



Legislation Details (With Text)

File #: 18-0710
Type: Public Hearing Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 9/11/2018 **Final action:** 9/11/2018
Title: PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR 3,411 ACRES EAST AND WEST OF SW CITRUS BLVD. AND SOUTH OF THE MARTIN COUNTY, FL BOUNDARY WITH ST. LUCIE COUNTY, FL, CONCURRENTLY WITH CPA 18-03, PINELAND PRAIRIE FUTURE LAND USE MAP AMENDMENT

Sponsors:

Indexes:

Code sections:

Attachments: 1. PP.rezoning.staffrpt.8.15.18.pdf, 2. RESOLUTION.pdf, 3. LPA_Minutes_June 21.pdf

Date	Ver.	Action By	Action	Result
9/11/2018	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR 3,411 ACRES EAST AND WEST OF SW CITRUS BLVD. AND SOUTH OF THE MARTIN COUNTY, FL BOUNDARY WITH ST. LUCIE COUNTY, FL, CONCURRENTLY WITH CPA 18-03, PINELAND PRAIRIE FUTURE LAND USE MAP AMENDMENT

EXECUTIVE SUMMARY:

The Applicants request that the Board of County Commissioners adopt a resolution changing the zoning district to PMUV (Planned Mixed Use Village) Zoning District on ±502 acres from LI (Limited Industrial), ±125 acres from AR-5A (Agricultural Ranchette), and ±2,784 acres from A-2 (Agricultural) Zoning Districts. The LPA recommended approval. Staff recommends approval.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Irene A. Szedlmayer, AICP
Title: Senior Planner

REQUESTED BY: Shadow Lake Groves, Inc., Martin Gateway Estates, LLC and Martin Gateway Center, LLC, represented by Marcela Cambolor-Cutsaimanis, AICP

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

Rezoning is a quasi-judicial action involving the application of general rules of policy to specific situations. Comprehensive Growth Management Plan Policy 4.4A.1. provides that "Parcels being considered for amendment to the future land use designation shall be concurrently evaluated for rezoning to the most appropriate zoning district in the most recently adopted Land Development Regulations."

ISSUES:

A concurrent rezoning is required for each Future Land Use Map (FLUM) amendment where the amendment creates an inconsistency with the current zoning designation. The proposed action on this request to re-zone assumes that the Board of County Commissioners approved the related CPA 18-3, Pineland Prairie FLUM amendment, at its meeting on August 21, 2018. The proposed action on this request to re-zone to the PMUV Zoning District assumes that the Board of County Commissioners approved the ordinance to create Article 11 to be heard today under a separate agenda item. Analysis of the proposed rezoning can be found in the staff report attached to this Board Item.

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process- to cross examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision based on a correct application of the law and competent substantial evidence in the record.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board receive and file the agenda item summary and all of its attachments including the staff report for the record as Exhibit 1.
2. Move that the Board amend the Martin County Zoning Atlas to change the zoning district on the subject ±3,411 acres of land from the LI (Limited Industrial), AR-5A (Agricultural Ranchette 5-acre), and A-2 (Agricultural) Zoning Districts to the PMUV (Planned Mixed-Use Village) Zoning District.

ALTERNATIVE RECOMMENDATIONS

1. Move that the Board continue the item to a future date certain.
2. Move that the Board deny the requested change of the zoning district.

FISCAL IMPACT:

RECOMMENDATION

Staff time.

Funding Source	County Funds	Non-County Funds
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Application Fee		\$6,100
Subtotal		
Project Total	\$6,100	

ALTERNATIVE RECOMMENDATIONS

Staff time.

DOCUMENT(S) REQUIRING ACTION:

- Budget Transfer / Amendment Chair Letter Contract / Agreement
 Grant / Application Notice Ordinance Resolution
 Other: