

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

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REQUEST NUMBER: CPA19-20, Tucker Commons

APPLICANT: Christina Tucker

REPRESENTED BY: HJA Design Studio, Michael Houston

PLANNER-IN-CHARGE: Irene A. Szedlmayer, AICP, Senior Planner, Growth Management Department

DATE OF REPORT: September 27, 2019

<u>PUBLIC HEARINGS:</u>	<u>DATE</u>	<u>ACTION</u>
Local Planning Agency	Oct. 17, 2019	
BOCC Adoption	Oct. 22, 2019	

Property: This application involves 0.755 acres on the northeast corner of SW Mapp Road and SW 29th Street, in the Old Palm City Community Redevelopment Area.

Request: The property owner is requesting that the future land use designation be changed from Commercial Office/Residential (Lots 9 through 12) and Low Density Residential (Lot 13) to General Commercial (Lots 9 through 13).

Staff Recommendation: Staff recommends approval of the request.

EXECUTIVE SUMMARY

The 0.755-acre property is located on the Northeast corner of SW Mapp Road and SW 29th Street and in the Old Palm City Community Redevelopment Area and the Old Palm City Mixed-Use Future Land Use Overlay. See Figure 1. Lots 9 through 12 (0.6 acres) are also within the Old Palm City Town Center Zoning Overlay.

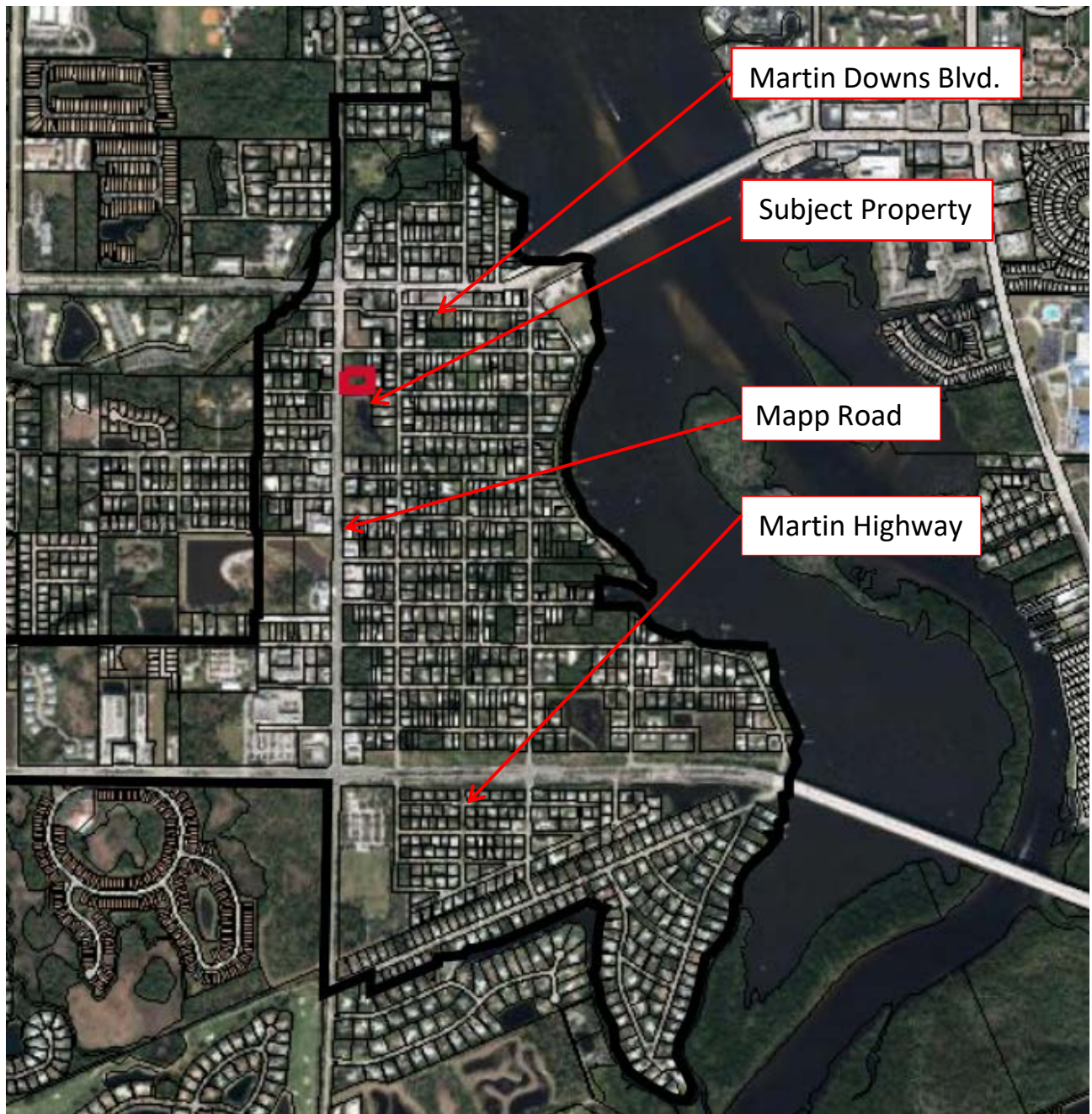
The requested amendment of the Future Land Use Map (FLUM) does not affect the Mixed-Use Future Land Use Overlay or the uses and development standards applicable within the Mixed-Use Future Land Use Overlay. The Mixed-Use Future Land Use Overlay permits a mixed-use project containing up to 15 dwelling units per acre along with a commercial component under the requested future land use designation (General Commercial) as well as the current future land use designations (Commercial Office/Residential and Low Density Residential).

The requested amendment of the FLUM will affect only single-use projects. On Lots 9 through 12, the current Commercial Office/Residential future land use designation permits professional or business offices and residential development up to a maximum of ten dwelling units per acre. Only ancillary retail sales and services are permitted (up to 25% of the building square footage). On Lot 13, the Low Density Residential future land use designation permits only residential and some institutional uses. Lot 13 cannot be used to support any commercial development on Lots 9 through 12. Pursuant to the requested General Commercial future land use designation, a single-use commercial development, including retail sales and services, will be permitted on the entire parcel, but a single-use residential project will not be permitted.

The requested General Commercial future land use designation allows greater intensity compared to the Commercial Office/Residential and Low Density Residential future land use designations. The minimum 20 percent open space required for the General Commercial future land use designation is the same as that permitted for a mixed-use project in the Mixed-Use Future Land Use Overlay but less than that required by the CO/R future land use designation (40 percent) and the Low Density Residential future land use designation (50 percent).

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Figure 1. Location of Subject Property (boundary of CRA shown in black)



1. PROJECT/SITE SUMMARY

1.1 Physical/Site Summary

The property is 0.755 acres and vacant. It comprises five platted lots of record, Lots 9 through 13, Block N, Cleveland Addition Plat, recorded in 1925. Four of the lots each measure approximately 7,200 sq. ft. and one measures 4,330 sq. ft., after dedication of right-of-way to Mapp Road in 1954. An unimproved platted, alley right-of-way adjoins the property to the north. Lots 9 through 12 are mirrored by empty lots to the north. Single family dwellings adjoin Lot 13 to the east and across the alley to the north. See Figure 2.

Figure 2. Subject Property



1.2 Major Roadways

SW Mapp Road, between SW Martin Downs Blvd. and SW Martin Highway, has the functional classification of Minor Arterial. SW Martin Downs Blvd. to the north and SW Martin Highway to the south are both functionally classified as Major Arterials. SW 29th Street is classified as a residential street.

1.3 Current Requests to Amend the Comprehensive Plan

Eleven additional requests to amend the Future Land Use Map (FLUM) are pending. The locations of these proposed amendments are shown in Figure 3.

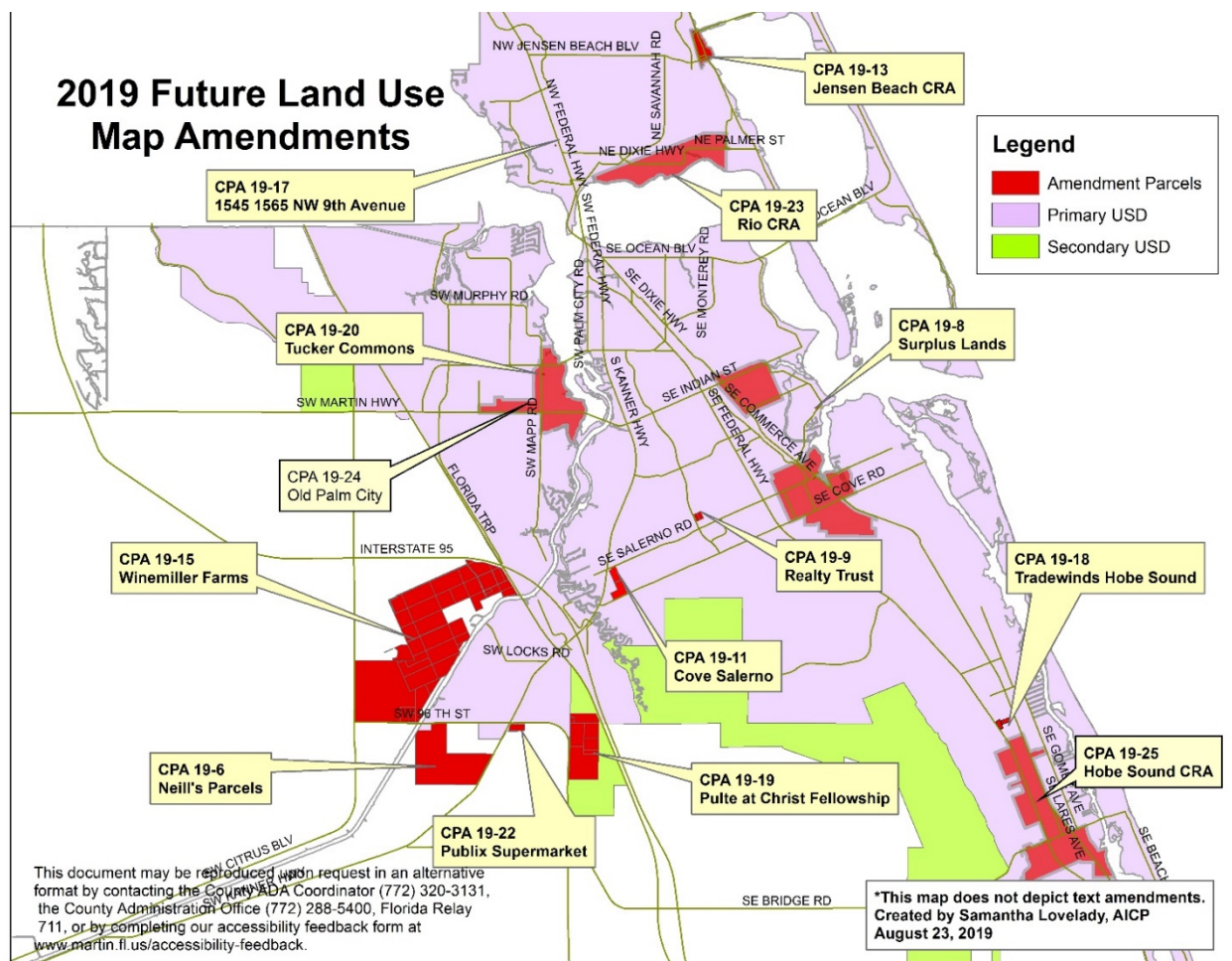
- a. CPA 19-08, Surplus Lands, is a Small-Scale Amendment proposing to change the future land use designation of 1.2 acres from Institutional-Recreation to Residential

Estate Density (2 units per acre). The land is on SE. St. Lucie Boulevard near Sandspruit Park.

- b. CPA 19-06, Neill Parcels, is a request to amend the FLUM on 499.4 acres located south of SW 96th Street and between SW Kanner Highway (SR76) and the St. Lucie Canal. The site currently has the following future land use designations and acreages: Agricultural, 249 acres; Industrial, 175.4 acres, and Marine Waterfront Commercial, 75 acres. The applicant proposes the following future land use designations and acreages: Industrial, 196 acres; Marine Waterfront Commercial, 20 acres, and Low Density Residential, 278 acres.
- c. CPA 19-09, Realty Trust Parcels, is a request to amend the FLUM from Rural Density Residential (1/2 unit per acre) to Commercial Office/Residential on 9.5 acres on SE Willoughby Boulevard, north of SE Salerno Road.
- d. CPA 19-11, Cove/Salerno Partners, is a request to amend the FLUM on 47.12 acres from Residential Estate Density (2 units per acre) to Low Density Residential (5 unit per acre). The land is just east of Kanner Highway, between Cove and Salerno Roads.
- e. CPA 19-13, Jensen Beach FLUM, is regarding the 67 acres comprising the Jensen Beach CRA. The amendment of the FLUM will be accompanied by revised Land Development Regulations and the amendment of the Zoning Atlas.
- f. CPA 19-15, Winemiller, is a request to change the future land use designation from Agricultural Ranchette to AgriNeighborhood Community on 1,909 acres. The property is located west of the Okeechobee Waterway (also known as the St. Lucie Canal) and the Florida Turnpike, east of SW Citrus Blvd, south of I-95, and north of SW 96th Street.
- g. CPA 19-17, 1545 and 1565 NW 9th Avenue, is a request to amend the FLUM on two lots with split future land use designations—General Commercial and Low Density Residential—on each lot. The request is to designate the entirety of the lots General Commercial.
- h. CPA 19-18, Tradewinds at Hobe Sound, is a request to amend the FLUM on 13.3 acres from Medium Density Residential (7.8 acres), Commercial Office/Residential (1.92 acres) and Limited Commercial (3.89 acres) to High Density Residential, located between SE Federal Highway and SE Dixie Highway, just north of SE Dharlys St.
- i. CPA 19-19, Pulte at Christ Fellowship Church, is a request to amend the FLUM from Rural Density (1/2 unit per acre) to Residential Estate Density (one unit per acre) on 321 acres located at 10205 Pratt Whitney Road.
- j. CPA 19-22, Publix Supermarket, is a request to amend the FLUM on approximately 6 acres from Agricultural to General Commercial near the intersection of SW Pratt-Whitney Road and SW Kanner Highway.

- k. CPA 19-23, Rio, is regarding the 542 acres within the Rio CRA. The amendment of the FLUM will be accompanied by revised Land Development Regulations and amendments to the Zoning Atlas.
- l. CPA 19-24, Old Palm City, is regarding the 640 acres within the Old Palm City CRA. The amendment of the FLUM will be accompanied by revised Land Development Regulations and amendments to the Zoning Atlas.
- m. CPA 19-25, Hobe Sound, is regarding the 1,024 acres within the Hobe Sound CRA. The amendment of the FLUM will be accompanied by revised Land Development Regulations and amended zoning atlas.

Figure 3. Pending Requests to Amend the Future Land Use Map



1.4. Past Changes in Future Land Use Designation

In the Palm City area, in the vicinity of SW Martin Downs Blvd. and SW Martin Highway, there have been numerous amendments of the FLUM since adoption of the Comprehensive Growth Management Plan in 1982. See Figure 4. One amendment is most relevant to the

subject site because it applied to property also located within the Old Palm City Town Center Zoning Overlay and the Old Palm City Mixed-Use Future Land Use Overlay is:

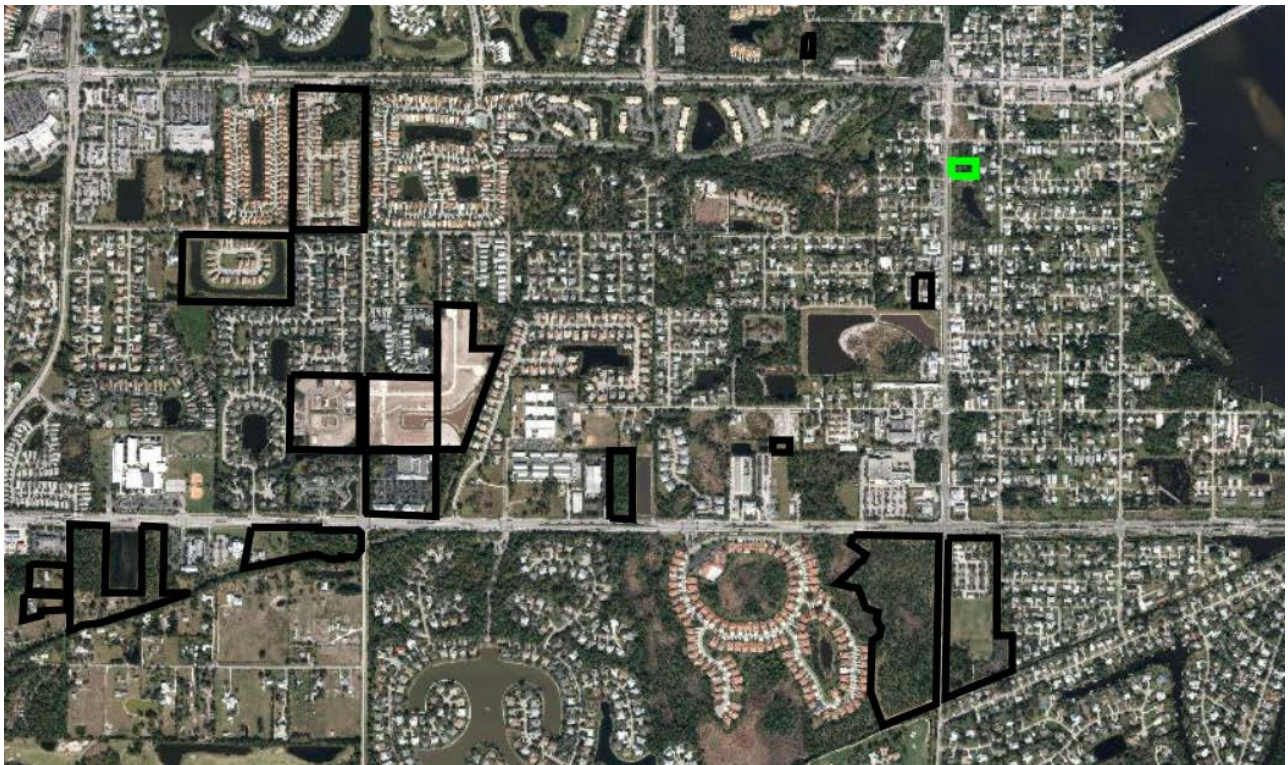
CPA 2006-18, Sentell, which changed the future land use designation from Commercial Office/Residential to General Commercial on 0.97 acre on Thelma Street, just west of SW Mapp Road. This is the location of a veterinary and animal boarding facility.

Other amendments of the FLUM in Palm City include:

1. CPA 2000-02, Seven County-owned parcels, changed the future land use designation from Low Density Residential to General Institutional on the 15-acres known as Jock Leighton Park.
2. CPA 03-7, Kirby, changed the future land use designation of 9.5 acres at the northeast corner of S.W. Berry Avenue and S.W. Martin Highway from Commercial Office Residential to Commercial General. The property is developed with mixed commercial uses.
3. CPA 03-8, Sunset Trail North, changed 20 acres to Low Density, 10 from Estate Density and 10 from Rural Density. Like, CPA 03-09, these 20 acres were developed as the Murano PUD with 91 single-family residential lots.
4. CPA 03-9, Sunset Trail South, changed 10-acres from Estate Density and 5 acres from Rural Density to Low Density. This property was developed as the Murano PUD with 28 single-family lots.
5. CPA 06-13, Palm Royal, changed the future land use designation from Low Density to Limited Commercial of a 0.4 acre, land-locked parcel, which is part of a larger 2.3 acre property, which remains undeveloped.
6. CPA 06-15, Manetta Niessen, changed the Rural Density future land use designation of 2.4 acres southeast of the corner of SW Martin Hwy and SW High Meadow Avenue to Commercial General. The property continues to be utilized as a single-family residence.
7. CPA 06-22, Berry Avenue, amended the FLUM for five acres on Berry Avenue from Rural Density future land use to Low Density Residential and the zoning from A-1 (small farms) to RM-5.
8. CPA 06-25, Wolf, changed the future land use designation of 12.5-acres located at the southern end of Hollis Ave., adjacent to Danforth Creek, between Martin Hwy and Sunset Trail, from Agricultural to Low Density Residential.
9. CPA 06-30, Awareness Tech, changed the future land use of 2.8 acres within the Old Palm City CRA, from Commercial Office Residential to Industrial. It has not yet been developed.
10. CPA 15-01, Kingsley, changed the future land use of five acres on the west side of SW Berry Avenue from Rural Density to Low Density Residential.
11. CPA 15-02, Berry Retail, changed the future land use of 4.8 acres on east-bound SW Martin Highway, between SW Berry Avenue and High Meadow Avenue, from Rural Density to Commercial Office/Residential.

12. CPA 15-06, Berry Retail-Galley, changed the future land use designation of 1.14 acres on the southwest corner of SW Martin Highway and SW Berry Avenue, from Rural Density to Commercial Office/Residential.
13. CPA 16-01, Palm Bluff, changed the future land use designation of 3.57 acres on SW Martin Highway, between SW Berry Ave. and SW High Meadow Ave. from Rural Density to Medium Density Residential.
14. CPA 16-04, Sunshine Carnations, changed the future land use designation of 9.8 acres on SW Berry Ave. from Agricultural to Low Density Residential.
15. CPA 16-07, Legg, changed the future land use designation of 8.5 acres on SW Martin Highway, and the east side of SW 30th St. from Rural Density to Medium Density Residential.
16. CPA 16-10, Danforth, changed the future land use designation from Estate Density Residential 2upa to Conservation on approximately 24 acres located between Whispering Sound and SW Mapp Road.
17. CPA 16-14, Legg II, changed the future land use designation of 1.75 acres on the west side of SW 30th St. from Rural Density to General Commercial.

Figure 4. Previous amendments of the Future Land Use Map in Palm City



1.5 Adjacent Future Land Use Designations (see Figure 5)

North: Commercial Office/Residential

South: Commercial Office/Residential and Low Density Residential

East: Low Density Residential

West: Limited Commercial (west of Mapp Road)

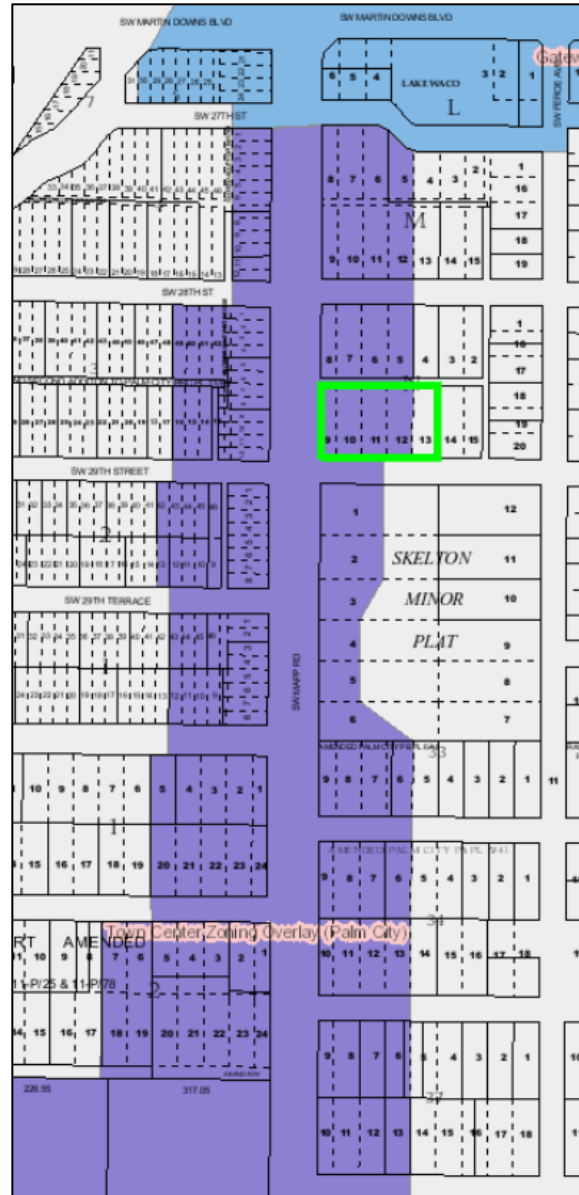
Fig. 5. Adjacent Future Land Use Designations



Most adjacent properties are also located within the Old Palm City Mixed-Use Future Land Use Overlay and the Town Center Zoning Overlay, except the abutting property to the east. See Figures 6 and 7.

Fig. 6. Mixed-Use Future Land Use Overlay

Fig. 7. Town Center Zoning Overlay



1.6 Environmental Considerations

1.6.1. Wetlands, Soils and Hydrology

A. Wetlands

The Martin County wetlands composite map is a predictive tool based on satellite wetland mapping, presence of hydric soils, and inclusion on the National Wetlands Inventory. The

more indications present, the more likely a wetland is present. The wetlands composite map predicts that no wetlands are present on the subject site. See Figure 8.

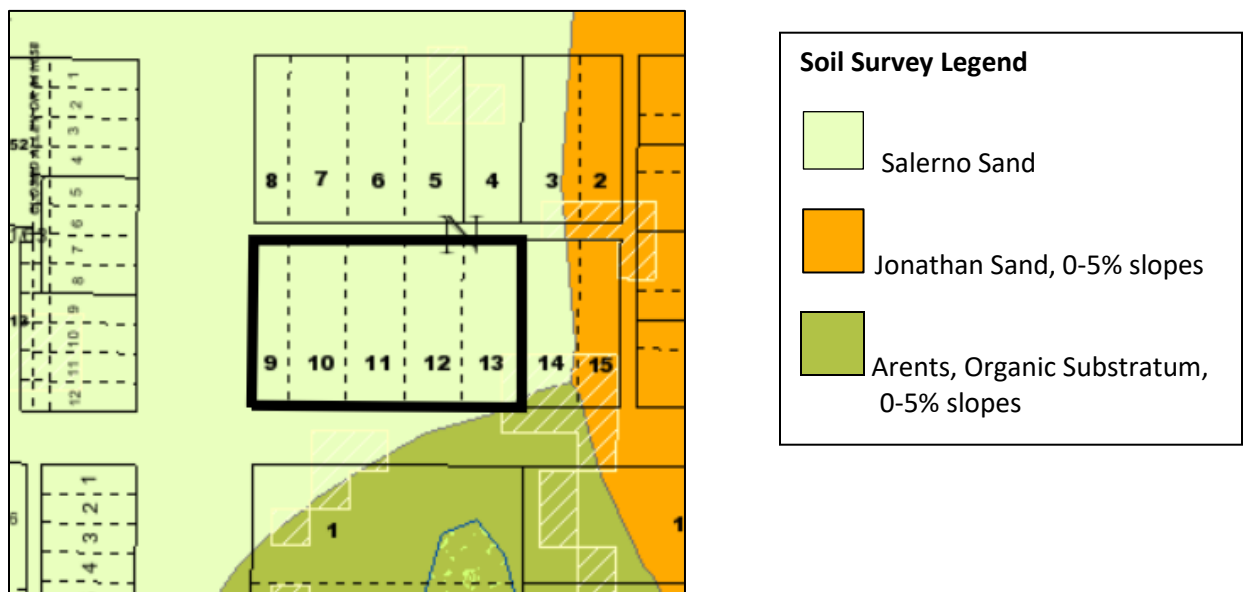
Figure 8. MC Navigator Wetlands Composite Map



B. Soils

The soil on the subject site is Pomello Sand, 0 to 5% slopes. [MC Navigator, South Florida Water Management District Soil layer.] See Figure 9.

Figure 9. Soil Survey



The United States Department of Agriculture, Soil Conservation Service, Soil Survey of Martin County, FL, described soils of the Salerno series as “deep, poorly drained, very slow to moderately slowly permeable soils that formed in sandy marine deposits. They are saturated by a perched water table during the rainy season and following heavy rainfall in other seasons.”

1.6.2 Wellfield Protection

Sections 4.141 through 4.154, LDR, establish Wellfield Protection Zones 1, 2, and 3. The subject property is not located within a Wellfield Protection Zone.

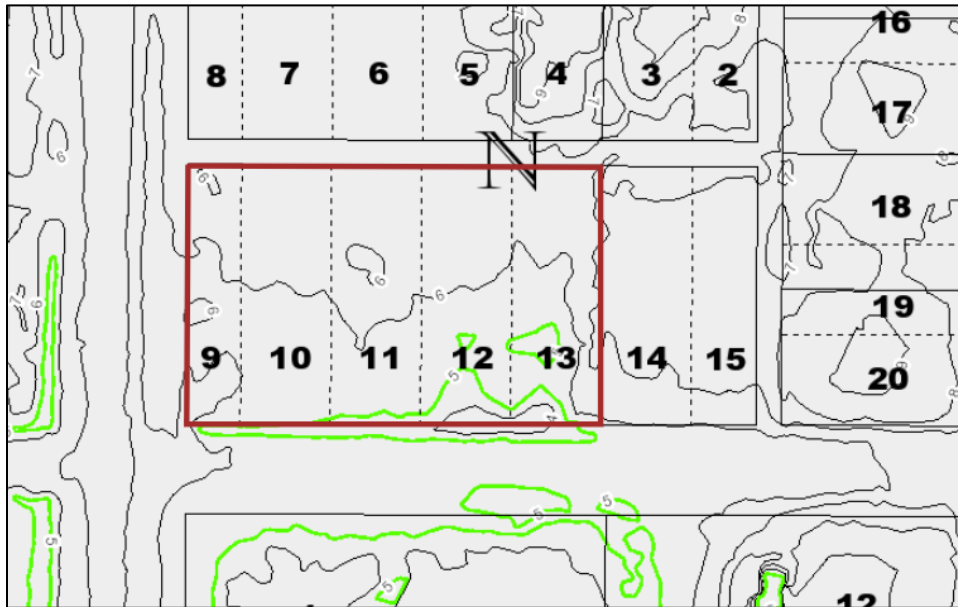
1.6.3. Flood Zone

The land is located within a special flood hazard area identified on a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). (Figure 10.) The base flood elevation is 6 ft. (NAVD88). The topographic map shows contour lines mostly at 5 or 6 feet. (Figure 11)

Figure 10. Excerpt of FEMA Firm



Figure 11. Topographic Map (one-foot contours)



1.7 Adjacent Existing Land Use

North (across alley): vacant and single-family residential constructed in 2016

South (across SW 29th Street) stormwater treatment pond

East: single-family residence constructed in 2015

West (across Mapp Road): vacant and small commercial building

Figure 12. Adjacent Existing Land Use



2.1. Criteria for change in the Future Land Use designation

Regarding proposed amendments of the CGMP, Section 1.11.C.(1) provides, in relevant part, as follows:

“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:

- (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
- (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
- (c) The proposed change would correct what would otherwise appear to be an inappropriately assigned land use designation; or
- (d) The proposed change would fulfil a public service need that enhances the health, safety or general welfare of County residents.

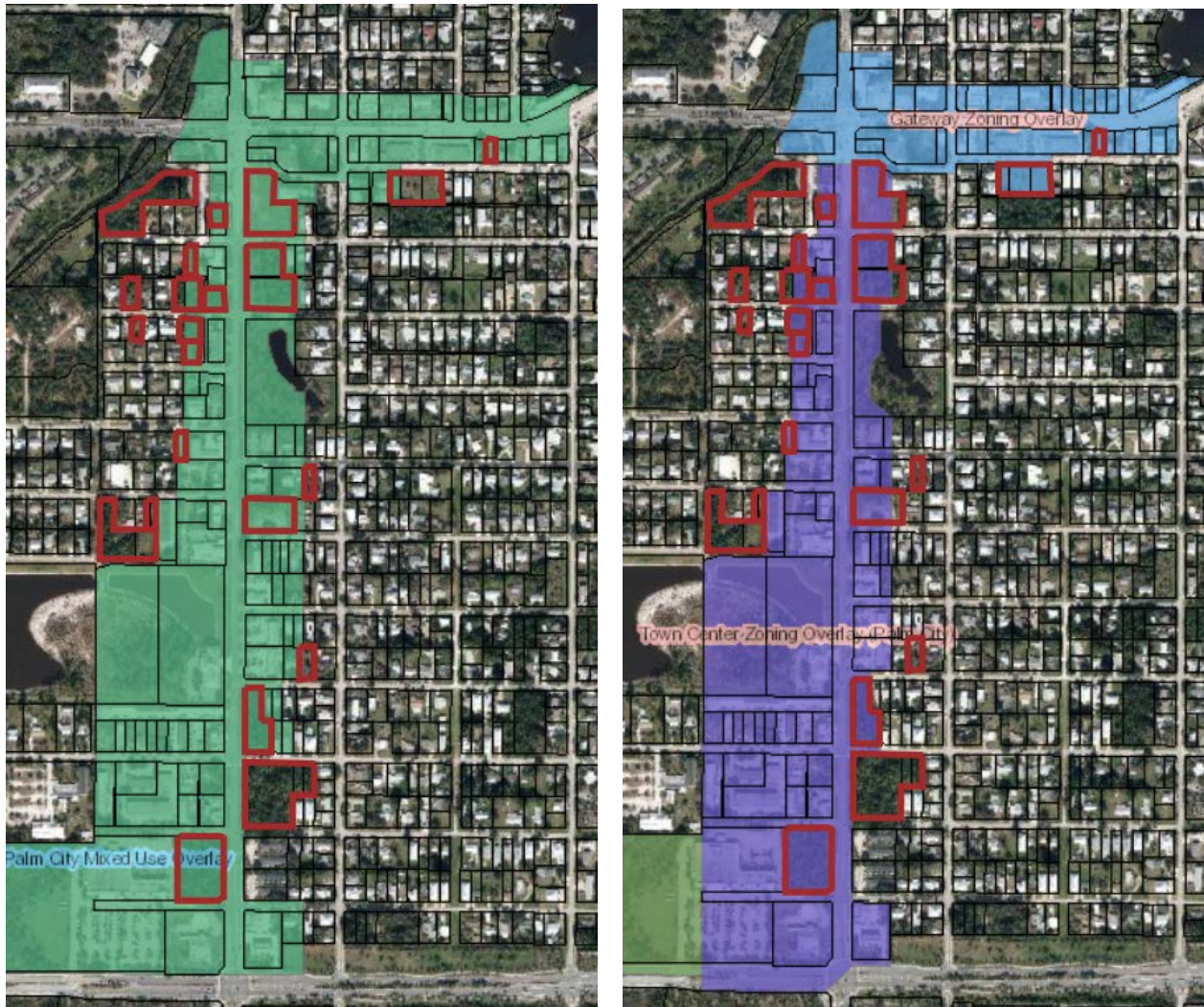
If staff cannot make a positive finding regarding any of the items in (a) through (d), staff shall recommend denial.”

The 1996 installation of 8-inch water distribution and 10-inch sanitary sewer lines, and the designation of the Old Palm City Mixed-Use Future Land Use Overlay in 2004, evidence that previous 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. Therefore, paragraph (a) of Section 1.11.C.(1) is satisfied.

The context of this application, given the adoption of the Old Palm City Community Redevelopment Plan in 2003 and the designation of the Old Palm City Mixed-Use Future Land Use Overlay in 2004, it is the converse of criterion (b) that indicates that the proposed request is reasonable and consistent with area land use characteristics. The persistence of vacant (see Figure 13) and underutilized land along SW Mapp Road or in close proximity, rather than development and redevelopment, that indicates the requested amendment is reasonable and consistent with area land use characteristics.

Additionally, as was recognized by the Board of County Commissioners in the transmittal of CPA 18-10, CRA Text Amendments, infill development and redevelopment of small parcels are more challenging than development of a larger site in a more suburban locale. Increased regulatory flexibility regarding uses is needed to achieve the community’s vision for a compact, walkable, small town urban form. The proposed

Figure 13. Vacant Land in and near the Old Palm City Mixed-Use Future Land Use Overlay (image on left) and the Town Center Zoning Overlay (image on right) (publicly-owned land is excluded)



replacement of the Old Palm City Mixed-Use Future Land Use Overlay and the Commercial Office/Residential, Limited Commercial, General Commercial, and Medium Density Residential future land uses with the CRA Center future land use designation will be presented to the Board of County Commissioners in early 2020. This application would not be necessary if that anticipated amendment of the FLUM had already occurred.

Criterion (b) is met because there is availability of public services and because the proposed request is now reasonable and consistent with the Mixed-Use Overlay and the Old Palm City Redevelopment Plan. Criterion (c) is not satisfied because the Commercial Office Residential future land use is not “inappropriate.” Criterion (d) is not satisfied because a specific public service is not provided.

Based on satisfaction of paragraphs (a) and (b), staff is permitted, but not required, to recommend a change in the future land use designation.

2.2. Existing and Requested Future Land Uses

Because the property is located within the Old Palm City CRA Mixed-Use Future Land Use Overlay, a mixed-use project can be developed on it whether the future land use designation is Commercial Office/Residential and Low Density Residential (current), General Commercial (requested), or any other future land use designation. Mixed-use projects must contain both residential and commercial components and the residential development may provide up to 15 dwelling units per acre. A mixed-use project may include a restaurant.

The difference between the current future land use designation and the requested future land use designation concerns single-use projects. The application was submitted because the property owner wishes to develop a restaurant. The current Commercial Office/Residential future land use designation allows residential and/or professional or business offices. It does not permit retail sales or services, including restaurants, except as an ancillary use, up to 25 percent of the total building area and intended primarily to serve other occupants of the building.¹ The requested General Commercial Future Land Use will permit most commercial and business uses, as permitted by Section 3.265.B.2 Martin County Land Development Regulations, including a restaurant, within the Old Palm City Town Center Zoning Overlay.

The determination of the proper future land use is guided by the intent of the future land use designations, as well as permitted uses and development standards. The Applicant has requested the General Commercial future land use designation. The intent of the General Commercial future land use is as follows:

“The General Commercial areas are designated on the [FLUM] 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 [LDR]. 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 [LDR] 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,

¹ The snack bar in the Martin County Administrative Center is a good example of an ancillary use. A member of the public is welcome to visit the snack bar to purchase a sandwich or meal, but the primary customers are Martin County employees or visitors with business to conduct in the County Administrative Center.

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 [LDR].

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 [LDR] 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. . . [CGMP Policy 4.13A.8(3)]

The intent of the Commercial Office/Residential Future Land Use designation is as follows:

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 [LDR], may occupy 25 percent of the commercial square footage in a building.

Residential storage facilities may be approved in areas designated COR, and the LDR 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 LDR. 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 [up to 10 units per acre]. 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.2. [CGMP Policy 4.13A.8(1)]

The Low Density Residential designation is intended to “preserve the stability and integrity of established residential development and provide equitable treatment to lands sharing similar characteristics. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.”

The applicant is proposing to change Lot 13 from Low Density Residential to General Commercial. Lot 13 is permitted to develop as part of a mixed-use project. If not part of a mixed-use project, it is restricted to residential development and would permit one single-family residence, assuming the well and on-site sewage treatment system could be sited. (There are no water or sanitary sewer lines on SW 29th Street.)

2.3. Application of those policies to the subject property

The encouragement of mixed-use development provided by the CO/R future land use designation is not needed for this property because it is located within a Mixed-Use Future Land Use Overlay. Retail sales and services are generally highly desirable components of mixed-use neighborhoods and CO/R allows them only as an ancillary use. Finally, the minimum open space requirement of 40% for the CO/R future land use designation is inconsistent with the location in the center of the Old Palm City Town Center and Mixed-Use Future Land Use Overlay.

The General Commercial Future Land Use, as stated in *CGMP Policy 4.13A.8(3)*, indicates that it may be less appropriate for this parcel. (“The General Commercial areas are designated on the [FLUM] to accommodate general retail sales and services; highway-oriented sales and services; commercial amusement; and trade and warehousing facilities. . . The General Commercial site should generally be removed from single-family residential development and able to be buffered and screened consistent with the [LDR] requiring appropriate landscaping and screening.”) Lots adjacent to the subject site have the Low Density Residential future land use designation. There is an existing single-family dwelling on the adjacent Lots 14 and 15. See Figure 2.

The size of the subject property (three-quarters of an acre) naturally limits some uses. Additionally, the Old Palm City Town Center Zoning Overlay further limits the permitted uses such that the General Commercial Future Land Use remains appropriate for the site. See, Appendix A. (Permitted Uses in the Old Palm City Zoning Overlays) Additionally, CGMP Policy 4.13. recognizes that the Land Development Regulations provide for landscape buffers and landscape screens to “assure compatibility with less intensive uses existing or anticipated on adjacent sites.” Furthermore, Lot 4 and Lot 14 are also located within the Mixed-Use Future Land Use Overlay. They too could be re-developed into a mixed-use project. Finally, the single-family residences on those lots were constructed in 2015 and 2016, long after the Mixed-Use Future Land Use Overlay was established.

Finally, the development standards for each of the future land use designations contribute to the analysis. See Table 2.

Table 2. Development Standards for Commercial Future Land Uses in the Old Palm City Town Center Zoning Overlay

Future Land Use	Maximum Height	Minimum Open Space	Maximum Building Cover
CO/R	2 stories/28 feet	40%	40%
LC	2 stories/28 feet	30%	50%
GC	2 stories/28 feet	20%	60%
Mixed-Use Overlay (mixed-use projects only)	2 stories/28 feet	20%	80%

Given its location in the heart of the Old Palm City Town Center Mixed-Use Overlay, where mixed-use projects are permitted up to 80% building coverage and where only 20% open space is required, the General Commercial Future Land Use, which permits 60% building coverage and requires 20% open space, is appropriate.

2.4. Urban Sprawl

The Florida Community Planning Act, §163.3177(9), Fla. Stat. (2019), requires any amendment to the Future Land Use Element of the County's Comprehensive Plan to discourage urban sprawl. The statute defines 'urban sprawl' as "a development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses." The statute provides a list of thirteen "primary indicators" that a plan amendment "does not discourage the proliferation of urban sprawl." The evaluation of these 13 indicators consists of an analysis of the plan amendment within the context of the features and characteristics that are unique to Martin County in order to determine whether the plan amendment promotes urban sprawl.

None of these 13 indicators of urban sprawl are present in the proposed amendment of Martin County's Future Land Use Map.

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

The subject site comprises only 0.755 acres and is not a substantial area and relatively high intensity and mixed-use is permitted. The amendment does not encourage the proliferation of urban sprawl.

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

The land subject to the amendment is in the center of Old Palm City, a Martin County Community Redevelopment Area. The amendment does not encourage the proliferation of urban sprawl.

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

The property consists of infill lots in the center of Old Palm City, a Martin County Community Redevelopment Area. The amendment does not encourage the proliferation of urban sprawl.

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

There are no lakes, wetlands, shorelines, etc. on the site. Aerial imagery shows that the land is cleared. The amendment does not encourage the proliferation of urban sprawl.

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

No. This is a 0.755 acre site in an urbanized part of the County. The amendment does not encourage the proliferation of urban sprawl.

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

Existing waterlines and wastewater lines are available. The amendment does not encourage the proliferation of urban sprawl.

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

The property is located within the Primary Urban Service District where a full complement of urban services and facilities are expected to be provided. The amendment does not encourage the proliferation of urban sprawl.

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

The property is an infill parcel in an urbanized area of the County and identified as in need of redevelopment. The amendment does not encourage the proliferation of urban sprawl.

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

The property is an infill lot in an urbanized part of Martin County. The amendment does not encourage the proliferation of urban sprawl.

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

The property is an infill parcel. The proposed future land use designation is intended to encourage infill development. The amendment does not encourage the proliferation of urban sprawl.

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

No. The property is located in the Old Palm City Mixed-Use Future Land Use Overlay and close to many residential uses. The proposed future land use designation is intended to encourage a functional mix of uses. The amendment does not encourage the proliferation of urban sprawl.

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

The property is accessible by walking or bicycle from the surrounding neighborhood it will primarily serve. The amendment does not encourage the proliferation of urban sprawl.

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

The proposed amendment causes no loss of significant amounts of open space. The amendment does not encourage the proliferation of urban sprawl.

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

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

True. The parcel is located in the center of the Old Palm City Community Redevelopment Area, where infill and redevelopment are encouraged. The proposed amendment discourages the proliferation of urban sprawl

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

True. Existing waterlines and wastewater lines are available. The proposed amendment discourages the proliferation of urban sprawl.

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

True. The property is located within the Old Palm City Mixed-Use Future Land Use Overlay where a compatible mix of residential and commercial uses within walking distance of each other are encouraged. The proposed amendment discourages the proliferation of urban sprawl.

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

True. The property is accessible by walking or bicycle from the surrounding neighborhood. The proposed amendment discourages the proliferation of urban sprawl.

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

Not true and not applicable. The proposed amendment discourages the proliferation of urban sprawl. The proposed amendment discourages the proliferation of urban sprawl.

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

Not true and inapplicable. The amendment proposes to substitute one urban future land use designation for another urban future land use designation within an area designated for urban infill and redevelopment. The proposed amendment discourages the proliferation of urban sprawl.

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

True. The amendment is intended to allow the development of commercial services in the Old Palm City Town Center area within walking distance of many nearby residents.

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

True. The land is located within the Old Palm City Mixed-Use Future Land Use Overlay where a mix of residential (up to 15 units per acre) and commercial uses are permitted. The proposed amendment discourages the proliferation of urban sprawl.

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

2.5.1. Mandatory Facilities

2.5.1.A. Water and Sewer

The property is located within the Martin County Primary Urban Services Boundary and the Martin County Utilities' Service area. Existing water and wastewater lines are available to serve the property. See Figure 13.

Figure 13. Water and Wastewater Infrastructure



2.5.1.B. Drainage

Compliance with the following levels of service for drainage facilities must be demonstrated at the time a development application is submitted:

- Major Drainage Ways (more than one square mile) - 8.5" in a 24-hour period for 25 year/24-hour design storm.
- Underground Storm Sewers - 6" in a 24-hour period for 5 year / 24- hour design storm.
- All Other Facilities - 7" in a 24-hour period for 10-year/24-hour design storm.
- Finished Floor Elevation - 100-year/3-day storm.

The change in the future land use designation will have no significant impact on the maintenance of the drainage LOS. Any development on the land will be required to comply with the applicable Land Development Regulations regarding stormwater and drainage.

2.5.1.C. Transportation

The Martin County Department of Public Works has required the Applicant to re-submit the Traffic Impact Analysis. The results will be provided to the Local Planning Agency at the public hearing.

Under either the existing Commercial Office/Residential future land use designation or the requested General Commercial future land use designation,

for Lots 9 through 12, the likely worst case for trip generation is a medical office building. Pursuant to the requested amendment of the Future Land Use Map, an increased number of trips may result from 60% building coverage rather than 40% building coverage. Additionally, increased trip generation can be expected from the requested change from Low Density Residential on Lot 13 to General Commercial.

Pursuant to *CGMP Policy 14.1C.4*, no development order can be issued unless the necessary improvements to the capacity of arterials and collector roads will be “initiated no less than the third year of the 10-year Capital Improvements Program and completed within or before the fifth year of the adopted 10-year Capital Improvements Program.”

2.5.1.D. Solid Waste

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

2.5.1.E. Parks and Recreation

The proposed amendment of the FLUM will have no impact on park facilities. Under either future land use designation—the current or the requested--a mixed-use development may have up to 15 dwelling units per acre. Generally, commercial development is understood to have no impact on park facilities. Changing the future land use designation to General Commercial will increase the likelihood of a solely commercial project.

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

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

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

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

2.5.1.G. Schools

The proposed amendment of the FLUM will have no impact on public school facilities. Under either future land use designation—the current or the requested--a mixed-use development may have up to 15 dwelling units per acre. Generally, commercial development is understood to have no impact on school facilities.

2.5.2. Non-Mandatory Facilities

2.5.2.A. Libraries

The proposed amendment of the FLUM will have no impact on library facilities. Under either future land use designation—the current or the requested--a mixed-use development may have up to 15 dwelling units per acre. Generally, commercial development is generally understood to have no impact on libraries. Nursing homes and assisted living facilities are the only type of commercial development that pays a libraries impact fee.

3.1. Conclusion

Staff recommends the General Commercial Future Land Use designation for this 0.755 acre property. The General Commercial Future Land Use designation is compatible with the intent of the Old Palm City Redevelopment Plan, Town Center Zoning Overlay and Mixed-Use Future Land Use Overlay, that is, to encourage compact, walkable, small town development along Mapp Road. The development standards applicable within the General Commercial Future Land Use designation are comparable to the development standards applicable to mixed-use development within the Mixed-Use Future Land Use Overlay. Finally, the permitted uses and development standards are further controlled by the Zoning District, which in this case is the Old Palm City Town Center Zoning Overlay.