

**Proposed Amendment to the
Martin County Comprehensive Growth Management Plan**

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REQUEST NUMBER:

CPA 19-3, Martin County Fairgrounds Utilities Extension
CPA 19-14, Chapter 10 Sanitary Sewer Service Element

APPLICANTS:

Martin County Board of
County Commissioners

PLANNER-IN-CHARGE:

Samantha Lovelady, AICP

Public Hearing	Date	Action
LPA	June 6, 2019	
BCC Transmittal	June 18, 2019	
BCC Adoption	_____, 2019	

Request: Amend the following chapters of the Comprehensive Growth Management Plan (CGMP):

Chapter 4, Future Land Use Element;
Chapter 10, Sanitary Sewer Services Element; and,
Chapter 11, Potable Water Services Element

Staff Recommendation: Staff recommends approval of the request to amend:

Chapter 4, Future Land Use Element;
Chapter 10, Sanitary Sewer Element; and,
Potable Water Services Element.

EXECUTIVE SUMMARY

This request for a text amendment has three parts. First, the Board of County Commissioners (BOCC) initiated an amendment to allow water and sewer services to the future location of the Martin County Fairground. The amendment covers three chapters of the CGMP: Chapter 4, Future Land Use Element; Chapter 10, Sanitary Sewer Services Element; and Chapter 11, Potable Water Services. A Resolution to initiate the amendments was approved by the Board of County Commissioners January 8, 2019. The analysis for this amendment is in Part I of this report.

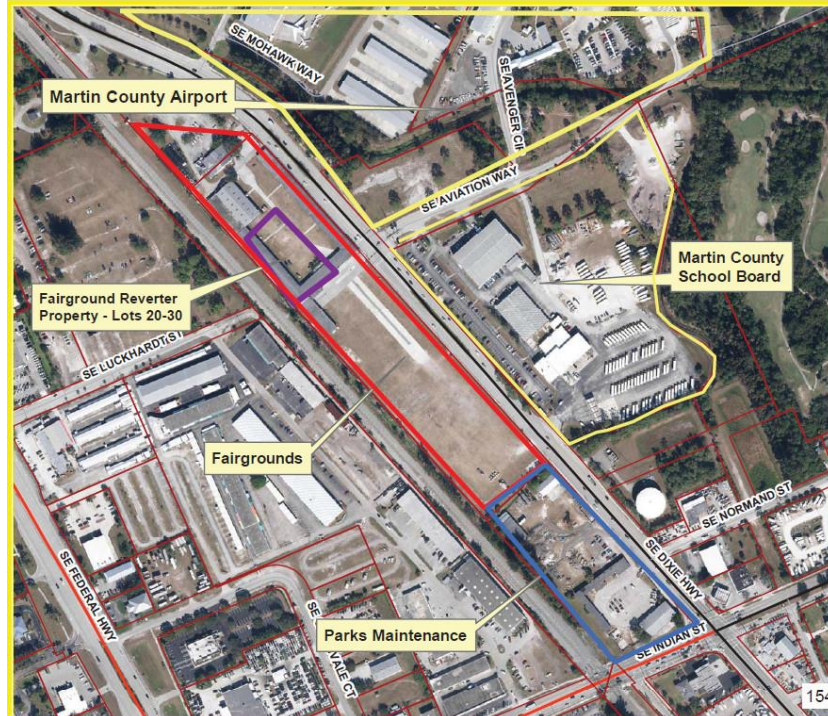
Part II of this report is also a BOCC initiated amendment. During the review of Comprehensive Growth Management Plan policies regarding how water and sewer service is provided, staff has identified that the policy in the Sanitary Sewer element is worded differently than the same policy in the Potable Water Element. The proposed text amendment would provide consistent language for both services. The BOCC adopted Resolution 19-4.3 on April 9, 2019.

Part III of this report is requesting to remove references to the Village of Indiantown, since they are now incorporated.

Part I – CPA 19-3 Martin County Fairground Utilities

This is a request to amend the text of the CGMP to allow for water and sewer services outside the Primary Urban Service District (PUSD) for the relocation of the Martin County Fairgrounds. The current fairgrounds location is approximately 11.6 acres, partially owned by the Martin County Fair Association (Fair) and partially leased to the Fair by the County. The Fair owns 11 lots within the fairgrounds that were deeded to the Fair by the County in 1964, subject to a reverter provision. The lease between the Fair and the County for the remainder of the 11.6 acres expires on June 18, 2026. The Fair has communicated that the current fairgrounds may not be a viable site for its annual Martin County Fair further than 2019, due to the parking limitations.

Figure 1: Current Location



Martin County owns a 107-acre parcel of land located on the north side of SW Citrus Boulevard, approximately 2,000 feet east of the Indiantown airport (Property). The Board of County Commissioners amended the Future Land Use designation on the

Property from Agricultural to Institutional-Recreation and rezoned the Property to PR, Public Recreation on December 16, 2009. Use as a fairground is consistent with the current Future Land Use and zoning designations.

The Property is outside the PUSD and there is no County owned property large enough to accommodate a fairground within the PUSD. The Comprehensive Growth Management Plan limits the extension of public potable water facilities and regional sewage systems to areas in the Primary Urban Service District; therefore, amendments to three Chapters of the Comprehensive Growth Management Plan are required to allow the Indiantown Company to provide utility services to the Property. A Resolution to initiate the amendments was approved by the Board of County Commissioners January 8, 2019.

Figure 2, below, is a concept plan of the future fairgrounds.

Figure 2



Proposed Text in Chapters 4, 10 and 11

With all the changes to Chapter 4 that include striking out the references to Indiantown, the full chapter is being provided. However, changes specific to this amendment are provided below.

Policy 4.7A.3.1. All future development of a use or intensity that requires public urban facilities, including water and sewer, will be permitted only within the Primary Urban Service District, except the following facilities may be served with water and sewer service ~~by the City of Port St. Lucie:~~

- (1) The Martin Correctional Institution, consistent with an interlocal agreement between Martin County, the City of Port St. Lucie and the Florida Department of Corrections for service to be provided by the City of Port St. Lucie.
- (2) The Martin County Fairgrounds, parcel number 03-40-39-000-00011-0 and parcel number 34-39-39-000-00021-0.

Policy 4.7A.14. Allowable development outside the Primary Urban Service District. The following forms of development are recognized exceptions to the general prohibitions on development outside of the Primary Urban Service District set forth in Policies 4.7A.1. through 4.7A.13.:

- (1) The County landfill, parcel number 07-38-40-000-00020-7.
- (2) The AgTEC land use category as set forth in Policy 4.13A.9.
- (3) Facilities in Jonathan Dickinson State Park, as set forth in Policy 10.1A.7. and Policy 11.1C.10.
- (4) Seven J's Industrial Area, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.
- (5) Martingale Commons PUD f/k/a Palm City 95 PUD.
- (6) Sheriff's Shooting Range, parcel number 07-38-40-000-00030-5.
- (7) Parcel number 28-40-42-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.
- (8) The Martin County Fairgrounds, parcel number 03-40-39-000-00011-0 and parcel number 34-39-39-000-00021-0.

Chapter 10, Water and Sewer Services Element

Policy 10.1A.10. An exception to the prohibition of public facilities outside the Primary Urban Service District shall be provided for the Martin County

Fairgrounds, parcel number 03-40-39-000-00011-0 and parcel number 34-39-39-000-000-00021-0.

Policy 10.1A.40.11 The County aims to fairly balance developers' ability to economically develop property with the public interest in providing regional wastewater service in the primary urban service district. Development proposals shall not be approved where adequate regional water and sewage facilities cannot be provided, unless the development can meet the requirements for an on-site sewage treatment and disposal system found in Policies 10.2A.7 and 10.2A.8.

Policy 10.1A.44.12 Package treatment plants shall be prohibited except within the Seven J's Industrial Area and Martingale Commons PUD, provided that the respective project is proceeding in accordance with its timetable of development and conditions of approval.

Policy 10.1A.42.13 In accordance with Policy 10.1A.8, if there is a gravity sewer line, force main or lift station in a public easement or right-of-way within 500 feet of Seven J's or Martingale Commons, the respective property will be required to connect to these facilities and the construction and/or utilization of package treatment plants or onsite treatment and disposal systems within these developments shall be prohibited...

Policy 10.1A.8. Sanitary sewer lines may be extended from the Primary Urban Service District to serve the following previously approved projects provided that the project is proceeding in accordance with its timetable of development, is consistent with all conditions of approval, and is maintaining its schedule of construction or other activities established in the development order.

~~(1) Fort Dawson Parcel as described in Comprehensive Plan Amendment 07-10, Indiantown International.~~

(2 ~~1~~) Lots 67, 68, 75, 89, 90, 119 through 122 and lots 191 through 220 of Canopy Creek PUD (f/k/a Tusawilla PUD as recorded in Plat Book 16, Pages 039-001 to 039-036, Public Records of Martin County, Florida).

(3 ~~2~~) Bridgewater Preserve as recorded in Plat Book 16, Pages 033-001 to 033-007, Public Records of Martin County, Florida. Any increase in residential density shall require approval by the Board of County Commissioners for a PUD Zoning Agreement and revised master/final site plan which is consistent with the Rural Density future land use designation and requires that the project connect to the existing potable water and sanitary sewer lines.

(4 ~~3~~) Seven J's Industrial Subdivision, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.

(5 ~~4~~) The County landfill, parcel number 07-38-40-000-000-00020-7.

- (6 5) Martingale Commons PUD f/k/a Palm City 95 PUD.
- (7 6) Sheriff's Shooting Range, parcel number 07-38-40-000-000-00030-5.
- (8 7) Parcel number 28-40-42-000-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.

Chapter 11, Potable Water Services Element

Policy 11.1C.11. Potable water lines may be extended from the Primary Urban Service District to serve:

- ~~(1) Fort Dawson Parcel as described in Comprehensive Plan Amendment 07-10, Indiantown International.~~
- (2 1) Lots 67, 68, 75, 89, 90, 119 through 122 and lots 191 through 220 of Canopy Creek PUD (f/k/a Tusawilla PUD as recorded in Plat Book 16, Pages 039-001 to 039-036, Public Records of Martin County, Florida).
- (3 2) Bridgewater Preserve as recorded in Plat Book 16, Pages 033-001 to 033-007, Public Records of Martin County, Florida. Any increase in residential density shall require approval by the Board of County Commissioners for a PUD Zoning Agreement and revised master/final site plan which is consistent with the Rural Density future land use designation and requires that the project connect to the existing potable water and sanitary sewer lines.
- ~~(4) A project approved pursuant to a development order that may be issued by Martin County on the Tesoro Groves parcels 05-40-39-000-000-00010-1 and 05-40-39-007-000-00020-2 as described in Official Record Book 02367 Page 0313 through 0317.~~
- (4 3) Seven J's Industrial Subdivision, as recorded in Plat Book 15, Page 97 and/or any replat or redevelopment of the property contained within the plat recorded in Plat Book 15, Page 97.
- (5 4) The County landfill, parcel number 07-38-40-000-000-00020-7.
- (6 5) Martingale Commons PUD f/k/a Palm City 95 PUD.
- (7 6) Sheriff's Shooting Range, parcel number 07-38-40-000-000-00030-5.
- (8 7) Parcel number 28-40-42-000-000-00020-5, parcel number 28-40-42-000-000-00040-1, parcel number 28-42-000-000-00011-0, and parcel number 21-40-42-004-000-00005-0 on S.E. Island Way.
- (8) The Martin County Fairgrounds, parcel number 03-40-39-000-000-00011-0 and parcel number 34-39-39-000-000-00021-0.

Part II – CPA19-14 Sanitary Sewer Services Element

As shown below, the policy in the Sanitary Sewer element is worded differently than the same policy in the Potable Water Element. The proposed text amendment would provide consistent language for both services. Both existing policies are shown below.

Policy 10.1C.5. All developments approved in the County's sewer service areas shall donate all needed sanitary sewer collection lines, lift stations, force mains and appurtenances along with suitable easements. In addition, all approved developments shall pay all capital facility costs when service is reserved by the County. This policy shall be implemented by:

- (1) Formation of special assessment districts; or
- (2) Execution of a standard developer's agreement.

Policy 11.1C.5.: All development within established potable water service areas shall donate needed water distribution lines and pay all applicable capital facility costs when services are provided by the County. This policy shall be implemented by (a) formation of special assessment districts, or (b) execution of a standard developer's agreement, or (c) execution of an interim agreement in accordance with the Land Development Regulations.

Proposed Text Amendment

The proposed text amendment provides consistent language for both potable water and sanitary sewer services.

Policy 10.1C.5.: All developments ~~approved in the County's~~ within established sewer service areas shall donate all needed sanitary sewer collection lines, lift stations, force mains and appurtenances along with suitable easements. ~~In addition, all approved developments~~ and shall pay all applicable capital facility costs when services is are reserved by the County. This policy shall be implemented by: ~~(1) (a) Formation of special assessment districts; or (2) (b) execution of a standard developer's agreement; or (c) execution of an interim agreement in accordance with the Land Development Regulations.~~

Policy 11.1C.5.: All development within established potable water service areas shall donate all needed water distribution lines and appurtenances along with suitable easements, and shall pay all applicable capital facility costs when services are ~~provided~~ reserved by the County. This policy shall be implemented by (a) formation of special assessment districts, or (b) execution of a standard developer's agreement, or (c) execution of an interim agreement in accordance with the Land Development Regulations.

Analysis

The provision of potable water and sanitary sewer service is governed by the policies found in Chapters 10 and Chapters 11. Both services are usually provided at the same time to new development. The Utilities and Solid Waste Department uses a standard agreement for the reservation of capacity and the payment of capital facility connection charges.

Requiring all capital facility charges for sanitary sewer services at time of reservation is not the same as at time of provision, as allowed in the Potable Water element. These provisions should be consistent especially when the developer is using one of the mechanisms already stated within the policies.

Part III – References to Indiantown

References to Indiantown are removed from Chapter 4, Future Land Use Element, Chapter 10, Sanitary Sewer Services Element, and Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan, are provided as attachments as full chapters.

Attachments:

- Chapter 4, Future Land Use Element
- Chapter 10, Sanitary Sewer Services Element,
- Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan
- Resolutions to Initiate the Text Amendments
- Advertisement for Public Hearings