



Legislation Details (With Text)

File #: 23-0829
Type: Public Hearing Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 6/6/2023 **Final action:** 6/6/2023
Title: PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR THE MARTIN COUNTY FIRE RESCUE STATION #14 PROPERTY (I007-006)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Resolution to Approve (Martin County Fire Rescue Station #14 Property Rezoning), 3. Application Materials.pdf, 4. Legal Ad, 5. Letter to Surrounding Property Owners.pdf, 6. Property Owner Search Certification, 7. Property Owner Mail Certification, 8. 2023_0522_I007-006_Sign_Certification_and_Posting.pdf, 9. Resolution to Deny (Martin County Fire Rescue Station #14 Property Rezoning), 10. Staff Presentation

Date	Ver.	Action By	Action	Result
6/6/2023	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT CLASSIFICATION FOR THE MARTIN COUNTY FIRE RESCUE STATION #14 PROPERTY (I007-006)

EXECUTIVE SUMMARY:

This is a request by the Board of County Commissioners for a proposed amendment to the county zoning atlas for the Martin County Fire Rescue Station #14 property. The proposed amendment is to change the existing Planned Unit Development (PUD) zoning district classification to PS-1, Public Service District or the most appropriate district. The subject site is approximately 7.5 acres and is currently part of the Indian River Plantation PUD located on the north side of NE Ocean Boulevard approximately 300-feet west of NE MacArthur Boulevard, on Hutchinson Island. Included is a request for a Certificate of Public Facilities Exemption.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Allison Rozek
Title: Principal Planner

REQUESTED BY: Martin County Board of County Commissioners

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The Indian River Plantation Planned Unit Development (PUD) Agreement was approved on January 18, 1977. The subject parcel is part of the Indian River Plantation PUD. The property is designated Institutional-General on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The site is currently zoned PUD, compatible with the Institutional-General future land use designation and therefore, does not require a mandatory rezoning. The following summarizes the history associated with the Indian River Plantation PUD and the subject property.

- ♦ The Indian River Plantation PUD was adopted in the 1970's. To date, there have been 18 approved amendments to the PUD/Master Site Plan and many subsequent final site plan approvals/amendments, over the last 50 years.
- ♦ The PUD is fully built out. Most of the uses within the PUD are residential and commercial including a hotel complex, condominiums, gas station, commercial store, and former bank/office buildings. The institutional uses within the PUD include the former Martin County Sewer Treatment Plant and the recently constructed Martin County Fire Rescue Station #14.
- ♦ In June 2020, during the final site plan approval process for the Fire Rescue Station #14, it was recommended by staff that property owned by Martin County (including the Fire Rescue Station #14 property) be removed from the Planned Unit Development (PUD) and rezoned to PS-1, Public Service District, a more consistent zoning district.
- ♦ The private-sector submittal of a development application to amend the Indian River Plantation PUD and Revising the Master/Final Site Plans for redevelopment of a commercial parcel presented the county with the opportunity to facilitate the rezoning of our property.

There are currently two standard Public Service Districts available to implement the Institutional-General land use policies of the CGMP, which are PS-1 and PS-2. A third option available is a Planned Unit Development (PUD). The PUD district offers more design flexibility to applicants for proposed projects. In exchange the PUD district requires additional benefits to the County and more controls by the County.

This item will be heard by the Local Planning Agency on June 1, 2023, and the recommendation will be provided to the Board of County Commissioners for their consideration.

The following supporting materials are provided attached to this agenda item:

1. Staff Report
2. Resolution to Approve
3. Application Materials
4. Legal Ad
5. Property Owner Search Certification
6. Property Owner Mail Certification
7. Sign Posting Affidavit
8. Staff Presentation
9. Resolution to Deny

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy 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 that is 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 and all attachments including the Staff Report as Exhibit 1.
2. Move that the Board adopt the resolution to change the existing PUD zoning classification for the Martin County Fire Rescue Station # 14 property to PS-1, Public Service District.

ALTERNATIVE RECOMMENDATIONS

None

FISCAL IMPACT:

RECOMMENDATION

Recording and advertising fees TBD.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|--|---|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Resolution | |

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