

**PROPOSED AMMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE PLAN**

**REQUEST NUMBER:**

CPA 18-14 Dixie Hwy. Rio

**APPLICANT:**

Community Redevelopment Agency  
Martin County

**PLANNER-IN-CHARGE:**

Maria Jose, M.S.  
Planner

**REPRESENTED BY:**

Susan Kores  
Office of Community Development Manager

**DATE:** October 19, 2018

Public Hearing	Date	Action
LPA	October 18,2018	LPA recommended changing the parcel to General Commercial future land use.
BCC Transmittal	December 11,2018	Board voted for approval to change the parcel to General Commercial
BCC Adoption	February 12, 2019	

**SITE LOCATION:** The parcel is located on 977 NE Dixie Hwy., in the Rio Community Redevelopment Area.

**APPLICANT REQUEST:** Board of County Commissioners has initiated a comprehensive plan amendment to change the future land use designation from General Commercial and General Institutional to solely General Commercial.

**STAFF RECOMMENDATION:**

Staff recommends future land use change on the property from General Commercial and General Institutional to solely General Commercial.

**EXECUTIVE SUMMARY:**

The 0.28 acre property is located on NE Dixie Hwy. in the Rio Community Redevelopment Area and is shown below, highlighted in red (Figure 1).

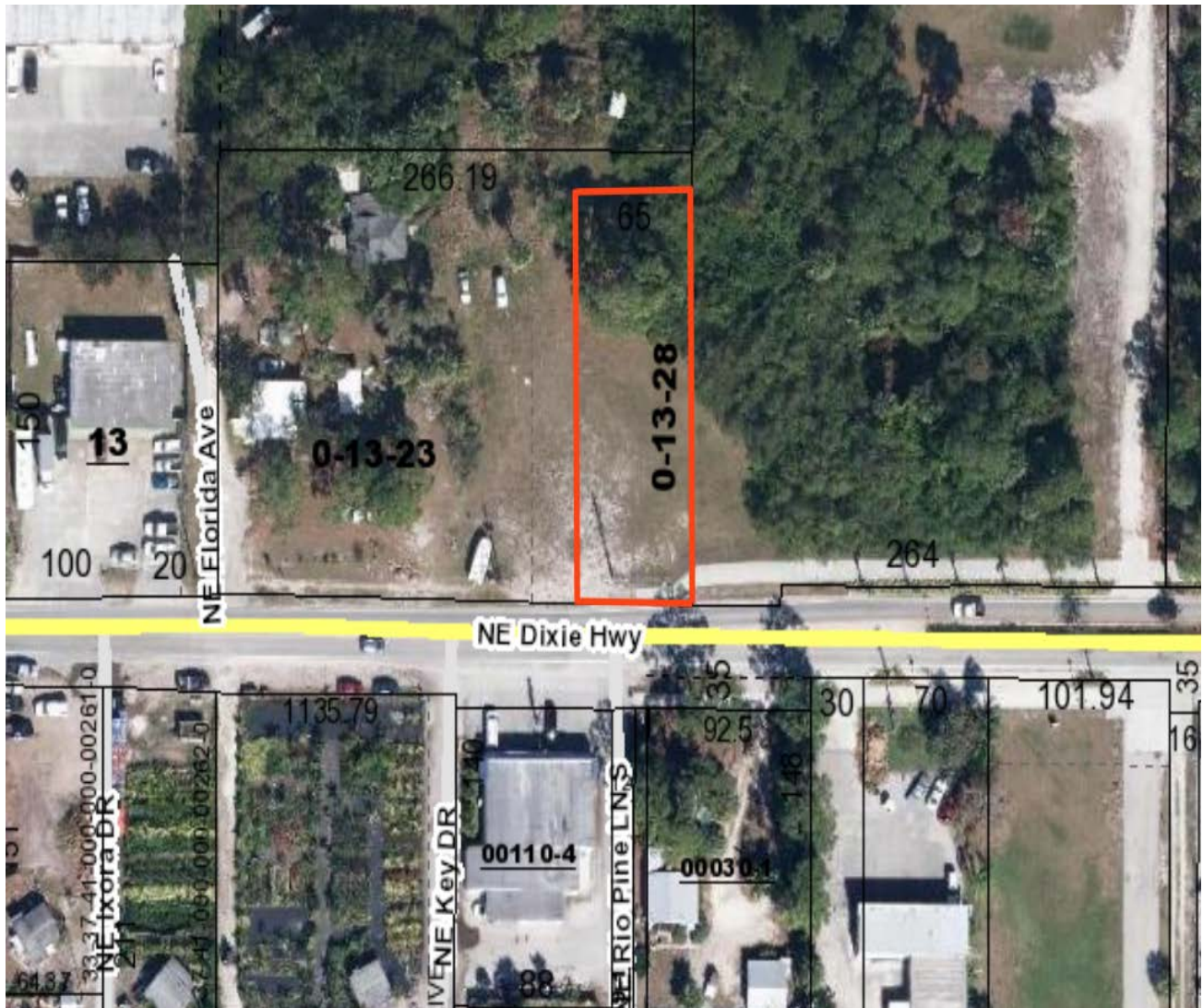


Figure 1

On September 25, 2017, the Community Redevelopment Agency voted to request that the Board of County Commissioners initiate a land use amendment for the property. On January 9<sup>th</sup>, 2018, a draft Request for Proposals for the sale and redevelopment of the subject property along with a request for the Board of County Commissioners to initiate an amendment to change the future land use designation of the property was submitted. In response, the Board of County Commissioners initiated a Future Land Use Map Amendment to the future land use designation of 977 NE Dixie Highway from General Commercial and General Institutional to solely General Commercial. This staff report will consider potential future land use designations consistent with the Comprehensive Growth Management Plan (CGMP) and compatible with the surrounding properties. The staff analysis will consider the General Commercial future land use designation.

## **1. PROJECT/SITE SUMMARY**

### **1.1. Physical/Site Summary**

The subject property is 0.28 acre (12,196 sq. ft.). It is currently an undeveloped vacant lot. NE Dixie Hwy. has a 50-ft. right-of-way.

The parcel is within the following:

*Planning District:* North County.

*Adjacent Planning District:* Stuart Urban.

*Commission District:* District 1.

*Taxing District:* District 1 Municipal Service Taxing Unit.

### **1.2 Major Roadways**

The major roadways closest to the subject parcel are NE Dixie Hwy., upon which the parcel is located.

### **1.3. Current Amendment Requests**

CPA 18- 8, Fire Station 10: A request to change the future land use designation on a 0.34 acre property from General Institutional to a more appropriate future land use designation. It was declared as surplus property by the Board of County Commissioners.

CPA 18-9, Reserve Area No.1, Plat of Leilani Heights Phase 1: A request to change the future land use designation on a 3.4 acre property from Low Density Residential to the most appropriate future land use designation. It was declared as surplus property by the Board of Commissioners, like the Fire Station 10 property.

CPA 18-15, Jensen Beach Impoundment: A county-initiated request to change the future land use designation on 10± acres from Medium Density Residential to Public Conservation.

### **1.4. Past Changes in Future Land Use Designations**

There have been few changes in the surrounding area. Since adoption of the Comprehensive Growth Management Plan in 1982, only two amendments to the FLUM have occurred in the immediate area. See Figure 2. The two amendments are summarized below.

- A. **CPA 2002-6, IBSCO** changed the future land use from Low Density Residential to Industrial on 3.64 acres located northwest of Savannah Road.
- B. **CPA 2003-5, Rio Industrial Center** changed the future land use from General Commercial to Industrial on 9.78 acres located on N.E. Dixie Highway.
- C. **CPA 01-9**, The most substantial amendment affecting this property and the surrounding properties was the adoption of CPA 01-9 on December 11, 2001. It created a Mixed Use Overlay on the Future Land Use Map in each of seven Community Redevelopment Areas.

The highlighted parcels in navy blue outline are the two amended parcels.

The highlighted pink is the Dixie Rio subject property. The Rio Mixed Use Overlay is represented in green

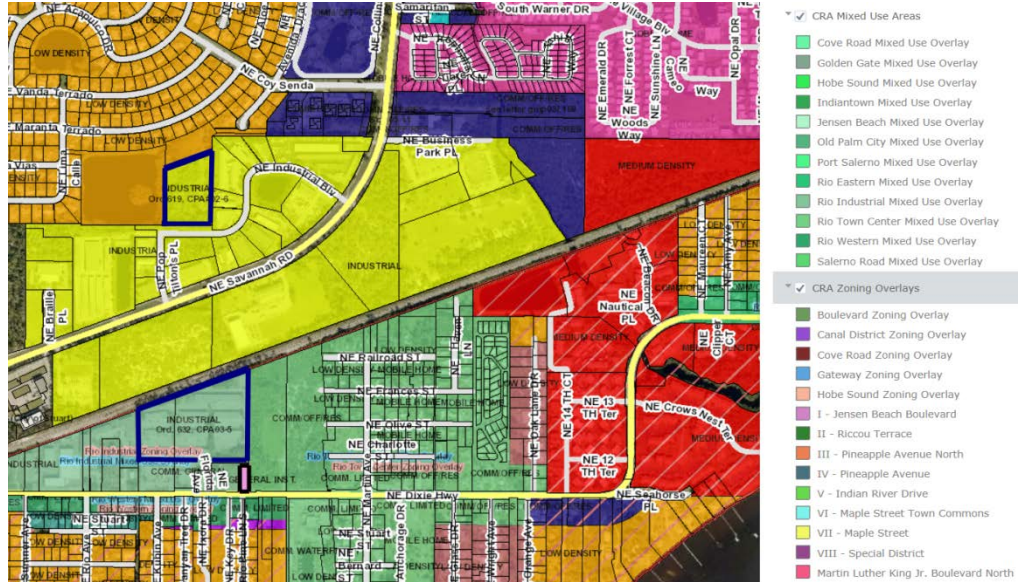


Figure 2

## 1.5. Adjacent Future Land Use

North: Industrial.

South: Limited Commercial.

East: General Commercial.

West: General Commercial.

## 1.6. Environmental Considerations

### 1.6.1. Wetlands, soils and hydrology

The soil on the site is Salerno sand, according to South Florida Water Management District (SFWMD). See figure 3. A survey from United States Department of Agriculture (USDA) states: “The Salerno series consists of very deep, poorly drained, very slowly permeable soils on the flatwoods of Peninsular Florida. They formed in sandy marine sediments. Near the type location, the mean annual temperature is about 72 degrees F., and the mean annual precipitation is about 55 inches. Slopes range from 0 to 2 percent.” (National Cooperative Soil Survey, May 2004).

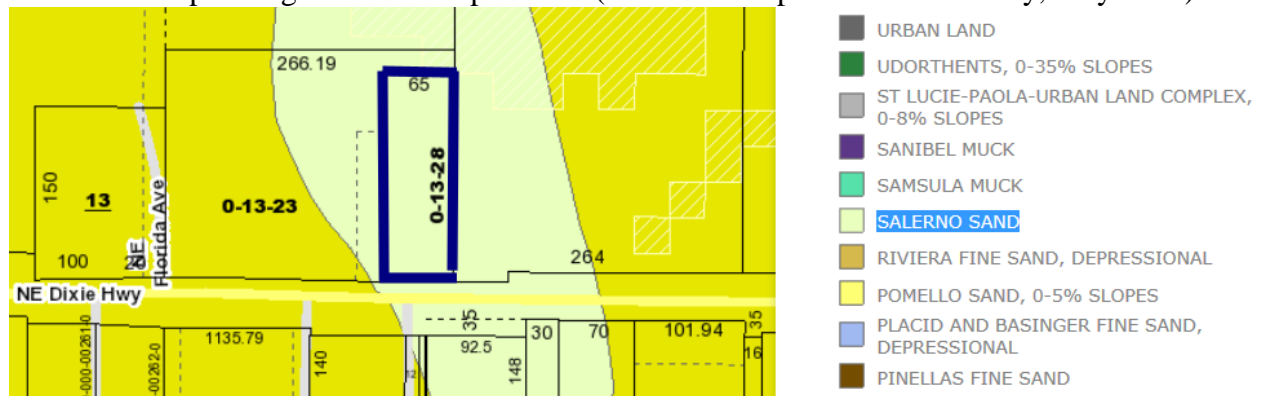


Figure 3



## MARTIN COUNTY 18-14 DIXIE HWY. RIO

The composite wetlands map shows a very low probability of wetlands on the site. See figure 4.



Figure 4

### 1.6.2. Wellfield protection

*The following is a description of the presence of existing wellfields proximate to the site and applicable wellfield protection measures.*

The property is not within wellfield protection zone 1 or 2. It is not significantly near any wellfield protection zones either. See Figure 5. The subject property is highlighted in purple.



Figure 5

The project will be evaluated for wellfield requirements during the County's Development Review process. If groundwater or surface water withdrawals are proposed for irrigation, then the applicant will be required to submit additional information at the development review stage and submit a South Florida Water Management District Water Use Permit.

### **1.7. Adjacent Existing Uses**

Below is a summary of the existing adjacent land uses in the general vicinity of the subject property:

North – 7.83 acres of warehouse

South – Rio St. Lucie Plaza, 1.69 acres

East – Vacant 5.77 acre lot

West - 1 acre lot, residential use

## **2. ANALYSIS**

### **2.1. Criteria for a Future Land Use Amendment (Section 1-11 CGMP)**

In evaluating each Future Land Use Map amendment request or a text amendment request which changes an allowable use of land for a specific parcel, 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. 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.

*(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 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*

There have been only two changes in land use designation in the immediate area. Development on the lands in the immediate area has been consistent with the adopted Future Land Use Map.

*(b) The proposed change would correct an inappropriately assigned land use designation; or*

Yes, it would. Currently the subject property has a dual future land use designation of both General Commercial and General Institutional, and so a FLUM amendment is necessary to make the parcel have a single future land use designation. Changing the entire parcel to General Commercial can allow the parcel to be utilized for appropriate uses and permit use of the property by a private entity. It would also make the site more consistent with the surrounding properties on NE Dixie Hwy.

*(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.*

Not applicable. The property is County owned, specifically belonging to the Community Redevelopment Agency. The Martin County Board of Commissioners initiated the future land use amendment. However, it would not correct a public facility deficiency.

## **2.2. Urban Sprawl**

Florida Statute 163.3177(3)(a)9. states that any amendment to the future land use element shall discourage the proliferation of urban sprawl and provides thirteen indicators to judge whether a future land use amendment discourages the proliferation of urban sprawl.

Urban sprawl is defined 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.

Florida Statute provides an additional eight criteria, of which four must be met, in order to judge whether an amendment can be determined to discourage the proliferation of urban sprawl. An evaluation of the thirteen indicators for urban sprawl and a determination on the eight criteria for this future land use request follows:

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

No, the site is integrated within the urban areas. The site and the proposed change do not promote areas to develop as low-intensity or encourage urban sprawl. Criterion met.

*(II) 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, this site is within the Primary Urban Service District. Criterion met.

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

No, the site is integrated within commercial and urban areas and the proposed change will not promote to development occurring in such patterns. Criterion met.

*(IV) 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, the site does not appear to contain any wetlands and contains only 12,196 square feet. It is also not near or within any wellfield protection zones. Criterion met.

*(V) 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 site is within the primary urban service district. Criterion met.

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

No, the proposed change would encourage development of the site and use existing public facilities and services. Criterion met.

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

No, the proposed change would encourage the redevelopment of the site and maximize the use of future public facilities and services. Criterion met.

*(VIII) 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, this site has adequate utilities, water/sewer systems and will not demand an extra increase in cost/time towards that. Criterion met.

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

No, this site does not fail to do that. Criterion met.

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

No, this site is part of an existing commercial area and is located on Rio, a Martin County Community Redevelopment Area. Criterion met.

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

No, the proposed change does not fail to encourage a functional mix of uses. The site is located in an urban area in proximity to other commercial lands and nearby residential lands. Criterion met.

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

No, this site and the proposed FLUM change do not result in poor accessibility and rather, it provides good accessibility. The proposed change will not result in changes to the road network and proposes commercial land in proximity to other commercial lands. Criterion met.

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

No, the proposed change to the site will not result in any loss of public open space. Criterion met.

The site complies with all 13 sprawl criteria listed above.

### **2.2.1. Proliferation of Urban Sprawl**

In order for the application to be determined to discourage the proliferation of urban sprawl, the amendment must incorporate development patterns or urban forms that achieve four or more of the following:

*(I) 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.*



Yes, the natural resources and ecosystems are not negatively impacted due to this site. The proposed change would locate commercial development in the Primary Urban Service District and in proximity to other commercial lands. Development of the site will not impact existing habitat. Criterion met.

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

Redevelopment of this site will not require the extension of public infrastructure and services outside the Primary Urban Service District. The proposed amendment would allow for private entities to utilize the land effectively, providing an efficient and cost-effective development process. Criterion met.

*(III) 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.*

The proposed General Commercial future land use would permit commercial usage in a walkable distance from other commercial lands and residential areas. The proposed amendment may allow residents within the nearby community to access retail/commercial at a walking distance. However, the proposed changes are not significant enough to impact housing. Criterion met.

*(IV) Promotes conservation of water and energy.*

Yes, this site will promote that. Redevelopment of this existing site will not require the extension of public infrastructure and services outside the Primary Urban Service District. The site is only 0.28 acres, and future developments to it will not result in overconsumption of water and energy. Criterion met.

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

Yes, this site and the proposed FLUM change will not hinder such activities. Criterion met.

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

Yes, this site will do that. Development of this site will not result in any loss of public open space and will not negatively impact natural lands. Criterion met.

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

The proposed FLUM change will allow the site to be developed and utilized for commercial purposes, which entails retail and other commercial needs from which the nearby residential population can benefit. Criterion met.

*(VIII) 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 if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.*

Not applicable. The proposed future land use designation will allow intensities of use and urban form that are consistent with the existing and planned development pattern in the vicinity. However, it does not constitute sprawl because it is located well within the Primary Urban Service District and is consistent with the adopted Future Land Use map. The proposed change does not involve development patterns for new towns defined in s. 163.3164.

Of the eight criteria listed above, seven of the criteria have been met to determine the application discourages urban sprawl.

### **2.3 Land Use Compatibility**

Currently, the subject property has a dual future land use designation of both General Commercial and General Institutional, and so the Community Redevelopment Agency is requesting the parcel's future land use designation to be changed to solely General Commercial. The following analysis will consider the potential future land use designation: General Commercial.

The General Commercial future land use designation would be compatible with the General Commercial parcels to the west and east of the subject parcel. It would also be compatible with the parcels to the south, which have the Limited Commercial future land use designation. The parcels north of the subject site have the Industrial future land use designation, which would also be compatible with the subject property if it becomes General Commercial. A portion of the subject parcel is already designated as General Commercial and so making the entire parcel into General Commercial could eliminate the current dual designation and unify the parcel's future land use. Minimum open space for General Commercial is only 20% while General Institutional has a minimum 40% open space requirement and the uses permitted are restrictive, only allowing certain uses such as public and not-for-profit facilities. Along with these factors, it is important to note that the subject parcel is only 0.28 acres and so changing it to General Commercial, as requested by the CRA, would be appropriate.

### **Implementing commercial future land use**

The CGMP states the following regarding implementing commercial future land use designations.

*“Objective 4.10B.* To consider the space requirements and location of commercial development and its impact on a community when assigning commercial future land use designations.

*Policy 4.10B.1. Criteria for commercial land use designation.* The following criteria, at a minimum, shall be used for assigning a commercial land use designation at a given location on the Future Land Use Map:

(1) Trip generation characteristics; impact on existing and planned transportation facilities; and ability to achieve functional internal circulation and a landscaped parking area.

(2) Specific needs of commercial activities, such as market area, anticipated employment generation and floor area requirements.

- (3) Compatibility with and impact on other surrounding commercial activities.
- (4) Relationship to surrounding land uses and natural systems.
- (5) Impact on existing and planned community services and utilities.

*Policy 4.10B.2. Criteria for siting commercial development.* Commercial development shall be strategically directed to areas best able to accommodate its specific requirements of land area, site, public facilities and market location. The aim is to promote efficient traffic flow along thoroughfares, achieve orderly development and minimize adverse impacts on residential quality.”

The 0.28 acre (12,196 sq. ft.) subject parcel meets the minimum area requirement for General Commercial future land use. Since the parcel is located on NE Dixie Hwy, which is a major arterial road, there would be ample access for commercial use. Intensity of the development on the site will be limited by the parking requirement, which is based on the proposed usage the parcel will have. Additionally, the parcel is located within the Rio Town Center Mixed Use Overlay, and so mixed use will be allowed. If future development proposals on the parcel are for mixed use developments, up to 15 residential units per acre will be allowed, pursuant to Policy 4.3A.3, Comprehensive Growth Management Plan, Martin County, Ordinance No.1077 (2018).

Below are descriptions from the CGMP of the General Commercial future land use designation, extracted from Policy 4.13A.8, CGMP, Martin County, Fla. (2017)

**1) General Commercial Land Use (GC):**

The General Commercial areas are designated on the Future Land Use Map to accommodate general retail sales and services; highway-oriented sales and services; commercial amusement; and trade and warehousing facilities. These areas are principally located in highly accessible parts of the urban service district that are compatible with the unique location and market requirements of these uses. The sites are located on major or minor arterials and require a minimum net lot size of 10,000 square feet. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units located in a General Commercial future land use designation shall be 20 units per gross acre. Maximum building coverage shall be 60 percent. Minimum open space shall be 20 percent. Maximum building height shall be 40 feet.

The Land Development Regulations implementing the General Commercial future land use designation shall be consistent with the development standards described above. This area is not intended to accommodate businesses, trades or services that generate significant nuisance impacts, including glare, smoke or other air pollutants; noise; vibration; major fire hazards; need for extensive outside storage and display; or other impacts associated with more intensive industrial uses. Automotive sales and services shall be located in the General Commercial land use classification on sites appropriately designated for highway-oriented commercial uses in the Land Development Regulations.

The areas designated for General Commercial development are specifically not adapted to permanent residential housing, and such uses shall be located in other areas designated for

residential development. On the other hand, transient residential facilities including hotels and motels, timesharing or fractional fee residential complexes, or other transient quarters should be located in areas designated for commercial use. Areas planned for mixed-use developments as allowed under Goal 4.3 are considered compatible for mixed use.

The General Commercial site should generally be removed from single-family residential development and able to be buffered and screened consistent with the Land Development Regulations requiring appropriate landscaping and screening. Screening shall include vegetative berms (where feasible), plant material and/or aesthetic decorative fences or walls to assure compatibility with less intensive uses existing or anticipated on adjacent sites.

### **Final Analysis**

It is important to note that the subject property is only 0.28 acres and therefore, due to the small size of the site, large scale or intense commercial usage will most likely not be feasible, regardless of the future land use designation it will receive. Also, a portion of the subject parcel is already designated as General Commercial, as well as the surrounding properties to the east and west of the parcel.

General Commercial future land use would be the most appropriate designation for this parcel, considering the site's proximity to commercial lands, and its location on Dixie Highway, which is a major arterial road. Additionally, the subject parcel is separated enough from residential areas, which ensures that residential areas will not be impacted negatively by any future commercial uses this parcel may have. The property is also separated enough from important environmental zones such as wellfield protection zones.

Considering all these factors, staff recommends changing the property's land use designation from Institutional General and General Commercial to solely General Commercial future land use designation.

### **2.5. Capital Facilities Impact (i.e. Concurrency Management)**

Policy 4.1B.2. of the Future Land Use Element states: "All requests for amendments to the FLUMs shall include a general analysis of (1) the availability and adequacy of public facilities and (2) the level of services required for public facilities in the proposed land uses. This analysis shall address, at a minimum, the availability of category A and category C service facilities as defined in the Capital Improvements Element. No amendment shall be approved unless present or planned public facilities and services will be capable of meeting the adopted LOS standards of this Plan for the proposed land uses. The Capital Improvements Element, or other relevant plan provisions, and the FLUMs may be amended concurrently to satisfy this criterion. The intent of this provision is to ensure that the elements of the CGMP remain internally consistent."



## 2.5.1. Mandatory Facilities

### 2.5.1.1. Water/Sewer Facilities

The parcel is located in the Martin County Utilities Area. The site has adequate water and sewer lines, with a potable water line and a main sewer line, Sewer Forcemain. Any proposed development will be required to submit an application for Development Review. The County will provide services subject to development plan approval, execution of a service agreement and a payment of appropriate fees and charges. See Figure 6, where the dark blue line represents water service lateral and the green line represents the Sewer Forcemain, which is a pressurized sewer pipe line. The second one (b) is to show potable water, which is represented by a light blue line.



Figure 6

The staff memorandum attached to this report indicates the system has capacity to provide both potable water and sanitary sewer service.

### 2.5.1.2. Drainage Facilities

Level of Service for drainage facilities is listed below. Compliance with the following levels of service requirements must be evaluated with the submittal of a site plan. The developed site must comply with the following policies.

Policy 14.1A.2.(2) County water management systems:

Level of Service

Major Drainage Ways (over one square mile) - 8.5" in a 24-hour period (25 year/24-hour design storm)

Underground Facilities Utilizing Storm Sewers - 6" in a 24-hour period (5 year/24-hour design storm)

All Other Facilities - 7" in a 24-hour period (10-year/24-hour design storm)

Finished Floor Elevation - 100-year/3-day storm

- (a) Building floors shall be at or above the 100-year flood elevations, as determined from the most appropriate information, including Federal Flood Insurance Rate Maps. Both tidal flooding and the 100-year, 3-day storm event shall be considered in determining elevations. Lower floor elevations will be considered for agricultural buildings and boat storage facilities that are nonresidential and not routinely accessed by the public.
- (b) All project sites shall control the timing of discharges to preclude any off-site impact for any storm event. The peak discharge rate shall not exceed the predevelopment discharge rate for the 25-year frequency, 3-day duration storm event.  
The minimum roadway flood protection design storm shall be the 10-year frequency, 24-hour duration storm event unless the roadway is classified as a scenic corridor, in which case the flood protection design storm will consider maintaining the character of the roadway.

**2.5.1.3. Transportation**

Policy 5.2A.1, states: “The base LOS standard for all roadways is during peak hour/peak season, except for the Florida Intrastate Highway System roadways on the Strategic Intermodal System and for facilities funded with the Transportation Regional Incentive Program that lie outside the urbanized area where LOS C is assigned, or except where an interim level of service has been assigned as described in Section 5.3.B.”

A staff memorandum (attached to this report) from Public Works Department staff indicates the roadway will have available capacity.

**2.5.1.4 Solid Waste Facilities**

The proposed Future Land Use designation does not exceed the level of service (LOS) criteria for solid waste facilities. The required LOS in Martin County is 1.06 tons of capacity per weighted population. The weighted average population (the average of seasonal and full time residents) countywide in Fiscal year 2019 is 162,499 persons. In fiscal year 2019, there are 243,749 tons of available capacity or 1.50 tons per weighted person. A change from General Institutional and General Commercial to General Commercial will not reduce the level of service below capacity.

**2.5.1.5. Parks/Recreation Facilities**

A change from General Institutional and General Commercial to solely General Commercial future land use designation will not require the provision of park facilities.

**2.5.1.6. Fire/Public Safety/EMS**

The following table shows the levels of service adopted in Chapter 14, Capital Improvements. Level of Service Area: Unincorporated Martin County.

	Travel time	Percent of time	Areas of Martin County
Advanced life support	8 minutes	94	Urban
Advanced life support	20 minutes	94	Rural
Basic life support	6 minutes	94	Urban
Basic life support	15 minutes	94	Rural
Fire response	6 minutes	94	Urban
Fire response	15 minutes	94	Rural

The proposed future land use change will not diminish the level of service below capacity.

#### ***2.5.1.7. Schools***

A change from General Institutional and General Commercial to solely General Commercial future land use designation will not require the provision of school facilities.

#### **2.5.2. Non-Mandatory Facilities**

##### ***2.5.2.1. Libraries***

A change from General Institutional and General Commercial to solely General Commercial future land use designation will not require the provision of library facilities.

### **3. FIGURES/ATTACHMENTS**

Figure 1, Location Map

Figure 2, Past Changes Map

Figure 3, Soil Map

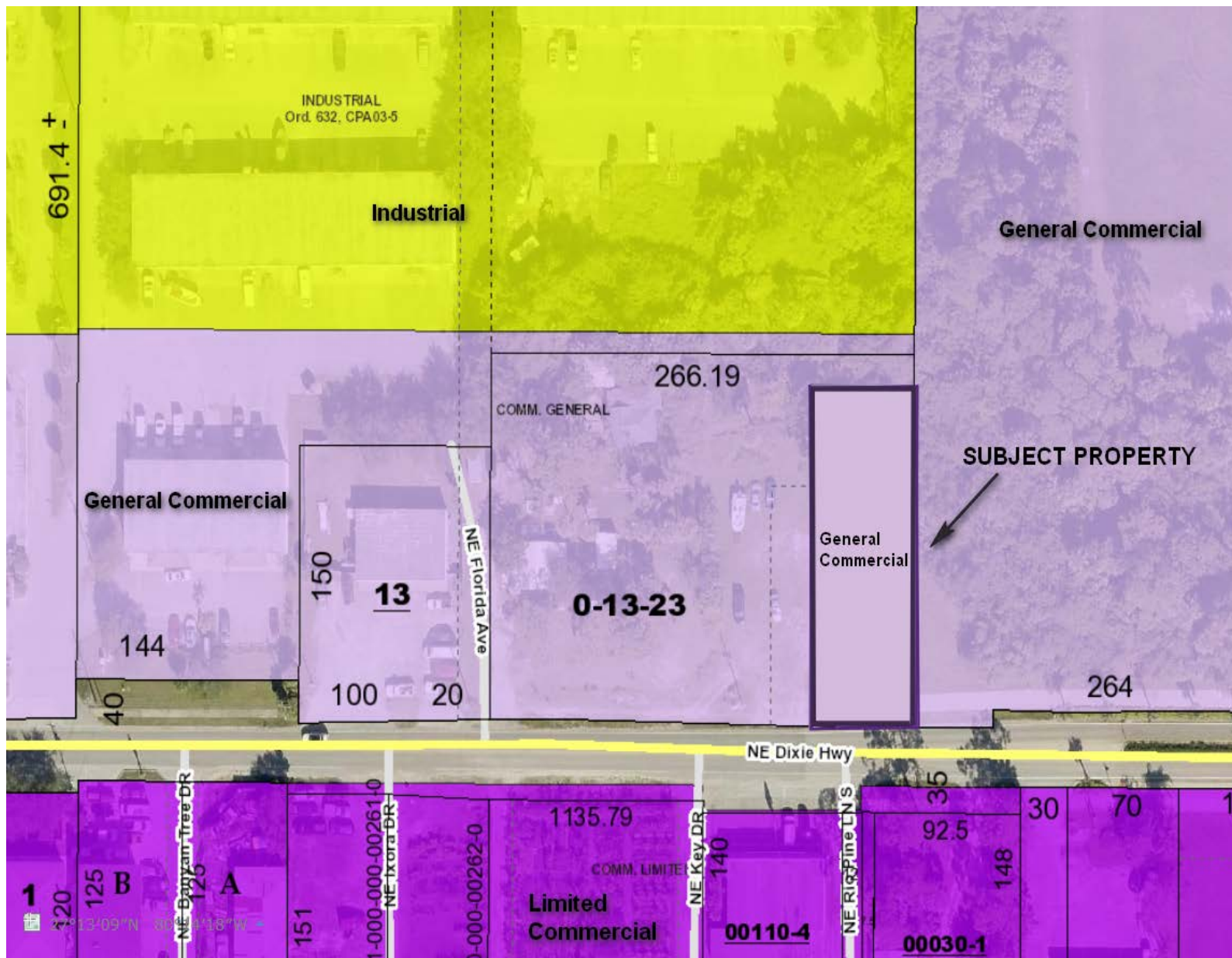
Figure 4, Composite Wetlands Map

Figure 5, Utilities Map

Figure 6, Sewer Map

Attachment 1, Proposed Future Land Use Map

Attachment 1, Proposed Future Land Use Map





Application Materials  
CPA 18-14 Dixie Hwy. Rio  
Adoption Hearing  
February 12, 2019

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

**RESOLUTION NUMBER 18-1.8  
A RESOLUTION TO INITIATE A FUTURE LAND USE MAP AMENDMENT FOR THE  
PROPERTY AT 977 SE DIXIE HIGHWAY IN JENSEN BEACH.**

**WHEREAS**, the Martin County Community Redevelopment Agency owns the property at 977 SE Dixie Highway, Jensen Beach; and

**WHEREAS**, 977 SE Dixie Highway has a dual Commercial Future Land Use Designation of Commercial General and General Institutional rather than one Future Land Use Designation; and

**WHEREAS**, a future land use amendment will facilitate the sale and redevelopment of a mixed use parcel; and


**WHEREAS**, on September 25, 2017 the Community Redevelopment Agency voted to request that the Board of County Commissioners initiate a land use amendment for the property; and

**WHEREAS**, the Martin County Comprehensive Growth Management Plan, Section 1-11, Amendment Procedures, states that the Martin County Board of County Commissioners may, by resolution, initiate a request to amend, modify, add to, or change the Comprehensive Growth Management Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA THAT:** The Martin County Board of County Commissioners hereby initiates a Future Land Use Map Amendment to the future land use designation of 977 SE Dixie Highway of Jensen Beach from Commercial General and General Institutional to solely Commercial General.

**DULY PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF January, 2018.**

**ATTEST**

  
\_\_\_\_\_  
**CAROLYN TIMMANN  
CLERK OF THE CIRCUIT COURT AND  
COMPTROLLER**

**BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA**

  
\_\_\_\_\_  
**EDWARD V. CIAMPI, CHAIRMAN**

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY**

  
\_\_\_\_\_  
**SARAH WOODS, COUNTY ATTORNEY**



**BOARD OF COUNTY COMMISSIONERS AGENDA**

**ACTION SUMMARY**

**1/9/2018 9:00:00 AM**

**REGULAR MEETING**

**MARTIN COUNTY COMMISSION CHAMBERS**

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

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**COUNTY COMMISSIONERS**

*Edward V. Ciampi, Chairman*

*Harold E. Jenkins II, Vice Chairman*

*Doug Smith*

*Ed Fielding*

*Sarah Heard*

*Taryn Kryzda, County Administrator*

*Sarah W. Woods, County Attorney*

*Carolyn Timmann, Clerk of the Circuit Court and Comptroller*

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**PRESETS**

3A	Public	9:05 AM
11	Public	5:05 PM

**1. CALL TO ORDER AT 9:01 AM**

**A. INVOCATION** - Pastor Darrell Orman, First Baptist Church of Stuart

**B. PLEDGE OF ALLEGIANCE**

**C. ADDITIONAL ITEMS** – The Additional Items of 6A and 8B1 were added to the Agenda.

**D. APPROVAL OF AGENDA** – The Agenda was approved.

**E. APPROVAL OF CONSENT AGENDA** – The Consent Agenda was approved minus 4B2.

*NOTE: Consent Agenda Items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board Item is the approved action.*

**2. PROCLAMATIONS, SPECIAL PRESENTATIONS, AND LEGISLATIVE AFFAIRS** - None at this time.

**2. COMMUNITY REDEVELOPMENT AGENCY – REQUEST FOR PROPOSALS FOR THE SALE AND DEVELOPMENT OF CRA OWNED PROPERTY LOCATED AT 977 SE DIXIE HIGHWAY IN RIO**

*Estimated staff presentation: 10 minutes. This Agenda Item presents a draft Request for Proposals (RFP) for the sale and redevelopment of the property located at 977 SE Dixie Highway, owned by the Martin County Community Redevelopment Agency (CRA), along with a request for the Board of County Commissioners to initiate a plan amendment to unite the future land use designation of this property. The Rio Neighborhood Advisory Committee and the CRA Board both unanimously voted in support of these requests.*

AGENDA ITEM: 809248b2

**RESOLUTION NO. 18-1.8**

**ACTION TAKEN:** The Board adopted the Resolution directing staff to initiate a Comprehensive Plan amendment to unite the future land use designation of this property to solely Commercial General.

**3. INDIANTOWN TRANSITION TEAM REQUEST FOR REPRESENTATION**

*Estimated staff presentation: 5 minutes. Representatives of the Village of Indiantown have requested Martin County's support in advancing funds for the retention of attorney, Paul Nicoletti, and communication and technical assistance consultants, to represent their interests in the transition from unincorporated Martin County to a separate municipality.*

AGENDA ITEM: 8093f345

**ACTION TAKEN:** The Board approved a \$50,000 transfer from General Fund Reserve for Contingency and authorized staff to engage Mr. Paul Nicoletti and other contracted consultants to represent the interests of the Village of Indiantown during their transition and directed staff to produce a resolution clarifying and defining terms of what needs to be included.

**B. County Attorney**

**1. CONSIDER APPROVAL OF CHANGES TO A PROPOSED AMENDED AND RESTATED INTERLOCAL AGREEMENT WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (DISTRICT), A MUTUAL RELEASE BETWEEN THE COUNTY AND THE DISTRICT AND A CONSENT TO SUBSTITUTE EXECUTED EXHIBIT "A"**

*Estimated staff presentation: 10 minutes. County staff requests approval of the Amended and Restated Interlocal Agreement with the South Florida Water Management District (District) as well as a Mutual Release Agreement and a Consent to substitute an Executed Exhibit A to the Mediated Settlement Agreement with Lake Point.*

AGENDA ITEM: 80948196

**ADDITIONAL ITEM**

**ACTION TAKEN:** The Board approved the Amended and Restated Interlocal Agreement; the Release Agreement; and the Consent to substitute Executed Exhibit A, following approval by both parties.

**9. WORKSHOP** - None at this time.

**10.COMMISSIONERS** - None at this time.

**11.PUBLIC - TO BE HEARD AT 5:05 PM.** PLEASE LIMIT COMMENTS TO THREE MINUTES.

**12.ADJOURNED AT 12:55 PM**



# Correspondence

MARTIN COUNTY, FLORIDA  
INTER-OFFICE MEMORANDUM

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**TO:** Maria Jose, M.S.  
Planner

**DATE:** October 31, 2018

**FROM:** Jim Christ  
Planner



**SUBJECT:** Comprehensive Plan Amendment 2018-14 Dixie Hwy Rio

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After a review of the materials received on October 9, 2018 the Utilities and Solid Waste Department has the following comments:

**BACKGROUND:**

**Description:** The subject property is 0.25 acres, north of Dixie Highway. The property is located within the Primary Urban Services District and Martin County water and wastewater services are available.

**Location:** A 0.25 acre parcel located north of Dixie Highway.

**Existing Future Land Use:** General Commercial and General Institutional

**Proposed Future Land Use:** General Commercial

**Existing Development:** The subject property is undeveloped.

**Utilities:** Water and wastewater services for the project will be provided by Martin County Utilities.

**Project Coordinator:** Maria Jose, M.S., Planner

**Future Potential Development:**

**Projected Utilities for the Existing Future Land Use:**

There is a potential for approximately 5,717 sq. ft. of commercial development on the .25 acres of General Commercial and General Institutional Land Use designation.

**Projected Utilities for the Proposed Future Land Use:**

The proposed change General Commercial Use is a more intense use as maximum of approximately 6,534 sq. ft. of commercial development could be created.

Adequate treatment plant capacity currently exists to service the proposed Comprehensive Plan Amendment.

**COMMENTS:**

**Utilities Comments:**

Potable Water Service is to be provided by the Consolidated Utility Water System Treatment Plants. The Service provider is Martin County. Adequate treatment plant capacity currently exists to service the proposed development. [ref. Code, LDR, s.5.32.D.3.a.(1) and (2) Code, LDR, Art.5, Div.2]

Determination of available capacity:	
Permitted Capacity	18.800 MGD
Maximum Day Flow (Past 12 months)	-11.808 MGD
Projects With Service Agreements	<u>-.508MGD</u>
Available Capacity	6.484 MGD

Sanitary sewer service is to be provided by the Martin County North Wastewater Treatment Plant. The service provider is Martin County. [ref. Code, LDR, s.5.32.D.3.b.(1) and (2) Code, LDR, Art.5, Div.2].

Determination of available capacity:	
Permitted Capacity	2.760 MGD
Maximum Month Average Daily Flow	-1.504MGD
Projects With Service Agreements	<u>-0.155MGD</u>
Available Capacity	1.101 MGD

**Wellfield/Groundwater Protection Comments:**

If groundwater or surface water withdrawals are proposed for irrigation, the applicant will be required to submit a South Florida Water Use Permit and may be required to submit groundwater computer model.

JC/jc

**MARTIN COUNTY, FLORIDA  
INTER-OFFICE MEMORANDUM**

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**TO:** Maria Jose, M.S.  
Planner

**DATE:** September 27, 2018

**FROM:** Lisa A. Wichser, P.E., CFM  
County Engineer



**SUBJECT:** Comprehensive Management Plan  
Proposed Amendment 18-14: 977 NE Dixie Highway

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Traffic Engineering staff has received the proposed amendment to the Future Land Use Map designation of approximately 0.28 acres located at 977 NE Dixie Highway from General Commercial and General Institutional to solely General Commercial.

The proposed Future Land Use designation of General Commercial would result in a net increase in trips over the existing Future Land Use Map designation. For the purpose of this proposed amendment, staff can provide a "positive evaluation", meaning there is sufficient roadway capacity available [Martin County, Fla., CGMP Policy 14.1C.5.(2)(e) (2013)]. However, this evaluation shall not be used by the applicant, or their successors in title, in any way whatsoever as committing the County legally through the theory of equitable estoppel or any other legal theory, to approve any final development order for the project without a determination and reservation of roadway adequate capacity [Martin County, Fla., CGMP Policy 14.1C.5.(2)(c) (2013)].

Staff will reevaluate the traffic impacts prior to the issuance of any development order associated with the property.

LL/LAW:ll



# Meeting Minutes

## LOCAL PLANNING AGENCY MEETING

Martin County Commissioner Chambers  
2401 S.E. Monterey Road  
Stuart, Florida 34996

### MEETING MINUTES- October 18, 2018

#### Present:

Chairman .....	Jim Moir
Vice Chairman.....	Scott Watson
Agency Members.....	Don Foley, III
.....	Joseph Banfi
.....	Cindy Hall
School Board Liaison .....	Kimberly Everman

#### Staff Present:

##### Growth Management Department:

Director .....	Nicki van Vonno
Comprehensive Planning/Site Compliance Division Adm. ....	Clyde Dulin
Principal Planner .....	Catherine Riiska
Planner .....	Maria Jose
Public Works, Development Review Administrator.....	Michelle Cullum
Public Works, County Surveyor .....	Tom Walker
Sr. Assistant County Attorney .....	Krista Storey
Agency Recorder.....	Mary Holleran

### 1. CALL TO ORDER

The meeting was called to order at 7:05 pm by Jim Moir, Chairman. A quorum was noted.

### 2. CONSENT AGENDA

#### A. Approval of Consent Agenda/Minutes of October 4, 2018

\* **MOTION – MOVED** by Mr. Foley to approve the Consent Agenda and Minutes of the LPA meeting of October 4, 2018.

\*\* **SECONDED** by Mr. Watson **Carried UNANIMOUSLY**

### 3. UNFINISHED BUSINESS

#### 1. None

#### A. Public Hearings

##### 1. None

## **B. Requests and Presentations – None**

Mr. Banfi advised staff that the electronic copy of the Site Plan could not be reviewed to accurately determine the size and scale of the proposed development and the agenda items were impossible to be downloaded. Mr. Moir agreed he had the same difficulty.

Ms. Storey suggested the LPA could continue the item to the next Public Hearing meeting to provide information and address the LPA concerns.

Mr. Bani did not want to inconvenience the applicant by continuing the process. The applicant came forward and provided a large scale copy of the Site Plan to Mr. Banfi, who acknowledged that it was sufficient.

## **4. NEW BUSINESS**

### **A. Public Hearings**

#### **1. BH Storage, LLC (S181-006) (Quasi-Judicial)**

Request for approval of a Revised Major Final Site Plan for a development consisting of 88,025 square feet of residential storage within three buildings with associated infrastructure on 3.36 acres located at 5051 SE Federal Highway on the east side of Federal Highway, approximately 1,200 feet north of SE Salerno Road, Stuart, FL. Included is a request for a Certificate of Public Facilities Reservation.

**Requested by:** Doug Fitzwater, Lucido and Associates

**Presented by:** Catherine Riiska, M.S., P.W.S., Principal Planner, Growth Management Department

\*\*\* (For the Record)

\*\*\* There were no ex parte communication disclosures

\*\*\* No Interveners were present

\*\*\* Notification to surrounding property owners was provided

\*\*\* Ms. Riiska provided a copy of her resume, professional experience and the agenda and staff report

\*\*\* All individuals wishing to speak on this request were Sworn In (S/I).

Mr. Moir introduced Ms. Riiska (S/I) to review the request. She displayed a Location Map of the Subject Site, a 2017 Aerial with the Site Plan Overlay, a 2017 Aerial of the local area, (pg. 2,3 &4/16), the Zoning Map and Future Land Use Maps (pg. 5/16). This is a request for a Revised Major Final Site Plan for a total of 88,025 sq. ft. of residential storage use in the PUSD.

The subject site consists of two parcels and has a split land use designation and split zoning. The front parcel (SE Federal Highway) is designated for Commercial General future land use and has GC, General Commercial District zoning. The rear parcel is designated for Commercial

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Office/Residential (COR) future land use and has R-3A, Liberal Multiple Family District zoning.

The applicant provided an analysis for a reduced parking rate adjustment for consideration. Staff has reviewed the application and recommended approval provided specific development standards for zoning and land use within the specific parcels have demonstrated compliance. Staff finds the application complies with the LDR as detailed in the report, and it is consistent with the guidelines and standards of the CGMP.

The only remaining issue is a Code Enforcement action with a letter of condemnation relating to the detailed building demolition that has been recorded. Some rebar remaining on the site still requires removal. Staff anticipates that Code Enforcement will inspect the site in order to confirm that the condition has been corrected.

Staff recommends that BH Storage Stuart, Revised Major Final Site Plan be recommended for approval with the condition that a successful resolution of the site through remediation to the satisfaction of Code Enforcement staff occurs prior to the BoCC meeting which is scheduled for November 20, 2018.

LPA Comments/Questions:

Mr. Banfi received an explanation of General Commercial to COR from Ms. Riiska and said they might want to strike the 29 and show 28 on the Site Plan.

Mr. J.D. Baldwin, S/I and Mr. Doug Fitzpatrick, S/I provided information to Mr. Moir on heights for the elevations. They discussed regulations, and provided information on the exterior and interior structures, and architectural fixtures.

Mr. Patrick LaConte, S/I, LaConte Engineering, provided information on drainage, balance in the water retention area, a resolution on native habit and removal of trees.

Mr. Moir asked if neighbors had been conferred with concerning any impact, and Mr. Fitzwater indicated they had not met with the neighbors.

**Public Comment: None**

- \* **MOTION – MOVED** by Mr. Banfi to approve Staff’s recommendation that BH Storage Stuart, Revised Major Final Site Plan be recommended for approval with the condition that a successful resolution of the site through remediation to the satisfaction of Code Enforcement staff occurs prior to the BoCC meeting which is scheduled for November 20, 2018.

\*\* **SECONDED** by Mr. Watson

**Carried UNANIMOUSLY**

**2. Request to consider adoption of an Ordinance amending Division 19 of Article 4, relating to Open Road Frontage of the Land Development Regulations, Martin County Code.**

**Requested by:** Lisa A. Wichser, P.E., CFM, County Engineer  
**Presented by:** Michelle Cullum, Development Review Administrator and Tom Walker, County Surveyor, Public Works Department

Ms. Cullum reviewed the request to amend Section 4.841.C, Glossary and Section 4.843.K Open Road Frontage, Division 19 of Article 4, LDR relating to roads, and discussed the changes needed to address issues related to the open road frontage requirement.

The purpose and intent of this request is, in order for a Building Permit to be issued for the construction of any structure the lot must directly front an open road. The LDRs provide for exceptions and variances from the Board of County Commissioners (BoCC). The proposed amendment is intended to clarify the distinctions.

Mr. Walker read exceptions to the regulations allowing for building permits to be issued on both lots that result from a lot split (in accordance with Section 4.911.C.1) (Staff Report, (1), (2) and (3). Examples of exception lots, Variance lots, and Open Road lots were displayed

Variances granted allowing building permits on a lot not fronting on an open road provided that the Board determines: (1), (2), (3, and (4). Applying these regulations indicates many lots of record or lot splits are difficult as they do not have the benefit of an easement recorded prior to March 6, 2002. It is the property owner's responsibility to request a variance for an open road.

LPA Comments/Questions:

Mr. Watson discussed an experience of granting an easement for access to property that was not to be developed and how that could change. Ms. Cullum explained that roads are opened for health and public safety with determinations for variances made by the BoCC. Staff and the LPA discussed this topic further.

Ms. Storey advised the BoCC believes it appropriate for the health, safety and welfare of the public that building permits only be issued on an open road. Certain exceptions and variances have been provided over the years to allow people the use of their property, and to address particular situations, such as a legal lot split.

Ms. Storey commented that staff was asked to address the issue of distance to bring it forward, and get input from the LPA. She noted that the 1,320 ft. distance related to a ½ (mile) block.

**Public Comment:** - None

Mr. Moir called for staff's recommendation.

Ms. Cullum indicated staff's recommendation is to amend the LDRs to clarify exceptions and variances so that exceptions are no more than three transversing lots and are less than 700 ft. in length, and the Board of County Commissioners can grant variances if they determine conditions are met for a legal lot of record, so if the exception is done in a lot split it can be determined by the County Engineer and if it was a legal lot of record not created by a lot split that could go to the Board.

- \* **MOTION – MOVED** by Mr. Watson to approve staff's recommendation with the alternative open road at ¼ mile, 1,320 ft. over multiple lots for the variance.

- \*\* **SECONDED** by Mr. Foley

**Mr. Moir and Mr. Banfi Opposed**

- \*\* **MOTION CARRIED 3-2.**

Mr. Moir was opposed and thought ¼ mile is too long a distance and not limiting the number of lot splits is asking for problems, they need to be limited. Open road are expensive but going cheap is trouble.

Mr. Banfi commented on lot splits and how they occur with lack of access and that you want to have easements to have a minimum width and roads open for a purpose such as egress and ingress i.e., granting to parent/child lot splits. There needs to be a plan to identify examples of large lots with no access, and an easy start would be to handle two lots and give a simple easement.

**3. Comprehensive Plan Amendment 18-14, Dixie Highway, Rio** – Request to consider a Future Land Use Map change from General Institution and General Commercial to solely General Commercial on +-0.28 acres located at 977 NE Dixie Highway, Rio.

**Requested by:** Martin County Community Redevelopment Agency

**Presented by:** Maria Jose, M.S., Planner, Growth Management Dept.



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\*\*\* Notification to surrounding property owners was provided for both items: CMP 18-14, Jensen Beach Impoundment Extension and notification to surrounding property owners was provided for CMP 18-15.

Ms. Jose reviewed the request and indicated the 0.28 acre property located on NE Dixie Highway in the Rio CRA has a future land use designation of General Commercial and General Institutional. The BoCC has initiated a CPA to change the Future Land Use designation to solely General Commercial.

Staff recommends the future land use change on the property from General Commercial and General Institutional to solely General Commercial, to eliminate a dual future land use designation.

Mr. Foley asked why not change the FLU designation to General Institutional.

Ms. Jose displayed the surrounding area(s) future land use and explained that staff analysis considered the existing and surrounding land use to recommend General Commercial, she provided permitted uses, and due to the small size of the parcel, large scale or intense commercial would not be feasible.

Mr. Banfi confirmed the Fire Station was formerly located on the property.

**Public Comment:** - None

- \* **MOTION – MOVED** by Ms. Hall to accept staff's recommendation regarding CPA 18-14, Dixie Highway, Rio to change the Future Land Use Map from General Institution and General Commercial on +-0.28 acres located at 977 NE Dixie Highway, Rio, FL.

\*\* **SECONDED** – by Mr. Banfi **CARRIED UNANIMOUSLY**

**4. Dixie Highway, Rio (Quasi-Judicial) – Staff is withdrawing this item.**

Ms. Storey addressed the reason why this item was withdrawn, as there is no need to change the zoning requirement.

**Public Comments:** None

- \* **MOTION – MOVED** by Ms. Hall to approve staff's request to withdraw this request from the agenda.

\*\* **SECONDED** by Mr. Banfi **Carried UNANIMOUSLY**

**5. Comprehensive Plan Amendment 18-15, Jensen Beach Impoundment Extension** – Request to consider a Future Land Use Map change from Medium Density Residential to Public Conservation on a parcel consisting of +-10.13 acres located on NE Causeway Boulevard, west of the Jensen Beach Club on Hutchinson Island, Jensen Beach, FL.

**Requested by:** Nicki van Vonno, AICP, Director, Growth Management Dept.

**Presented by:** Maria Jose, M.S. Planner, Growth Management Dept.

Ms. Jose reviewed the request initiated by the BoCC to assign the most appropriate institutional future land use designation on the property. The subject parcel was displayed (pg. 2/13). Staff considered Public Conservation future land use and recommended a future land use change from Medium Density Residential to Public Conservation.

Ms. Jose reviewed the surrounding parcels and indicated that Public Conservation recognizes public owned areas designated for conservation uses and only development compatible with conservation and passive recreation 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.

Staff recommended the Public Conservation designation will be the most appropriate designation of the parcel considering the site's proximity to conservation lands, and its location to the Jensen Beach Club residential community.

Mr. Foley questioned public versus passive usage. Ms. Jose explained that Public Conservations allows only passive usage and provided examples.

**Public Comments:**

Barbara Stamm, a resident of Fairwinds Cove, questioned what it will do to the property values on the south side of the Causeway due to public access, and construction.

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Mr. Moir indicated it will match all the other properties around it to the north, preserve it as is, and no longer have medium density homes. He did not believe it would have any effect on her property.

Mr. Banfi commented it was part of the Jensen Beach Club and he spoke of past history on the property, and the impact of transfer of gross density.

Ms. Storey indicted that transfer of density in the past was often specifically noted as part of a Development Order.

- \* **MOTION – MOVED** by Mr. Watson to accept staff's recommendation for a Future Land Use Map change from Medium Density Residential to Public Conservation relating to CPA 18-15, Jensen Beach Impoundment Extension.

\*\* **SECONDED** by Ms. Hall

**CARRIED UNANIMOUSLY**

**B. Requests and Presentations – None**

**5. COMMENTS**

**a. Public - None**

**b. Staff –** Ms. van Vonno indicated the LPA would be notified of the next LPA meeting date.

**c. Members -** Mr. Joseph Banfi announced tonight was his last meeting to serve on the LPA Board and he thanked all and appreciated serving. Ms. van Vonno thanked Mr. Banfi and indicated staff also appreciated his service.

**6. ADJOURN**

There was no further business. The meeting was adjourned at 8:20 pm.

Recorded and Prepared by:

Approved by:

APPROVED  
Mary F. Holleran, Agency Recorder

\_\_\_\_\_  
Jim Moir, Chairman

November 15, 2018  
Date



## BOARD OF COUNTY COMMISSIONERS

### ACTION SUMMARY

12/11/18 9:00 AM

REGULAR MEETING COMMISSION CHAMBERS  
2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

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#### **COUNTY COMMISSIONERS**

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

Taryn Kryzda, County Administrator  
Sarah W. Woods, County Attorney  
Carolyn Timmann, Clerk of the Circuit  
Court and Comptroller

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#### **PRESETS**

9:05 AM - Public Comment

5:05 PM - Public Comment

#### **CALL TO ORDER AT 9:03 AM**

1. INVOCATION - Chaplain M. Bruce Irwin, Martin County Fire Rescue
2. **PLEDGE OF ALLEGIANCE**
3. **ADDITIONAL ITEMS** – There were no Additional Items.
4. **APPROVAL OF AGENDA** – The Agenda was approved.
5. **APPROVAL OF CONSENT AGENDA** – The Consent Agenda was approved.

Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

#### **COMMENTS**

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

#### **CONSENT**

#### **ADMINISTRATION**

#### **CNST-1 CONTRACTS THAT MEET THE THRESHOLD FOR BOARD APPROVAL**

This item is a placeholder on all Board meeting agendas in an effort to streamline the process for items that meet the Board approval threshold. Specific items requiring approval, if any, will be provided by Supplemental Memorandum. If there are no items, a Supplemental Memorandum will not be attached.

Agenda Item: 19-0007 Supplemental Memo (1 item)

**CNST-2 BOARD OF COUNTY COMMISSIONERS' APPROVAL OF WARRANT LIST FOR DISBURSEMENT VIA CHECKS AND ELECTRONIC PAYMENTS TO COMPLY WITH STATUTORY REQUIREMENTS**

Pursuant to Chapter 136.06, Florida Statutes, checks and electronic payments issued by the Board of County Commissioners are to be recorded in the Board meeting minutes. In compliance with statutory requirements, the Warrant List is added to the Consent Agenda for approval by the Board of County Commissioners. This Warrant List is for disbursements made between October 27, 2018 and November 16, 2018. Additional details related to these disbursements may be viewed in the office of the Martin County Clerk of Court and Comptroller or on the Clerk's website.

Agenda Item: 19-0010

**CNST-3 INVESTMENT REPORTS FOR SEPTEMBER AND OCTOBER 2018**

The Clerk of Circuit Court and Comptroller is presenting the Investment Reports for September and October 2018.

Agenda Item: 19-0020

**CNST-4 BOARD OF COUNTY COMMISSION MINUTES TO BE APPROVED**

The Board is asked to approve Minutes from the November 13, 2018 Board of County Commission meeting.

Agenda Item: 19-0057

**CNST-5 CONSTRUCTION INDUSTRY LICENSING BOARD APPOINTMENTS**

After solicitation of applicants, the Board is asked to make the necessary appointments to the Construction Industry Licensing Board.

Agenda Item: 19-0031

[RESOLUTION NO. 18-12.1](#)

**CNST-6 LOCAL PLANNING AGENCY SCHOOL DISTRICT APPOINTMENT**

The Board is asked to reconfirm the appointment of Kimberly Everman to be the School District's non-voting representative on the Local Planning Agency.

Agenda Item: 19-0033

[RESOLUTION NO. 18-12.2](#)

**CNST-7 BOARD OF ZONING ADJUSTMENT APPOINTMENT FOR COMMISSION DISTRICT 2**

The Board is asked to confirm the appointment of Cabell McVeigh as Commissioner Hetherington's representative on the Board of Zoning Adjustment.

Agenda Item: 19-0107

[RESOLUTION NO. 18-12.3](#)

**AIRPORT**

**CNST-8 ALLSPORTS PRODUCTIONS, LLC USE AGREEMENT**

Allsports Productions of Fort Lauderdale, FL has produced the Stuart Boat Show annually for the last 24 years. They have one of the largest economic impact events in a calendar year in Martin County. Due to the restricted areas for parking vehicles, they are requesting additional parking at Martin County Airport/Witham Field. They will be providing trolley transportation to the boat show from the airfield.

Agenda Item: 19-0094

## **INFORMATION TECHNOLOGY**

### **CNST-9 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING PUBLIC PURPOSE LEASE AGREEMENT (LEASE) WITH U.S. CUSTOMS AND BORDER PROTECTION FOR TOWER AND GROUND SPACE LOCATED AT 6000 SE TOWER DRIVE STUART FL 34997**

This is a request for the adoption of a Lease with the U.S. Customs and Border Protection for tower and ground space to facilitate radio communications for the U.S. Customs and Border Patrol operations. The resulting communications will enhance public safety for Martin County first responders and citizens.

Agenda Item: 19-0138

**RESOLUTION NO. 18-12.4**

## **PUBLIC WORKS**

### **CNST-10 ADOPTION OF A RESOLUTION APPROVING AND ACCEPTING A LEASE BETWEEN MARTIN COUNTY AND FLORIDA COMMUNITY HEALTH CENTERS, INC. TO PROVIDE CONTINUED HEALTH SERVICES TO THE PUBLIC AT THE MARTIN COUNTY HEALTH DEPARTMENT**

Request that the Board adopt a Resolution approving and accepting a new lease with Florida Community Health Centers, Inc. (FCHC), to continue providing maternity care, including prenatal, delivery and postnatal care, as well as a continuum of primary health services, at the Martin County Health Department (Health Department) located on Willoughby Boulevard in Stuart.

Agenda Item: 19-0060

**RESOLUTION NO. 18-12.5**

### **CNST-11 REQUEST TO ADOPT A RESOLUTION AND TO EXECUTE RAILROAD REIMBURSEMENT AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION, INC. FOR SW SILVER FOX LANE AND SW TOMMY CLEMENTS STREET**

The Florida Department of Transportation (FDOT) will be repairing and enhancing the traffic control devices at the grade crossings of SW Silver Fox Lane and SW Tommy Clements Street over the CSX railroad track as Rail Safety Projects. The FDOT has prepared Railroad Reimbursement Agreements for Grade Crossing Traffic Control Devices which provides the County and CSX Transportation, Inc. (CSX) split the future operation and maintenance costs for the traffic control devices.

Agenda Item: 19-0093

**RESOLUTION NO. 18-12.6**

### **CNST-12 REQUEST FOR APPROVAL OF THE SANDS COMMERCE CENTER III (S219-202) AMENDED 65' UTILITY, DRAINAGE, ACCESS AND MAINTENANCE AGREEMENT AND FIVE REVISED (5) UTILITY EASEMENTS**

This request is for the approval and acceptance of a revised 65' Utility, Drainage, Access and Maintenance Easement and five (5) revised Utility Easements from Jeffrey H. Sands to Martin County.

Agenda Item: 19-0114

## **PUBLIC HEARINGS**

### **PH-1 FIRST PUBLIC HEARING TO REQUEST BOARD APPROVAL FOR THE HEALTH AND HUMAN SERVICES DIVISION TO PROCEED WITH A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (FDEO) FISCAL YEAR 2017-2018**

Two public hearings are required to ensure citizen input on any proposed Community Development Block Grant (CDBG) application. This is the first public hearing on this subject to allow the citizens to express their views concerning the community's economic and community development needs. The Health and Human Services Division proposes to apply for an Economic Development CDBG grant in FY 2017-2018.

Agenda Item: 19-0118

ACTION TAKEN: The Board authorized staff to pursue options for the Economic Development Grant.

### **PH-2 PUBLIC HEARING TO ADOPT NOTICE OF INTENT RESOLUTION REQUIRED BY SECTION 197.3632, FLORIDA STATUTES FOR SPECIAL ASSESSMENTS**

Public hearing to adopt a non-binding resolution declaring the Board's intent to use the uniform method of collection for certain proposed non-ad valorem assessments that may be imposed within certain municipal service benefit units to be established for road paving and ancillary drainage, dredging services, storm water services and facilities, and water and/or wastewater.

Agenda Item: 19-0077

**RESOLUTION NO. 18-12.7**

ACTION TAKEN: the Board adopted the Resolution of Intent to use the uniform method of collection for non-ad valorem assessments for a proposed series of special assessments within certain municipal services benefit units to be established for roads and ancillary drainage, storm water services and facilities, and water and/or wastewater and dredging.

### **PH-3 PUBLIC HEARING TO CONSIDER ADOPTION OF ORDINANCE AMENDING SECTION 71.243.B, CHAPTER 71, FINANCE AND TAXATION, ARTICLE 6, TOURIST DEVELOPMENT TAXES, GENERAL ORDINANCES, MARTIN COUNTY CODE TO CHANGE THE CATEGORIES OF USE AND PERCENTAGES OF TAX REVENUES**

The Board of County Commissioners (Board) is requested to adopt proposed amendments to Chapter 71, Finance and Taxation, Article 6, Tourist Development Taxes, General Ordinances, Martin County Code to modify the existing allocations for the uses of funds and percentages of tax revenues for tourist development taxes.

Agenda Item: 19-0120

**ORDINANCE NO. 1086**

ACTION TAKEN: The Board adopted the amendment to the Tourist Development Taxes Ordinance.



**PH-4 LEGISLATIVE PUBLIC HEARING TO CONSIDER ADOPTION OF COMPREHENSIVE PLAN AMENDMENT 18-13, CHAPTER 1 PREAMBLE**

The Board of County Commissioners initiated a text amendment to amend the application requirements and related topics in Chapter 1, Preamble of the Comprehensive Growth Management Plan.

Agenda Item: 19-0091

**ORDINANCE NO. 1087**

**ACTION TAKEN:** The Board adopted CPA 18-13, Chapter 1, Preamble a text amendment to amend the application requirements and related topics.

**PH-5 LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 18-14, DIXIE HIGHWAY, RIO**

An application to amend the Future Land Use Map was initiated by the Board of County Commissioners for 0.28 acres owned by Martin County Community Redevelopment Agency located in Rio. The property is located on 977 NE Dixie Highway, in Jensen Beach, Rio. Staff recommends that the dual designation of General Institutional and General Commercial future land use designation be changed to solely General Commercial future land use designation. The Local Planning Agency recommended that the future land use designation be changed to General Commercial.

Agenda Item: 19-0119

**ACTION TAKEN:** The Board approved for transmittal to Department of Economic Opportunity CPA 18-14, Dixie Highway, Rio, changing the future land use designation from General Institutional and General Commercial to General Commercial on the subject 0.28 acres.

**DEPARTMENTAL  
ADMINISTRATION**

**DEPT-1 OFFICE OF MANAGEMENT AND BUDGET ITEMS WHICH REQUIRE BOARD APPROVAL**

This is a placeholder on all Board meeting agendas in an effort to streamline the process for grant applications, awards, budget resolutions, budget transfers from reserves, and CIP amendments. Specific items requiring approval, if any, will be provided by Supplemental Memorandum.

Agenda Item: 19-0003 **Supplemental Memo (7 items)**

1. **PERMISSION TO APPLY FOR THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, COASTAL PARTNERSHIP INITIATIVE GRANT** - The Board authorized the Public Works Department, Ecosystem Restoration and Management Division, to apply for the Florida Department of Environmental Protection, Coastal Partnership Initiative Grant.
2. **PERMISSION TO APPLY FOR THE 2018 KEEP AMERICA BEAUTIFUL/COCA-COLA PUBLIC SPACES RECYCLING BIN GRANT** - The Board authorized the Parks and Recreation Department to apply for the 2018 Keep America Beautiful/Coca-Cola Public Spaces Recycling Bin Grant.
3. **PERMISSION TO ACCEPT THE FY 2018-2019 FLORIDA BOATING IMPROVEMENT PROGRAM (FBIP) GRANT AGREEMENT FOR THE JENSEN BEACH MANAGED MOORING FIELD (GRANT CONTRACT #18076)** - The Board authorized the Chairman and/or designee to execute the FBIP agreements as well as any non-monetary grant related documents upon review

- and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 18-12.8
4. PERMISSION TO ACCEPT THE STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP) MUTUAL AID RADIO CACHE (MARC) UNIT REPLACEMENT - The Board authorized the Chairman and/or designee to execute the SHSGP agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 18-12.9
  5. PERMISSION TO ACCEPT THE VISIT FLORIDA RED TIDE MARKETING GRANT - The Board authorized the Chairman and/or designee to execute the EMPA agreement as well as any non-monetary grant related documents upon review and concurrence of the County Attorney's Office and adopted the Budget Resolution. RESOLUTION NO. 18-12.10
  6. REQUEST FOR FUNDS FROM AIRPORT FUND RESERVES FOR US CUSTOMS FACILITY CHANGE ORDER - The Board approved a Budget Transfer from Airport Fund Reserves in the amount of \$106,000 for a change order for the US Custom's Facility.
  7. BUDGET TRANSFER AND CIP MODIFICATIONS FOR THE UTILITIES DEPARTMENT - The Board approved modifications of the CIP sheets for Floridan Wells, Storage Tanks, Utilities Accommodations, as well as the corresponding budget transfer for CIP changes and for Neptune meters software.

## **DEPT-2 CONSIDER ADOPTION OF THE 2019 STATE LEGISLATIVE PRIORITIES**

Each year, the Board considers its State Legislative Priorities prior to the convening of the Florida Legislature. The State Legislative Priorities Document will be provided to the Board of County Commissioners prior to their meeting.

Agenda Item: 19-0121

ACTION TAKEN: The Board approved the 2019 State Legislative Priorities - Appropriations Specific to Martin County (Septic to Sewer Funding, East Fork Creek Stormwater Treatment Area, Mooring Fields Funding, Beach Renourishment, Loxahatchee River Preservation Initiative), Appropriations Martin County Supports (Dedicated Coral Reef Funding, Biosolids, Purchasing PalMar and IRL South), and Additional Support Statements (US 27 Multimodal Corridor, Community Redevelopment Agency Statutory Authority, Arts Council Funding, Harbor Branch Blue-Green Algae Research, and St. Lucie River Issues Team). The Board also directed staff to create an Agenda Item for December 18 regarding PalMar and IRL South including a brief history, how they work together/separately, and assessments.

**UTILITIES AND SOLID WASTE**

**DEPT-3 SEPTIC TO SEWER PROGRAM UPDATE**

Staff is prepared to update the Board on the Septic to Sewer Program and present additional initiatives for Board consideration.

Agenda Item: 19-0122

**ACTION TAKEN:** The Board approved the Large Sewer program; directed staff to bring back dedicated funding (\$2M) options for the Large Sewer Projects; directed staff to bring back a program, supported in the Utilities and Solid Waste Capital Improvement Project (CIP), that will provide a backbone Grinder Sewer System to support up to 300 connections per year; and approved the implementation of the base monthly (SAC) fee for those customers that do not connect within a year of service availability.

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

**ADJOURNED AT 12:10 PM**

# Powerpoint Presentation



CPA 18-14

Dixie Hwy. Rio

Proposed Future Land Use  
Map Amendment

---

# Current Future Land Use

INDUSTRIAL  
Ord. 632, CPA03-5

266.19

COMM. GENERAL

65

**13**

NE Florida Ave

**0-13-23**

**0-13-28**

GENERAL

264

NE Dixie Hwy

41-000-000-00261-0

NE Ixora DR

00-000-000262-0

1135.79

COMM. LIMITED

NE Key DR

140

**00110-4**

NE Rio Pine LN S

35  
92.5

148

**00030-1**

30

70

## Proposed Future Land Use Map change

- The 0.28 acre (12,196 sq. ft.) parcel is owned by Martin County Community Redevelopment Agency (CRA)
- Board initiated a FLUM change from the dual designation of General Commercial and General Institutional to solely General Commercial
- Located on NE Dixie Hwy in Rio





- The staff analysis considers the existing and surrounding land uses to recommend a single future land use designation ,General Commercial

# General Commercial

- General Commercial allows general retail sales and services.
- The General Commercial site should generally be removed from single-family residential development and able to be buffered and screened consistent with the Land Development Regulations requiring appropriate landscaping and screening.
- The subject property is only 0.28 acres and therefore, due to the small size of the site, large scale or intense commercial usage will most likely not be feasible.

## **Staff Recommendation: General Commercial**

- A portion of the subject parcel is already GC and making the entire parcel GC would eliminate the current dual designation and unify the parcel's future land use.
- GC would be the most appropriate designation for this parcel, considering the site's proximity to commercial lands, and its location on Dixie Highway, which is a major arterial road.

- Additionally, the parcel is separated enough from residential areas, insuring residential areas will not be impacted negatively by any future commercial uses this parcel may have. The property is also separated enough from important environmental zones such as wellfield protection zones.
- Considering all these factors, staff recommends changing the property's land use designation from General Institutional and General Commercial to solely General Commercial future land use designation.

# Public Notice



**NOTICE OF FUTURE LAND USE  
AND ZONING CHANGE  
APPLICATION #18-14  
DIXIE HWY RIO**

THIS PROPERTY IS THE SUBJECT OF AN APPLICATION TO CHANGE THE FUTURE LAND USE DESIGNATION  
FROM: INSTITUTIONAL GENERAL & GENERAL COMMERCIAL TO: GENERAL COMMERCIAL  
AND TO CHANGE THE ZONING DESIGNATION  
FROM: B-2 TO: GENERAL COMMERCIAL  
CONTACT MARTIN COUNTY GROWTH MANAGEMENT DEPARTMENT  
**772-288-5495**





# MARTIN COUNTY

## BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

DOUG SMITH  
STACEY HETHERINGTON  
HAROLD E. JENKINS II  
SARAH HEARD  
EDWARD V. CIAMPI

Commissioner, District 1  
Commissioner, District 2  
Commissioner, District 3  
Commissioner, District 4  
Commissioner, District 5

TARYN KRYZDA, CPM County Administrator  
KRISTA A. STOREY Acting County Attorney

TELEPHONE (772) 288-5400  
WEBSITE [www.martin.fl.us](http://www.martin.fl.us)

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January 31, 2019

Nicki van Vonno, Director  
Martin County Growth Management Department  
2401 SE Monterey Rd.  
Stuart, FL 34996

RE: Certification of Property Owner Public Hearing Notification

Dear Ms. van Vonno,

I certify that letters of notification to the surrounding property owners, per the distance requirements contained in the Martin County Comprehensive Growth Management Plan, for the following proposed amendments listed below were mailed on January 23, 2019.

- CPA 18-14, Dixie Hwy, Rio
- CPA 18-15, Jensen Beach Impoundment Extension

All the notification letters contained the meeting notice information for the Public Hearings scheduled for February 12, 2019 to be heard before the Board of County Commissioners.

Respectfully,

Joan V. Seaman, Administrative Specialist II  
Growth Management Department

Attachments: Letter to property owners  
Location map  
Property owner mailing list



# MARTIN COUNTY

## BOARD OF COUNTY COMMISSIONERS

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January 22, 2019

RE: Notice of a public hearing regarding application CPA 18-14, Dixie Hwy. Rio, a proposed change to the future land use designation for a property at 977 NE Dixie Hwy.

Dear Property Owner:

As the owner of property within 1,000 feet of 977 NE Dixie Hwy. (a vacant parcel) shown on the enclosed map, please be advised that the property is the subject of an application to make the following change:

- 1) Change the future land use designation from General Institutional and General Commercial to solely General Commercial.

The date, time and place of the scheduled public hearing is:

MEETING: **BOARD OF COUNTY COMMISSIONERS**  
DATE: February 12, 2019  
TIME: 9:00 A.M., or as soon thereafter as the items can be heard.  
PLACE: Martin County Administrative Center  
Commission Chambers, 1<sup>st</sup> Floor  
2401 S.E. Monterey Road  
Stuart, Florida 34996

All interested persons are invited to attend the hearing and will have an opportunity to speak.

**Accessibility arrangements:** Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772)- 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

**Record for appeals:** If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

**Comprehensive Planning Facts:** The Future Land Use Map is part of the County's Comprehensive Growth Management Plan and one of the primary tools for managing land development. The Future Land Use designation of a parcel of land determines the general type of use allowed, as well as the maximum level of density or intensity allowed (such as the number of residential units per acre). The zoning regulations provide one or more zoning districts for implementing each Future Land Use designation. The zoning designation determines, in more detail than the Future Land Use designation, what type and level of development may occur. A change to the Future Land Use Map requires three public hearings as follows:

1. Local Planning Agency (which makes a recommendation to the Board of County Commissioners).
2. Board of County Commissioners (to determine whether the proposed amendment should be transmitted to the state land planning agency that oversees and coordinates comprehensive planning).
3. Board of County Commissioners (to determine whether the proposed amendment should be adopted).

**Public involvement opportunities:** All interested persons are invited to attend any or all of the above-described hearings and will have an opportunity to speak. All application files are available for public inspection during business hours at the address below. Written comments will be included as part of the public record of the application.

**View Application Files at:** Martin County Administrative Center, Growth Management Department, 2401 S.E. Monterey Road, Stuart, FL 34996.

**Submit Written Comments to:** Nicki van Vonno, Growth Management Department Director, via e-mail at [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us) or by mail to 2401 SE Monterey Road, Stuart, FL 34996.

For more information, contact Maria Jose, M.S., Planner, Growth Management Department at (772) 288-5930 or via e-mail: [mjose@martin.fl.us](mailto:mjose@martin.fl.us).

Sincerely,



Clyde Dulin, AICP  
Comprehensive Planning Division Administrator

CD/MJ/jvs

Attachment: Map showing the location of the property



# AERIAL MAP

## CPA 18-14, Dixie Hwy. Rio



2102/CPA 18-14/adopt  
1109 Frances Street LLC  
921 SE Central Pkwy.  
Stuart, FL 34994

2102/CPA 18-14/adopt  
1178 Olive Street LLC  
921 SE Central Pkwy.  
Stuart, FL 34994

2102/CPA 18-14/adopt  
2000 Dean Family Trust  
3016 Azahar Ct.  
La Costa, CA 92009

2102/CPA 18-14/adopt  
Beakmon Beaks LLC  
155 Sunrise Dr. #2C  
Key Biscayne, FL 33149

2102/CPA 18-14/adopt  
Declaration of Trust of Frederick P  
1100 NE St. Lucie Terr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Declaration of Trust of Garnette B S  
1100 NE St Lucie Terr  
Jensen Beach, FL 34957

2102/CPA 18-14/adopt  
Elsaja Jensen LLC  
885 Conklin St.  
Farmingdale, NY 11735

2102/CPA 18-14/adopt  
Evica Properties Inc  
720 Seaview Dr.  
Juno Beach, FL 33408

2102/CPA 18-14/adopt  
Florida East Coast Railway LLC  
7411 Fullerton St. Ste 100  
Jacksonville, FL 32256

2102/CPA 18-14/adopt  
Gary Fisher Ltd Partnership  
895 NE Dixie Hwy. #101  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Gutter Guy Inc  
1130 NE Dixie Hwy.  
Jensen Beach, FL 34957

2102/CPA 18-14/adopt  
Habitat For Humanity of Martin County  
2090 NW Federal Hwy.  
Stuart, FL 34994

2102/CPA 18-14/adopt  
KDL Rio LLC  
1177 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
KNH LLC  
804 SE Riverside Dr.  
Stuart, FL 34994

2102/CPA 18-14/adopt  
Martin County  
Community Redevelopment  
2401 SE Monterey Rd.  
Stuart, FL 34996

2102/CPA 18-14/adopt  
MGG Properties LLC  
Attn: Goursky Gary  
620 Kinderkamack Rd.  
River Edge, NJ 7661

2102/CPA 18-14/adopt  
O'Connor Enterprises of South FL LLC  
305 NW Emilia Way  
Stuart, FL 34957

2102/CPA 18-14/adopt  
SFI Marina Stuart Trs LLC  
180 Glastonbury Blvd. Ste 201  
Glastonbury, CT 6033

2102/CPA 18-14/adopt  
SJ Land Holdings 2 LLC  
502 SE Ashley Oaks Way  
Stuart, FL 34997

2102/CPA 18-14/adopt  
Nina Adams  
1036 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Michael M & Karen O Badellino  
1138 NE Ixora Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Karen A Bayha  
6260 N Tropical Trl  
Merritt Island, FL 32953

2102/CPA 18-14/adopt  
Gladys Berkley  
1047 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Ann J Berth  
1097 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Joseph O & Veronica E Birmingham Sr.  
134 Landenberg Rd.  
Landenberg, PA 19350

2102/CPA 18-14/adopt  
Susanne B Bomeisler  
996 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Barry & Pauline Booth  
1096 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Shane Ross & Debra L Braley  
1056 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Karen Louise Calasant  
1028 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Bradley J Cart  
1103 NE Olive St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Jodie Jae Certosimo  
1095 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Gloria S Cochran  
721 NE Stuart St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Joseph Quentin Cole  
4099 FM 2863  
Nacogdoches, TX 75964

2102/CPA 18-14/adopt  
David G Cole L/E  
1118 NE Ixora Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Robert Griffin Camden Cook  
1116 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Sean A Corcoran  
PO Box 912  
Smyrna, GA 30081

2102/CPA 18-14/adopt  
Francis W & Melissa Ann Cox  
3704 NW Pin Oak Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Thompson S & Barbara M Crane-Baker  
1076 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Leah Allen Davids  
1048 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Robert De Marchi  
1016 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Barbara Deluca-Gargiulo  
P O Box 743  
E Moriches, NY 11940

2102/CPA 18-14/adopt  
Brian G Dunn  
1105 NE Ixora Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Kurt J & Stacy L Efinger  
1036 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Richard W & Deborah L Estabrook  
745 NE Spencer St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Adam Farvor  
1035 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
John J Gargiulo  
P O Box 743  
E Moriches, NY 11940

2102/CPA 18-14/adopt  
John E Geral  
92 Piquets Ln.  
Woodbury, NY 11797

2102/CPA 18-14/adopt  
Johnnie E Geral  
92 Piquets Ln.  
Woodbury, NY 11797

2102/CPA 18-14/adopt  
Georgette M Givens L/E  
920 NE Dixie Hwy.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Carol Susan Glass  
PO Box 354  
Stuart, FL 34958-0354

2102/CPA 18-14/adopt  
Gregory C Hall  
1567 NE Sottong Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Joanna G Hardcastle  
1114 NE Bernard Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Betty & Kyle Neil Hardwick L/E  
1015 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Janice Haube  
1375 NE Dixie Hwy L29  
Jensen Beach, FL 34957

2102/CPA 18-14/adopt  
Evelyn R Hernandez  
1102 NE Francis St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Margaret Hernandez (Tr)  
11050 SW 80th Ave.  
Miami, FL 33156

2102/CPA 18-14/adopt  
Douglas F & Marguerite Hess  
1195 NE Ocean View Cir  
Stuart, FL 34957

2102/CPA 18-14/adopt  
James C & Nancy E Holland  
4850 Watson Rd.  
Erie, PA 16505

2102/CPA 18-14/adopt  
Stephen J & Anna M Holtzhauser  
730 NE Stuart St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Edward A & Amy S Justice  
956 NE Rio Pine Ln.  
Stuart, FL 34957



2102/CPA 18-14/adopt  
Georgia A Justice  
965 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Kevin M & Debra T Kalidonis  
1065 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Richard C Kennedy  
2336 SE Ocean Blvd.#329  
Stuart, FL 34996

2102/CPA 18-14/adopt  
Steven Koenke  
18 E High Point Rd.  
Stuart, FL 34996

2102/CPA 18-14/adopt  
Olivia A & John A Koudelka  
1528 Hudnall Farm Rd.  
Keller, TX 76248

2102/CPA 18-14/adopt  
Walter Edward & Margaret J Krus, III  
1588 NE Sottong Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Robert M Kulback  
4336 SW Honey Terr.  
Palm City, FL 34990-5641

2102/CPA 18-14/adopt  
Charles P Langford  
1400 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Jack & Joan Larwin  
686 NE River Terr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Matthew O Layden  
6260 N Tropical Trl.  
Merritt Island, FL 32953

2102/CPA 18-14/adopt  
William J Lischak  
1186 NE Charlotte St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
James P & Susanne T Lopilato  
1140 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Donna Luihn  
1016 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Stephen C & Susan E Matteson  
10701 S Ocean Dr. Unit 895  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Susan McCauley  
1704 NW Britt Rd.  
Stuart, FL 34994

2102/CPA 18-14/adopt  
Elizabeth McCormick  
750 NE Stuart St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Robert J McLendon  
341 NE Julia Ct.  
Stuart, FL 34957-6020

2102/CPA 18-14/adopt  
Edward J Miller  
1303 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Richard L & Carol A Miller  
1000 NE Dixie Hwy.  
Stuart, FL 34957-6229

2102/CPA 18-14/adopt  
Frank Nunziato  
1375 NE Martin Ave. Hwy L29  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Michael D & Cindy L O'Connor  
305 NW Emilia Way  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Danny & Liliane Oks  
565 Bedford Rd.  
Bedford Hills, NY 10507

2102/CPA 18-14/adopt  
Susan Lynn Ortega  
1065 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Mercedes Ann Pardo  
1360 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Robin A Pittman  
770 NE Stuart St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Karen Poller  
1424 SE MacArthur Blvd.  
Stuart, FL 34996

2102/CPA 18-14/adopt  
George C Powell  
1109 Brandon Rd.  
Virginia Beach, VA 23451

2102/CPA 18-14/adopt  
Charles R Pridmore  
1030 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Dennis & Deborah Proctor  
776 NE River Terr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Resident  
1111 NE Frances St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Peter D Rivacuk  
1058 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Donna Rothert  
1035 NE Banyan Tree Dr  
Jensen Beach, FL 34957

2102/CPA 18-14/adopt  
Carmela N Rummo (Tr)  
606 NE River Terr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Susan Marie Sammons L/E  
1101 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Steven A Satkowski  
1136 NE Banyan Tree Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Allen J & Mary L Schneider  
980 NE Key Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Eric A & Sharon L Schopp  
1148 NE Ixora Dr.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Karen Seaboyer  
2434 SE Drayton Rd.  
Port St. Lucie, FL 34952

2102/CPA 18-14/adopt  
Daniel R & Diane M Shaffer  
880 NE Dixie Hwy.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Kenneth L & Diane Shaffer  
639 NE Lima Vias  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Carol H Shields  
300 Morgan Ave.  
Palmyra, NJ 8065

2102/CPA 18-14/adopt  
Richard J & Eyvonne Smith  
785 NE Bernard St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Ronald McLeod Sommerville  
766 NE Dixie Hwy.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Eleanor Lee Speaker  
1007 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Tina M Specht  
1047 NE Kubin Ave  
Jensen Beach, FL 34957

2102/CPA 18-14/adopt  
Laora Carvey Crile Tercosi  
755 NE Bernard St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Javier Tovar  
863 NE Dixie Hwy.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Javier Tovar  
1380 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Jack Trout  
1169 NE Olive St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Fred M Vanderveer  
PO Box 37  
Fellsmere, FL 32948

2102/CPA 18-14/adopt  
George M & Barbara A Vlahos  
1117 Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Marshall BT & Mary E Waddell  
1098 Kubin Ave.  
Stuart, FL 34957-6124

2102/CPA 18-14/adopt  
William M & Patricia A Wahl  
1131 NE Martin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
James M & Sandra C Walton  
1430 NE Hillcrest Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Terri Lee Watling  
1133 NE Olive St.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Roni R Welton  
1157 NE Kubin Ave.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
Noel G Whipkey (Tr)  
966 NE Rio Pine Ln.  
Stuart, FL 34957

2102/CPA 18-14/adopt  
David P Wishart  
5010 SE Pine Ridge Way  
Stuart, FL 34997



Martin County Commissioners

Advertiser:

Ad Number: 2146243

Insertion Number:

N/A

Agency:

N/A

Section-Page-Zone(s): A-11-All

Size: 3 Col x 5.5 in

DIXIE HWY

Description:

N/A

Color Type:

READER SNAPSHOT



John Sahlman found this family of sandhill cranes on a Vero Beach golf course. CONTRIBUTED PHOTO BY JOHN SAHLMAN

SPACEWATCH

ISS Sightings

Oct. 26: 5:39 to 5:40 a.m. Maximum height: 26 degrees. Appearing 25 degrees above southeast, disappearing 22 degrees above east.

Oct. 27: 6:23 to 6:26 a.m. Maximum height: 33 degrees. Appearing 32 degrees above west-northwest, disappearing 10 degrees above north-northeast.

Oct. 28: 5:34 a.m. Maximum height: 15 degrees. Appearing 15 degrees above northeast, disappearing 12 degrees above northeast.

Oct. 29: 6:17 a.m. Maximum height: 10 degrees. Appearing 10 degrees above north-.

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Prisons for Profit – or Rehabilitation Has big business overtaken society’s need?

Everyone Welcome

10:30 a.m., Sunday, October 28, 2018

NEXUS building, 850 NW Federal Hwy. Stuart At first light north of Roosevelt Bridge

Presented by Humanists of the Treasure Coast HUMTC.com

HUMTC advocates for separation of government and religion, and educates the public regarding positive values of humanism.

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Board of County Commissioners of Martin County will conduct public hearings on the following items on November 13, 2018. The hearings will be conducted at the Martin County Administrative Center, 1st Floor, Commission Room, 2401 S.E. Monterey Road, Stuart, Florida, at 9:00 am or as soon thereafter as the item may be heard.

1. Application CPA 18-14, Dixie Hwy. Rio: A Future Land Use Map change from General Institutional and General Commercial to solely General Commercial on ±0.28-acres located at 977 N.E. Dixie Hwy., Rio.

2. Application CPA 18-15, Jensen Beach Impoundment Extension: A Future Land Use Map change from Medium Density Residential to Public Conservation on a parcel consisting of ±10.13 acres located on NE Causeway Blvd, west of the Jensen Beach Club in Hutchinson Island, Jensen Beach.

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be sent to: Nicki van Vonn, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact Maria Jose at (772) 288-5930.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772)-221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

TR-2146243

Pain Killer Tested on 139 Top Athletes Goes on Sale Nationwide

Approved by doctors nationwide; reduces pain, swelling, and stiffness while triggering new cartilage growth — available now without a prescription

By Wayne B. Roberts — Associate Health Press

No one knows more about muscle and joint pain than competitive athletes.

While pain from muscle and connective tissue injury can be serious, it pales in comparison to the deep-down, throbbing pain of joint damage, especially in the cartilage-rich areas around the knees, hips and shoulders.

Athletes Pain Secret Now in High Demand

If you struggle with painful, frozen joints, there’s a doctor recommended, pain and mobility compound available, that has been tested on sports-ravaged joints of athletes, and proven equally effective for healthy, normal people.

It’s a powerful, fast-acting compound found in a prescription-free supplement called Tramaline.

Professional football and baseball players have been reported using this compound to speed up recovery time from injured joints. Helping them reduce pain and swelling, getting them back on their feet and healthy again.

A study on 139 adult athletes showed that Tramaline not only relieved pain and stiffness following a workout or athletic event, but surprisingly, it also worked to relieve discomfort during the specific activity that caused the pain in the first place!

In addition, Tramaline put up a defensive shield around cartilage in knees and other joints, “significantly lowering cartilage degradation.”

Soothes and Protects

Tramaline does for old knees what prescription reading glasses do for old eyes. It’s so powerful, in fact, that some patients in clinical trials experienced complete remission of pain!

It’s a special form of highly absorbable collagen, the same stuff that lines the inside of joints, lubricating and reducing friction, and keeping them ‘young.’

This joint-loving substance possesses multiple patents, yet it is still prescription-free.

Ends Pain in 30 Days?

Ryan Shelton, MD, a practicing physician in Seattle, Washington, is one of many healthcare professionals who recommend fast-acting Tramaline.

“We’ve finally found a pill that relieves swelling... lubricates joints for easier movement... and protects against cartilage destruction, all without side effects,” he says.

Erik Wood, MD, a medical doctor in Miami, Florida, agrees.

“If you find it difficult to grip objects or to exercise with ease, prescription-free Tramaline is for you.”



SHOCKING RESULTS: Tramaline’s patented structural protein can help repair damaged joints, such as in this hip, shown in this X-ray, to restore full range of motion - with no pain.

Pulls Wool Over Nerve Cells Eyes

Like a building’s sprinkler system springs into action at the first whiff of smoke and heat, UC-II, the active ingredient in Tramaline, stops joint pain before it strikes by deploying a sophisticated, enzymatic attack.

UC-II in Tramaline works with your body to pull the wool over the eyes of pain receptors in sore, stiff joints, blocking the inflow of inflammatory chemicals.

By ‘shutting off’ the pipeline of immune fluids that cause your knees and joints to swell up and get hot with inflammation, once-swollen knees and joints return to normal size, so you can move and flex more easily.

One user said it felt like he sprayed WD-40 in his knees and elbows!

Reduced Swelling, Lubricates Stiff Joints

Tramaline stimulates synovial fluid health, lubricating a healthier joint for free-swinging flexibility.

There’s more, Tramaline can also signal your body to jump-start the joint-repair process.

UC-II is a prime building block for cartilage and synovial fluid around your joint problem areas.

Users like 60-year-old Terry O. see noticeable, real benefits in just a few weeks.

For years, Terry treated her knee pain by taking an impressive amount of NSAIDs. It wasn’t too long before she began to experience stomach problems.

NSAIDs Eat Stomach Tissue

“I knew all the aspirin and other pain relievers would eventually do a number on my stomach, but like an idiot, I just kept taking them,” she said, shaking her head.

Terry’s physician told her to quit NSAIDs and recommended that she consider a knee replacement.

Naturally Restore Your Knee or Surgically Replace It?

“I have two friends who both had knee replacements,” says Terry, “and they told me to not do it. They

said the pain was excruciating and that their knees got worse!”

Terry’s daughter-in-law told her about Tramaline and how it could quickly repair her knee, ending her joint pain.

Painful Shot or Pill?

“My daughter-in-law said to give it a chance. She said in studies Tramaline’s active ingredient was as effective as a cortisone shot. And she was right, my knee feels better than ever,” says Terry.

If you are living with pain and not getting the relief you need, here’s your opportunity to experience the joint revitalizing phenomenon called Tramaline with UC-II, completely risk-free.

No Pain, More Sleep

Tramaline reigns in out-of-control immune systems, reducing swelling, jump-starting joint repair, and ending pain. You’ll sleep better at night, and be more active during the day.

How to Get Tramaline

Tramaline is being released nationwide with a special introductory discount! But you’ll have to act fast.

This money-saving offer is available only for the next 48 hours. Call TOLL-FREE at 1-888-964-6192 and provide your operator with your Promo Code: TR-103.

Tramaline offers an industry-leading 90-day satisfaction guarantee so you can experience its benefits, long-term, at no risk.

This Discount Won’t Last Long!

Call 1-888-964-6192 now to take advantage of this unprecedented, limited time, discount on Tramaline, good while supplies last. You can start sleeping through the night and wake feeling rested and alert.

Note: Demand is quite high, which may cause some delay in reaching operators. If you do call and fail to get through immediately, please be patient and call back. Please note that this special discounted offer will expire in exactly 48 hours.

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease. All doctors mentioned are remunerated for their services. Individuals mentioned are not affiliated with or endorsed by the makers of Tramaline.



# Study: Cellphone use while driving is soaring

Devices’ temptations can prove to be deadly

Nathan Bomey

USA TODAY

Americans are using their phones in riskier ways while driving, worsening the nation’s crash crisis, according to a new report.

Although overall cellphone use on the road is down, drivers were “observed manipulating their phones” 57 percent more often in 2018 than they were in 2014, according to research by the Insurance Institute for Highway Safety.

That means people are putting themselves at significantly higher risk of dying in a car crash.

“People are talking on the phone less than they were in 2014 and they’re manipulating it more, which is things that include texting and potentially browsing the internet or potentially using it for navigation, audio, music,” said David Kidd, senior research scientist for the Highway Loss Data Institute, a sibling organization to IIHS.

Using the most recently available figures, the insurance institute estimated that about 800 people were killed in crashes in 2017 because of drivers who were using their phones for something other than a call.

The findings are significant because researchers have historically found it difficult to gauge the effects of distracted driving.

But IIHS experts were able to track the problem by positioning researchers on the side of the road at traffic lights, straight sections of roads and roundabouts.

The researchers recorded what driv-



Risky phone use while driving is on the rise, according to the Insurance Institute for Highway Safety.

LM OTERO/AP

ers were doing when they passed by.

About 1 in 4 drivers were doing something other than focusing on the road, a figure that includes phone use, smoking and eating, according to the study.

The study adds credence to suspicions that the nation’s spike in deadly crashes over the past few years is due in part to smartphone use. Distracted driving can occur for other reasons, too, including the use of vehicle infotainment systems.

The best available data suggests that using your phone for something other than a call while driving increases your risk of a crash by about 66 percent, Kidd said.

“When you’re taking your eyes off the roadway and you don’t see what’s coming ahead of you, you’re less able to react to what’s ahead of you, and that can result in crashes,” Kidd said.

U.S. crash deaths fell slightly in 2017 but still reflected the second-deadliest year on the road in the past decade.

The number of people killed in traffic crashes in 2017 was 37,133, down 1.8 percent from the year before, according to the National Highway Traffic Safety Administration. Figures from 2018 have not yet been released.

The IIHS study was conducted in northern Virginia. Kidd said there’s no reason to believe northern Virginia drivers use their phones more or less than the average American.

“I don’t have any reason to think it’s any different because of how ubiquitous smartphones are now,” he said.

# Pa. man says emotional support alligator helps his depression

ASSOCIATED PRESS

YORK HAVEN, Pa. – A Pennsylvania man says his emotional support alligator helps him deal with his depression.

Joie Henney, 65, said his registered emotional support animal named Wally likes to snuggle and give hugs, despite being a 5-foot-long alligator. The York Haven man said he received approval from his doctor to use Wally as his emotional support animal after not wanting to go on medication for depression, he told Philly.com.

“I had Wally, and when I came home and was around him, it was all OK,” he said. “My doctor knew about Wally and figured it works, so why not?”

Wally was rescued from outside Orlando at 14 months old and is still growing; Henney said Wally could be 16 feet long one day. Henney says Wally eats chicken wings and shares an indoor plastic pond with a smaller rescue alligator named Scrappy.

Wally, who turns 4 this year, is a big teddy bear, in Henney’s words. The cold-blooded reptile likes to rest his snout on Henney’s, and “he likes to give hugs,” he said.

The alligator has never bitten anyone and is even afraid of cats, accord-



Joie Henney holds up Wally, a 4-foot-long emotional support alligator, at the SpiriTrust Lutheran Village in York, Pa. TY LOHR, YORK DAILY RECORD/AP

ing to Henney.

Henney acknowledged that Wally is still a dangerous wild animal and could probably tear his arm off, but says he’s never been afraid of him.

Henney’s background also indicates a comfort with creatures like Wally. He hosted a show called “Joie Henney’s Outdoors” on ESPN Outdoors from 1989 to 2000, according to the York Daily Record.

Henney frequently takes Wally out for meet-and-greets at places like senior centers and minor-league baseball games.

“He’s just like a dog,” Henney told a woman at a recent outing to a senior center. “He wants to be loved and petted.”

6251 N US1 Ft. Pierce, FL 34946



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## NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Board of County Commissioners of Martin County will conduct public hearings on the following items on February 12, 2019. The hearings will be conducted at the Martin County Administrative Center, 1st Floor, Commission Room, 2401 S.E. Monterey Road, Stuart, Florida, at 9:00 am or as soon thereafter as the item may be heard.

1. AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT CPA 18-14, DIXIE HWY RIO: AMENDING THE FUTURE LAND USE MAP OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY, PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.
2. AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT CPA 18-15 JENSEN BEACH IMPOUNDMENT EXTENSION: AMENDING THE FUTURE LAND USE MAP OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY, PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be sent to: Nicki van Vonno, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact Maria Jose at (772) 288-5930.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

January 25, 2019

TR-2212531

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# Reviewer Comments

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4B10

From: Staff

Date: January 11, 2019

Subject: Local Government Comprehensive Plan Review  
Draft Amendment to the Martin County Comprehensive Plan  
Amendment No. 18-08ESR

Introduction

The Community Planning Act, Chapter 163, *Florida Statutes*, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Martin County was received on December 18, 2018 and contains one Future Land Use Map (FLUM) amendment. This report includes a summary of the proposed amendment and Council comments.

Summary of Proposed Amendment

The proposed amendment is to change the future land use designation on a 0.23-acre parcel of land from General Commercial in part and General Institutional in part to solely General Commercial. The subject property is located on the north side of NE Dixie Highway in the Rio Community Redevelopment Area. Adjacent Future Land Use designations are General Commercial to the north, east and west and Limited Commercial to the south (across NE Dixie Highway). The site is owned by the Martin County Community Redevelopment Agency (CRA) and is currently undeveloped.

The amendment is being requested by the Martin County CRA staff who have indicated the requested land use designation is appropriate considering the site's proximity to commercial lands and nearby commercial uses, and its location on NE Dixie Highway. Additionally, the change will allow the property to be purchased and developed by a private entity.

The staff report indicates the site is located in the Primary Urban Service District and has adequate capacity available for potable water, sanitary sewer service, traffic, solid waste, police, and fire. It is also noted that due to the small size of the property, large scale or intense commercial development is not likely.

#### Regional Impacts

No adverse effects on regional resources or facilities have been identified.

#### Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on November 21, 2018. No extrajurisdictional impacts have been identified.

#### Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified.

#### Recommendation

Council should approve this report and authorize its transmittal to Martin County and the Florida Department of Economic Opportunity.

#### Council Action – January 18, 2019

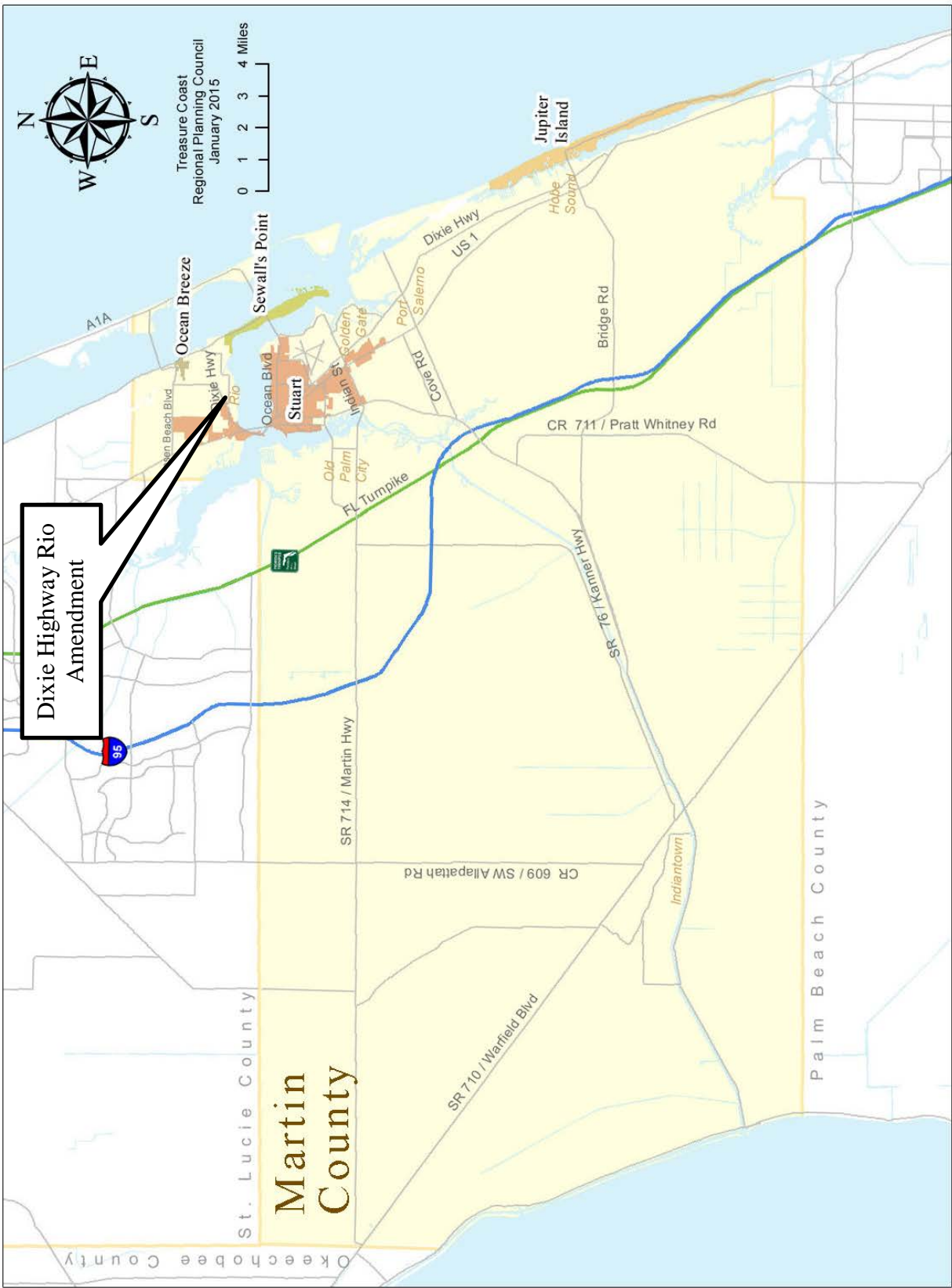
#### Attachments

## **List of Exhibits**

### **Exhibit**

- 1 General Location Map
- 2 Dixie Highway Rio Amendment - Aerial Map
- 3 Dixie Highway Rio Amendment – Existing Future Land Use Map
- 4 Dixie Highway Rio Amendment – Proposed Future Land Use Map

**Exhibit 1**  
**General Location Map**

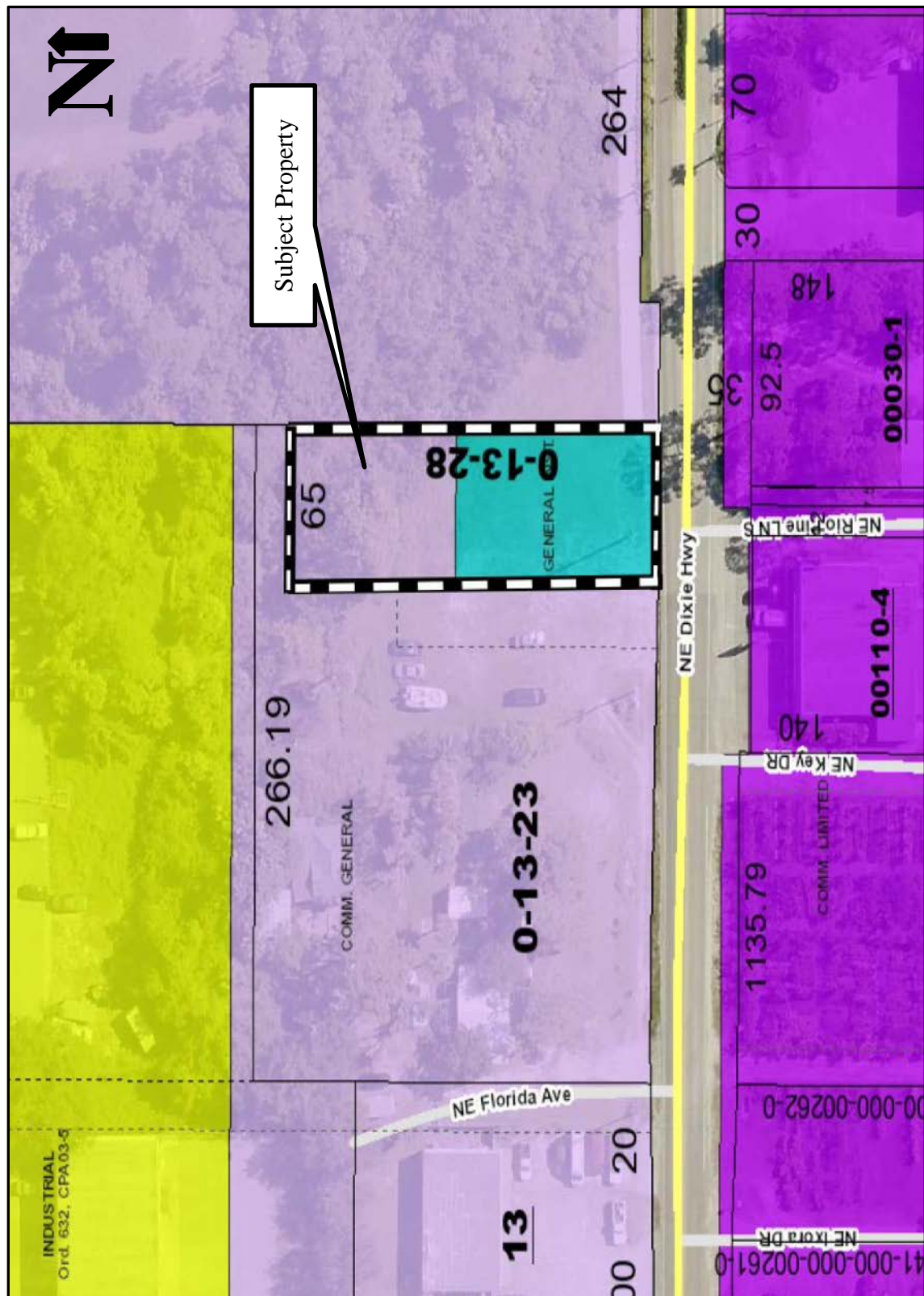


**EXHIBIT 2**  
**Dixie Highway Rio – Aerial Map**

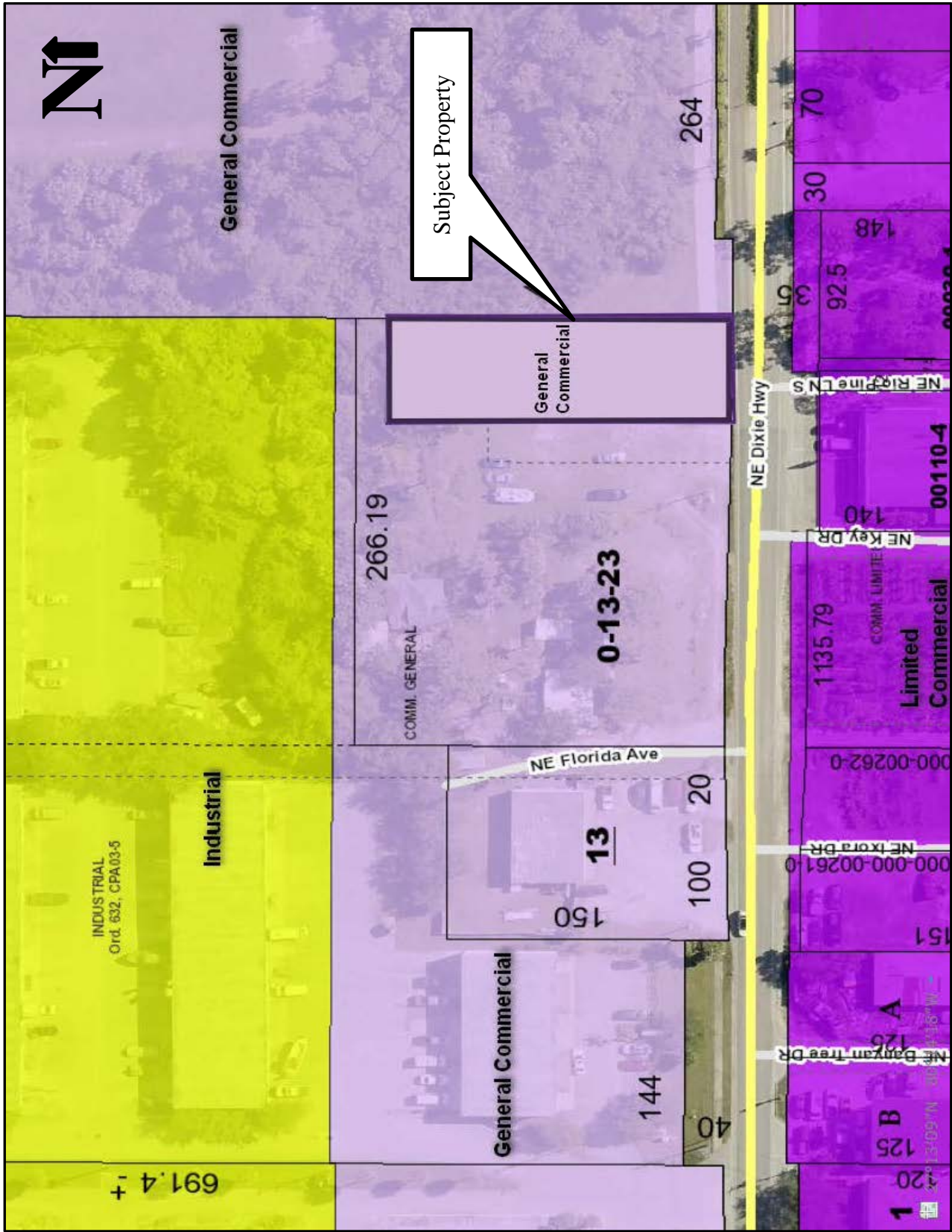




## Dixie Highway Rio Amendment – Existing Future Land Use Map



**EXHIBIT 4**  
**Dixie Highway Rio Amendment – Proposed Future Land Use Map**



**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

January 7, 2019

The Honorable Edward V. Ciampi  
Chairman, Martin County Board of  
County Commissioners  
2401 S.E. Monterey Road  
Stuart, Florida 34996

Dear Chairman Ciampi:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Martin County (Amendment No. 18-08ESR) received on December 19, 2018. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

*An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.*

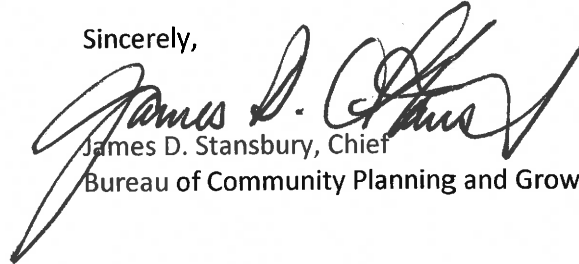
The Honorable Edward V. Ciampi

January 7, 2019

Page 2 of 2

If you have any questions concerning this review, please contact Ed Zeno, Planning Analyst, by telephone at (850) 717-8511 or by email at [ed.zeno-gonzalez@deo.myflorida.com](mailto:ed.zeno-gonzalez@deo.myflorida.com).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JDS/ez

Enclosure(s): Procedures for Adoption

cc: Nicki van Vonno, Growth Management Department Director, Martin County, Florida  
Thomas Lanahan, Executive Director, Treasure Coast Regional Planning Council



**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**  
**FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

From: Nicki vanVonno  
Sent: Friday, January 25, 2019 4:31 PM  
To: Clyde Dulin  
Subject: Fwd: Martin County 18-8ESR - FDOT District Four Review

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

----- Original message -----

From: "Hymowitz, Larry" <Larry.Hymowitz@dot.state.fl.us>  
Date: 1/25/19 4:17 PM (GMT-05:00)  
To: 'DCPexternalagencycomments' <DCPexternalagencycomments@deo.myflorida.com>, Nicki vanVonno <nikkiv@martin.fl.us>  
Cc: "Zeno-Gonzalez, Ed" <Ed.Zeno-Gonzalez@deo.myflorida.com>, "Bush, Lois" <Lois.Bush@dot.state.fl.us>, "Fasiska, Christine" <Christine.Fasiska@dot.state.fl.us>, Joan Seaman <jseaman@martin.fl.us>  
Subject: Martin County 18-8ESR - FDOT District Four Review

I am writing to advise you that the Department will not be issuing comments for the proposed Martin County comprehensive plan amendment with DEO reference number 18-8ESR.

The Department requests an electronic copy in Portable Document Format (PDF), of all adopted comprehensive plan amendment materials, including graphic and textual materials and support documents.

Thank you.

Larry Hymowitz  
Planning Specialist – Policy Planning & Growth Management  
Planning & Environmental Management - FDOT District Four  
3400 West Commercial Boulevard  
Fort Lauderdale, Florida 33309-3421  
Phone: (954) 777-4663; Fax: (954) 677-7892  
larry.hymowitz@dot.state.fl.us

Nicki van Vonno, AICP  
Director  
Growth Management Department  
Martin County Board of County Commissioners  
772-288-5520  
nikkiv@martin.fl.us

From: Plan\_Review [mailto:Plan.Review@dep.state.fl.us]  
Sent: Tuesday, January 15, 2019 3:34 PM  
To: Nicki vanVonno; DCPexternalagencycomments@deo.myflorida.com  
Cc: Plan\_Review  
Subject: Martin County 18-8ESR Proposed

To: Nicki van Vonno, Director

Re: Martin County 18-8ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



From: Nicki vanVonno  
Sent: Friday, January 11, 2019 1:02 PM  
To: Clyde Dulin  
Subject: FW: Martin County, DEO #18-8ESR Comments on Proposed Comprehensive Plan Amendment Package

Nicki van Vonno, AICP  
Director  
Growth Management Department  
Martin County Board of County Commissioners  
772-288-5520  
nikkiv@martin.fl.us

From: Oblaczynski, Deborah [mailto:doblaczy@sfwmd.gov]  
Sent: Friday, January 11, 2019 11:44 AM  
To: Don Donaldson  
Cc: Corvin, Kelly D.; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); tlanahan@tcrpc.org; Stephanie Heidt (sheidt@tcrpc.org); Nicki vanVonno  
Subject: Martin County, DEO #18-8ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Mr. Donaldson:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Martin County (County). The amendment changes the land use designation on approximately 0.28 acres from General Institutional and General Commercial to General Commercial. The proposed changes do not appear to adversely impact the water resources within the South Florida Water Management District; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the County in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski  
Policy & Planning Analyst  
Water Supply Implementation Unit  
South Florida Water Management District  
3301 Gun Club Road  
West Palm Beach, FL 33406  
(561) 682-2544 or email: doblaczy@sfwmd.gov

----- Original message -----

From: "Hight, Jason" <Jason.Hight@MyFWC.com>

Date: 12/27/18 12:03 PM (GMT-05:00)

To: Nicki vanVonno <nikkiv@martin.fl.us>, DCPexternalagencycomments@deo.myflorida.com

Cc: "Raininger, Christine" <Christine.Raininger@MyFWC.com>, "Wallace, Traci" <traci.wallace@MyFWC.com>

Subject: Martin County 18-8ESR (CPA 18-14, Dixie Hwy Rio FLUM)

Ms. van Vonno:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer for this amendment.

If you need any further assistance, please do not hesitate to contact our office by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Christine Raininger at (561) 882-5811 or by email at Christine.Raininger@MyFWC.com.

Sincerely,

Jason Hight

Biological Administrator II

Office of Conservation Planning Services

Division of Habitat and Species Conservation

620 S. Meridian Street, MS 5B5

Tallahassee, FL 32399-1600

(850) 228-2055

Martin County 18-8ESR\_37867\_122718