



## BOARD OF COUNTY COMMISSIONERS

**ACTION SUMMARY**  
**AUGUST 16, 2022 ~ 9:00 AM**

**COMMISSION CHAMBERS**  
**2401 SE MONTEREY ROAD, STUART, FLORIDA 34996**

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### **COUNTY COMMISSIONERS**

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

*Don G. Donaldson, P.E., County Administrator*  
*Sarah W. Woods, County Attorney*  
*Carolyn Timmann, Clerk of the Circuit*  
*Court and Comptroller*

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### **PRESETS**

9:05 AM - Public Comment  
5:05 PM - Public Comment

### **CALL TO ORDER AT 9:00 AM**

1. INVOCATION – Moment of Silence
2. PLEDGE OF ALLEGIANCE
3. ADDITIONAL ITEMS – [The Additional Items of PROC-1, CNST-11, CNST-12, CNST-13, CNST-14, and DPQJ-2 were added to the Agenda.](#)
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.

### **COMMENTS**

1. PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.
2. COMMISSIONERS
3. COUNTY ADMINISTRATOR

### **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

#### **PROC-1 SPECIAL OLYMPICS PRESENTATION**

Commission Chairman, Doug Smith, has requested that the Special Olympics make a presentation to the Board of County Commissioners.

Agenda Item: 22-0697 [Additional Item](#)

**ACTION TAKEN:** [The Board heard the presentation.](#)

## **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: 22-0813 (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 July 27, 2022 and August 3, 2022. 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: 22-0817

#### **CNST-3 NOTED ITEMS**

Noted items are documents for the Board's information that must be a part of the record but do not require any action.

Agenda Item: 22-0820

#### **CNST-4 APPOINTMENTS TO THE NEIGHBORHOOD ADVISORY COMMITTEE**

After solicitation of applicants, the Board of County Commissioners is now asked to make the necessary appointments to the Hobe Sound, Jensen Beach, Old Palm City, Port Salerno, and Rio Neighborhood Advisory Committees.

Agenda Item: 22-0992

**RESOLUTION NO. 22-8.16**

## **BUILDING**

#### **CNST-5 REQUEST FOR APPROVAL OF FINE REDUCTION STIPULATION AND AGREED RECOMMENDED ORDER REGARDING THE CODE ENFORCEMENT CASE OF US BANK AS CUST FOR ATR FUND FLORIDA, CASE NUMBER ENF2018070149**

Pursuant to the provisions of Section 1.98B, General Ordinances, Martin County Code, the Board of County Commissioners is asked to consider approval of a Fine Reduction Stipulation and Agreed Recommended Order regarding the Code Enforcement case of US Bank as Cust for ATR Fund Florida.

Agenda Item: 22-1079

## **GROWTH MANAGEMENT**

### **CNST-6 REQUEST TO RELEASE UNITIES OF TITLE AND RESCIND A DEVELOPMENT ORDER AND COVENANT RUNNING WITH THE LAND ON PROPERTY OWNED BY AUTO ART GALLERY, LLC**

Auto Art Gallery, LLC is requesting the release of two Unities of Title in reference to property located at 11700 SE Shell Avenue in Hobe Sound. In addition, the rescission of a development order and covenant running with the land is requested.

Agenda Item: 22-1021

**RESOLUTION NO. 22-8.17**

### **CNST-7 RESOLUTION TO INITIATE A TEXT AMENDMENT TO THE COMPREHENSIVE GROWTH MANAGEMENT PLAN**

Staff requests approval to initiate an amendment to Policy 4.1B.2(2), Comprehensive Growth Management Plan (CGMP), Martin County Code, regarding sub-area development restrictions applicable to ±29.8 acres of property within a larger ±250-acre tract of real property and to initiate an amendment to the Zoning Atlas regarding ±29.8 acres.

Agenda Item: 22-1051

**RESOLUTION NO. 22-8.18**

## **PUBLIC WORKS**

### **CNST-8 ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A 10' WIDE UTILITY EASEMENT FROM KEVIN GANLEY AND SHERI GANLEY, FOR INSTALLATION AND MAINTENANCE OF UTILITIES, ALONG SW PINE TREE LANE IN PALM CITY**

This is a request for the adoption of a Resolution accepting and approving a 10' wide Utility Easement from Kevin Ganley and Sheri Ganley for installation and maintenance of utilities along SW Pine Tree Lane in Palm City.

Agenda Item: 22-1018

**RESOLUTION NO. 22-8.19**

### **CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A TOWER AND GROUND SPACE LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC. (AT&T) FOR THE PUBLIC SAFETY COMPLEX AT 800 SE MONTEREY ROAD, STUART, FL**

Request adoption of a resolution approving and accepting a Tower and Ground Space Lease (Lease) with New Cingular Wireless PCS, LLC. (AT&T) for continued use of space on and around the communications tower located at the Public Safety Complex at 800 SE Monterey Road, Stuart, Florida.

Agenda Item: 22-1068

**RESOLUTION NO. 22-8.20**

### **CNST-10 ADOPT A RESOLUTION AUTHORIZING COUNTY CONTRIBUTION FOR S KANNER HIGHWAY LANDSCAPE PROJECT**

The Florida Department of Transportation (FDOT) has asked the County to provide a resolution to document the direction given to staff on October 19, 2021, to provide \$250,000 in County funding to supplement the \$1.289M FDOT budget for the enhanced landscape project on S Kanner Highway from SE Cove Road to SE Cabana Point Circle.

Agenda Item: 22-1092

**RESOLUTION NO. 22-8.21**

## **ADMINISTRATION**

### **CNST-11 ADOPT A PROCLAMATION DECLARING HUNGER ACTION MONTH IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring Hunger Action Month in Martin County, Florida.

Agenda Item: 22-1123 [Additional Item](#)

### **CNST-12 ADOPT A PROCLAMATION DECLARING SEPTEMBER 2022 AS SUICIDE PREVENTION AWARENESS MONTH IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring September 2022 as Suicide Awareness Month in Martin County, Florida

Agenda Item: 22-1143 [Additional Item](#)

### **CNST-13 ADOPT A PROCLAMATION DECLARING SEPTEMBER 17, 2022 AS CONSTITUTION WEEK IN MARTIN COUNTY, FLORIDA**

The Board is asked to adopt a proclamation declaring September 17, 2022 as Constitution Week in Martin County, Florida

Agenda Item: 22-1144 [Additional Item](#)

## **PUBLIC WORKS**

### **CNST-14 ADOPTION OF A RESOLUTION ACCEPTING AND APPROVING A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT FROM MCARTHUR GOLF CLUB, L.L.C., TO SUPPORT THE FACILITIES BEING CONSTRUCTED WITH THE OPENING OF SE CYPRESS AVENUE IN POINCIANA GARDENS**

This is a request for the adoption of a resolution accepting and approving a Drainage, Access, and Maintenance Easement from McArthur Golf Club, L.L.C., to provide the County access to maintain the stormwater management facilities being constructed to support the opening of SE Cypress Avenue in Poinciana Gardens.

Agenda Item: 22-1148 [Additional Item](#) [RESOLUTION NO. 22-8.22](#)

## **BOARD AND COMMITTEE APPOINTMENT**

### **B&C-1 PARKS AND RECREATION ADVISORY BOARD APPOINTMENT**

After solicitation of applicants, the Board of County Commissioners is asked to make the necessary appointment to the Parks and Recreation Advisory Board.

Agenda Item: 22-0997 [RESOLUTION NO. 22-8.23](#)

[ACTION TAKEN:](#) The Board appointed Jessica Levy to the at-large position for a term to begin immediately and end April 8, 2023 and authorized the Chairman to sign the Resolution of Appointment.

## **PUBLIC HEARINGS**

### **PH-1 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 21-04 FIND FUTURE LAND USE MAP AMENDMENT**

This is a request for an amendment to the Future Land Use Map (FLUM). The request will change the future land use designation on ±51.2 acres from Institutional Conservation to Residential Estate Density and 3.16 acres from Institutional Conservation to Institutional General, leaving ±8.62 acres of Institutional Conservation within a ±62.98-acre parcel. The ±51.2 acres are proposed for transfer from Florida Inland Navigation District (FIND) to Loblolly Community Service Corporation (LCSC).

Agenda Item: 22-0918 **Supplemental Memorandum**

**ACTION TAKEN:** The Board approved transmittal of CPA 21-04 to the State Land Planning Agency and other state and regional reviewing agencies.

### **PH-2 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT (CPA) 21-05 LCSC FUTURE LAND USE MAP AMENDMENT**

This is a request for an amendment to the Future Land Use Map (FLUM). The request will change the future land use designation on a ±51.79-acre parcel from Residential Estate Density to ±14.70 acres Institutional General and ±37.09 acres Institutional Conservation located on SE Gomez Avenue. The ±51.79 acres are proposed for transfer from Loblolly Community Service Corporation (LCSC) to Florida Inland Navigation District (FIND).

Agenda Item: 22-0919 **Supplemental Memorandum**

**ACTION TAKEN:** The Board approved transmittal of CPA 21-05 to the State Land Planning Agency and other state and regional reviewing agencies.

## **PUBLIC HEARINGS QUASI-JUDICIAL**

### **PHQJ-1 REQUEST FOR A ZONING DISTRICT CHANGE BY THREE LAKES GOLF CLUB, LLC (B115-006)**

This is a request by Three Lakes Golf Club, LLC for a proposed amendment to the County Zoning Atlas for an agricultural district classification. The proposed amendment is to change the existing zoning district on an approximate 1,218-acre undeveloped parcel of land, from A-2, Agricultural District and A-1, Small Farms District, to AG-20A, General Agricultural District or the most appropriate district. Included in this application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 22-1058

**RESOLUTION NO. 22-8.24**

**ACTION TAKEN:** The Board received and filed the Agenda Item and its attachments as an exhibit and approved the request for rezoning from the A-1, Small Farms District and the A-2, Agricultural district to the AG-20A, General Agricultural District.

**PHQJ-2 REQUEST BY PALM PIKE CROSSING, LLC FOR MAJOR SITE PLAN APPROVAL FOR PALM PIKE CROSSING LOT 5, PHASE 4 (P175-005)**

This is request by Palm Pike Crossing, LLC for major final site plan approval to develop a 120,600 square foot residential storage facility and associated infrastructure on an approximate 4.2-acre undeveloped site located on Lot 5, Phase 4 of the Palm Pike Crossing Platted subdivision located at the corner of SW Martin Highway and SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 22-1059

**RESOLUTION NO. 22-8.25**

**ACTION TAKEN:** The Board received and filed the Agenda Item and its attachments as an exhibit and approved the Final Site Plan for Lot 5, Phase 4 of Palm Pike Crossing.

**DEPARTMENTAL QUASI-JUDICIAL  
GROWTH MANAGEMENT**

**DPQJ-1 REQUEST FOR APPROVAL OF THE 10TH AMENDMENT TO THE BANYAN BAY PUD ZONING AGREEMENT INCLUDING A REVISED MASTER AND PHASING SITE PLANS AND PHASE 3 FINAL SITE PLAN (B082-045)**

This a request by Farrell Building Company for the 10th Amendment to the Banyan Bay Planned Unit Development (PUD) Zoning Agreement. The application includes a revised master plan and the phase 3 final site plan. Banyan Bay received master plan and PUD zoning approval on November 9, 2004. Banyan Bay is a residential development situated on an approximate 251-acre parcel located on the west side of SW Kanner Highway and is accessed at the signalized intersection with SE Pomeroy Street in Stuart. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 22-1056

**RESOLUTION NO. 22-8.26**

**ACTION TAKEN:** The Board received and filed the Agenda Item and its attachments as an exhibit and approved the 10<sup>th</sup> Amendment to the Banyan Bay PUD Zoning Agreement including the Revised Master and Phasing Plans, the revised Preserve Area Management Plans, and the revised Phase 3 Final Site Plan.

**DPQJ-2 REQUEST FOR PLAT APPROVAL FOR THE SOUTH FLORIDA GATEWAY PUD INFRASTRUCTURE PROJECT (S265-007)**

This is a request by KL Waterside, LLC for approval of the subdivision plat for the South Florida Gateway PUD Infrastructure Project. The subject property is approximately 180 acres of vacant land located on the west side of SW Kanner Highway approximately 1/2 of a mile south of SW Pratt Whitney Road in Stuart. Included in the application is a request for a Certificate of Public Facilities Exemption.

Agenda Item: 22-1119 **Additional Item**

**ACTION TAKEN:** The Board received and filed the agenda item and its attachments including the staff report as Exhibit 1 and approved the Plat for the South Florida Gateway Infrastructure Project, including the Contract for Construction of Required Improvements and Infrastructure, and the Revised Master and Infrastructure Final Site Plans.

**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: 22-0824 **Supplemental Memorandum (3 items)**

**ACTION TAKEN:**

1. Permission to Accept the Local Agency Program (LAP) Supplemental 2 Grant Funding Through the Florida Department of Transportation (FDOT) for the resurfacing of CR 708/SW Bridge Road (CR 711/Pratt Whitney to SR 5/US1) Project (FM# 440811-1-58-01) - The Board authorized the Chairman to execute the LAP Supplemental Agreement 2 as well as any non-monetary grant related documents upon review and concurrence by the County Attorney's Office; adopted the Board Resolution to accept the LAP Supplemental Agreement 2; and adopted the Budget Resolution to approve the budget increase. **RESOLUTION NOS. 22-8.27 and 22-8.28**
2. Permission to Accept Florida Department of Transportation (FDOT) Public Transportation Grant agreement grant 450931-1-94-01 for Mill & Overlay, Medium Intensity Taxiway Lights (MITL) Replacement, and Restripe Taxiway Alpha Construction - The Board authorized the Chairman to execute the FDOT PTGA grant as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office; adopted the Budget Resolution; approved the CIP Revision; and approved the budget transfer from Airport Enterprise Fund Reserves. **RESOLUTION NO. 22-8.29**
3. Approve a Budget Resolution for the State FY22/23 Transportation Disadvantaged Planning Grant for the Martin Metropolitan Planning Organization (MPO) - The Board adopted the Budget Resolution for State FY22/23 funding allocation for the MPO. **RESOLUTION NO. 22-8.30**

**DEPT-2 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL \$1  
MILLION OR GREATER**

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: 22-0828 **(no items)**

**ACTION TAKEN:** No action needed.



**PUBLIC WORKS**

**DEPT-3 UPDATE TO THE RESILIENCE PROGRAM'S SEA LEVEL RISE REPORT**

County staff will present a summary of the work that will serve as a grant submittal "Vulnerability Assessment Appendix" and an update to the County's vulnerability assessment. A PowerPoint presentation summarizing the updated material will be submitted as a Supplemental Memorandum to this Agenda Item.

Agenda Item: 22-1023 **Supplemental Memorandum (PowerPoint presentation)**

**ACTION TAKEN:** The Board approved the Vulnerability Assessment Appendix and project list as presented by staff. The Board heard the Trane presentation.

**PUBLIC - PLEASE LIMIT COMMENTS TO THREE MINUTES.**

**ADJOURNED AT 11:47 AM**

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