

Willis Custom Yachts REZONING

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A. Application Information

Report Issuance Date: June 1, 2022

Applicant: Willis Custom Yachts

Represented by: Matthew Barnes, AICP
WGI, Inc.

Planner: Glenn Rosado, Planner
Growth Management Director: Paul Schilling

Request Number: CPA 22-01

| <u>PUBLIC HEARINGS:</u> | Date | Action |
|--------------------------------------|----------------|--------------|
| Local Planning Agency: | April 21, 2022 | 3-0 approved |
| Board of County Commission Adoption: | June 21, 2022 | |

B. Project description and analysis

This application is a request to assign the Waterfront General Commercial zoning district on ± 2.065 acres of land that was Right of Way. This request is made concurrent with a proposed Future Land Use Map amendment CPA 22-01 Willis Custom Yachts. That application proposes to assign the Marine Waterfront Commercial future land use designation to abandoned rights of way on 2.065 acres of ± 66.2 acres located on the north and south sides of the St. Lucie Canal and accessed from SW Jack James Drive and SW Swallowtail Way. The applicant also requests a zoning district change from LI, Limited Industrial District to GI, General Industrial District, on a ± 6.85 -acre portion of the ± 66.2 -acre parcel at the intersection of SW Blue Water Way and SW Jack James Dr. Please see figures 1 and 2.

Staff recommendation:

Staff recommends approval of assigning the WGC zoning district to the ± 2.065 acres that were once Right of Way. The decision on the appropriate zoning depends on the final decision for the future land use designation on the property. Staff also recommends approval of the proposed zoning district change from LI to GI. The proposed zoning district, GI, implements the Industrial future land use designation on the ± 6.85 -acre portion of the property. The following is an excerpt from Section 3.10.B., Land Development Regulations (LDR), Martin County, Fla.:

| Cat. | Zoning District | District Purpose |
|------|---|---|
| A | GI (General Industrial District) | The GI district is intended to implement CGMP policies for lands designated Industrial on the Future Land Use Map of the CGMP |
| A | WGC (Waterfront General Commercial District) | The WGC district is intended to implement CGMP policies for lands designated Commercial Waterfront on the Future Land Use Map of the CGMP. This district is similar to the WRC district but is intended to accommodate more intensive water dependent and water related uses. |

Permitted Uses:

The extension of the WGC zoning district into the rights of way would be compatible with the surrounding zoning district. The existing zoning district, LI, is a Category A zoning district. Unlike the permitted uses in the LI zoning district, the permitted uses in the GI zoning district provide a wider range of uses consistent with the future land use designation.

Below is an excerpt from Article 3 of the LDR, showing the permitted use schedule for the proposed zoning district, GI. The "P" indicates that the uses permitted are within that zoning district, provided the uses can be developed in accordance with the requirements set forth in Divisions 3 and 4 and all other applicable requirements of Article 3 and the Land Development Regulations.

**TABLE 3.11.1
PERMITTED USES - CATEGORY "A" AGRICULTURAL AND RESIDENTIAL DISTRICTS**

| USE CATEGORY | C O | C O R 1 | C O R 2 | L C | C C | G C | W R C | W G C | L I | G I | H I | P R | P C | P S 1 | P S 2 |
|--|--------|------------------|------------------|--------|--------|--------|-------------|-------------|--------|--------|--------|--------|--------|-------------|-------------|
| <i>Residential Uses</i> | | | | | | | | | | | | | | | |
| Accessory dwelling units | | P | P | | | | P | P | P | P | P | | | | |
| Apartment hotels | | | P | P | P | P | P | P | | | | | | | |
| Mobile homes | | | | | | | | | | | | | | | |
| Modular homes | | P | P | | | | P | | | | | | | | |
| Multifamily dwellings | | P | P | | | | P | | | | | | | | |
| Single-family detached dwellings | | P | P | | | | P | | | | | | | | |
| Single-family detached dwellings, if established prior to the effective date of this ordinance | | | | | | | | | | | | | | | |
| Townhouse dwellings | | P | P | | | | P | | | | | | | | |
| Duplex dwellings | | P | P | | | | P | | | | | | | | |
| Zero lot line single-family dwellings | | P | P | | | | P | | | | | | | | |
| <i>Agricultural Uses</i> | | | | | | | | | | | | | | | |
| Agricultural processing, indoor | | | | | | | | | | P | P | | | | |
| Agricultural processing, outdoor | | | | | | | | | | | P | | | | |
| Agricultural veterinary medical services | | | | | | | | | P | P | | | | | |
| Aquaculture | | | | | | | | P | P | P | P | | | | |
| Crop farms | | | | | | | | | | | | | | | |

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

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|---|---|
| Recycling drop-off centers | P | P | P | P | P | P | P | P | P | P | P | | | | P | P |
| Residential care facilities | | P | P | P | P | | | | | | | | | | P | P |
| Solid waste disposal areas | | | | | | | | | | | | P | | | | P |
| Utilities | P | P | P | P | P | P | P | P | P | P | P | P | | | P | P |
| <i>Commercial and Business Uses</i> | | | | | | | | | | | | | | | | |
| Adult business | | | | | | | | | | P | P | P | | | | |
| Ancillary retail use | P | P | P | | | | | | | | | | | | | |
| Bed and breakfast inns | P | P | P | P | P | | P | P | | | | | | | | |
| Business and professional offices | P | P | P | P | P | P | P | P | P | P | P | | | | | |
| Campgrounds | | | | | | | | | | | | | P | | | |
| Commercial amusements, indoor | | | | P | P | P | P | P | P | | | | | | | |
| Commercial amusements, outdoor | | | | | | P | P | P | P | | | | | | | |
| Commercial day care | | | | P | P | P | P | P | P | P | P | | | | P | P |
| Construction industry trades | | | | P | P | P | | | | P | P | P | | | | |
| Construction sales and services | | | | P | P | P | | | | P | P | P | | | | |
| Family day care | | P | P | | | | | | | | | | | | | |
| Financial institutions | P | P | P | P | P | P | | | | P | P | | | | | |
| Flea markets | | | | | | P | | | | P | P | | | | | |
| Funeral homes | | | | P | P | P | | | | | | | | | P | P |
| General retail sales and services | | | | | P | P | | | | P | | | | | | |
| Golf courses | | | | | | | | | | | | | | | P | P |
| Golf driving ranges | | | | | | P | | | | P | | | | | P | P |
| Hotels, motels, resorts and spas | | | | P | P | P | P | P | P | P | P | | | | | |
| Kennels, commercial | | | | | | P | | | | P | P | P | | | | P |
| Limited retail sales and services | | | | P | P | P | P | P | P | P | | | | | | |
| Marinas, commercial | | | | | P | P | P | P | | | | | P | | | |
| Marine education and research | | | | | | | P | P | | | | | | | P | P |
| Medical services | P | P | P | P | P | P | | | | P | | | | | | |
| Pain management clinics | | | | P | | P | | | | P | | | | | | |
| Parking lots and garages | | | | P | P | P | | | | | | | | | P | P |
| Recreational vehicle parks | | | | P | P | P | P | P | | | | | P | | | |
| Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance | | P | P | | | | | | | | | | | | | |
| Residential storage facilities | P | P | P | P | P | P | | | | P | P | | | | | |
| Restaurants, convenience, with drive-through facilities | | | | | | P | | | | P | | | | | | |
| Restaurants, convenience, without drive-through facilities | | | | P | P | P | P | P | | | | | | | | |
| Restaurants, general | | | | P | P | P | P | P | P | P | P | | | | | |
| Shooting ranges | | | | | | | | | | | | | | | | |
| Shooting ranges, indoor | | | | P | P | P | | | | P | P | P | | | P | P |
| Shooting ranges, outdoor | | | | | | | | | | | | | | | | P |
| Trades and skilled services | | | | | | P | P | P | P | P | P | P | | | | |
| Vehicular sales and service | | | | | | P | | | | P | P | | | | | |

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|---|---|---|---|---|---|---|--|---|---|---|---|--|--|--|---|---|
| Vehicular service and maintenance | | | | | | P | | | P | P | P | | | | | |
| Veterinary medical services | | | | P | P | P | | | P | P | P | | | | | |
| Wholesale trades and services | | | | | | P | | P | P | P | P | | | | | |
| <i>Transportation, Communication and Utilities Uses</i> | | | | | | | | | | | | | | | | |
| Airstrips | | | | | | | | | | | | | | | | |
| Airports, general aviation | | | | | | | | | | P | P | | | | | |
| Truck stop/travel center | | | | | | | | | | | P | | | | | |
| <i>Industrial Uses</i> | | | | | | | | | | | | | | | | |
| Biofuel facility | | | | | | | | | | P | P | | | | | |
| Composting, where such use was approved or lawfully established prior to March 1, 2003 | | | | | | | | | | | | | | | | |
| Extensive impact industries | | | | | | | | P | | P | P | | | | | |
| Limited impact industries | | | | | | | | P | P | P | P | | | | | |
| Mining | | | | | | | | | | | P | | | | | |
| Salvage yard s | | | | | | | | | | P | P | | | | | P |
| Yard trash processing | | | | | | | | | | | P | | | | | P |
| Yard trash processing on lots where such use was lawfully established prior to March 29, 2002 | | | | | | | | | P | P | | | | | | |
| <i>Life Science, Technology and Research (LSTAR) Uses</i> | | | | | | | | | | | | | | | | |
| Biomedical research | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Bioscience research | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Computer and electronic components research and assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Computer and electronic products research and assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Computer programming/software research | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Computer system design | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Electromedical apparatus research and assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Electronic equipment research and assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Laser research and assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Lens research | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Management, scientific and technical services | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Marine Research | P | P | P | P | P | P | | P | P | P | P | | | | P | P |
| Medical and dental labs | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Medical equipment assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Optical equipment assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Optical instruments assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |
| Optoelectronics assembly | P | P | P | P | P | P | | | P | P | P | | | | P | P |

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|--|---|---|---|---|---|---|--|---|---|---|---|--|--|---|---|
| Pharmaceutical products research | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Precision instrument assembly | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Professional, scientific and technical services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Reproducing magnetic and optical media | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Research and development laboratories and facilities, including alternative energy | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Scientific and technical consulting services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Simulation training | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Technology centers | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Telecommunications research | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Testing laboratories | P | P | P | P | P | P | | | P | P | P | | | P | P |
| <i>Targeted Industries Business (TIB) Uses</i> | | | | | | | | | | | | | | | |
| Aviation and aerospace manufacturing | | | | | | | | | P | P | P | | | | |
| Business-to-business sales and marketing | P | P | P | P | P | P | | | P | P | P | | | | |
| Chemical manufacturing | | | | | | | | | P | P | P | | | | |
| Convention centers | | | | | P | P | | | P | P | P | | | P | P |
| Credit bureaus | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Credit intermediation and related activities | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Customer care centers | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Customer support | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Data processing services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Electrical equipment and appliance component manufacturing | | | | | | | | | P | P | P | | | | |
| Electronic flight simulator manufacturing | | | | | | | | | P | P | P | | | | |
| Fiber optic cable manufacturing | | | | | | | | | P | P | P | | | | |
| Film, video, audio and electronic media production and postproduction | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Food and beverage products manufacturing | | | | | | | | | P | P | P | | | | |
| Funds, trusts and other financial vehicles | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Furniture and related products manufacturing | | | | | | | | | P | P | P | | | | |
| Health and beauty products manufacturing | | | | | | | | | P | P | P | | | | |
| Information services and data processing | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Insurance carriers | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Internet service providers, web search portals | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Irradiation apparatus manufacturing | | | | | | | | | P | P | P | | | | |
| Lens manufacturing | | | | | | | | | P | P | P | | | | |
| Machinery manufacturing | | | | | | | | | P | P | P | | | | |
| Management services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Marine and marine related manufacturing | | | | | | | | P | P | P | P | | | | |
| Metal manufacturing | | | | | | | | | P | P | P | | | | |
| National, international and regional | P | P | P | P | P | P | | | P | P | P | | | P | P |

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| headquarters | | | | | | | | | | | | | | | |
| Nondepository credit institutions | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Offices of bank holding companies | P | P | P | P | P | P | | | P | P | P | | | P | P |
| On-line information services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Performing arts centers | | | | P | P | P | | | P | P | P | | | P | P |
| Plastics and rubber products manufacturing | | | | | | | | | P | P | P | | | | |
| Printing and related support activities | | | | | | | | | P | P | P | | | | |
| Railroad transportation | | | | | | | | | P | P | P | | | | |
| Reproducing magnetic and optical media manufacturing | | | | | | | | | P | P | P | | | | |
| Securities, commodity contracts | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Semiconductor manufacturing | | | | | | | | | P | P | P | | | | |
| Simulation training | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Spectator sports | | | | | P | P | | | P | P | P | | | P | P |
| Surgical and medical instrument manufacturing | | | | | | | | | P | P | P | | | | |
| Technical support | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Telephonic and on-line business services | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Textile mills and apparel manufacturing | | | | | | | | | P | P | P | | | | |
| Transportation air | | | | | | | | | P | P | P | | | | |
| Transportation equipment manufacturing | | | | | | | | | P | P | P | | | | |
| Transportation services | | | | | | P | | | P | P | P | | | | |
| Transaction processing | P | P | P | P | P | P | | | P | P | P | | | P | P |
| Trucking and warehousing | | | | | | | | | P | P | P | | | | |
| Wood and paper product manufacturing | | | | | | | | | P | P | P | | | | |

(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; Ord. No. 866, pt. 2, 6-22-2010; Ord. No. 891, pt. 1, 2-22-2011; Ord. No. 970, pt. 1, 4-7-2015; Ord. No. 1014, pt. 2, 12-6-2016; Ord. No. 1045, pt. 1, 1-9-2018)

Development standards

The land development standards set forth in Tables 3.12.1 and 3.12.2 shall apply to all lands zoned in accordance with this Division. The development standards in the following table are consistent with the minimum lot size and minimum open space requirements of the Industrial future land use and Waterfront General Commercial designations. Please see excerpts below:

**TABLE 3.12.1
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 | WGC | 10,000 | 80 | — | 20.00 | 50 | 40 | 30 | — |
| A | LI-1 | — | — | — | — | — | — | — | — |

| | | | | | | | | | |
|---|----|--------|-----|---|----|----|-------|----|---|
| A | LI | 15,000 | 100 | — | 20 | 40 | 30(l) | 20 | — |
| A | GI | 30,000 | 125 | — | 20 | 50 | 40 | 20 | — |
| A | HI | 1 ac. | 125 | — | — | 60 | 40 | 20 | — |

**TABLE 3.12.2.
STRUCTURE SETBACKS**

| C A T | Zoning District | Front/by story (ft.) | | | | Rear/by story (ft.) | | | | Side/by story (ft.) | | | |
|-------------|--------------------|-------------------------|-------|-------|-------|------------------------|-------|-------|-------|------------------------|-------|-------|-------|
| | | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 |
| A | WGC | 25 | 25 | 25 | 25 | 20 | 20 | 20 | 20 | 10 | 10 | 10 | 10 |
| A | LI-1 | — | — | — | — | — | — | — | — | — | — | — | — |
| A | LI | 15(c) | 15(c) | 15(c) | 15(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) |
| A | GI | 15(c) | 15(c) | 15(c) | 15(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) | 10(c) |
| A | HI | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |
| A | PR | 25 | 25 | 25 | 25 | 20 | 20 | 30 | 40 | 10 | 10 | 20 | 30 |
| A | PC | 25 | 25 | 25 | 25 | 20 | 20 | 30 | 40 | 10 | 10 | 20 | 30 |
| A | PS-1 | 25 | 25 | 25 | 25 | 20 | 20 | 30 | 40 | 10 | 10 | 20 | 30 |

Notes:

(c) Where the real property boundary abuts an RE, RS, MH, RM, HR-1, HR-1A, R-1, R-1A, R-1B, R-1C, R-2, R-2B, R-2C, R-2T, RT, TP, E, E-1, WE-1 zoning district, a residential use in a PUD, or the real property boundary of a public school, these increased setbacks shall apply:

| Front/by story (ft.) | | | | Rear/by story (ft.) | | | | Side/by story (ft.) | | | | Corner |
|----------------------|----|----|----|---------------------|----|----|----|---------------------|----|----|----|--------|
| 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | 1 | 2 | 3 | 4 | |
| 25 | 25 | 25 | 25 | 20 | 20 | 30 | 40 | 15 | 20 | 20 | 30 | 25 |

Standards for Amendments to the Zoning Atlas

WGC

The change from no zoning district to WGC and GI would be consistent with the surrounding zoning designation. Since this rezoning application seeks to correct the abandoned rights of way on the subject site, the following criteria have all been met.

LI to GI

1. 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).
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,

As described earlier in this report, the GI zoning district implements the Industrial future land use and the WGC zoning district implements the Marine Waterfront Commercial future land use.

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

There are three (3) standard zoning districts that are available to implement the Industrial future land use policies of the CGMP. The three (3) standard zoning districts include the LI Limited Industrial, GI General Industrial, and HI Heavy Industrial Districts.

The subject property has an area of approximately 29 acres on the south side of the canal and is adjacent to SW Jack James Dr. The size of the parcel is consistent with the minimum development standards governing the requested GI Zoning District, as shown above in Table 3.12. With respect to the other Land Development Regulation requirements related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc., full compliance cannot be assessed until a specific plan has been selected for the property and an application is submitted to the County.

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.

- 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,*

The GI zoning district allows permitted uses that would better accommodate a boat manufacturing operation. For instance, both WGC and GI zoning districts permit Extensive Impact Industries. They are defined as:

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

A 5.5-acre parcel directly to the south was rezoned from LI to GI in 2020. Please see an excerpt of the zoning atlas later in this report. The requested zoning district of GI 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 site 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 historically and recently surrounding the site is in conformance with the industrial land use designated for the area. Any development proposed on the property in conformance with the Industrial future land use designation and GI zoning district will be required to meet the County development standards. Therefore, the proposed GI zoning is compatible with the existing historical uses and the current contemporaneous development pattern and is appropriate for this property.

Location Map

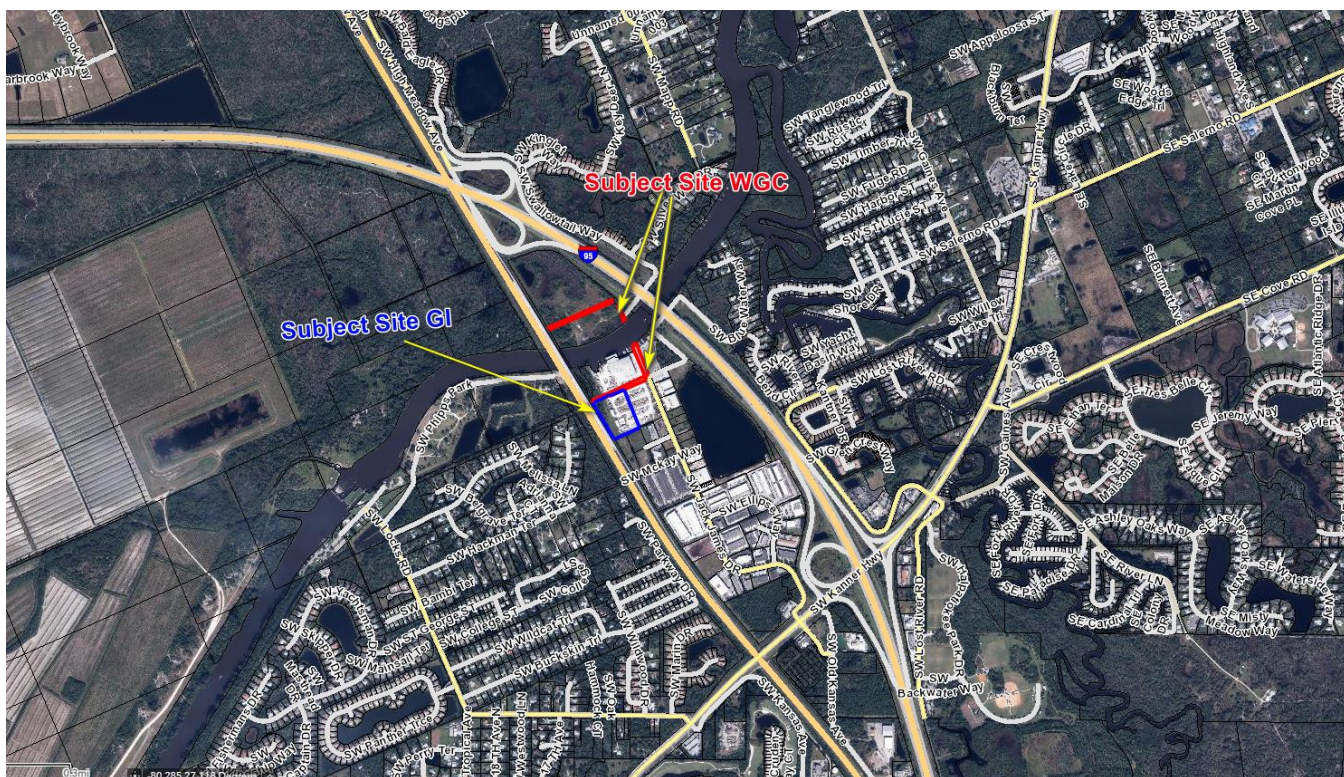


Figure 1

Subject Site 2021 Aerial



Figure 2

- 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 are available for any uses that are planned for the property. Water and wastewater services to the site are already 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 industrial land uses within proximity to the subject parcel. The rezoning to GI, General Industrial District, would be consistent with the Industrial Future Land Use proposed and provide the opportunity for the industrial use of the property. This development pattern is well established adjacent to, and within the vicinity of, the subject parcel.

Current Zoning Atlas

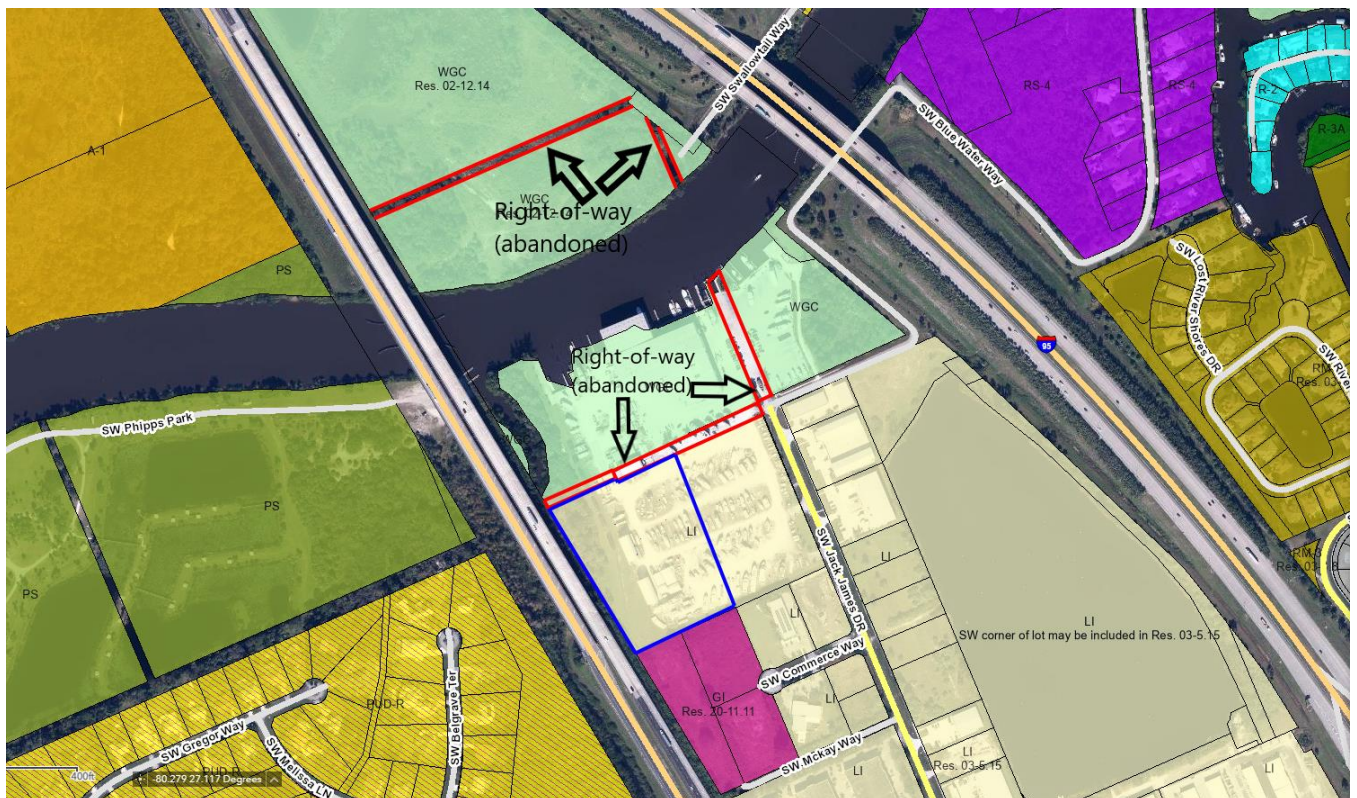


Figure 3

Proposed Zoning Atlas

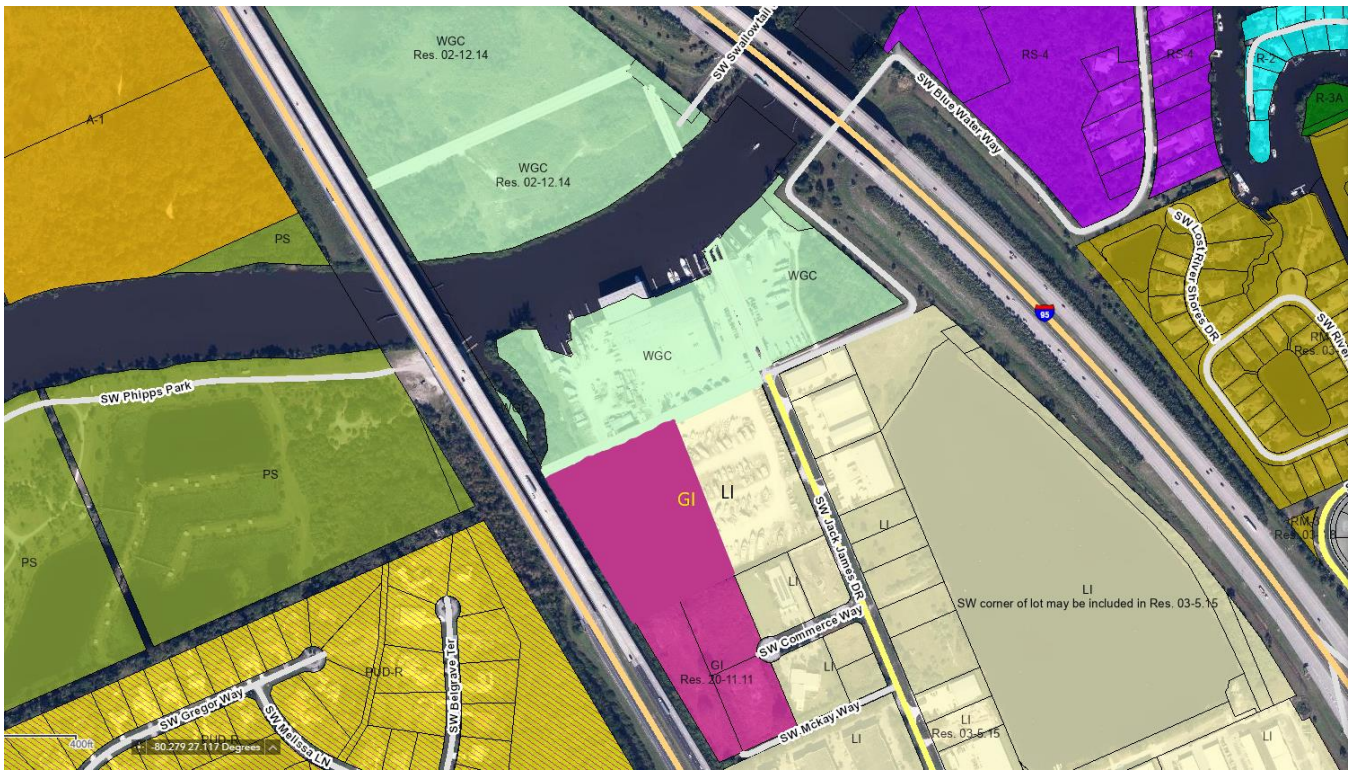


Figure 4

Zoning district designations of abutting properties:

| | |
|---------------|---|
| To the north: | Waterfront General Commercial |
| To the south: | General Industrial and Limited Industrial |
| To the east: | Limited Industrial |
| To the west: | Florida Turnpike ROW |

Future Land Use Map Excerpt



Figure 5

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

The Local Planning Agency voted 3-0 to recommend approval of the proposed zoning district changes.

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 rezoning process does not include a site plan review; therefore departments related to site plan review were not included in this rezoning staff report. The current review status for each agency is as follows:

| Section | Division or Department | Reviewer | Phone | Assessment |
|---------|----------------------------|---------------|----------|----------------|
| F | Comprehensive Plan | Glenn Rosado | 288-5930 | Pending |
| G | Development Review | Glenn Rosado | 288-5930 | Pending |
| S | County Attorney | Krista Storey | 288-5443 | Review Ongoing |
| T | Adequate Public Facilities | Glenn Rosado | 288-5930 | Exempt |

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) is 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).

D. Review Board action

A review and recommendation is required on this application from the Local Planning Agency (LPA). Final action on this application is required by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be advertised public hearings.

E. Location and site information

Location: ±2.065 acres, located on the north and south sides of the St. Lucie Canal

| | |
|--------------------------------|--|
| Existing zoning: | None |
| Future land use: | Marine Waterfront Commercial |
| Commission district: | District 5 |
| Community redevelopment area: | N/A |
| Municipal service taxing unit: | District 5 Municipal Service Taxing Unit |
| Planning area: | Palm City |

Location: ±6.85 acres, located at 6800 SW Jack James Dr.

| | |
|--------------------------------|--|
| Existing zoning: | LI |
| Future land use: | Industrial |
| Commission district: | District 4 |
| Community redevelopment area: | N/A |
| Municipal service taxing unit: | District 4 Municipal Service Taxing Unit |
| Planning area: | Port Salerno |

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 land use, site design standards, zoning and procedural 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:

Changes to the zoning atlas do not authorize any development activity. Criteria associated with this area of review are applied in conjunction with site plan review processes. Any specific department issues will be addressed at such time as development of the subject site is proposed.

H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

See section G. above.

I. Determination of compliance with the property management requirements – Engineering Department

See section G. above.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

See section G. above.

K. Determination of compliance with transportation requirements - Engineering Department

See section G. above.

L. Determination of compliance with county surveyor - Engineering Department

See section G. above.

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department

See section G. above.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

See section G. above.

O. Determination of compliance with utilities requirements - Utilities Department

See section G. above.

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

See section G. above.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

See section G. above.

R. Determination of compliance with Martin County Health Department and Martin County School Board

See section G. above.

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

Review is ongoing.

T. 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.

U. Post-approval requirements

Not applicable.

V. Local, State, and Federal Permits

No Local, State and Federal Permits are applicable to a rezoning action which does not permit any development activities.

W. Fees

Not applicable.

X. General application information

Applicant: Willis Custom Yachts

Y. Acronyms

ADA..... Americans with Disability Act
AHJ Authority Having Jurisdiction
ARDP Active Residential Development Preference
BCC..... Board of County Commissioners
CGMP Comprehensive Growth Management Plan
CIE Capital Improvements Element
CIP Capital Improvements Plan
FACBC Florida Accessibility Code for Building Construction
FDEP..... Florida Department of Environmental Protection
FDOT Florida Department of Transportation
LDR..... Land Development Regulations
LPA Local Planning Agency
MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD South Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. Figures/Attachments

Figures within the report:

- Figure 1, Existing Zoning District, LI.
- Figure 2, Proposed Zoning District, GI
- Figure 3, Current Zoning Atlas
- Figure 4, Proposed Zoning Atlas

Figure 5, Future Land Use Excerpt