

MARTIN COUNTY, FLORIDA
Growth Management Department



**Amendment of the
Land Development Regulations
and
Amendment of the Zoning Atlas**

Project	Update of the Land Development Regulations for the CRAs
Staff	Irene A. Szedlmayer, AICP
Date of this Report	November 22, 2019

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A. Introduction

Normally, the adoption of an amendment to the Land Development Regulations (LDR) and the adoption of an amendment of the Zoning Atlas to re-zone a property are subjects of two separate staff reports, plus an ordinance and a resolution. This staff report, however, reviews both the proposed adoption of Division 4, Old Palm City Redevelopment Code, Article 12, LDR and the proposed amendment of the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District.

Article 12, Redevelopment Code, LDR, became effective on November 7, 2019. Section 12.1.01.B, Adoption and modification of the Redevelopment Code, provides as follows:

“The adoption or modification of the Redevelopment Code and Redevelopment Zoning Districts and the assignment of land to a Redevelopment Zoning District and Subdistrict shall be by ordinance amending the [LDR]. When such ordinance assigns land to a Redevelopment Zoning District and Subdistrict, public notice shall be the same as for development applications and for amendments to the Martin County zoning atlas as set forth in Article 10.”

Therefore, the procedure for amendment of the LDR and amendment of the Zoning Atlas concerning Old Palm City has been modified. Rather than the adoption of an ordinance to amend the LDR and the adoption of a separate resolution to amend the Zoning Atlas, staff recommends the adoption of a single ordinance to amend both the LDR and the Zoning Atlas.

B. Background

The Land Development Regulations (LDRs) governing the Community Redevelopment Areas (CRA) were initially adopted between 2001 and 2006. Different consulting firms and different staff worked on different CRAs. The ordinances were codified as Article 3 of the LDRs, Zoning Districts, Division 6, Redevelopment Overlay Districts. There were significant deficiencies in those regulations regarding which standards were mandatory versus which were merely encouraged, and which provisions applied only in the zoning overlays and which applied throughout the CRA. These ambiguities in the text led to varying staff interpretations over time. Furthermore, while codified in Article 3, Zoning Districts, the regulations included provisions regarding streets, landscaping, and stormwater. Questions related to how provisions for landscaping and street design in the zoning code related to landscaping and street standards in Article 4, Site Development Standards, required difficult interpretations in the face of unclear text. Additionally, the regulations included inadequate attention to the existing neighborhoods in which they were to be implemented. The need to amend Article 3, Division 6 was recognized years ago, but in the face of constraints on staff time during boom times in land development and construction, and the magnitude of a task that was beyond staff's capacity, caused time to pass with no resolution.

In 2017 and 2018, staff was able to recommend "glitch bills" to the Board of County Commissioners. However, the glitch bills were limited in scope. The focus was to reduce ambiguity and inconsistency in the codes and clarify rules without significant substantive change. The need for more substantial amendments was acknowledged.

In June 2018, the Board of County Commissioners approved a contract between the Community Redevelopment Agency and the Treasure Coast Regional Planning Council to develop new Land Development Regulations for the CRAs. The Treasure Coast Regional Planning Council and its staff have substantial knowledge and expertise in the areas of urban design, town planning and redevelopment and a long history of providing such assistance to counties, towns and cities in the region.

Dana Little, Urban Design Director, TCRPC, and Jessica Cortor Seymour, RA, LEED AP, Regional Planner, TCRPC, have drafted proposed amendments of the LDRs for the CRAs. The TCRPC worked with the Office of Community Development, the Growth Management Department, the Public Works Department, William M. Spikowski, FAICP, Spikowski Planning Associates, and received further input from the Community Redevelopment Agency, the Old Palm City Neighborhood Advisory Committee and members of the public who participated.

Treasure Coast Regional Planning Council staff will present the proposed Article 12, Division 4 at the December 5, 2019 public hearing.

C. Article 12, Division 4, Old Palm City Community Redevelopment Code

A copy of the proposed Article 12, Redevelopment Code, Division 4, Old Palm City Community Redevelopment Code, is included in this agenda item. Article 12, Redevelopment Code, Division 1, General, was adopted on September 24, 2019 and became effective on November 8, 2019. Art. 12, Div. 1 will be applicable in all six Martin County CRAs. Because Division 4, Old Palm City Community Redevelopment Code, the subject of this agenda item, cannot be fully understood without reference to Division 1, Division 1 is also included in the agenda packet.

1. Because the goal for a vibrant, compact, walkable Old Palm City CRA has not substantially changed, the proposed LDR are intended to facilitate a built environment that is consistent with the vision established in the Old Palm City Community Redevelopment Plan, adopted in 2003 and revised in 2009.
2. Article 12, Division 4 establishes the Old Palm City (OPC) Redevelopment Zoning District and re-states the vision for the community. (Div. 4, page 1)
3. Division 4 includes the Regulatory Plan for OPC. The Regulatory Plan assigns different land areas to the zoning subdistricts. OPC will have five zoning subdistricts: Core, Corridor, Industrial, Multifamily, and Detached zoning subdistricts. (Div. 4, pages 2 & 3) The Regulating Plan is attached as Exhibit A of this staff report.

The Core zoning subdistrict is depicted in the rose color on the Regulating Plan and is assigned to land in the Mapp Road corridor and along Martin Downs Boulevard, generally land within the Town Center Zoning Overlay or the Gateway Zoning Overlay.

The Martin Highway corridor is assigned the Corridor (pale rose), Detached (tan), or Industrial (yellow) zoning subdistricts. The brown depicts the Multifamily subdistrict. The dark blue represents the Public Service District-1.

4. Division 4 also includes a Street Regulating Plan. The Street Regulating Plan designates primary streets, secondary street, and civic places. Primary Streets are most of Mapp Road and the portions of Martin Highway and Martin Downs Blvd. within the OPC. Secondary Streets are All American Blvd., Mapp Road, south of Martin Highway, 34th Street, 29th Street, a segment of 27th Street, Cornell Avenue, and Palm City School Avenue. Noted civic places are proposed pocket parks on the river and the Ripple Project. (Div. 4, page 4 and 5)
5. Permitted use groups and development standards vary by zoning subdistrict.
6. The permitted use groups for the Core, Corridor, Industrial, Multifamily, and Detached subdistricts remain consistent, though not identical, with the permitted uses in effect in OPC now. (Div. 4, page 7) Some changes to the permitted uses include these:
 - a. Individual uses with similar impacts are assembled into Use Groups in Art. 12, Div. 1.
 - b. Hotels and motels are grouped as one permitted use and allowed in the Core and Corridor subdistricts. Previously hotels were distinguished from motels, and hotels were permitted in all 3 Zoning Overlays, but motels were permitted only in the Gateway Zoning Overlay.
 - c. The Construction services, limited impact use group includes trades and skilled services and construction industry trades. It is permitted in the Core, Corridor and Industrial subdistrict. Construction services, extensive impact, permits outdoor storage of construction equipment, and is permitted only in the Industrial subdistrict.
 - d. Retail and services -extensive was added to Retail and services-limited and Retail and services-general. Retail and services-extensive impact, which includes flea markets, commercial kennels, plant nurseries and landscaping services, and other uses, is permitted only in the Industrial subdistrict.

7. The development standards for the Core, Corridor, Industrial, Multifamily, and Detached zoning subdistricts are set forth in Table OPC-5. (Div. 4, page 9). The development standards remain consistent, though not identical, with the development standards in effect now. Adjustments to the development standards include these:

- a. Maximum Building Height. Whereas the current maximum height in the Town Center Zoning Overlay is two stories and 28 feet, Division 4 will allow three stories and 40 feet in the Core zoning subdistrict. All other zoning subdistricts establish a maximum building height of three stories and 35 feet.
- b. Maximum building size and maximum building size per floor. The current code regulates building size as set forth below. Division 4 does not regulate building size.

	Gateway District- Martin Downs Blvd.	Town Center District- Mapp Road	Boulevard District – Martin Highway
Max. building size, gross floor area	18,000 sq. ft.	22,000 sq. ft.	50,000 sq. ft.
Max. gross floor area, per floor	6,000 sq. ft.	11,000 sq. ft.	none

- a. The 20 percent minimum open space standard applicable in the Core, Corridor and Industrial subdistricts is the same standard applicable to a mixed-use project in the Mixed-Use Future Land Use Overlay or conventional development on land with the General Commercial or Industrial future land use designation. A minimum of 30% open space is required in the Multifamily and Detached zoning subdistricts, consistent with the R-2B and R-1A zoning districts.
- b. Residential Density and Minimum Lot Area.
 - (1) The maximum residential density in the Core and Corridor subdistricts is 15 dwelling units per acre, the same maximum density as currently applicable to mixed-use projects in the Mixed-Use Overlay.
 - (2) The maximum residential density in the Multifamily zoning subdistrict is 10 dwelling units per acre. The Multifamily subdistrict is designated to two small segments of SW 27th Street, to an area where there is currently substantial multifamily development, and to the area that now has the Medium Density future land use designation.
 - (3) The current code requires a minimum lot width of 50 feet for detached single-family residential dwellings and a minimum lot width of 16 feet for a townhouse. There is no minimum lot area. The typical existing residential lot in the Old Palm City CRA measures 50 ft. by 150 ft. or 7,500 sq. ft.
 - (4) In the Detached zoning subdistrict, the proposed density is one dwelling unit per lot. Minimum lot width is 50 feet. In the Multifamily subdistrict, the proposed minimum lot width is 25-feet. In order to accommodate the varied depths of the platted lots of record, no minimum lot area is established.

D. Amendment of the Zoning Atlas

1. Application Information

Applicant: Martin County Board of County Commissioners

Represented By: Susan Kores, Manager, Office of Community Development

Property Owners:	Multiple
Planner in charge:	Irene A. Szedlmayer, AICP
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	CPA 19-23
Application Received:	03/26/2019
LPA Meeting Date:	12/05/2019
BCC Meeting Date:	12/17/2019
BCC Meeting Date	February 2020

2. Project description and analysis

a) Introduction

This application involves the Old Palm City Community Redevelopment Area (CRA) which measures approximately 610 acres (including 50+ acres of right-of-way). Old Palm City is a waterfront community, bordered on the east by the South Fork of the St. Lucie River. The lots on or near the water between Martin Highway and Martin Downs Boulevard were created in 1912 with the recording of the “Map of Palm City.” In 1916, the amended plat of Palm City extended west to what is now Mapp Road. See Figure 1.

Currently, 17 different zoning districts are assigned to Old Palm City’s 610 acres:

1. R-1A (Single-family Residential)
2. R-2B (Single-family Residential)
3. RS-4 (Low Density Residential District)
4. R-3A (Liberal Multiple-family)
5. RM-5 (Medium Density Residential)
6. HB-1 (Limited Business District)
7. B-1 (Business)
8. B-2 (Business -Wholesale Business)
9. COR-1 (Commercial Office/Residential-1)
10. LC (Limited Commercial)
11. CC (Community Commercial)
12. GC (General Commercial)
13. PUD-C (Planned Unit Development-Commercial)

Figure 1. Location Map



14. LI (Limited Industrial)
15. PS (Public Service)
16. PS-2 (Public Service)
17. PR (Public Recreation District)

Additionally, Old Palm City CRA has three separate zoning overlay districts:

1. Gateway Zoning Overlay (Martin Downs Boulevard)
2. Town Center Zoning Overlay (Mapp Road)
3. Boulevard Zoning Overlay (Martin Highway)

See Figures 2 and 3.

The request is to amend the Martin County Zoning Atlas to replace 15 of 17 zoning districts with the Old Palm City Redevelopment Zoning District, to eliminate the three zoning overlay districts, and to assign the Public Service District to several properties owned by Martin County for consistency with the proposed amendments to the Future Land Use Map. Two PUD zoning districts will remain in place as will the PS Public Servicing District. These zoning districts are not affected by the proposed amendment of the Zoning Atlas. See Figure 4.

Figure 2. Current Zoning Atlas for Old Palm City CRA

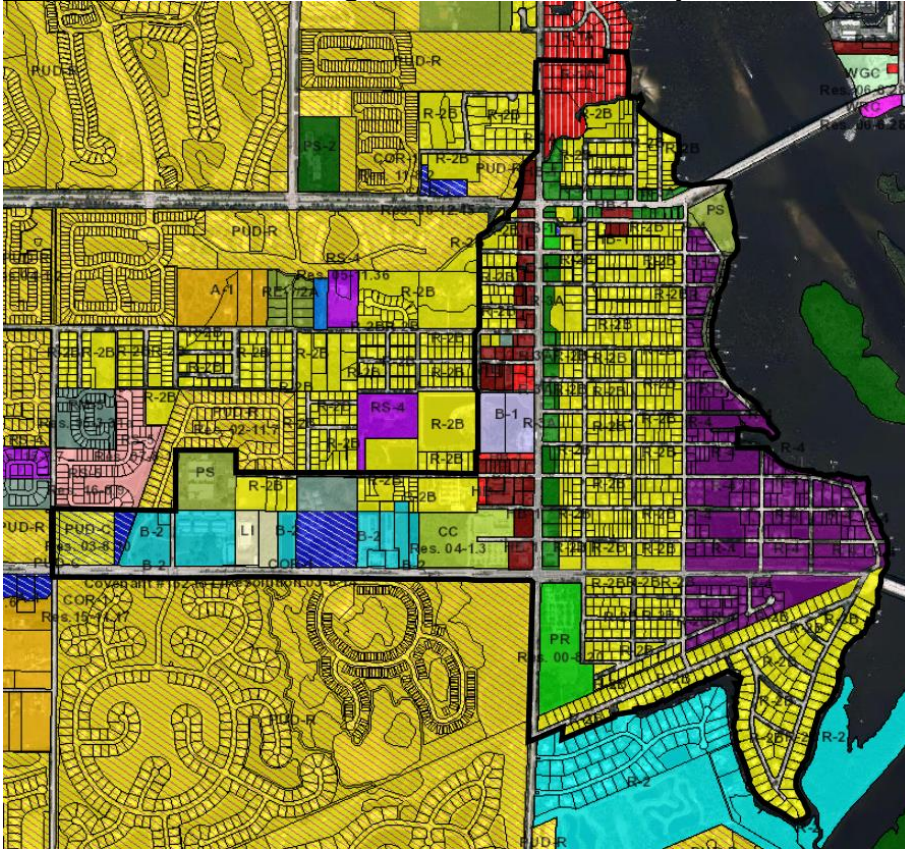


Figure 3. CRA Zoning Overlay Districts

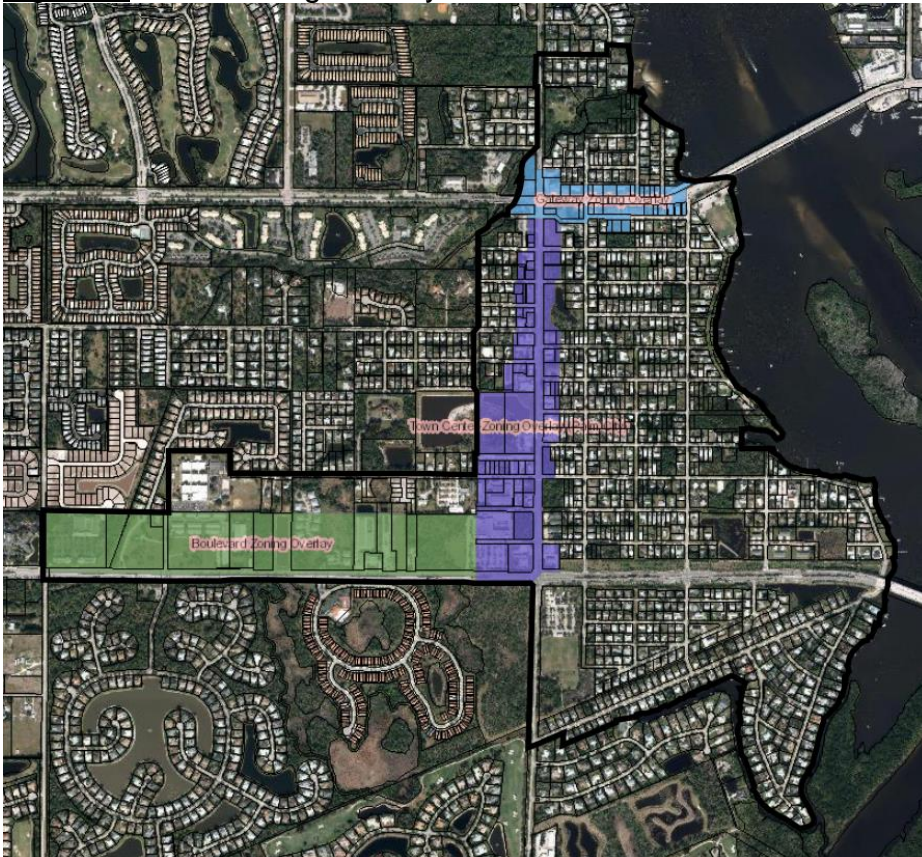


Figure 4. Proposed Zoning Atlas for the Old Palm City CRA

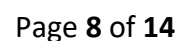
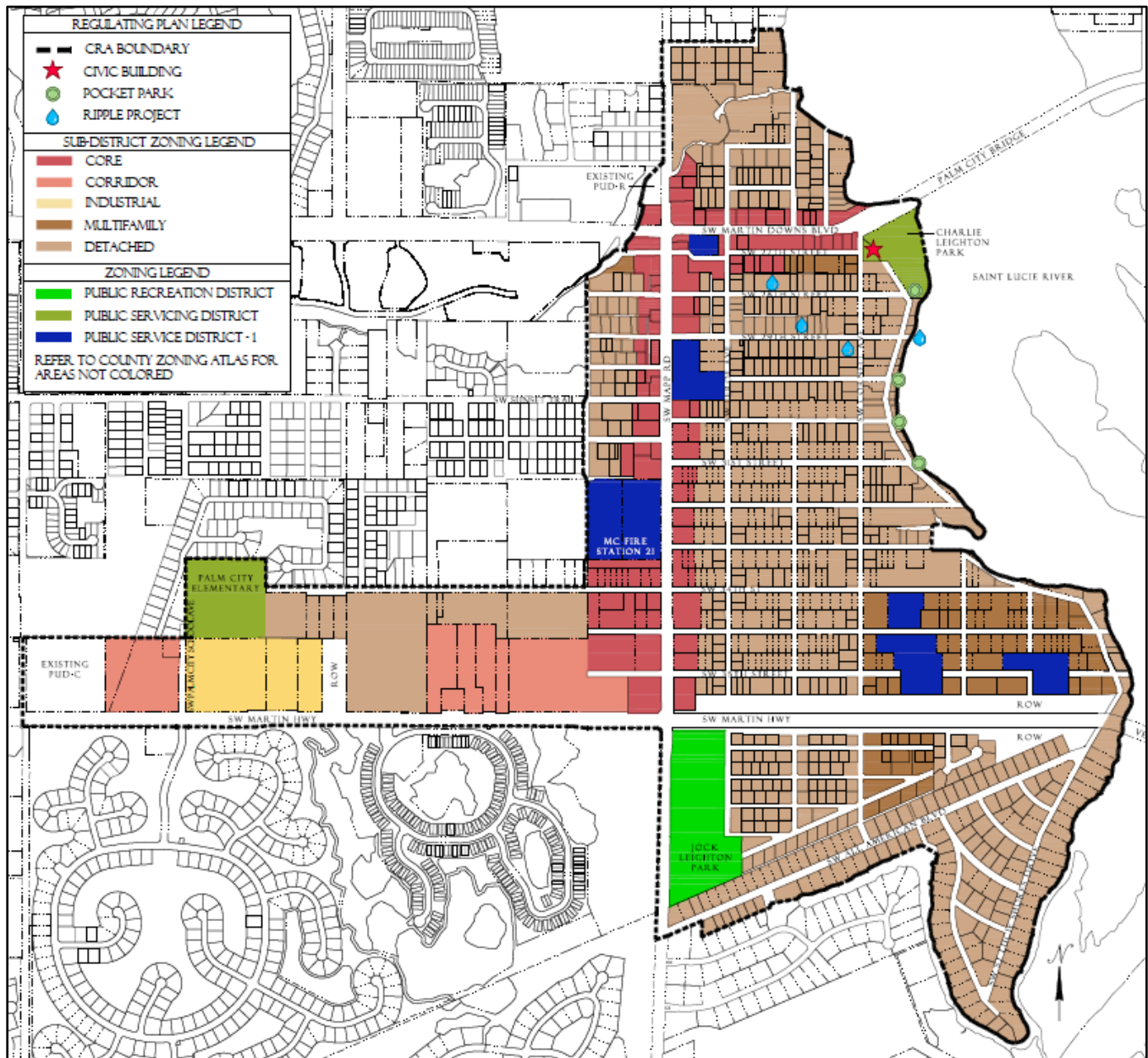
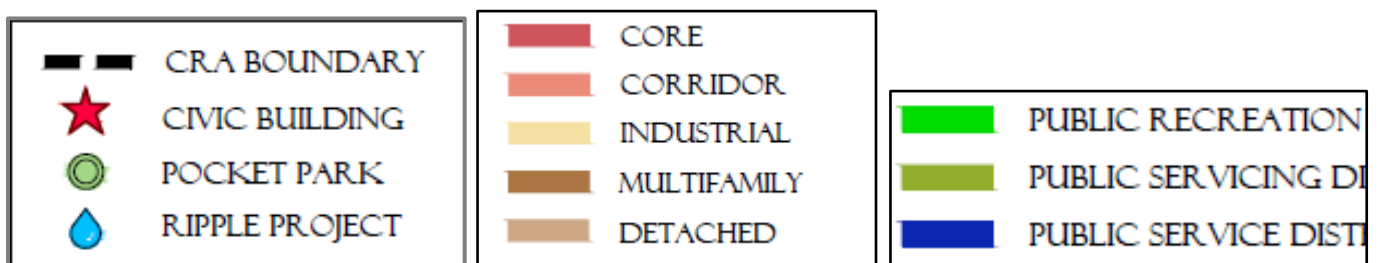


Figure 5. Proposed Old Palm City Regulating Plan



Enlarged Legend for Figure 5:



b) Description of the Old Palm City Subdistricts

The Old Palm City Redevelopment Zoning District will have five subdistricts. The subdistricts are described in Article 12, Division 1 as follows:

CORE: The Core subdistrict is a pedestrian-oriented center for surrounding neighborhoods and the entire CRA. These are centers of dining, shopping, housing, and entertainment, with shaded sidewalks, large windows, intimate pedestrian spaces, outdoor dining, and richly detailed building facades. A broad mix of uses is encouraged in the Core subdistrict.

CORRIDOR: The Corridor subdistrict is intended to extend the pedestrian-oriented building types, frontages and streetscapes along a major roadway.

INDUSTRIAL: The Industrial subdistrict identifies areas where industrial uses are permitted and encouraged.

MULTIFAMILY: The Multifamily subdistrict allows for denser and more varied residential buildings.

DETACHED: The Detached subdistrict is predominately single family homes with front yards and walkable sidewalks. (Detached-1 and Detached-2 differ regarding minimum lot area and open space.)

c. Adjacent Zoning Districts (See Figure 2 on page 7)

Adjacent zoning districts are entirely residential or institutional. Several residential PUDs are located to the south and west of the Old Palm City CRA. The permitted uses and development standards for the zoning subdistricts proposed for the Old Palm City CRA are consistent with the permitted uses and development standards currently applicable. Therefore, the proposed Old Palm City Redevelopment Zoning District and zoning subdistricts are compatible with the zoning adjacent to the Old Palm City CRA. The proposed Old Palm City Redevelopment Zoning District and subdistricts should have no negative impact on nearby zoning districts. Nor should these nearby zoning districts negatively impact the proposed Old Palm City Redevelopment Zoning District.

3. *Standards for Amendments to the Zoning Atlas*

The Martin County Land Development Regulations (LDR), Article 3, Section 3.2.E.1. provides the following “Standards for amendments to the Zoning Atlas.”

“The Future Land Use Map of the CGMP [Comprehensive Growth Management Plan] establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more

limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.”

Pursuant to Section 3.2.E.2., LDR, the following factors must be considered:

- a. *Whether the proposed zoning amendment is consistent with all applicable provisions of the Comprehensive Plan.*

The Old Palm City Redevelopment Zoning District and the Core, Corridor, Detached-1, and Industrial zoning subdistricts are consistent with all applicable provisions of the Comprehensive Plan, as is the Public Service District -1, proposed to be assigned to several County-owned properties.

- b. *Whether the proposed zoning amendment is consistent with all applicable provisions of the LDR.*

Any development proposal, pursuant to the Old Palm City Redevelopment Zoning District, will be required to comply with all applicable LDRs including uses, density, set-backs, height, open-space, wetlands, uplands, landscaping, stormwater, etc. The Old Palm City Redevelopment Zoning District and Core, Corridor, Detached-1, and Industrial zoning subdistricts are consistent with all applicable provisions of the Land Development Regulations.

- c. *Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use.*

The Old Palm City Redevelopment Zoning Code was developed expressly for the land to which it will apply—the Old Palm City CRA. It is compatible with the existing land uses within the Old Palm City CRA as well as those in adjacent and surrounding areas. The PS-1 (Public Service District -1, proposed to be assigned to several County-owned properties, is intended to implement CGMP policies for lands designated Institutional-General on the Future Land Use Map. PS-1 is designed to minimize the potential for negative impacts on surrounding properties. It is appropriate for the Fire Station and stormwater treatment area sites.

- d. *Whether and to what extent there are documented changed conditions in the area.*

The analysis required for this section is similar to the analysis required pursuant to CGMP Section 1.11.C.(1) when considering the proposed amendment to the Future Land Use Map. The amendment of the Zoning Atlas will not substantially change the land uses or intensity of development permitted. Rather, the intent is to modify the regulatory framework in order to simplify interpretation and implementation for

property owners, developers and County staff and provide greater flexibility regarding permitted uses. The intent is to realize more efficiently and effectively the longstanding vision for the CRAs as represented in the Redevelopment Plans adopted in the late 1990s and early 2000s. Therefore, whether or not there are documented changed conditions in the area does may not be a pertinent factor. Because the Old Palm City CRA is identified as an area in need of redevelopment, the lack of substantial change may offer support for the proposed new zoning.

The PS-1 Zoning District is proposed for land acquired by the County for public service purposes. The PS-1 district is more appropriate than the currently assigned residential and commercial zoning districts and the proposed Old Palm City Redevelopment Zoning District and subdistricts.

e. Whether and to what extent the proposed amendment would result in demands on public facilities.

The land subject to the re-zoning is located within the Primary Urban Service District. Therefore, pursuant to CGMP Objective 4.7A., the full range of public facilities and services at the adopted Level of Service are to be provided or programmed to be provided. The maximum residential density allowed within the proposed Core and Corridor subdistricts is the same as that permitted pursuant to the current Old Palm City Mixed-Use Future Land Use Overlay and the land area included within these subdistricts is mostly the same land as is located within the Mixed-Use Future Land Use Overlay. Therefore, the amendment of the Zoning Atlas will not create demand on public facilities that is not anticipated by the current zoning. When a proposed site plan is reviewed, Comprehensive Plan policies and the LDR ensure that present or planned public facilities and services are capable of meeting and maintaining the adopted LOS. Additionally, the County Impact Fee program is designed to mitigate such impacts and ensure development pays for itself.

f. Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the County's resources.

The proposed Old Palm City Redevelopment zoning district is designed to encourage infill development and redevelopment and such infill development and redevelopment would be logical, timely and orderly, would conserve or improve the value of existing development, and is an appropriate use of County resources. Additionally, by providing for residential development within the CRA, it may be possible to help extend the life of the boundary of the Primary Urban Service District.

g. Consideration of the facts presented at the public hearings.

Whatever facts are presented at the public hearing on this proposed amendment of the Zoning Atlas should be taken into account in the decision-making. The hearing provides the public an opportunity to participate in the review and decision-making process.

4. Staff Review

The rezoning process does not include review of a site plan. Therefore, departments related to site plan review are not included in this rezoning staff report. The current review is as follows:

Division or Department	Reviewer	Phone	Assessment
Comprehensive Plan	Irene Szedlmayer	288-5931	Comply
County Attorney	Krista Storey	288-5443	Review Ongoing
Adequate Public Facilities	Irene Szedlmayer	288-5931	Exempt

The choice of the most appropriate zoning district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.2., Land Development Regulations, Martin County Code.

5. Review Board Action

The review and recommendation of the LPA are required on this application. Final action is by the BCC. Both the LPA and the BCC meetings are advertised public hearings.

6. Location and Site Information

Location:	Located on the western shore of the South Fork of the St. Lucie River, in the vicinity of Martin Highway and Martin Downs Boulevard.
Parcel numbers:	numerous
Existing zoning:	17 different zoning districts and 3 zoning overlays. See pages 4 through 6 of this report.
Future Land Use:	This amendment of the Zoning Atlas is proposed concurrently with the amendment of the Future Land Use Map. The Low Density Residential, Medium Density Residential, Commercial Office/Residential, Limited Commercial, General Commercial and General Institutional future land use designations are proposed to be changed to the CRA Center, CRA Neighborhood. Public Conservation, Recreational or General Institutional future land use designations. Additionally, the repeal of the Old Palm City Mixed-Use Future Land Use Overlay is proposed.
Commission District:	5
Community Redevelopment Area:	Old Palm City CRA
Municipal Service Taxing Unit:	District 5 MSTU
Planning Area:	Palm City

7. Determination of compliance with the Comprehensive Growth Management Plan

Findings of Compliance:

The staff of the Growth Management Department Comprehensive Planning Division has reviewed the application and finds it in compliance with applicable Goals, Policies and Objectives. There are no unresolved Comprehensive Growth Management Plan issues associated with this application.

8. Determination of compliance with land use, site design standards, zoning, and procedural requirements

Findings of Compliance:

The staff of the Growth Management Department Comprehensive Planning Division has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved issues associated with this application. Changes to the zoning atlas authorize no development activity. Any specific department issues will be addressed at such time as development of the subject site is proposed.

E. Recommendation

Staff recommends adoption of the proposed ordinance to:

- (1) establish Division 4, Old Palm City Community Redevelopment Code, of Article 12, Martin County LDR,
- (2) repeal Section 3.265, Article 3, Old Palm City Community Redevelopment Area, Martin County LDR, and
- (3) amend the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District and other districts for consistency with the Future Land Use Map.

F. Attachments

Article 12, Redevelopment Code, Division 4, Old Palm City Community Redevelopment Code
Article 12, Redevelopment Code, Division 1, General
Public Notification