

Minutes

CPA 19-23, RIO FLUM

10/3/19 Local Planning Agency

11/12/19 BOCC Summary of Actions Taken



BOARD OF COUNTY COMMISSIONERS

ACTION SUMMARY

NOVEMBER 12, 2019 ~ 9:00 AM

COMMISSION CHAMBERS

2401 SE MONTEREY ROAD, STUART, FLORIDA 34996

COUNTY COMMISSIONERS

Edward V. Ciampi, Chairman
Harold E. Jenkins II, Vice Chairman
Doug Smith
Stacey Hetherington
Sarah Heard ~ *absent*

Taryn Kryzda, County Administrator
Sarah W. Woods, County Attorney
Carolyn Timmann, Clerk of the Circuit
Court and Comptroller

PRESETS

9:05 AM Public Comment
9:30 AM Martin County School District 2020 Legislative Priorities
5:05 PM Public Comment

CALL TO ORDER AT 9:07 AM

1. INVOCATION - Dr. Darrell Orman, First Baptist Church of Stuart
2. **PLEDGE** OF **ALLEGIANCE**
3. ADDITIONAL ITEMS – The Additional Items of CNST-14 and DEPT-5 were added to the Agenda.
4. APPROVAL OF AGENDA – The Agenda was approved.
5. APPROVAL OF CONSENT AGENDA–The Consent Agenda was approved minus CNST-10.
Consent Agenda items are considered routine and are enacted by one motion and will have no action noted, but the "Recommendation" as it appears on the Board item is the approved action.

PROCLAMATIONS AND SPECIAL PRESENTATIONS

PROC-1 SUPERVISOR OF ELECTIONS VICKI DAVIS WILL ANNOUNCE THE RESULTS OF THE MIDDLE SCHOOL "CHICK-FIL-A" AND HIGH SCHOOL "COLOR ME PATRIOTIC" ART CONTEST

Each year the Supervisor of Elections sponsors a middle and high school Chick-Fil-A art contest. Supervisor Davis will announce the results to the Board of County Commissioners

Agenda Item: 19-0899

ACTION TAKEN: The Board heard the presentation.

PH-2

LEGISLATIVE PUBLIC HEARING TO CONSIDER TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 19-23, RIO FUTURE LAND USE MAP

CPA 19-23, Rio FLUM, is the proposed amendment of the Future Land Use Map to change the Estate Density, Low Density, Medium Density, Mobile Home Density, Commercial Office/Residential, Limited Commercial, and General Commercial future land use designations to the CRA Center or CRA Neighborhood future land use designations and to remove the four Mixed-Use Future Land Use Overlays. The Industrial, Public Recreation, Conservation and Marine Waterfront Commercial future land use designations will be retained.

Agenda Item: 20-0003 **Supplemental Memorandum**

ACTION TAKEN: The Board approved the transmittal of CPA 19-23, changing the Estate Density, Low Density, Medium Density, Mobile Home Density, Commercial Office/Residential, Limited Commercial, and General Commercial future land use designations to the CRA Center or CRA Neighborhood future land use designations within the Rio Community Redevelopment Area (CRA), and removing the Rio Industrial, Western, Town Center and Eastern Mixed-Use Future Land Use Overlays from within the Rio CRA.

PH-3

FIRST PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS TO CREATE DIVISION 3, RIO COMMUNITY REDEVELOPMENT CODE, OF ARTICLE 12, REDEVELOPMENT CODE, AND TO REPEAL SECTION 3.264, RIO REDEVELOPMENT AREA

This is the first public hearing on the proposed amendment of the Land Development Regulations (LDRs) to create Division 3, Rio Community Redevelopment Code, of Article 12. The proposed amendment of the LDRs is a companion work product to CPA 18-10 of the Comprehensive Growth Management Plan, which created Chapter 18, Community Redevelopment Element, and CPA 19-23, which proposes the amendment of the Future Land Use Map and Zoning Atlas regarding the Rio CRA. The Local Planning Agency recommended approval.

Agenda Item: 20-0047

ACTION TAKEN: The Board considered the ordinance creating Article 12, Redevelopment Code; Division 3, Rio Community Redevelopment Code, LDR; and scheduled the second public hearing for December 17, 2019 prior to 5:00 PM.

REQUESTS AND PRESENTATIONS

R&P-1

MARTIN COUNTY SCHOOL DISTRICT 2020 LEGISLATIVE PRIORITIES

The Martin County School Board will present the Martin County School District's 2020 Legislative Priorities. They will be requesting the Martin County Board of County Commissioner's support of the Legislative Program in the form of a letter.

Agenda Item: 20-0093

ACTION TAKEN: The Board heard the presentation and approved a Chair letter of support for the Martin County School District's 2020 Legislative Priorities.



**LOCAL PLANNING AGENCY
MINUTES
October 3, 2019
Commission Chambers
2401 SE Monterey Road, Stuart, FL 34996**

Cindy Hall, District 1, November 2022
William J. Flanagan, District 2, November 2022
Donald Foley, III, District 3, November 2020
James Moir, Chair, District 4, November 2020
Scott Watson, Vice Chair, District 5, November 2020
Kimberly Everman, School Board Liaison, December 2019

CALL TO ORDER

LPA Members Present: 4 , School Board Liaison – 0.
Chairman, Jim Moir, Vice Chairman Scott Watson, William Flanagan and Donald Foley, III.
Not Present: LPA Member Cindy Hall and Kimberly Everman, School Board Liaison.

Chairman Moir called the meeting to order at 7:02 pm. A quorum was present.

Present:

Senior Assistant County Attorney	Krista Storey
Director, Growth Management Department	Nicki van Vonno
Comprehensive Planning Administrator	Clyde Dulin
Senior Planner	Irene Szedlmayer
TCRPC, Urban Design Director	Dana Little
Agency Recorder/Notary	Mary Holleran

APPROVAL OF MINUTES

September 5, 2019

Agenda Item: 19-1047

MOTION: A Motion was made by Mr. Flanagan, Seconded by Mr. Foley to approve the minutes of the LPA Meeting of September 5, 2019. The motion Carried 5-0.

QJP – QUASI JUDICIAL PROCEDURES

Agenda Item: 19-1046

All persons wishing to speak on a Quasi Judicial agenda item will be sworn in.

NEW PUBLIC HEARINGS (NPH)

COUNTY: Senior Planner Irene Szedlmayer suggested that Agenda Item #3, Adoption of the Land Development Regulations, Article 12, Division 3, and the Future land Use Map be heard before the Amendment to the Zoning Atlas. The LPA agreed.

NPH-1 PUBLIC HEARING TO CONSIDER CPA 19-23, RIO FLUM, A PROPOSAL TO AMEND THE FUTURE LAND USE MAP REGARDING THE RIO COMMUNITY REDEVELOPMENT AREA

Request to consider amendment of the Future Land Use Map for the approximately 542 acres comprising the Rio community Redevelopment Area from Estate Density (two units per acre), Low Density, Medium Density, Mobile Home Density, Commercial Office Residential, Limited Commercial, and General Commercial future land use designations to the CRA Center or CRA Neighborhood future land use designations.

Requested by: Susan Kores, Office of Community Development Manager

Presented by: Irene Szedlmayer, AICP, Sr. Planner, Growth Management Department

Agenda Item 19-0856

*** For the Record:**

LPA: There were no ex parte communication disclosures.

COUNTY: Senior Planner Irene Szedlmayer provided her resume, a copy of the agenda, staff report, proof of ads, notices and required mailing to surrounding homeowners.

STAFF: Ms. Szedlmayer presented the item indicating the 542 acres in the Rio CRA had eleven (11) different Future Land Use Designations and four (4) Future Land Use Mixed Use Overlays. Maps were displayed, and adjustments to the Maps were explained and displayed as the Maps for consideration of approval. After review, Staff recommended approval of the transmittal of CPA 19-23, Rio, FLUM.

LPA: Mr. Moir commented that creating centers are disconnected and some are separate that were previously included along SR 707. He was concerned with taking developer rights from a future single landowner. The information has to be made clearer, and he wasn't sure that it does.

STAFF: Mr. Dulin explained the struggle staff had with single ownership as the other properties had multiple ownership. To summarize, you can give the entire parcel the CRA Neighborhood, you can give the entire parcel CORE, and give the single parcel two different Future Land Use Designations. Mr. Dulin indicated Mr. Moir raised a good point and it was something that Staff should come back and look at with the consultant.

TCRPC Urban Design Director, Dana Little explained they had to make a choice as they come across this in all the CRAs in the mapping, with single parcels subdivided two or three times, with different districts, and it's hard to tell where one zoning district changes to another zoning district. They will look at them, maybe add a note to the Future land Use Map, as opposed to changing it from Neighborhood to Center.

LPA: Mr. Watson confirmed if the homeowner is notified when changes are made to the LDRs. Mr. Moir commented he thought we were trying to simplify the Overlay Map and he didn't think we had, that we are just adding another layer of Mapping which is not different from what we have now, it's just a transparency. He saw four areas that create this issue and other CRAs may have these same issues.

STAFF: Mr. Dulin indicated taking away the Overlays takes away confusion. While a single narrow lot creates a challenge, it is less complicated and less complex than having overlays, and provides an ease of understanding. Mr. Dulin agreed this issue should be examined and discussed as to how to approach it. Ms. Szedlmayer thought the FLUM should be more consistent with the existing overlay, it was addressed in the Regulating Plan, and the LPA could make a recommendation if they think it should be included.

Discussion ensued on affordable housing, and Mobil Lots No Net Loss Policy, and that 87% of the Future Land Use for Mobil Homes is outside of the CRA.

PUBLIC: Julie Preast (Rio Civic Club) asked the LPA to approve the request that will bring more vitality to the Rio and CRA.

LPA: Mr. Dooley believed Mr. Moir's comment about the LDRs was a valid point and to make it clear for any future property owners. Mr. Watson addressed making an adjustment to amend the Future Land Use Map concerning the amount of feet in the back of the property. Mr. Moir's recommendation is to reflect the LDRs imposed on this property. How to identify and show that Future Land Use category detail was discussed.

STAFF: Mr. Dulin indicated this issue will be addressed in the details of the zoning district in the next agenda item presentation.

The LPA and staff agreed a motion for this agenda item will be taken after the next presentation.

NPH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AMENDING ARTICLE 12, LAND DEVELOPMENT REGULATIONS TO CREATE DIVISION 3, RIO COMMUNITY REDEVELOPMENT CODE

Request to amend the Martin County Land Development Regulations (LDR) to create Article 12, Redevelopment Code, Division 3, Rio Community Redevelopment Code.

Requested by: Susan Kores, Office of Community Development Manager

Presented by: Irene Szedlmayer, AICP, Sr. Planner, Growth Management Dept.

Agenda Item: 19-0858

*** For the Record:**

LPA: There were no ex parte communication disclosures.

COUNTY: Senior Planner Irene Szedlmayer provided her resume, a copy of the agenda, staff report, proof of ads, notices and required mailing to surrounding homeowners.

APPLICANT: Dana Little, Urban Design Director, Treasure Coast Regional Planning Council, reviewed the components and focus of the Land Development Regulations (LDRs). The two key components, included creating a new Chapter 18 specific to the CRA, and creating the companion Article 12, the new LDRs creating new sub-districts. He discussed the information and highlighting on parcels in the Regulating Plan. After review Mr. Little asked the LPA for their approval on the FLUM Amendment, the LDRs and the amendment to the Zoning Atlas.

LPA: Mr. Watson addressed the notes on the Regulating Plan and asked if there could be corresponding notes on the FLUM for identification and attention. Mr. Moir commented that referencing on the FLUM for attention might be a reasonable alternative, and an asterisk was discussed. Special rules should be referenced.

STAFF: Mr. Dulin indicated the LPA can make a recommendation on that, however, it is staff's recommendation to put it on the zoning district.

LPA: Mr. Watson commented on not knowing of additional allowable uses on the property without calling attention to it, and to have the same note to reference in the Regulating Plan. Discussion continued on referencing for information. The FLUM should be simplistic, indicate the land use and where you can find out what you can do on the property.

COUNTY: Ms. Storey appreciated the LPA's comments, the structure of land use in Florida includes the CGMP, Text, FLUM, then Zoning, then LDRs, and an asterisk may be confusing and the goal may not be accomplished. A Footnote was discussed as not distinguishable as to how to use it and what you need to do.

STAFF: Mr. Dulin added information on what can be done with a lot. In answer to all the questions you start with the Regulating Plan and get into all of the information and development standards, and he wanted to consider options.

APPLICANT: Mr. Little said the best way is for information that's clear, definable and defensible with instructions following the parcel lines. He confirmed agreement to not change those large parcels to CRA Center in their entirety. He commented on articulating parity between the FLUM and the Regulating Map.

STAFF: Ms. van Vonno commented the CGMP consists of maps and text and no one looks at just the map to determine what they can do – if you have wetlands or uplands, it doesn't explain whatever you can do based on looking at that map, you have to go and look into the new Chapter 18, what's in the CGMP that explains what the rules are for the CRA areas. Putting an asterisk on a map does not accomplish what seems to be the LPA's concern.

LPA: Mr. Moir was concerned with special rules set up by the Regulating Plan that aren't referenced on the FLUM.

COUNTY: Ms. Storey expressed a concern that doing something on one portion of the FLUM that isn't done anywhere else posed concerns about implications of that and it doesn't accomplish the goal.

STAFF: Ms. van Vonno was confident with a recommendation, staff will look at issues raised by the LPA and if it needs to be adjusted they will discuss it.

(MOTION) CPA 19-23 RIO FLUM – (Agenda Item 19-0856)

MOTION: A Motion was made by Mr. Flanagan to accept CPA 19-23, RIO FLUM as approved by staff's recommendation. Seconded by Mr. Watson. Motion Carried – 4-0.

(MOTION) ADOPTION OF AN ORDINANCE AMENDING ARTICLE 12 OF THE LAND DEVELOPMENT REGULATIONS TO CREATE DIVISION 3, RIO COMMUNITY REDEVELOPMENT CODE - (Agenda Item 19-0858)

MOTION: A was made by Mr. Watson to approve staff's recommendation. Seconded by Mr. Foley. Motion Carried 4-0.

NPH-3 PUBLIC HEARING TO CONSIDER THE AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS REGARDING THE RIO COMMUNITY REDEVELOPMENT CRA (QUASI JUDICIAL)

Request to amend the Martin County Zoning Atlas regarding the approximately 542 acres comprising the Rio CRA from R-1 (Single Family Residential), R-1A (Single Family Residential), R-2 (Single Family Residential), R-2B (Single Family Residential) R-3 (Multiple Family Residential), R-3A (Liberal Multiple Family), R-T (Mobile Home Subdivision), RS-6 (Medium Density Residential), HR-2 (Multiple-Family Residential), B-1 (Business), B-2 (Business Wholesale), COR-1 (Commercial Office/Residential), LC (Limited Commercial), GC (General Commercial), LI (Limited Industrial), to the Rio Redevelopment Zoning District, and to eliminate the Western Zoning Overlay, Town Center Zoning Overlay, Industrial Zoning Overlay and Eastern Zoning Overlay.

Requested by: Susan Kores, Office of Community Development Manager

Presented by: Irene Szedlmayer, AICP, Senior Planner, Growth Management Dept.

Agenda Item 19-0857

*** For the Record:**

LPA: There were no ex parte communication disclosures.

COUNTY: Senior Planner Irene Szedlmayer provided her resume, a copy of the agenda, staff report, proof of ads, notices and required mailing to surrounding homeowners.

Ms. Szedlmayer indicated the location for the Rio CRA and said much of the substance of the zoning atlas had been covered by Staff and Mr. Little's presentation. A brief presentation indicating the replacement of zoning districts and elimination of zoning overlays was provided. (Staff report (pg. 1/12).

A new zoning district was created for the Rio CRA, and the Rio Redevelopment Zoning District that will have nine (9) subdistricts. Other zoning districts carried forward were provided. Staff recommended approval of the proposed Amendment to the Martin County Zoning Atlas regarding the Rio CRA.

LPA: Mr. Moir questioned if any future PUDs were anticipated in the CRAs.

Ms. Szedlmayer indicated there weren't too many large land areas available and that it was difficult to anticipate.

PUBLIC: None

MOTION: A Motion was made by Mr. Foley to approve staff's recommendation. Seconded by Mr. Watson. Motion Carried 4-0.

COMMENTS:

1. PUBLIC – None.
2. LPA - None
3. STAFF: The next LPA meeting is scheduled for Thursday, October 17, 2019 at 7:00 pm.

ADJOURN: The LPA meeting of September 5, 2019 adjourned at 8:50 pm.

Respectfully Submitted:

Approved by:

Mary F. Holleran, Agency Recorder
Notary Public

Jim Moir, Chairman

Date Signed:

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