

# **PROPOSED AMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE PLAN**

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**REQUEST NUMBER:** CPA 19-9 Realty Trust Parcels

Report Issuance Date: August 15, 2019

**APPLICANT:** Real Estate Investment Realty Trust &  
1750 SE Darling St Realty Trust  
Company Representative: Stephen Wilchins

**REPRESENTED BY:** Lucido & Associates  
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Senior Vice President  
701 SE Ocean Boulevard  
Stuart, FL 34994

**PLANNER-IN-CHARGE:** Maria Jose, M.S., Planner  
Growth Management Department

<b><u>PUBLIC HEARINGS:</u></b>	Date	Action
Local Planning Agency:	8/15/19	
Board of County Commission Transmittal:	N/A	
Board of County Commission Adoption:	8/27/19	

**SITE LOCATION:** The 9.54 acre parcel is located on SE Darling St., east of SE Willoughby Blvd., in Stuart.

**APPLICANT REQUEST:** The request is for a comprehensive plan amendment to the Future Land Use Map (FLUM) to change the parcel from Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential future land use (COR) along with a concurrent rezoning from A-1A to COR-1. The rezoning analysis will be in a separate staff report.

## **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed FLUM change from Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential (COR) future land use.

## **EXECUTIVE SUMMARY:**

The application is for a FLUM change from Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential future land use (COR) on a parcel, which is split into 2 portions: East and West. The east portion is owned by 1750 SE Darling St Realty Trust and the west portion is owned by Real Estate Investment Realty Trust. It is located at the intersection of SE Willoughby Blvd. and SE Darling St., in Stuart. The subject site is shown below, highlighted in blue (Figure 1).



Figure 1

On April 15, 2019, the application was found sufficient by staff. The current future land use designation of the site, Rural Density Residential, permits a maximum of 0.5 units per acre, whereas the COR future land use permits 5 units per acre through COR-1 zoning, which is the applicant's request. This staff report will consider COR future land use and will analyze whether it is consistent with the Comprehensive Growth Management Plan (CGMP) and compatible with the surrounding properties.

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

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

The subject property is 9.54 acres (415,562.4 sq. ft.). The parcel is within the following:

*Planning District:* Port Salerno.

*Adjacent Planning District:* Stuart Urban.

*Commission District:* District 4.

*Taxing District:* District 4 Municipal Service Taxing Unit.

### **1.2 Major Roadways**

The major roadways closest to the subject parcel are SE Willoughby Blvd., which is a minor arterial road, west of the parcel and SE Salerno Rd., which is another minor arterial, located south of the subject parcel. The subject property is located on the intersection of SE Willoughby Blvd. and SE Darling St.

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

CPA 19-11, Cove Salerno Partners: A request to amend the future land use designation on a 47.1 acre parcel from Estate Density Residential (2 units per acre) to Low Density Residential (5 units per acre) along with a concurrent application to rezone from RE-1/2A to Planned Unit Development (PUD).

CPA 19-6, Neil Parcels FLUM: A request to change the future land use designation on a 499.4 acre property and to extend the Primary Urban Service District (PUSD). The applicant, under a concurrent text amendment, proposes to include the property within the PUSD.

CPA 19-5, Neil Parcels Text: A request to amend the text of the CGMP, changing parts of Chapter 4 of the CGMP, along with a concurrent FLUM amendment.

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

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

- A. **CPA 17-1, Ordinance 1027** changed the future land use from Rural Density Residential to Commercial Office/Residential future land use on 9.4 acres located at the northeast corner of the intersection of Willoughby Blvd. and Salerno Rd.
- B. **CPA 10-12, Ordinance 869** changed the future land use from Rural Density Residential to General Institutional on 15.68 acres located at the intersection of SE Salerno Rd and SE Willoughby Blvd.
- C. **CPA 17-8, Ordinance 1030** changed the future land use from Rural Density Residential to Residential Estate Density (allowing 2UPA) on the parcel located on the east side of Willoughby Blvd, across from Pinewood Elementary School.
- D. **CPA 00-2, Ordinance 576** changed the future land use from Residential Estate Density (allowing 2UPA) to Recreational on the 36 acres located along both sides of Willoughby Blvd., north of Salerno Rd.



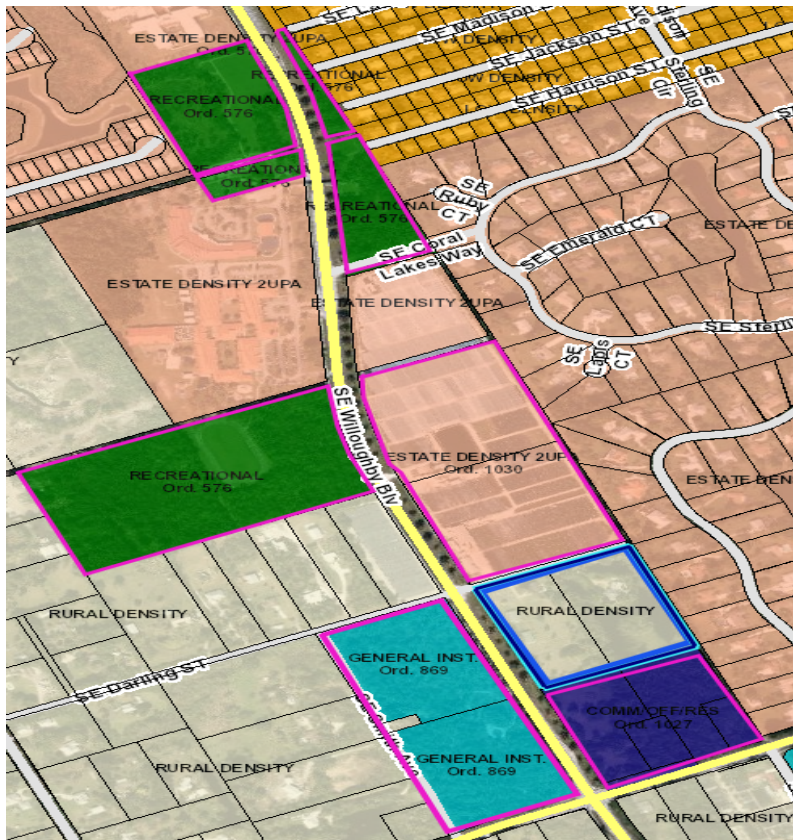


Figure 2, where the blue outlined parcel is the subject property and the magenta outlined parcels indicates the lands where amendments were made in the past.

### 1.5. Adjacent Future Land Use

North: Estate Density Residential 2UPA.

South: Commercial Office/Residential.

East: Estate Density Residential 2UPA.

West: General Institutional.

### 1.6. Environmental Considerations

#### 1.6.1. Wetlands, soils and hydrology

The soil on most of the subject site is Arents and a part of the parcel is Waveland and Immokalee fine sand, according to South Florida Water Management District (SFWMD). See figure 3. A survey from United States Department of Agriculture (USDA) states: “The Arents series consists of very deep, somewhat excessively drained soils on floodplains and alluvial fans. These soils formed in coarse textured alluvium derived from mixed sources. Slope ranges from 0 to 2 percent. The mean annual precipitation is 14 to 21 inches, and the mean annual temperature is 58 to 62 degrees F. The Waveland series consists of very deep, and poorly drained, very slowly to moderately slowly permeable soils on broad areas of flatwoods and depressions in the Lower Coastal Plain 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 are dominantly less than 1 percent but range up to 2 percent along the edges of depressions and drainage ways. The Immokalee series consists of very deep, very poorly and poorly drained soils that formed in sandy marine sediments. Immokalee soils are on flatwoods and low broad flats on marine terraces. Slopes range from 0 to 2 percent. Mean annual

precipitation is about 1397 millimeters (55 inches) and the mean annual temperature is about 22 degrees C (72 degrees F).” (National Cooperative Soil Survey, December 2016).

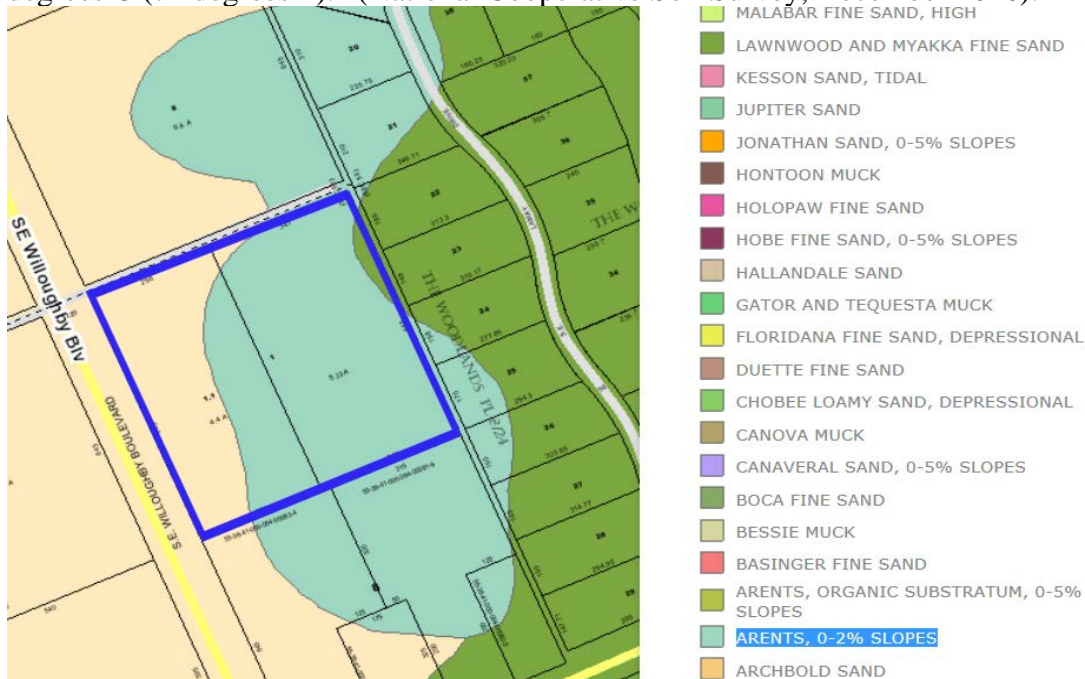


Figure 3

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

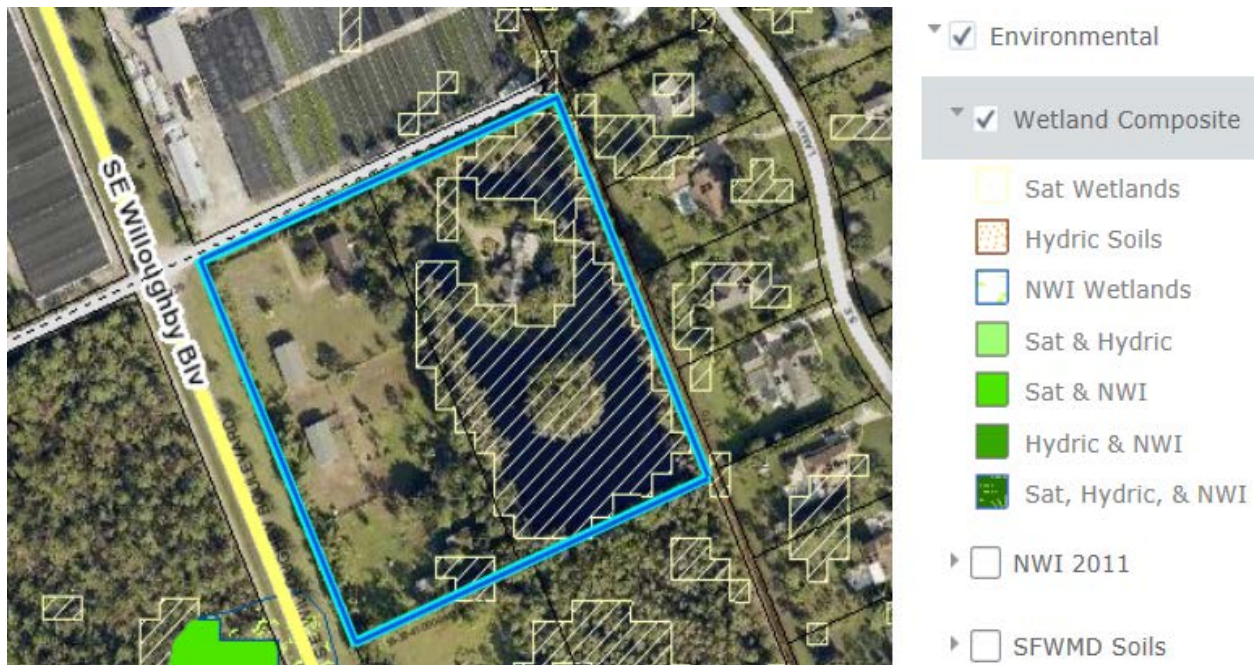


Figure 4

### 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 subject parcel is not near or within any wellfield protection zones.

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

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

North – An active nursery, Fernlea Flowers (9.6 acres).

South – Vacant lot (9 acres).

East – 15 to 30 residential units, multiple owners (15 acres)

West- vacant lot (7.7 acre)

## **2. ANALYSIS**

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

In evaluating each Future Land Use Map amendment request, staff begins with the assumption that the Future Land Use Map, as amended, is generally an accurate representation of the intent of the Board of County Commissioners, and thus the community, for the future of Martin County. Based on this assumption, staff can recommend approval of a requested change provided that consistency is maintained with all other elements of this Plan and at least one of the following four items is found to apply. If staff cannot make a positive finding regarding any of the items in (a) through (d), 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; or*

Yes, it does. There have been 4 changes in land use designation in the immediate area. Changing the parcel to COR future land use is consistent with the area characteristics. Development has not yet occurred on the COR property to the immediate south and the General Institutional parcel to the immediate west. Still, past changes in land use designations in the general area make the proposal logical.

*(b) 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*

Yes, the proposed request is reasonable and consistent with the characteristics of the area. The larger area contains a mix of residential units along with institutional and commercial uses. Some commercial uses within the larger area of the subject property include small businesses, PNC Bank, Fernlea Nurseries and some hospitals/clinics. The lands in the immediate area are all currently vacant and development of the vacant land has not yet occurred. However, growth has occurred in the area. For example, Willoughby Blvd. being constructed, the paving of Cove Rd. and the provision of water and sewer service are all good examples of the availability of public services in the area. Additionally, since 1982 CGMP Adoption, vacant land has developed over the years through the construction of Martin Memorial Hospital, Indian River State College and Morgade Library. Changing the land use to COR would allow residential units and offices. Such forms of land use would fit appropriately in the area.

*(c) The proposed change would correct what would otherwise appear to be an*

*inappropriately assigned land use designation; or*

No, this does not correct a public service need. This criterion has not been met.

*(d) The proposed change would fulfill a public service need that enhances the health, safety or general welfare of County residents.*

No, changing the land use to COR does not fulfill a public service need.

## **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.*

The 9.5 acre subject property is not a “substantial area” of the jurisdiction. The site is integrated within the urban, commercial, institutional use and residential use areas. The proposal for COR does not propose low-intensity, low-density, or single-use development. The application is proposing a potential mix of residential and commercial use. Discourages the proliferation of urban sprawl.

*(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 and existing urban and commercial areas exist nearby such as Fernelea Nursery located north of the subject property. Discourages the proliferation of urban sprawl.

*(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 residential and urban areas and the proposed change will not promote to development occurring in such patterns. Discourages the proliferation of urban sprawl.

*(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.*



Currently, according to the composite wetlands maps, there is a probability of wetlands on the site. The parcel has some existing single family residential units. Any further development on the property would require an environmental assessment to identify wetlands on or within 100 feet of the property. However, there are no environmentally sensitive areas related to rivers, shore lines, beaches and bays estuarine system. Regarding groundwater protection, it can be noted that the subject site is not near or within wellfield protection zones and may be within an aquifer recharge area. Discourages the proliferation of urban sprawl.

*(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.*

Technically, the amendment encourages sprawl under this criterion. Placing commercial office or 10 units per acre adjacent to the existing Fernlea Nursery could be considered impacting active agricultural activities. However, the Fernlea nursery recently received a Future Land Use Map amendment from Rural Density to Residential Estate Density and both sites are well within the Primary Urban Service District. Discourages the proliferation of urban sprawl.

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

No, the proposed change would encourage the site to be developed at a higher density than the current future land use designation allows. Development of the site would utilize the existing facilities and services and would not demand extra services than the current existing ones. Also, development of this site would be infill development. Discourages the proliferation of urban sprawl.

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

No, the proposed change would encourage the development of the site, possibly creating a mixed use area that contains a combination of residential units and offices. This would maximize the use of future public facilities and services. Discourages the proliferation of urban sprawl.

*(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. Discourages the proliferation of urban sprawl.

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

No, this site does not fail to do that. Discourages the proliferation of urban sprawl.

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

No, this site is infill development. Discourages the proliferation of urban sprawl.

*(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. Discourages the proliferation of urban sprawl.



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

No, this site does not result in poor accessibility, 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. Discourages the proliferation of urban sprawl.

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

No, the site is already developed and will not result in any loss of public open space. Discourages the proliferation of urban sprawl.

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 office and residential development in the Primary Urban Service District and in proximity to other commercial and residential 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.*

Development 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 a cost-effective development process, utilizing already existing public infrastructure and services. 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 Commercial Office/Residential future land use has the potential to permit either office development or housing in a walkable distance from other Commercial Office/Residential lands. 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 transit and 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 9.54 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 will not hinder such activities. Criterion met.

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

The site is already developed and will not impact natural lands. Redevelopment of this existing site will not result in any loss of public open space. Criterion met.

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

Yes, the amendment would allow the site to have a combination of residential and office units, creating a mixed use scenario. This would help the non-residential needs of the area. For example, the commercial office units could be possibly bring in clinics and other businesses that the residential population nearby can utilize. 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 future land use designation of the subject site is Rural Density Residential (up to 0.5 units per acre), and the applicant is requesting a future land use change to the COR future land use designation, along with a concurrent application to rezone the property to COR 1 (up to 5 units per acre). The following analysis will consider the COR future land use designation, which is described in the following excerpt, pursuant to Policy 4.13A.8, CGMP, Martin County, Fla. (2019):

*Policy 4.13A.8. Commercial development.* The Future Land Use Map identifies the allocation of commercial land for offices and services, limited commercial, general commercial and marine waterfront commercial activities. The allocation is compatible with the goals and objectives in the CGMP and consistent with supportive research and analysis.

- (1) *Commercial Office/Residential development (COR).* Martin County shall establish policies and criteria to guide mixed-use development. Commercial Office/Residential development shall be allocated to accessible sites adjacent to major thoroughfares. It shall also serve as a transitional use separating more intensive commercial uses from residential development. Office and residential development may be allocated along the outer fringe of core commercial areas where such development may encourage reinvestment in declining residential areas adjacent to commercial core areas. The COR future land use designation shall also be allocated to areas appropriately suited for Traditional Neighborhood

Development, described under Goal 4.3. The development provisions for the standard COR zoning districts and the PUD zoning district are expressed below:

- (a) Development in the Commercial Office/Residential future land use designation shall be restricted to professional and business offices, limited service establishments, financial institutions, live-work units, residential development or any combination of these uses. Freestanding retail sales and service establishments shall be excluded from these areas. However, restaurants, certain service commercial uses, and limited commercial uses, as identified in the Land Development Regulations, may occupy 25 percent of the commercial square footage in a building.

Residential storage facilities may be approved in areas designated COR, and the Land Development Regulations shall include criteria for review of such uses. However, the building shall be restricted to structures with small modules adaptive exclusively to storage of personal items of residential clients. Commercial tenants shall be expressly prohibited. The facility shall be designed to blend harmoniously with residential structures.

The intensity of lot use, defined as floor area ratio (FAR), shall be governed by the parking standards of the Land Development Regulations. The maximum building coverage shall be 40 percent, and the minimum net lot size permitted in COR districts shall be 10,000 square feet. The minimum open space shall be 40 percent and the maximum building height shall be 30 feet. Multiple-family residential uses are encouraged to develop in areas designated for office development at densities compatible with criteria cited in Policy 4.13A.7.(5) for High Density Residential development. The Land Development Regulations shall require appropriate landscaping and screening, including a vegetative berm system where feasible. Plant material and a decorative fence or wall shall be used to assure compatibility between established residential uses and proposed office developments.

A bed and breakfast or other facilities for transient lodging, catering to seasonal residents, shall be permitted. Kitchen facilities shall be permitted to accommodate occupants visiting for periods exceeding the general motel trip duration of one to four nights. Approved transient lodging facilities existing as of the effective date of the CGMP shall be considered permitted in such an area.

Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.

Residential use shall be allowed in the COR future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided in Policy 4.3A.3.

### **Land Use Compatibility Analysis:**

The COR future land use designation has the potential to allow both residential and commercial units. Pursuant to Policy 4.13A.8.1.A, CGMP, Martin County, Fla. (2019), development in COR shall be restricted to professional and business offices, limited service

establishments, financial institutions, live-work units, residential development or any combination of these uses. Freestanding retail sales and service establishments shall be excluded from these areas. However, restaurants, certain service commercial uses, and limited commercial uses, as identified in the Land Development Regulations, may occupy 25 percent of the commercial square footage in a building. Therefore, it can be noted that the COR future land use allows commercial uses, but with less intensity compared to other land use designations.

These uses will be compatible to the neighboring parcels, especially to the 9.4 acre parcel that has the COR future land use designation already, located south of the subject site. The proposed COR future land use can provide a good transition between the subject parcel and the residential uses to the east (single family homes), which contain active residential dwellings. Pursuant to Policy 4.13A.8.1.A, CGMP, Martin County, Fla. (2019), the Martin County Land Development Regulations shall require appropriate landscaping and screening, including a vegetative berm system where feasible. Plant material and a decorative fence or wall shall be used to assure compatibility between established residential uses and proposed office developments. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between the subject property and surrounding properties. Depending on what is developed on the subject property, bufferyard requirements will have to be met, according to the type of use on the subject property, pursuant to Section 4.663.B, Land Development Regulations, Martin County, Fla. (2014). Bufferyards range from Type 1 to Type 5, which the table in Section 4.663.B show. According to that table, if the subject site is developed into a commercial office, for example, a Type 1 bufferyard must be put in between the commercial office and the single family residencies, adjacent to the subject property.

The properties to the east of the subject property are designated as Residential Estate Density, which allows a maximum of 2 units per acre. Currently, there are single family residential units on the property. The potential density of the subject property will be determined by the zoning designation it gets. The COR future land use can have a maximum density of 10 residential units per acre, implemented by COR-2 zoning. However, the applicant requests COR-1 zoning, which only has a maximum allowable density of 5 residential units per acre. If the subject property is given the COR designation, there is a potential of residential uses and certain commercial uses, as described in Section 2.3 of this staff report. Depending on what type of use the subject property will have, appropriate buffering and screening will be provided to ensure that none of the neighboring properties are negatively impacted. The scale and intensity of commercial and residential uses in COR shall be compatible with the uses adjacent to the subject property. Additionally, development of the subject parcel will be infill development. Considering all these factors, staff recommends changing the property's land use designation from Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential future land use designation.

## **2.4 Consistency with the Comprehensive Growth Management Plan**

### **Conversion of Land:**

Pursuant to Policy 4.13A.5.(1), CGMP, Martin County, Fla. (2019),

- (1) *Rural density (one unit per two acres)*

*Standards governing agricultural land conversion in Policy 4.13A.1.(2) shall also be used as criteria in evaluating future plan amendment requests in areas designated for Rural development.*



Since the subject property is currently designated as Rural Density, the standards mentioned in Policy 4.13A.1.(2) must be considered in order to determine whether the proposed change is appropriate.

The following is an excerpt from Policy 4.13A.1.(2), CGMP, Martin County, Fla. (2019),

*(2) Conversion of land designated Agricultural on the FLUM. Agriculturally designated land may be redesignated only by an amendment to the FLUM. The intent of this section aims to permit such an amendment upon a finding by the Board of County Commissioners that the applicant has demonstrated:*

*(a) The proposed development shall not adversely impact the hydrology of the area or the productive capacity of adjacent farmlands not included in the amendment application in any other manner;*

*(b) The proposed land conversion is a logical and timely extension of a more intense land use designation in a nearby area, considering existing and anticipated land use development patterns; consistency with the goals and objectives of the CGMP; and availability of supportive services, including improved roads, recreation amenities, adequate school capacity, satisfactory allocations of water and wastewater facilities, and other needed supportive facilities. Such findings shall be based on soil potential analysis and agricultural site assessment.*

The statement in (a) can only be determined through a hydrological analysis, which the applicant has not provided. The subject property is adjacent to Fernelea Nursery, a nursery that primarily sells plants, wholesale. Therefore, the use of this property is considered agricultural and it can be stated that subject property is adjacent to a property that has agricultural use. However, the applicant has not acknowledged this matter. The property that contains Fernlea Nursery, which is located north of the subject property, was recently changed from Rural Density to Residential Estate Density. This could be considered as a mitigating factor when considering the condition expressed in (a)

Regarding (b), the applicant has not provided a soil potential analysis or agricultural site assessment, and has only provided a Soils Type Map, which shows which type of soil covers the subject property, but information such as soil descriptions is not provided by the applicant. The soil type and descriptions found by staff is discussed in Section 1.6 of this staff report, where it is mentioned that the soils on site are poorly drained. Therefore, it may not be suitable for farming.

The statement in (b) addresses the question of whether the proposal is appropriate regarding all aspects that must be considered. The proposed change is a logical and timely extension of the COR future land use to the south and the General Institutional land use to the west. The COR future land use is logical considering existing and anticipated land use development patterns in the Primary Urban Service District. The proposed COR future land use will be located near supportive services, including improved roads, recreation amenities, satisfactory allocations of water and wastewater facilities, and other needed supportive facilities.

## **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 lines, Sewer Forcemain and Reclaim Main. 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. Please see Figure 5.

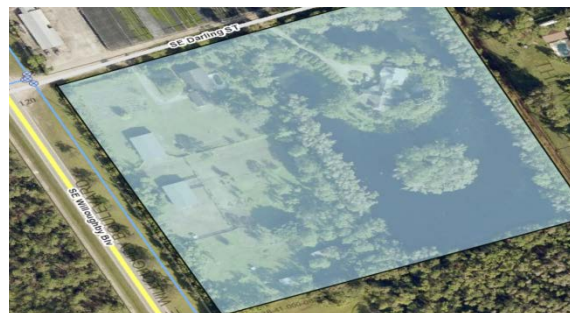
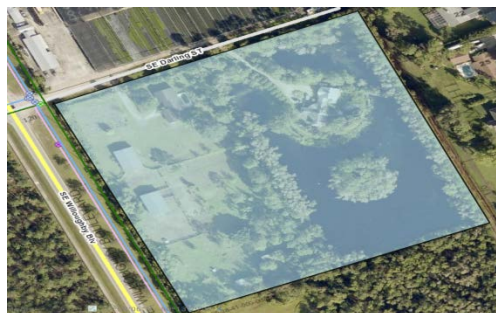


Figure 5, a) Sewer forcemain, in green and Reclaim main, in pink.

b) Potable water line, shown in blue

A staff memorandum from Utilities Department staff (attached to this report) indicates the amendment will be appropriate.

### **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 LOS standard for all roadways in unincorporated Martin County is LOS D in the peak hour/peak direction. Standards for the State Highway System are guided by FDOT's latest 'LOS Policy'. The methodology for determining roadway facilities' level of service shall adhere to the methodologies identified in the latest FDOTs Q/LOS Handbook.”

A staff memorandum (attached to this report) from Public Works Department staff indicates there is enough capacity for the proposed amendment.

#### **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 Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential future land use designation will not reduce the level of service below capacity.

#### **2.5.1.5. Parks/Recreation Facilities**

CGMP Policy 14.1A.2 provides the following LOS for parks: Developed active parkland is 3 acres/1,000 residents.

The 2018 Public Facilities Analysis reports that the current LOS for parks is 7.07 acres/1,000 residents. The projected level of service in FY27 is 6.53 acres. A change from Rural Density Residential (up to 0.5 units per acre) to Commercial Office/Residential future land use designation will not reduce the active parks and recreation level of service below capacity.

#### **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	90	Urban
Advanced life support	20 minutes	90	Rural
Basic life support	6 minutes	90	Urban
Basic life support	15 minutes	90	Rural
Fire response	6 minutes	90	Urban
Fire response	15 minutes	90	Rural

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

#### **2.5.1.7. Schools**

School facilities are calculated based on residential units.

CGMP Section 17.7.A.2.b.

*Policy:* Within 30 days after the School District Staff receives a completed public school impact form for amendments to the Comprehensive Plan future

land use map, rezonings, developments of regional impact, and master site plans which include residential units, the School District Staff shall provide the local government with a general capacity analysis which indicates the generalized capacity for all applicable school facilities. This analysis shall be used in the evaluation of the development proposals but shall not provide a guarantee of availability of services or facilities.

Please see the attached General School Capacity Analysis. At a future date, during the final site plan review process, the County must coordinate with the School Board of Martin County for a LOS analysis as provided for under Section 17.7. CGMP.

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

### **2.5.2.1. Libraries**

CGMP Policy 14.1A.3 provides for these levels of service for County Library facilities:

- (a) County library buildings: 0.60 square feet per capita.
- (b) County library collection: 2.0 volumes per weighted residents.

The 2018 Public Facilities Analysis, citing the 2018 Capital Improvement Plan analysis, reports a LOS surplus in Library buildings of 4,967 square feet by Fiscal Year 2027. The same analysis shows a current (FY18) deficit for the Library collections. Currently the Library has 1.78 volumes per capita which is expected to decline to 1.66 volumes per capita in FY 2027.

## **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

Attachment 1, Memo from Utilities Department

Attachment 2, Memo from Public Works Department

Attachment 3, General School Capacity Analysis



MARTIN COUNTY, FLORIDA  
INTER-OFFICE MEMORANDUM

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

**DATE:** May 1, 2019

**FROM:** Jim Christ  
Planner



**SUBJECT:** Comprehensive Plan Amendment 2019-9 Reality Trust

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

**BACKGROUND:**

**Description:** The subject property is 9.54 acres, west of Dixie Highway. The property is located within the Primary Urban Services District and Martin County water and wastewater services are available.

**Location:** The parcel is located on SE Darling St, east of SE Willoughby Blvd, in Stuart.

**Existing Future Land Use:** Rural Density Residential

**Proposed Future Land Use:** Commercial Office/Residential

**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 4 houses on the 9.54 acres of Rural Density Residential Land Use designation.

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

The proposed change Commercial Office/Residential Use is a more intense use as maximum of approximately 166225 sq. ft. of Commercial Office/Residential

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)	-12.504 MGD
Projects With Service Agreements	<u>-.437MGD</u>
Available Capacity	5.859 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	5.900 MGD
Contiguous Three Month Average Daily Flow	-3.038 MGD
Projects With Service Agreements	<u>-0.297 MGD</u>
Available Capacity	2.565 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

[www.martin.fl.us](http://www.martin.fl.us)

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

**DATE:** August 2, 2019

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

**SUBJECT:** Comprehensive Management Plan  
Proposed Amendment 19-9: Realty Trust Parcels

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Traffic Engineering staff has received the Traffic Analysis prepared by MacKenzie Engineering and Planning, Inc. dated August 2019 in support of the proposed amendment to the Future Land Use Map designation from Rural Density to Commercial/Office/Residential on two parcels approximately 9.54 acres located at the southeast corner of SE Willoughby Boulevard and SE Darling Street.

MacKenzie Engineering and Planning, Inc. demonstrated that the proposed Future Land Use Map designation of Commercial/Office/Residential, using the "worst case" scenario, would result in a net increase of 365 PM peak hour trips. Staff finds that SE Willoughby Boulevard is the recipient of a majority of the generated trips and has the available capacity to absorb the additional trips. However, SE Cove Road does not have the available capacity as a two-lane facility. The Martin Metropolitan Planning Organization has prioritized the widening of SE Cove Road between SW Kanner Highway (SR-76) and SE Federal Highway (SR-5/US-1) from two to four lanes.

For the purpose of this proposed amendment, staff can provide a "positive evaluation", meaning there is sufficient roadway capacity planned in the adopted long-range capital facility plans of the Comprehensive Growth Management Plan [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

# Martin County School District

## General School Capacity Analysis

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

**Applicant/Project:** Realty Trust Parcels

**Project#:** CPA, 19-9

**Date:** 5/29/19

**Applicant Request:** A request for Preliminary Review and Comment

### Student Generation Calculation:

Residential Units	<b>40</b>
Current Student Generation Rate	<b>.229</b>
<b>Elementary</b>	4
<b>Middle</b>	2
<b>High</b>	3
<b>Total Forecasted</b>	<b>9</b>

### School Zone Enrollment & Permanent Capacity:

CSA	2019-2020 (as of 10/12/18) Enrollment	2022-2023 COFTE Projected Enrollment	2022-2023 Perm. FISH Capacity
Stuart Zone – Elementary (Pinewood, JD Parker, Port Salerno)	2213	1764	2328
South Zone – Middle (Anderson Middle, Murray Middle)	1784	1729	2251
Stuart Zone – High School (Martin County)	2183	2318	1838

Note: Current Enrollment reported from FOCUS, Projections through School District CIP Application

### Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that the elementary and middle schools currently are projected to have capacity, but the high school level is projected to exceed the permanent capacity.

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

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

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