

Proposed Amendment to the Martin County Comprehensive Growth Management Plan

REQUEST NUMBER:

CPA 2018-09, Reserved Area No. 1, Leilani Heights Phase 1

APPLICANTS:

Martin County
Board of County Commissioners

PLANNER-IN-CHARGE:

Irene A. Szedlmayer, AICP
Senior Planner

REPRESENTED BY:

Nicki van Vonno, AICP
Growth Management Department

Public Hearing	Date	Action
LPA	July 19, 2018	The LPA voted to recommend the change in the future land use from Low Density Residential to Institutional-Recreation.
LPA	Sept. 20, 2018	The LPA voted to recommend that the Future Land Use Map be amended to change the future land use from Low Density Residential to Institutional-Recreation.
BCC Transmittal	Oct. 23, 2018	The Board approved transmittal of the amendment changing the future land use designation to Institutional-Recreation.
BCC Adoption	Jan. 29, 2019	

Property: This application involves two contiguous lots owned by Martin County totaling 3.4 acres located within the Leilani Heights Phase 1 Subdivision, south of NE 24th Street Extension and west of NE 18th Avenue. The County has a half-acre playground on the northeast corner of the site.

Request: The Board of County Commissioners initiated this change of the Low Density Future Land Use designation and the R-2 Zoning District zoning district to the most appropriate institutional designations.

Staff Recommendation: Staff recommends changing the future land use designation on the property from Low Density Residential to Institutional-Recreation.

1. EXECUTIVE SUMMARY

The subject property totals 3.4 acres, is owned by Martin County, and is vacant except for a small playground in the northeast corner. At its meeting on February 27, 2018, the Board directed that an amendment of the Future Land Use Map and Zoning Atlas be initiated to give the property the most appropriate institutional designation.

The plat of Leilani Heights, Phase 1, recorded in 1973, identified the property as “Reserved Area No. 1 (Park).” Martin County has three institutional future land use designations—Recreational, Public Conservation, and General Institutional. Staff recommends the Recreational Future Land Use designation and the PR (Public Recreation) zoning district for this property.

None of the state or regional reviewing agencies submitted any comment to the County on the proposed amendment of the Future Land Use Map to designate the land Institutional-Recreation.

Figure 1. Location of Subject Property



2. PROJECT/SITE SUMMARY

2.1 Physical/Site Summary

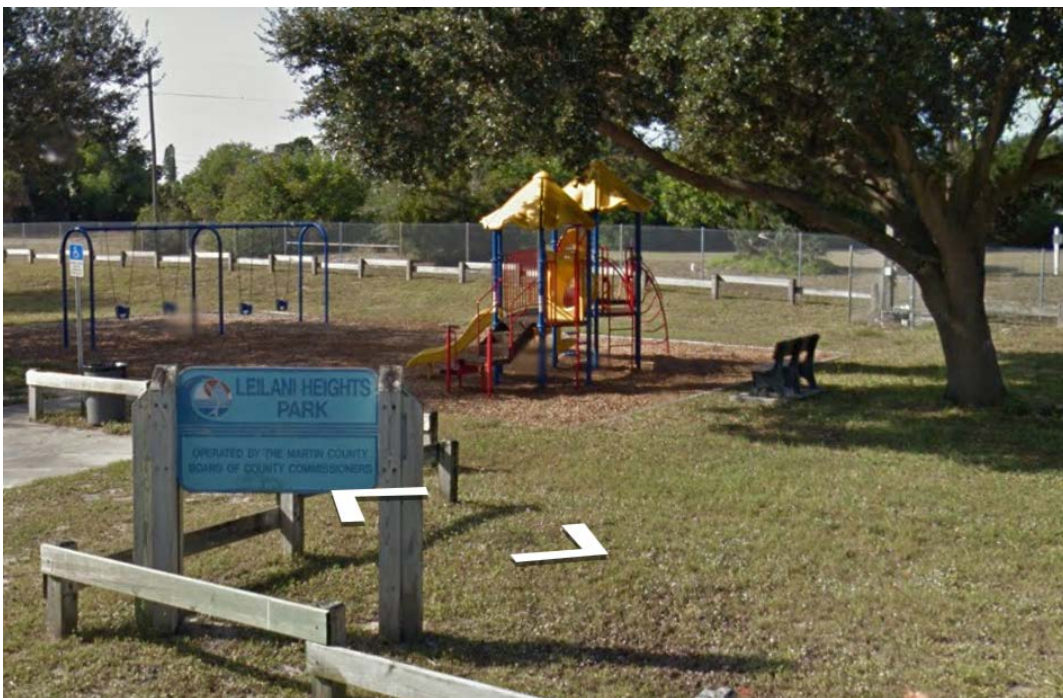
The property is 3.4 acres and vacant. The plat of Leilani Heights, Phase 1, recorded in 1973, identified the property as “Reserved Area No. 1 (Park).” A deed from the Leilani Heights Property Owners Association for the southern 2.3 acres (along with some other parcels) was accepted by Martin County in August of 2000. The northern 1.1 acres became the property of Martin County in 2003 when the County

assumed the water and wastewater system previously owned and operated by Florida Water Services Corporation.

Figure 2. Subject Property

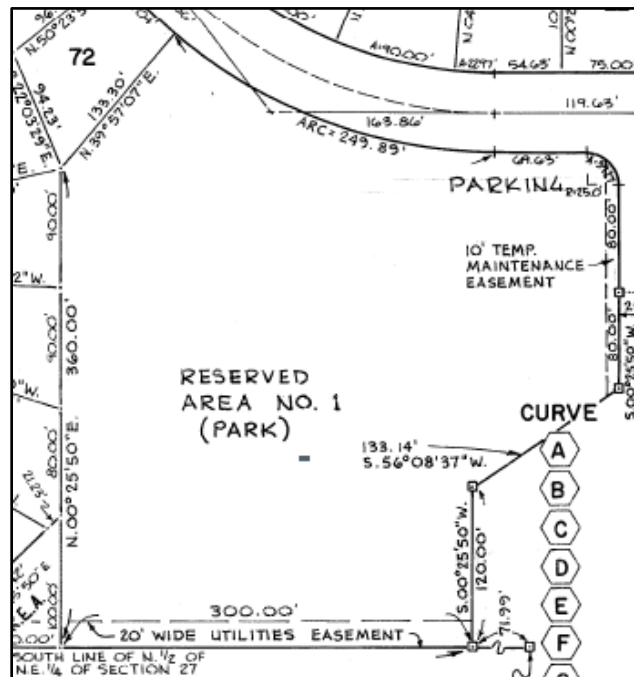


Figure 3. Northeast corner of the Subject Property



(Source: 2018 Google-Image date December 2014))

Figure 4. Excerpt from Plat of Leilani Heights, Phase 1



2.2 Major Roadways

NE Savanna Road is a minor arterial. The subject property is accessed from NE 24th Street or NE 21st Street, both of which are local residential streets owned and maintained by Martin County.

2.3 Current Requests to Amend the Comprehensive Plan

Pending amendments of the Comprehensive Growth Management Plan (CGMP) include four Board-initiated FLUM amendments, and two Board-initiated text amendments. The total land affected by the five pending amendments of the FLUM totals approximately 15 acres. They are described below and the FLUM amendments are illustrated in Figure 5.

- A. **CPA 18-8, Former Fire Station 10:** A county-initiated amendment regarding surplus county-owned land. The 14,810 sq. ft. property is located on NE Samaritan, on a dead-end street. The current future land use designation is General Institutional and a commercial future land use and zoning are recommended.
- B. **CPA 18-14, Dixie Hwy. in Rio:** A request to amend the Future Land Use Map from Institutional-General to Commercial General on 6,930 sq. ft. owned by the Martin County Community Redevelopment Agency.

- C. **CPA 18-15, Jensen Beach Impoundment:** A request to change the future land use designation on 10± acres from Medium Density to Public Conservation, along with a zoning change from PUD-Residential to Public Conservation.
- D. **CPA 18-11, Leighton Farm Ave:** A request to change the future land use designation from Agricultural Ranchette to General Commercial on 0.8 acres located between the western boundary of the current SW Leighton Farm Avenue right-of-way and the eastern boundary of the right-of-way for the realigned SW Leighton Farm Avenue, near the intersection with SW Martin Highway.
- E. **CPA 18-12, Leighton Farm Ave:** The companion text amendment to revise Figure 4-2, the Urban Services District.
- F. **CPA 18-13, Chapter 1 Text Amendment:** To enable privately-initiated amendments of the Comprehensive Growth Management Plan to be submitted anytime, rather than requiring all privately-initiated amendments to be submitted in September.

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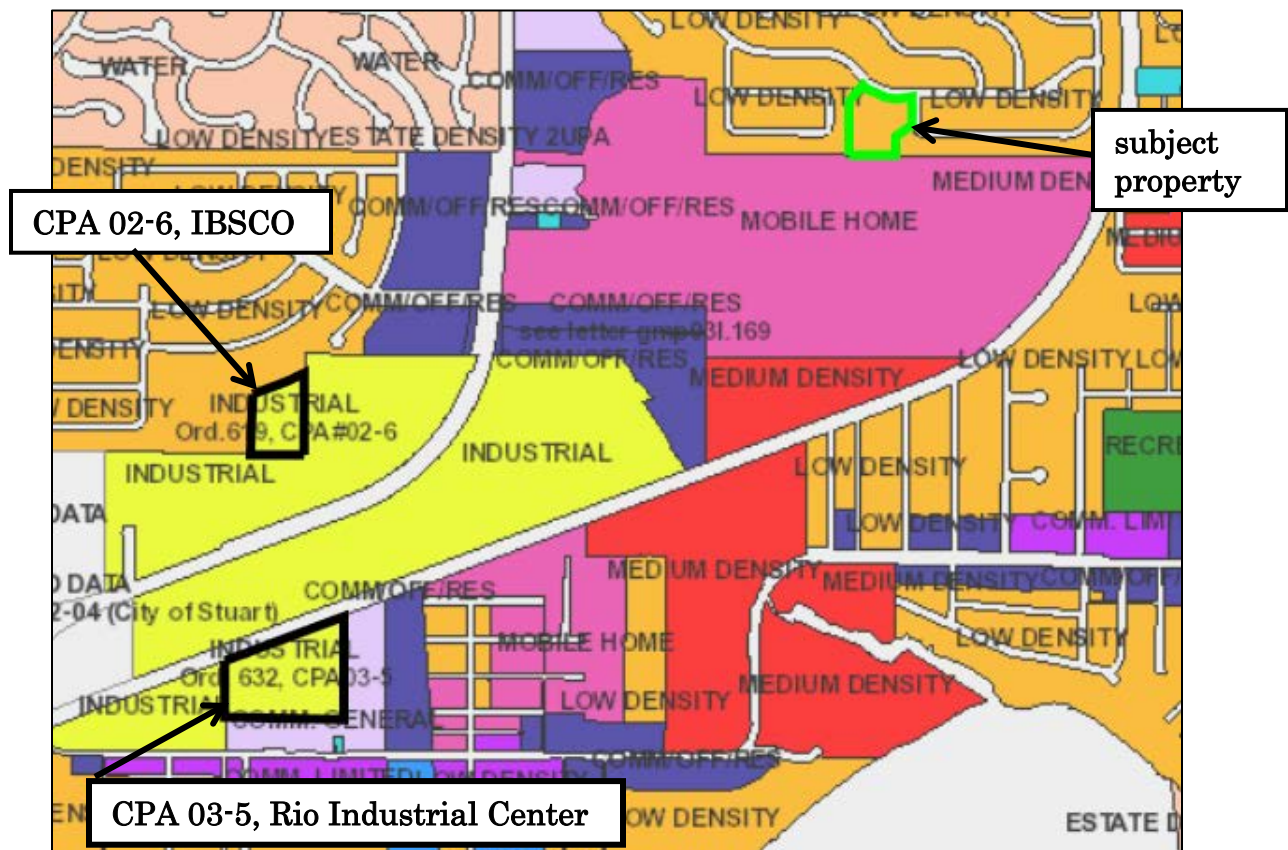
Figure 5. Pending Proposed Amendments of the Future Land Use Map



2.4 Past Changes in Future Land Use Designation

The Future Land Use Map (FLUM) has remained fairly constant in the vicinity of the subject property. Since adoption of the Comprehensive Growth Management Plan in 1982, near the subject property, the FLUM has been amended twice, involving some 13 acres. See Figure 6.

Figure 6. FLUM showing subject property and other FLUM Amendments since 1982

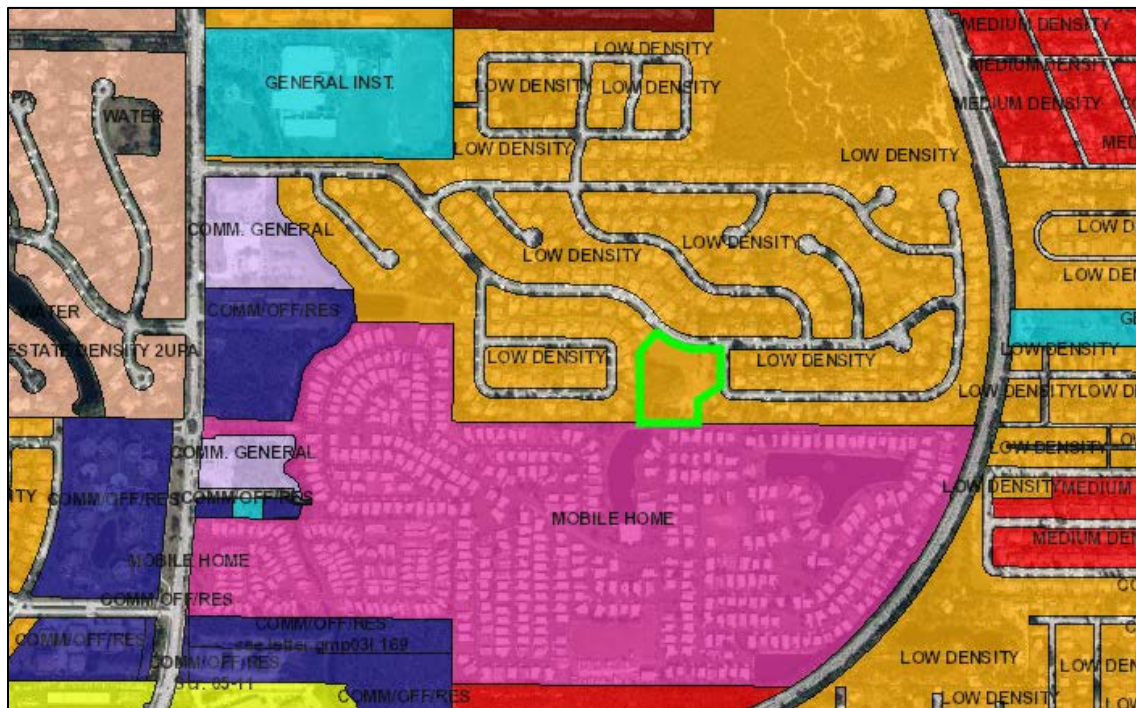


- A. **CPA 02-6, IBSCO** changed the future land use from Low Density Residential to Industrial on 3.64 acres (a former wastewater treatment plant site) located northwest of Savannah Road.
- B. **CPA 03-5, Rio Industrial Center** changed the future land use from General Commercial to Industrial on 9.78 acres located on N.E. Dixie Highway.

2.5 Adjacent Future Land Use

North: Low Density residential	East: Low Density residential
South: Mobile Home	West: Low Density residential

Figure 7. Adjacent Future Land Use designations



2.5 Environmental Considerations

2.5.1 Wetlands, Soils and Hydrology

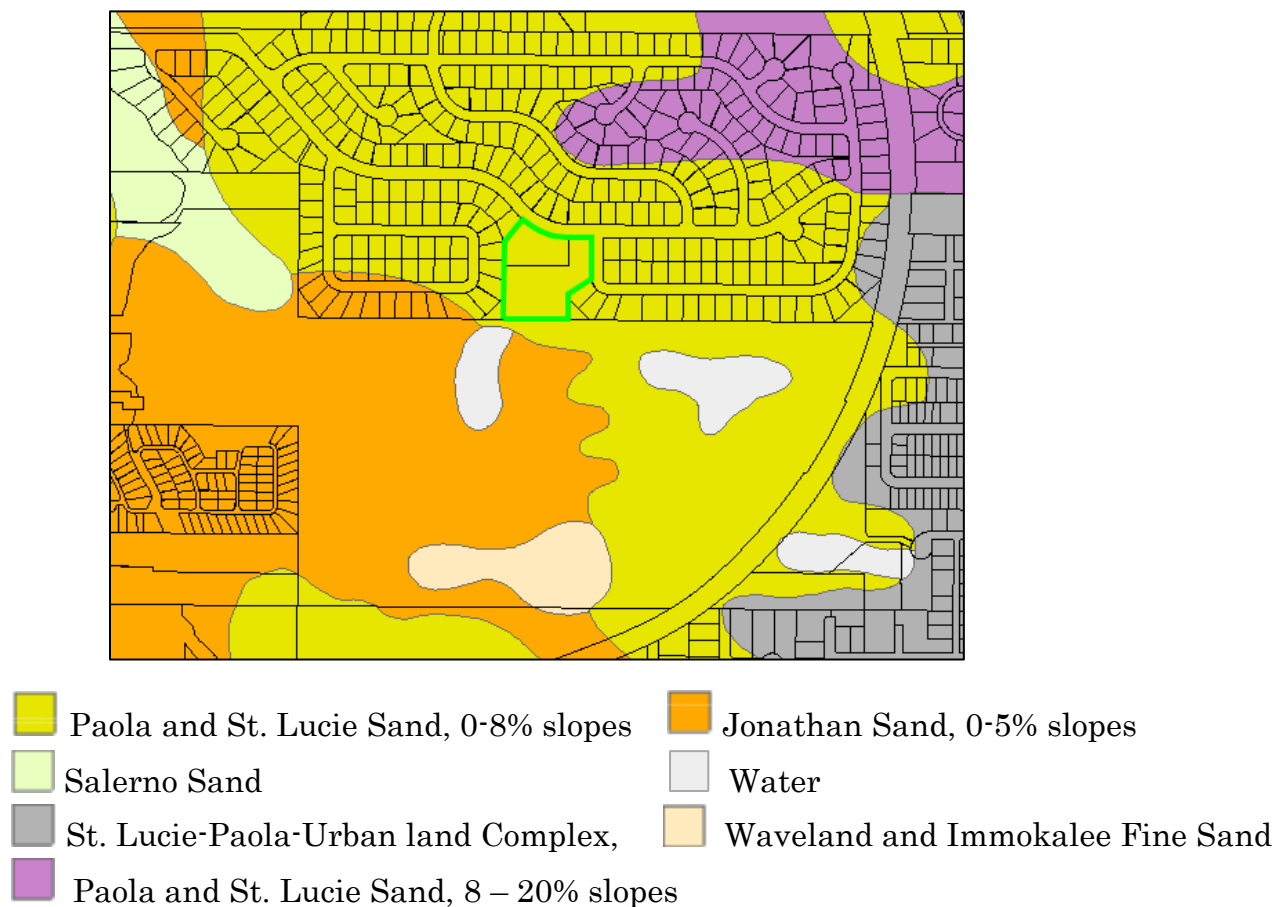
A. Wetlands

The MC Navigator wetlands composite map is a predictive tool based on satellite wetland mapping, presence of hydric soils, and inclusion on the National Wetlands Inventory. The more indications present, the more likely a wetland is present. The MC navigator wetlands composite shows no indicators that wetlands are present on the subject site or in the vicinity.

B. Soils

The soil on the subject site is Paola and St. Lucie Sand, 0 to 8% slopes. [MC Navigator, South Florida Water Management District Soil Map layer.]

Figure 8. Soil Survey



Paola soil is described by the USDA, Soil Conservation Services, in part, as follows:

The Paola series consists of very deep, excessively drained soils that formed in sandy marine sediments. Paola soils are on hills, ridges, and flats on marine terraces. Slopes are linear to convex and range from 0 to 20 percent. Mean annual precipitation is 55 inches and the mean annual temperature is about 72 degrees F.

St. Lucie soil is described, in part, as follows:

The St. Lucie series consists of very deep, excessively drained soils that formed in sandy marine and/or eolian deposits. St. Lucie soils are on dunes, ridges and knolls on marine terraces. Slopes range from linear to convex and range from 0 to 20 percent. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 60 inches.

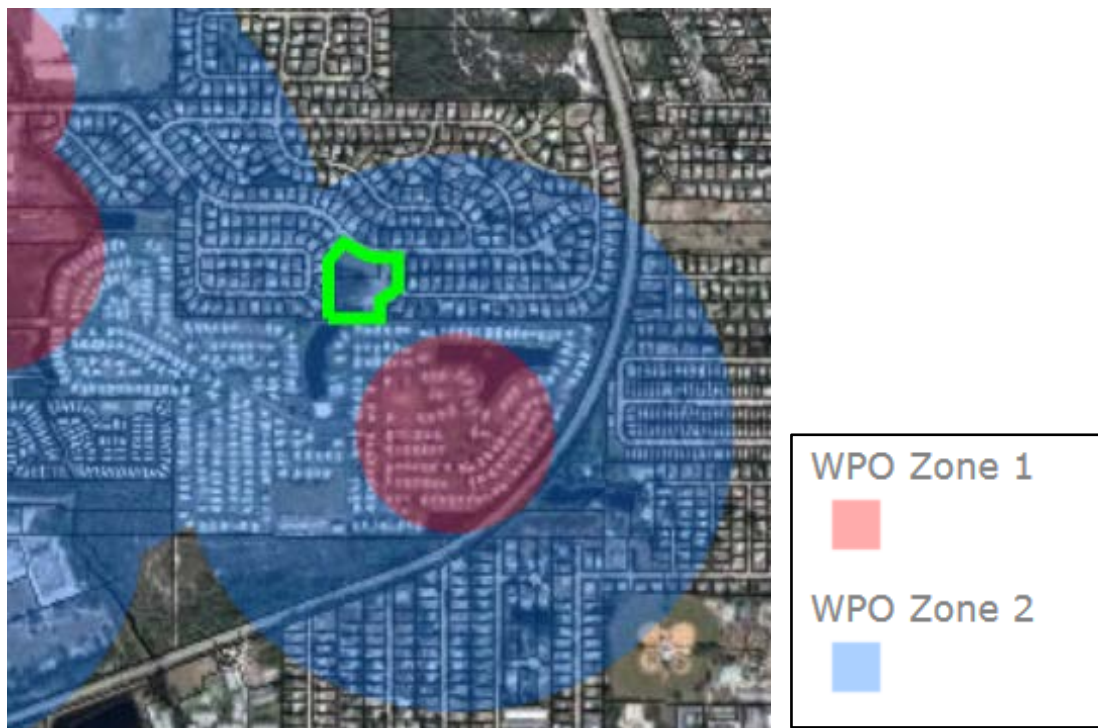
2.5.2 Wellfield Protection

Sections 4.141 through 4.154, LDR, establish wellfield protection zone 1, protection zone 2 and protection zone 3. The subject property is located within a Protection Zone 2.

Generally, under certain circumstances, the regulations prohibit the storage or use of regulated substances if specified quantities are exceeded, require the making and maintenance of inventories of regulated substances, and restrict certain activities from within specified distances of the wellfield protection zones.

The change in the future land use designation from Low Density Residential to Institutional-Recreation has no impact on the location of the property within a Wellfield Protection Zone 2.

Figure 9. Wellfield Protection Zone map

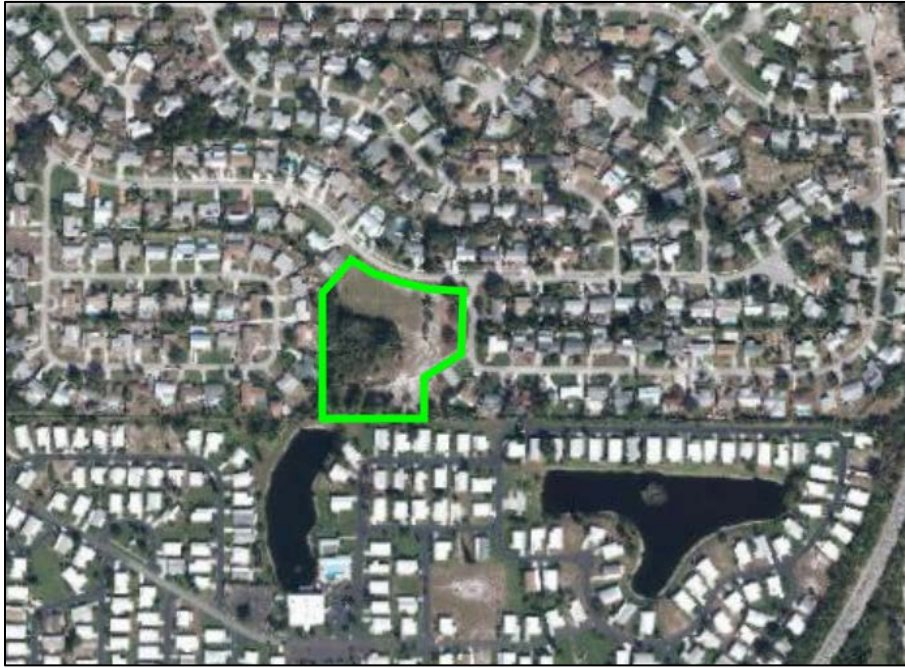


2.6 Adjacent Existing Land Use

North, East and West: detached single-family houses on lots ranging in area from about 7,500 to 10,000 sq. ft.

South: Pinelake Village Mobile Home Park

Figure 10. Adjacent Existing Land Use



2.7 Criteria for change in the Future Land Use

Regarding proposed amendments of the Comprehensive Growth Management Plan, Section 1.11.C.(2) provides, in relevant part, as follows:

“Staff recommendations shall be consistent with this chapter and with the goals, objectives, and the policies established in this Plan, as well as good planning principles.

In evaluating each Future Land Use Map amendment request . . . , staff begins with the assumption that the Future Land Use Map, *as amended*, is generally an accurate representation of the intent of the Board of County Commissioners, and thus the community, for the future of Martin County. Based on this assumption, staff can recommend approval of a requested change provided it is consistent with all other elements of this Plan and at least one of the following three situations has been demonstrated by the applicant to exist:

- (a) Past changes in land use designations in the general area make the proposed use logical and consistent with these uses and adequate public services are available of and growth in the area—in terms of development of vacant land, redevelopment and availability of public services—has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics; or

- (b) The proposed change would correct an inappropriately assigned land use designation; or
- (c) The proposed change is a County initiated amendment that would correct a public facility deficiency in a County facility that provides for the health, safety or general welfare of County residents and cannot otherwise be adequately provided in a cost effective manner at locations where the proposed land use is currently consistent with the CGMP.

If staff cannot make a positive finding regarding any of the items in (a) through (c), along with a determination of consistency with all Plan goals, objectives, and policies and the requirements of this chapter, staff shall recommend denial.”

Because the 1973 plat indicated that this site was reserved as a park, and because CGMP Policy 4.13A.11. provides “[l]ands acquired by the County for Recreational uses shall be reclassified to the Institutional-Recreation land use designation during the next plan amendment cycle,” the Low Density Future Land Use designation is inappropriate. Therefore, based on paragraph (b) of Section 1.11.C.(2), staff may recommend a change in the future land use designation.

2.9 Existing and Requested Future Land Uses

The determination of the proper future land use is guided by the intent of the possible future land uses. *CGMP Policy 4.13A.11.* describes three separate categories for the Institutional Future Land Use:

- (1) *Recreational.* Recreational lands are designed for activity-based and resource-based recreational uses and typically contain recreational facilities and substantial access improvements. Lands assigned to the Recreational category may be developed only as public recreation areas or used for temporary storage of dredged spoil material resulting from the construction, reconstruction or maintenance of recreation facilities. Examples include Langford Park in Jensen Beach, Pendarvis Cove Park in Palm City and J.V. Reed Park in Hobe Sound. Lands acquired by the County for Recreational uses shall be reclassified to the Institutional-Recreation land use designation during the next plan amendment cycle. The minimum open space shall be 40 percent, maximum building coverage shall be 45 percent and maximum building height shall be 40 feet.
- (2) *Public Conservation.* The Public Conservation category recognizes publicly owned areas designed for conservation uses. In addition, privately owned land subject to perpetual easements as provided under Objective 4.5F may be designated Institutional Public Conservation. Only development compatible with conservation and passive recreation uses shall be permitted in the Public

Conservation category. This may include access, parking and other facilities that enable the management of the resource and the public's enjoyment of it. Conservation areas include the DuPuis Preserve in south Martin County and the Savannas in north Martin County. Environmentally sensitive lands acquired by the County shall be reclassified to the Institutional-Conservation land use designation during the next plan amendment cycle.

- (3) *General Institutional*. The General Institutional category 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 General Institutional. Lands acquired by the County for General Institutional uses shall be reclassified to the Institutional-General land use designation during the next plan amendment cycle, as will lands or property rights acquired by the Florida Inland Navigation District as future dredge spoil management sites.

Based on these descriptions and intent set-forth in *CGMP Policy 4.13A.11*, the most appropriate future land use designation for this 3.4 acre parcel is Institutional-Recreational.

2.10 Urban Sprawl

The Florida Community Planning Act, §163.3177(9), Fla. Stat. (2018), requires any amendment to the Future Land Use Element of the County's Comprehensive Plan to discourage urban sprawl. The statute defines 'urban sprawl' as "a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses." The statute provides a list of thirteen "primary indicators" that a plan amendment "does not discourage the proliferation of urban sprawl." The evaluation of these 13 indicators consists of an analysis of the plan amendment within the context of the features and characteristics that are unique to Martin County in order to determine whether the plan amendment promotes urban sprawl.

None of these 13 indicators of urban sprawl are present in the proposed amendment of Martin County's Future Land Use Map. The subject property is only 3.4 acres. The proposed amendment of the future land use map recognizes the County's intent to maintain the property as a park for local residents.

- (1) *Promotes, allows, or designates for development substantial areas of the jurisdiction as low-intensity, low-density, or single-use development or uses.*

No. 3.4 acres is not a substantial area.

- (2) *Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

No. The amendment of the future land use map will recognize the County's intent to maintain the property as a park for local residents.

- (3) *Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

No. The property is an infill lot, within the residential neighborhood the park is intended to serve.

- (4) *Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

No. There are no lakes, wetlands, shorelines, etc. on the site. Aerial imagery indicates there is a possibility of a small patch of native upland habitat on the property. Any park developed on the site will take account of the existence of any such native upland habitat.

- (5) *Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

No. This is 3.4 acres in a highly urbanized area of the County.

- (6) *Fails to maximize use of existing public facilities and services.*

No. Existing waterlines and wastewater lines are available to serve the site if in the future restroom and drinking water facilities are desired at the site.

- (7) *Fails to maximize use of future public facilities and services.*

Not applicable.

- (8) *Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

No. The property is an infill lot, surrounded by the residences the park is intended to serve.

(9) *Fails to provide a clear separation between rural and urban uses.*

No. The property is an infill lot, within the residential neighborhood the park is intended to serve, in a highly urbanized part of Martin County.

(10) *Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

No. The property is an infill lot, surrounded by the residences the park is intended to serve. Designation of this property for park use is an investment in an existing neighborhood.

(11) *Fails to encourage a functional mix of uses.*

No. The property is an infill lot, surrounded by the residences the park is intended to serve. The future land use designation will enhance the public recreation potential for the land and diversify the neighborhood.

(12) *Results in poor accessibility among linked or related land uses.*

No. The property is accessible by walking or bicycle from the surrounding neighborhood it is intended to serve.

(13) *Results in the loss of significant amounts of functional open space.*

No. The change in future land use to Institutional-Recreation recognizes the agreement that this land should remain open space.

Florida Statute also sets forth certain factors that evidence that a proposed amendment to the FLUM discourages the proliferation of urban sprawl. These eight factors are the converse of the thirteen set-forth above. The required threshold is that the proposed amendment incorporates a development pattern or urban form that achieves four or more of the following eight factors:

(1) *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

True. The amendment of the FLUM recognizes the County's intent to retain the property as a park for local residents.

- (2) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

True. Existing waterlines and wastewater lines are available to serve the site if in the future such restroom and drinking water facilities are desired at the site.

- (3) *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

To the extent this factor is relevant to this 3.4 acres, it is true. The property is accessible by walking or bicycle from the surrounding neighborhood.

- (4) *Promotes conservation of water and energy.*

To the extent this factor is relevant to this 3.4 acres, it is true. The property is accessible by walking or bicycle from the surrounding neighborhood.

- (5) *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*

Not true and not applicable.

- (6) *Preserves open space and natural lands and provides for public open space and recreation needs.*

True. The amendment of the FLUM recognizes the County's intent to retain the property as a park for local residents.

- (7) *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

True. The amendment of the FLUM recognizes the County's intent to retain the property as a park for local residents.

- (8) *Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or it provides for an innovative development pattern such as transit-oriented developments or new towns.*

True. The amendment of the FLUM recognizes the County's intent to retain the property as a park for local residents, which they can access on foot or bicycle.

2.11 Capital Facilities Impact (i.e. Concurrency Management)

2.11. Mandatory Facilities

2.11.1.A. Water and Sewer

The property is located within the Martin County Primary Urban Services Boundary and the Martin County Utilities' Service area.

Figure 11. Water and Wastewater Infrastructure



2.11.1.B. Drainage

Drainage concerns include downstream flooding and non-point source pollution. Stormwater detention and retention are required to attenuate those impacts. The CGMP has established the following levels of service for drainage facilities:

- Major Drainage Ways (more than one square mile) - 8.5" in a 24-hour period for 25 year/24-hour design storm.
- Underground Storm Sewers - 6" in a 24-hour period for 5 year / 24- hour design storm.

- All Other Facilities - 7" in a 24-hour period for 10-year/24-hour design storm.
- Finished Floor Elevation - 100-year/3-day storm.

The change in the future land use designation will have no significant impact on the maintenance of the drainage LOS

2.11.1.C. Transportation

The change in the future land use designation will have no significant impact on the maintenance of the transportation LOS. The land is located on a residential street.

2.11.1.D. Solid Waste

The change in the future land use designation will have no significant impact on maintenance of the solid waste LOS.

2.11.1.E. Parks and Recreation

Changing the future land use designation to Institutional-Recreation will have a modest, positive contribution to maintenance of the County's LOS for active parks.

2.11.1.F. Fire, Public Safety and Emergency Medical Services

The County's LOS standards for Fire/Rescue as they apply to this property, that is, in Urban Areas, are as follows:

1. Advanced Life Support - 8 minutes 90% of the time;
2. Basic Life Support - 6 minutes 90% of the time;
3. Fire Response - 6 minutes 90% of the time. (CGMP Policy 14.1A.2.)

The change in the future land use designation will have no significant impact on maintenance of the Fire/Rescue LOS.

2.11.1.G. Schools

The change in the future land use designation will have no significant impact on maintenance of the LOS for public school facilities.

2.11.2. Non-Mandatory Facilities

2.12.2.A. Libraries

The change in the future land use designation will have no significant impact on maintenance of the LOS for library facilities.

2.12 Conclusion.

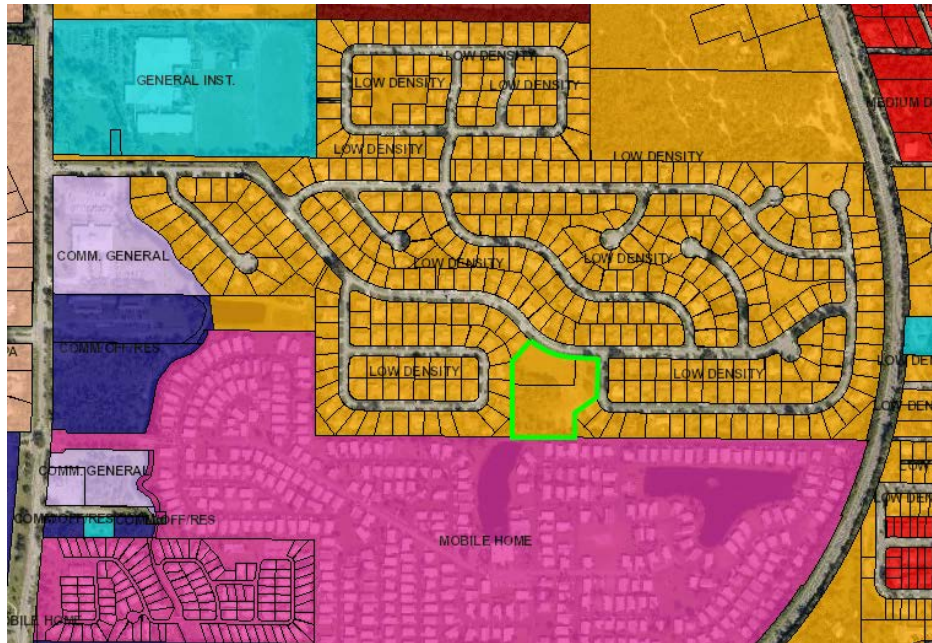
Staff recommends the Institutional- Recreational Future Land Use designation for this property. The subject property is identified on the 1973 plat, as “Reserved Area No. 1 (Park).” It is owned by the County and vacant, except for a small playground in the northeast corner. Martin County has three Institutional Future Land Use designations—Recreational, Public Conservation, and General Institutional. Pursuant to *CGMP Policy 4.13A.11*, land with the Institutional-Recreational future land use is “designed for activity-based and resource-based recreational uses and typically contain recreational facilities and substantial access improvements. . . .Lands acquired by the County for Recreational uses shall be reclassified to the Institutional-Recreation land use designation during the next plan amendment cycle.” Due to its modest size, the function of this land to serve as a park for the immediate neighborhood where residents can arrive by walking or biking will likely be retained.

EXHIBITS

Exhibit A. Map showing current and new future land use designations

Exhibit A

CPA 18-9 Leilani Heights--Current Future Land Use Map



Landuse	
	Rural Density -up to 0.5 UPA
	AgTEC
	Rural Heritage -up to 0.5 UPA
	Estate Density -up to 1 UPA
	Estate Density -up to 2 UPA
	Low Density -up to 5 UPA
	Medium Density -up to 8 UPA
	High Density -up to 10 UPA
	Mobile Home Density -up to 8 UPA
	Commercial General
	Commercial Limited
	Commercial / Office / Residential
	Commercial Waterfront
	Recreational
	Public Conservation Area
	General Institutional
	Industrial
	Agricultural
	Agricultural Ranchette

CPA 18-9, Leilani Heights--Future Land Use Map as Amended

