



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

CHANCEY BAY RANCH Rezoning

Applicant:	CBR Investors, LLC
Property Owner:	CBR Investors, LLC
Agent for the Applicant:	Cuozzo Planning Solutions, LLC, Donald J. Cuozzo
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	C167-001
Record Number:	DEV2018030016
Report Number:	2018_0521_C167-001_DRT_Staff_FINAL.docx
Application Received:	03/14/2018
Transmitted:	03/19/2018
Staff Report:	05/21/2018
LPA Hearing:	06/21/2018
BCC Hearing:	07/24/2018

B. Project description and analysis

This is an application for a proposed amendment to the county Zoning Atlas for a Rural Density residential district designation (Section 3.2.E, LDR). A Zoning District change from the A-2, Agricultural District, to the RE-2A, Rural Estate District, is proposed for an approximately 18.2-acre subject site consisting of vacant land located approximately 900 feet south of the intersection of SW Selma Street and SW Connors Highway. The subject site includes the portions of parcels 173937000000000102 and 203937000000000106 lying between SW Connors Highway and Lake Okeechobee as shown in the graphics in Section E of this report.

The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Rural Density. The current zoning on the property is A-2, Agricultural District. The A-2 zoning was created in 1967 as a part of the County's original zoning regulations and was carried over to the current Article 3, Zoning Districts, Land Development Regulations (LDR), Martin County Code (MCC) as a Category C district, which are intended to be used until a rezoning to a Category A district is needed or required to accommodate proposed future uses of the property. The Category A districts were created to implement the land use policies of the CGMP.

The current A-2 zoning of the subject property is not consistent with the Rural Density land use policies of the CGMP. Therefore, the rezoning is considered mandatory.

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

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

TABLE 3.11.1 (excerpt)

PERMITTED USES – CATEGORY “A” AGRICULTURAL AND RESIDENTIAL DISTRICTS

USE CATEGORY	RE-2A
<i>Residential Uses</i>	
Accessory dwelling units	
Apartment hotels	
Mobile homes	
Modular homes	P
Multifamily dwellings	
Single-family detached dwellings	P
Single-family detached dwellings, if established prior to the effective date of this ordinance	
Townhouse dwellings	
Duplex dwellings	
Zero lot line single-family dwellings	
<i>Agricultural Uses</i>	
Agricultural processing, indoor	
Agricultural processing, outdoor	
Agricultural veterinary medical services	P
Aquaculture	
Crop farms	P
Dairies	
Exotic wildlife sanctuaries	P

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

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

Marinas, commercial	
Marine education and research	
Medical services	
Pain management clinics	
Parking lots and garages	
Recreational vehicle parks	
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance	
Residential storage facilities	
Restaurants, convenience, with drive-through facilities	
Restaurants, convenience, without drive-through facilities	
Restaurants, general	
Shooting ranges	
Shooting ranges, indoor	
Shooting ranges, outdoor	
Trades and skilled services	
Vehicular sales and service	
Vehicular service and maintenance	
Veterinary medical services	
Wholesale trades and services	
<i>Transportation, Communication and Utilities Uses</i>	
Airstrips	P
Airports, general aviation	
Truck stop/travel center	
<i>Industrial Uses</i>	
Composting, where such use was approved or lawfully established prior to March 1, 2003	
Extensive impact industries	
Limited impact industries	
Mining	

Salvage yards	
Yard trash processing	
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002	

TABLE 3.12.1 (excerpt)
DEVELOPMENT STANDARDS

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	RE-2A	2 acres	175	0.50	—	—	30	50	—

TABLE 3.12.2 (excerpt)
STRUCTURE SETBACKS

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

Category C Zoning District Standards

Sec. 3.412. - A-2 Agricultural District.

3.412.A. *Uses permitted.* In this district, a building or structure or land shall be used for only the following purposes, subject to any additional limitations pursuant to [section 3.402](#):

1. Any use permitted in the A-1 and A-1A Districts.
2. Airports and landing fields. Airplane landing fields and accessory facilities for private or public use, including flight strips, provided runways and flight patterns are so oriented as not to constitute a nuisance to any established or planned residential areas as delineated in the comprehensive plan of the County.
3. Cemeteries, crematories and mausoleums. Graves shall not be closer than 25 feet from the property line.
4. Stock raising, stables and dog kennels; provided stables, kennels and dog runways are not less than 50 feet to the property line.
5. Agricultural packinghouses, sawmills and planing mills, turpentine stills and other operations utilizing the natural resources of the region; provided, however, no such operation shall be

established or conducted within 600 feet of the nearest highway right-of-way or within 50 feet of the property line.

6. Public works and public utility facilities and service facilities.

7. Fishing camps.

8. Hunting camps subject to the following requirements:

a. Any licensee with a Hunting Preserve License issued by the Florida Fish and Wildlife Conservation Commission which is valid as of November 17, 2009, located on land zoned A-2 within Martin County may establish one hunting camp.

b. The minimum lot size shall be 20 acres.

c. Kennels for hunting dogs kept at the hunting camp shall not be located within 200 feet of any property line unless completely enclosed and soundproofed and shall be designed and maintained for secure, humane confinement. Animal wastes from the kennels shall be managed in such a manner as to prevent odors from being carried beyond the property boundary.

d. Overnight accommodations shall be limited to no more than six guest rooms. The length of stay for any guest shall not exceed 14 consecutive nights.

e. Meals may be served only to customers of the hunting camp. Freestanding restaurants open to the general public are not permitted.

f. Overnight camping of a duration not to exceed five nights is permitted. No permanent structures shall be constructed for the purpose of overnight camping.

g. Shooting ranges as defined in [section 3.3](#) are not permitted within a hunting camp.

h. The sale and/or rental of hunting accessories to customers of a hunting camp are permitted. Retail sales of hunting accessories to the general public are not permitted.

9. Public structures owned and operated by governmental agencies and used for public purposes.

10. Trailers. The minimum lot size for a trailer shall be 20 acres and there shall be no more than one trailer on any lot. The trailer shall not be located within 100 feet of any property line. The trailer shall be permitted to remain only so long as the principal use of the property is agricultural. The trailer shall only be used as a residence. The trailer shall be screened from view of abutting lots and public streets to a height of six feet, for example, by means of an opaque fence or landscape buffer.

11. Farmer's markets, as defined in division 2 and pursuant to the requirements set forth in [section 3.71.1](#) of the Land Development Regulations.

3.412.B. *Required lot area.* The required lot area shall not be less than five acres; provided, however, that in the old recorded subdivisions known as Palm City Farms (Plat Book 6, page 42, Palm Beach County), St. Lucie Inlet Farms (Plat Book 1, page 98, Palm Beach County), and St. Lucie Gardens (Plat Book 1, page 35, St. Lucie County), each full (as opposed to fractional) tract shown on said plats shall for purposes of lot area requirements be considered to be ten acres, and one-half of any such tract shall for purposes of lot area requirements be considered to be five acres; and provided further, however, that the existence of road rights-of-way and road easements (other than that of the Sunshine State Parkway, also known as Florida Turnpike) shall be disregarded for purposes of lot area requirements.

3.412.C. *Minimum yards required.*

1. *Front:* 25 feet.

2. *Rear and side:* 25 feet.
3. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
4. No structure shall be built within 65 feet of the center line of a designated through-traffic highway.
5. No setback or yard shall be required adjacent to water frontage.

Standards for Amendments to the Zoning Atlas

The Comprehensive Growth Management Plan (CGMP) requires that Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016).

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

1. *The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.*
2. *In the review of a proposed amendment to the Zoning Atlas, the Board of County Commissioners shall consider the following:*
 - a. ***Whether the proposed amendment is consistent with all applicable provisions of the Comprehensive Plan; and,***

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

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

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

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

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

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

- (a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.*
- (b) It shall not count as a separate unit for the purpose of density calculations.*
- (c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.*
- (d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.*

This application requests a rezoning of the property to the RE-2A Zoning District, which is the only standard Category A zoning district created specifically to implement the CGMP policies for lands designated Rural Density on the Future Land Use Map of the CGMP.

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

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, including compliance with the already established preserve area, and no development of the property is proposed as part of this application requesting a rezoning. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County. The subject site is designated as Rural Density on the Future Land Use Map, the specific development standards of which are provided by the RE-2A zoning district. Proposed future development of the site will be required to meet all provisions of the LDR through the review of a

development review application, with respect to the Land Development Regulation requirements including those related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc. Full compliance with applicable County Codes will be required for development review staff to bring forth a recommendation of approval.

- c. *Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use; and,***

As shown in the figures contained in Section E below, the subject property is located in far western Martin County on a Major Arterial roadway. It is adjacent to agricultural land and located south of areas containing single family residential use in addition to agricultural use. The site is designated as Rural Density and is adjacent to lands with the same future land use designation. Therefore, based upon the pattern of the existing development, the consistency with the adjacent existing uses and future land use designations, the RE-2A zoning district is the most appropriate zoning district to ensure that the property is developed in a manner compatible with the existing and anticipated character of the area.

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

The requested zoning district of RE-2A is the only standard Category A zoning district that is consistent with the site's future land use designation. The parcel is located outside the primary urban service district within a primarily agricultural area. The site has ample frontage on SW Conner's Highway, a major arterial roadway, and the development standards associated with the requested RE-2A zoning district can be accommodated. Therefore, the proposed RE-2A zoning is compatible with the existing historical development and is the most appropriate for this property.

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

The subject property is located outside the Primary Urban Services District of the County. As such, the full range of urban services at service levels established by the CGMP may not exist at the site. Development standards associated with the RE-2A zoning district and Rural Density future land use designation ensure that ample lot sizes would be required to accommodate individual water and wastewater services. Any proposed development for the site would be required to demonstrate that adequate public services are accommodated and reserved for the proposed use in conformance with the Land Development Regulations and Comprehensive Growth Management Plan requirements at the time of development review prior to a recommendation of approval from Staff for any development of the site.

- f. *Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the county's resources; and,***

This rezoning action does not authorize any development and redevelopment of this site will be subject to Growth Management and Building department and zoning review prior to authorization of construction. The subject site has been designated for Rural Density future land use on the Future Land Use Map of the Comprehensive Growth Management Plan.

Therefore, the use of the site for development in accordance with the requirements for Rural Density land use, and with the requested RE-2A zoning district, which implements the Rural Density land use goals, has been established on the site in addition to property adjacent to the site. The extension of this pattern to the subject property through the assignment of the requested RE-2A zoning district is suitable, contemplated and supported by the CGMP.

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

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

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Catherine Riiska	288-5667	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Catherine Riiska	288-5667	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	N/A
J	Landscaping	Karen Sjoholm	288-5909	N/A
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Michelle Cullum	288-5512	N/A
N	Addressing	Emily Kohler	288-5692	N/A
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	N/A
O	Wellfields	James Christ	320-3034	N/A
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Dan Wouters	219-4942	N/A
Q	ADA	Judy Lamb	221-1396	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	Comply
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Catherine Riiska	288-5667	Exempt

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

D. Review Board action

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

E. Location and site information

Parcel number(s) and address:

173937000000000102

Unaddressed

203937000000000106

Unaddressed

Existing Zoning:

A-2, Agricultural

Existing Zoning:

A-2, Agricultural

Future land use:

Rural Density

Future land use:

Rural Density

Gross area of site:

18.2 acres

Figure 1: Location Map

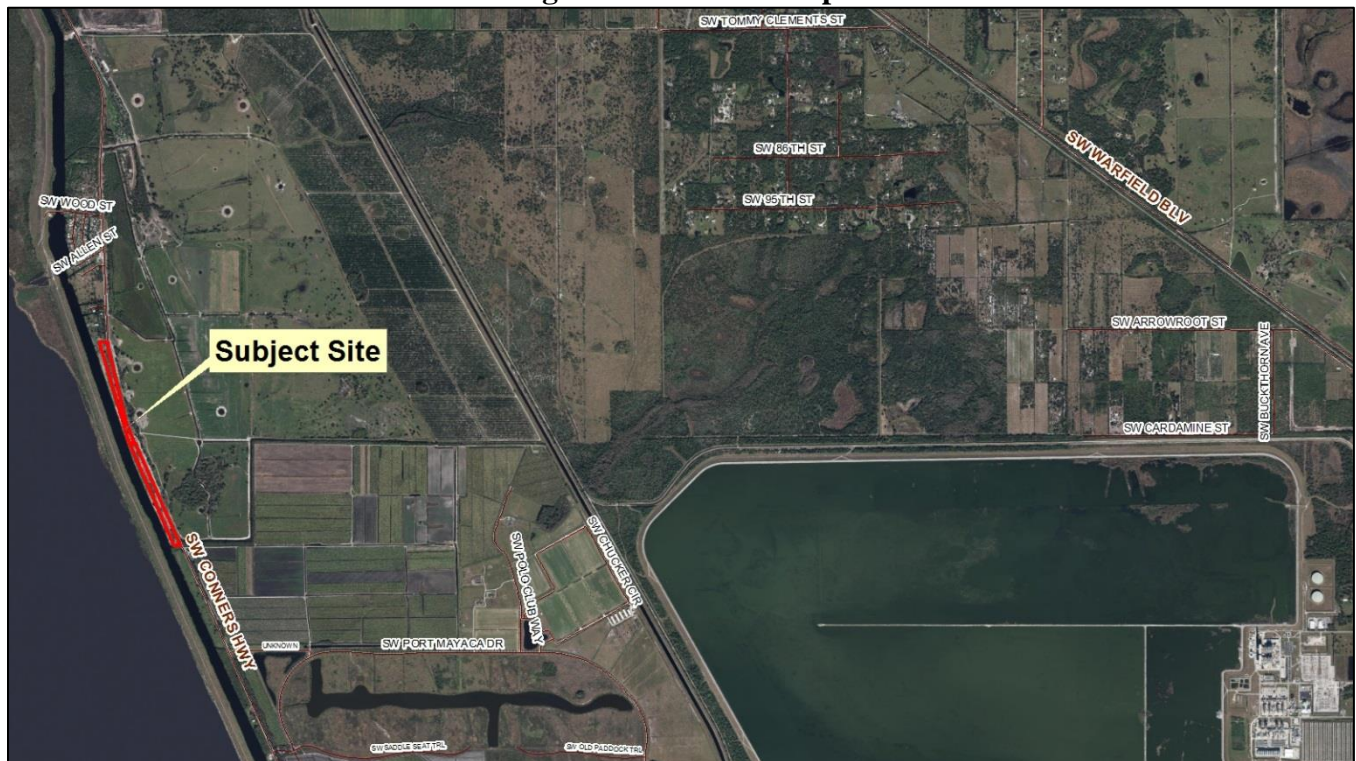


Figure 2: Subject Site 2017 Aerial



Figure 3: Local Area 2017 Aerial

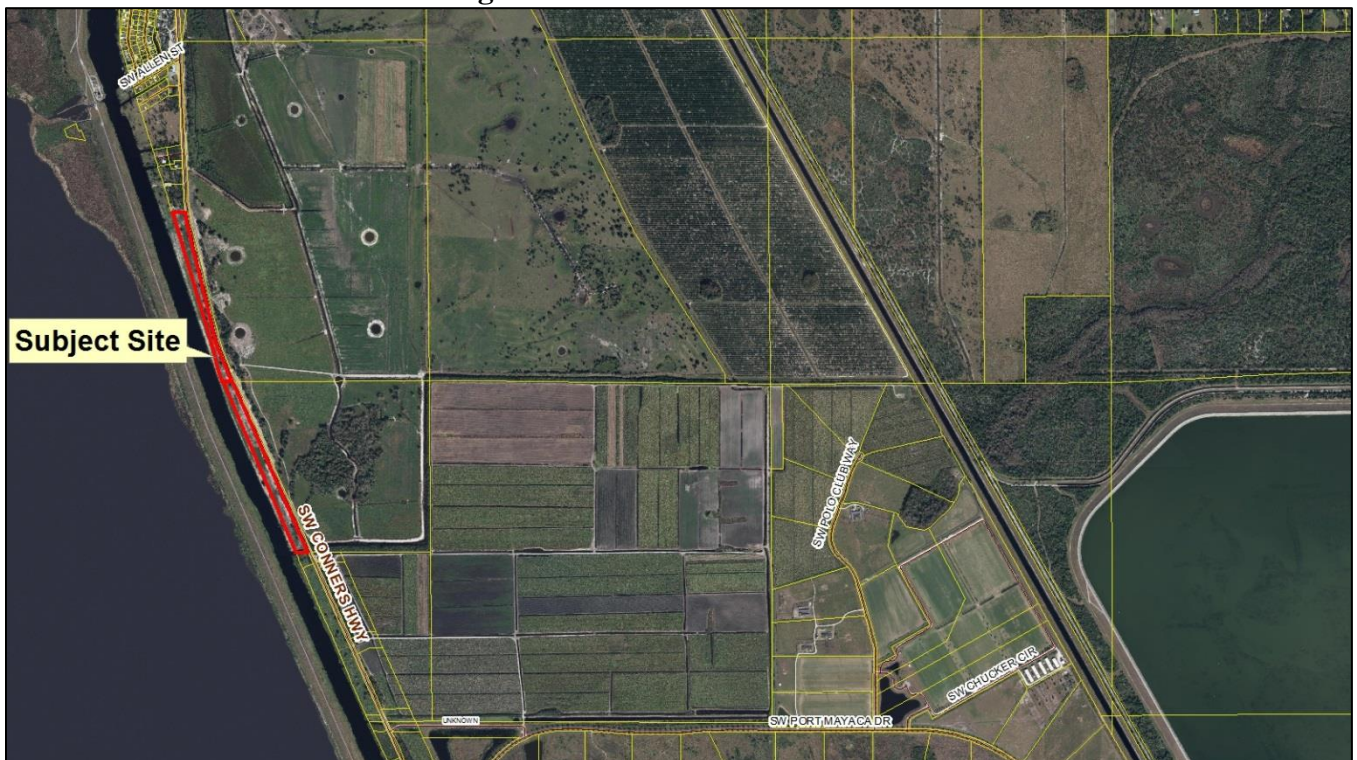


Figure 4: Zoning Map

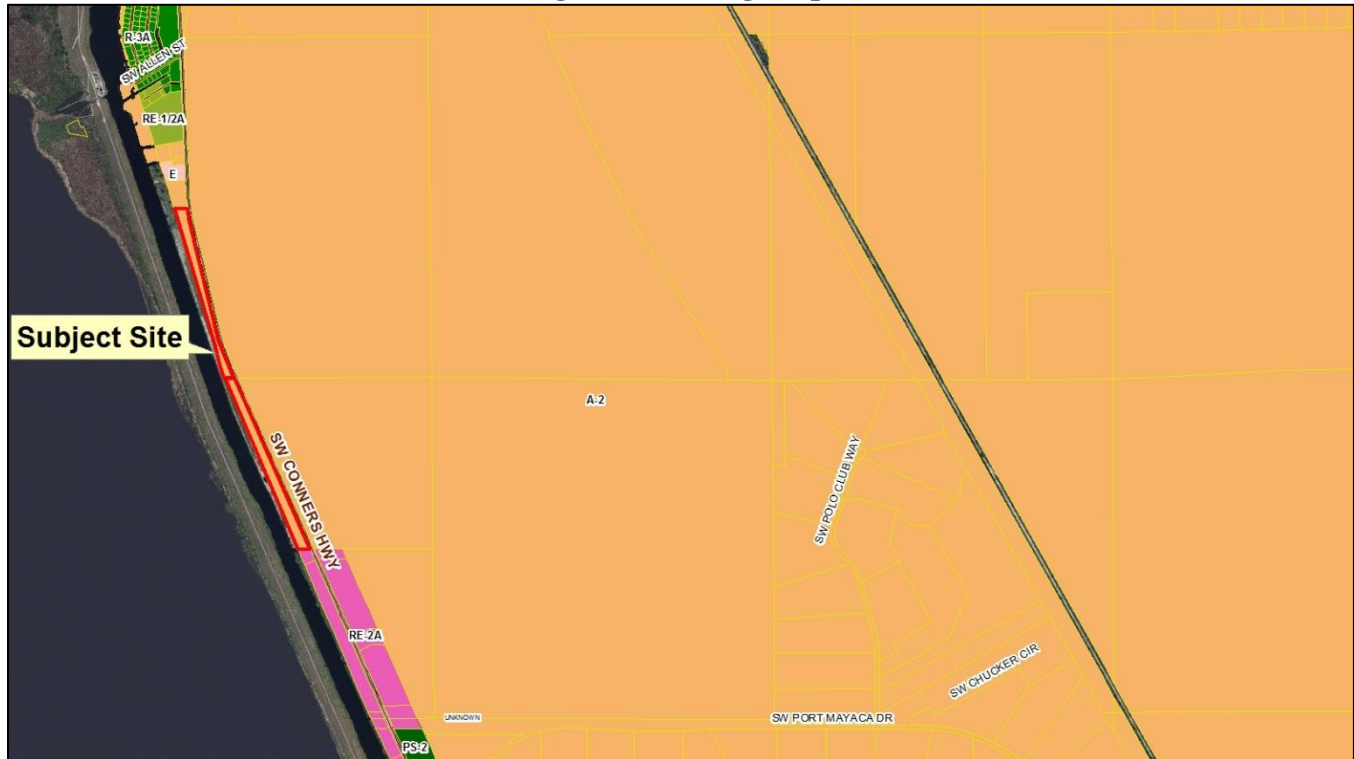


Figure 5: Future Land Use Map



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

Findings of Compliance:

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

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

Findings of Compliance:

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

Additional Information:

Information #1:

Notice Of A Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.12) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR, § 10.6.E.1.

Information #2:

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

Information #3:

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

Upon completion of the LPA hearing, the project will be scheduled for the next BCC meeting dependent upon the County's scheduling policy.

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

Commercial Design

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. The proposed project is located within a residential land use designation. Therefore, the Commercial Design reviewer will not be required to review any forthcoming development proposal associated with this application. MARTIN COUNTY, FLA., LDR SECTION 4.871.B. (2016)

Community Redevelopment Area

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. The proposed project is not located within any Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer will not be required to review any forthcoming development proposal associated with this application. MARTIN COUNTY, FLA. LDR ARTICLE 3, DIVISION 6 (2016)

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

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 property management or dedication issues will be addressed at such time as development of the subject site is proposed.

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

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 environmental or landscaping issues will be addressed at such time as development of the subject site is proposed.

K. Determination of compliance with transportation requirements - Engineering Department

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 transportation issues will be addressed at such time as development of the subject site is proposed.

L. Determination of compliance with county surveyor - Engineering Department

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 property survey issues will be addressed at such time as development of the subject site is proposed.

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

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 stormwater management or engineering issues will be addressed at such time as development of the subject site is proposed.

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

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 electronic file or addressing issues will be addressed at such time as development of the subject site is proposed.

O. Determination of compliance with utilities requirements - Utilities Department

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 utilities issues will be addressed at such time as development of the subject site is proposed.

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

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 fire prevention or emergency management issues will be addressed at such time as development of the subject site is proposed.

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

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 ADA issues will be addressed at such time as development of the subject site is proposed.

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

Martin County Health Department

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 issues related to requirements of the Department of Health will be addressed at such time as development of the subject site is proposed.

Martin County School Board

The School Board staff has reviewed this application for compliance with Florida Statutes, Martin County code and School Board Policy and has no objection to this application. The General School Capacity Analysis is provided as Exhibit 1 to this report.

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

Review 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

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

Post Approval Fees: The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

Item #2:

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

V. Local, State, and Federal Permits

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

W. Fees

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

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

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

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

X. General application information

Applicant: CBR Investors, LLC
Edgar Sabbagh
777 Brickell Ave., Suite 1110
Miami, FL 33131

Agent: Cuozzo Planning Solutions, LLC
Donald J. Cuozzo
PO Box 564
Jensen Beach, FL 34958
772-221-2128

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. Attachments

Exhibit 1 – Martin County School Board General School Capacity Analysis

Martin County School District

General School Capacity Analysis

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

Applicant/Project: Chancey Bay Ranch, SW Connors Hwy., West Martin County
Project#: C167-001 Rezoning

Date: 3/22/18

Applicant Request: A request for a rezoning for approximately 18 acres to the RE-2A zoning district, a residential district allowing single family lots of minimum 2 acres in size.

Student Generation Calculation:

Residential Units	9
Current Comp Plan Generation Rate	.220
Forecasted Student Generation	1.98
Elementary	1
Middle	0
High	1

School Zone Enrollment & Permanent Capacity:

CSA	2017-2018 Enrollment	2020-2021 COFTE Projected Enrollment	2020-2021 Perm. FISH Capacity
South Zone – Elementary (Warfield)	751	723	886
South Zone – Middle (Indiantown)	618	649	854
South Zone – High School (South Fork)	1935	1977	1614

Note: Projected Capacity reported from 17-18 Projections through CIP Application

Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that this development would exceed the capacity at the zoned high school level which is currently over capacity.

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

Prepared by: **Kimberly Everman, Capital Projects Planning Specialist**

Phone: 772-223-3105, ext. 134

Email: evermak@martin.k12.fl.us