

Public Notice

CPA 19-5
KL Waterside
Text



RECEIVED

SEP 03 2020

GROWTH MANAGEMENT
DEPARTMENT

September 1, 2020

RE: Notice of Public Hearings regarding Applications #CPA 19-5 (Text) and CPA #19-6 (FLUM): An application submitted by KL Waterside, LLC to change the Future Land Use on a Parcel of Land consisting of approximately 500 acres located south of SW 96th Street and west of SW Kanner Highway (SR 76).

Dear Property Owner:

As the owner of property within 2,500 feet of the property shown on the enclosed location map, please be advised that the property is the subject of an application to change the Future Land Use designations and zoning on the subject property as described below:

<u>Future Land Use (Zoning)</u>	<u>Existing</u>	<u>Proposed</u>
Agricultural (AG-20A)	0.0 acres	243.4 acres
Agricultural (A-2)	249.1 acres	6.0 acres
Industrial (LI)	175.4 acres	250.0 acres
Commercial Waterfront (WGC)	<u>74.9</u> acres	<u>0.0</u> acres
Total:	499.4 acres	499.4 acres

The date, time and place of the scheduled hearings are:

MEETING: Local Planning Agency
DATE: September 17, 2020
TIME: 7:00 p.m. or as soon thereafter as the item may be heard
PLACE: Martin County Administrative Center
Commission Chambers, 1st Floor
2401 S.E. Monterey Road
Stuart, Florida 34996

MEETING: Board of County Commissioners
DATE: October 13, 2020
TIME: 9:00 a.m. or as soon thereafter as the item may be heard
PLACE: Martin County Administrative Center
Commission Chambers, 1st Floor
2401 S.E. Monterey Road
Stuart, Florida 34996

All interested persons are invited to attend the above-described hearing and will have an opportunity to speak.

Accessibility arrangements. Persons with disabilities who need an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. Persons using a TDD device, please call 711 Florida Relay Services.

Record for appeals. If any person decides to appeal any decisions made with respect to any matter considered at the meetings or hearings of any board, committee, commission, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

Comprehensive Planning Facts. The Future Land Use Map is adopted as part of the County's Comprehensive Growth Management Plan and is one of the primary tools for managing land development. The Future Land Use designation of a parcel of land determines the general type of use allowed, as well as the maximum level of density or intensity allowed (such as the number of residential units per acre). The zoning regulations provide one or more zoning districts for implementing each Future Land Use designation. The zoning designation of a parcel of land determines, in more detail than the Future Land Use designation, what type and level of development may occur. A change to the Future Land Use Map requires three public hearings as follows:

1. Local Planning Agency (which makes a recommendation to the Board of County Commissioners).
2. Board of County Commissioners (to determine whether the proposed amendment should be transmitted to the Florida Division of Community Planning, the state land planning agency that oversees and coordinates comprehensive planning).
3. Board of County Commissioners (to determine whether the proposed amendment should be adopted).

Public involvement opportunities: All interested persons are invited to attend any or all of the above-described hearings and will have an opportunity to speak. Written comments will be included as part of the public record of the application.

Submit Written Comments to: Paul Schilling, Director
Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

To view staff reports, please visit the County's website at:
<https://www.martin.fl.us/CompPlanningStaffReports>

For more information, please feel free to contact me at (772) 220-2100 or Samantha Lovelady, AICP, Principal Planner, Growth Management Department at (772) 288-5495 or via email: slove@martin.fl.us

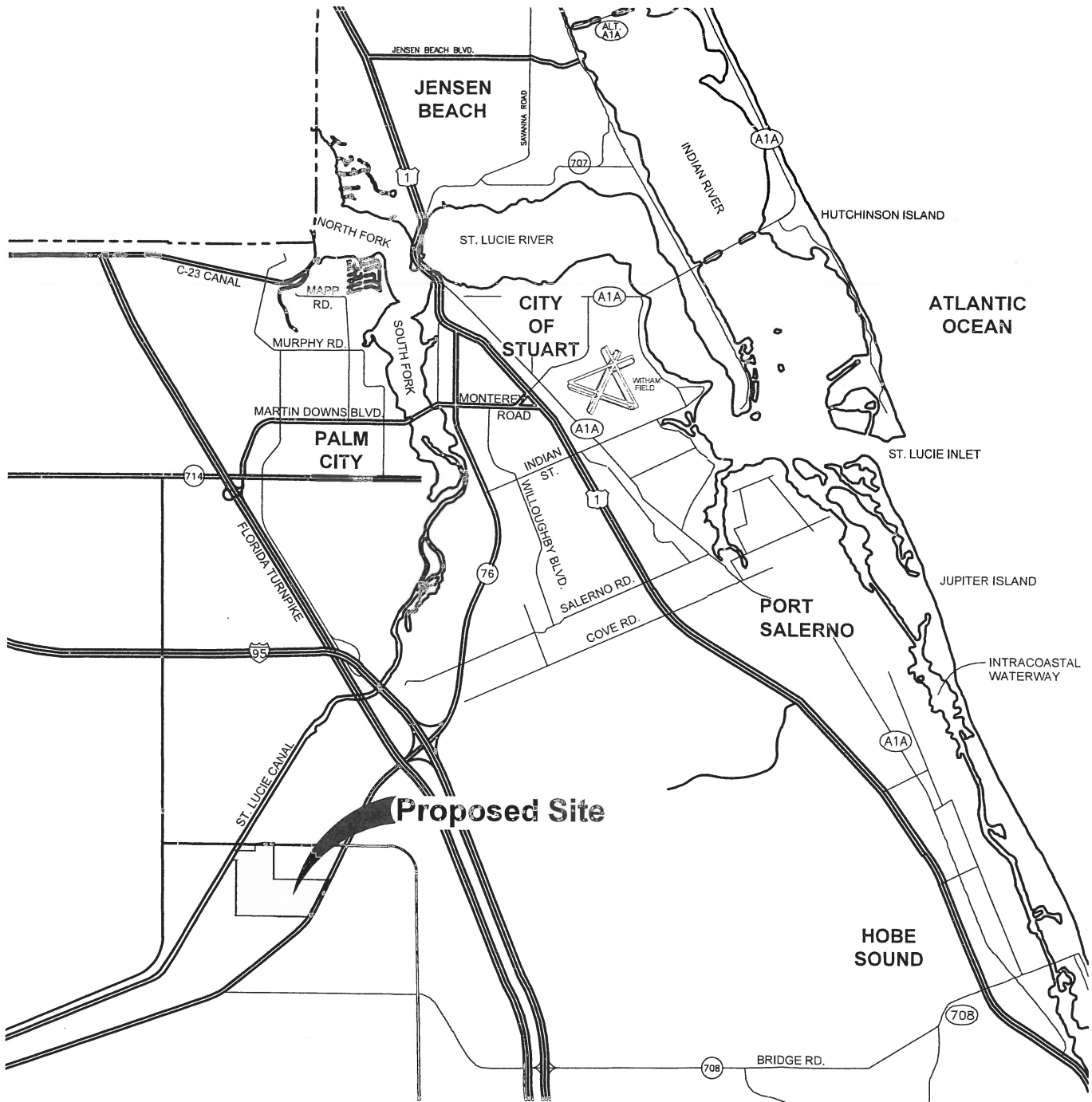
Sincerely,

A handwritten signature in black ink, appearing to read 'M. Crady', written over a horizontal line.

Morris A. Crady, AICP
Senior Vice President

Enclosures: Location Map
 Current Future Land Use Map
 Proposed Future Land Use Map
 Current Zoning Map
 Proposed Zoning Map

Location Map



lucido & associates

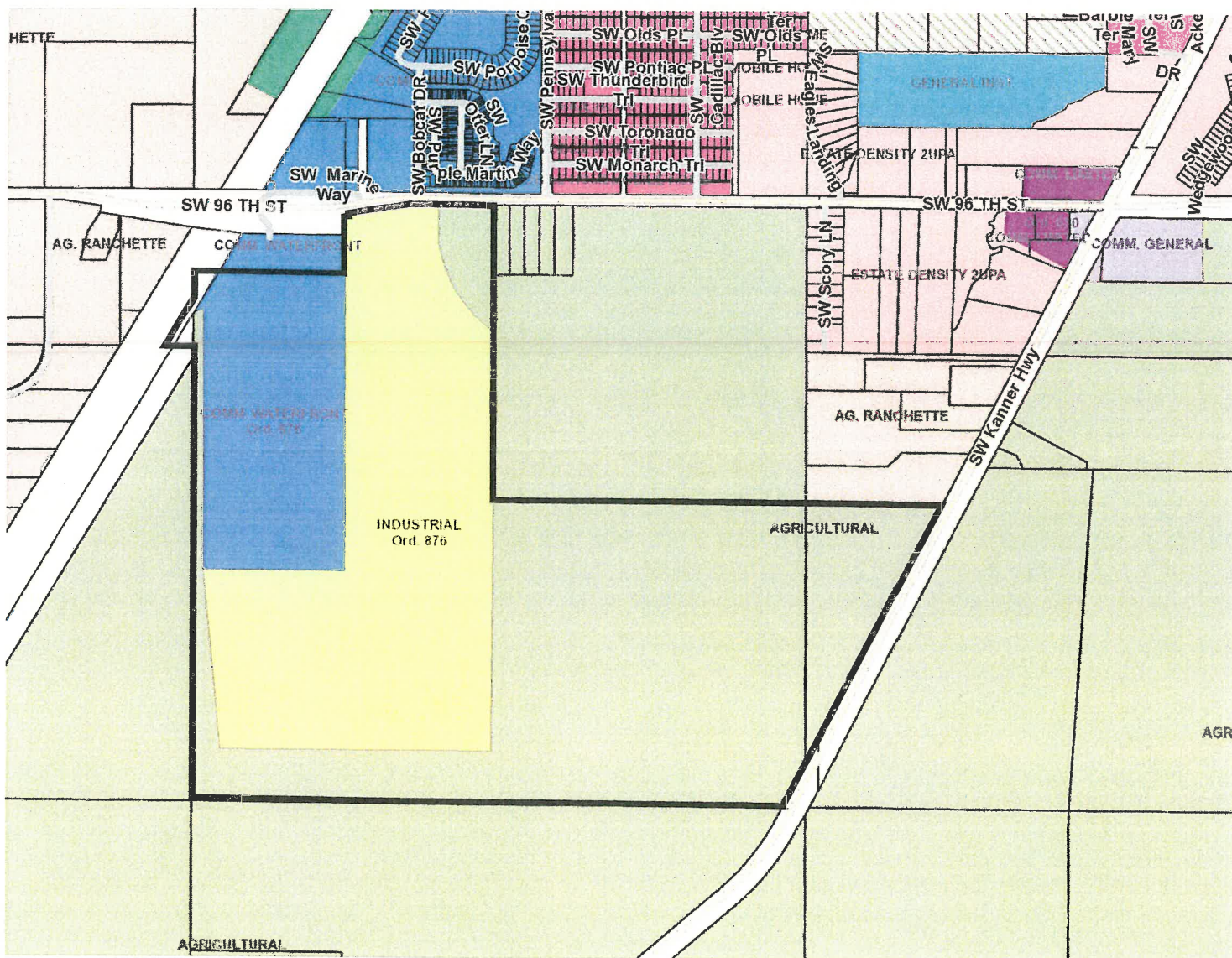
701 E Ocean Blvd., Stuart, Florida 34994

(772) 223-2100 Fax: (772) 223-0220

























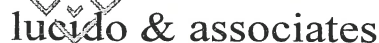
KL Waterside, LLC (fka Neill Parcels)
CPA19-5 & 19-6
 Martin County, Florida

Current Future Land Use Map



Future Land Use Legend

- | | | | |
|---|----------------------------------|---|---|
|  | Rural Density -up to 0.5 UPA |  | Commercial / Office / Residential |
|  | AgTEC |  | Commercial Waterfront |
|  | Rural Heritage -up to 0.5 UPA |  | Recreational |
|  | Estate Density -up to 1 UPA |  | Public Conservation Area |
|  | Estate Density -up to 2 UPA |  | General Institutional |
|  | Low Density -up to 5 UPA |  | Industrial |
|  | Medium Density -up to 8 UPA |  | Agricultural |
|  | High Density -up to 10 UPA |  | Agricultural Ranchette |
|  | Mobile Home Density -up to 8 UPA |  | Major Power Generation Facility |
|  | Mixed-Use Village |  | No Data (May Include Incorporated Area) |
|  | Commercial General | | |
|  | Commercial Limited | | |



Tel: (772) 220-2100 Fax: (772) 223-0220

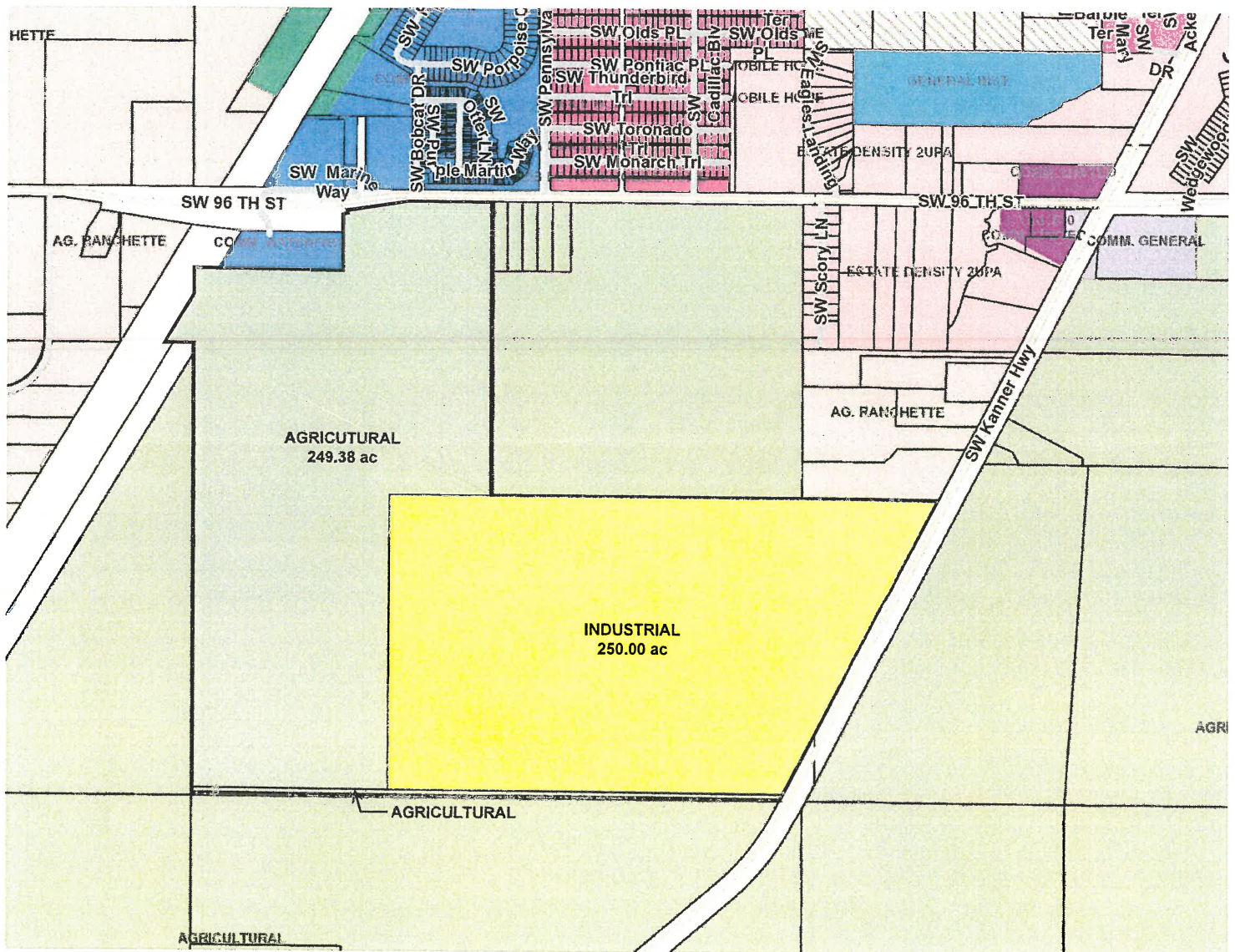


KL Waterside, LLC (fka Neill Parcels)























CPA19-5 & 19-6

Martin County, Florida

Proposed Future Land Use Map



Future Land Use Legend

- | | | | |
|---|----------------------------------|---|---|
|  | Rural Density -up to 0.5 UPA |  | Commercial / Office / Residential |
|  | AgTEC |  | Commercial Waterfront |
|  | Rural Heritage -up to 0.5 UPA |  | Recreational |
|  | Estate Density -up to 1 UPA |  | Public Conservation Area |
|  | Estate Density -up to 2 UPA |  | General Institutional |
|  | Low Density -up to 5 UPA |  | Industrial |
|  | Medium Density -up to 8 UPA |  | Agricultural |
|  | High Density -up to 10 UPA |  | Agricultural Ranchette |
|  | Mobile Home Density -up to 8 UPA |  | Major Power Generation Facility |
|  | Mixed-Use Village |  | No Data (May Include Incorporated Area) |
|  | Commercial General | | |
|  | Commercial Limited | | |



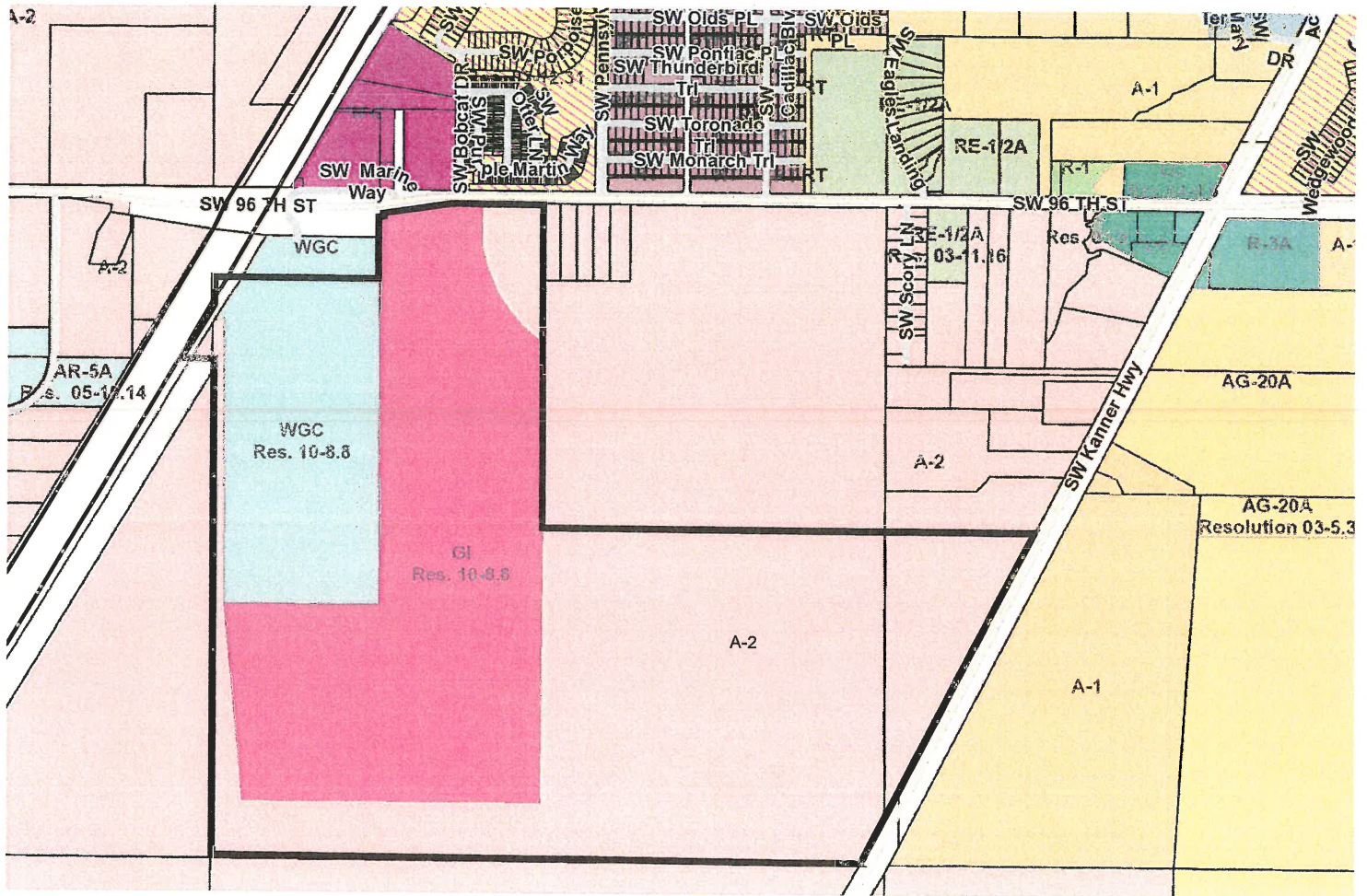
701 E Ocean Blvd. Stuart, Florida 34994

(772) 229-2100, Fax (772) 223-0220



KL Waterside, LLC (fka Neill Parcels)
CPA19-5 & 19-6
 Martin County, Florida

Current Zoning Map



Zoning Legend

<ul style="list-style-type: none"> A-1 (Small Farms) A-1A (Agricultural) A-2 (Agricultural) A-3 (Conservation) AG-20A (General Agricultural District) AR-10A (Agricultural Ranchette District) AR-5A (Agricultural Ranchette District) B-1 (Business) B-2 (Business Wholesale) B-3 (Rural Business) CC (Community Commercial District) CO (Commercial Office) COR-1 (Commercial Office/Residential District) COR-2 (Commercial Office/Residential District) E (Estates and Suburban Homes District) E-1 (Estates and Suburban Homes District) GC (General Commercial District) GI (General Industrial District) HB-1 (Limited Business) HB-1A (Hotel & Motel) HB-1AA (Hotel & Motel) HI (Heavy Industrial District) HR-1 (Single-family Residential District) HR-1A (Single-family Residential District) HR-2 (Multi-Family Residential) HR-2A (Multi-Family Dwelling) IZ - Interim Zoning Jupiter Island 	<ul style="list-style-type: none"> LC (Limited Commercial District) LI (Limited Industrial District) LI-1 (Limited Industrial District) M-1 (Industrial) M-2 (Industrial) M-3 (Industrial) MH-P (Mobile Home Park District) MH-S (Mobile Home Subdivision District) Ocean Breeze PAF (Public Airport Facilities District) PC (Public Conservation District) PR (Public Recreation District) PS (Public Servicing District) PS-1 (Public Service District) PS-2 (Public Service District) PUD PUD-C (Commercial) PUD-I (Industrial) PUD-MH (Mobile Home) PUD-R (Residential) PUD-WJ (PUD West Jensen) PMUV (Planned Mixed-Use Village) R-1 (Single-family Residential District) R-1A (Single-family Residential District) R-1B (Single-family Residential District) R-1C (Single-family Residential District) R-2 (Single-family Residential District) R-2A (Two-Family Residential District) R-2B (Single-family Residential District) R-2C (Single-family Residential District) R-2T (Single-family Residential District) 	<ul style="list-style-type: none"> R-3 (Multi-Family Residential) R-3A (Liberal Multi-Family) R-3B (Multi-Family Residential) R-4 (Multi-Family Residential) R-5 (Multi-Family Med. Density) RE-1/2A (Residential Estate District) RE-1A (Residential Estate District) RE-2A (Rural Estate District) RM-10 (High Density Residential District) RM-3 (Low Density Residential District) RM-4 (Low Density Residential District) RM-5 (Low Density Residential District) RM-6 (Medium Density Residential District) RM-8 (Medium Density Residential District) RS-10 (High Density Residential District) RS-3 (Low Density Residential District) RS-4 (Low Density Residential District) RS-5 (Low Density Residential District) RS-6 (Medium Density Residential District) RS-8 (Medium Density Residential District) RS-BR3 (Low Density Residential District, Beau Rivage) RT (Mobile Home Subdivision District) SY (Salvage Yard) Sewalls Point Stuart TP (Mobile Home Park District) WE-1 (Waterfront Estates District) WGC (Waterfront General Commercial District) WRC (Waterfront Resort Commercial District)
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KL Waterside, LLC (fka Neill Parcels)
CPA19-5 & 19-6
Martin County, Florida



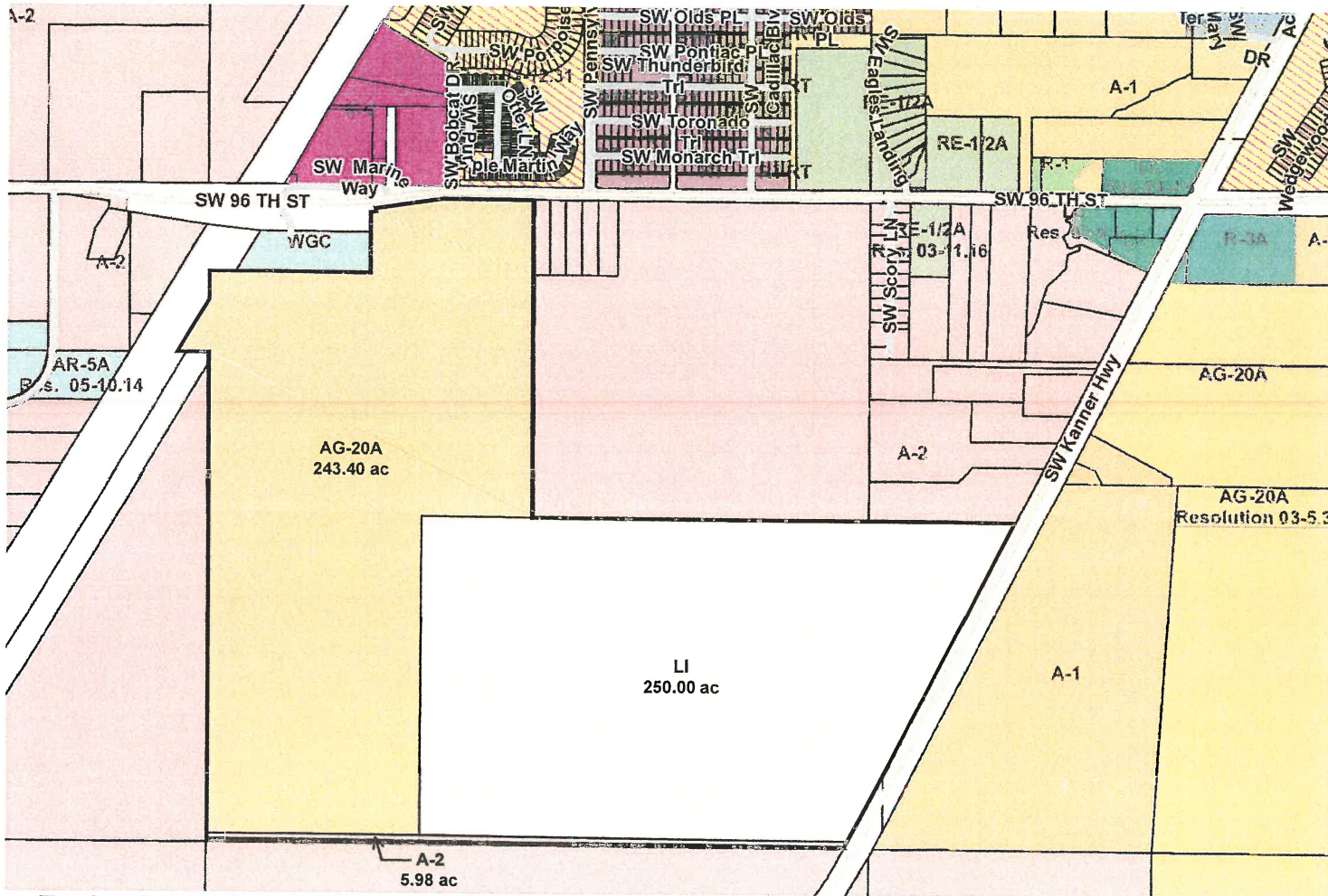
lucido & associates

701 E Ocean Blvd., Stuart, Florida 34994

(772) 223-2100, Fax (772) 223-0220



Proposed Zoning Map



Zoning Legend

- | | | | | | |
|--|--|--|---|--|--|
| | A-1 (Small Farms) | | LC (Limited Commercial District) | | R-3 (Multi-Family Residential) |
| | A-1A (Agricultural) | | LI (Limited Industrial District) | | R-3A (Liberal Multi-Family) |
| | A-2 (Agricultural) | | LI-1 (Limited Industrial District) | | R-3B (Multi-Family Residential) |
| | A-3 (Conservation) | | M-1 (Industrial) | | R-4 (Multi-Family Residential) |
| | AG-20A (General Agricultural District) | | M-2 (Industrial) | | R-5 (Multi-Family Med. Density) |
| | AR-10A (Agricultural Ranchette District) | | M-3 (Industrial) | | RE-1/2A (Residential Estate District) |
| | AR-5A (Agricultural Ranchette District) | | MH-P (Mobile Home Park District) | | RE-1A (Residential Estate District) |
| | B-1 (Business) | | MH-S (Mobile Home Subdivision District) | | RE-2A (Rural Estate District) |
| | B-2 (Business Wholesale) | | Ocean Breeze | | RM-10 (High Density Residential District) |
| | B-3 (Rural Business) | | PAF (Public Airport Facilities District) | | RM-3 (Low Density Residential District) |
| | CC (Community Commercial District) | | PC (Public Conservation District) | | RM-4 (Low Density Residential District) |
| | CO (Commercial Office) | | PR (Public Recreation District) | | RM-5 (Low Density Residential District) |
| | COR-1 (Commercial Office/Residential District) | | PS (Public Servicing District) | | RM-6 (Medium Density Residential District) |
| | COR-2 (Commercial Office/Residential District) | | PS-1 (Public Service District) | | RM-8 (Medium Density Residential District) |
| | E (Estates and Suburban Homes District) | | PS-2 (Public Service District) | | RS-10 (High Density Residential District) |
| | E-1 (Estates and Suburban Homes District) | | PUD | | RS-3 (Low Density Residential District) |
| | GC (General Commercial District) | | PUD-C (Commercial) | | RS-4 (Low Density Residential District) |
| | GI (General Industrial District) | | PUD-I (Industrial) | | RS-5 (Low Density Residential District) |
| | HB-1 (Limited Business) | | PUD-MH (Mobile Home) | | RS-6 (Medium Density Residential District) |
| | HB-1A (Hotel & Motel) | | PUD-R (Residential) | | RS-8 (Medium Density Residential District) |
| | HB-1AA (Hotel & Motel) | | PUD-WJ (PUD West Jensen) | | RS-BR3 (Low Density Residential District, Beau Rivage) |
| | HI (Heavy Industrial District) | | PMUV (Planned Mixed-Use Village) | | RT (Mobile Home Subdivision District) |
| | HR-1 (Single-family Residential District) | | R-1 (Single-family Residential District) | | SY (Salvage Yard) |
| | HR-1A (Single-family Residential District) | | R-1A (Single-family Residential District) | | Sewalls Point |
| | HR-2 (Multi-Family Residential) | | R-1B (Single-family Residential District) | | Stuart |
| | HR-2A (Multi-Family Dwelling) | | R-1C (Single-family Residential District) | | TP (Mobile Home Park District) |
| | IZ - Interim Zoning | | R-2 (Single-family Residential District) | | WE-1 (Waterfront Estates District) |
| | Jupiter Island | | R-2A (Two-Family Residential District) | | WGC (Waterfront General Commercial District) |
| | | | R-2B (Single-family Residential District) | | WRC (Waterfront Resort Commercial District) |
| | | | R-2C (Single-family Residential District) | | |
| | | | R-2T (Single-family Residential District) | | |



lucido & associates

701 E Ocean Blvd, Stuart, Florida 34994

(772) 226-2100, Fax: (772) 223-0225



KL Waterside, LLC
(fka Neill Parcels) CPA19-5 & 19-6
 Martin County, Florida

Martin County, Florida

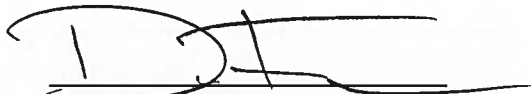
Doug Fitzwater
220 Hibiscus Avenue
Stuart, FL 34996

Mr. Morris Crady
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Notice of Text Amendment to Create A Freestanding Urban Service District
And Future Land Use and Zoning Change
Application Number #CPA 19-5 and #CPA 19-6

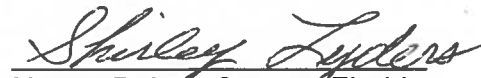
Dear Mr. Crady:

This is to certify that the above referenced sign was installed per Martin County requirements and complies with the standards of the notice provisions of Article 10, Section 10.6: Development Review Procedures.

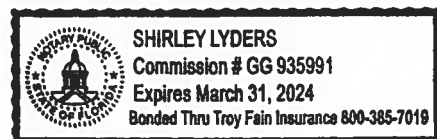

Doug Fitzwater

State of Florida
County of Martin

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☒ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS 10th DAY OF September, 2020 BY Doug Fitzwater WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED _____ AS IDENTIFICATION.


Notary Public, State of Florida

MY COMMISSION EXPIRES





Side One



Side Two

Ad Number: GCI0485176-01

Advertiser: Martin County - Growth Management

Agency: N/A

Section-Page-Zone(s): A-16-All

Description: NOTICE OF PUBLIC HEA

Insertion Number: N/A

Size: 2 Col x 10 in

Color Type: N/A

Sharks

Continued from Page 1A

Because bull sharks can tolerate freshwater, they’ve been seen as far inland as Lake Okeechobee. They get into the headwaters of the St. Lucie, St. Sebastian and Loxahatchee rivers.

Juveniles can grow to over 6 feet long.

“We anticipate working with animals just over a meter (slightly more than 3 feet) in length for this study as they are more likely to experience a harmful algal bloom,” Brewster said.

Brewster hopes to tag 10 bull sharks during a harmful algae bloom in the lagoon.

“Timing will be the biggest challenge,” Brewster said. “Once we get the indication a bloom is developing, we’ll have to rush out there.”

The irony, she said, is that no one wants a harmful bloom to occur, “but we need one to do our research. The fact is that blooms are occurring more frequently. ... I expect that next summer, we’ll be in the thick of it.”

Tag, follow, retrieve

In the meantime, Brewster is helping develop the tags she and other researchers will attach to the sharks’ dorsal fins. The tags will:

- Have an acoustic transmitter so the animals can be tracked as they move.
- Have an accelerometer, a device “like a FitBit you’d wear on your wrist,” Brewster said, to record the sharks’ movements.
- Pop off after 5-7 days in the water and float to the surface.
- Have a satellite transmitter so researchers can find and retrieve the tag.

“We’re also relying on the Treasure Coast community, the people who are on the water and on the beaches,” Brewster said, “and hoping that if they find the tags before we do that they’ll give us a call.”

The tags will have a Harbor Branch logo and Brewster’s contact information.



Ryan Wood, of RWood Outdoors on YouTube and a Malabar resident, caught and released this bull shark from a Martin County beach June 22. CONTRIBUTED PHOTO

Bull sharks have a reputation for being aggressive, if not downright mean.

A bull shark is suspected of killing kiteboarder Stephen Schafer in February 2010 near Stuart Beach, the only known fatal shark attack in Martin County history, according to records going back to 1882.

“Yes, they’ve been known to attack people,” Brewster said, “but the probability of that is slim. I’ve worked with bull sharks since 2010 and haven’t had an incident yet. Of course, they are a species you have to be very careful with when you’re in the water with them.”

Brewster’s study is gearing up just as other researchers at Harbor Branch published findings showing large influxes of freshwater into the lagoon, such as Lake Okeechobee discharges, benefit bull sharks, but can be detrimental the overall ecosystem.

“Not all parts of the lagoon are equal,” said Matt Ajemian, a Harbor Branch assistant research professor and co-author of the study. “Areas with more salinity tend to have more biodiversity, more species.”

Salinity loss because of discharges “can change the whole dynamic of the lagoon ecosystem,” Ajemian said. “Animals that need the salinity can get pushed out, and that’s not good; they’re there for a reason.”

A lotta bull (shark)

- **Range:** Warm, shallow ocean water around the world, but can

live in brackish water (like the an River Lagoon) and can be found in freshwater.

- **How they live in freshwater:** Kidneys and gills and near the tail prevent loss of body salt in low-salinity water.

- **Size:** Females can reach 5 feet and 500-plus pounds; males 7 feet and 200 pounds.

- **State record:** 517 pounds, Panama City Beach, October 1981.

- **Appearance:** Gray backs, white bellies; fin tips are black, especially in younger sharks; wide snouts and sharp, triangular teeth.

- **The name:** From the habit of butting prey with their heads before biting.

- **Speed:** Usually swim about 5 mph, but can reach 12 mph.

- **Diet:** Fish, turtles, crustaceans, dolphins, birds and other sharks.

- **Humans:** Bull sharks typically don’t eat people, but will attack anything that moves in its territory. Average of 16 attacks on humans each year in the U.S. Fatal attacks average every two years.

Reducing risk of shark attacks

- Always stay in groups; sharks are more likely to attack a lone person.

- Do not wander too far from shore, as this isolates an individual and additionally places you far away from assistance.

- Avoid being in the water during darkness or twilight hours, when sharks are most active and have a competitive sensory advantage.

- Don’t enter the water if bleeding or menstruating. A shark’s sense of smell is acute, and sharks are attracted to blood.

- Don’t wear shiny jewelry because the reflected light resembles the sheen of fish scales.

- Use extra caution when water is murky and avoid uneven tanning and bright-colored clothing, as sharks see contrast particularly well.

- Refrain from excess splashing, and don’t allow pets in the water because of their erratic movements.

NOTICE OF PUBLIC HEARINGS

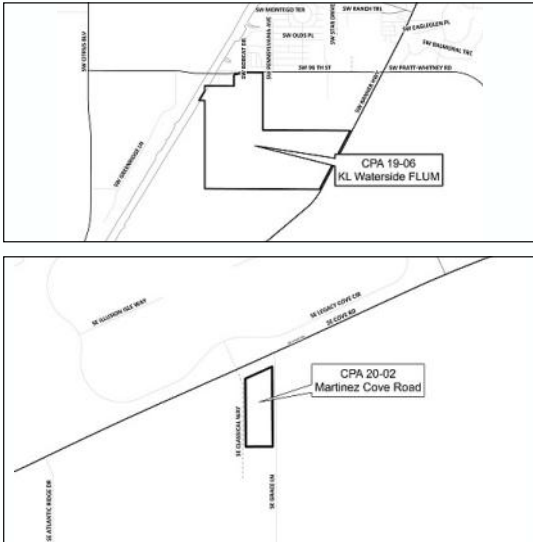
The Martin County Local Planning Agency will conduct public hearings on September 17, 2020, beginning at 7:00 P.M., or as soon thereafter as the items may be heard, to review the following items:

1. Comprehensive Plan Amendment 19-6, KL Waterside, LLC (fka Neill Parcels): A Future Land Use Map change from Industrial and Marine Waterfront Commercial to Agricultural on the western portion of the property. Also proposed is a Future Land Use Map change from Agricultural to Industrial on the eastern portion of the property. All of the changes are occurring within a 499.4-acre property located south of SW 96th Street, between SW Kanner Highway (SR76) and the St. Lucie Canal.
2. Application for re-zoning from WGC (Waterfront General Commercial District) and GI (General Industrial District) to AG-20A (Agricultural District) on the western portion of the property, or the most appropriate zoning district. The application also proposes a change from A-2 (Agricultural District) to the LI, (Limited Industrial District) on the eastern portion of the property, or the most appropriate zoning district, regarding Comprehensive Plan Amendment 19-06, KL Waterside, LLC (fka Neill Parcels).
3. Comprehensive Plan Amendment 19-5, KL Waterside, LLC (fka Neill Parcels), a text amendment to Chapter 4, Future Land Use Element and Figure 4-2, Urban Service Districts. Also proposed are amendments to Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan specifically, Figure 11-1, Areas Currently Served by Regional Utilities and Figure 11-2, Potential Service Areas of the Comprehensive Growth Management Plan. The text amendments would also create a 250-acre Freestanding Urban Service District within a 499.4-acre property located south of SW 96th Street, between SW Kanner Highway (SR76) and the St. Lucie Canal.
4. Comprehensive Plan Amendment 20-02, Martinez Cove Road: A Future Land Use Map change from Rural Density Residential (up to 1 unit per 2 acres) to Residential Estate Density (up to 2 units per acre) on an approximate 2.38 parcel located at 1500 SE Cove Road, west of SE Grace Lane in Stuart.
5. Application for re-zoning from A-1 (Small Farms District) to RE 1/4A (Residential Estate District) or the most appropriate zoning district regarding Comprehensive Plan Amendment 20-02, Martinez Cove Road.

All interested persons are invited to attend and be heard. The meeting will be held in the John F. and Rita M. Armstrong Wing of the Blake Library, 2351 SE Monterey Road, Stuart, Florida 34996. Written comments may be mailed to: Paul Schilling, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact the Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.



TR-GC0485176-01

September 2, 2020

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850 NW Federal Hwy.
Stuart, FL 34994
Available by appointment

14255 US Hwy. 1, Ste. 270
(Just N. of Donald Ross Rd.)
Juno Beach, FL 33408
Available by appointment

Mr. Schwartz’s Qualifications include:
Graduate of Univ. of Florida College of Law with honors Graduated Cum Laude from Florida State University National Speaker on Estate & Tax Planning
The hiring of a lawyer is an important decision that should not be based solely upon advertisement. Before you decide, ask me to send you free written information about my qualifications and experience.



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