-street parking) and the maximum number of spaces likely to be developed at each location.

- c. **Tracking and management of parking spaces.** Prior to the acceptance of contributions for a given SPARC fund, the County shall develop a system for documenting the number of off-site parking spaces for which each development has contributed funds and for ensuring that the public or other common parking facilities will be sufficient to provide all committed spaces.
- d. The County shall use professionally accepted methods to determine the proportionate share of the cost of providing public or other off-site parking within each of the participating Community Redevelopment Areas and shall adopt such fees by resolution.

## 12.1.08. Stormwater Standards.

1. County-wide stormwater management standards are provided in division 9 of article 4 (sections 4.381 through 4.390). County-wide standards apply in redevelopment zoning districts except as modified in this section for **Small Sites**, which are defined as the construction or expansion of a principal building or accessory structures on a lawfully established lot or adjacent lots, provided the parcel being developed is less than one-half acre.
2. Development on **Small Sites** must make a meaningful contribution to limiting surplus stormwater, retaining or detaining stormwater, or cleansing stormwater by using one or more of the following strategies recommended in the *Stormwater Design Toolkit* (Martin County CRA, January 2012):

**Table 12-10 Stormwater Strategies for Small Sites**

Pavement Strategies	Storage Strategies	Filtration Strategies
Concrete Grid Pavers	Cisterns	Bio-Retention Swales
Flexible Pervious Pavement	Concrete Chambers	Ex-filtration Trench
Plastic Grid Systems	Dry Retention / Detention	Green Roofs
Pervious Asphalt	Plastic Arch Chambers	Natural Wetlands
Pervious Concrete	Plastic Cellular Chambers	Rain Gardens
Pervious Pavers	Stormwater Harvesting	Rock Soaking Area
Rock Surfaces	Under Drains	Sand Filters
Unpaved Surfaces	Under-Ground Storage	Stormwater Filters
Wooden Walkways		Vegetated Wall

3. Section 4.383 identifies technical standards and design guidelines and criteria that are contained in a separate document entitled “Martin County Stormwater Management and Flood Protection Standards for Design and Review,” which is modified for Small Sites in redevelopment zoning districts as follows:
  - a. The application requirements in Section 1.4.C for single-family residential applications shall also apply to all Small Sites.
4. Section 4.384 identifies stormwater management submittal requirements, which are modified for Small Sites in redevelopment zoning districts as follows:
  - a. The supplemental submissions required by subsection 4.384.A.3 are not required for a Small Site.
5. Section 4.385 provides standards for review to be met by all development, which are modified for Small Sites in redevelopment zoning districts as follows:
  - a. The complete stormwater management system described in subsection 4.385.B is not required for a Small Site.
  - b. The hydraulic and hydrologic design criteria in subsections 4.385.C and 4.385.D do not apply to a Small Site.
  - c. The water quality criteria for new projects in subsection 4.385.F.4 do not apply to a Small Site.

## Stormwater Standards

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6. Section 4.389.B provides standards for infill residential development in existing subdivisions without approved stormwater management plans. These standards are modified for Small Sites in redevelopment zoning districts as follows:
  - a. Perimeter berms would be the last resort to ensure minimal impact on adjacent property. Preferred approaches on Small Sites are to use stem walls, extended footers, concrete piers, or treated wood pilings to achieve required finished floor elevations while avoiding the need for excessive fill and perimeter berms. See subsection 12.1.04.13.
  - b. A perimeter swale is not required to retain runoff on a Small Site.
7. A Stormwater Management System may be developed to manage stormwater runoff in each CRA as a whole.

## 12.1.09 Landscape Standards.

1. County-wide landscape, buffering, and tree protection standards are provided in Division 15 or Article 4 (Sections 4.661 through 4.668). Each redevelopment zoning district describes which county-wide standards apply as written and which are modified, replaced or do not apply in that zoning district.

# Wall & Fence Standards

12.1.10

12.1.10.

## Wall & Fence Standards.

1. County-wide fence, wall, and hedge standards are provided in Division 4 of Article 3. Those county-wide standards do not apply in Redevelopment Zoning Districts; fences and walls in Redevelopment Zoning Districts must comply with the following standards, except as may be modified in a particular Redevelopment Zoning District.
2. **Location.**
  - a. Figure 12-11 illustrates how these fence and wall standards are applied on different portions of a lot.
  - b. Fences and walls adjoining a sidewalk on public property must allow no less than 12" of open space from the sidewalk.
3. **Materials.** Fences and walls shall be constructed with one or more of the materials listed in Table 12-12.

Table 12-11 - Wall & Fence Locations

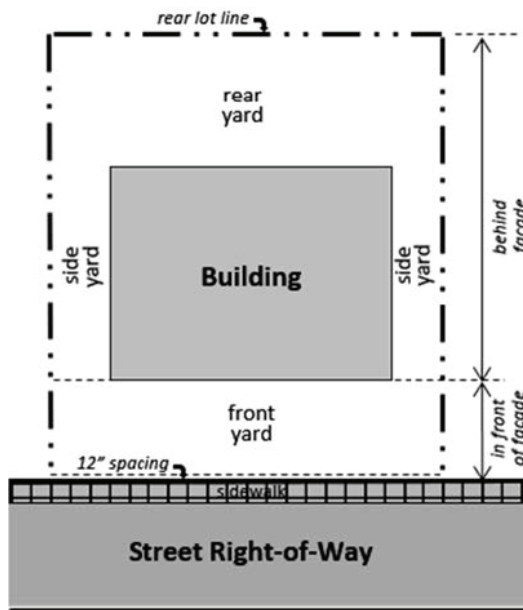


Table 12-12 - Wall & Fence Materials

### Fence Materials

Aluminum
Brick
Painted stucco
Split-face masonry block
Steel
Stone
Wood
Wrought iron

4. **Height.** Fences and walls cannot exceed these heights, as measured from the adjacent natural grade:
  - a. 42 inches tall in front yards and in portions of side yards that are in front of the building's front façade. This wall type is referred to as a garden wall within some building types.
  - b. 48 inches tall only where screening is required between an allowable vehicular use area and a street.
  - c. 72 inches tall in rear yards and in portions of side yards that are behind the building's front façade.
  - d. Fences and walls on corner lots may be further restricted in height to maintain required site distance standards.

5. **Types.** Fences and walls must comply with these additional restrictions:
- a. Chain link fences are permitted only in rear yards, and in side yards behind the façade of a building. Chain link fences must have vegetative screening where visible from a street or public park.
  - b. Dangerous fences, such as electrically charged fences or fences topped with barbed wire or other sharp objects, are not permitted unless approved as necessary to protect the public from hazardous conditions.
  - c. When one side of a fence or wall is finished to a higher standard than the other, the finished side must face outwards, except when abutting an existing fence or wall on the adjoining property.
  - d. Fences and walls must be properly maintained after construction.

# Sign Standards

12.1.11

## 12.1.11. Sign Standards

1. County-wide sign standards are provided in Division 16 of Article 4 (Sections 4.691 through 4.709). Most county-wide sign standards apply in Redevelopment Zoning Districts; however, as stated in Section 4.709: “To the extent any sign regulations in any ordinances governing Community Redevelopment Areas in the County conflict with this ordinance, the regulations in the ordinances governing the Community Redevelopment Areas shall control unless otherwise provided by law.”
2. **Prohibited signs.** The list of prohibited signs in Section 4.695 is adjusted for the Redevelopment Zoning District by adding the following signs as prohibited:
  - a. **Back-lit awning signs** (signs affixed to awnings that have a translucent covering material that is illuminated from behind)
  - b. **Billboards and off premises signs** of any kind.
3. **Maintenance.** Signs shall be kept clean, painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings. Weeds shall be cut underneath and around the base of ground signs and no rubbish or debris shall be permitted that would constitute a fire hazard or be detrimental to the public health and safety. All signs shall be maintained in a manner which will withstand hurricane wind load requirements.
4. **Nonconformities.** Nonconforming signs may not be structurally modified. Any nonconforming sign damaged in excess of 50 percent of the integrity of the structure as determined by the Building Official shall only be repaired in full compliance with the requirements of this section.
5. Certain sign standards are modified in individual Redevelopment Zoning Districts to reflect the local character of an individual Community Redevelopment Area. This character is a reflection of historic platting patterns, the greater mix of uses and stronger pedestrian orientation in older communities, and the evidence of blight that is being overcome through efforts of the Community Redevelopment Agency.

## 12.1.12. Applicability

1. **Nonconforming uses, structures, and lots.** All legally permitted uses, structures, and lots that are regulated by Article 12 and were existing on the effective date of Article 12 (or are legally existing on the effective date of future amendments to Article 12) shall be considered fully conforming and are not subject to the following restrictions:
  - a. The restrictions on nonconforming uses in section 8.2.
  - b. The restrictions on nonconforming structures in section 8.3.
  - c. The restrictions on nonconforming lots in subsection 8.4.C.

However, an existing structure in a special flood hazard area that does not comply with the base flood elevation requirements in Division 10 of Article 4 may be subject to Division 10 restrictions on substantial improvements to the structure.
2. **Modified standards.** Article 12 modifies certain standards for land in Community Redevelopment Areas that is zoned into a redevelopment zoning district described in this article. These modified standards include:
  - a. Permitted uses, as described in section 12.1.03.
  - b. Development standards, as described in section 12.1.04.
  - c. Street standards, as described in section 12.1.06.
  - d. Parking standards, as described in section 12.1.07.
  - e. Stormwater standards, as described in section 12.1.08.
  - f. Landscape standards, as described in section 12.1.09.
  - g. Wall & fence standards, as described in section 12.1.10.
  - h. Sign standards, as described in section 12.1.11.
  - i. Applicability of all standards, as described in section 12.1.12.
  - j. Further modifications to standards on any of these subjects, or other LDR standards, that are described in individual redevelopment zoning districts in article 12.
3. **Alternative compliance.** An applicant for development approval may submit a site, landscape, or architectural plan which varies from a precise ~~the~~ requirements of Article 12 in order to accommodate unique circumstances of the proposed development site or to propose a different but comparable design solution. Such alternative plan may include offers by the applicant to mitigate or offset the impacts of the alternative design. Such alternative plan may be approved only after having been reviewed by the appropriate Neighborhood Advisory Committee and upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of Article 12 as well as, or more effectively than, adherence to the strict requirements of Article 12 and/or would help carry out specific goals or objectives outlined in the particular CRA plan. The alternative compliance process shall not be used to increase the height of buildings beyond the limits provided in Article 12. Appropriate justifications for approving alternative plans include, but are not limited to:

# I

## Applicability

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- a. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Article 12 or the expansion of existing buildings and structures.
- b. The utilization of existing site characteristics, such as historical or archaeological features, topography, scenic views or native vegetation.
- c. Improve or provide integration of proposed development with the surrounding off-site development.
- d. The preservation of the historical or archaeological features of the area.
- e. Accepting a design solution that is comparable to but different from a standard in Article 12.

## 12.1.13. Review Process.

1. Article 10, Development Review Procedures, LDR, Martin County Code have special provisions that apply to development applications within a Community Redevelopment Areas:
  - a. Development application within CRA means a request for development approval for land within one of the designated Community Redevelopment Areas within unincorporated Martin County as defined in Section 10.1.B.
  - b. Within CRA areas, the construction or expansion of a principal building and any accessory structures on a lawfully established lot, provided the lot is less than one-half acre. Shall be exempt from Sections 10.2 through 10.11 (site plan review) as specified in Section 10.1.D.2.s.
  - c. A pre-application meeting shall be mandatory where the site proposed for development is located within a CRA as specified in Section 10.5.C.2.m.
  - d. Development applications for projects within a CRA area are eligible for expedited staff review as specified in Section 10.5.E.3.1.
  - e. Development applications shall be presented to the Neighborhood Advisory Committee (NAC). The initial presentation to the NAC shall occur prior to the issuance of the first staff report and shall be independent of any presentation required with regard to a request for alternative compliance, as specified in Section 10.5.F.10.

**12.116. Glossary.** For purposes of this Article, the following words, terms and phrases shall have the meanings as set forth below:

## A

**Accessory Dwelling Unit.** A dwelling unit of any physical type (e.g., a single-family detached dwelling, a duplex dwelling, or a townhouse dwelling) except a mobile home, located on a lot developed for nonresidential purposes, Designated CRAs may also allow an accessory dwelling unit to be constructed on a residential lot and/or not be restricted to use only by the landowner or employee.

**Agrihood.** Agrihoods are neighborhoods organized with residential and agriculture food cultivation. *[Added text and clarification as part of this draft]*

**Artisan, art studio, galleries.** Artisan, art studios and galleries are the location of art production or art display. They may be private or open the public. *[Added text and clarification as part of this draft]*

**Appurtenances.** Porches, balconies, patios, seating areas, canopies, awnings, etc., which extend outward from the façade of a building which do not count as an extension of the façade itself for the purposes of measuring setbacks and build-to locations.

## B

**Balcony:** An open habitable portion of an upper floor extending beyond a building's exterior wall that is not supported from below by vertical columns or piers but is instead supported by either a cantilever or brackets. An accessory area to a Dwelling, with one or more sides permanently open to the exterior except for a railing or parapet not exceeding four feet in height.

**Block.** A combination of private lots, alleys, and passages that are surrounded by existing or new streets or by wetlands, parks, or civic spaces. *[Added*

*text and clarification as part of this draft]*

**Build-to-Zone (BTZ).** The range of allowable distances from the front property line along which the principal vertical place of the building's primary facade shall be built in order to create a moderately uniform line of building along the street

**Building Coverage.** The horizontal area measured from the exterior surface of the exterior walls of the ground floor of the principal and accessory structures on a lot. *[Added text and clarification as part of this draft]*

## C

**Civic Open Space.** A natural, landscaped, or hardscaped outdoor area provided for the purpose of active or passive public recreation. May include publicly accessible outdoor amenities such as a playground, seating area, picnic area, multi-use path and temporary or permanent small outdoor performance space.

**Convenience store with fuel.** An establishment that provides goods and services primarily to the motoring public such as fuel sales, car washing, or car detailing, and that may also sell merchandise including food and beverages. This definition applies in redevelopment zoning districts.

## D

**Day care, family.** A residence in which child care is regularly provided for children from at least two unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit, as licensed by the State of Florida, pursuant to F.S. § 402.302.(8 7); and complying with the statutory limits on the number of children receiving care. *[modified from Sec 3.3]*

**Drive-through facility.** An establishment that provides physical facilities which allow its customers or patrons to obtain food or goods, receive services,

or be entertained while remaining in their motor vehicles. This definition applies in redevelopment zoning districts.

**Dwelling unit, accessory.** A dwelling unit of any physical type (e.g., a single-family detached dwelling, a duplex dwelling, or a townhouse dwelling) except a mobile home, located on a lot developed for nonresidential purposes, and which is designed and used exclusively by the landowner as either a personal residence (for the landowner and his family) or for the use of any employee (along with the family of the employee) of any nonresidential establishment on the lot. The LDR for a designated CRA may also allow an accessory dwelling unit to be constructed on a residential lot and/or not be restricted to use only by the landowner or employee. *[modified from Sec 3.3]*

**Dwelling, single-family detached.** A dwelling unit that is not physically attached to any other dwelling by any means, which is surrounded by open space on all sides and which is the only dwelling unit on a lot (except in designated CRAs if an accessory dwelling unit is explicitly permitted on a lot). This definition specifically excludes mobile homes as defined in this section (3.3). Two or more single-family detached dwelling units placed on a single lot shall be considered a duplex or multifamily dwelling use, depending on the number of dwelling units involved. *[modified from Sec 3.3]*

## E

**Entrance, Principal.** The main point of access of pedestrians into a building, facing a street or public space.

**Expression Line.** A horizontal line, expressed by a material change or by a continuous projection not less than two inches nor more than one foot deep.

## F

**Façade.** The exterior wall of a building.

**Façade Transparency:** The amount of transparent window glass or other openings in the façade of a building, relative to the overall surface area of the façade.

**Farmer's market.** An establishment providing for the retail sale of agricultural products, primarily involving the sale of fresh produce, such as fruits and vegetables, but also including such products and services that are customarily provided in rural or agricultural areas. Farmers markets are limited to open air markets and quarter acre fixed sites. *[Added text and clarification as part of this draft]*

**Form based code.** **Form based code** is a land development regulations that foster predictable built results and a high-quality public realm by using physical form (rather than full separation of uses) as the code's primary organizing principle. *[Added text and clarification as part of this draft]*

**Frontage Line.** The property line at the street Right-of-Way dividing the right-of-way from the private frontage area.

**Frontage Buildout.** The minimum percentage of the lot width which must be occupied by building façade along the Build-To Location. For example, a property which is 100 feet wide with a frontage width percentage of 60% would require that at least 60 feet of façade length be maintained in the Build-to-Location. Any additional length of front façade would be allowed to step back further from the Frontage Line, if desired. The intent of this requirement is to encourage development to maximize their front façade exposure along the street or public space.

## G

**Garden Wall.** A wall no greater than 48" in height that defines the Frontage Line and/or the perimeter of a property, dividing private areas from streets, rear



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lanes, or adjacent lots.

### L

**Lot Width.** Lot width shall be measured along the straight line which connects the two points located on the side lot lines at a distance equal to the minimum front setback required for the proposed use from the street. See Figure 3.15.1 which is included for illustrative purposes.

### O

**Open space.** That portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas, whether permeable or impermeable.

### M

**Mixed-use development pattern.** A development pattern where a complementary mix of uses are located within walking distances. This pattern is allowed by the LDR in certain zoning districts that specify allowable uses and development standards that are appropriate for a mixed-use development pattern. These complementary uses may be, but are not required to be, within a single building or development project; however, separate standards are provided for mixed-use development projects in the CGMP and in the LDR.

**Mixed-use development project.** A development project with one or more buildings that contain a mix of uses within the project that are in close proximity to each other and that are planned as a unified, complementary whole.

### P

**Paseo.** A public walk, plaza or pedestrian streetscape.  
*[Added text and clarification as part of this draft]*

**Primary Building.** The building or buildings on a

lot that contain the principal use or uses.

**Primary Entrance.** (Syn: Principal Entrance)

**Primary Façade.** The façade of a building that faces the street. In the case of a corner lot, it is the façade along the higher priority street on the street hierarchy.

**Principal Building.** the main building on a Lot, usually located toward the Frontage.

### R

**Regulating Plan.** A map or set of maps in a Redevelopment Zoning District that provide details about the existing and desired character or the district, including its streets, blocks, and civic spaces, and also provides other regulatory details. See Section 12.1.02.  
*[Added text and clarification as part of this draft]*

### S

**Streetwall.** A low wall or hedge used to screen surface parking lots from view.

### U

**Urban Agriculture.** Are urban farming or community gardens which promote local food production and does not apply to private residential gardens. Livestock is prohibited. Urban agriculture is limited in size to a half acre and at least 50% of the land shall be used for cultivation. Urban Agriculture or farming requires administrative site plan approval by Growth Management, as well as a Phase 1 Environmental Site Assessment to determine if soil contamination exists. *[Added text and clarification as part of this draft]*

**Use groups.** Use groups combine individual uses described in the LDR into groups of uses with similar impacts. Use groups are used in redevelopment zoning districts. Individual uses are defined in the glossary in Section 3.3

## W

**Working waterfront.** The use of waterfront land for commercial fishing and related activities including fuel sales; marine manufacturing, repair, and storage facilities; public access including launching facilities, and compatible supporting uses. This definition applies in Redevelopment Zoning Districts.

1. Note, additional definitions are found in the following sections of the LDR:
  - a. Sec. 3.3 Zoning District General Provisions
  - b. Sec. 3.403 Categorical 'C' Zoning District Standards
  - c. Sec. 4.141 Wellfield Protection
  - d. Sec. 4.31 Upland Protection
  - e. Sec. 4.382 Stormwater Management
  - f. Sec. 4.661 Landscaping, Buffering and Tree Protection
  - g. Sec. 4.73 Mangrove Protection
  - h. Sec. 4.842 Roadways
  - i. Sec. 7.3 Development Agreements

**12.2.01 General**

1. **Purpose.** Jensen Beach is a historic riverfront, oceanside resort community that has traditionally depended on a tourist economy. In order to preserve Jensen Beach as a desirable community to live, vacation and conduct business, a pleasing, visually attractive environment is of foremost importance. These Land Development Regulations are intended to:
  - a. Preserve and inspire Jensen Beach as a pleasing, visually attractive environment.
  - b. Promote and accomplish the goals, policies and objectives of the Martin County Comprehensive Growth Management Plan and achieve the vision for Jensen Beach in its Community Redevelopment Plan.
  - c. Enhance the attractiveness and economic well-being of Jensen Beach as a place to live, vacation and conduct business.
  - d. Upgrade the quality of the tourist experience and retain Jensen Beach's premier status in a competitive resort market by preserving the natural, environmental, the historical and architectural character of the neighborhood and the exceptional scenic views of the Indian River Lagoon.
2. **Organization.** How this Division is organized:
 

Section 12.2.01	General
Section 12.2.02	Regulating Plan
Section 12.2.03	Permitted Uses
Section 12.2.04	Development Standards
Section 12.2.05	Building Types Standards
Section 12.2.06	Street Standards
Section 12.2.07	Parking Standards
Section 12.2.08	Stormwater Standards
Section 12.2.09	Landscape Standards
Section 12.2.10	Wall & Fence Standards
Section 12.2.11	Sign Standards
Section 12.2.12	Architectural Standards



*JB-1 Artist rendering of the future vision of Jensen Beach as established in the 2002 CRA plan.*

**12.2.02. Regulating plan.** Figures JB-2 and JB-3 are the regulating plans that apply to the Jensen Beach Redevelopment Zoning District. Section 12.1.02 describes the purpose, content, and legal effect of regulating plans

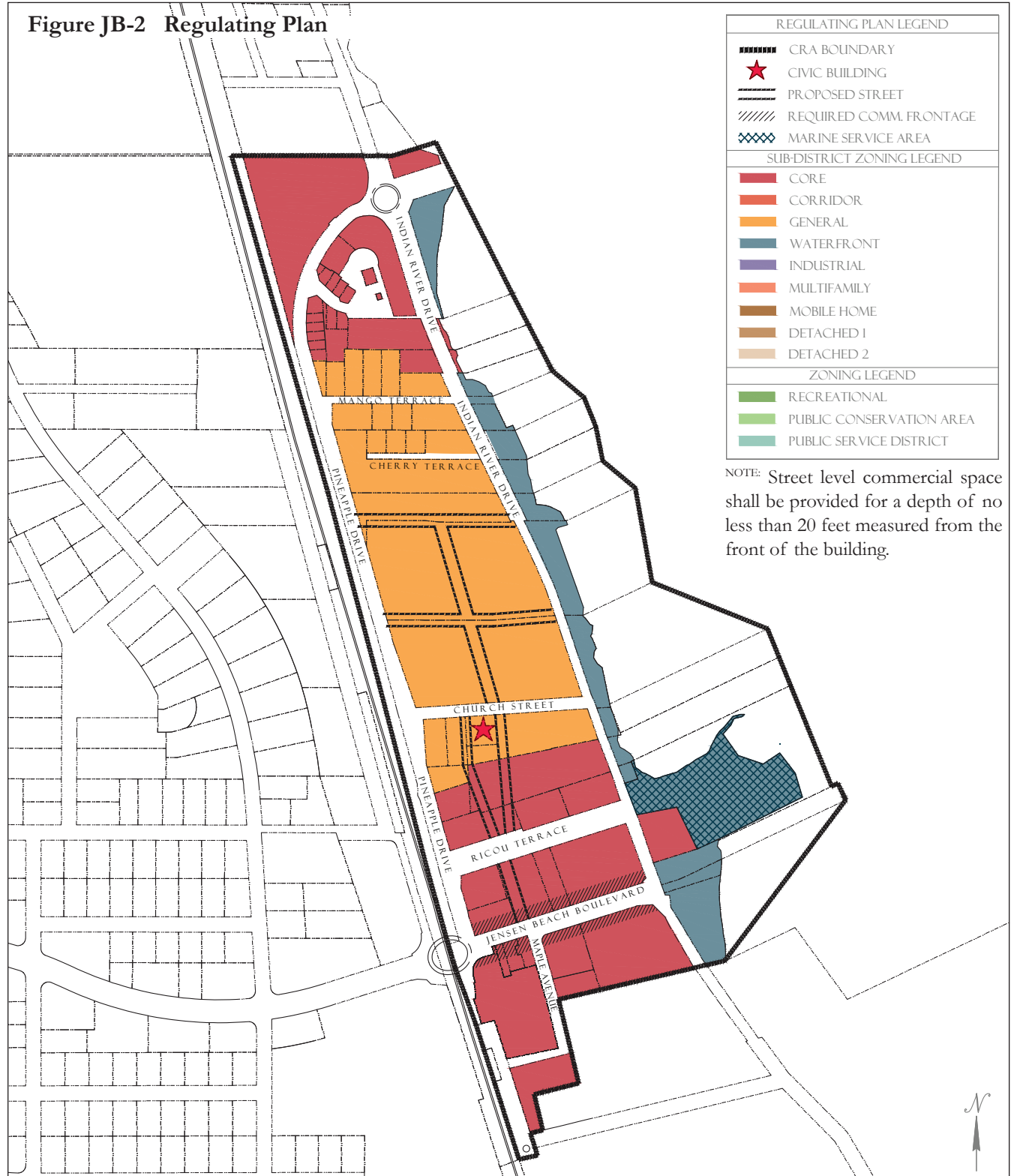
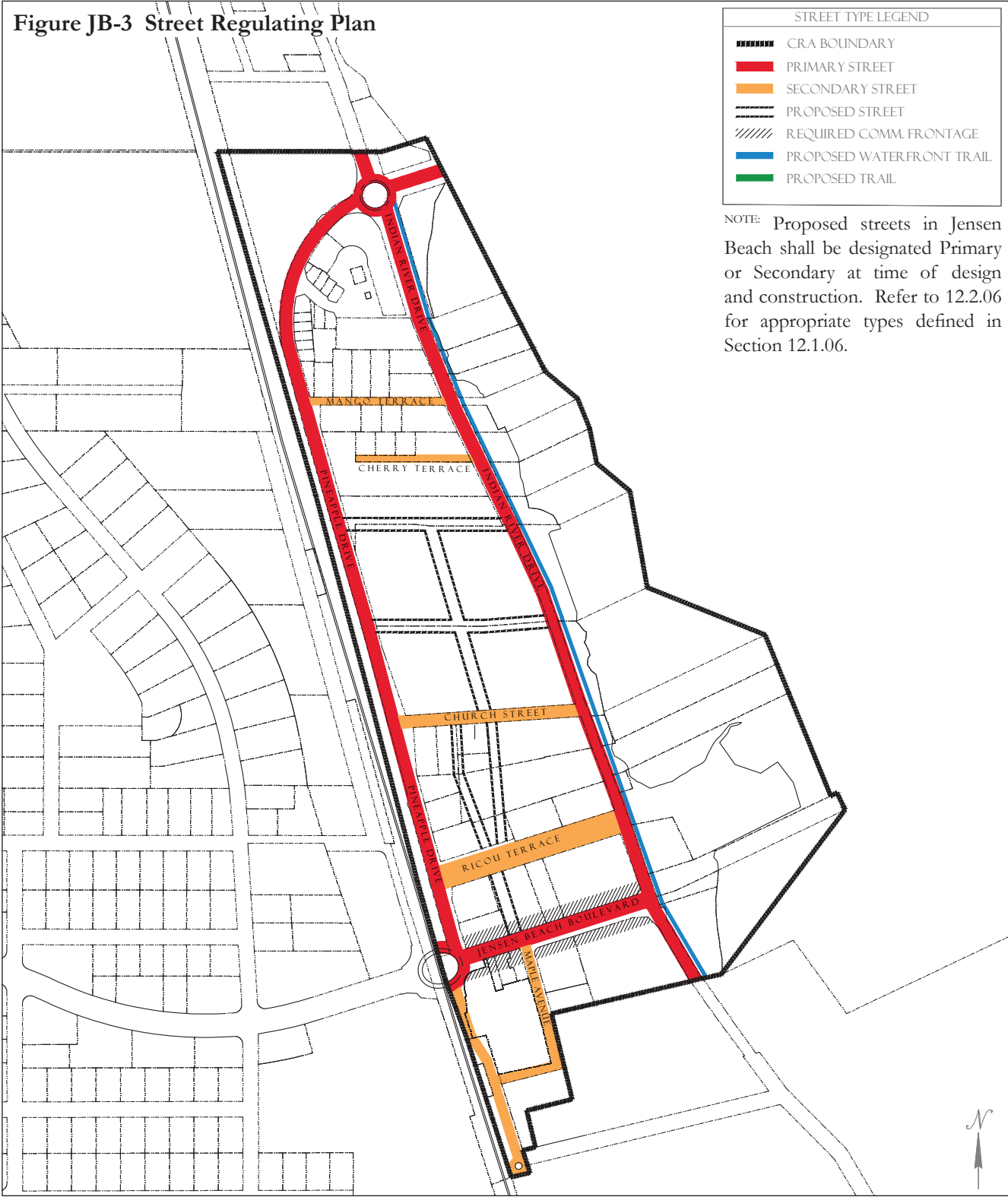


Figure JB-3 Street Regulating Plan





## Permitted Uses

12.2.03

**12.2.03 Permitted uses.** Table JB-4 indicates permitted uses in the JB (Jensen Beach) Redevelopment Zoning District.

1. The use groups listed in the first column of JB-4 are described in Section 12.1.03 Division 1.
2. The remaining columns identify the Subdistricts shown on the Regulating Plan.
  - a. “P” in a row below a column indicates that any use in that use group is permitted within that subdistrict, provided the use can be developed in accordance with all applicable requirements of the LDR.
  - b. If “P” is not shown in a row, the use group is not permitted in that Subdistrict
3. For uses that are functionally similar but not clearly permitted or not permitted in a Subdistrict, see Division 1 12.103.
4. **Street Markets and Fairs.** A street ~~flex~~ market or fair shall be open air, temporary, and occasional.
5. **Kiosks.** Kiosks in the public right-of-way shall be subject to the approval of the Neighborhood Advisory Committee, a right-of-way use permit, and payment of an annual fee. The fee shall be set by the Board of County Commissioners by resolution and deposited into the Jensen Beach CRA Redevelopment Trust Fund. Kiosks shall be subject to the Jensen Beach CRA architectural styles Section 12.2 12.

Footnotes to Table JB-4:

<sup>1</sup> The outdoor storage of goods or materials is prohibited unless it is completely screened from the street and adjacent property.

<sup>2</sup> All limited industrial services or uses shall offer the products manufactured for sale on location and the manufacturing process should be accessible to the public for viewing.

<sup>3</sup> Development in the Waterfront subdistrict shall be water-dependent or water-related. Development on land in the waterfront subdistrict may contain residential uses and retail shops when other uses in a mixed-use development are water-dependent or water-related and not located within the Marine Service Area. Water-related development includes marine resort-type uses including transient accommodations, restaurants and retail shops.

<sup>4</sup> Coin-operated amusements shall be limited to no more than four per business establishment whether such coin-operated amusements are offered as a primary use, such as in an amusement arcade, or as an accessory to another business. For purposes of this subsection, “coin-operated amusements” shall mean any machine intended to provide amusement on-demand, such as but not limited to pin-ball machines, pool tables and video games, regardless of whether the actual method of payment is via coins, tokens, paper money, credit card or similar means. See also, Sec. 3.59, LDR.

<sup>5</sup> Use permitted only when fronting a Primary street.

Table JB-4 Use Groups Permitted in Jensen Beach Subdistricts

	Core	General	Water-front
Residential Use Groups			
Accessory dwelling units	P	P	P
Mobile homes			
Other dwelling types	P	P	P
Single-family dwellings		P	
Bed and breakfast inns	P	P	P
Agricultural Use Groups			
Urban farming <sup>1</sup>		P	
Commercial & Business Use Groups			
Business & professional offices	P	P	P
Construction services, limited <sup>1</sup>	P	P	P
Construction services, extensive <sup>1</sup>			
Convenience store with fuel			
Drive-through, for any use			
Hotels, motels, resorts spas	P	P	P
Marinas <sup>3</sup>			P
Medical offices	P	P	
Parking lots and garages	P		
Restaurants	P	P	P
Retail & services, limited impact <sup>1,4</sup>	P	P	P
Retail & services, general impact <sup>1,4</sup>	P		
Retail & services, extensive impact			
RV parks and campgrounds			
Vehicular service and maintenance			
Wholesale trades and services <sup>1</sup>	P	P <sup>5</sup>	P
Working waterfront <sup>3</sup>		P <sup>5</sup>	P
Public & Institutional Use Groups			
Institutional uses, limited impact	P	P	
Institutional uses, general impact	P	P	
Industrial Use Groups			
Limited impact industries <sup>1,2</sup>			P <sup>3</sup>
Extensive industrial industries			



# Development Standards

12.2.04

## 12.2.04 Development Standards.

1. All new development, substantial improvements of a building, and substantial renovations of a building exterior, shall comply with the development standards in Table JB-5.
2. **Existing Buildings.** Whenever substantial improvement of a building or substantial renovation of building exterior triggers the obligation to comply with this section, the Growth Management Director may authorize incremental compliance with its requirements proportional to the nature and scope of the existing and proposed improvements if full compliance would be unreasonable. An application for alternative compliance shall not be required, but the Growth Management Director may require that the proposal be presented to the Neighborhood Advisory Committee for review and comment.
3. **Residential development.** When residential use is proposed on the first floor of a building, the first floor shall be elevated at least twenty-four inches above the finished grade as measured along the front building line.
4. **Boats, recreational vehicles or boat trailers** shall not be parked or stored between the front of a building and a street. This prohibition does not apply to boats and boat trailers associated with a lawfully established commercial use.
5. **Accessory Dwelling Units.** Standards for accessory dwelling units are provided with Development Standards 12.104.
6. **Maximum Lot Area and Lot Width.** Maximum lot area and lot width apply to parcels assembled or subdivided after the date of adaption of the Redevelopment Codes. Maximum lot area and lot width are intended to preserve existing character and landmarks.

**Table JB-5 - Development Standards in Jensen Beach Subdistricts**

	Core	General	Waterfront
Lot Size, see 12.1.04			
Lot area - sf in maximum	43,560 (1 acre)	21,780 (1/2 acre)	12,500
Lot width - feet in minimum	25	16	35
Lot width - feet in maximum	100	100	100
Building Height, see 12.1.04			
Building height, maximum in stories	3	-	-
Building height, maximum in feet	40 <sup>2</sup>	24 <sup>1</sup>	24
Ceiling height, maximum in feet	Established in 12.205 for certain building types		
Density, see 12.1.04			
Residential density, max in units/acre	15	15	10 <sup>3</sup>
Hotel/motel density, max in units/acre			20
Building coverage, see 12.1.04			
Building coverage, maximum %	80	60	50
Open Space, see 12.1.04			
Open space, minimum in %	20	20	30
Building & Parking Placement, see 12.1.04			
Build-to Zone min/max in feet	Established in 12.205 for certain building types		
Side and Rear setbacks	Established in 12.205 for certain building types		
Frontage percentage, minimum %	Established in 12.205 for certain building types		
Parking Setbacks minimum in feet	Established in 12.205 for certain building types		
Allowable Building Types, see 12.2.05			
Shopfront Building	P	p <sup>4</sup>	P
Mixed-use Building	P	p <sup>4</sup>	P
Office Building	P	-	-
Apartment Building	P	P	-
Townhouse	P	P	-
Live/Work Building	P	P	P
Side Yard Building	-	P	-
Cottage	P	P	P
Cottage Court	-	P	-
Duplex	-	P	-
All Yard House	-	-	-
Outbuilding	P	P	P
Industrial Building	-	-	P
Allowable Frontage Types, see 12.1.05 & 12.2.05			
Encroachments, max in feet	Established in 12.205 for certain building types		

<sup>1</sup> Buildings facing the Pineapple Drive and Indian River Drive allowed height of 35' feet.

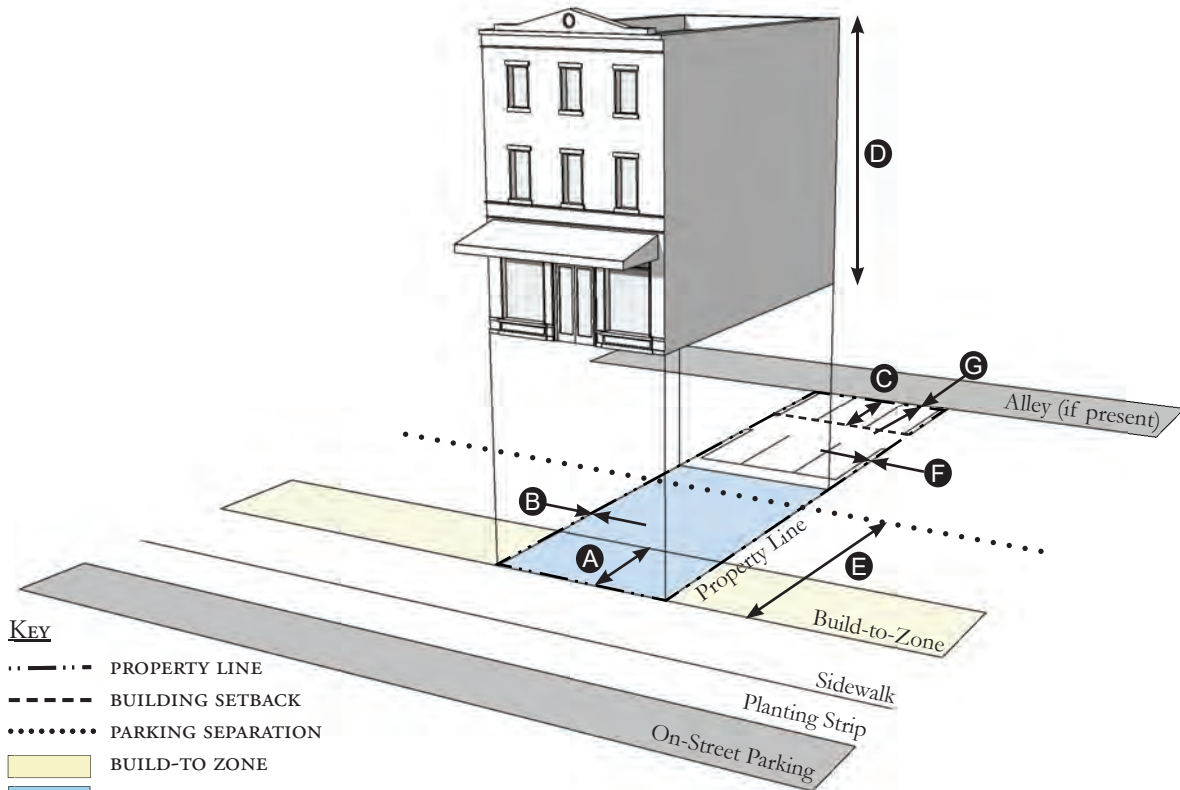
<sup>2</sup> Buildings east of Indian River Drive limited to allowed height of 24' feet.

<sup>3</sup> See Marine Service Areas within 12.102. Marine Service Areas are indicated on the Regulating Plan.

<sup>4</sup> Only permitted when facing Pineapple Drive and Indian River Drive.

**12.2.05 Building types.** The following standards area incorporated for use in Jensen Beach Subdistricts districts. Refer to Table JB-5 for additional Development Standards.

**Figure 12-5.01 - Shopfront Building**



## Building Placement

Frontage 80% min.

## Setbacks

Front Build-to-Zone 0' min., 15' max. **(A)**

Side at Street Build-to-Zone 0' min., 15' max. **(B)**

Side at Property Line <sup>2</sup> 0' or 5'

Rear Yard <sup>2</sup> 10' min / 5' min with alley **(C)**

## Building Form

Ceiling at ground level 12' minimum

## Height, see 12.1.04

Building Height Refer to Development Standards 12.2.04 **(D)**

<sup>1</sup> Only permitted when facing Pineapple Drive and Indian River Drive.

<sup>2</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

## Permitted Subdistricts, see 12.2.02

Core General <sup>1</sup> Waterfront

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront Arcade Bracketed Balcony

Porch Stoop Forecourt

## Parking Placement

Front Setback 30' min. **(E)**

Side at Street Setback 10' min.

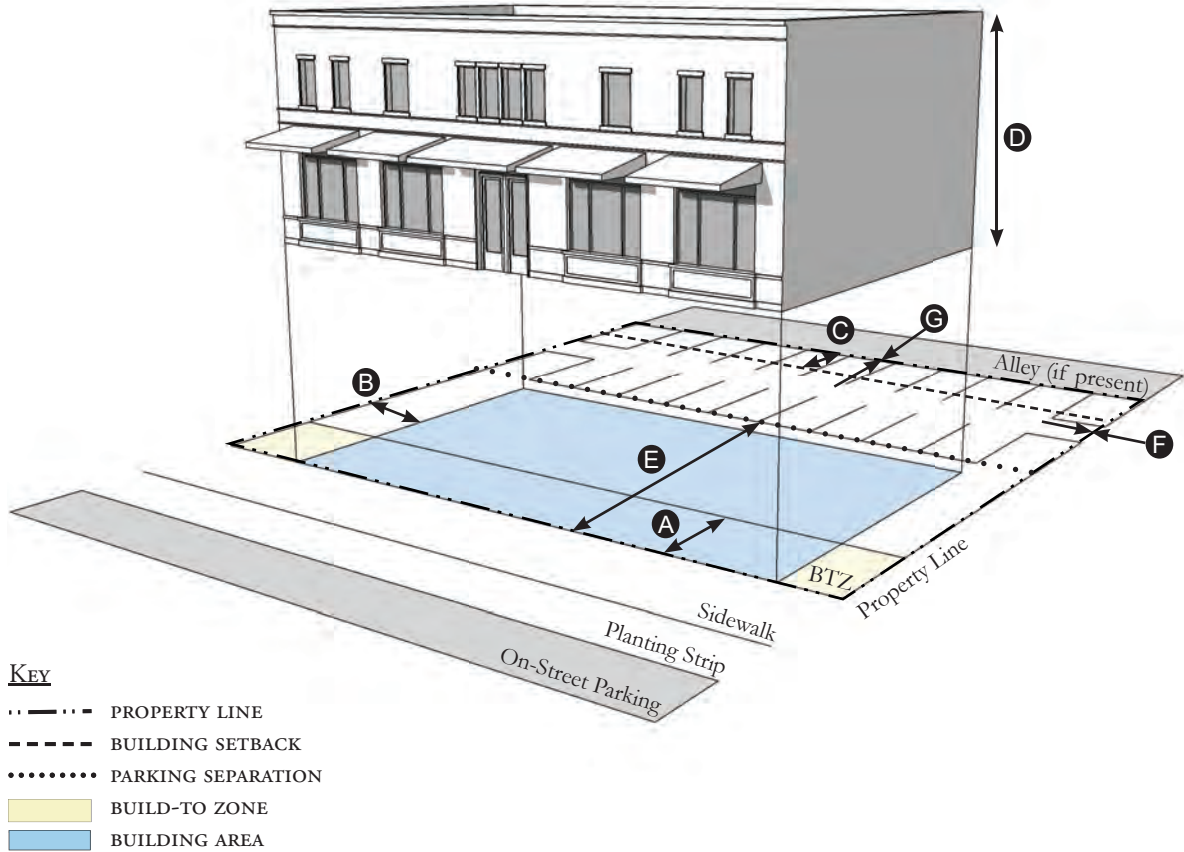
Side at Property Line 0' min. **(F)**

Rear Setback 5' min / 0' min with alley **(G)**

Note: The side setback shall be 0 feet or 5 feet. No side setback measuring between 0 feet and 5 feet is permitted.

NOTE: For allowed Lot Size, Building Coverage, Open Space, and Encroachment Standards see 12.2.04.

Figure 12-5.02 - Mixed-Use Building



Building Placement		
Frontage	80% min.	
Setbacks		
Front Build-to-Zone	0' min., 15' max.	A
Side at Street Build-to-Zone	5' min., 10' max.	
Side at Property Line <sup>2</sup>	5' min., 10' max.	B
Rear Yard <sup>2</sup>	10' min./5' min. with alley	C
Building Form		
Ceiling at ground level	12' minimum	
Height, see 12.1.04		
Building Height	Refer to Development Standards 12.2.04	D

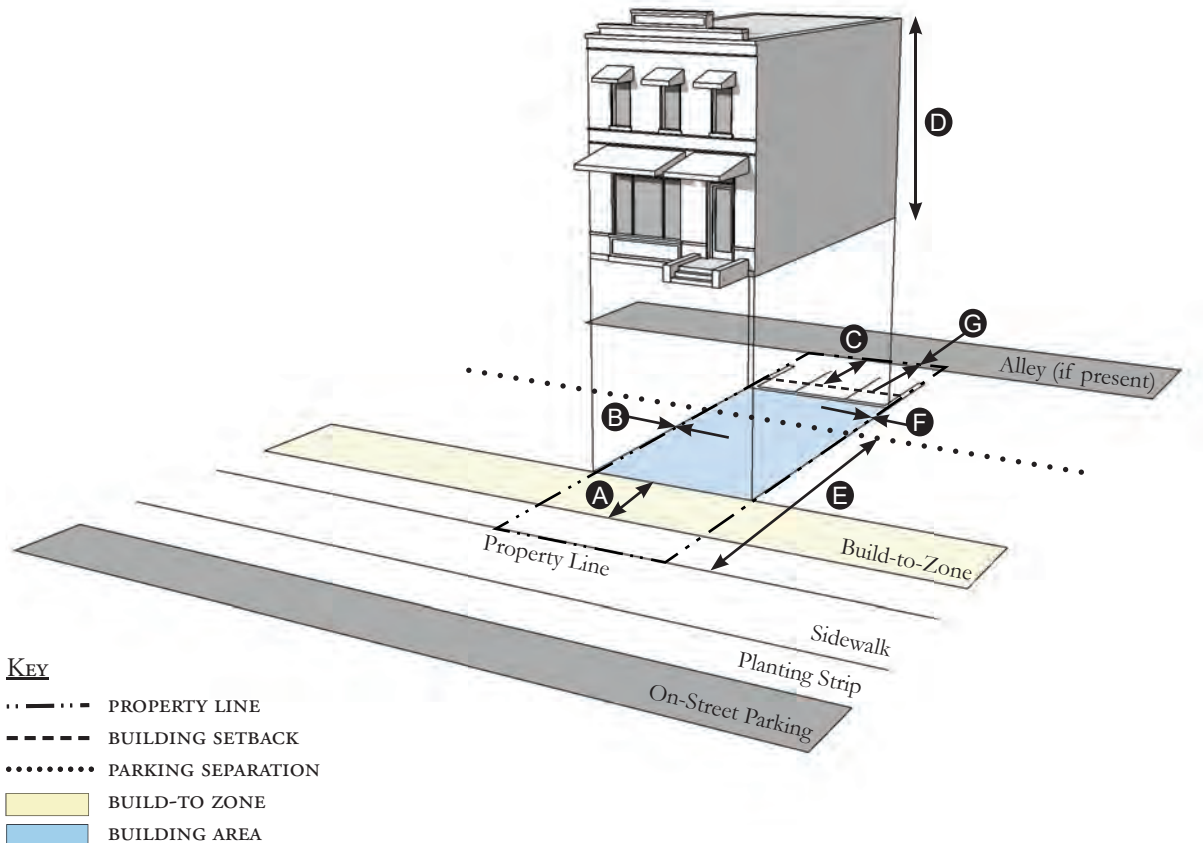
<sup>1</sup> Only permitted when facing Pineapple Drive and Indian River Drive.

<sup>2</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

Permitted Subdistricts, see 12.2.02		
Core	General <sup>1</sup>	Waterfront
Allowed Frontage Types, see 12.1.05 & 12.2.04		
Storefront	Arcade	Bracketed Balcony
Porch	Stoop	Forecourt
Parking Placement		
Front Setback	30' min.	E
Side at Street Setback	10' min.	
Side at Property Line	0' min.	F
Rear Setback	5' min / 0' min with alley	G

NOTE: For allowed *Lot Size*, *Height*, *Density*, *Building Coverage*, and *Open Space*, see 12.204.

Figure 12-5.03 - Office Building



## Building Placement

Frontage Percentage 80% min

## Setbacks

Front Build-to-Zone 10' min / 15' max **(A)**

Side at Street Build-to-Zone 10' min / 15' max

Side at Property Line <sup>1</sup> 0' or 5' **(B)**

Rear Yard <sup>1</sup> 10' min / 5' min with alley **(C)**

## Building Form

Ceiling at ground level 12' minimum

## Height, see 12.1.04

Building Height Refer to Development Standards 12.2.04 **(D)**

<sup>1</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

## Permitted Subdistricts, see 12.2.02

Core General Waterfront

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront Arcade Bracketed Balcony  
Porch Stoop Forecourt

## Parking Placement

Front Setback 30' min. **(E)**

Side at Street Setback 10' min.

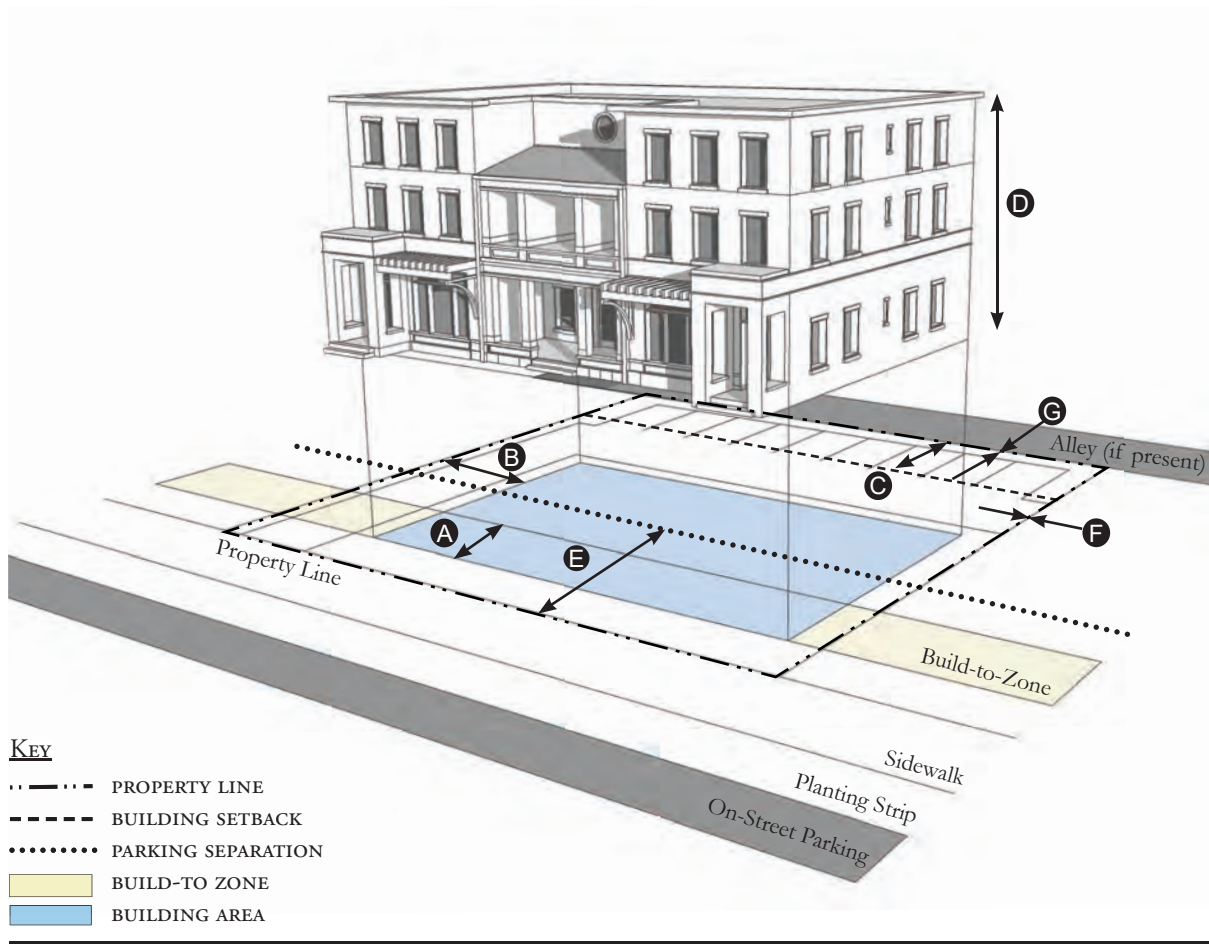
Side at Property Line 0' min. **(F)**

Rear Setback 5' min. / 0' alley with alley **(G)**

Note: The side setback shall be 0 feet or 5 feet. No side setback measuring between 0 feet and 5 feet is permitted.

NOTE: For allowed *Lot Size*, *Building Coverage*, *Open Space*, and *Encroachment Standards* see 12.2.04.

Figure 12-5.04 - Apartment Building



## Building Placement

Frontage Percentage 60% min.

## Setbacks

Front Build-to-Zone 10' min., 25' max. **(A)**

Side at Street Build-to-Zone 10' min., 15' max.

Side at Property Line <sup>1</sup> 5' min. **(B)**

Rear Yard <sup>1</sup> 10' min / 5' min with alley **(C)**

## Building Form

## Height, see 12.1.04

Building Height Refer to Development Standards 12.2.04 **(D)**

<sup>1</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

## Permitted Subdistricts, see 12.2.02

Core General Waterfront

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront Arcade Bracketed Balcony

Porch Stoop Forecourt

## Parking Placement

Front Setback 30' min. **(E)**

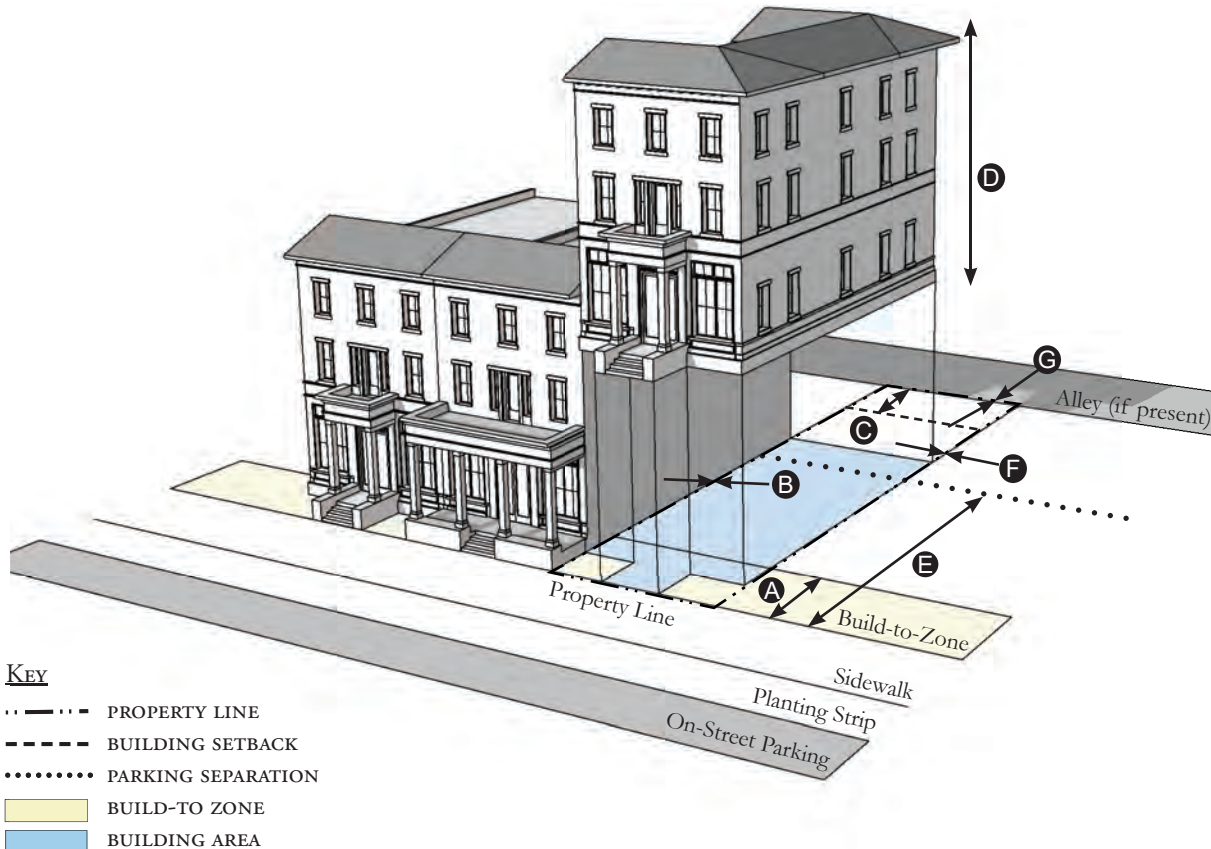
Side at Street Setback 10' min.

Side at Property Line 5' min. (no alley), 0' alley **(F)**

Rear Setback 5' min. (no alley), 0' alley **(G)**

NOTE: For allowed Lot Size, Height, Density, Building Coverage, and Open Space, see 12.2.04.

Figure 12-5.05 - Townhouse



## Building Placement

Frontage 80% min.

## Setbacks

Front Build-to-Zone 0' min., 15' max. **(A)**

Side at Street Build-to-Zone 0' min., 15' max. **(B)**

Side at Property Line <sup>1</sup> 0' min.

Rear Yard <sup>1</sup> 10' min / 5' min with alley **(C)**

## Building Form

### Height, see 12.1.04

Building Height Refer to Development Standards 12.2.04 **(D)**

<sup>1</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

NOTE: Townhouses shall have a maximum grouping of 8 dwelling units and a minimum Setback of 15 feet between buildings

## Permitted Subdistricts, see 12.2.02

Core General Waterfront

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront Arcade Bracketed Balcony  
Porch Stoop Forecourt

## Parking Placement

Front Setback 30' min. **(E)**

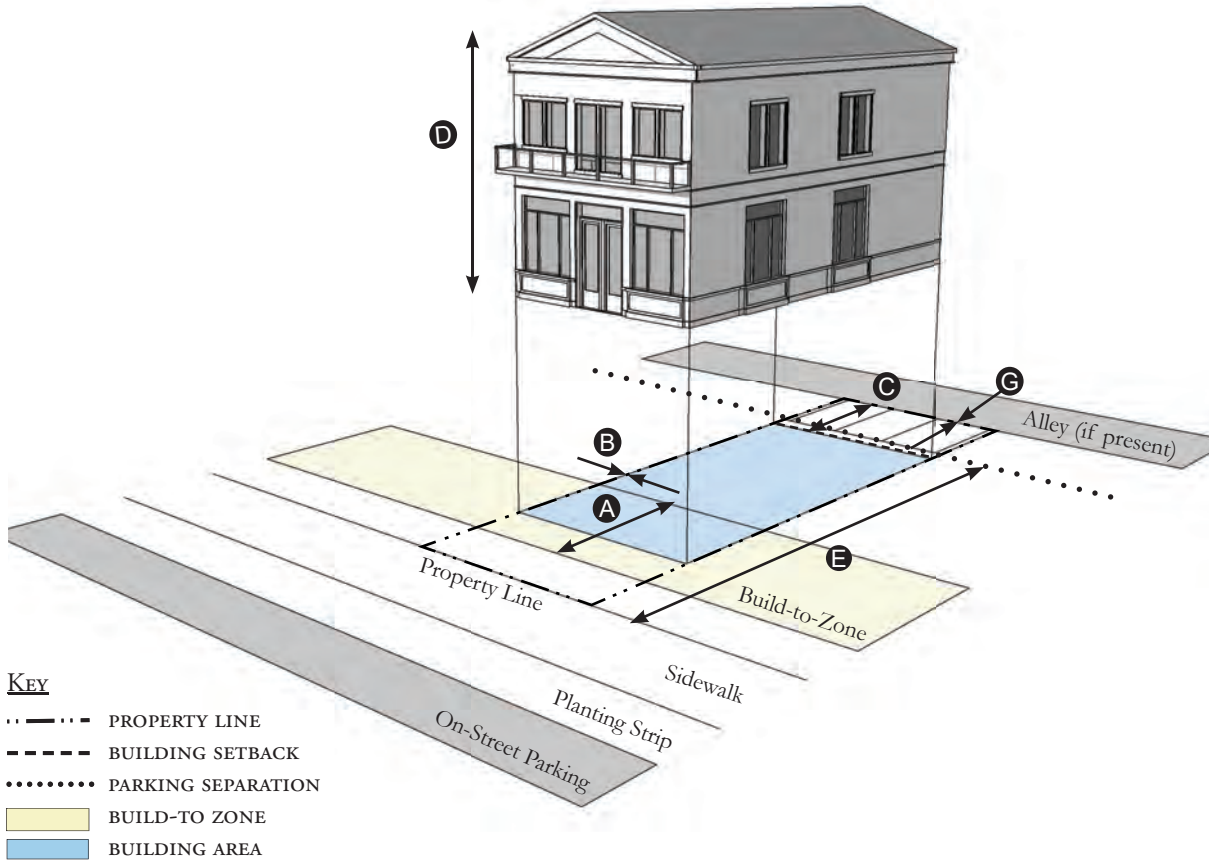
Side at Street Setback 10' min.

Side at Property Line 0' min. **(F)**

Rear Setback 5' min. (no alley), 0' alley **(G)**

NOTE: For allowed Lot Size, Building Coverage, Open Space, and Encroachment Standards see 12.2.04.

Figure 12-5.06 - Live/Work Building



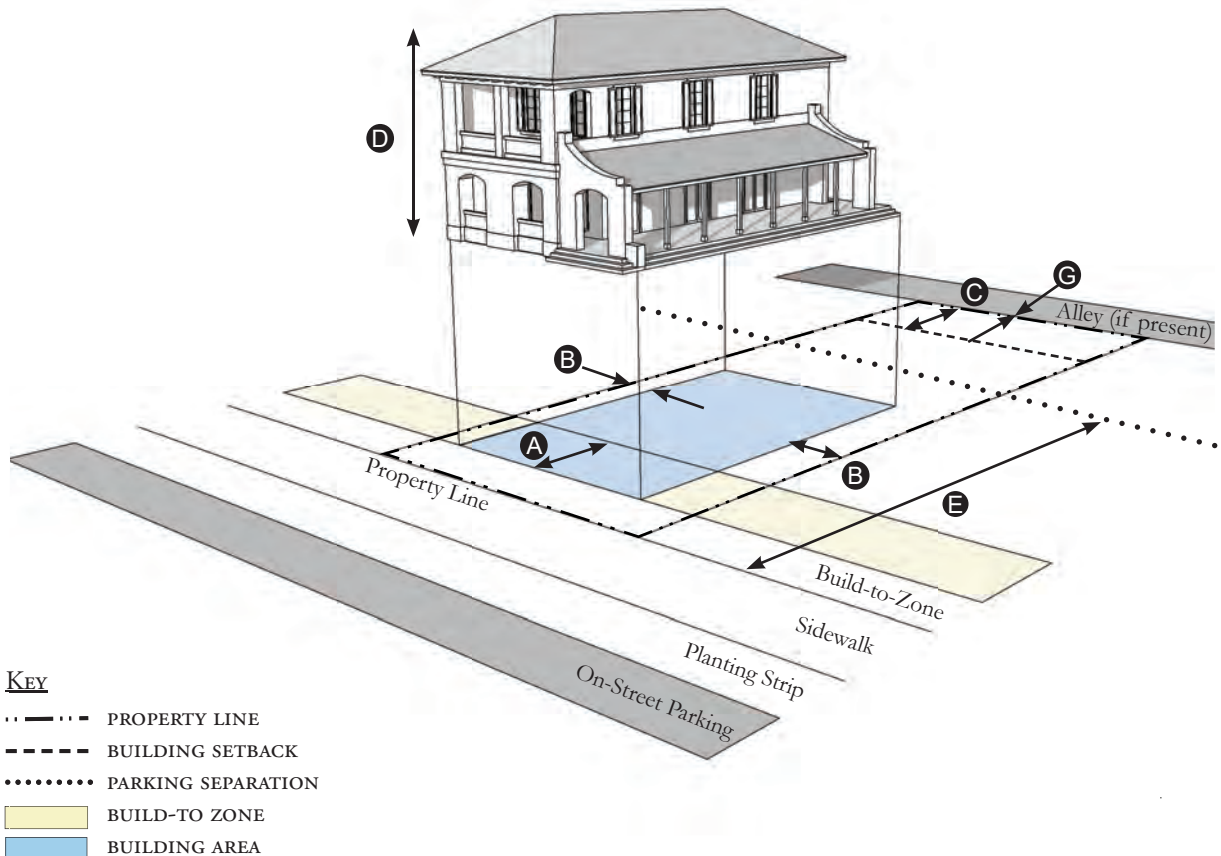
Building Placement		
Frontage	80% min.	
Setbacks		
Front Build-to-Zone	10' min., 25' max.	(A)
Side at Street Build-to-Zone	10' min.	(B)
Side at Property Line <sup>1</sup>	10' min.	
Rear Yard <sup>1</sup>	10' min.	(C)
Building Form		
Ceiling at ground level	12' minimum	
Height, see 12.1.04		
Building Height	Refer to Development Standards 12.2.04	(D)

<sup>1</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

Permitted Subdistricts, see 12.2.02		
Core	General	Waterfront
Allowed Frontage Types, see 12.1.05 & 12.2.04		
Storefront	Arcade	Bracketed Balcony
Porch	Stoop	Forecourt
Parking Placement		
Front Setback	30' min.	E
Side at Street Setback	10' min.	
Side at Property Line	0' min.	F
Rear Setback	5' min. (no alley), 0' alley	G

NOTE: For allowed Lot Size, Height, Density, Building Coverage, and Open Space, see 12.204.

Figure 12-5.07 - Side Yard House



Building Placement	
Frontage <sup>2</sup>	60% min.
Setbacks	
Front Build-to-Zone	10' min., 25' max. <b>(A)</b>
Side at Street Build-to-Zone	10' min. <b>(B)</b>
Side at Property Line <sup>1</sup>	5' min., 10' min other side
Rear Yard <sup>1</sup>	10' min / 5' min with alley <b>(C)</b>
Building Form	
Height, see 12.1.04	
Building Height	24' / 2 stories max <b>(D)</b>

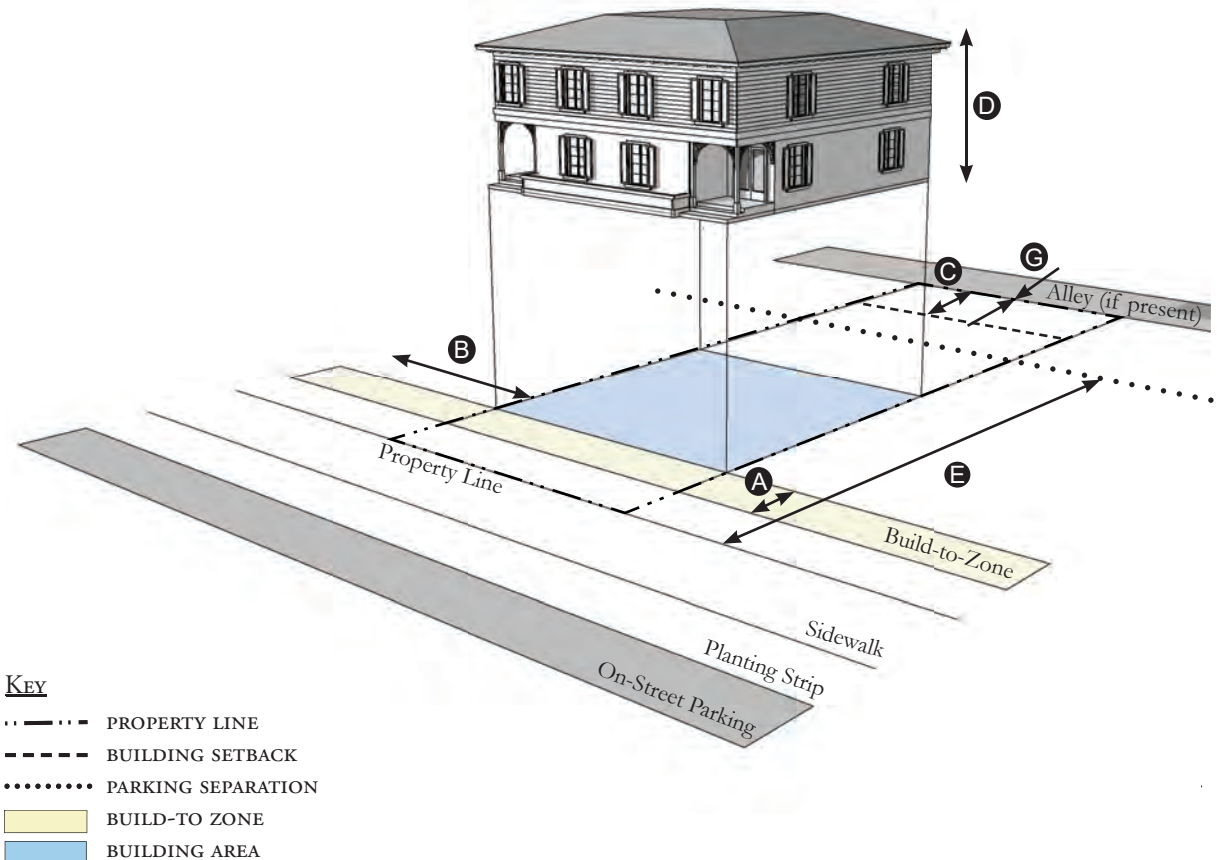
<sup>1</sup> Where the rear or side of a property directly abuts a residential zoning district or an existing single family home Transitions described in 12.1.04 apply.

<sup>2</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

Permitted Subdistricts, see 12.2.02		
Core	General	Waterfront
Allowed Frontage Types, see 12.1.05 & 12.2.04		
Storefront	Arcade	Bracketed Balcony
Porch	Stoop	Forecourt
Parking Placement		
Front Setback	30' min.	<b>(E)</b>
Side at Street Setback	10' min.	
Side at Property Line	5' min.	<b>(F)</b>
Rear Setback	5' min / 0' min with alley	<b>(G)</b>

NOTE: For allowed *Lot Size*, *Building Coverage*, *Open Space*, and *Encroachment Standards* see 12.204.

Figure 12-5.08 - Duplex



Building Placement		
Frontage <sup>2</sup>	60%	
Setbacks		
Front Build-to-Zone	10' min., 25' max.	A
Side at Street Build-to-Zone	10' min	B
Side at Property Line <sup>1</sup>	5' min	
Rear Yard <sup>1</sup>	10' min	C
Building Form		
Height, see 12.1.04		
Building Height	24' / 2 stories max	D

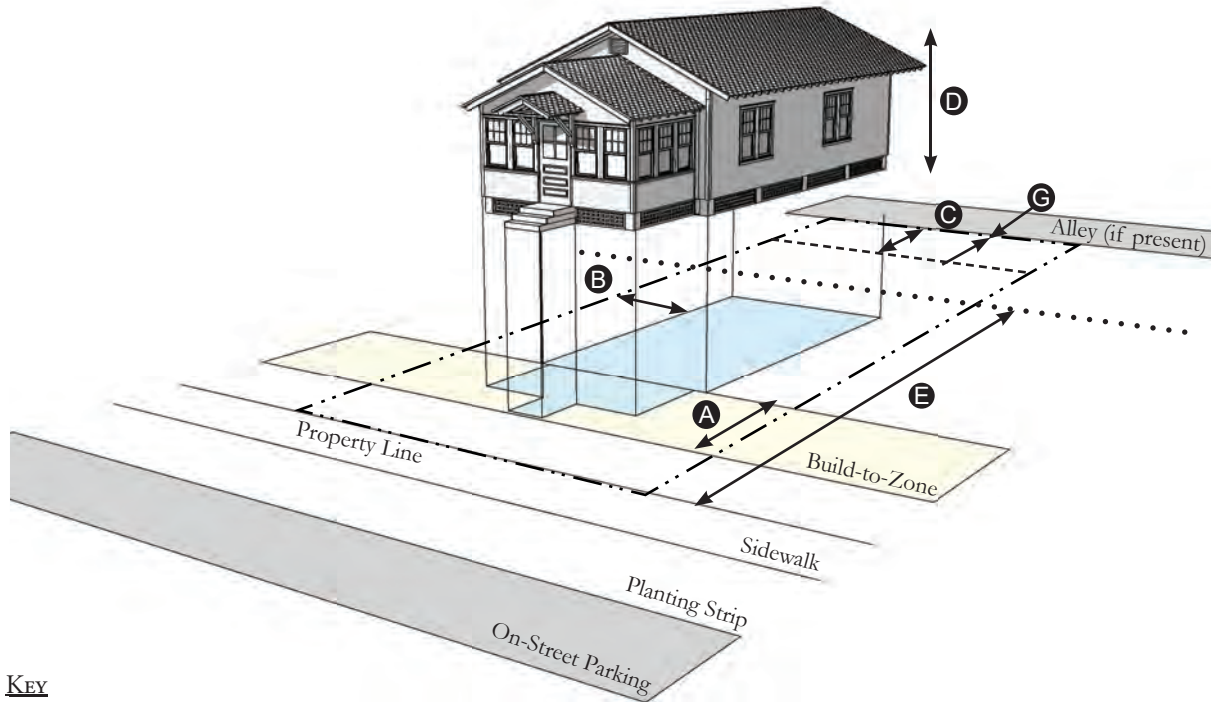
<sup>1</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

<sup>2</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

Permitted Subdistricts, see 12.2.02		
Core	General	Waterfront
Allowed Frontage Types, see 12.1.05 & 12.2.04		
Storefront	Arcade	Bracketed Balcony
Porch	Stoop	Forecourt
Parking Placement		
Front Setback	30' min.	E
Side at Street Setback	10' min.	
Side at Property Line	5' min.	F
Rear Setback	5' min / 0' min with alley	G

NOTE: For allowed *Lot Size*, *Height*, *Density*, *Building Coverage*, and *Open Space*, see 12.204.

Figure 12-5.09 - Cottage House



**KEY**

---	PROPERTY LINE
---	BUILDING SETBACK
---	PARKING SEPARATION
■	BUILD-TO ZONE
■	BUILDING AREA

## Building Placement

Frontage Percentage <sup>2</sup>	60% min.
----------------------------------	----------

## Setbacks

Front Build-to-Zone	10' min., 25' max.	<b>A</b>
Side at Street Build-to-Zone	5' min., 10' max.	<b>B</b>
Side at Property Line <sup>1</sup>	5' min.	
Rear Yard <sup>1</sup>	10' min	<b>C</b>

## Building Form

### Height, see 12.1.04

Building Height	24' / 2 stories max	<b>D</b>
-----------------	---------------------	----------

<sup>1</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

<sup>2</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

## Permitted Subdistricts, see 12.2.02

Core	General	Waterfront
------	---------	------------

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront	Arcade	Bracketed Balcony
<b>Porch</b>	<b>Stoop</b>	Forecourt

## Parking Placement

Front Setback	30' min.	<b>E</b>
Side at Street Setback	10' min.	
Side at Property Line	5' min.	<b>F</b>
Rear Setback	5' min	<b>G</b>

NOTE: For allowed *Lot Size*, *Building Coverage*, *Open Space*, and *Encroachment Standards* see 12.204.

Figure 12-5.10 - Cottage Court

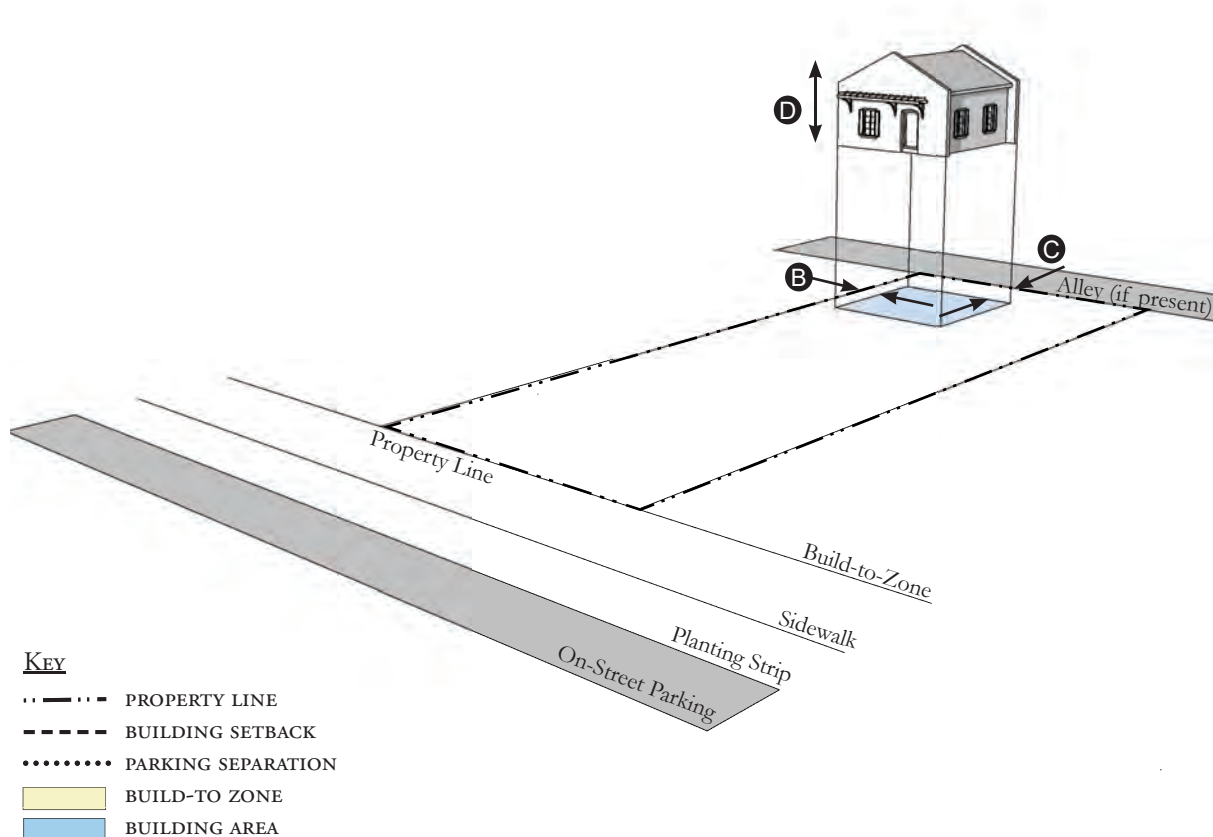
KEY

— — — — —	PROPERTY LINE
- - - - -	BUILDING SETBACK
.....	PARKING SEPARATION
	BUILD-TO ZONE
	BUILDING AREA

Building Placement	
Frontage Percentage <sup>2</sup>	
Setbacks	
Front Build-to-Zone	(A)
Side at Street Build-to-Zone	(B)
Side at Property Line <sup>1</sup>	
Rear Yard <sup>1</sup>	(C)
Building Form	
Height, see 12.1.04	(D)
Building Height	24' / 2 stories max
<sup>1</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.	
<sup>2</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.	
Permitted Subdistricts, see 12.2.02	
Core	General Waterfront
Allowed Frontage Types, see 12.1.05 & 12.2.04	
Storefront	Arcade Bracketed Balcony
Porch	Stoop Forecourt
Parking Placement	
Front Setback	30' min. (E)
Side at Street Setback	10' min.
Side at Property Line	5' min. (F)
Rear Setback	5' min (G)

NOTE: For allowed *Lot Size*, *Height*, *Density*, *Building Coverage*, and *Open Space*, see 12.204.

Figure 12-5.11 - Outbuilding



## Building Placement

Frontage Percentage <sup>2</sup> Not applicable

## Setbacks

Front Build-to-Zone Not applicable

Side at Street Build-to-Zone 5' min. **B**

Side at Property Line <sup>1</sup> 5' min.

Rear Yard <sup>1</sup> 5' min. **C**

## Building Form

### Height, see 12.1.04

Building Height 24' / 2 stories max **D**

<sup>1</sup> For this building type frontage requirement may be met with the provision of a garden wall along the lot frontage.

## Permitted Subdistricts, see 12.2.02

Core	General	Waterfront

## Allowed Frontage Types, see 12.1.05 & 12.2.04

Storefront	Arcade	Bracketed Balcony

Porch	Stoop	Forecourt

NOTE: For allowed *Lot Size*, *Building Coverage*, *Open Space*, and *Encroachment Standards* see 12.204.



## 12.2.06 Street Standards.

1. **Applicability.** Street standards that apply to all redevelopment zoning districts are provided in section 12.1.06. Those street standards apply in the Jensen Beach Redevelopment Zoning District in addition to those specified in this section.
2. **Street Regulating Plan.** A street regulating plan is provided for the Jensen Beach Redevelopment Zoning District in section 12.2.02. That regulating plan identifies the following features:
  - a. **Primary streets**, which allow movement through as well as within the Jensen Beach redevelopment zoning district.
  - b. **Secondary streets**, which are local streets that supplement the primary streets to provide an interconnected street network that serves users of all ages and abilities and that fully integrates residential neighborhoods with shopping, employment, and civic features.
  - c. **Proposed waterfront trail** along Indian River Drive.
  - d. **Proposed streets**, which would become additional streets to complete a highly interconnected street network in the Jensen Beach redevelopment zoning district.
3. **Proposed Streets.**
  - a. **Street Location.** The schematic location of proposed streets is shown on the Street Regulating Plan. The exact location may be adjusted during the development review process provided the new location meet these requirements:
    - i. The adjusted location does not reduce the level of connectivity with surrounding streets, both existing and proposed.
    - ii. The adjusted location does not reduce the level of street connectivity within the site or substantially increase the average block size.
    - iii. The adjusted location does not diminish or eliminate any proposed civic space or civic building shown on the regulating plan.
    - iv. The adjusted location maintains or enhances pedestrian convenience and safety and does not create any traffic hazards.
  - b. **Street Types.** Proposed streets may be designed and constructed as any one of the following street types defined in Section 12.1.06:
    - i. Local Street-1.
    - ii. Local Street-2.
    - iii. Local Street 3
    - iv. Neighborhood Street 1
    - v. Neighborhood Street 2
    - vi. Yield Street
    - vii. Alley



## Street Standards

- ## Street Standards



## 12.2.07. Parking Standards.

1. **Applicability.** Certain county-wide Parking Standards, which are found in Division 14 of Article 4 (Sections 4.621 through 4.628), are modified for all Redevelopment Zoning Districts in Section 12.1.07. Those modified Parking Standards apply in the Jensen Beach Redevelopment Zoning District, except as specified otherwise in this section.
2. **Parking rates.** Refer to 12.1.07 Parking Standards for parking rates applicable to Redevelopment Zoning Districts.
3. **On-street parking.** One hundred percent of on-street parking may be used to satisfy all or part of required parking provided that:
  - a. The developer constructs the on-street parking spaces along the street or alley frontage of the development.
  - b. Only the on-street or alley parking along the parcel's frontage can count towards satisfying the parcel's parking rate requirements.
  - c. On-street parking spaces must be constructed in compliance with Article 12, Division 1, 12.1.07 Parking Standards and 12.1.06 Street Standards.
4. **Off-site parking.** With the exception of parking required for residential uses in subdistrict General off-site parking may be used to satisfy all or part of required parking as set forth below.
  - a. The parking spaces are no further than 1,320 feet (1/4-mile) from the site being developed, as measured by the shortest pedestrian route of travel.
5. **Special Parking Alternative for Redevelopment Centers (SPARC) program.** The SPARC program, described in Section 12.1.07 is authorized within the Jensen Beach CRA as more specifically set forth below.
  - a. **Cost per space.** For each required parking space that a developer proposes to satisfy through participation in the SPARC program, the cost to the developer shall be as set forth in the following table. For purposes of this paragraph, the "base cost" shall be the estimated cost of constructing a typical off-street parking space within the Jensen Beach CRA, including both the land and costs of construction (as of April 11, 2017, the base cost is \$7,900.)
  - b. **Location.** The development shall be no further than 1,320 feet (1/4-mile) from the public or other common parking, as measured by the shortest pedestrian route of travel.
  - c. **Timing.** With Options 1, 2, and 4, the parking spaces must be constructed and found to be in compliance with County standards prior to issuance of a Certificate of Occupancy for the particular development. For Options 3, 5, and 6, the developer must pay the appropriate amount into the SPARC fund as part of the post-approval process and the County must construct the required number of spaces within two years of the date the new development is approved. Options described below in Table JB-7.

Table JB-7 Allowed Off-Site Parking

Option	Description	Cost to Developer
1	Developer constructs on-street parking to County standards within existing County-owned right-of-way.	50% of base cost
2	Landowner dedicates land to the County and constructs on-street parking spaces to County standards.	None
3	Developer reimburses the County for on-street parking constructed by the County prior to June 1, 2007, including parking constructed within the right-of-way of Florida East Coast Railway.	100% of base cost
4	Developer constructs on-street parking to County standards within the right-of-way of Florida East Coast Railway.	100% of base cost plus proportionate cost of lease
5	Developer contributes toward or reimburses the County or other public entity for parking spaces developed or planned in a surface parking arrangement.	200% of base cost
6	Developer contributes toward or reimburses the County or other public entity for parking spaces developed or planned in a structured parking arrangement.	400% of base cost

- d. **Maximum percentage by subdistrict.** The maximum amount of the required parking that may be satisfied by off-site parking shall be as follows in Table JB-8:

Table JB-8 Allowed Off-Site Parking

Subdistrict	Commercial	Residential	Other
Core	100%	100%	100%
General	100%	100%	100%

6. **Screening of parking from residential uses.** There shall be an alley between parking areas and adjacent residential uses. Where an alley is not possible, there shall be a visual barrier between parking areas or commercial uses and residential uses.
7. **Parking structures.** Whenever a parking structure or surface parking provided beneath a building is located on a Primary Street, as identified on the street regulating plan, Section 12.202, street level commercial space shall be provided for a depth of no less than 20 feet measured from the front of the building.
8. **Distributing Parking.** Where more than 200 parking spaces are provided onsite, such parking shall be distributed such that no more than 50 percent of the spaces are grouped in a single area of the parcel. Methods of distributing parking include locating parking adjacent to the rear or sides of a building or by physically separating parking areas with other buildings or landscaped areas.



**12.2 08. Stormwater Standards.**

1. County-wide stormwater management standards are provided in Division 9 of Article 4 (Sections 4.381 through 4.390). County-wide standards apply in Redevelopment Zoning Districts except as modified in Section 12.1.08 for all Redevelopment Zoning Districts.



# Landscape Standards

12.2.09

## 12.2.09. Landscape standards.

1. Table JB-9 identifies which of the landscaping, buffering, and tree protection standards Division 15, Article 4 apply as written in the Jensen Beach Redevelopment Zoning District and which of those standards are modified, replaced, or do not apply in this zoning district.

**Table JB-9 Landscaping, Buffering, and Tree Protection Standards**

County Wide LDR		In Jensen Beach CRA
General Requirements		
4.661.A	Purpose and intent	Applies as written
4.661.B	Applicability	Does not apply
4.661.C	Glossary	Applies as written
Application Requirement		
4662.A	Landscape Plan	Modified by 12.2.09.2
4662.B	Irrigation Plans	Applies as written
Landscape Design Standards		
4.663.A	General requirements	
A.1	Required landscape area	Replaced by 12.2.09.3
A.2	Landscape area credits	Applies as written
A.3	Required tree planting	Replaced by 12.2.09.4
A.4-5	Vehicular use areas	Modified by 12.2.09.5
A.6	Service areas	Modified by 12.2.09.6
A.7	Commercial buildings	Does not apply
4.663.B	Buffer-yard requirements	Does not apply
4.663.C	Add't req. for landscaping	Does not apply
4.663.D	Water efficient landscaping	Applies as written
4.663.E	Preserve area interface	Applies as written
Landscape Material Standards		
4.664	(All Subsections)	Applies as written
Maintenance of Required Landscaping		
4.665	(All Subsections)	Applies as written
Tree Protection		
4.666	(All Subsections)	Applies as written
Alternative Compliance		
4.667	(All Subsections)	Replaced by 12.1.13.3
Certificate of Compliance		
4.668	(All Subsections)	Applies as written

2. **Landscape plan.** Development applications shall include a landscape plan prepared by a qualified professional that indicates the location and type of existing and proposed features that are identified in Table JB-10, which are summarized from the detailed requirements in section 4.662.A.

**Table JB-10 - Landscape Plan Application Requirements**

County Wide LDR		In Jensen Beach CRA		
		A	B	C
1	Property boundaries	Yes	Yes	Yes
2	Land use features	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>
3	Structures & paving	Yes	Yes <sup>1</sup>	Yes <sup>1</sup>
4	Utilities	Yes	Yes	
5	Vehicular use areas	Yes	Yes	
6	Water bodies	Yes	Yes	
7	Tree survey	Yes		
8	Installation methods	Yes		
9	Development areas	Yes		
10	Ditches & swales	Yes		
11	Tabular data	Yes		

<sup>1</sup> On-site features only

- a. **Column A** requirements apply to an application for a final site plan.
  - b. **Column B** requirements apply to an application for a building permit for a **Small Site**, which are defined as the construction or expansion of a principal building or accessory structures on a lawfully established lot or adjacent lots, provided the parcel being developed is less than one-half acre.
  - c. **Column B** requirements also apply to an application for a substantial improvement or substantial renovation of a building exterior on any lot regulated by article 12, as those terms are defined in section 4.871.B.
  - d. **Column C** requirements apply to an application for a building permit for a single-family or duplex residence on a lawfully established lot.
  - e. **For applications for a substantial improvement/renovation only**, the Growth Management Director, or the Director's designee, may authorize incremental compliance with its requirements when the nature and scope of the existing and proposed improvements make full compliance unreasonable. An application for alternative compliance shall not be required but the Growth Management Director may require that the proposal be presented to the Neighborhood Advisory Committee for review and comment.
3. **Required landscape area.**
    - a. Table JB-11 indicates the minimum percentage of the total developed area that must be landscaped.
    - b. Landscaping shall be permitted in easements only with the written permission of the easement holder. A written agreement shall specify the party responsible for restoring disturbed landscape areas, shall be submitted to the county in a form acceptable to the County Attorney, and shall be recorded in the public records.
    - c. Exposed dirt yards are prohibited.



# Landscape Standards

12.2.09

## 4. Required tree planting.

- a. Table JB-11 indicates the minimum number of trees that must be planted.
- b. Trees planted in adjacent right-of-way as indicated in section 12.206, or in other nearby public space, shall be credited towards meeting the number of trees required by Table JB-11. Any private use of the public right-of-way requires the approval of the County Engineer, a right-of-way use permit, a construction agreement, and an indemnification agreement.

**Table JB-11 - Required Landscape Area & Tree Planting**

Subdistrict	Minimum Percentage	One Tree for this Amount of Total Site Area
Core	0%	1,000 sf
General	10%	2,000 sf
Waterfront	5%	2,000 sf

## 5. Vehicular use areas.

- a. **Perimeter landscaping.** Landscaping shall be provided along the perimeter of vehicular use areas in accordance with the following standards:
    - i. One tree shall be planted for each 30 linear feet. Trees may be planted in clusters, but not more than 50 feet apart with adequate soil volumes and root paths to promote mature, sustainable tree growth.
    - ii. A hedge, fence, or other durable landscape barrier with a minimum height of four feet shall be installed along the perimeter of vehicular use areas. Height of hedge, fence or landscape barrier shall comply with Section 12.1.10 Wall & Fence Standards.
    - iii. Walls, fences and landscaping around vehicular use areas must have one pedestrian connection to adjacent development or sidewalks for every 50 feet.
    - iv. No hedge, fence, or other durable landscape barrier is required along the side of a parking area that abuts another parking area or a building, or that faces the rear of a lot.
  - b. **Interior landscaping.** If a vehicular use area is larger than 5,000 square feet, landscaping shall be provided within its interior in accordance with section 4.663.A.4, except that these interior landscape areas may be used as stormwater management and conveyance facilities. If a vehicular use area is equal to or smaller than 5,000 square feet, no interior landscaping, terminal islands, interior medians, or interior islands are required.
6. **Service areas.** Service function areas shall be screened in accordance with Section 4.663.A.5, except that landscaping shall not be required around the perimeter of the screen.



## Wall & Fence Standards

12.2.10

### 12.2.10.

#### **Wall & fence standards.**

1. Walls and fences must comply with the special wall and fence standards for all Redevelopment Zoning Districts found in Section 12.1.10.



# Sign Standards

12.2.11

## 12.2 11. Sign Standards.

1. Sign Standards must comply with the standards for all Redevelopment Zoning Districts found in Section 12.1.11 except where modified below.
2. **Wall signs.** For the subdistricts in Jensen Beach Redevelopment Zoning District, the maximum sizes in Table **JB-12** for all allowable wall signs and for individual wall signs in each subdistrict replace the caps in the signage-area table in section 4.700.
3. **Types of signs permitted.** The list of permitted signs in Section 4.703 is adjusted for the Jensen Beach Redevelopment Zoning District by adding the following sign as permitted:
  - a. **Sandwich or sidewalk signs,** as defined in section 4.693, are permitted in the Core, General, and Waterfront subdistricts, provided the signs do not exceed 6 square feet per face, do not unreasonably obstruct pedestrian or vehicular movement, and are moved off sidewalks or other public property by 9:00 PM daily
4. **Lettering and logo size.** Table **JB-12** provides the maximum height of lettering and logos on any allowable sign in various subdistricts of the Jensen Beach redevelopment zoning district. Section 4.699 describes how to measure the height of irregularly shaped features.

**Table JB-12 - Sign Size Limitations**

Building Type	Percent of Building Face Allowable for Wall Signs	Maximum Size Per Wall Sign	Maximum Height of Lettering and Logos for All Signs
Core	12%	32-sf	24 inches
General	6%	6-sf	10 inches
Waterfront	15%	40-sf	24 inches



12.2 12  
following:

**Architectural Standards.** All structures within the Jensen Beach CRA shall comply with the

**1. Exterior building finish.**

- a. The following materials and techniques shall be permitted:
  - i. Wood Board and batten.
  - ii. Wood shingles.
  - iii. Wood Lap siding.
  - iv. Smooth or Textured Stucco. Stucco is not an appropriate substitute for wood siding, shingles, board and batten, or clapboard.
  - v. Brick.
  - vi. Fiber-cement siding is an allowable substitute for wood siding, shingles, and board and batten.
  - vii. Glass block shall only be permitted on side and rear walls.
- b. No exposed exterior concrete block shall be permitted. Concrete block structure (CBS) construction shall be covered over with one of the materials as specified in subsection, above.
- c. Materials used shall be used over the entire exterior of the building except for the openings.

**2. Arcades and porches.**

- a. The following materials shall be permitted:
  - i. Metal columns.
  - ii. Brick.
  - iii. Wood posts.
  - iv. Poured concrete columns.
  - v. Fabric material for porch enclosures.

**3. Roofs and gutters.**

- a. The following materials shall be permitted for roofs:
  - i. Thatch.
  - ii. Wood/imitation wood dimensional asphalt shingles.
  - iii. Galvanized metal, finished or unfinished, Galvalume Steel, or Copper
  - iv. Clay tile.
- b. The following materials shall be permitted for gutters:
  - i. Galvanized metal, finished or unfinished, Galvalume Steel, or Copper
  - ii. Extruded Aluminum Gutters.

**4. Windows.** The following additions to windows shall be permitted:



# Architectural Standards

12.2.12

- i. Operable shutters matching the dimensions of the windows, including impact operable shutters.
  - ii. Fabric awnings.
  - iii. Bahama shutters, including impact Bahama shutters.
  - iv. Screened windows.
  - v. Required attachment hardware for removable storm or hurricane shutters, including Hurricane Fabric, Corrugated Metal or Polycarbonate Storm Panels.
5. **Accessory Structures.** Materials shall be or have the appearance of that of the primary structure.
6. **Architectural guidelines.** The Jensen Beach Architectural Guidelines, illustrate the architectural styles that are preferred within the Jensen Beach Redevelopment Zoning Districts. The Architectural Guidelines are available by searching on the County website: [www.martin.fl.us](http://www.martin.fl.us). All applications for new development and redevelopment shall include architectural drawings.
7. **Historic Structures.** Structures identified as Contributing Architecturally shall be candidates for Historic Protection. County's preservation criteria can be found in Division 13 of Article 4.
8. **Building façades** facing streets or civic open spaces must have transparent windows covering between 20 percent and 75 percent of the wall area of each story as measured between finished floors. Transparent means non-solar, non-mirrored glass with a light transmission reduction of no more than twenty percent (20%).
9. **Cornices and moldings** shall extend a minimum of two inches from the surface plane of the building wall. Cornices and moldings are continuous façade elements and may not be covered by awnings or signs. Significant architectural elements such as columns, pilasters, and towers may interrupt moldings.
10. **Awnings.** Awnings shall be consistent with the building's architecture and façade opening shape. Any names or logos printed on awnings shall be counted as square footage against the overall permitted signage.
11. **Heat Island Effect.** In order to reduce urban heat islands for both roofed and non-roofed areas, the following recommendations apply to building and site design:
  - a. Non-roofed: Provide shade on at least 30% of non roof impervious surface on the site, including parking lots, walkways, plazas, etc.; or use light-colored/high-albedo materials (reflectance of at least .3) for 30% of the site's non-roofed impervious surfaces; or, use open grid pavement system.
  - b. Roofed: Use Energy Star roof-compliant, high-reflectance and high emissivity roofing or install a "green" (vegetated) roof for at least 50% of the roof area.
  - c. Parking Garage Roofs: Provide shade on at least 30% of any exposed parking on the roof.

# Walmart helping more workers attend college

Charisse Jones  
USA TODAY

Walmart wants to keep schooling its workers.

Employees will now be able to get degrees in fields ranging from computer science to cybersecurity for the tuition tab of \$1 a day. Those who are in high school will be able to earn free college credits and other educational perks for the first time.

Those changes mark the expansion of the retailer's "Live Better U" initiative, launched last year, that enables employees to pursue degrees and also get college credits for on-the-job training.

More than 7,500 Walmart employees have taken part in the offering that initially enabled them to study at Brandman University, the University of Florida and Bellevue University. Purdue University Global, Southern New Hampshire University and Wilmington University are also participating.

The chance to get a degree for the cost of a dollar a day comes at a time when college tuition is soaring and collective student loan debt has topped \$1.5 trillion. Walmart said that in addition to helping employees attain higher education, the program will potentially help the company create and hold on to a better trained workforce.

"They wanted access to higher education to improve their lives," said Drew Holler, senior vice president of associate experience at Walmart. "What we know also is it's going to help us with retention ... and it's providing skills we need in the future."

In addition to adding 14 tech-oriented degrees or certificates to the program, Walmart is extending the college initiative to high school students in its workforce.

To pursue their studies, the high schoolers can have set shifts on specific days for up to 13 weeks. They can also get free prep for the ACT and SAT college entrance exams, and earn up to seven hours of free college credits.

"High school students face challenges when it comes to work and education," said Julie Murphy, executive vice president, people, for Walmart U.S. "The cost of college remains a significant barrier."

Less than 25,000 of Walmart's employees are high schoolers, but roughly 300 of the company's store managers began working for the retailer when they were in high school, Murphy said.

Any employee who had not previously earned college credits could win a \$1,500 scholar award after graduating. Up to 5,000 staffers will be eligible for the cash annually.

# New York school district to use facial recognition

Carolyn Thompson  
ASSOCIATED PRESS

LOCKPORT, N.Y. – A New York school district finished installing a facial recognition system intended to spot potentially dangerous intruders, but state officials concerned about privacy said they want to know more before the technology is implemented.

Education Department spokeswoman Emily DeSantis said Monday that department employees plan to meet with Lockport City School officials about the system being tested this week. In the meantime, she said, the district has said it will not use facial recognition software while it checks other components of the system.

The rapidly developing technology has made its way into airports, motor vehicle departments, stores and stadiums, but is so far rare in public schools.

Lockport is preparing to bring its system online as cities elsewhere are considering reining in the technology's use. San Francisco in May became the first U.S. city to ban its use by police and other city departments and Oakland is among others considering similar legislation.

A bill by Democrat Assembly Member Monica Wallace would create a one-year moratorium on the technology's use in New York schools to allow lawmakers time to review it and draft regulations. The legislation is pending.

Lockport Superintendent Michelle Bradley, on the district's website, said the district's initial implementation of the system this week will include adjusting cameras mounted throughout the buildings and training staff members who will monitor them from a room in the high school. The system is expected to be fully online on Sept. 1.

"Much to our dismay, school shootings continue to occur in our country," wrote Bradley, who did not respond to email and telephone messages Monday. "In many cases, these shootings involve students connected to the schools where these horrific incidents occur."

The \$1.4 million Canadian-made Aegis system, funded through a state technology bond, is designed to enable security officers to quickly respond to the appearance of expelled students, disgruntled employees, sex offenders or certain weapons the system is programmed to detect.

Only students seen as threats will be loaded into the database. Administrators have said it could thwart shootings like the February 2018 attack in which expelled student Nikolas Cruz is charged with killing 17 at Marjory Stoneman Douglas High School in Parkland, Florida.

"This would have identified (Cruz) as not being able to be in that building," Tony Olivo, a security consultant who recommended the system for Lockport, told The Associated Press last year.



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## NOTICE OF PUBLIC HEARINGS

The Martin County Local Planning Agency will conduct public hearings on June 20, 2019, beginning at 7:00 P.M., or as soon thereafter as the items may be heard, to review the following items:

- Application CPA 18-10, CRA Text Amendments: A request to amend the text of the Comprehensive Growth Management Plan (CGMP) to create a new Chapter 18, the Community Redevelopment Element, and amendments to Chapter 2, Overall Goals and Definitions, Chapter 4, Future Land Use Element, Chapter 8, Coastal Management Elements, and Chapter 9, Conservation and Open Space Element, of the CGMP.
- The proposed adoption of an ordinance related to Martin County Land Development Regulations. The title of the ordinance is:  
**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; DELETING SECTION 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT AREA, AND MAKING AMENDMENTS TO OTHER ARTICLES, DIVISIONS OR SECTIONS OF THE LAND DEVELOPMENT REGULATIONS AS NECESSARY TO MAINTAIN INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE**

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be sent to: Nicki van Vonno, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact Irene Szedlmayer, Sr. Planner, Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



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