

## *CPA 2018-10, CRA Text Amendments*

### Options to Strengthen Goals, Policies and Objectives that encourage In-fill Development and Redevelopment in the Community Redevelopment Areas

February 1, 2019

#### **A. DENSITY TRANSITION**

1. Make no change.

The County's current density transition policies (*CGMP Policy 2.1A.3 and CGMP Objective 4.1F.*) remain in effect throughout the CRAs except as already provided for mixed-use development within a mixed-use overlay (no density transition required internal to a mixed-use project and no density transition required with adjacent residential development whether the adjacent residential development is located within or outside of the mixed-use overlay. The existing policy relies on "special buffers" to provide proper transition between the residential uses. Declining to amend the Comp Plan policy does not preclude amending the Land Development Regulations (LDRs) to provide more standards regarding height, mass, scale, landscaping to implement the special buffers."

2. Amend density transition policy for implementation with the CRAs.

Option A. Exempt all residential development within the CRA Center Future Land Use designation from density transition, whereas the current exemption is limited to residential development that is a component of a mixed-use development project.

Elimination or reduction of the implementation of the density transition policy in the CRAs would be consistent with the vision for the future of Martin County's CRA, as stated in CGMP Goal 4.3, of a compact, mixed-use development pattern that includes a variety of housing choices, meets the needs of neighborhood residents, and encourages in-fill development and redevelopment.

Option B. Limit applicability of the density transition policy to new residential development on land that shares a property line with lower density residential development outside of the boundary of the CRA.

A proper transition in form (the shape or configuration of the building), mass (the size or physical bulk of the building), scale (relative size as perceived from the street or adjoining property) and character (proportions, rhythm, materials, texture and color), a landscape buffer, or both between the new residential development and the existing residential development, as provided in more detail in the LDR, shall protect existing residential development within the CRA from adverse impacts.

Option C. Exempt all residential development within the CRA from density transition, whether the existing residential development lies within or adjacent to the CRA.

A proper transition in form (the shape or configuration of the building), mass (the size or physical bulk of the building), scale (relative size as perceived from the street or adjoining property) and character (proportions, rhythm, materials, texture and color), a landscape buffer, or both between the new residential development and the existing residential development, as provided in more detail in the LDR, shall protect existing residential development from adverse impacts from the new residential development

Option D. Other policy option(s) to be examined?

## **B. PRESERVATION OF NATIVE UPLAND HABITAT**

### **1. Make no change to existing policies.**

The County's current native upland habitat policies (*CGMP Policy 2.2B.1*, *CGMP Policy 9.1G.5*, and *CGMP Policy 9.1G.9*) remain in effect throughout the CRAs. No less than 25% of native upland habitat must be preserved, except off-site preservation can be substituted for on-site preservation if all of the following are true:

- a. the property proposed for development is a Feb. 20, 1990 lot or lots of record;
- b. the property for proposed for development is located within a CRA Mixed-Use Overlay;
- c. the project is a mixed-use project;
- d. the site contains no rare or unique habitat;
- e. the off-site habitat is the same size, type and habitat value as the on-site habitat;
- f. the off-site habitat is located within the CRA; and,
- g. the off-site habitat is part of a sustainable preserve system.

### **2. Amend the off-site substitution policy to provide greater flexibility.**

Allow off-site preservation to substitute for on-site preservation so long as the following is true:

- a. the off-site habitat is the same size, type and habitat value as the on-site habitat;
  - b. the proposed development is located on land with the CRA Center Future Land Use designation;
  - c. the off-site habitat is part of a sustainable preserve system;
  - d. the on-site habitat to be preserved does not exceed a certain specified size.
3. Make more expansive amendments to existing policy.

Allow off-site preservation to substitute for on-site preservation so long as the property proposed for development is located in a CRA.

4. Other policy option to be explored?

### **C. SHORELINE PROTECTION ZONES**

1. Make no change.

Existing county-wide policies (*CGMP Policy 2.2C.9* and *CGMP Policy 8.1C.1*) shall continue to be implemented and enforced as currently adopted in the CRAs. The shoreline protection zone (SPZ) shall extend 75 feet upland from the mean high water. No structures are permitted in the SPZ except docks and elevated walkways to access the water. New construction shall be set back no less than 10 feet from the SPZ for principal structures, 5 feet for accessory structures. Bridges within public rights-of-way are exempt. The landward extent of the SPZ shall be designated a Preserve Area. All existing exemptions or smaller SPZs remain in effect.

- a. Reasonable access to the water—bridges, docks, elevated walkways, boat entry. Generally no more than 12 feet in width, except 60 feet for marine waterfront commercial use and 150 feet for institutional uses providing public access.
- b. Existing development within the SPZ may be maintained or re-built within existing footprint.
- c. Existing master site plan compliant with original time table.
- d. 4/1/82 lots of record:
  - (1) Residential or non-residential development with less than one acre of upland area: SPZ reduced to 25 feet; no additional construction setback.
  - (2) Non-residential development with hardened shoreline and more than one acre of upland area: SPZ reduced to 50 ft.

- (3) Residential primary or accessory structures on more than 1 acre and not more than 2 acres: SPZ of less than 75 feet but not less than 25 feet (based on average of nearest principal residences).
  - e. Platted single-family lot of record, created after 4/1/82, can be developed consistent with the regulations in effect at time plat was approved.
  - f. Existing Commercial Marinas.
    - (1) Impervious surfaces and other encroachments may be relocated but not increased.
    - (2) Existing access may be maintained. It is not limited to 60 ft. When redevelopment requires relocation of boat entry facilities, expanded access is permitted if "clear need demonstrated." Existing pedestrian access and loading zones may be maintained.
    - (3) Existing manmade boat basins may be reduced or eliminated, provided no impact to wetlands, seagrass or oyster beds will occur.
    - (4) Redevelopment shall meet current storm water requirements for rate, quantity, quality, and timing of the discharge
    - (5) No additional construction SBs; zoning SBs remain applicable.
- 2. Policy Options conditioned upon all stormwater being directed away from the shoreline:
  - a. Require no SPZ in the CRAs on land that already has a hardened shoreline such as a vertical seawall, bulk head, or rip-rap and public access is provided. If this policy is pursued, what constitutes public access is a sub-issue to be determined.
  - b. Require no SPZ in the CRAs on land that already has a hardened shoreline such as a vertical seawall, bulk head, or rip-rap.
  - c. Reduce SPZ in the CRAs, if the land already has a hardened shoreline such as a vertical seawall, bulk head, or rip-rap and public access is provided (including quasi-public access, such as access for restaurant patrons.)
  - d. Permit non-permanent activity within the SPZ, such as dining tables and chairs, so long as the ground cover remains pervious.
  - e. allow previously paved areas to be redeveloped with vertical structures.
- 3. Couple elimination or reduction in SPZ with required installation of living shoreline in all cases where feasible.
- 4. Accompany any policy adoption to reduce or eliminate reductions in SPZ within the CRAs with adoption of policies to pursue an aggressive community green

infrastructure program as these neighborhoods undergo revitalization and neighborhood improvements—disconnect downspouts; rain water harvesting; rain gardens, bio-swales, urban tree canopy, planter boxes, street sweeping, etc.

Policy Options for different depth of SPZ presented in a Chart:

Commercial and mixed-use development; public access is provided; all stormwater is directed away from the shoreline		
	Width of SPZ	Public access required?
Land has hardened shoreline—seawall, bulkhead, or rip rap—and was previously filled.	0 feet	Yes, including commercial patrons
	0 feet	Yes, general public access
	0 feet	No
	10 feet	Yes, including commercial patrons
	10 feet	Yes, general public access
	10 feet	No
	25 feet	Yes, including commercial patrons
	25 feet	Yes, general public access
	25 feet	No
Living shoreline established	25 feet	Yes, including commercial patrons
	25 feet	Yes, general public access

#### **D. NO NET LOSS MOBILE HOMES FUTURE LAND USE**

1. Make No Change. *CGMP Policy 6.1D.8.*, will remain as currently adopted:

*“No net loss of mobile home lands.* Lands designated Mobile Home Density on the Future Land Use Map shall be changed to another designation only where (1) other suitable lands can be redesignated as Mobile Home Density or (2) where the proposal to change the designation is accompanied by a planned unit development application that will, at a minimum, ensure (1) no involuntary displacement of mobile home residents and (2) any site-built units that replace mobile home units qualify as affordable housing for at least 30 years after initial occupancy. The affordable units proposed in the PUD must contain a combination of very low, low, and moderate and workforce housing as determined by the BCC.”

2. Amend the policy to eliminate requirement that a PUD is required to redevelop pursuant to a changed future land use designation.
3. Amend the policy so that it is inapplicable within the CRAs.
4. Amend the policy so that it does not apply within the CRA Center Future Land Use designation.
5. Amend the policy to require that some portion of the site built housing remain affordable for 30 years, even when all mobile home residents have already moved and there are no Mobile Home dwellings remaining on the site.

#### **E. OPEN SPACE**

1. Make no change. The existing open space policies will remain in effect as currently adopted (*CGMP Policies 4.3A.4., 4.3A.9. and 4.3A.10*).
  - a. For mixed-use projects in a mixed-use overlay, impervious plazas, esplanades, and covered community gathering areas count as open space.
  - b. No on-site open space is required if equivalent cash or land is contributed and these five requirements are met:
    - (1) The development is a mixed-use project—includes both residential and commercial uses.
    - (2) The project is located within a Mixed-Use Overlay.
    - (3) The substitute land, whether donated or purchased with contributed cash, was expressly identified in the CRA's Redevelopment Plan.
    - (4) The off-site parcel is in public ownership at the time of final site plan approval.
    - (5) In order for an existing conservation area to be available to be used to provide off-site open space in lieu of on-site open space, the land must have been purchased specifically for the purpose open space mitigation.
2. Modify existing policy to permit greater flexibility in the ability to provide off-site open space in lieu of on-site open space. Open space obligations can be transferred off-site if equivalent land is contributed or the appraised value is contributed in cash. The CRA can accumulate cash and utilize cash from more than one open-space transfer to acquire substitute open space.
3. Amend existing policy to limit the ability to provide 0% on-site open space to small projects; establish a maximum size that can transfer all open space off-site.
4. Other policy to be considered?

## **F. GROSS LAND AREA WITHIN PLATTED LOTS OF RECORD**

### **1. Make No Change.**

The existing policy (*CGMP Policy 4.1E.4.(3)*) remains in full effect in the CRAs. Other mechanisms are used to equalize the playing field between greenfield development and redevelopment of platted lots.

### **2. Amend CGMP Policy 4.1E.4.(3) to add “for projects proposed for platted lots of record in a CRA and subject to calculation of gross land area and gross residential density, one-half of any adjoining right-of-way” is included in gross land area.**

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