

# PROPOSED AMENDMENT TO THE MARTIN COUNTY COMPREHENSIVE PLAN

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**REQUEST NUMBER:** CPA 20-02 Martinez Cove Road

Report Issuance Date: August 10, 2020

**APPLICANT:** Steven M. Martinez and Nicholas Martinez, Jr.

**REPRESENTED BY:** Fox McCluskey Bush Robinson PLLC  
Tyson Waters, Esq.  
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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:	9/17/2020	LPA voted 3-1 recommending approval
BCC Transmittal:	N/A	
BCC Adoption:	10/27/2020	

**SITE LOCATION:** The 2.38-acre parcel is located at 1500 S.E. Cove Road, west of S.E. Grace Lane.

**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 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre) along with a concurrent separate application to rezone from A-1 to RE ½ A.

## **STAFF RECOMMENDATION:**

Staff recommends approval of the proposed FLUM change from Rural Density Residential future land use (up to 1 unit per 2 acres), to Residential Estate Density (up to 2 units per acre).

## **EXECUTIVE SUMMARY:**

The subject site is shown below, highlighted in blue (Figure 1).

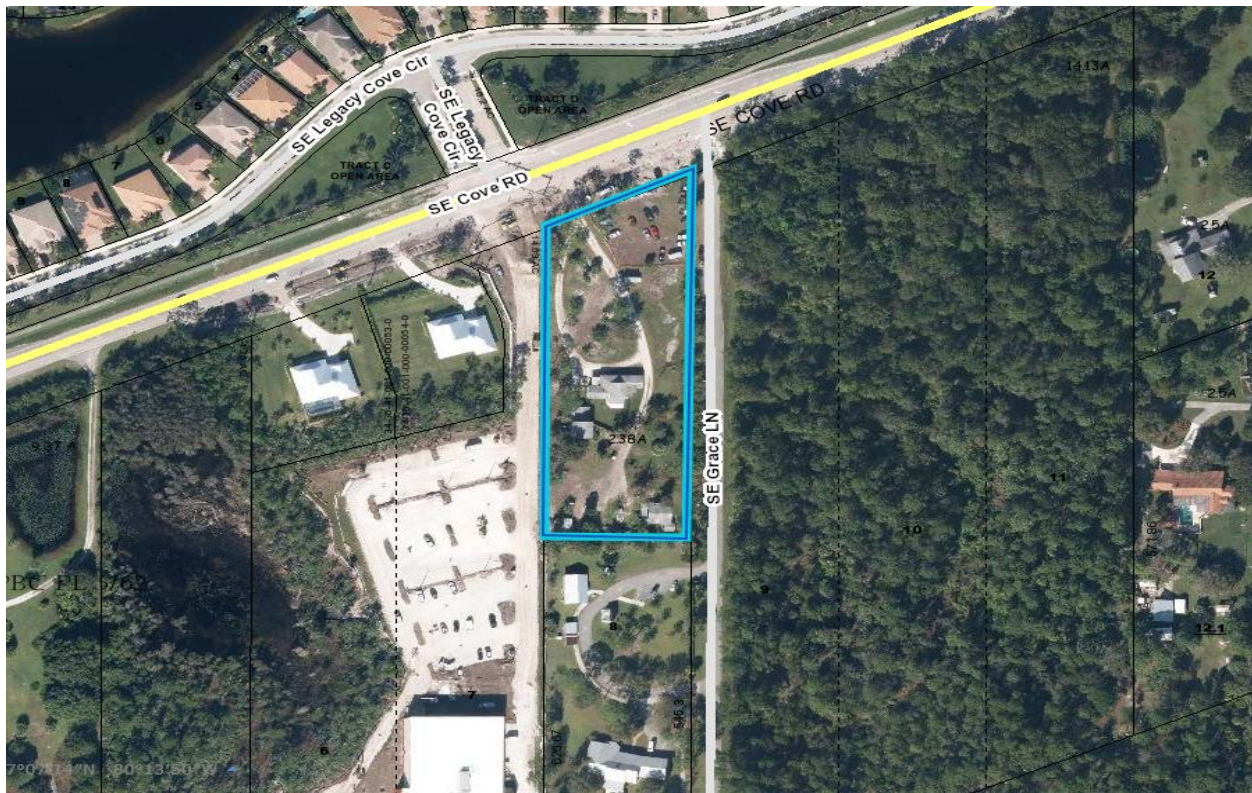


Figure 1, a location map that shows the subject site, highlighted in blue.

The currently assigned future land use designation of the site is Rural Density Residential. The Rural Density Residential future land use designation permits a maximum of 1 unit per 2 acres. Currently, the subject site contains a single-family unit along with a guest house.

This staff report will consider Residential Estate Density (2 upa) future land use which allows a maximum density of 2 units per acre (up to 4 units on the subject property) 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 2.38 acres. The parcel is within the following:

*Planning District:* South County.

*Adjacent Planning District:* Port Salerno.

*Commission District:* District 4.

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

*Urban Service District:* Yes, the subject property is located within the Primary Urban Service District (PUSD)

## 1.2 Major Roadways

The major roadways closest to the subject parcel are SE Cove Rd., which is a major arterial road, lying directly north of the parcel. Another major roadway near the subject parcel is S Kanner Hwy., a major arterial road, located west of the subject parcel.

### 1.3. Current Amendment Requests

- A. CPA 19-06, Neill Parcels, is a request to amend the FLUM on 499.4 acres located south of SW 96<sup>th</sup> Street and between SW Kanner Highway (SR76) and the St. Lucie Canal. The land currently has three future land use designations-Agricultural, Industrial and Commercial Waterfront. The proposed future land use designations are Industrial, Commercial Waterfront, and Low Density Residential. This amendment encompasses 250 acres of CPA 10-19, mentioned in Section 1.4 of the staff report.
- B. CPA 19-15, Winemiller Farms, is a request to amend the FLUM on 1,909.1 acres from Agricultural Ranchette to a new future land use designation, Agri Neighborhood Community. The applicant, under a concurrent text amendment, proposes to expand the Primary Urban Service District on approximately 545 acres within the larger 1901 acres.
- C. CPA 19-19, Pulte at Christ Fellowship, is a request to amend the FLUM on 321 acres located at 10205 SW Pratt Whitney Road, changing the land from Rural Density Residential (1 unit per 2 acres) to Residential Estate Density (1 unit per acre).
- D. CPA 19-26, Sunshine State Carnations, is a request to amend the FLUM on 19.51 acres located on SE Gomez Avenue, Hobe Sound, from Residential Estate Density (up to 2 units per acre) to Low Density Residential (up to 5 units per acre).
- E. CPA 20-01, Hodapp Property, is a request to amend the FLUM on 5 acres located at 7715 S.W. 39<sup>th</sup> Street, from Mobile Home to Agricultural Ranchette.

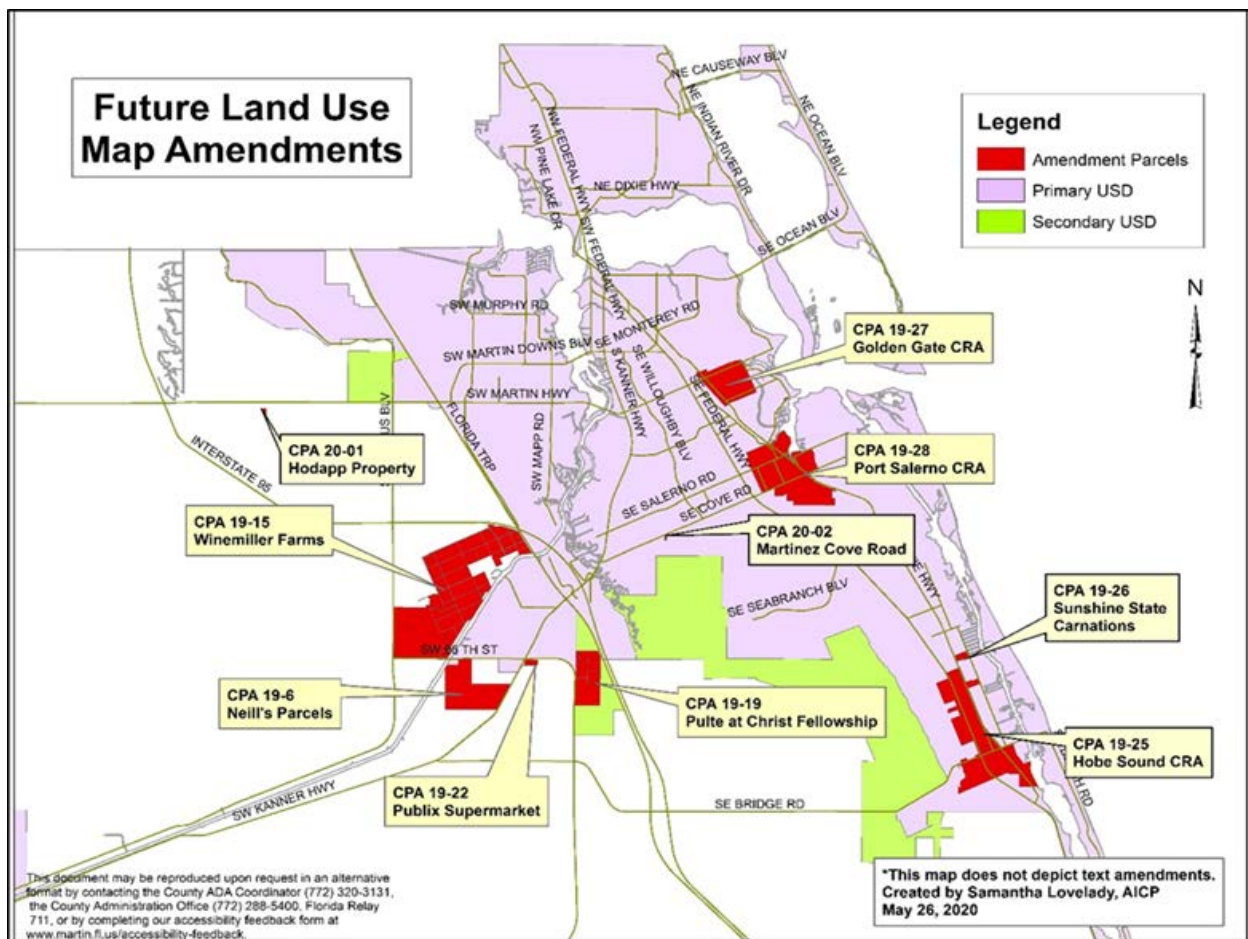


Figure 2, a map that depicts the FLUM amendment requests under review.

#### **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, some amendments to the FLUM have occurred in the immediate area. See Figure 3, where the following list of adopted amendments is labeled. The adopted amendments are summarized below.

- A.** CPA 19-11, Cove Salerno Partners, Ordinance 1127: a FLUM amendment for 47.1 acres located east of S.W. Kanner Hwy. between S.E. Salerno Road and S.E. Cove Road, changing the parcel from Residential Estate Density (up to 2 units per acre) to Low Density Residential (up to 5 units per acre).
- B.** CPA 07-1E, Council on Aging, Ordinance 744: a FLUM amendment for 9.19 acres located at the southwest corner of the intersection of S.E. Salerno Road and S.E. Pepperwood Drive, changing the parcel from Rural Density Residential to General Institutional.
- C.** CPA 08-5, Grussmark, Ordinance 839: a FLUM amendment for 37.7 acres located on the north side of Cove Road between Burnett Avenue and Legacy Cove Circle, changing the parcel from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre).
- D.** CPA 08-3, A.I. Homes, Ordinance 837: a FLUM amendment for 49.8 acres located on the south side of S.E. Cove Road, immediately east of the David L. Anderson Middle School, changing the parcel from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre).
- E.** CPA 17-6, Cove Royal, Ordinance 1040: a FLUM amendment for 97 acres located on the south side of S.E. Cove Road, immediately east of the David L. Anderson Middle School, changing the parcel from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre).
- F.** CPA 08-7, Willoughby Research Park, Ordinance 802: a FLUM amendment for 35 acres located north of S.E. Cove Road, west of S.E. Willoughby Blvd. in Port Salerno, changing the parcel from Rural Density Residential to Commercial Office/Residential. The site is also the subject of the text amendment considered in this staff report.
- G.** CPA 10-10, Via Claudia, Ordinance 868: a FLUM amendment for 93.7 acres located south of S.E. Willoughby Blvd., changing the parcel from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre).



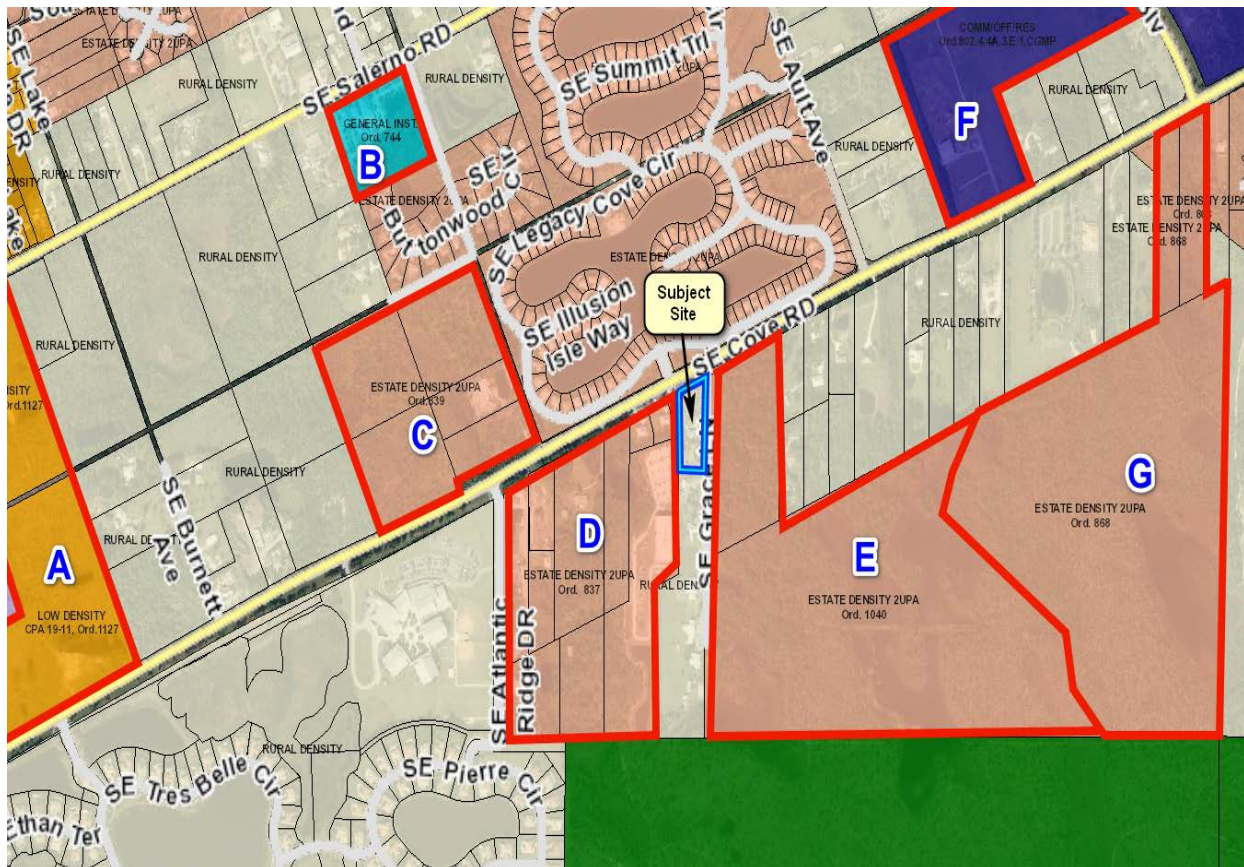


Figure 3. This shows the subject site, outlined in blue and yellow. The labeled parcels outlined in red represent past amendments that have been adopted.

### 1.5. Adjacent Future Land Use

North: Residential Estate Density (2 upa)

South: Rural Density Residential

East: Residential Estate Density (2 upa)

West: Residential Estate Density (2 upa)

### 1.6. Environmental Considerations

#### 1.6.1. Wetlands, soils and hydrology

The Soil Survey of the Martin County Area, published by the United States Department of Agriculture (1978), lists the soil type on the subject property as Waveland and Immokalee fine sand. The Waveland series consists of very deep, very poorly 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. 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. See Figure 4.

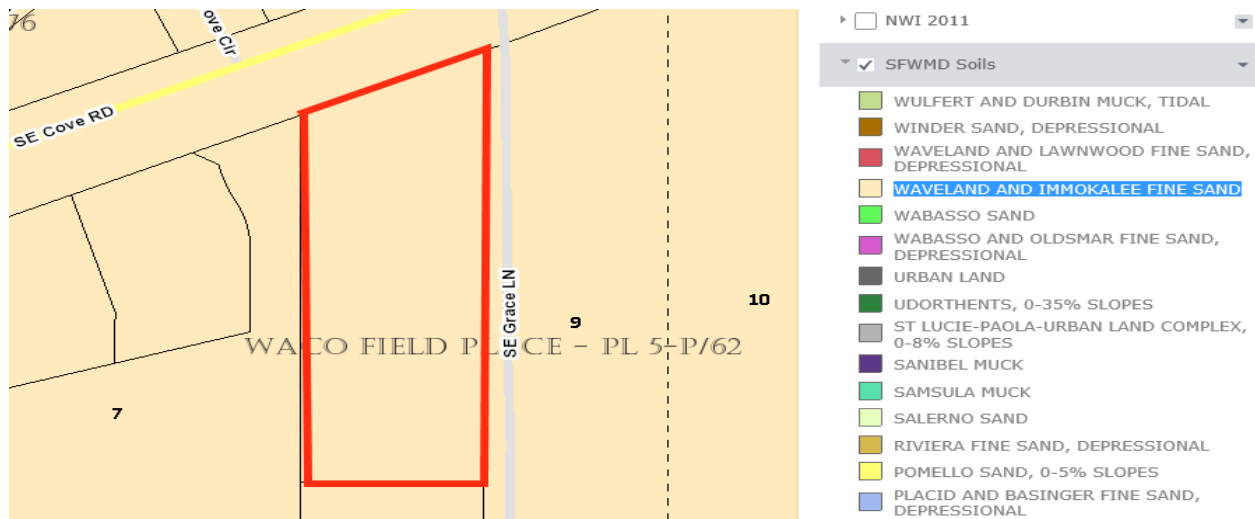


Figure 4, a soils map showing the subject parcel, highlighted in red.

The Composite Wetlands Map shows there is a very low probability of wetlands on the property. Please see Figure 5.

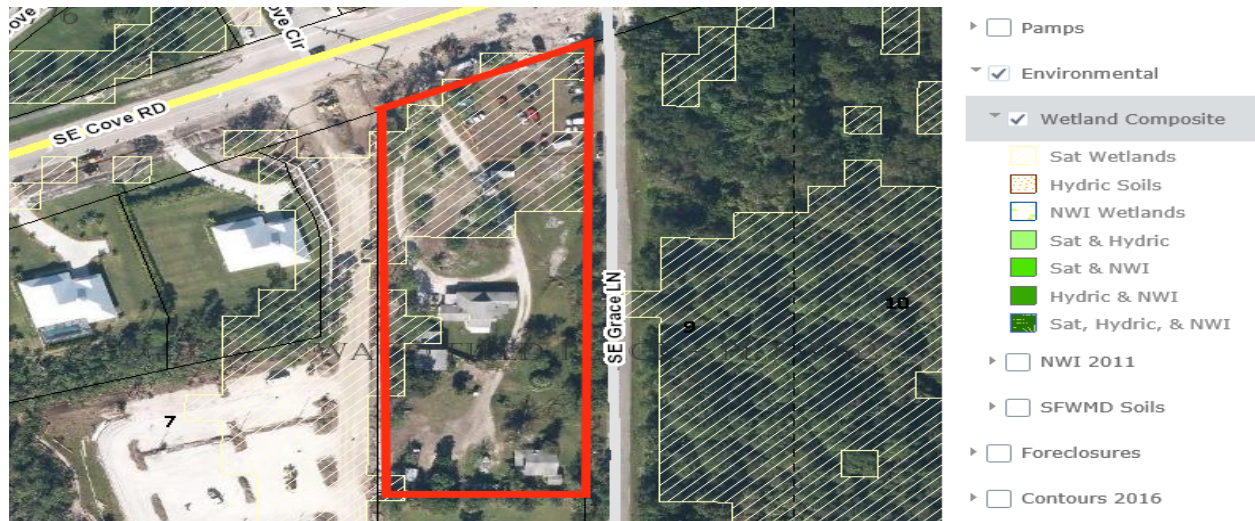


Figure 5, the composite wetlands map, with the subject site, highlighted in red.

### 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 site 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-	Legacy Cove, a residential Planned Unit Development
South-	The Samaritan Center/Samaritan House for Boys, a private residential school
East-	Vacant land, site planned for residential Planned Unit Development, Cove Royale
West-	2 single family units and further south is the Treasure Coast Classical Academy, a private school

## 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. Criterion (a) and (b) have been met and Criterion (c) and (d) are not applicable.

*(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*

Except for the adopted changes listed in Section 1.4 of this report, development has occurred consistent with the FLUM adopted in 1982. Please see Section 1.4 of this report and Figure 3 for a map showing changes to the FLUM in this area. The list in Section 1.4 shows that many of the past changes made in the surrounding area were FLUM amendments that changed parcels from Rural Density Residential to Residential Estate Density, which is the proposed change for the subject site as well. The subject site is located within the PUSD, in an area that provides a wide mix of uses including commercial, institutional uses (such as schools), and residential uses. The site is integrated within the urban areas and already has access to water and sewer provisions. Changing the parcel from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre) future land use is consistent with the land use designations in the general area and within the PUSD. Criterion met.

*(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*

Vacant land in the area has developed consistent with the future land use designations in the PUSD. Examples include: Legacy Cove, and Tres Belle, both of which are residential PUD's that contain single family homes, and other residential PUD's that are in progress such as Cove Royale PUD and Cove Salerno PUD, which are currently in the process of site planning. The nearby schools such as Samaritan House for Boys, Treasure Coast Classical Academy and Anderson Middle School are in proximity to the subject parcel.

Many improvements over time such as the construction of Interstate 95, the paving of Cove Road, the widening of Kanner Highway from two lanes to four lanes and the provision of water and sewer service has permitted the development of vacant land and redevelopment of developed parcels in ways that have altered the character of the area. Recently, an additional widening of Kanner Hwy from four lanes to six lanes occurred. Also, S.E. Cove Road is planned on being widened from 2 lanes to 4 lanes and the Project Development & Environmental (PD&E) Study is scheduled to start in Florida Department of Transportation's 2021/2022 fiscal year, which begins on July 1, 2021. Considering all these factors, the proposed request is now reasonable and consistent with the land use characteristics of the area. Criterion met.

*(c) The proposed change would correct what would otherwise appear to be an inappropriately assigned land use designation; or*

Not applicable. The proposed change is not a correction to an inappropriately assigned land use designation.

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

Not applicable. The proposed change would not correct a public facility deficiency.

## **2.2. 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 163.3177(6)(a)9.a. 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. This proposed amendment complies with 13 out of 13 sprawl criteria that discourages the proliferation of urban sprawl.

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. This proposed amendment meets 8 out of 8 criteria that determine the application discourages 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 proposed land use designation allows a density of 2 units per acre. Since the subject is only 2.38 acres, the proposed change would only increase the number of units on the site from 1 unit to 4 units. 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.*

This proposal would not designate significant amounts of urban development to occur to the subject site because the proposed designation only allows 2 units per acre and since the subject site is 2.38 acres, only 4 units will be allowed on the entire subject site. Additionally, the proposal would allow in-fill development on a site that is located within the Primary Urban Service District where urban development is intended. 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.*

The site is integrated within residential and institutional land uses. The proposed change will not promote development occurring in such patterns such as radial, strip or ribbon patterns emanating from the existing urban developments. 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.*

There are no environmentally sensitive areas related to rivers, shorelines, beaches and bays or estuarine systems on this property. According to the Composite Wetlands Map (Please see figure 5 of the staff report) there is a very low probability of wetlands on the property. If the site is further developed, an assessment will be done during the site planning process to determine whether any environmentally sensitive areas exist on site. It can also be noted that the subject site is not near or within wellfield protection zones (See Section 1.6.2 of this staff report). 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.*

This site is within the PUSD. The proposed future land use designation does not diminish agricultural areas or agricultural activities. The subject site is not near or adjacent to active farmlands or agricultural areas. Discourages the proliferation of urban sprawl.

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

The parcel is located within the PUSD and has access to services such as water and sewer. Development of the site would utilize the existing facilities and services. Discourages the proliferation of urban sprawl.

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

The proposed change would maximize the use of future public facilities and services, including the planned widening of Cove road. The site is in an area where public facilities and services are available. 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.*

The subject parcel is located within the Primary Urban Service District where public services including roads, potable water, sanitary sewer, storm water management, law enforcement, education, health care, fire and emergency response, and general government services are already provided. This proposal will not disproportionately increase the cost/time of providing these services. Discourages the proliferation of urban sprawl.

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

This site is located within the PUSD which separates rural and urban uses. Discourages the proliferation of urban sprawl.

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

This site is infill development. The subject site already contains a single-family unit and the proposed amendment could result in 3 additional units. Discourages the proliferation of urban sprawl.

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

The site is located in an urban area in proximity to residential lands, institutional lands (schools), and commercial lands located within the larger vicinity. 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 among related land uses. The parcel is located near two major arterials in an area with other land uses. The proposed land use changes will not change the accessibility among existing land uses. The proposed change will increase the subject site's density to 2 units per acre. Discourages the proliferation of urban sprawl.

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

The proposed future land use, Residential Estate Density (up to 2 unit per acre), along with the proposed zoning district RE-1/2 A, would require 50 percent of the gross land area of the subject site to be set aside as open space. The proposed future land use designation will not result in a loss of public open space. Discourages the proliferation of urban sprawl.

The site complies with 13 out of the 13 sprawl criteria that discourages the proliferation of urban sprawl.

### **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.*

Natural resources and ecosystems are not negatively impacted due to the proposal. The proposed change would locate higher density residential development in the Primary Urban Service District and in proximity to other residential, institutional and commercial lands. Discourages the proliferation of urban sprawl.

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

Development of this site will be efficient and cost effective since the service lines are already in the subject site. The proposed amendment would utilize already existing public infrastructure and services. Discourages the proliferation of urban sprawl.

*(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 proposed change does not provide a mix of uses at densities supporting a multimodal transportation system. However, it will be more compact than currently permitted and it will be in walking distance of two schools. Discourages the proliferation of urban sprawl.

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

The parcel is located within the Primary Urban Service District where public facilities and services can be provided at a minimum cost. Further developments to the subject parcel will not result in overconsumption of water and energy. Discourages the proliferation of urban sprawl.

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

The property is not in close proximity to agricultural activities and the proposed change does not hinder any type of farmlands or related functions. Discourages the proliferation of urban sprawl.

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

The site is not public open space and the proposed land use change alone will not affect natural lands or open space. Discourages the proliferation of urban sprawl.

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

The parcel is located near existing development that provides a mix of residential, institutional and commercial uses. If further developed, the site will provide additional residential capacity within the PUSD without negatively impacting the balance of land uses in the area. Discourages the proliferation of urban sprawl.

*(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.*

Though the proposed future land use designation does not provide for transit-oriented development or new towns, as defined in s. 163.3164, it does remediate existing low-density patterns in the vicinity that constitute sprawl. The proposed change will provide residential units at a higher density than currently permitted on this site within the PUSD. Discourages the proliferation of urban sprawl.

Eight out of eight of the criteria have been met to determine the application discourages urban sprawl.

## **2.3 Land Use Compatibility**

The lands north of the subject site are Residential Estate Density (2 upa) and is a residential Planned Unit Development (PUD) called Cove Isle, also known as Legacy Cove, which contains single family homes. It is separated from the subject site by S.E. Cove Road. The land use designation and the use of these parcels are compatible to the proposed land use, which is also Residential Estate Density (2 upa).

The existing developed area on the south side is designated as Rural Density Residential and is occupied by the Samaritan Center/Samaritan House for Boys, a private school. It is a residential

school, so the land contains learning centers as well as housing. This land use will be compatible with the proposed Residential Estate Density (2 upa) future land use designation.

The property to the east of the subject site is separated from the subject site by S.E. Grace Lane and is designated as Residential Estate Density (2 upa). The property is in the process of being site planned for a residential Planned Unit Development, Cove Royale. The proposed future land use will be compatible with the property on the east.

The land to the west is separated from the subject property by S.E. Classical Way and is designated as Residential Estate Density (2 upa) future land use. The lands contain two single family units and the Treasure Coast Classical Academy, a private school. The land use designation and the use of these parcels are compatible to the proposed land use, which is also Residential Estate Density (2 upa).

The neighboring parcels along with their land uses will not be negatively impacted by the proposed land use change. The land use change has the potential to bring 3 additional residential units to the site, which currently contains a single-family unit along with a guest house.

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

Below is an excerpt from the CGMP describing residential development and specifically the future land use designation of Residential Estate Density (up to 2 units per acre), extracted from Policy 4.13A.7, CGMP, Martin County, Fla. (2017). Currently, only 1 unit per 2 acres is allowed on the subject site whereas the proposed change would allow 2 units per acre. As the excerpt below states, such densities are assigned to established residential areas that are located within the PUSD. The subject site is located within a stable residential area, with institutional uses nearby and is on the fringe of the PUSD. According to the CGMP, densities such as 1 unit per 2 acres are intended for areas outside of the Primary Urban service district. Therefore, the proposed density is more appropriate for the subject site. The proposed amendment will preserve the established character of the area and blends well with the neighboring land uses.

*Policy 4.13A.7. Residential development.* The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

- (1) General policies for all urban Residential development:
- (2) *Residential Estate densities (two units per acre).* Residential Estate densities are primarily assigned to established, stable residential areas with a density up to two units per gross acre in the Primary Urban Service District. These areas are generally on the fringe of the PUSD and lack accessibility to a full complement of urban services. The CGMP also assigns estate densities to selected areas near existing estate development that share similar characteristics with existing residential estates and to areas in the urban service districts that require density limitations because of unique problems of urban services. In reviewing specific densities, the aim shall be 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. Existing agricultural



uses in this land use designation shall be allowed to continue in a nonconforming status.

### **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 Residential, Policy 4.13A.1.(2) requires an analysis of the impacts of agricultural land conversion for amendments that propose changing Agricultural, Agricultural Ranchette or the Rural Density future land use designations to another designation. The Board must make findings described in subsections (a) and (b) below.

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.*

### **Staff analysis:**

Regarding subsection (2) (a), the subject site is within the PUSD and is surrounded on four sides by non-agricultural development. There are no productive adjacent farmlands.

Regarding (b), the applicant has not provided a soil potential analysis or agricultural site assessment, since the property is not in agricultural production or adjacent to agricultural production. The applicant has provided a Soils Map. The soil types and descriptions found by staff are discussed in Section 1.6 of this staff report, where it is mentioned that the soils on site are poorly drained.

The statement in (b) also addresses the question of whether the proposal is appropriate regarding all aspects that must be considered. The proposed change is logical due to the subject site being in the PUSD, with water and sewer already in place. The subject site's current land use designation, Rural Density Residential, is less appropriate for the PUSD and is more appropriate

for lands that are in the Secondary Urban Service District. The Residential Estate Density (2 units per acre) future land use is logical and timely considering the number of other future land use changes in the area (please see section 1.4 of this report) and the planned infrastructure changes on S.E. Cove Rd.

Staff concludes that the proposed amendment will not adversely impact the hydrology of the area or the productive capacity of farmlands since the site is located in an urban area and does not have any adjacent or nearby farmlands; and that the proposed land conversion is a logical and timely extension of a more intense land use designation in a nearby area.

## 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 line, Sewer Force 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 6.

a) Sewer Force Main, shown in green



b) Potable water, shown in blue



Figure 6, which shows the utility maps, with the subject site highlighted in red.

A staff memorandum from Utilities Department staff indicates there is enough capacity to accommodate the proposed amendment.

### **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: *"Establish a base level of service.* 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 FDOT's Q/LOS Handbook."

A staff memorandum (attached to this report) from Public Works Department staff indicates that there is enough capacity to accommodate 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 2020 is 175,341 persons. In Fiscal Year 2020, there are 263,012 tons of available capacity or 1.50 tons per weighted person. A change from Rural Density Residential (up to 1 unit per two acres) to Residential Estate Density (up to 2 units per acre) will not reduce the level of service below capacity.

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

Parks and recreation facilities are calculated on a countywide basis. The county has a total population in Fiscal Year 2020 of 158,400 persons. There are currently 1,013 acres of active

parkland available in the County. The 2020 Capital Improvements Plan provides the following LOS analysis for services. The proposed amendment will not reduce active parks and recreation level of service below capacity.

	REQUIRED LOS	PROVIDED	CURRENT LOS
ACTIVE PARKLAND	3 acres per 1,000 residents	1,013 acres	6.39 acres per 1,000 residents
BEACH FACILITIES	9 parking spaces per 1,000 residents	1,350 spaces	8.5 spaces per 1,000 residents

#### **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. The analysis is based upon a 2020 (weighted average) population in unincorporated Martin County of 153,353 persons. The proposed future land use change will not diminish the level of service below capacity.

	Travel time	Areas of Martin County	Required LOS Percent of time	Current LOS Percent of time
Advanced life support	8 minutes	Urban	90	94
Advanced life support	20 minutes	Rural	90	94
Basic life support	6 minutes	Urban	90	94
Basic life support	15 minutes	Rural	90	94
Fire response	6 minutes	Urban	90	94
Fire response	15 minutes	Rural	90	94

#### **2.5.1.7. Schools**

The LOS for public school facilities is established by CGMP Policy 17.1A.1. Pursuant to CGMP Policy 17.1B.1, final site plans that include residential units can be approved by the County “only after receipt of a School Concurrence Report from the School District stating that adequate capacity exists for the anticipated students.”

Since this proposal would only generate a maximum of 4 dwelling units on the subject site, this would be considered de minimis, and would not require a School District Capacity analysis.

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

#### **2.5.2.1. Libraries**

Library LOS is calculated on a countywide basis and requires 0.60 gross square feet of library space for each resident and two volumes of reading material per weighted resident. The Fiscal Year 2020 Capital Improvement Plan shows the current LOS is 0.66 square feet per resident and 1.80 volumes per weighted resident. There is currently a deficit in volumes per weighted resident. The proposed future land use change will not impact the Library level of service.

### **3. FIGURES/ATTACHMENTS**

Figure 1, Location Map

Figure 2, Current Requests Map

Figure 3, Past Changes Map



Figure 4, Soil Map

Figure 5, Composite Wetlands Map

Figure 6, Utilities Map

Memo from Utilities Department

Memo from Public Works Department