



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

MAY 5, 2020 ~ 9:00 AM

**JOHN F. & RITA M. ARMSTRONG WING OF THE BLAKE LIBRARY
2351 SE MONTEREY ROAD, STUART, FLORIDA 34996**

COUNTY COMMISSIONERS

Harold E. Jenkins II, Chairman
Stacey Hetherington, Vice Chair
Doug Smith
Sarah Heard
Edward V. Ciampi

Taryn Kryzda, County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

To provide comments without attending the meeting due to COVID-19, email written comments to BOCC-PublicComment@martin.fl.us. Please include the item number you'd like to comment on in the email subject line. Comments received at this email address that are received prior to the conclusion of the public comment portion of the applicable matter will be read into the record at the public meeting.

PRESETS

9:05 AM Public Comment
9:30 AM Comprehensive Everglades Restoration Plan (CERP) - Indian River Lagoon (IRLS) South Presentation
5:05 PM Public Comment

CALL TO ORDER AT 9:06 AM

1. INVOCATION - Pastor Dr. Gary Carr, Mariner Sands Chapel
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – There were no Additional Items.
4. APPROVAL OF AGENDA – The Agenda was approved.
5. APPROVAL OF CONSENT AGENDA – The Consent Agenda was approved.
Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 PRESENT PROCLAMATIONS PREVIOUSLY APPROVED VIA THE CONSENT AGENDA

The Chairman will present the proclamations to the recipients.

Agenda Item: 20-0421

ACTION TAKEN: The Board presented proclamations declaring Childhood Apraxia of Speech Day, Hurricane Preparedness Week, Cystic Fibrosis Awareness Month, Foster Care Awareness Month. The Mental Health Awareness Month proclamation was read and will be mailed to New Horizons of the Treasure Coast.

PROC-2 PRESENT A PLAQUE OF RECOGNITION AND APPRECIATION TO NICKI VAN VONNO UPON THE OCCASION OF HER RETIREMENT FROM SERVICE WITH THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

Nicki VanVonno has been a Martin County employee for 32 years, more than 20 of which were spent in her current position as Director of Growth Management. Under her leadership, the county has received multiple awards from the National Association of Counties (NAC) for various programs and Ms. VanVonno, personally, has been recognized by the Business Development Board with the Business Advocate Award-Public Sector, and presented with the Chamber of Commerce's Peter Cheney Award for Actions Above and Beyond. Ms. VanVonno has been an exceptional mentor to her staff and leaves them well prepared to guide Martin County's future.

Agenda Item: 20-0628

ACTION TAKEN: Nicki van Vonno was presented a plaque.

COMMENTS

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS – The Board asked staff to send a Chair letter to the Governor encouraging the opening of small businesses.
3. COUNTY ADMINISTRATOR

CONSENT ADMINISTRATION

CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

This item is a placeholder on all Board meeting agendas to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 20-0526 (no items)

CNST-2 BOARD OF COUNTY COMMISSIONERS' APPROVAL OF WARRANT LIST FOR DISBURSEMENT VIA CHECKS AND ELECTRONIC PAYMENTS TO COMPLY WITH STATUTORY REQUIREMENTS

Pursuant to Chapter 136.06, Florida Statutes, checks and electronic payments issued by the Board of County Commissioners are to be recorded in the Board meeting minutes. In compliance with statutory requirements, the Warrant List is added to the Consent Agenda for approval by the Board of County Commissioners. This Warrant List is for disbursements made between April 4, 2020 and April 17, 2020. Additional details related to these disbursements may be viewed in the office of the Martin County Clerk of Court and Comptroller or on the Clerk's website.

Agenda Item: 20-0528

CNST-3 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED

The Board is asked to approve minutes from the April 7 and 9, 2020 COVID-19 meetings and the April 21, 2020 Regular meeting.

Agenda Item: 20-0622

CNST-4 ADOPT PROCLAMATIONS TO BE PRESENTED AT THE MAY 19, 2020 MEETING

The Board is asked to adopt the following proclamations: declaring Memorial Day and National Safe Boating Week in Martin County, Florida.

Agenda Item: 20-0585

PUBLIC WORKS

CNST-5 ADOPT A RESOLUTION ACCEPTING AND APPROVING A WARRANTY DEED FROM HOBE SOUND TOWNHOUSE II, LLC FOR DEDICATION OF RIGHT OF WAY ALONG SE LARES AVENUE AND 25' CORNER CLIP ON SE KINGSLEY STREET AND SE LARES AVENUE

This is a request for the adoption of a resolution accepting and approving a Warranty Deed for ROW dedication along SE Lares Avenue and a 25' corner clip on SE Kingsley Street and SE Lares Avenue from Hobe Sound Townhouse II, LLC, a Florida limited liability corporation, as part of the conditions of approval of the Minor Final Site Plan for Algozzini Place.

Agenda Item: 20-0611

RESOLUTION NO. 20-5.1

BOARD AND COMMITTEE APPOINTMENTS

B&C-1 NEIGHBORHOOD ADVISORY COMMITTEE APPOINTMENTS

After solicitation of applicants, the Board is asked to make the necessary appointments to the Jensen Beach and Old Palm City Neighborhood Advisory Committees.

Agenda Item: 20-0620

RESOLUTION NO. 20-5.2

ACTION TAKEN: The Board appointed Sharon Adams to the Jensen Beach Neighborhood Advisory Committee for a term to begin May 5, 2020 and end May 4, 2024; appointed Candace Lopes to the Old Palm City Neighborhood Advisory Committee for a term to begin May 5, 2020 and end April 23, 2022; and authorized the Chairman to sign the Resolution of Appointment.

PUBLIC HEARINGS

PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING STREETS, ROADS, AND BRIDGES

This is a public hearing to consider adoption of an Ordinance repealing Chapter 25, Cable Communications, and amending Chapter 155, Streets, Roads, and Bridges to: establish a minimum speed limit; eliminate conflicts with state statutes; and require permits in County rights-of-way.

Agenda Item: 20-0659

ORDINANCE NO. 1132

ACTION TAKEN: The Board adopted the Ordinance including adding to the definition of work to include 'not subject to a building permit'; added to Section 155.32 maintained right-of-way; and allowed staff to make formatting changes.

PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 19-25, HOBE SOUND FUTURE LAND USE MAP

The proposed amendment changes the Residential Estate Density, Low Density Residential, Medium Density Residential, Mobile Home Density, Commercial Office/Residential, Limited Commercial, and General Commercial future land use designations to CRA Center, CRA Neighborhood, General Institutional, Public Conservation, and Recreational future land use designations in the Hobe Sound CRA and repeals the Hobe Sound Mixed-Use Future Land Use Overlay. The Residential Estate Density and the High Density Residential future land use designations are retained for the Shellbridge Subdivision and 8.4 acres governed by a PUD Zoning Agreement, respectively.

Agenda Item: 20-0633

ACTION TAKEN: The Board approved transmittal of CPA 19-25 to the State Land Planning Agency and other state and regional reviewing agencies.

PH-3 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN TEXT AMENDMENT (CPA) 19-21, PUBLIX SUPERMARKET TEXT

An amendment to Policy 4.1B.2., Comprehensive Growth Management Plan (CGMP) is proposed to establish sub-area development restrictions for a specific site that is also the subject of a concurrent application for a future land use change. The subject site is located at the southeast corner of SW Kanner Highway and Pratt Whitney Road. The request also proposes a text amendment to Figure 4-2, Urban Service Districts, and Figure 11-1, Areas Currently Served by Regional Utilities, of the CGMP, extending the Primary Urban Service District line approximately 599 feet east in order to cover the entire subject site.

Agenda Item: 20-0636 **Supplemental Memorandum**

ORDINANCE NO. 1128

ACTION TAKEN: The Board approved the adoption of CPA 19-21, Publix Supermarket Text and include the language as submitted in the Supplemental Memorandum.

PH-4 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT (CPA) 19-22, PUBLIX SUPERMARKET FLUM

This is a request for an amendment to the Future Land Use Map (FLUM) on a 6-acre portion of a 16.72-acre parcel. The request will change the future land use designation from Agricultural to General Commercial. The parcel is located at the southeast corner of SW Kanner Highway and SW Pratt Whitney Road.

Agenda Item: 20-0634

ORDINANCE NO. 1129

ACTION TAKEN: The Board approved the Ordinance adopting CPA 19-22, Publix Supermarket FLUM, which assigns the General Commercial future land use designation.

PH-5 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO ARTICLE 3, TABLE 3.12.1, LDR

The Gunster Law Firm has proposed an amendment to the Land Development Regulations to amend Table 3.12.1, Development Standards, of Article 3. The amendment is regarding the development standards of the LI zoning district and would allow Commercial and Business uses permitted by the LI zoning district to have an increased height.

Agenda Item: 20-0668

Continued from the April 21, 2020 Meeting

ACTION TAKEN: The Board adopted the Ordinance (staff's alternate language with the footnote).

ORDINANCE NO. 1131

PUBLIC HEARING QUASI-JUDICIAL

PHQJ-1 PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR CPA 19-22, PUBLIX SUPERMARKET FLUM

This amendment is concurrent to a request to amend the future land use designation from Agricultural to General Commercial future land use on a 6-acre portion of a 16.72-acre parcel, located at the southeast corner of SW Kanner Highway and SW Pratt Whitney Road. The applicant requests to rezone the entire property from A-1 and R-3A to GC, General Commercial zoning district.

Agenda Item: 20-0635

RESOLUTION NO. 20-5.3

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record and amended the Zoning Atlas to change the zoning district on the subject 16.72 acres of land from A-1 and R-3A to GC Zoning District.

PHQJ-2 FIRST PUBLIC HEARING TO CONSIDER AN ORDINANCE ESTABLISHING DIVISION 5, HOBE SOUND COMMUNITY REDEVELOPMENT CODE, IN ARTICLE 12, LDR, AND AMENDING THE ZONING ATLAS

This is the first public hearing before the Board on a proposed ordinance to amend the Land Development Regulations (LDRs) to: (1) create Division 5, Hobe Sound Community Redevelopment Code, of Article 12; (2) amend the Zoning Atlas to assign the Hobe Sound Redevelopment Zoning District and other zoning districts for consistency with the Future Land Use Map to the 1,024 acres within the Hobe Sound CRA; and (3) repeal Section 3.263, Hobe Sound Community Redevelopment Area, LDR. The proposed amendment of the LDRs and Zoning Atlas is a companion to CPA 19-25, Hobe Sound FLUM.

Agenda Item: 20-0631

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record; considered the draft ordinance that (A) creates Division 5, Hobe Sound Community Redevelopment Code, in Article 12 of the LDR; (B) amends the Zoning Atlas to assign the Hobe Sound Redevelopment Zoning District and other zoning districts for consistency with the Future Land Use Map to the land within the Hobe Sound CRA; and (C) repeals Section 3.263, Hobe Sound Community Redevelopment Area, LDR.; and scheduled the second public hearing for June 16, 2020 prior to 5PM.

PHQJ-3 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 4, THE OLD PALM CITY COMMUNITY REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS

This is the second public hearing on the proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 4, Article 12, Old Palm City Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.265 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Old Palm City Redevelopment Plan and CPA 19-24, Old Palm City CRA FLUM.

Agenda Item: 20-0669

Continued from the April 21, 2020 Meeting

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record and adopted the Ordinance creating Division 4, Old Palm City Community Redevelopment Code, of Article 12, Land Development Regulations, amending the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District and to make other changes for consistency with the Future Land Use Map, and repealing Section 3.265, Old Palm City Community Redevelopment Area, Land Development Regulations. The Board also included a footnote on page 24 (Section 12.04.05) that it is an option to build a five to eight-foot porch.

ORDINANCE NO. 1130

REQUESTS AND PRESENTATIONS

R&P-1 COMPREHENSIVE EVERGLADES RESTORATION PLAN (CERP) - INDIAN RIVER LAGOON (IRLS) SOUTH PRESENTATION

This presentation is to provide a summary of progress on the IRLS projects. The presentation will be delivered by representatives from the South Florida Water Management District and the US Army Corps of Engineers.

Agenda Item: 20-0599

9:30 AM PRESET

ACTION TAKEN: The Board heard the presentations.

DEPARTMENTAL ADMINISTRATION

DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD APPROVAL

This is a placeholder on all Board meeting agendas to streamline the process for grant applications, awards, budget resolutions, budget transfers from reserves, and CIP amendments. Specific items requiring approval, if any, will be provided by Supplemental Memorandum.

Agenda Item: 20-0530 Supplemental Memorandum (3 items)

ACTION TAKEN:

1. PERMISSION TO APPLY FOR FLORIDA BOATER IMPROVEMENT PROGRAM (FBIP) GRANT FOR BOAT RAMP RENOVATIONS AT SANDSPRIT PARK, STUART CAUSEWAY PARK - The Board passed a Resolution that authorizes the Parks and Recreation Department to apply for the Florida Boater Improvement Program grant. RESOLUTION NO. 20-5.7
2. PERMISSION TO ACCEPT THE SAND AND GRIT REMOVAL GRANT – AMENDMENT 1 - The Board authorized the Chairman and/or designee to execute the State of Florida Department of Environmental Protection grant agreement Amendment 1 as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Budget Resolution; and approved a budget transfer from the Utilities Reserves to the grant fund in the amount of \$23,808.50. RESOLUTION NO. 20-5.8
3. BUDGET TRANSFER FROM DISASTER RECOVERY RESERVES FOR POST-HURRICANE DORIAN AND POTENTIAL COVID-19 EXPENSES - The Board authorized a Budget Transfer from Disaster Recovery Reserves in the amount of \$2,436,000 for post Hurricane Dorian and potential COVID-19 expenses.

DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL

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Agenda Item: 20-0532 (no items)

ACTION TAKEN: No action needed.

PUBLIC WORKS

DEPT-3 GOLF CARTS ON COUNTY ROADS

Staff is asking the Board of County Commissioners for direction on whether to regulate the use of golf carts on County roads.

Agenda Item: 20-0661

ACTION TAKEN: The Board directed staff to develop an ordinance that will allow golf carts on County Roads with 50 percent plus one votes from the neighborhood; the speed limit cannot be faster than 35 mph; the driver must be licensed; the golf cart must be equipped with headlights, brake lights, and turn signals; and golf carts will be allowed on the road until 11PM.

COUNTY ATTORNEY

DEPT-4 PROPOSED BALLOT LANGUAGE FOR REAUTHORIZATION OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION

On February 25, 2020 the Board directed staff to develop language for a referendum to be placed on the ballot to continue the County's Economic Development Ad Valorem Tax Exemption Program.

Agenda Item: 20-0688

RESOLUTION NO. 20-5.6

ACTION TAKEN: The Board approved the suggested ballot language by approving the Resolution directing the Supervisor of Elections to place the referendum on the August 18, 2020 Primary Election Ballot.

DEPARTMENTAL QUASI-JUDICIAL

GROWTH MANAGEMENT

DPQJ-1 KENAI TOWER REQUEST FOR REVISED MAJOR FINAL SITE PLAN APPROVAL

RG Towers, LLC, requests approval of a revised major final site plan to increase the height of the existing Kenai wireless telecommunications facility tower by twenty feet. The tower is located on an approximate .92-acre parcel on the east side of the terminus of SE Country Club Drive in Tequesta. Included is a request for a certificate of public facility exemption.

Agenda Item: 20-0627 **Supplemental Memorandum**

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record and approved the revised major final site plan for the Kenai Tower which included amending the Resolution that impact fees are due at the time of building permit.

RESOLUTION NO. 20-5.4

DPQJ-2 REQUEST FOR APPROVAL OF THE FIRST AMENDMENT TO THE COVE ROYALE PLANNED UNIT DEVELOPMENT ZONING AGREEMENT AND PHASE 1 FINAL SITE PLAN

TLH-82 DOT, LLC requests approval of the First Amendment to the Cove Royale Planned Unit Development Zoning Agreement in order to phase the development of the 118-unit single family development. Approval of the Phase 1 final site plan consisting of 81 single family detached homes and the associated infrastructure is also requested.

Agenda Item: 20-0646 **Supplemental Memorandum**

ACTION TAKEN: The Board received and filed the Agenda Item Summary and all attachments for the record; approved the First Amendment to the Cove Royale PUD Zoning Agreement which includes the revised master site plan and phasing plan; and approved the Phase 1 final site plan. **RESOLUTION NO. 20-5.5**

PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.

ADJOURNED AT 7:10 PM

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