



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

FINAL STAFF REPORT

A. Application Information

Martin County Fire Rescue Station #14 REZONING

Property Owner:	Martin County
Applicant:	Martin County Board of County Commissioners
Agent:	Growth Management Department, Paul Schilling
County Project Coordinator:	Allison Rozek, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	I007-006
Record Number:	DEV2023040011
Report Number:	2023_0608_I007-006_Final_Staff_Report
Application Received:	05/02/2023
Transmitted:	05/02/2023
Staff Report:	06/08/2023
LPA Meeting:	06/01/2023
BOCC Meeting:	06/08/2023

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B. Project Description

This is a request by the Martin County Growth Management Department, on behalf of the Martin County Board of County Commissioners, for a proposed amendment to the county Zoning Atlas to change the zoning district classification of the Martin County Fire Rescue Station #14 property from PUD (Planned Unit Development) to PS-1 (Public Service District).

The entire 7.5 acres of property is owned by Martin County and is currently located within the Indian River Plantation PUD, on the north side of NE Ocean Blvd about 300 feet west of NE MacArthur Boulevard, on Hutchinson Island. The station is located on approximately 2.9 acres of the land subject to this rezoning, with the remainder of land being the former home to the Hutchison Island Water Treatment and Irrigation Plant/Martin County Sewerage Treatment Plant.

Included is a request for a Certificate of Public Facilities Exemption.

C. Staff Analysis, Factors Considered, and Conclusions

Item #1: Project Analysis

The subject property is currently zoned PUD and has an Institutional-General Future Land Use designation. The following summarizes the history and regulations associated with the Indian River Plantation PUD.

- ◆ The Indian River Plantation PUD was adopted in the 1970's. To date, there have been 18 approved amendments to the PUD/Master Site Plan and dozens of Final Site Plan approvals/amendments, over the last 50 years. The PUD Exhibit F. Special Conditions outlines the land use and site design requirements for the PUD and contains very vague regulatory language which has substantially remained the same over the years.
- ◆ The PUD is fully built out. Most of the uses within the PUD are residential and commercial including a hotel complex, condominiums, gas station, commercial store, and former bank/office buildings. The institutional uses within the PUD include the Martin County Sewer Treatment Plant and the recently constructed Martin County Fire Rescue Station #14.
- ◆ During the Final Site Planning approval process for the Fire Rescue Station #14 in June 2020, it was recommended by staff that property owned by Martin County (including the fire station property) be removed from the PUD and be rezoned to PS-1 (Public Service), a more consistent zoning district.
- ◆ The submittal of the development application for amending the Indian River Plantation PUD and Revising the Master/Final Site Plans to allow for redevelopment of a commercial parcel presented the county with the opportunity to facilitate the rezoning of the county property.

Item #2: Requirements for Property's Proposed Zoning – PS-1 (Public Service)

COMPREHENSIVE GROWTH MANAGEMENT PLAN (CGMP)

- ❖ The property's Future Land Use (FLU) designation is **Institutional-General** which accommodates public and not-for-profit facilities such as schools, government buildings, civic centers, prisons, major stormwater facilities, fire and emergency operation centers, public cemeteries, hospitals, publicly owned water and sewer systems, dredge spoil management sites and airports. Investor-owned regional public water and sewer systems and private cemeteries may be allowed in Institutional-General.

LAND DEVELOPMENT REGULATIONS (Article 3. Division 2. Section 3.10.B.)

- ❖ There are (3) three Zoning Districts that implement the CGMP policies for lands designated as Institutional-General, as follows:
 - *PS-1 (Public Service District)*: Intended to implement the CGMP policies for lands

designated Institutional-General on the Future Land Use Map of the CGMP. This district is designed to minimize the potential for negative impacts on surrounding properties.

- *PS-2 (Public Service District):* Intended to implement the CGMP policies for lands designated Institutional-General on the Future Land Use Map of the CGMP.
- *PAF (Public Service District):* Intended to implement the CGMP policies for lands designated Institutional-General on the Future Land Use Map of the CGMP, specifically those policies of the CGMP related to **AIRPORT FACILITIES** of Witham Field Airport.

For the purpose of this analysis, only 2 of the 3 Public Service districts are analyzed, as the PAF is not applicable.

PERMITTED USES (CGMP. Section 3.423.A.)

- ❖ In the Public Service District, a building or structure or land shall be used for only the following purposes:
 - Those **essential services of the County**, board of public instruction and sanitary district for the servicing and general welfare of the residents of Martin County.
 - All uses normal to airport operations and such other uses as may be deemed proper by the Board of County Commissioners.
 - Cemeteries, mausoleums, crematories:
 - Parks, public recreation buildings, playgrounds and such other uses as may be deemed proper by the Board of County Commissioners. (Ord. No. 608, pt. 1, 3-19-2002)

TABLE 3.11.2
PERMITTED USES - CATEGORY "A" NONRESIDENTIAL DISTRICTS

USE CATEGORY	PS-1	PS-2
<i>Public and Institutional Uses</i>		
Administrative services, not-for-profit	P	P
Cemeteries, crematory operations, and columbaria		P
Community centers	P	P
Correctional facilities		P
Cultural or civic uses	P	P
Dredge spoil facilities		P
Educational institutions	P	P
Fairgrounds	P	P
Halfway houses		P
Hospitals	P	P
Neighborhood assisted residences with six (6) or fewer residents	P	P

USE CATEGORY	PS-1	PS-2
Places of worship	P	P
Post offices	P	P
Protective and emergency services	P	P
Public libraries	P	P
Public parks and recreation areas, active	P	P
Public parks and recreation areas, passive	P	P
Public vehicle storage and maintenance	P	P
Recycling drop-off centers	P	P
Residential care facilities	P	P
Solid waste disposal areas		P
Utilities	P	P
Commercial and Business Uses		
Commercial day care	P	P
Funeral homes	P	P
Golf courses	P	P
Golf driving ranges	P	P
Kennels, commercial		P
Marine education and research	P	P
Parking lots and garages	P	P
Shooting ranges, indoor	P	P
Shooting ranges, outdoor		P
Salvage yards		P
Yard trash processing		P
Life Science, Technology and Research (LSTAR) Uses		
Biomedical research	P	P
Bioscience research	P	P
Computer and electronic components research and assembly	P	P
Computer and electronic products research and assembly	P	P
Computer programming/software research	P	P
Computer system design	P	P
Electromedical apparatus research and assembly	P	P
Electronic equipment research and assembly	P	P
Laser research and assembly	P	P
Lens research	P	P
Management, scientific and technical services	P	P
Marine Research	P	P
Medical and dental labs	P	P
Medical equipment assembly	P	P
Optical equipment assembly	P	P
Optical instruments assembly	P	P
Optoelectronics assembly	P	P

USE CATEGORY	PS-1	PS-2
Pharmaceutical products research	P	P
Precision instrument assembly	P	P
Professional, scientific, and technical services	P	P
Reproducing magnetic and optical media	P	P
Research and development laboratories and facilities, including alternative energy	P	P
Scientific and technical consulting services	P	P
Simulation training	P	P
Technology centers	P	P
Telecommunications research	P	P
Testing laboratories	P	P
Targeted Industries Business (TIB) Uses		
Convention centers	P	P
Credit bureaus	P	P
Credit intermediation and related activities	P	P
Customer care centers	P	P
Customer support	P	P
Data processing services	P	P
Film, video, audio and electronic media production and postproduction	P	P
Funds, trusts and other financial vehicles	P	P
Information services and data processing	P	P
Insurance carriers	P	P
Internet service providers, web search portals	P	P
Management services	P	P
National, international, and regional headquarters	P	P
Non- depository credit institutions	P	P
Offices of bank holding companies	P	P
On-line information services	P	P
Performing arts centers	P	P
Securities, commodity contracts	P	P
Simulation training	P	P
Spectator sports	P	P
Technical support	P	P
Telephonic and on-line business services	P	P
Transaction processing	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

- ❖ All Institutional development must meet all suitability and compatibility standards in the CGMP.
- ❖ Minimum open space requirement shall be 40 percent.
- ❖ The lot coverage, building coverage, and setback requirements **are the same** for PS-1 and PS-2.

Item #3: Standards for Amendments to the Zoning Atlas

1. ***Comprehensive Growth Management Plan (CGMP)*** 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 FLU map and the zoning maps and regulations.”
2. ***Land Development Regulations (LDR)*** Article 3, Section 3.2 E.1. provide the Standards for Amendments to the Zoning Atlas.

The Future Land Use (FLU) Map of the CGMP 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 FLU Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these LDRs. 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 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 FLU designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.

3. ***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.

- Policy 4.13A.8.(1) of Chapter 4, Future Land Use (FLU), of the CGMP addresses the General Institutional FLU Designation. It states:

The PS-1 district is intended to implement the CGMP policies for lands designated Institutional-General on the Future Land Use Map of the CGMP. This district is designed to minimize the potential for negative impacts on surrounding properties.

- This application requests to rezone the property to the PS-1 (Public Service) zoning district, the least intensive district of the 3 Public Service Zoning districts created specifically to implement the CGMP policies for lands designated General Institutional on the FLU map.
- The site is located within the Primary Urban Services District and will be required to demonstrate compliance with all applicable development and facilities standards for the Institutional-General FLU designation in the CGMP during any future site planning and development approval process.

B. Whether the proposed amendment is consistent with all applicable provisions the LDR.

- There are 2 standard zoning districts that are available and applicable to implement the Institutional-General policies of the CGMP for this rezoning (the 3rd Public Service district -PAF- is only for airports and therefore, does not apply).
- The subject property's area size, lot width, and building coverage are consistent with the minimum development standards governing the requested PS-1 zoning district.
- With respect to LDR requirements related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc., full compliance has been determined by the recent approval of the Final Site Plan for the Martin County Fire Rescue Station #14.
- The applicant is required to demonstrate full compliance with all regulations prior to any future development order approval for redevelopment of, or improvements to, the site.

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.

- As shown in the site maps below, the subject property abuts other property to the north that has the same Institutional-General FLU designation and which use provides county services.
- The adjacent parcel to the west is zoned Public Recreation District which have uses consistent with the PS-1 zoning uses.
- The proposed PS-1 zoning district is the least intensive zoning district for the implementation of the FLU of Institutional-General. Existing development in the area consists primarily of general institutional, general commercial, and residential, consistent

with the location and future land use designation. The requested PS-1 zoning 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.

- The requested PS-1 zoning district is consistent with the FLU Designation of the existing development 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.
- The proposed PS-1 zoning district is shown to be compatible with the existing Institutional-General land uses, and the current development pattern, and is appropriate for this property.
- A review of historical aerials and a comparison of the original FLU map to the current parcel configurations and development of the area indicate that the uses in the area have remained institutional uses.

E. Whether and to what extent the proposed amendment would result in demands on public facilities.

- The subject property is located within the Primary Urban Services District. 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 this property. Water and wastewater services to the site will be provided by Martin County Utilities (MCU).

F. Whether and to what extent the proposed zoning atlas 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.

- The land use pattern that has been established and recognized on the FLU map for development contains institutional and recreational land uses within proximity to the subject parcel. The rezoning to PS-1 (Public Service) would be consistent with the Institutional-General FLU provisions.
- The development pattern is well established adjacent to, and within the vicinity of, the subject parcel and the assignment of the requested PS-1 (Public Service) zoning district is contemplated, suitable, and supported by the CGMP.

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

- This application for rezoning requires a public hearing before both the Local Planning Agency (LPA) who will make a recommendation on the request; and the Board of County

Commissioners (Board) who will take final action on the request. The two public hearings provide opportunities for the public to participate in the review and decision-making process of their local governing body.

D. Reviewing Agency Findings

Development applications (including applications for Changing the Zoning Atlas) must demonstrate compliance with the Comprehensive Plan, LDR(s) and the Code prior to approval by the decision maker.

Various county departments/divisions participate in the development review process to ensure the applicable requirements and development review procedures have been met.

Department findings of compliance are identified in Sections F, G, H, and I of this report. The current department review status of each section is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Allison Rozek	288-5931	Comply
G	Development Review	Allison Rozek	288-5931	Comply
H	County Attorney	Elysse Elder	288-5925	Review On-Going
I	Adequate Public Facilities	Allison Rozek	288-5931	Exempt

Staff has reviewed this application for a change in the Zoning Atlas to an appropriate zoning classification and has determined that the application is consistent with the procedural requirements of Article 10 and complies with the provisions of Article 3. Therefore, staff **recommends approval**.

E. Action Required for Approval

Classification and Approval Action

This application is classified as an Amendment to the Official Zoning Atlas/Map.

Pursuant to Section 10.3.B., Land Development Regulations (LDR), Martin County, Fla. (2019), a review of this application, at a public hearing, is required by the Local Planning Agency (LPA), which shall provide a recommendation for Board of County Commission (BOCC) consideration.

Pursuant to Section 10.5.F., LDR, Martin County, Fla. (2019), final action on this request for an amendment to the official zoning map is required by the BOCC, also at a public hearing.

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 1,000 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 SECTION 10.6.E.1. (2016)

Information #2: Notice Publication

Notice(s) of public hearings regarding development applications shall be published by the County 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. MARTIN COUNTY, FLA., LDR SECTION 10.6.D. (2016)

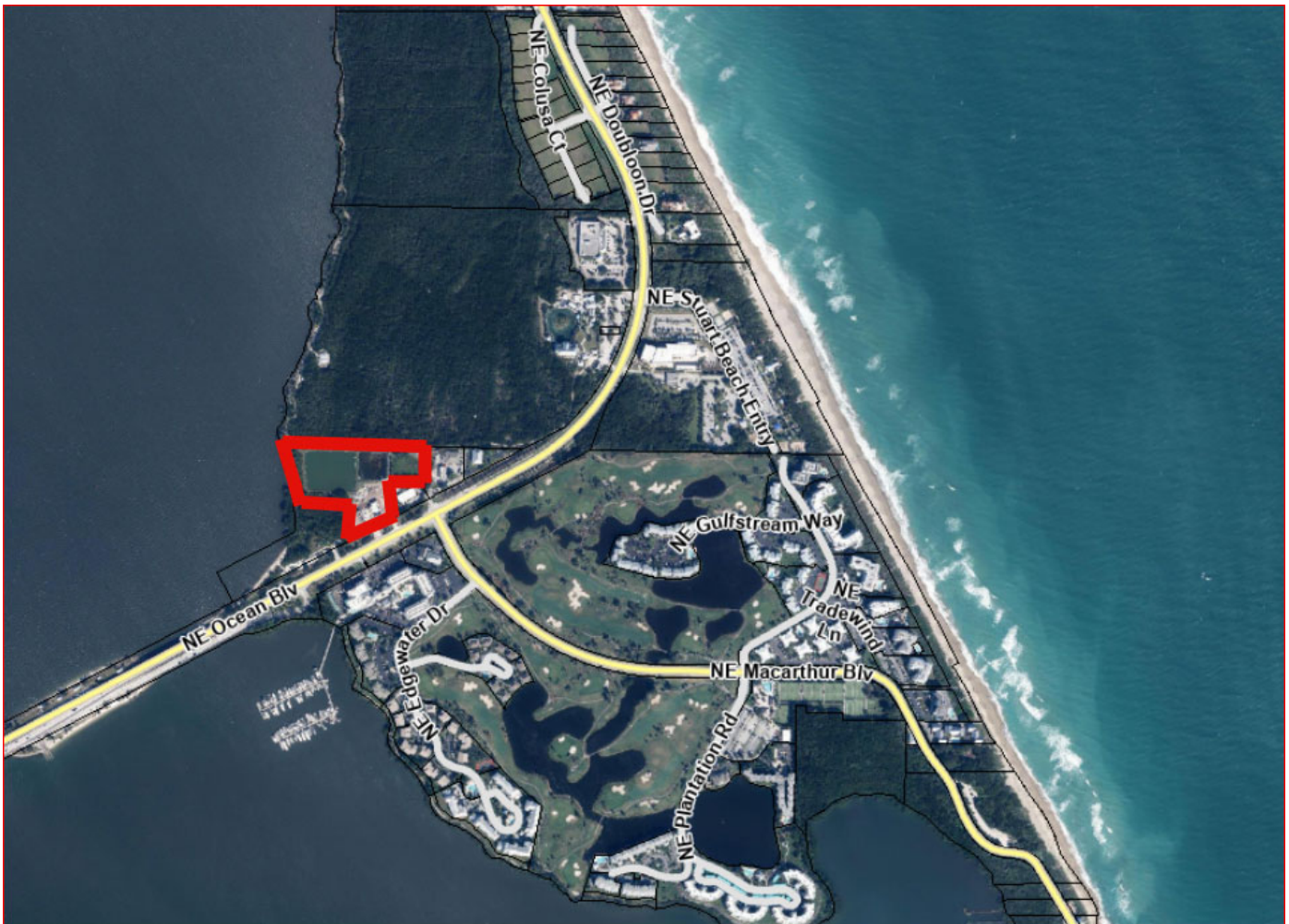
Information #3: Local Planning Agency and Board of County Commissioners Meetings

Based upon the staff findings of compliance, this application will be scheduled for an upcoming LPA meeting, and the following Board meeting, dependent upon the County's scheduling policy.

F. Location and Site Information

Parcel number(s):	313742000000001400
Address:	600 NE Ocean Boulevard, Hutchinson Island
Gross Area of Site:	± 7.5 Acres
Exiting Land Use:	General Institutional
Existing Zoning:	PUD (Planned Unit Development)
Proposed Zoning:	PS-1 (Public Service)

Figure #1: Arial Map

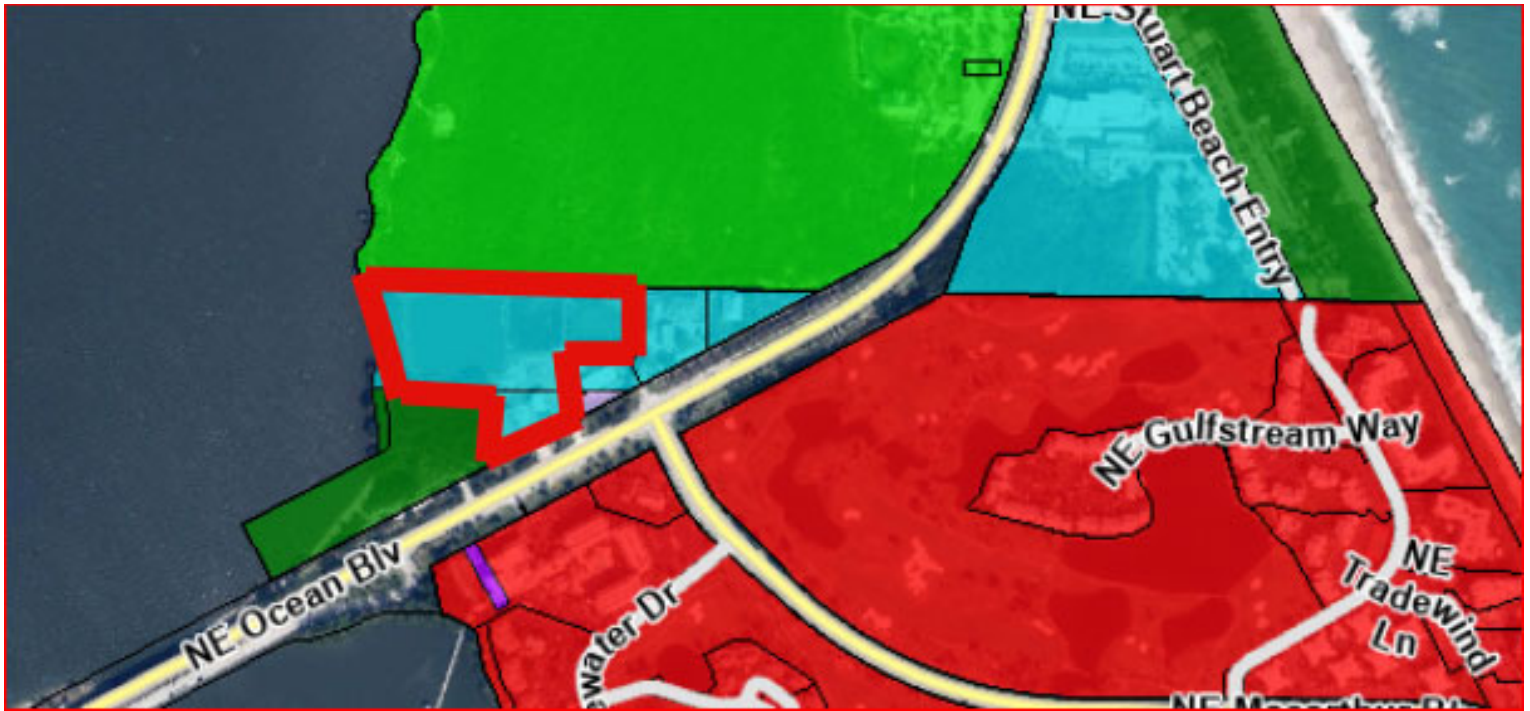


Adjacent existing or proposed development:

To the south: NE Ocean Boulevard

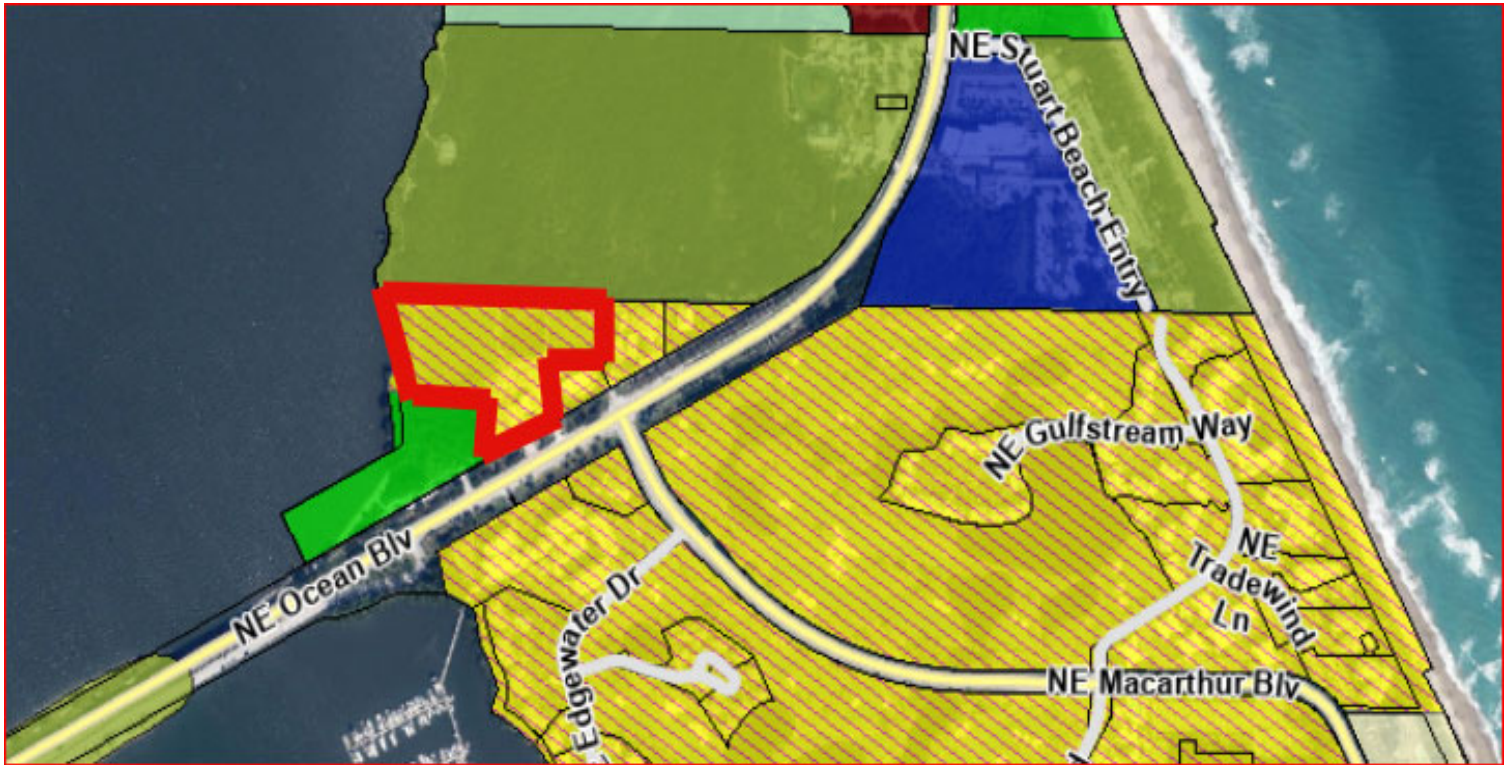
To the east: NE Doubloon Drive

**Figure # 2: Land Use Map
General Institutional**



Adjacent existing or proposed development:
To the north: General Institutional
To the south: Medium Density
To the east: General Commercial
To the west: Recreational

**Figure #3: Zoning Map
PUD**



Adjacent existing or proposed development:
To the north: PUD
To the south: PUD
To the east: PUD
To the west: Public Recreation District

G. Compliance with Comprehensive Plan Requirements - Growth Management

Findings of Compliance:

The Growth Management Department, Development Review Division has reviewed the application and finds it in compliance with the Comprehensive Growth Management Plan and all relevant Land Development Regulations.

H. Compliance with Land Use, Zoning, Site Design and Procedure - Growth Management

Findings of Compliance:

Pursuant to Section 3.2.E.2., LDR, Martin County, Fla. (2002), 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
- b. Whether the proposed amendment is consistent with all applicable provisions of the LDR; and
- 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
- d. Whether and to what extent there are documented changed conditions in the area; and
- e. Whether and to what extent the proposed amendment would result in demands on public facilities; and
- 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
- g. Consideration of the facts presented at the public hearings.

Staff has reviewed the application and, pursuant to the analysis provided in Section B of this report, finds this application in compliance with the land use, zoning, site design and procedural requirements.

I. Compliance with Legal - County Attorney's Office

Review Ongoing

J. Compliance with the Adequate Public Facilities and Timeline – Growth Management

Determination of Adequate Public Facilities - Exempt

Per Article 5.32.B., any development that does not create additional impacts on public facilities qualifies for a Certificate of Public Facilities Exception. Because a rezoning does not authorize any vertical development, no additional impacts on public facilities will occur; therefore, it is exempt from reserving

public facility capacity.

A full analysis and determination of adequate public facilities will occur during review of Final Site Plan application(s) and for any proposed amendment.

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. and therefore, this project qualifies for a Certificate of Public Exemption.

K. Post-Approval Submittal

You will receive a letter transmitting a list of post approval items that need to be submitted. The list will include the documents and fee amounts specific to the approved development order. Approval of the development order is conditioned upon submittal of all required documents and unpaid fees to the Growth Management Department within 60 days of the final action granting project approval. All documents shall be submitted in a single paper copy packet and arranged in the order listed below, AND in pdf format saved to a flash drive. Large format plans (24" x 36") must be rolled, not folded, and submitted digitally on a flash drive in the original .dwg/CAD format.

Post Approval Submittal Requirements

- ☐ **Post Approval Submittal List.** One 8" X 11" copy of the list you receive from Growth Management, along with any comments provided to explain document exclusions or adjustments included in your submittal, if applicable.
- ☐ **Post Approval Fees including 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 and remitted to the Growth Management Department.
- ☐ **Digital Application.** One digital pdf copy of the submitted and approved Development Application, without bookmarks, including all exhibits and attachment.

L. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits associated with a Zoning Atlas Amendment.

M. Fees

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	\$1,000	\$0
Advertising fees:	TBD	TBD	TBD
Recording fees:	TBD	TBD	TBD
Impact fees:	TBD	TBD	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.**

N. General Application – Applicant Team

Applicant

Martin County Fire Rescue Department
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Agent

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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/Wastewater Service Agreement

P. Attachments

N/A