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CPA 13-5, Chapters 1, 2 and 4. Chapter 1 as provided in Supplement 25 by Muni Code is the base document for proposed changes shown below. Stricken text below is proposed for deletion. Underlined text is proposed for addition. Prepared following the Board of County Commissioners April 16, 2013 public hearing.


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<tr>
<th>Adopted:</th>
<th>February 20, 1990</th>
<th>By Ordinance No. 373</th>
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<tbody>
<tr>
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<td>September 12, 1995</td>
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Acronyms used in this chapter:

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Definition</th>
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<tbody>
<tr>
<td>BEBR</td>
<td>Bureau of Economic and Business Research (University of Florida)</td>
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<tr>
<td>CGMP</td>
<td>Comprehensive Growth Management Plan</td>
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<tr>
<td>F.A.C.</td>
<td>Florida Administrative Code</td>
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<td>F.S.</td>
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<td>PUD</td>
<td>Planned Unit Development</td>
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Section 1.1. - Purpose
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**COMPREHENSIVE GROWTH MANAGEMENT PLAN**

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Section 1.1. - Purpose

The Martin County Comprehensive Growth Management Plan (CGMP) has been prepared pursuant to Florida Statutes (F.S.) Chapter 163, "Local Government Comprehensive Community Planning and Land Development Regulation Act"; Chapter 125, County Government; and Article VIII Florida Constitution. The CGMP is a tool for implementing and strengthening the comprehensive planning process. The purpose of planning is to protect natural and manmade resources and maintain, through orderly growth and development, the character, stability and quality of life for present and future Martin County residents. The purposes of the CGMP are:

1. To implement and strengthen the comprehensive planning process, and
2. To protect and restore natural and manmade resources and maintain the character, stability and quality of life for present and future County residents, and
3. To allow only orderly growth and development that achieves the purposes listed in this subsection, and
4. To achieve and maintain conservative prudent fiscal management, and
5. To set out goals, objectives, policies, and procedures Martin County has adopted and to require that they be strictly followed when conducting the county’s business.

In furtherance of these purposes the more restrictive requirements of this chapter and of the overall goals, objectives and policies of Chapter 2 shall supersede other parts of this Plan when there is conflict.

Section 1.2. - Scope

Martin County has been proclaimed a 'Sustainable County' by the state land planning agency Florida Department of Community Affairs. Sustainable means meeting the needs of the present without compromising the ability of future generations to meet their needs. Sustainability is a systemic concept, relating to the continuity of economic, social, institutional and environmental aspects of human society, as well as the non-human environment. All planning decisions made by the County shall be based upon a consideration of impacts on the ecology, quality of life, and fiscal sustainability of such actions including the long term cumulative impacts.

1.2.A. The CGMP is intended to permit Martin County to:
   1. Preserve and enhance present advantages;
   2. Encourage the most appropriate use of land, water and other resources consistent with the public interest;
   3. Overcome present handicaps; and
   4. Deal effectively with future problems that may result from the use and development of land in Martin County's jurisdiction.

1.2.B. It is further intended that, through the comprehensive planning process, Martin County can **shall**:
   1. Preserve, promote, protect and improve public health, safety, comfort, good order, appearance, convenience, law enforcement and fire prevention, and general welfare;
Section 1.3. - Legal Status

The CGMP shall have the maximum legal status not inconsistent with Florida law as provided for in F.S. Chapter 163, as amended, and all land development shall be consistent with this Plan. Nothing in this Plan is intended to deny any person due process of law or to take private property without just compensation. If any person believes that the regulations of this Plan as applied to his or her property result in a taking of the property for public use without just compensation, they may appeal for relief to the Board of County Commissioners, which may grant such relief only when, and to the extent to which, such appeal demonstrates that relief is necessary to prevent a violation of statutory or Constitutional private property rights.

Section 1.4. - Comprehensive Basis

The scope of the Comprehensive Growth Management Plan includes the following elements:

- **Chapter 1**, Preamble;
- **Chapter 2**, Overall Goals and Definitions;
- **Chapter 3**, Intergovernmental Coordination;
- **Chapter 4**, Future Land Use;
- **Chapter 5**, Transportation;
- **Chapter 6**, Housing;
- **Chapter 7**, Recreation;
- **Chapter 8**, Coastal Management;
- **Chapter 9**, Conservation and Open Space;
- **Chapter 10**, Sanitary Sewer Services;
- **Chapter 11**, Potable Water Services;
- **Chapter 12**, Solid and Hazardous Waste;
- **Chapter 13**, Drainage and Natural Groundwater Aquifer Recharge;
- **Chapter 14**, Capital Improvements;
- **Chapter 15**, Economic;
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- Comprehensive Growth Management Plan

- Chapter 16, Arts, Culture and Historic Preservation; and
- Chapter 17, Public Schools Facilities.

The Comprehensive Growth Management Plan may be amended pursuant to F.S. Chapter 163, Chapter 125, Article VIII, Florida Constitution, the requirements of this Plan, and any other applicable authority. No amendment to this Plan or development order shall be adopted which is inconsistent with any requirement of this Chapter or other goal, objective or policy of this Plan.

Amendments and development orders shall be deemed consistent with the intent of the Plan when land uses, densities or intensities, and environmental protection measures further the goals, objectives and policies of this plan. Where one or more policies diverge, the stricter requirement shall apply. Where a subject is addressed by two or more provisions of the Comprehensive Plan, all provisions apply, and the stricter provision shall prevail to the extent of the conflict. Plan policies addressing the same issue shall be considered consistent when it is possible to apply the requirements of both policies with the stricter requirements governing.

Section 1.5. - Economic Principles Assumptions and Limitations

A principal goal of Martin County is to promote balanced, orderly, sustainable economic growth by creating and promoting an economic environment consistent with Sec.1.1 above that will enhance prosperity for all communities and citizens of the County. Preparation of the CGMP. The CGMP is based on the statements of economic assumptions and limitations principles in sections 1.5.A. through 1.5.G. Our environment and quality of life are the foundations for Martin County's economy. Protecting both, while providing for orderly growth and development, is fundamental to our success in maintaining a strong and vibrant economy that is free from over development. The assumptions and limitations resulted from an analysis of past and projected future economic trends. This analysis also summarizes Martin County's role in the regional economy and identifies the major advantages and opportunities of the local economy.

1.5.A. Area-wide economic role. The analysis suggests that Martin County's economic base will continue to diversify and its labor market will continue to expand. Population growth and the expansion of transportation options in the region will greatly enhance the County's economic potential. Manufacturing is expected to become an increasingly significant portion of the economic base. Although the relative economic significance of Martin County's agriculture is falling, it is expected to maintain its prominent regional role. Finally, based on population growth and the County's ability to attract targeted businesses, the construction industry should maintain its share of the economic base, though employment in this industry will continue to fluctuate with changes in the local, regional and national economies.

1.5.A. Martin County shall provide for fairness, efficiency and predictability in its actions in order to provide a healthy business climate. All future amendments or development orders related to economic development, in addition to all other amendments and development orders, must be consistent with this chapter and the goals, objectives and policies of this Plan.

1.5.B. Personal income. Given the location, natural amenities and economy of the Martin County area, it is expected that the level of personal income will continue to rise in the region and will continue to exceed the state and national averages.

1.5.B. A high quality public school system is essential to quality economic growth and should be encouraged. The County shall continue to work with the School Board to coordinate expected population growth and school capacity and to assure that growth is managed so that it does not cause or contribute to overcrowded or inadequate schools.

1.5.C. Employment. The County's employment base is anticipated to continue to reflect the County's role in the area-wide economy, as defined in subsection 1.5.A. The major employment generating activities are retail trade and services, healthcare, construction, manufacturing, and accommodation...
and food service. The use of consistent and objective economic indicators is required to measure the County's economic well being.

1.5.D. Water resources. Protection of the quality of life and the environment in Martin County is a critical factor in economic growth and sustainability. Potable water is viewed as a limited resource over the long-range planning period; therefore, economic activities will be encouraged that require a minimal drain on water resources. The CGMP includes Martin County shall maintain a long-term commitment to improve land and water management plans and practices and to protect and restore environmental resources. All development shall recognize that potable water is a limited resource and that the most economical source is water from the surficial aquifer. Failure to protect either the shallow aquifer or the Floridan aquifer from excess water withdrawals and pollution can affect future growth and sustainability and can negatively impact natural resources. The County will use its land use authority under Chapter 163 F.S. to protect water resources.

1.5.E. Local fiscal capacity. Martin County is beset with significant fiscal limitations. The CGMP and the planning process are to be used as a policy tool for managing short-term and long-term growth pressures and resource conservation needs the conservation of natural resources. Fiscal conservativism. Conservative fiscal policies should be a major public value consideration underlying the development review process to assure that (1) funding for adequate public facilities is available concurrently with approval of new development and (2) County policies facilitate efficient and cost-effective provision of services. The County shall formulate and carry out fiscal management policies and practices including the imposition of impact fees, if needed appropriate to assure such fiscal conservatism.

1.5.F. Coordination of public and private development decisions. It is expected that Martin County will continue to coordinate with the private sector in determining the appropriate location, timing, scale and intensity of development. Economic development proposals shall continue to be reviewed in terms of the goals, objectives and policies set forth in the Economic Element. They shall aim to provide for a variety of economic opportunities and public services, compatibility with the natural environment and compliance with existing and proposed ordinances designed to carry out these objectives.

1.5.G. External factors. It is anticipated that the County's economy will continue to be affected by external factors that are uncontrollable at the local level. These factors produce uncertainty and lead to fluctuations in levels of unemployment and income. External factors include the:

1. National economy, including the cost-of-living index;
2. Gross national product and other economic performance indicators;
3. Unexpected long-term or short-term shortages in natural resources; and
4. Unanticipated technological changes that make some economic enterprises less competitive or obsolete.

The impact of these external factors will limit the County's ability to achieve desired economic policies.

Section 1.6. - Consistency of Elements and Policies

All elements of the CGMP shall be consistent and coordinated with policies of other local governments; the Martin County School Board; Treasure Coast Regional Planning Council; South Florida Water Management District; state and federal governments; and other public agencies charged with significant responsibilities for land management and resource conservation. The County may adopt provisions that are more restrictive than those of other local governments and regional, state and federal agencies.
Section 1.7. - Supporting Data

The CGMP shall be based on analysis of the best available data regarding past trends, existing characteristics and future projections of the County’s population, housing, land use and economic and natural resources. These data shall be maintained as public information filed in the Growth Management Department. The data shall be updated as required by state statute, and local ordinance, and shall include objective economic indicators listed in Section 2.2., CGMP, or Board of County Commission direction.

Various elements of the CGMP - such as Future Land Use, Housing and Capital Improvements - are directly based on population data. The appropriate resident and seasonal population figures are critical to the local government in assessing future needs for housing units, the adequacy of housing supply, and the need for services and facilities.

1.7.A. Population estimates. Assumptions used in the CGMP are based on Martin County population estimates and projections. These in turn are based on the University of Florida's Bureau of Economic and Business Research (BEBR) estimates and projections. The BEBR, which updates the projections annually, is the official State of Florida source of data for population estimates and projections.

Florida Administrative Code (F.A.C.) Chapter 9J-5 contains the minimum criteria for review of local comprehensive plans. It requires such plans to be based on resident and seasonal population estimates and projections. Various elements of the CGMP - such as Future Land Use, Housing and Capital Improvements - are directly based on population data. The appropriate resident and seasonal population figures are critical to the local government in assessing future needs for services and facilities.

The following standards shall be used in calculating population projections through a Population Technical Report adopted annually by the County Commission:

1. Methodology must be clear and available for public review. Any change in methodology must be approved by the county commission prior to the preparation of the report.

2. Unless there is clear evidence to the contrary, the Office of Economic and Demographic Research University of Florida's Bureau of Economic and Business Research (BEBR) medium population projections for Martin County shall be used. BEBR provides estimates for permanent population. The permanent population shall be as defined and calculated by BEBR and the U.S. Census.

3. Municipal permanent population shall be subtracted from total county permanent population to arrive at the estimate for total permanent population for the unincorporated area.

1.7.B. Future housing unit need estimate. Estimates of future housing needs are based on expected increases in permanent population as determined in 1.7.A. and on all of the following:

1. The need for future residential housing units in the unincorporated area shall be based on the percentage increase in permanent population projected by the Population Technical Memorandum based on BEBR and the U.S. Census.

2. Occupied housing units (HO) are defined by the census as those housing units in use by permanent population. Vacant seasonal housing units (HS) are defined by the census as those residential units that are seasonally occupied by residents who spend less than 6 months of the year in Martin County.

3. Peak population in residential housing is served by housing units in actual use (HU).

Housing units in use (HU) equals the occupied units (HO) plus vacant seasonal housing (HS).

$$ HU = HO + HS $$
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(4) Vacant housing not in seasonal use shall not be used in calculating housing unit demand, but shall be used in calculating supply. Hotel/motel units shall not be used in calculating housing need.

(5) The increased need for housing units in a future period shall be determined by dividing the future permanent population for the unincorporated area (FP) by the permanent population for the unincorporated area for the most recent census year (CP).

\[ \frac{FP}{CP} = \text{increased demand} \]

(6) This percentage increase in demand (FP/CP) multiplied by the housing units in actual use (HU) in the most recent census year equals the projected housing unit need in the future period.

\[ \frac{FP}{CP} \times HU = \text{future housing units needed} \]

1.7.C. Residential Capacity calculations. Residential capacity represents the capacity for residential development within the two urban service districts to meet the projected population needs for the 15 year planning period. The calculation of residential capacity within the urban service districts shall include:

(1) Vacant property that allows residential use according to the Future Land Use Map. The maximum allowable density shall be used in calculating the number of available units on vacant acreage. Vacant platted single family or duplex subdivision lots eligible to pull building permits shall not be counted as vacant acreage, but shall be included in (2) and (3) below.

(2) Vacant buildable single family or duplex lots of record as of 1982 developed prior to the County’s tracking of development approvals.

(3) Vacant single family or duplex lots of record platted after 1982.

(4) Potential for residential development in Mixed Use overlays.

(5) Multifamily residential site plans with final approval shall be counted as vacant property under Section 1.7.C.(1) above until such time as COs are issued. Where COs are issued for a portion or phase of a final site plan, appropriate acreage shall be removed from the vacant land inventory. Appropriate acreage shall be the same percentage of the project acreage as the number of units with COs is to the total number of units for the final site plan.

(6) Excess vacant housing not in use by permanent or seasonal residents. Excess vacant housing is a vacancy rate higher than 3% of the housing in actual use.

1.7.D. Peak and weighted average population for LOS determination. Peak and weighted average population for LOS determination in ch 14 shall be calculated as follows:

(1) Permanent population for the unincorporated area including prisoners and group homes, shall be derived from BEBR.

(2) Seasonal population for the unincorporated area shall be determined by multiplying seasonal vacant residential units by the person per household number.

(3) Hotel motel population for peak season for the unincorporated area shall be determined by using hotel occupancy data and hotel bed tax collections to estimate the number of vacationers.

(4) Permanent population plus seasonal population plus hotel motel peak season population shall equal the peak population for the unincorporated area for LOS determination.

(5) The weighted average population assumes that five months of the year are peak population months and weights the permanent and peak populations accordingly to produce the weighted average population estimates. This is done by multiplying the appropriate permanent population by seven, and the appropriate peak population by five, and dividing the total by twelve.
1.7.E. Every five years the staff shall analyze previous projections to determine the accuracy of the methodology and improve on it for future projections.

Section 1.8. - Continuing Evaluation

Consistent with F.S. Section 163.3191, the Martin County Growth Management Department shall prepare periodic reports on the CGMP as required in Section 1.8.A. on the effectiveness and adequacy of the CGMP. These evaluation and appraisal reports shall be reviewed by the Local Planning Agency and submitted to the Board of County Commissioners at least every five years beginning in 2016 for review and adoption of any changes deemed necessary by the County Commission. An Evaluation and Appraisal Report (EAR) shall be completed within one year of the availability of new population information from the US Census. Within 12 months of the completion of any EAR, the Commission shall adopt any CGMP amendments that, in its judgment, are required to resolve any conflicts or concerns identified in the report such as failures to achieve planning goals or to appropriately respond to new information.

1.8.A. Criteria for continuing evaluation of CGMP elements. The following criteria shall be used in evaluating the effectiveness of each element of the Comprehensive Growth Management Plan:

1. Review of the impact of change indicators for each plan element. Major shifts in the magnitude, distribution and/or characteristics of population, housing, land uses, natural resources, public facilities, consumer demand/supply and capital and infrastructure pressures shall serve as indicators of change in public needs as defined in the CGMP. The policy implications of major changes in distribution or characteristics of population, housing, land uses, natural resources, public facilities, consumer demand/supply and capital and infrastructure needs demand and supply indicators shall be evaluated continuously and shall serve as indicators of changes in public needs. The County shall establish or refine appropriate public policies and strategies shall be established and/or refined as needed to remain responsive to evolving problems and issues reflected by significant shifts in economic, social and physical change indicators. By Jan 1, 2014, staff shall present to the Commission a list of objective indicators and data sources for each element of the Plan. The report shall include necessary additions to county computer programs and input systems to assure continuously updated data on these indicators. Following adoption of this management tool, annual reports shall be made on changes in indicators. The Commission shall approve or amend the annual reports at a public hearing in order to assure that best available data are being used in planning decisions. Data shall include the objective economic indicators listed in Section 2.2.GMCP.

2. Scheduling, budgeting and implementation of programmed activities. The timely scheduling, budgeting and implementation of activities identified in the individual elements shall be evidence of the County’s effectiveness in executing a systematic program for implementing the adopted goals, objectives and policies that comprise each element of the CGMP. In addition to including review results in the EAR, County staff shall prepare and submit to the Board of County Commissioners an annual report on which planned activities have been implemented and which have not.

3. Coordination with the public and private sectors. While continually implementing and evaluating the CGMP’s policies and programs, the County shall maintain a system of intergovernmental coordination as well as coordination with various the full range of private sector interests concerned with growth management and resource conservation. The effectiveness of this approach shall be evaluated based on the success of coordination and communication processes in resolving growth management and resource conservation problems and issues. The County Administrator shall be responsible for maintaining this system, devise and publish procedures and plans for the flow of information, lines of authority and responsibilities of all County departments, commissioners, committees and advisory bodies. These procedures and plans shall be updated consistent with this section of the CGMP. In addition to including review
results in the EAR, County staff shall prepare and submit to the Board of County Commissioners an annual report on what has worked and what has not worked in intergovernmental coordination.

(4) **Effective resolution of growth management and resource conservation problems and issues.** The effectiveness of the CGMP elements shall be measured by the County's success in accomplishing its goals, objectives and policies consistent with the requirements of this chapter. The CGMP incorporates a systematic planning process for identifying evolving problems and issues in growth management and resource conservation, generating alternative policy solutions, implementing corrective actions and creating numerous opportunities for continued communication.

### Section 1.9. - Public Participation

The Local Planning Agency and the Board of County Commissioners shall continue to provide for public participation in the comprehensive planning process. The County shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public hearings with open discussion, communications programs, information services and consideration of and response to public comment. Unless prohibited by law, the public shall have the right to speak and to ask questions at all meetings and workshops of the County Commission and the LPA at which amendments to the CGMP or Land Development Regulations or the approval of Development Orders are being considered. The Commission may, by resolution, set reasonable time limits on presentations by each speaker.

For Future Land Use Map changes, text changes to the CGMP applicable to a single property, or zoning changes, in addition to the notice requirements of state law and other elements of this Plan, signs shall be placed in the right of way and notice shall be as provided for a zoning district change. All published notices shall provide sufficient information for the public to understand the meaning and impact of the amendment.

Where a material change is made in the amendment or any change is made which would increase the impact of the amendment, new notification and advertising shall be required prior to any public hearing on a vote on the amendment to reflect such change. A material change includes any change to the allowable uses, densities or intensities, development standards, extent of development allowances or infrastructure or preservation requirements, deadlines for payment of fees, completion of work or similar substantive matters, or other substantive aspect of development that may increase the impact of the amendment, including those related to financial obligations.

### 1.9.A. Citizens Planning Bill of Rights

This section establishes additional requirements for Future Land Use Map Amendments in Martin County. All Comprehensive Plan Amendments related to FLUM changes shall comply with the following requirements:

**Citizen Participation** - Developers must notify by mail and newspaper impacted property owners and neighborhood associations within 1000 feet of the development site boundaries as required for development applications by the Land Development Regulations. For projects outside the Urban Service Districts, the distance required for notification shall be 2,500 feet. The Growth Management Department shall verify that proper notification and advertising occurred as required by the LDRs.

**Neighborhood Participation** - Notice shall be given of the application to any neighborhood association representing landowners or residents within 1000 ft. of the subject property. For projects outside the boundaries of the urban service districts, the distance required for notification shall be 2500ft.
Seven Day "Cooling Off" Period - Plan amendments cannot be changed in the seven (7) business days prior to any advertised public hearing. This will allow the citizens, commissioners and others to fairly evaluate the document. If the Plan Amendment is revised within that period, the hearing will be postponed unless the County, the applicant and all members of the public who have submitted oral or written comments upon the amendment, agree otherwise.

1. Any material changes to a proposed Plan Amendment must be submitted and made available to the County, the applicant and the public at least seven (7) business days prior to the hearing at the adoption stage.

2. Staff recommendations shall be available to the public at least five (5) business days prior to any advertised public hearing related to a FLUM amendment.

Section 1.10. - Plan Implementation

After adoption of this Plan and subsequent amendments, all development and use of land shall be consistent with its goals, objectives, performance standards, policies and programs, including the requirements of this Chapter. This Plan shall be amended only adopted by ordinance and shall supersede the 1990 Comprehensive Plan and all related amendments. In addition, this Plan shall be implemented through:

(1) Execution of the Board of County Commissioners' lawful responsibilities, including those delegated to administrative and quasi-judicial boards and commissions appointed by the Board;

(2) Execution of lawful administrative responsibilities of the County Administrator and County staff consistent with ordinances and resolutions adopted by the Board of County Commissioners whose ordinances and resolutions must be consistent with the goals, objectives and policies of the CGMP and this chapter. Where conflict exists, the stricter requirements shall govern;

(3) Voluntary coordination with other local governments; the Martin County School District; Treasure Coast Regional Planning Council; South Florida Water Management District; state and federal agencies; and other relevant agencies concerned with growth management and natural resource conservation; and

(4) Voluntary and cooperative actions with private and public interests intent on fulfilling the purpose and intent of the CGMP.

For the purposes of the CGMP, the term “development” shall have the broadest definition of the term authorized by Florida law including the carrying out of any building activity or mining operation, clearing of native vegetation, the making of any material change in the redevelopment or modification of an existing use or appearance of any structure or land which creates additional impacts, and the dividing of land into three or more lots, tracts or parcels (including planned unit developments).

Remodeling, renovation or restoration of improved real estate to a former, better condition (as by cleaning, repairing or rebuilding) that does not increase or change the use, building height or building square footage located or permitted upon of the property shall be exempt from the requirements of this Plan. Any other proposed manmade change to improved real estate shall meet the requirements of this Plan, but only to the extent of such manmade change.

Section 1.11. - Amendment Procedures

1.11.A. Scope of eligibility. The amendment process may be initiated by any person or organization, including the federal government, State of Florida, Martin County, any municipality in Martin County and any of their agencies, authorities and departments.
For any FLUM amendment and for a text amendment which changes an allowable use of land for a specific parcel, proof of ownership of the property subject to the request must be supplied. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property. Only the owner of the subject property or the Martin County Commission can apply for a FLUM amendment. Proof of ownership must be provided for any amendment application, for any application for development order, and for any application for a Planned Unit Development, to be deemed complete. The applicant must provide the names and addresses of each and every person with any legal or equitable interest in the property, including any partners, members, trustees, and stockholders and every person or entity having more than a 5% interest in the property or proposed development. This shall not apply to companies that are publicly traded. Any amendment, development order or Planned Unit Development which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and may be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.

Within one year of the effective date for the ordinance adopting this amendment Martin County shall adopt land development regulations implementing Section 1.11.A.

1.11.B. Application. Any request for amendments to the CGMP shall be submitted to Martin County between September 1 and September 30 of each year. Such requests shall be made by filing an application on a form prescribed by the Growth Management Director. If a Plan amendment requires changes to the Capital Improvement Element, those CIE changes must be proposed, reviewed and adopted as part of the amendment. Any applicant requesting a change to the Future Land Use Map shall notify surrounding all property owners within 1000 feet and erect a sign or signs, as required for development applications by the Land Development Regulations. For projects outside the urban service districts, the required distance for notification shall be 2500 feet.

Applications that are found by the Growth Management Department to be unclear or incomplete may be supplemented on or before October 15. Applications not complete by October 15, will be returned to the applicant and can only be considered if resubmitted as a new application in a subsequent September application window. Fees will be returned to any applicant who asks to withdraw an application before November 15. The Martin County Board of County Commissioners or the Local Planning Agency may, by resolution, at any time, initiate a request to amend the CGMP. Because of the importance of evaluating cumulative impacts, Plan amendment applications will be allowed only once a year as provided above. However, the following exceptions may apply:

1) Plan amendments that have statutory process mandates shall be reviewed as required by state law.
2) The County Commission may, by ordinance, set a process and a date for initiating necessary County amendments to the Capital Improvement Element.
3) The Martin County Board of County Commissioners may, by resolution, at any time, initiate a request to amend the CGMP. County initiated amendments shall have their own timetable and need not be considered at the once a year hearings for private amendments. Any such amendment shall be for a public purpose.

1.11.C. Procedure upon application.

1) The Growth Management Director shall prepare a list of all CGMP amendment applications received by Martin County, specifying the nature of the application and the stated reasons for requesting the proposed amendment. These listings shall be submitted to the Local Planning Agency on or before December 15 and shall be made available to the public at the same time.

2) For the purpose of preparing a recommendation, the Growth Management Director shall consult, as may be appropriate, with other personnel from Martin County; the federal government; the State of Florida; any municipality in Martin County or any of their agencies,
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authorities or departments; or any person or organization. The Growth Management Director shall also consider and evaluate any information that may have been presented by the public. Other information may be used if it is determined to be the best available information. In filing recommendations for the proposed amendment(s), staff is guided by recommendations shall be consistent with this chapter and with the goals, objectives and the policies established in applicable sections of this Plan, as well as by good planning principles, and other appropriate information.

In evaluating each Future Land Use Map amendment request or a text amendment request which changes an allowable use of land for a specific parcel, 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 it is consistent with all other elements of this Plan, and at least one of the following four situations has been demonstrated by the applicant found to apply exist:

(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 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

(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

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

(d) The proposed change is a County initiated amendment that would fulfill a public service facility deficiency need that enhances a County facility that provides for the health, safety or general welfare of County residents and cannot otherwise be adequately provided in a cost effective manner at locations where the proposed land use is currently consistent with the CGMP.

If staff cannot make a positive finding regarding any of the items in (a) through (d), along with a determination of consistency with all Plan goals, objectives and policies and the requirements of this chapter, staff shall recommend denial.

(3) The Growth Management Director shall submit recommendations to the Local Planning Agency at least five business days prior to the public hearing before the Local Planning Agency when the specific CGMP amendment requests are scheduled. The recommendations shall refer to each application specifically or as combined with other similar applications and shall consider all comments, information and recommendations received in accordance with subsection 1.11.C.(2) and Section 1.9 of this chapter.

The recommendations of the Growth Management Department are not necessarily limited to specific applications but may deal with any aspect of the CGMP. The Local Planning Agency shall hold one or more public hearings on the applications. Notice for the first public hearing shall be made in accordance with the requirements of Chapter 163, Florida Statutes and subsection 1.11.B. and 1.9 of this section chapter. No additional public notice shall be required for subsequent public hearings of the Local Planning Agency, provided that the date and time are announced at a prior hearing and are posted on the County website on the second business day following the decision.
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(4) The Local Planning Agency shall provide its recommendations on the proposed amendments to the CGMP, to the Board of County Commissioners on or before April 1. All private Plan amendments submitted in the Sept 1 to Sept 30 time frame must be acted on and submitted as a group. The LPA must act on an amendment if it is requested to do so by the applicant. Those amendments that are not acted on by the LPA are considered withdrawn and may not be considered unless submitted as a new application in a subsequent September application period. The recommendation of the LPA must be consistent with this chapter and with all goals, objectives and policies of the CGMP and provide a finding that one of the three situations in (2)(a) through (c) above applies. The LPA recommendation must address questions of consistency raised by the public. The recommendation of the LPA shall be posted on the County website on the second business day following the decision.

1.11.D. County Commission action.

(1) On or before April 30, the Board of County Commissioners shall hold one or more public hearings to consider transmittal of the applications for amendments to the CGMP to the State Planning Agency Florida Department of Community Affairs (DCA) and required reviewing agencies. After the public hearing(s) the applications approved by a majority vote, or super-majority, if required, of the Board shall be transmitted to the Florida Department of Community Affairs state planning agency for review.

A super-majority of four votes shall be required for all Plan amendments regarding critical issues as listed in 1.11.D.6. Any approval of a proposed amendment to the CGMP which involves one or more of the Comprehensive Plan critical issues listed below shall require four votes for transmittal and for adoption. All other amendments shall require three votes for transmittal and for adoption. Approval by the LPA shall require only three votes. Approval for transmittal is not simply a procedural step and approval shall not be based on an expectation of changes to the application after transmittal. No amendment shall be approved for transmittal that is not consistent with all goals, objectives and policies of this Plan and with this chapter.

Notice for the public hearing(s) shall be made in accordance with the requirements of Chapter 163, F.S. and subsection 1.11.B. No additional public notice shall be required for subsequent public hearings of the Board of County Commissioners, provided the date and time are announced at a prior hearing and posted on the County website on the second business day following the hearing. As required by Sec. 1.9, where a material change is made in the amendment or any change is made which would increase the impact of the amendment, additional notification and advertising shall be required prior to any public hearing on a vote on the amendment to reflect such change. Amendments approved for transmittal shall be posted on the County website on the second business day following the transmittal hearing.

(2) The Board of County Commissioners shall take final action on applications for amendments to the CGMP as required by Section 163.3184(7), F.S. by Florida Statutes and this Plan, subject to the additional super-majority vote on critical issues required by 1.11.D(6) below. All Plan amendments submitted in the Sept 1 to Sept 30 time frame must be acted on and submitted as a group. Final action on amendments shall be based on best available data available at the time of the final adoption hearing. Those amendments that are denied or not acted on by the County Commission are considered withdrawn and may not be considered unless submitted as new applications in a subsequent September application period.

The public hearing(s) to adopt amendments to the CGMP shall follow the notice requirements of Chapter 163., F.S. and subsection 1.11.B. This process may require continuance of public hearings and multiple hearing dates which shall be posted on the County website on the second business day after the hearing where a continuance is announced. As required by Sec. 1.9, where a material change is made in the amendment or any change is made which would
increase the impact of the amendment, the amendment shall be re-advertised in accordance with Florida Statutes and this Plan prior to any public hearings on the amendment. The final action shall be posted on the County website on the second business day following adoption.

(3) All amendments to the CGMP shall be enacted by ordinance upon a vote of the majority of the total membership of the Board of County Commissioners then in office, except as provided in 1.11D (6) below. For critical issues listed in 1.11.D.6, three votes shall be required for local Planning Agency approval on critical issues. All other amendments shall require three votes for transmittal or adoption.

(4) The decision to amend or not to amend the CGMP is a legislative matter for the broad discretion of the Board of County Commissioners. A decision on whether or not to amend, and thus to maintain the CGMP will be valid as long as it is a fairly debatable decision - that is, a decision based on reasoning that makes sense and with which reasonable people could agree or disagree.

The guidelines requirements for staff reviews and recommendations provided in subsection 1.11.C.(2) of this section and a factual finding of consistency with those requirements and all goals, objectives and policies of this Plan, are a condition of approval for a comprehensive plan amendment are intended for use only by staff in reporting to the Local Planning Agency and the Board of County Commissioners on an application to amend this Plan. The guidelines are not to be construed in any way as a limit on the legislative judgment of the Board of County Commissioners in deciding whether or not to amend the future land use map, but do not create an entitlement to the approval of a comprehensive plan amendment. Reviews, findings, and recommendations for findings of fact on individual amendments shall consider the cumulative impact of that amendment, all other amendments being considered during the application period, and whether approval would be used to support approval of a similar amendment in the future, or amendments to support land uses complementary to the amendment under consideration in the future. A proposed Comprehensive Plan amendment shall not supersede or repeal an existing more restrictive provision of this Comprehensive Plan unless it expressly identifies and expresses the intent to repeal or supersede the existing provision and provides text language to do so. All amendments shall be by ordinance, which shall state that "to the extent that this ordinance conflicts with special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, and other parts of the Martin County Comprehensive Growth Management Plan, the more restrictive requirement shall govern." The Board as well as the Local Planning Agency may look to these guidelines in explaining the debatability of its action, but it is not bound by them, and it may, consistent with law, base its action on an amendment on any fairly debatable rationale.

(5) Applications which are withdrawn during the approval cycle will not be heard unless submitted as a new application in a subsequent September application period. Applications that do not receive final action in the current approval cycle are considered withdrawn. Fees are forfeited for all applications withdrawn after November 15th following the September submittal. Applications that have not received final action due to the action of the applicant within 18 months from the date that the Growth Management Department has determined the application is sufficient shall be considered withdrawn.

(6) Super-Majority Requirement. Any approval by the County Commission of a proposed amendment to the CGMP which involves one or more of the Comprehensive Plan critical issues listed below shall require four votes for transmittal and for adoption. All other amendments shall require three votes for transmittal and for adoption. The issues to which the super-majority of four votes applies are as follows:

(a) Any amendment which increases the maximum building height limit of four (4) stories or the maximum building height limit of 40 feet and any amendment which allows any land use to be exempt from the four story or from the 40 ft. height limit.
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(b) Any amendment to the CGMP that allows more than 15 units per acre in any land use, or any text amendment that increases the maximum units per acre for any residential land use designation or allows commercial or industrial uses within a residential land use designation without a future land use map amendment (FLUM).

(c) Any amendment which:

1) Expands the urban service district, or
2) Allows urbanization of areas outside the urban service district, specifically including, but not by way of limitation, proposals that would:
   (i) increase the density on any property outside of the urban service district
   (ii) create a freestanding urban services district
   (iii) allow clustering in Agricultural Ranchette or Agricultural land use outside the urban service district. Clustering in Agricultural Ranchette is any plan which allows lot sizes of less than 5 acres. Clustering in the Agriculture land use is any plan that allows lots sizes of less than 20 acres.
   (iv) allow a future land use map change or text change which allows residential densities of more than 1 unit per 20 acres or allows lot sizes of less than 20 acres outside the urban service district.
   (v) allow a future land use map change or text change which allows or expands commercial or industrial use outside the urban service district
   (vi) extend urban infrastructure, facilities, or utilities or allow package plants outside the primary urban service district.

(d) Any amendment that would:

1) increase negative impacts to the St. Lucie Estuary (including the Indian River Lagoon) by increasing runoff volume or peak inflows, increasing nutrients or adding toxic pollutants, or
2) increase negative impacts to the Loxahatchee River by decreasing dry season flows, increasing nutrients or adding toxic pollutants, or
3) adversely affect the water supply of existing home, business and natural systems users, or
4) decrease flood protections for homes and businesses.

(e) Any amendment that lessens the requirements to protect all wetlands or expands the limited exceptions as outlined in Chapter 2, Policy 2.2A.2.

(f) Any amendment that lessens the requirement that growth shall pay its proportionate share of the capital improvements needed to address the impacts of such development and shall not result in increased costs to existing taxpayers and ratepayers.

(g) Any amendment that lessens the requirement that all development shall meet the concurrency requirements of this Plan. No sub area exceptions shall be added without a super-majority vote.

(h) Any amendment to the text of the CGMP which applies only to a single property. This includes any text amendment which has the effect of changing the land use for a single property.

(i) Any amendment that changes this provision regarding a super-majority Commission vote shall be deemed a critical issue and shall require a super-majority of four votes of the Commission.

1.11.E. Amendment of the Capital Improvements Element. According to F.S. Section 163.3177(3)(b), the Capital Improvements Element shall be reviewed annually and modified as necessary to ensure
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the adequate provision of facilities and services necessary to serve development with public facilities based upon dedicated funding sources, in accordance with F.S. Section 163.3187. However, certain items changes may be accomplished by ordinance: corrections, updates and modifications concerning costs; revenue sources; acceptance of facilities pursuant to dedications that are consistent with the CGMP; or the date of construction of any facility enumerated in the Capital Improvements Element. Actions Changes accomplished by ordinance shall not be considered amendments to the CGMP. However, all such changes shall be included in the annual amendments to the CIE so that the Element will remain current and accurate.

1.11.F. Transmittal of plan amendments. According to F.S. Section 163.3184(4), portions of a plan or plan amendment cannot be transmitted to the state planning agency Department of Community Affairs; only the elements proposed to be amended along with the complete amendment shall be transmitted to the state land planning agency Department of Community Affairs. All Plan amendments shall include any changes to the Plan necessary to provide consistency with all Plan goals, objectives and policies and the requirements of this chapter. If an amendment results from an evaluation and appraisal report, a copy of that report shall be transmitted with the amendment. All proposed plan amendments shall be consolidated into a single submission for a single annual each of the two plan amendment adoption process times during the calendar year. This shall not apply to County initiated amendments which can be submitted at any time or to plan amendments whose timetable is controlled by state statute. A copy of the proposed CGMP amendments shall also be transmitted to any other unit of local or state government that has filed a written request.

1.11.G. Consideration of economic reports, appraisals and other technical information. No economic reports or studies, real estate appraisals or reports, and/or written reports of consultants or other experts in support of an amendment application shall be considered by either the Local Planning Agency or the Board of County Commissioners unless filed with the Growth Management Director at least 14 days prior to the first public hearing conducted by the Local Planning Agency. This provision may be waived by a vote of the Board of County Commissioners if any interested party demonstrates that an injustice will occur and sufficient time is provided for all parties to review and analyze the report.

1.11.H. Schedule of fees. All fees charged for filing, processing and evaluating applications requesting amendments to the CGMP shall be established by resolution of the Board of County Commissioners. In approving the resolution, the Board of County Commissioners shall consider the costs to the County of processing amendments to the CGMP.

Fees will be returned to any applicant who asks to withdraw an application before November 15. No other fees shall be returned to any applicant without a demonstration of hardship and express approval by a super-majority (four votes) of the Board of County Commissioners.

1.11.I. Exemption from fees. The Martin County Commission, the Martin County School Board, the State of Florida, the United States of America and all municipalities situated wholly within the boundaries of Martin County shall be exempt from any fee for filing, processing and evaluating an application requesting an amendment to the CGMP.

1.11.J. Implementation of amendments. To the extent necessary to implement a proposed amendment to the CGMP, changes in zoning districts shall be processed concurrently with the proposed amendment.

Section 1.12. - Vested Rights

1.12.A. Intent. Nothing in this Plan is intended to deny any person the due process of law or to take private property without just compensation. Nor does the CGMP intend to limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to F.S. Chapter 380, or who has been issued a final local development order and
development has commenced and is continuing in good faith consistent with its timetable and / or schedule of construction or activity established in the development order.

1.12.B. Status of development orders regarding nonconforming uses or nonconforming lots of record. Development orders issued regarding nonconforming lots of record and nonconforming uses existing at the time of adoption of this Plan, or existing development orders that have been made nonconforming by subsequent amendments to this Plan, shall be considered to be consistent with the provisions of this Plan if the nonconformity was created in conformance with all applicable development regulations in effect at the time the nonconformity was created. When a nonconformity is determined to be vested consistent with subsection 1.12.D. (Determinations) below, it shall vest in the same way as a conforming development.

1.12.C. Status of development orders. Development orders approved prior to the date of adoption of the CGMP or to subsequent amendments, shall be considered to be consistent with the provisions of this Plan, provided that development is continuing in good faith consistent with its approved timetable, or if no timetable exists, development is completed within one year of adoption of this Plan or the conflicting amendments. Any amendments to an existing development order, including timetable amendments, must be consistent with all elements of the CGMP, including the concurrency requirements. Any amendment to a planned unit development (PUD) timetable shall be reviewed cumulatively with other timetable amendments for that PUD phase or portion approved since the adoption of this Plan. Cumulative timetable amendments of more than five years shall not be permitted unless the phase or affected phases are consistent with all policies of the Plan in effect at the time, or portions meet all requirements of this Plan. When cumulative timetable amendments for a phase of a PUD reach 5 years, the PUD must be renegotiated and, at a minimum, must be consistent with all Plan policies in effect at the time.

Timetable extensions shall not be granted unless an application is made prior to the expiration of the approved timetable, or unless the affected phases meet all requirements of this the Comprehensive Plan in effect at the time of the request for an extension. A timetable for development is the schedule for project phasing, construction and completion as required in the ordinance under which the development was approved or by conditions of the original development approval, as amended prior to the date of adoption of this Plan and its amendments.

The Growth Management Department shall monitor development timetables for PUDs and shall, in a timely manner within 60 days, bring apparent violations to the Board of County Commissioners for consideration consistent with applicable County ordinances and/or provisions of the PUD agreement. Breach proceedings shall be initiated for any PUD that is in violation of its timetable by more than one year. Any PUD that is determined by the Board to be in breach of the PUD agreement will be required to comply with all elements of the CGMP, including the concurrency requirements.

1.12.D. Determinations. If a property owner desires to obtain a determination as to whether any rights are vested for a proposed development on his or her property, based on the action of the County or any of its commissions, agencies or departments, the property owner may request that a determination from the Board of County Commissioners by filing an application with the Growth Management Director. The application must be filed within one year of the time that the action requiring the vesting determination is taken. The Board of County Commissioners shall consider evidence presented by the applicant and recommendations of by staff and shall issue, in a timely manner, a determination by resolution with respect to the development. Such determination shall bind the County.

For purposes of this provision, the term "vested rights" shall be interpreted to include those rights obtained by a property owner who, in good faith and upon some act or omission of the government, has made such a substantial change in position or has incurred such extensive obligations and expenses that it would be highly inequitable, create an inequitable burden and be unjust to destroy the acquired right. In making its determination, the Board of County Commissioners shall assess each request solely on the particular facts relating to that case. Although the Board of County Commissioners may find that a project meets the requirements for vested rights in general, it may require that some aspects of the development...
comply with this Plan, provided that reasonable, investment-backed expectations are not unreasonably affected.

Projects may be vested from the terms of this Plan as to the design, density and/or intensity of development. However, undeveloped subdivisions, platted and unplatted lots of record, multifamily site plans, residential developments and nonresidential developments that do not meet the vested rights criteria stated above, or do not have a timetable of development approved by the Board of County Commissioners, shall not be considered vested from the concurrency requirements of Chapter 14, Capital Improvements. This would generally include subdivisions and other developments that have previously been approved but have not initiated substantial site development, such as road and/or drainage improvements, or do not have an approved timetable of development, or are not in compliance with their approved timetables.

Subdivisions, platted and unplatted lots of record, multifamily site plans, residential developments and nonresidential developments that were are under construction on the adoption date of this Plan and/or are proceeding in good faith consistent with a timetable of development approved by the Board of County Commissioners will be considered vested from the concurrency requirements of Chapter 14. Lots on open roads in completed subdivisions will be considered vested in the same manner. Any development determined to be vested from the concurrency requirements of this Plan will not be required to provide the facilities to meet the concurrency provisions. Instead it will be treated as committed development, for which the County will assure concurrency.

Notwithstanding anything in this provision to the contrary, if Martin County or any other entity with legal standing under F.S. Chapter 163 shows that a new peril to the health, safety or general welfare of the residents or property in Martin County has arisen subsequent to the approval of any development order, the development order may be revoked.

(1) Development orders issued to comply with a final order of a court or administrative agency, resulting from litigation in which the County was a party, shall be considered to be consistent with this Plan.

Section 1.13. - Authority

The Board of County Commissioners of Martin County is authorized to adopt and implement this Plan by the Constitution of the State of Florida and the Florida Statutes.
Chapter 2 – OVERALL GOALS AND DEFINITIONS

Adopted: February 20, 1990 By Ordinance No. 373
Adopted: December 16, 2009 By Ordinance No. 843

Section 2.1 Overall Goals

Section 2.2 Goals and Objectives and Policies

Section 2.3 1. – Rules of Interpretation

Section 2.4 2. – Definitions

Section 2.1. Overall goals for Martin County's Comprehensive Growth Management Plan.

Martin County has endeavored to establish a Comprehensive Growth Management Plan which broadens, enhances and protects the quality of life for its residents. The overall goals for the Comprehensive Growth Management Plan are keyed to maintaining quality residential and nonresidential uses, natural resource conservation and preservation of beneficial and protective natural systems, enhanced economic development, and fiscal conservancy.

Martin County has been proclaimed a ‘Sustainable County’ by the state land planning agency. Sustainable means meeting the needs of the present without compromising the ability of future generations to meet their needs. All planning decisions made by the County shall be based upon a consideration of impacts on the ecology, quality of life and fiscal sustainability of such actions including the long term cumulative impacts.

Section 2.2. – Goals, Objectives and Policies

Goal 2.1. Martin County shall broaden, enhance and protect the quality of life of Martin County residents.

Objective 2.1A. Text amendments to the CGMP and amendments to the FLUM shall allocate land use so as to provide for compatibility with existing development and long term planning goals.

Policy 2.1A.1: No land uses or development shall:

1. exceed 15 units per acre.

2. have more than four stories including those unenclosed lower floors used for storage, parking or other purposes.

3. be more than 40 feet high. Building height shall be measured from the average finished grade at the perimeter of the building, except in flood hazard areas. In flood hazard areas building height shall be measured from the base flood elevation requirement for the lowest floor as shown on the flood insurance rate map published by the Federal Emergency Management Agency (FEMA). Building height shall be the
difference between the finished grade or the base flood elevation described above and either the highest point of the coping of a flat roof, the deck line of a mansard roof, or the mean height level between eaves and ridge of gable, hip and gambrel roofs. The mean height level between the ridge and the eaves shall be determined on the highest section of roof. Limited exceptions shall be allowed for structures such as church steeples, roof structures, utility poles, park lighting, emergency structures, agricultural and industrial structures, and communications facilities as detailed in ordinance 608.

**Policy:2.1A.2.** Existing and future residential areas shall be protected from encroachment by commercial or industrial development or other non-residential uses and by more intensive residential uses, which would be incompatible with such residential uses. All plan amendments and development approvals shall protect residential neighborhoods from the negative impacts of more intense development. This is not intended to preclude necessary community facilities within the residential areas where residents are protected from negative impacts.

**Policy:2.1A.3.** In areas of residential development, project design shall assure that comparable density and dwelling unit types are planned for the area of the project abutting existing residential development. For purposes of this policy, abutting property is the same as “adjacent,” “immediately adjacent” or “adjoining” property and shall refer to property with a shared property line or to properties separated only by right of ways or easements. Properties separated by an existing public road right of way at least 50 feet wide shall not be considered abutting.

1. Projects adjacent to lands used or designated for higher density may be given maximum density.

2. Projects adjacent to lands used or designated for lower density use shall be given less than maximum density and shall provide for reduced density next to the existing lower density residential area.

3. Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply: For projects abutting a residential development of lesser density, a density transition zone of comparable density and compatible dwelling unit types, shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development’s lower density. (Ex. - the depth of the first block of single family lots.)

4. A mixed use development containing residential units within a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.

**Policy:2.1A.4.** The Growth Management Dept shall coordinate with the Building Department and the Property Appraiser's Office to provide an ongoing accurate inventory of land use. Good planning must be based on accurate information that is readily available.

Measure: The Growth Management Dept. shall provide an annual report on changes in the FLUM and on text changes that amended allowable land uses or development intensities or densities. The report shall include a summary of all development that has occurred in the preceding year in terms of acreage.
residential units, non-residential upland acreage and land use designation. This information shall be used to update available acreage in each FLUM category and maximum allowable use on vacant residential acreage.

**Objective 2.1B.** Martin County shall create and maintain objective measures of quality of life for Martin County residents.

*Policy 2.1B.1.* The GMD shall use Florida Abstracts to annually update Martin County data on school achievement, violent crime, poverty rate and other indicators of quality of life.

*Policy 2.1B.2.* The GMD in conjunction with the Parks Dept. shall update data annually on the number of acres of active parks, miles of public beach and acres of public open space.

*Policy 2.1B.3.* The Engineering Dept. shall report annually on sections of roadways that have deficient levels of service including an explanation of how these deficiencies will be addressed.

*Policy 2.1B.4.* The Engineering Dept shall coordinate with the Sheriff’s Department to provide an annual analysis of traffic accidents and fatalities including proposals for improving roadways and intersections to avoid accidents.

Measure: At the time of the Evaluation and Appraisal Report (EAR) the county shall use the data collected under 1, 2, 3. and 4. above to compare Martin County to adjacent counties and to counties of similar size in Florida.

**Goal 2.2.** Martin County shall assure natural resource conservation and conservation of the area’s natural communities.

**Objective 2.2A.** Martin County shall preserve all wetlands regardless of size.

*Policy 2.2A.1.* Wetlands are defined as areas that are inundated or saturated by surface water or groundwater at a frequency or a duration sufficient to support, and, under normal circumstances, do support, a prevalence of vegetation typically adapted for life in saturated soils.

*Policy 2.2A.2.* Exceptions to allow wetland alteration are limited to:

(a) providing access for utilities, stormwater facilities, roads and bridges, removal of exotic vegetation, docks, boat entry, and elevated boardwalks

(b) lots of record as of 1982 to provide reasonable use

(c) CERP projects as outlined in ch 9.1.G.1. (7) (g)

*Policy 2.2A.3.* In all cases where wetlands alterations are allowed the least damaging alternative shall be chosen and mitigation shall replace the functions and values and the spatial extent of the
altered wetlands. Exceptions shall not result in adverse impacts on plants and animals that are designated by the federal government or the state of Florida as “Endangered” or “Threatened”.

*Policy:* 2.2A.4 Development plans shall provide water table restoration, buffers, exotic removal, long term maintenance guarantees and any other actions necessary to assure the continuing values and functions of the wetland area.

*Policy:* 2.2A.5. Where evidence indicates that drainage, clearing or other development or manmade impacts has taken place subsequent to April 1, 1982, and in violation of this Plan, restoration shall be required before any development permits or orders are issued, or within 90 days of receiving a notice of violation. This policy shall apply regardless of whether or not the wetlands in question have ever been delineated through either a formal or an informal boundary delineation.

*Policy:* 2.2A.6. GMD, in coordination with Code Enforcement shall establish and maintain a procedure to effectively ensure compliance with Preserve Area Management Plans (PAMPS).

Measure: The GMD shall issue an annual report showing development approvals where wetlands have been, or are proposed to be, altered or destroyed, under the limited exceptions allowed in this Plan. Those exceptions apply only where complete preservation would deny reasonable use of the property. The report shall show the areal extent and location of wetlands to be created to assure no net loss of the spatial extent of wetlands. Annual monitoring reports to assure viable restoration and compliance with PAMPS shall be included. The report shall include a list of wetlands violations and required restoration.

**Objective 2.2B.** Martin County shall preserve native upland habitat and threatened and endangered plant and animal species.

*Policy:* 2.2B.1. Martin County shall assure that a minimum of 25% of existing upland native habitat will be preserved in all development where such habitat exists. Additional requirements for native upland habitat that is endangered, or threatened, and for unique oak/cabbage palm hammocks are outlined in Chapter 9.

*Policy:* 2.2B.2. Upland preservation areas and PAMPS approved by the county to protect them shall be designed and maintained to assure sustainability.

*Policy:* 2.2B.3. Martin County shall protect plants and animals and their habitat for species that are designated by the federal government and the State of Florida as “Endangered” or “Threatened.”

**Objective 2.2C.** Martin County shall ensure that all development orders, resolutions and other official statements of County policy positions directed to other local, regional, state and federal agencies, as well as all other official actions of the County, support, further, and fight for a safe, healthy and ecologically balanced St. Lucie River Estuary and Indian River Lagoon, which are natural resources that are vital to the economy and quality of life of Martin County and the Treasure Coast.
Policy: 2.2C.1. Martin County shall continue to work with the SFWMD, the state legislature, the Corps of Engineers and Congress to provide continuing implementation of CERP and the Indian River Lagoon-South CERP component.

Policy: 2.2C.2. Martin County shall lobby vigorously at the state and federal level for implementation of the Comprehensive Everglades Restoration Plan and the Indian River Lagoon South component.

Policy: 2.2C.3. Martin County shall support the Corp’s Central Everglades Planning Project (CEPP) and other initiatives which will move more water south from Lake Okeechobee to Everglades National Park and provide storage and treatment in order to reduce fresh water, nutrient laden discharges into the St Lucie River from the C-23, C-24 and C-44 canals and Lake Okeechobee.

Policy: 2.2C.4. Martin County shall encourage agency rule changes that move more water south within the current infrastructure limitations.

Policy: 2.2C.5. Changes to the FLUM or the text of the comprehensive plan that would negatively affect implementation of CERP or the Indian River Lagoon South by compromising their success or increasing cost, shall not be allowed unless the applicant clearly demonstrates with supporting evidence, that the denial of such request would result in a violation of its constitutional or statutory property rights.

Policy: 2.2C.6. Development approvals shall assure that, to the maximum extent practical, water quality and the rate, timing and volume of runoff will recreate natural conditions for the benefit of wetlands, the estuary and other receiving waters.

Policy: 2.2C.7. Martin County shall protect shorelines, mangroves, seagrasses and oyster bars in the estuaries.

Policy: 2.2C.8. Martin County shall work with residents to implement local programs to help lessen pollution in runoff from residential neighborhoods.

Policy 2.2C.9 All new development which requires site plans or platting shall provide a 75 foot shoreline protection zone from MHW designated as a preserve area and protected by a Preserve Area Management Plan. This shall apply to the shoreline of the estuaries and of all its navigable tributaries, including canals, recognizing the specific exceptions listed below. Where tributaries are blocked by weirs, dams, or locks the area upstream of these structures shall not be covered by the requirements of the shoreline protection zone. Where wetlands are present at the shoreline, additional buffers from the upland boundary of the wetland vegetation may be required. There shall be no exceptions to this requirement except that:

(a) For lots of record with an upland area of one acre or less, the landward extent of the shoreline protection zone shall be reduced to 25 feet.
(b) Replacement of existing structures shall not require a 75 foot setback.
(c) Non residential lots of record more than one acre in size with hardened shorelines may reduce the setback from the hardened shoreline to 50 feet.

(d) Development within the SPZ to provide reasonable access to the water for bridges, docks, elevated walkways and boat entry facilities shall be allowed when a plan for the proposed development demonstrates the need for access and alteration of the shoreline zone is minimized. Water access shall be perpendicular to the shoreline and shall be limited in width to 60 feet for Marine Waterfront Commercial Land Use, 150 feet for Institutional Land Use, and 12 feet for other development.

(e) Existing facilities within the Shoreline Protection zone may be maintained.

(f) Removal of exotic vegetation or planting of appropriate native vegetation shall be allowed.

Policy: 2.2C.10. Hardening of the shoreline shall not be allowed without a clear demonstration that there is continuing erosion that causes a significant threat to property. Hardening shall be a last resort where it can be demonstrated that other options which maintain natural vegetation and a sloped shoreline will not provide protection. Bulkheads or vertical seawalls may be allowed without a demonstration of significant erosion for lots of record as of 1982 fronting on man-made canals where 75% of the canal lots have permitted seawalls.

Measure: The county shall request an annual report from the Corps of Engineers and the SFWMD on progress in implementing the Indian River Lagoon Plan and other components of CERP which affect Martin County.

Measure: Martin County’s state legislative delegation and Congressmen and Senators shall be asked to provide the County with an annual Report on the progress of CERP and the Indian River Lagoon South component.

Measure: All development approvals shall show the rate, timing and volume of runoff for the completed project based on the approved stormwater management plan, as well as the same indicators for existing use and for the area in its natural state. Staff shall work with project engineers to provide an agreed on form and process for said reports. Development approvals shall show water quality data for present use, post development use and the property in its natural state. These data shall include: total suspended solids, total phosphorous and total nitrogen. Where oils and grease, heavy metals or other pollutants are expected as a result of the development, such information should be clearly shown.

Measure: The GMD and the Engineering Dept. shall provide an annual report showing mangroves, seagrass beds, oyster bars, or natural shorelines where development approvals in the preceding year allowed alteration or or negative impacts. Recommendations for changes to the CGMP that would support the remediation of said impacts and which would prevent such impacts in the future shall be included in the report.

Measure: Martin County shall work with state and federal agencies to monitor discharges to major canals leading to the St. Lucie River. The goal of said monitoring shall be to identify problem areas and create strategies to reduce those problems.
Objective 2.2D. Martin County shall protect and restore the Loxahatchee River, Florida’s first National Wild and Scenic River.

Policy: 2.2D.1. Martin County shall support implementation of the Loxahatchee River Watershed Restoration Project which is a component of the Comprehensive Everglades Restoration Plan.

Policy: 2.2D.2. In considering amendments to the CGMP in the watershed of the Loxahatchee River which increase the intensity of use, the Board shall consider whether the more intense land use will negatively impact the ability to restore natural timing, volume and water quality to the Loxahatchee River. Figure 5. from the 2010 Loxahatchee River National Wild and Scenic River Management Plan shall be used to identify the boundary of the Loxahatchee River Watershed in unincorporated Martin County. The 2010 Loxahatchee River National Wild and Scenic River Management Plan is a public record available from the DEP and SFWMD.

Policy: 2.2D.3. Through its land use authority, under Chapter 163, the county shall assure water withdrawals do not diminish the water supply during the dry season for the Loxahatchee River and its associated wetlands.

Objective 2.2E. Martin County shall protect the freshwater aquifer.

Policy: 2.2E.1. Seasonal water tables shall be preserved and protected. Water withdrawals from the aquifer shall not be allowed to change normal seasonal variation of wetland water levels. The County will use its land use authority under Chapter 163 to implement this policy.

Policy: 2.2E.2. The aquifer shall be protected from pollution and salt water intrusion.

Measure: The County shall work with the United States Geological Survey and the South Florida Water Management District to obtain information for use in the EAR which tracks trends in water levels, pollutant levels and salt intrusion in the surficial aquifer.

Goal 2.3. Martin County shall promote orderly and balanced economic growth while protecting natural resources, enhancing the quality of life in Martin County and providing prudent fiscal management.

Objective 2.3A. Martin County shall adopt land use regulations that will encourage economic development to the extent consistent with the goals, objectives and policies of the CGMP.

Policy 2.3A.1. Martin County shall establish reasonable, clear, and objective standards for issuing permits for non-residential uses.

Policy 2.3A.2. Application requirements shall be simplified in industrial parks for which property has been subdivided and facilities are available.

Policy 2.3A.3. Martin County shall create a concurrency data base to make accurate information on concurrency available to applicants for development approval.
Objective 2.3B. Martin County, in conjunction with the developer, shall provide public facilities necessary for development concurrent with the need for those facilities.

Policy 2.3B.1. Martin County shall enforce the concurrency standards for sanitary sewer, solid waste, drainage, potable water, parks and recreation, and transportation facilities (including mass transit where applicable) as detailed in Chapter 14, Capital Improvements as critical components of maintaining the quality of life for existing and new residents as well as providing balanced economic growth. Standards shall be updated as needed to assure that an acceptable level of service is maintained for public facilities.

Policy 2.3B.2. Martin County concurrency standards shall:

1. Provide adequate facilities for businesses to function efficiently according to adopted level of service;

2. Assure a quality of life acceptable to county residents; and

3. Assure that growth will pay for itself.

Policy 2.3B.3. All development must meet the concurrency requirements of this plan.

Policy 2.3B.4. No FLUM amendment or text amendments shall lessen the requirements of this plan to provide an acceptable level of public services for the people of Martin County unless mandated by state law.

Objective 2.3C. Martin County shall use objective indicators to measure economic health.

Policy 2.3C.1. The county shall annually update and maintain information from Florida Abstracts and other sources on the economy. Sources shall be identified which give consistent accurate information over time.

Measure: The county shall establish and maintain current accurate information on economic indicators. Unemployment rate, agricultural and non agricultural jobs, average annual wages, median household income, tax base in relation to population, total ad valorem taxes in relation to population, home ownership, foreclosures and homes for sale and other economic information shall be collected from sources which can be shown to be the best available data on a continuing basis.
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Objective 2.3D. Martin County shall coordinate with and support the county's public schools as an incentive to business creation, expansion and relocation.

Policy 2.3D.1. The county shall work with the Martin County School District and IRSC to showcase the high caliber of county schools.

Policy 2.3D.2. Martin County schools shall be used as an incentive to business creation, expansion and relocation.

Policy 2.3D.3. Impact fees shall be kept current to avoid school overcrowding.

Goal 2.4. Prudent fiscal management shall be a primary goal in all county actions and in all development approvals.

Objective 2.4A. Martin County shall limit local tax burdens while funding facilities and services needed to maintain the quality of life and support services necessary for growth.

Policy 2.4A.1. New development shall pay the cost of the facilities it requires. Impact fees and user fees shall be regularly adjusted to assure that growth pays for itself to the maximum extent allowed by law.

Policy 2.4A.2. Impact fees shall be designed to make sure that there is a rational nexus between the fees collected and the impact of the project paying the fees. Fees collected for a category of public facilities must be expended for those kinds of facilities.

Policy 2.4A.3. The County shall ensure honesty and efficiency in all departments and agencies receiving county funds by requiring open meetings and transparency in decision making; by requiring strict conflict of interest and disclosure policies; and by requiring objective accountability for results.

Policy 2.4A.4. The county shall not waive impact fees for any project. Where a super-majority of the county commission determine that a public purpose is being served, the commission may pay impact fees with other county revenues.

Policy 2.4A.5. Martin County shall create and maintain a database for objective indicators of fiscal conservancy.

Measure: Each year the County will document the revenues and expenditures of impact and user fees in each category. The report shall include data on impact fees that were reduced or paid from County revenues and an accounting of how those costs will be paid. At least every two years impact fees will be adjusted so that they are fair and equitable and pay the cost of growth to the maximum extent allowed by law.

Measure: The county shall annually report data on total ad valorem taxes and total ad valorem taxes per capita, water and sewer fees, gas tax revenue, and sales tax revenue.
Objective 2.4B. Martin County shall use the Capital Improvement Plan to assure that concurrency management strategies are fiscally feasible and expenditures are properly prioritized to meet critical needs.

Policy 2.4B.1. All revenues in the CIP shall be from dedicated sources.

Policy 2.4B.2. Expenditures in the CIP shall be prioritized as follows:

(1) New public facilities and improvements to existing public facilities that eliminate public hazards;

(2) Repair, remodeling, renovation or replacement of obsolete or worn-out facilities that contribute to achieving or maintaining standards for levels of service adopted in this Comprehensive Growth Management Plan in accordance with standards;

(3) New or expanded facilities that reduce or eliminate deficiencies in levels of service for existing demand;

(4) Improvements to existing and new facilities that significantly reduce the operating cost of providing a service or facility or otherwise mitigate impacts of public facilities on future operating budgets;

(5) New or expanded facilities that provide the adopted levels of service for new development and redevelopment during the next 10 fiscal years, pursuant to Policy 14.1A.10, CGMP.

(6) New or expanded public facilities that are contained in a Community Redevelopment Plan and scheduled in the next five years;

(7) New facilities that exceed the adopted levels of service for new growth during the next five fiscal years pursuant to Policy 14.1A.10, CGMP.

Measure: The administrator shall report failures of the CIP to cover prioritized needs and shall propose solutions to prevent a recurrence of the problem.

Objective 2.4C. Martin County shall manage the timetables of development in a coordinated way so that expected population increases, development approvals and public facility planning and construction will be consistent and fiscally feasible.

Policy 2.4C.1. Because excessive development approvals require capital expenditures on facilities that will not be needed, the county shall adopt a planning system to track residential development approvals and limit final residential development approvals scheduled for the first five years of the 15 year planning period, to 125% of the projected need for residential units for that period.
Policy 2.4C.2. Appropriate action shall be taken in a timely fashion to remove projects from the tracking list that are no longer active. An active development is one that has final approval and is meeting all requirements of the development order, including the timetable.

Policy 2.4C.3. The county shall limit commercial and industrial land use approvals to that needed for projected population growth for the next 15 years. This shall be based on the increase in developed commercial and industrial acreage in relation to population increases over the preceding ten years. Implementation of this policy shall be done thru amendments to the Land Development Regulations. Amendments to the land Development Regulations shall be undertaken within two years after the ordinance adopting this text becomes effective.

Policy 2.4C.4. No development order shall grant vested rights to any project beyond the last year of the CIP. Except for platted single family and duplex lots, no development order shall grant vested rights to any project beyond the last year of the CIP.

Measure: The GMD shall provide an annual report on the number of residential units approved that year in each of the Urban Service Districts and in the area outside the USDs. This shall include Master Plan approvals, platted lots, and final approvals for residential development. The report will include: data on units built in previously approved projects that are part of the active residential development inventory; an updating of vacant land in residential projects with final development approval; projects that have become inactive; vacant housing units not used by seasonal or permanent residents; and vacant residential single family and duplex lots.

Objective 2.4D. Martin County shall limit urban development approvals and comprehensive plan amendments that allow urban land uses to lands that do not continue to apply for an agricultural tax classification. Urban development means commercial and industrial uses and densities in excess of two units per acre or lot sizes one-half acre or smaller.

Policy 2.4D.1. Property with an agricultural tax classification may be granted a land use change which allows urban uses or may receive a development order for urban uses provided any existing agricultural classification is removed at the first opportunity (typically January 1st following approval). The approval shall contain a condition that states that the owner agrees to remove any current classification by January 1st and to forego future applications for an agricultural classification while the land use or the development order is in effect.

Policy 2.4D.2. Issuance of a requested agricultural classification by the Martin County Property Appraiser’s Office after a previous approval by Martin County of a FLUM amendment or a development order that allows urban use shall result in the plan amendment or development approval being rescinded.

Policy 2.4D.3. This is in no way intended to prevent any landowner from taking advantage of state law in regard to the agricultural tax classification. These policies apply only to the county’s requirements for plan amendments and development approvals.

Measure: The GMD shall coordinate with the Property Appraiser to check the status of agricultural tax classifications for projects which have been granted FLUM amendments or development orders that allow urban development subsequent to January 1, 2013.
Section 2.3.1. - Rules of Interpretation

Generally. The Comprehensive Growth Management Plan shall be interpreted and administered to achieve consistency throughout the Plan as interpreted by the Board of County Commissioners. Where provisions conflict, the more restrictive requirement shall govern.

1. Words used or defined in one tense or form shall include other tenses or derivative forms.
2. Words in the singular shall include the plural and words in the plural shall include the singular.
3. The masculine gender shall include the feminine and the feminine shall include the masculine.
4. The particular shall control the general.
5. The words "must" or "shall" or "will" are mandatory.
6. The word "may" and "should" are permissive.
7. In the event of a conflict between the text of the Comprehensive Growth Management Plan and any caption, illustration, table, map, graph or chart, the text shall control.
8. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
9. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or" or "either ... or," the conjunction shall be interpreted as follows:
   a. "And" indicates that all the connected terms, conditions, provisions or events shall apply.
   b. "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
   c. "Either ... or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
10. Words or phrases shall be construed according to their customary meaning unless defined in the Comprehensive Growth Management Plan.
11. The terms "written" or "in writing" shall be construed to include any representation of words, letters, diagrams or figures, whether by printing or otherwise.
12. Any reference to laws, ordinances, codes, or other regulations shall include any future amendment to such laws, ordinances or regulations.
13. Unless specified otherwise, a "day" shall be a calendar day.
14. The word "person" includes individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups or combinations.
15. The word "erected" also includes constructed, reconstructed, altered, placed, or relocated.

Section 2.4.3. - Definitions

1. Accessory dwelling units (ADUs): Also referred to as accessory apartments, second units, or granny flats — are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the main residence.

2. Active developments: Projects with current development orders issued pursuant to F.S. chapter 380 (Developments of Regional Impacts), projects vested under section 1.12 of this Plan, and projects...
granted a local development order where the development process has commenced and is continuing in good faith.

**Active development**: An active development is one that has final approval and is meeting all requirements of the development order, including the timetable.

3. **Active parkland**: Parks where improvements to the land are the major attractor.

4. **Advanced treatment plant**: A treatment facility using processes that treat water to a higher level than conventional treatment. In addition to conventional surface water treatment processes (coagulation, flocculation, sedimentation and filtration), an advanced treatment plant may use ozonation, granular activated carbon adsorption treatment, or both.

5. **Aeration**: Induction of air into the water to achieve oxidation (removal) of certain constituents such as iron and certain gases such as hydrogen sulfide.

6. **Affordable housing**: Affordable housing is defined by housing programs of the federal government, the Florida Affordable Housing Act of 1986, the Florida Housing Finance Corporation and local housing agencies. Affordable housing is defined as housing for which monthly rents or mortgage payments, including taxes, insurance and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households or persons indicated in Section 420.0004, Florida Statutes. For renter-occupied housing, this percentage would include monthly contract rent and utilities.

The four categories used to define affordable housing are: very low income, low income, moderate income, and workforce housing. Each is defined below. The income ranges are based on the median household income for an area. According to the Florida Housing Finance Corporation, Martin County's median household income as of 2008 is $59,800.

- **Very low income households**: Households whose annual gross income, adjusted for family size, does not exceed 50 percent of the median annual income in Martin County (for example, less than $29,900 for a household of four in 2008);
- **Low income households**: Households whose annual gross income, adjusted for family size, does not exceed 80 percent of the median annual income in Martin County (for example, less than $47,850 for a household of four in 2008);
- **Moderate income households**: Households whose annual gross income, adjusted for family size, does not exceed 120 percent of the median annual income in Martin County (for example, less than $71,760 for a household of four in 2008);
- **Workforce housing**: Housing that is affordable to persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

7. **Alternative water supplies**: Water sources designated as nontraditional for a water supply planning region. These include salt water; brackish surface and groundwater; surface water captured predominantly during wet-weather flows; sources made available through the addition of new storage capacity for surface or groundwater; water reclaimed after one or more public supply, municipal, industrial, commercial or agricultural uses; downstream augmentation of water bodies with reclaimed water; and stormwater. (Source: Florida Statutes section 373.019)

8. **Aquifer**: A groundwater-bearing geologic formation that contains enough saturated permeable material to yield significant quantities of water.

9. **Archaeological site**: A site where relics or remnants of past human activity are preserved.

10. **Architectural enhancements**: Design components of a building that significantly increase the aesthetic appeal or that provide an opportunity for arts display and/or performances. Aesthetic features include fountains, arches, sculpture and stained glass. Opportunities for arts display include display areas, stage, amphitheaters, lighting, sculpture and stained glass.
11. **Arterial road:** A roadway primarily used by through traffic, usually on a continuous route, or a roadway designated as part of a principal roadway system.

12. **Art in public places:** A program that supports exhibits and performances of cultural or artistic merit in public buildings or areas of significant public use.

13. **Arts facility:** A structure that houses any artistic discipline, including music, dance, theater, creative writing, literature, architecture, painting, sculpture, folk arts, environmental art, photography or crafts, and the teaching and exhibition of these artistic disciplines.

14. **Artesian well:** A human-made connection from the surface to a water-bearing formation (Floridan aquifer) that allows for extraction of water. An artesian well has sufficient pressure to force water upwards.

15. **Artworks:** Tangible objects produced according to aesthetic principles, including paintings, sculpture, engravings, carvings, frescos, mobiles, murals, collages, mosaics, statues, bas-reliefs, tapestries, photographs and drawings. Additionally, it includes ecological/environmental art, architectural enhancements and other artistic expressions that are aesthetically pleasing.

16. **Average annual daily traffic (AADT):** Denotes the daily traffic averaged over one calendar year.

17. **Beach access area:** A public beach access site developed to a lesser degree than a beach park and intended for less intensive use, having improved parking and public beach access, but few other amenities.

18. **Best available means:** Data that derives from a source that is generally recognized as authoritative, methodologically sound and currently valid in the profession or professions relevant to the planning issue. Best available data shall also be that data and analysis, among conflicting sources, that is most consistent with the adopted goals, objectives and policies of this Plan.

19. **Biosolid disposal:** Treatment techniques allowing proper disposal of biosolids to prevent adverse environmental impacts. These techniques can include use as a land fertilizer or dewatering for disposal at a solid waste landfill.

20. **Buffer:** A strip of land, fence, or border of trees, etc., between one use and another, which may or may not have trees and shrubs planted for screening purposes, designed to set apart one use area from another. It can be a physical and/or spatial separation. An appropriate buffer may vary depending on the purpose of the buffer, and shall be determined by the appropriate Land Development Regulation.

21. **Canal:** An artificial waterway providing access to surface waters of the State or their tributary systems for the purposes of navigation, aesthetics, recreation and/or enhancement of property value. This definition expressly excludes nonresidential canals required for agricultural irrigation and drainage purposes with a legal spillway, pump station or control structure that does not provide ingress and egress for navigation. This definition excludes appropriately designed swales and ditches approved by Martin County as necessary for controlled discharge of surface water.

22. **Capacity:** The limiting (maximum) number of vehicles that can be expected to traverse a unit of distance on a roadway under ideal flow conditions. For the purpose of this Plan, road capacity is established by the methodology adopted by the Florida Department of Transportation latest Quality/Level of Service.

23. **Capital improvement:** Land, improvements to land, structures (including design, permitting and construction), initial furnishings and selected equipment (including ambulances, fire apparatus and library collection materials). Capital improvements have an expected useful life of at least three years. Other capital costs - such as motor vehicles and motorized equipment, computers and office equipment, office furnishings and small tools - are considered in the County's annual budget. However, such items are not capital improvements for the purposes of the Comprehensive Growth Management Plan, or the issuance of development orders.
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2324. **Category of public facilities**: A specific group of public facilities, as follows:
   - **Category A**: arterial and collector roads, active parkland, water management, potable water, sanitary sewer, solid waste, public school and fire rescue facilities.
   - **Category B**: libraries, correctional institutions and other government facilities owned or operated by the County.
   - **Category C**: arterial and collector roads owned or operated by Federal or State governments, and potable water and sanitary sewer facilities owned or operated by independent districts or private organizations.
   - **Category D**: public health facilities owned or operated by Federal, State and municipal governments, independent districts and private organizations; and arterial and collector roads (municipal streets), water management, potable water, sanitary sewer, and parks and recreation facilities, and solid waste facilities owned or operated by municipal governments; water management and park and recreation facilities owned and operated by Federal and State governments; and park and recreation facilities, and solid waste facilities owned or operated by private organizations.
   - **Category E**: public facilities for which level of service standards are not applied. These facilities include the airport and golf courses.

2425. **Chlorination**: The addition of chlorine to treated water as a disinfectant to control bacteria.

2526. **CIE/CIP**: Capital Improvements Element/Capital Improvements Plan.

2627. **Class I Waters**: Fourteen general areas throughout the state used as a drinking water supply, including: impoundments and associated tributaries and certain lakes, rivers, or portions of rivers.

2728. **Class II Waters**: Coastal waters where shellfish are harvested.

2829. **Class III Waters**: The surface waters of the State, unless described in rule 62-302.400 F.A.C.

2930. **Collector road**: In rural areas, a roadway that connects small towns and local roadways to arterial roadways; in urban areas, a roadway that provides land access and traffic circulation within residential, commercial, and business areas and connects local roadways to arterial roadways.

3031. **Commercial core areas (CCA)**: Historical community centers where retail and service businesses have agglomerated and the existing and planned principal arterial intersections where community-sized and larger shopping centers are being established.

3132. **Commercial marina**: A facility for the commercial docking, launching, mooring or storage of vessels and which may include accessory retail and service uses, such as the sale, lease, or rental of boats, bait and tackle shops, off-loading and processing of commercial seafood products, and marine equipment sales.

3233. **Community park**: A County-owned and County-managed recreation site with facilities for active recreation, including ball fields and courts, serving a population within a 3-mile radius.

3334. **Community Redevelopment Area (CRA)**: A slum or blighted area, or an area with a shortage of housing that is affordable to residents of low or moderate income, including the elderly; or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout; or a combination thereof; and designated by the governing body as appropriate for community redevelopment. Community Redevelopment Areas shall be designated on the Future Land Use Map.

3435. **Complete street**: A roadway that accommodates all travelers, particularly public transit users, bicyclists, pedestrians, and motorists, to enable all travelers to use the roadway safely and efficiently.

3536. **Concurrency**: Provision of public facilities and services needed to support development at the time the impacts of such development occur.
Concurrency management: The coordination of land use decisions and available or projected fiscal resources with a schedule of capital improvements that maintains adopted level of service standards and meets the existing and future facility needs.

Cone of depression: A conical area of reduced water levels resulting from withdrawal of groundwater from a point source, such as a well. The extent and depth of the depression is a function of the hydraulic properties of the aquifer, pumpage rates and recharge rates.

Consistent: Plan amendments and development approved or undertaken by Martin County shall be consistent with the comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of the development are compatible with and further the objectives, policies, land uses, and densities or intensities in the comprehensive plan and if it meets all other criteria enumerated by the local government. Plan policies addressing the same issue in different ways shall not be considered inconsistent if both policies can be applied with the stricter provisions governing.

Cultural and performing arts center: A building with the acoustics, space, lighting, stages and other relevant design items needed for the performance of theater, music and dance; visual exhibits; and lectures and meetings.

Deep well: An injection well constructed to dispose of wastewater effluent into the injection zone. The injection zone used in Martin County is approximately 3,000 feet below ground surface. It consists of limestone boulders topped by an impervious confining zone that restricts fluid movement above the boulder zone.

Demolition: The intended destruction of a building, in whole or in part, and removal from its site.

Development: For the purposes of the CGMP, the term "development" shall have the broadest definition of the term authorized by Florida law including the carrying out of any building activity or mining operation, clearing of native vegetation, the making of any material change in the redevelopment or modification of an existing use or appearance of any structure or land which creates additional impacts, and the dividing of land into three or more lots, tracts or parcels (including planned unit developments).

For purposes of this Plan, the term "development" shall mean:

1. Any building activity or mining operation;
2. Any material change, redevelopment or modification of either:
   i. an existing use that creates additional impacts; or
   ii. the appearance of any structure or land that creates additional impacts; or
3. The division of land into three or more lots, tracts or parcels, including PUDs, except as provided in the Land Development Regulations.

Development order: Any order granting, denying, or granting with conditions, an application for a building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance or any other official action of the County having the effect of permitting the development of land.

Development order, final: A building permit, final plat approval (except for boundary plats), final development plan approval, excavation and fill permit approval, landscape approval, mining permit or any other development order which results in an immediate and continuing impact upon public facilities.

Development order, preliminary: Means a DRI development approval, zoning approval, preliminary plat approval, a boundary plat for which additional final development plans would be required, preliminary development plan approval, master plan approval, Board of Adjustment approval and any other development order, other than a final development order.
4547. **Domestic self-supply**: Water used by households whose primary sources are private wells or water treatment facilities (also referred to as package water treatment plants) with pumpages of less than 0.1 million gallons per day (Source: SFWMD, Consolidated Water Supply Plan Support Document).

4648. **Domestic wastewater residuals (sludge or biosolids)**: Solid, semisolid or liquid residue generated during the treatment of domestic wastewater in a treatment facility.

4749. **Drainage basin**: An area that contributes stormwater to a drainage system, estuarine waters or oceanic waters, including all areas artificially added to the basin.

4850. **Drainage facilities**: A system of structures designed to collect, convey, hold, divert or discharge stormwater, including sewers, canals, culverts, weirs (dams), control structures and detention and retention facilities.

4951. **Drawdown**: Lowering of existing groundwater level caused by the withdrawal of water from the aquifer.

5052. **Dune Preservation Zone**: The mean high water line of the Atlantic Ocean to a point 50 feet westerly of the coastal construction control line, as in force and in effect on June 1, 1985. It is prohibited to clear or excavate the beach or dune in the dune preservation zone for any reason, other than approved shore protection, beach restoration, dune crossovers or activities related to beach safety.

5153. **Economic leakage**: The process by which funds earned in an area leave the area. When savings, taxes and imports "leak" out of the local economy, it reduces the total funds available in the economy. The presence of leakage suggests there is an opportunity to grow the local economy by capturing leaked dollars.

5254. **Effluent**: Wastewater that has received secondary treatment from a wastewater treatment plant.

5355. **Effluent reuse**: An environmentally sound practice using effluent for purposes such as irrigation. Effluent to be reused requires advanced treatment, including filtration and additional disinfection.

5456. **Environmental art**: A model of art that investigates climate change and ecological/environmental sustainability by bringing together science and the arts in a variety of events such as performances, exhibits, talks, tours, films and fairs.

5557. **Estuarine waters**: Region of interaction between rivers and near-shore ocean waters where tidal action and river flow mix fresh and salt water. Such areas include bays, mouths of rivers, salt marshes and lagoons. These brackish water ecosystems shelter and feed marine life, birds and wildlife.

5658. **Federal Aviation Regulation (FAR)**: All FARs are contained in [Title 14](#), Code of Federal Regulations. The "Part" number identifies the specific subject area. For example: Part 77—Title: Objects Effecting Navigable Airspace).

5759. **Federal Transit Administration (FTA)**: The agency within the U.S. Department of Transportation charged with overseeing transit-related policies and programs.

5860. **Fishing access**: Undeveloped or developed land that provides public access for fishing. It is measured in footage of shoreline or pier length.

5961. **Fixed base operator (FBO)**: Airport service business related to repair, refueling, charter, flight instruction, etc. as defined by the statute for fixed base operators.

6062. **Floridan Aquifer**: The major confined limestone aquifer underlying the entire Florida peninsula, extending from 600 to 1,500 feet below the land surface. Its water quality is generally lower than the Surficial aquifer. The water contains moderate to high concentrations of dissolved solids (chlorides), thereby requiring advanced treatment methods for use as potable water.
Florida intrastate highway system (FIHS): A statewide network of limited-access and controlled-access highways designed with general-use and exclusive-use lanes to accommodate Florida's high speed and high volume highway traffic.

Force main: A pressure transmission pipe that transports wastewater from a lift station to the wastewater treatment plant.

Foster care facility: A facility that houses foster residents and provides a family living environment, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents, and serving either children or adult residents.

Full service beach park: A fully developed public beach access site with lifeguards, restrooms, showers, picnic areas, improved parking and other amenities for the management and use of large crowds.

Functional classification: A classification system for the roadway network denoting what function particular roads serve. Due to different planning perspectives, the State and County maintain different functional classification systems. The adopted Florida Department of Transportation (FDOT) Functional Classification map is on file with the Martin County Engineering Department.

General aviation: That portion of civil aviation that encompasses all facets of aviation except air carriers holding a certificate of public convenience and necessity from the Federal Aviation Administration.

Green building practices: The application of development standards aimed at utilizing sustainable site development practices, saving energy, utilizing renewable energy sources, reusing existing materials, improving water efficiency, reducing carbon dioxide emissions, improving environmental quality, improving air quality and conserving resources.

Groundwater: Water that fills all unblocked voids of underlying material below the natural ground surface, which is the upper limit of saturation, or water held in the unsaturated zone by capillarity.

Groundwater basin: An area that holds water beneath the land surface. It is defined by groundwater recharge divides (areas with a high water table that usually coincide with topographic elevation) and groundwater discharge divides (usually streams into which groundwater discharges). Groundwater basins often coincide with surface water drainage basins.

Group home: A facility that provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. This definition includes adult congregate living facilities comparable in size to group homes. This definition does not include roominghouses or boardinghomes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes or emergency shelters.


Heliport: An area of land, water, or structure used or intended to be used for the landing and takeoff of helicopters and includes its buildings and facilities, if any.

Historic district: A collection of archaeological sites, buildings, structures, landscape features or other improvements concentrated in the same area and designated as a district.

Historic marker: An official marker designating a site of historic significance.

Historic Preservation Board: A board of citizens established by the Martin County Board of County Commissioners for the purpose of assisting in the implementation of historic preservation activities.

Historic resource: A prehistoric or historic district, site, building, structure, object or other real or personal property of historical, architectural or archaeological value. The properties or resources
may include monuments, memorials, Native American habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure troves, artifacts or other objects with intrinsic historical or archaeological value relating to the history, government or culture of Martin County or the United States of America.

Historic sites survey: A comprehensive survey compiled for Martin County involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archaeological or architectural importance in Martin County.

Housing in actual use: Means the number of residential housing units occupied by permanent residents as defined by the US Census, plus the number of vacant seasonal housing units.

Housing trust fund: A dedicated source of revenue available to assist people, who qualify based on income, to attain housing that is affordable.

Incentive: The addition of a positive measure and/or the elimination or reduction of a negative measure to encourage activities, programs, or projects to obtain a specific goal.

Infill development: Development occurring in vacant areas in the urbanized parts of the County.

Influent: Untreated or raw wastewater delivered by a combination of gravity sewers and force mains to the head end (front end) of a wastewater treatment facility.

Injection well/zone: A well in which fluid is transmitted to a subterranean formation.

Interim level of service: A temporary level of service designation for a roadway link that expires after limited time or when a specified traffic volume threshold is reached, whichever occurs first. The interim level is usually below the adopted level of service for the road network and is linked to a specific programmed improvement designed to bring the operation of the facility up to the adopted level.

Interim package plant: A temporary package plant or septic system in service until a regional system is available in close enough proximity and with adequate capacity.

Interim water systems: Any temporary potable water treatment and supply system, other than an individual potable water well, in service until a regional system is available in close enough proximity and with adequate capacity.

Interlocal Agreement for School Facilities Planning and Siting: The interlocal agreement detailing the responsibilities and coordination processes necessary to implement joint planning, school siting procedures, and school concurrency between Martin County, City of Stuart and the School Board of Martin County. It was signed by the School Board on February 19, 2008, and made effective by Martin County on March 11, 2008.

Investor-owned public sewage system: A wastewater treatment facility that is not owned by the government but is regulated by the Florida Public Service Commission.

Ion exchange: A reversible chemical process in which ions from an insoluble permanent solid medium (the ion exchanger - usually a resin) are exchanged for ions in a solution or fluid mixture surrounding the insoluble medium. The superficial physical structure of the solid is not affected. Both cation and anion exchange are used for water conditioning. Cation exchange is commonly used for water softening.

Large multislip docking facility: A boat facility constructed and used as a private docking area within residential areas. The facility is for the exclusive use of the residents and is not for use by the general public.

Leap-frog development: Developments located beyond the fringe of urban development where the planned provision of urban services cannot be assured in a cost-effective manner and where community planning goals would be adversely affected.
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9094. **Level of service (LOS):** An indicator of the extent or degree of service provided by, or proposed to be provided by a facility, based on and related to the facility's operational characteristics. Level of service indicates the capacity per unit of demand for a public facility.

9495. **Lime softening:** The use of lime in a chemical precipitation process to remove compounds that contribute to hardness in water. Lime softening enhances the aesthetic quality of potable water.

9296. **Limited access highway:** An expressway; a highway especially planned for high-speed traffic, usually having few if any intersections, limited points of access or exit, and a divider between lanes for traffic moving in opposite directions.

9397. **Linkage fees:** Fees collected from nonresidential and market-rate residential development and placed in a trust fund to be used in building affordable homes for low-wage workers.

9498. **Live-work units:** Buildings or structures used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary place of work.

9599. **Local street:** A street intended to provide access to abutting properties, which tends to accommodate lower traffic volumes and serves to provide mobility within that neighborhood (see also Residential road).

96100. **Local register of historic places:** A listing maintained by the Martin County Historic Preservation Board, of various sites, buildings, structures, objects and districts that are historically significant, as determined by criteria established by local ordinance.

101. **Material Change:** Any change to the allowable uses, densities or intensities, development standards, extent of development allowances or infrastructure or preservation requirements, deadlines for payment of fees, completion of work or similar substantive matters, or other substantive aspect of development that may increase the impact of the amendment, including those related to financial obligations.

97102. **Mean high water line:** the intersection of the tidal plane of mean high water with the shore as determined in accordance with Chapter 177, Part II, Florida Statutes.

98103. **Metropolitan Planning Organization (MPO):** Mandated by the 1973 Federal Aid Highway Act, the MPO serves as the planning/decision-making body for the Metropolitan Planning Area (MPA) in Martin County. The policy-making board consists of elected officials from Martin County, the City of Stuart, and the Town of Sewall's Point.

99104. **Mixed Use Overlay (MUO):** A land use overlay area as shown on the Future Land Use Map within a designated community redevelopment area where mixed-use projects are authorized and encouraged.

400105. **Mixed-use project (MUP):** A parcel of land, with one or more buildings, containing more than one land use type where the land uses are in close proximity, are planned as a unified, complementary whole and are functionally integrated for the use of shared infrastructure.

404106. **Mobile home:** A structure that is transportable in one or more sections, built on a permanent chassis and designed for use as a single-family residential dwelling when connected to the required utilities. If fabricated after June 15, 1976, each section should bear a U.S. Department of Housing and Urban Development (HUD) label certifying its compliance with the Federal Manufactured Home Construction and Safety Standards, 42 USC 5401 and 24 CFR 3282 and 3283.

402107. **National Register of Historic Places:** A federal listing maintained by the National Park Service of buildings, sites, structures, objects and districts that are historically significant, as defined by the Historic Preservation Act of 1966 (amended).

108. **Natural conditions:** Those conditions in place before any man-made impacts.
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103109. **Neighborhood Advisory Committee** or **NAC**: Committee of residents, property owners, business owners or their agents appointed by the Community Redevelopment Agency to act in an advisory capacity to the CRA for a particular community redevelopment area.

404110. **Neighborhood park**: A park servicing an area within a one-mile radius that provides open space and/or organized play structures.

405111. **Nonpublic wastewater systems**: A central wastewater treatment and disposal plant that serves the public but has less than 15 service connections and regularly serves less than 25 individuals daily on at least 305 days of the year.

406112. **Objective**: A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

407113. **Open space**: The portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas and sidewalks, whether permeable or impermeable.

408114. **Overlay zoning districts**: Zoning districts in which additional regulations are imposed as performance standards over and above the standard development regulations of the underlying district.

409115. **Package sewage treatment plant**: A sewage treatment plant that is purchased, delivered and operated as a complete unit. Typically package units have small service areas and flows of less than 0.5 million gallons per day. They cannot expand to additional areas and they are usually operated by the private sector.

410116. **Passive parkland**: Parks where the natural features of the land are the major attractor.

411117. **Peak hour**: The 60 minutes within a 24-hour period with the highest traffic volume. A peak hour is generally designated for both morning and afternoon traffic conditions.

412118. **Peak season**: The period between December 1 and April 15.

413119. **Percent for Art Ordinance**: An ordinance designed to authorize commitment of a given percentage of public funds from certain public construction and remodeling projects (based on the project size and type) to place art in public places.

414120. **Percolation pond**: An earthen impoundment designed and operated to provide for fluid losses by percolation/seepage in addition to evaporative losses. A percolation pond does not have an impervious liner.

415121. **Permanent resident**: A person who resides in Martin County for six months or more of the year (U.S. Census Bureau).

416122. **Permit Ready Industrial Development**: Projects located on lands with an Industrial land use designation, in an Expressway Oriented Transient Commercial Service Center, or are located within a targeted business zoning district that have satisfied all requirements to be designated a permit ready project as specified in the Land Development Regulations.

123. **Persons per household** is the number from the US Census which equals the number of permanent residents living in residential housing units (occupied housing) divided by the number of occupied housing units.

417124. **Planned unit development**: A unified development that is planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and approved at public hearing.

418125. **Policy**: The way in which programs and activities are conducted to achieve an identified goal.
Potable water facilities: A system of wells, raw (untreated) water mains, treatment plants and water distribution mains that provide a continuous, safe source of high-quality drinking water.

Population, permanent: The number of residents living in the unincorporated area for more than six months of the year. This includes permanent residents in households as well as prisoners and group homes.

Population, household: the number of residents living in residential housing units for more than six months of the year.

Population, seasonal (facility needs): Part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents and includes tourists, migrant farmworkers, and other short-term and long-term visitors. (source, Section 163.3164(41) F.S.)

Population, seasonal (housing needs): Occupants of residential housing who spend less than six months in Martin County. The seasonal population in terms of the need for residential housing needs is calculated by multiplying the persons per household times the "vacant seasonal" housing units as defined by the US Census.

Prime groundwater recharge areas: Land or water areas through which groundwater is replenished that are critical to maintaining the water table elevation of the groundwater basin. Such areas are determined by soil conditions that are conducive to the percolation of water from the surface to the water table. The recharge function cannot be preserved with development as an urban use.

Prime agricultural areas: Areas having soil and/or water conditions defined in the Federal Register, Volume 49, No. 130, July 1984, providing the Soil Conservation Service, U.S. Department of Agriculture Land Use Policy in Appendix A, Section 401.10.

Private water systems: Water systems not under governmental ownership and operation. These systems fall under the rules and regulations of the Florida Public Service Commission.

Public art: Any visual work of art displayed for two weeks or more in an open public-owned area, on the exterior of any public-owned facility, within any public-owned facility in areas designated as public area, such as lobbies, or public assembly areas, or on nonprofit property if the work of art is installed or financed either whole or in part with public funds or grants procured by the public.

Public facility: The capital improvements and systems of each of the following: airport, coastal, corrections, police and law enforcement, fire rescue, emergency shelters, golf courses, libraries, mass transit, miscellaneous, open space/conservation lands, parks and recreation, pedestrian/bicycle and other multimodal pathways, public buildings, public health, roads, schools, solid waste, water management and utilities. Mandatory public facilities are listed as category A and category C. Nonmandatory public facilities are those facilities listed as category B and category D. Level of service standards are not applied to category E facilities (see also Category of public facilities).

Public open space: The term "public open space" shall be used to describe lands purchased for public access and public benefit. It shall include resource-based parks and land preserved for conservation or aesthetic reasons. It shall not be confused with the definition of "open space" as permeable, unobstructed portions of a site, as used in the County Land Development Regulations and in Chapter 4, Future Land Use.

Public urban facilities and services: Regional water supply and wastewater treatment/disposal systems, solid waste collection services, acceptable response times for sheriff and emergency services, reasonably accessible community park and related recreational facilities, schools and the transportation network.

Public use airport: A publicly owned or privately owned airport that is open to the public without advance permission.
Public water supply: Water that is withdrawn, treated, transmitted and distributed as potable or reclaimed water.

Pump station or lift station: A wet well (holding tank) with pumps from which sewage is pumped into a force main or gravity sewer system for transport to a wastewater treatment plant.

Recharge: The addition of water, typically by rainfall, to the Surficial aquifer, thereby replenishing the supply of water.

Reclaimed water: Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility (Source: Rule 62-610.200 Florida Administrative Code).

Recreational airport: A general aviation airport handling smaller aircraft that provides access to recreational facilities that are either on-site or in the immediate area. The recreational facilities may or may not be aviation related.

Regional Long Range Transportation Plan (RLRTP): A long-range transportation plan developed by the Metropolitan Planning Organization that identifies critical transportation needs and recommended roadway improvements. The RLRTP, on file with the Martin MPO, includes a Needs Plan and a Cost Feasible Plan.

Regional park: A park servicing a countywide area that may have the following: athletic facilities, open space, and passive features.

Regional sewage systems: A government-owned or investor-owned public sewage system that treats wastewater for a fee for specific geographic regions. Such a system has a capacity of at least 0.5 million gallons per day as rated by the Florida Department of Environmental Protection (FDEP). It is designed and located to offer service to a relatively large area. This term is not intended to designate a single, county-wide wastewater system.

Regional water systems: Either government-owned or investor-owned potable water facilities that provide water, for a fee, to specific geographic areas in Martin County. These systems have a capacity equal to or greater than 0.1 million gallons per day, as rated by the Florida Department of Environmental Protection (FDEP). These systems are designed and located to serve a relatively large area.

Residential development tracking system means the system which tracks all residential development with master plan approval or with final site plan or final plat approval through the approval and construction process.

Residential road: A street intended to provide access to abutting properties. It tends to accommodate lower traffic volumes and provides mobility within that neighborhood (see also Local street).

Resource airport: A publicly owned airport identified by the State of Florida as an important aviation asset that must be preserved to handle future needs. Resource airports typically provide aviation access to areas of the State where scheduled air service does not exist.

Resource-based park: A recreation site that primarily provides public access to a natural resource (i.e., beach) or to a recreational facility that depends on a specific natural resource (i.e., boat ramp, fishing access).

Reverse osmosis: A membrane process for desalting water using applied pressure to drive the feed water (source water) through a semipermeable membrane (Source: SFWMD, Consolidated Water Supply Plan Support Document).

Roadway functional classification: The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads and collector roads, which may be subcategorized into...
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principal, major or minor levels. Those levels may be further grouped into urban and rural categories (see definition of "collector road").

Roadway link/segment: A length of roadway being evaluated, usually the distance from one signalized intersection to the next.

Rural area: Areas of sparse population (less than 1,000 persons per square mile) generally located in the western portion of the County beyond the turnpike in the north, and I-95 in the central and south County.

Saltwater intrusion: The inland encroachment of saltwater into an aquifer in coastal areas due to lowering of the freshwater head in the aquifer.

School Concurrency Review Report: A report providing the County with a determination on whether there is school capacity sufficient to accommodate a new development. It is produced by the School District staff and submitted to the County.

Schools Technical Advisory Committee (TAC): A five-member committee appointed by the County, School Board, and City of Stuart whose main purpose is to evaluate school siting needs. The Interlocal Agreement for School Facilities Planning and Siting provides details on the TAC.

Scrivener's error: A mistake in an ordinance or other document adopted by the Board that is the result of a clerical error and which is not a reflection of the Board's actual intent.

Seagrass beds: Long-term, persistent, viable habitat characterized by rhizome development and growth.

Secondary treatment: Advanced treatment using aeration and biological decomposition of waste materials. This process, regulated by the Florida Department of Environmental Protection, is widely used for safe wastewater treatment.

Septage mixture of biosolids: Fatty materials, human feces and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.

Site-related improvements: Road improvements generally defined as direct site access, driveways and turn lanes for traffic entering and exiting the site, project signalization or other improvements directly required for and benefiting the proposed development.

Standard housing: Housing that is in satisfactory condition, provides safe and adequate shelter, is not in need of any obvious structural repairs and has been adequately maintained.

Stormwater: The flow of water resulting from rainfall.

Stormwater management system: A system that collects, channels, or diverts the movement of stormwater.

Substandard housing: As defined by Section 420.0004, Florida Statutes:

- A unit lacking complete plumbing or sanitary facilities for the exclusive use of the occupants;
- A unit in violation of one or more major sections of an applicable housing code and where such violation poses a serious threat to the health of the occupant; or
- A unit that has been declared unfit for human habitation but could be rehabilitated for less than 50 percent of the property value.

Surficial Aquifer: A relatively shallow, unconfined aquifer, one of two sources of potable water in Martin County.

Targeted businesses: Uses identified on the State of Florida Targeted Industries List as produced and as updated by Enterprise Florida, Inc., and/or other entities designated by the State of
Florida for economic development or businesses identified in the Business Development Board Target Industry List (which may be amended periodically). Targeted businesses typically include manufacturing facilities; finance and insurance services; wholesale trade; information industries; professional, scientific and technical services; management services; and administrative and support services.

157. **TND (Traditional Neighborhood Development):** New neighborhood planning guided by the sensible and desirable attributes of "traditional neighborhoods," providing a full range of housing types, commercial and office opportunities.

158. **Traffic analysis zones:** The basic geographical entity or area delineated for transportation analysis, generally corresponding with one or more units designated by the Census Bureau for data collection (i.e., block group, enumeration district or census tract).

159. **Traffic Congestion Mitigation Program (TCMP):** A program of actions designed to maintain and improve the capacity of roadway links in heavily congested areas. A TCMP may be developed by government and/or private sector interests to address link/intersection deficiencies and improve overall traffic flows. The TCMP may also include:
   - Parallel roadway improvements in the corridor or area;
   - Improved traffic flow through implementation of road marking and signing, access control measures, intersection redesigns, connectivity, or turn lane additions;
   - Ride sharing program;
   - Preferential treatment for high-occupancy vehicles on congested links; and
   - Staggered or flexible work hours.

The TCMP must describe in detail a program of improvements to the transportation system and/or trip reduction measures that provide additional capacity on congested links and at problem intersections. Professionally prepared traffic engineering studies acceptable to the County must be provided in advance of approval to demonstrate the anticipated impacts of the program. The TCMP must specify a secure and dedicated source of funding for the proposed improvements and must include a monitoring component to ensure that the program achieves the anticipated effects.

160. **Transportation concurrency exception area (TCEA):** Delineated urban area where infill and redevelopment are encouraged and exceptions to the transportation concurrency requirement are made, providing that alternative modes of transportation, land uses, mixes, urban design, connectivity, and funding are addressed.

161. **Transportation Concurrency Management Area:** A designated geographically compact area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. The designated area may have an established area-wide level of service standard based on analysis that justifies the area-wide level of service, identifies how urban infill development or redevelopment will be promoted, and describes how mobility will be accomplished.

162. **Transportation disadvantaged:** Individuals who - because of physical or mental disability, income status or age - are unable to transport themselves or to purchase transportation and must depend on others for access to services.

163. **Transportation Improvement Program (TIP):** A compilation of the five-year schedule of capital transportation projects within the Metropolitan Planning Area, including projects proposed by the State, the County and all municipalities. The program begins with year one, the existing fiscal year, and includes five additional years of projected costs beginning with the upcoming fiscal year.

164. **Undeveloped beachfront:** A publicly owned beach access site with no improvements.

165. **Unhardened shoreline:** A shoreline that has not been hardened by legally permitted riprap or seawalls.
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165. Urbanized/urban area: An area containing a city (or twin cities) of 50,000 or more population, with a density of 1,000 persons per square mile. The boundary of this area is described and adopted by the Martin County Metropolitan Planning Organization (MPO) and approved by the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA).

166. Urban sprawl: Continuous, uncoordinated development that does not provide or properly plan for concentration of more intense uses and the efficient and economical provision of public services.

167. Urban sprawl: A development pattern requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

168. Urban development: Commercial and industrial uses and densities in excess of two units per acre or lot sizes one-half acre or smaller.

169. Utility service area: A defined area in which water and/or wastewater service is provided by a regional utility.

170. Vacant seasonal housing: The Census count for residential housing units that are occupied, but for less than six months of the year.

171. Viewshed: A designated area along the side of a property that provides an unobstructed view from any public right-of-way to waters of the State or their tributary systems including canals used for the purpose of navigation.

172. Volume: The number of persons, bicycles or vehicles passing a point on a lane, roadway or other trafficway during some time interval, often one hour.

173. Wastewater Master Plan: A facilities planning report assembled to predict future wastewater treatment needs based on historical sewage loads and population growth projections.

174. Water dependent uses: Land uses for which location is dependent on proximity to the water resource (i.e., commercial marinas, boatyards, industrial boat repair and manufacturing, and water sports recreational use).

175. Water Master Plan: A facilities planning report assembled to predict future water supply and treatment needs based on historical consumption and population growth projections.

176. Water recharge areas: Land or water areas through which groundwater is replenished.

177. Water related uses: Land uses for which association with the water resource is required (i.e., commercial trailered boat sales, bait/tackle shops, recreational resorts and institutional or educational research centers).

178. Water table: The upper surface of the saturated zone in an unconfined aquifer.

179. Well: An excavation constructed to conduct groundwater from an aquifer to the ground surface by pumping or artesian flow.

180. Zones of influence: The area surrounding a pumping well in which the water table has been lowered due to groundwater withdrawal.
Chapter 4 - FUTURE LAND USE ELEMENT

**CPA 13-5, Chapters 1, 2 and 4.** Chapter 4 as provided in Supplement 25 by Muni Code is the base document for proposed changes. Stricken text below is proposed for deletion. Underlined text is proposed for addition. Prepared following the Board of County Commissioners April 16, 2013 public hearing.

### Chapter 4 - FUTURE LAND USE ELEMENT

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Chapter 4 - FUTURE LAND USE ELEMENT

Amended: August 10, 2010 By Ordinance No. 880
Amended: August 10, 2010 By Ordinance No. 882
Amended: December 14, 2010 By Ordinance No. 888
Amended: January 10, 2012 By Ordinance No. 907
Amended: July 10, 2012 By Ordinance No. 913

**Acronyms used in this chapter:**

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<tr>
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<td>CGMP</td>
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Section 4.1. - Background

4.1.A. Land use profile. Martin County possesses a unique and valuable mix of physical and manmade resources centered around the Atlantic Ocean, St. Lucie Inlet, estuaries of the St. Lucie River, Indian River, Loxahatchee River, Lake Okeechobee and the urban and rural land areas linking these features. Martin County's total land area consists of approximately 344,316 acres or 538 square miles.

4.1.B. Existing land use assessment. Table 4-1 lists the existing land uses and the acreage of those land uses for unincorporated Martin County. The existing land uses are categorized by Department of Revenue Codes (DOR) and are assigned by the Martin County Property Appraiser to each property based upon the actual use of the land. The data listed in Table 4-1 can be seen graphically in Figure 4-1, 2010 Existing Land Use Map, identified and adopted as part of this Plan.

Editor's note—

Figure 4-1 is on file in the office of the Martin County Growth Management Department.

Table 4-1

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### Chapter 4 - FUTURE LAND USE ELEMENT

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<tr>
<th>Land Use Code</th>
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<td>0110</td>
<td>Single-Family Transitional</td>
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<td>0200</td>
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<td>Multifamily &gt;=10 units</td>
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<td>Cooperative</td>
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Table 4-2 lists the future land use designations by acreage for Martin County based on data in the Geographical Information System (GIS). Although the GIS renders a better approximation of land use allocation, it is an approximation, not an exact, survey-grade calculation.

The land use inventory assessment reveals that major urban development continues in the coastal area between the Sunshine State Parkway (Turnpike) and the Atlantic Ocean. The most intense urbanization fans out from Stuart, the urban core of Martin County. West of the Turnpike the County has remained largely agricultural, with older, rural residential developments and mobile home developments supplemented by subdivisions of 20-acre lots. A western urban core occurs in the Indiantown area along the State Road 710 corridor.

<table>
<thead>
<tr>
<th>Future Land Use</th>
<th>Total Acreage</th>
<th>Developed Acreage</th>
<th>Wetland Acreage</th>
<th>Undeveloped Acreage</th>
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<td>163,793</td>
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<td>29,970</td>
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* Wetland acreage is based on data from 2009.
† Undeveloped acreage is based on data from 2009.
‡ Includes areas with less than .5 upa of density.
### Chapter 4 - FUTURE LAND USE ELEMENT

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### Chapter 4 - FUTURE LAND USE ELEMENT

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</tbody>
</table>

* Wetland acreage is based on four data sets in the Composite Wetlands Map: (1) Hydric+NWI; (2) Satellite+hydric; (3) Sat.+NWI; (4) Sat.+hydric+NWI.

† Wetlands were subtracted from the total conservation acreage to arrive at the undeveloped acreage. There are no Department of Revenue codes for public buildings and facilities in properties like Jonathan Dickinson State Park.

‡ 

NA = not applicable

Source: GIS/SDE database linked with Property Appraiser’s database.

**Methodology of Table 4-2:**

The total acreage in each future land use category is a good approximation, but for planning purposes it is less useful to compare the 1995 and 2009 undeveloped acreage calculations because the data were derived through different methodologies. The 1995 data were based on 1993 land use coverage data that were used to create the 1995 GIS land use map. The 1995 GIS coverage data resulted from digital imaging analysis of 50-meter resolution. The data and map were not verified for accuracy and were not the official Martin County record of land use, development status or wetlands delineation.

In contrast, the 2009 data were generated by joining the GIS Future Land Use database with the 2009 Property Appraiser's database and using selected Department of Revenue codes to identify undeveloped lands in each of the future land use designations. Department of Revenue codes were created for taxation purposes, not for land use planning. For example, a parcel that may appear vacant to a passerby may have, for taxation purposes, Department of Revenue code 364, which means that cattle graze on the property. Selected Department of Revenue codes have been used to extract data frequently between 2001 and 2009; this represents a standardized method in Table 4-2, Table 4-6 and the Commercial and Industrial Inventories, which are updated periodically.
Likewise, the 1995 and 2009 wetland data were not collected the same way. The 1993 digital imaging did not lend itself to distinguishing undeveloped land as (1) preservation areas set aside pursuant to development ordinances, (2) undeveloped land areas functioning as wetland buffers per wetland protection ordinances or (3) land cleared for future development. In 2009 the acreage of wetlands was determined using the County's Composite Wetlands Map. This map, adopted as Figure 9-1 of the Comprehensive Growth Management Plan (CGMP) is made up of 1981 hydric soils data, 1985 National Wetlands Inventory data and satellite classification data (Thematic Mapper and SPOT data) from multiple years. Areas indicated as wetlands by any two of the three sources were assumed to be wetlands. This has been the practice for numerous County studies between 2001 and 2009.

Editor's note—

Figure 9-1 is on file in the office of the Martin County Growth Management Department.

For the purpose of land area estimation, unincorporated Martin County land is either developed acreage (DVA), wetland acreage (WA) or undeveloped acreage (UDVA), adding up to total acreage (TA). Thus, TA = DVA + WA + UDVA. Conversely, UDVA = TA - DVA - WA. The undeveloped acreage identifies the amount of land area that could potentially be developed within a land use designation. Additionally, the County uses land development and environmental protection regulations to ensure that development is consistent with the CGMP.

Section 4.2. - Analysis of Land Use Features

4.2.A. Land use issues. Martin County has experienced steady population growth over the years. All available evidence supports the premise that this population expansion will continue into the foreseeable future. Such growth will increase the pressure for urbanization, at the possible expense of agriculture uses and the natural environment. Therefore, it is important for the Board of County Commissioners and the citizens of the County to address growth and its associated impacts as a primary concern.

Many considerations need to be weighed in developing a growth management strategy. For example, a balance should be struck between the needs of the population and those of the natural systems in order to maintain the integrity of both. Specific land use issues that must remain in the forefront of growth management planning include the planned use of coastal areas and vacant lands, preservation of natural resources, provision of public services and utilities, and maintenance of agriculture as a strong economic force. These issues are discussed below and detailed in relevant chapters.

(1) Coastal area land uses. The coastal area shall be synonymous with the Coastal High Hazard Area as defined in Chapter 2 and identified in Figure 8-5, Coastal Area Land Use, in the Coastal Management Element (Chapter 8).

Editor's note—

Figure 8-5 is on file in the office of the Martin County Growth Management Department.

Figure 8-1 identifies public access points (i.e., boat ramps and public parks) and land zoned for waterfront commercial uses. Areas are identified for existing and future water-related land uses (i.e., restaurants, hotels/motels, boat yards and marinas). Additionally, urban uses are mapped as a general category to reflect the character and intensity of developed areas in the coastal zone. The relatively less extensive areas of underdeveloped or vacant land in the coastal zone are identified.
Figure 8-1 illustrates the concentration of water-dependent and water-related uses in such areas as the Manatee Pocket, Jensen Beach/Indian River Drive, SR 707/Rio, Indiantown and beginning along Hobe Sound adjacent to U.S. Highway 1 in the south County. While extensive areas of public holdings are evident, much of the coastal zone remains in private ownership. Planning for these private land uses has been a primary concern for Martin County. While significant public access points are located along the beaches and estuary rivers, a balance has been sought to control the often competing and incompatible areas of waterfront residential use with the water-dependent/related commercial and industrial uses. Therefore, the Future Land Use Map (FLUM) has been closely monitored to provide opportunities for both activities while recognizing the capacity limitation in Martin County's coastal zone.

Editor's note—

Figure 8-1 is on file in the office of the Martin County Growth Management Department.

Rapid consumption of this land for residential acreage has left limited opportunities to introduce new waterfront commercial activities, except in redevelopment scenarios. Residential uses have always been an option in the Marine Waterfront Commercial future land use designation in Goal 4.13. Martin County added a no-net-loss policy to prevent the conversion of existing Marine Service Areas to permanent residential uses; conversion of a Marine Service Area requires the creation of a new Marine Service Area to ensure no net loss. All new or reuse proposals to incorporate such development must assure that any potential negative impacts to established residential areas are minimized.

Properly located and adequately planned mixed-use developments are encouraged to provide public access to the water, provide for diversity and protect stable residential neighborhoods, which are to be enhanced and benefited by the nonresidential uses being proposed as neighboring land uses. Although this type of mix can be found in some planned unit developments (PUDs), more emphasis needs to be given to carefully selected commercial enterprises that protect existing neighborhoods. This approach will provide the immediate benefit of increased tax dollars and will also add to the tourist industry and the County's long-term economic base. Opportunities to introduce a more balanced use of the coastal areas can be found in the vacant parcels remaining. Redevelopment areas include the Jensen Beach/Indian River Drive Area, Rio, Indiantown, Port Salerno, which is the location of the Manatee Pocket, Hobe Sound and Jupiter Sound.

In general, uses in the coastal area should be balanced among those that help conserve environmental resources, provide recreational opportunities, support tourism and redevelopment, and enhance the local economy. As such, residential uses should be considered for integration with mixed use redevelopment projects. Nonresidential uses should be required to be consistent with policies established in the Coastal Management Element, should comply with the policies for location in Goal 4.13., and should generally be required to make any of the following uses compatible with existing residential neighborhoods:

(a) Boating and marine-related businesses;
(b) Businesses that provide the public an opportunity to enjoy water views, such as restaurants, and also enhance the local tourist industry;
(c) Businesses or groups of businesses that allow pedestrian activities in a waterfront environment, such as shopping and eating and drinking establishments;
(d) Recreational uses, particularly fishing, boating, swimming and related uses, and unique uses such as outdoor concert facilities.
(2) Recreational land uses. An important factor for determining appropriate recreational facilities for an area is the age structure of the population. Table 4-3 shows that the 65 and older age cohort will remain the largest component of the population in Martin County. The more active lifestyle of retirees and younger population groups require the County and other providers of recreation services to anticipate and plan for community parks that provide for a full range of facilities and opportunities. Martin County parks must continue to be planned to accommodate the diverse needs of the County’s population groups, which are more specifically identified in the Recreation Element (Chapter 7) and the Parks and Recreation Master Plan.

<table>
<thead>
<tr>
<th>Age</th>
<th>2010</th>
<th>2015</th>
<th>2020</th>
<th>2025</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>0—17</td>
<td>24,399</td>
<td>24,010</td>
<td>24,514</td>
<td>24,965</td>
<td>25,218</td>
</tr>
<tr>
<td>18—34</td>
<td>19,998</td>
<td>20,898</td>
<td>20,937</td>
<td>20,852</td>
<td>21,036</td>
</tr>
<tr>
<td>35—54</td>
<td>35,880</td>
<td>33,305</td>
<td>31,634</td>
<td>31,765</td>
<td>32,884</td>
</tr>
<tr>
<td>55—64</td>
<td>22,273</td>
<td>24,995</td>
<td>26,390</td>
<td>24,589</td>
<td>21,999</td>
</tr>
<tr>
<td>65+</td>
<td>41,150</td>
<td>46,579</td>
<td>53,640</td>
<td>61,910</td>
<td>69,288</td>
</tr>
</tbody>
</table>


(3) Land uses to enhance the economic base. Table 4-4 compares employment distribution by major industry groupings for the State and Martin and Palm Beach Counties. Palm Beach County is used for comparison since it is immediately to the south. Table 4-4 shows that certain industries employ greater proportions of the labor force in Martin County relative to the State. These are agriculture, forestry, fishing and hunting; construction; and arts, entertainment and recreation. Martin County has lower representation than the State in transportation, information/communications and wholesale trade.

In 2000, the largest employment categories in the County were retail trade, health care and social assistance, and construction. Retail trade is dominant due to the high number of seasonal residents, particularly senior citizens and tourists. The spending by seasonal residents and tourists on goods and services brings money into the local economy and thus contributes to the economic base.
### Table 4-4

**Employment Comparison by Industry:** Percentage of Employment by Major Industry Groups for the State, Palm Beach County and Martin County 2000

<table>
<thead>
<tr>
<th>Employment by Industry</th>
<th>Florida (percent)</th>
<th>Palm Beach County (percent)</th>
<th>Martin County (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation and food services</td>
<td>7.71</td>
<td>6.96</td>
<td>6.40</td>
</tr>
<tr>
<td>Administrative, support and waste</td>
<td>4.81</td>
<td>5.54</td>
<td>5.32</td>
</tr>
<tr>
<td>Agriculture, forestry, fishing and hunting</td>
<td>1.21</td>
<td>1.13</td>
<td>2.08</td>
</tr>
<tr>
<td>Arts, entertainment and recreation</td>
<td>2.76</td>
<td>3.29</td>
<td>4.54</td>
</tr>
<tr>
<td>Construction</td>
<td>8.04</td>
<td>8.29</td>
<td>10.48</td>
</tr>
<tr>
<td>Educational services</td>
<td>7.19</td>
<td>6.33</td>
<td>6.14</td>
</tr>
<tr>
<td>Finance and insurance</td>
<td>5.20</td>
<td>5.50</td>
<td>4.24</td>
</tr>
<tr>
<td>Health care and social assistance</td>
<td>10.88</td>
<td>11.31</td>
<td>11.38</td>
</tr>
<tr>
<td>Information</td>
<td>3.09</td>
<td>3.44</td>
<td>1.99</td>
</tr>
<tr>
<td>Management of companies and enterprises</td>
<td>0.04</td>
<td>0.10</td>
<td>0.06</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>7.26</td>
<td>6.33</td>
<td>6.57</td>
</tr>
<tr>
<td>Mining</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Other services (except public administration)</td>
<td>5.14</td>
<td>5.54</td>
<td>5.58</td>
</tr>
<tr>
<td>Professional, scientific and technical services</td>
<td>5.73</td>
<td>6.81</td>
<td>6.31</td>
</tr>
<tr>
<td>Public administration</td>
<td>5.16</td>
<td>4.42</td>
<td>4.44</td>
</tr>
<tr>
<td>Real estate and rental and leasing</td>
<td>2.85</td>
<td>3.68</td>
<td>2.96</td>
</tr>
</tbody>
</table>
Chapter 4 - FUTURE LAND USE ELEMENT

<table>
<thead>
<tr>
<th>Industry</th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail trade</td>
<td>13.49</td>
<td>13.15</td>
<td>12.91</td>
</tr>
<tr>
<td>Transportation and warehousing</td>
<td>4.49</td>
<td>3.49</td>
<td>3.27</td>
</tr>
<tr>
<td>Utilities</td>
<td>0.86</td>
<td>1.03</td>
<td>1.98</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>3.98</td>
<td>3.67</td>
<td>3.35</td>
</tr>
</tbody>
</table>

Source: 2000 Census data provided by Martin County Business Development Board.

(4) Land use coordination with abutting jurisdictions. The County has identified mechanisms and programs to enhance coordination with adjoining local jurisdictions and municipalities. The Intergovernmental Coordination Element (Chapter 3) provides the specific means to assure maintenance of land use compatibility. This coordination includes County review and comment on proposed annexations, land use, zoning and site plan approval procedures and applications.

(5) Vacant land use suitability. The County requires urban development to locate in the urban service districts. Vacant land in these districts should be used for in-fill development to minimize leapfrog development. In-fill development within the urban service districts provides for cost-effective use of existing and planned infrastructure improvements. Table 4-6 shows the undeveloped land inside the urban service districts available for in-fill development.

Figure 4-2
Urban Service District Boundaries Map

As of December 6, 2005 the black and white drawing (8.5 x 11 inch) of the Urban Services Boundary District map was replaced with a map produced in the Geographic Information System at the same scale as the FLUM series.

Editor's note—

Figure 4-2 is on file in the office of the Martin County Growth Management Department.

(6) Natural resources and vacant land potentials.

(a) Soils and natural resources. In western Martin County, the greatest amount of vacant land is in the Port Mayaca area near Lake Okeechobee. Most of the soils range from the Pineda-Riviera-Boca series to the Okeelanta variant mucks along Lake Okeechobee. As such, this area is mostly suitable for agriculture. Vacant acreage in the Indiantown area (associated with soils of the low ridges and knolls) is suitable for urban development and lies in the urban service districts. (Refer to the Soil Survey of Martin County, Florida Area, Figure 4-3, which is incorporated into the CGMP by reference.)

Editor's note—

Figure 4-3 is on file in the office of the Martin County Growth Management Department.
The south County area is dominated by Salerno-Jonathan-Hobe soils and soils of the flatwoods west of the Coastal Ridge and east of the Turnpike. Except for isolated intrusions of the estuarine system, from the Loxahatchee River on the south and the St. Lucie River on the north, this area is suitable for urban development. However, much of the area is removed from the urban core, so essential services would be provided from the south. Urban development is encouraged in the urban services area (Figure 4-2) along major arterial roadways.

The Coastal Ridge, also in the south County planning area, is characterized by Paola-St. Lucie sandy soils with Palm Beach-Canaveral soils to the east. The complex slopes of the Coastal Ridge, while developable, are fragile. They must be maintained wherever possible for conservation or recreation. In addition, the uplands of the Coastal Ridge and adjacent coastline along the Indian River from the south County line to the St. Lucie Inlet have been designated an aquatic preserve and manatee sanctuary by the Florida Department of Environmental Protection. This designation may limit development of boat docking facilities and precludes certain waterfront commercial activities in any of the vacant lands in this area. More intensive development opportunities for the Port Salerno/SR 76 Corridor Area exist in the area north of Cove Road and the Hobe Sound area just west of U.S. 1, as natural extensions of urbanization to the north and east.

With the exception of Hutchinson Island, the remaining planning areas surrounding the urban core of Stuart are both subject to development pressure and most readily available for planned expansion of urban services and facilities. This is where infill should be encouraged. The County has made progress in minimizing densities on Hutchinson Island and in many of the designated coastal areas discussed above. The Bessie series of soils that characterize the tidal swamps are located along the St. Lucie Canal and Okeechobee Waterway from the south fork of the St. Lucie River to State Road 76 (Kanner Highway). Some residential development has already occurred in this area. However, future development should be low intensity and regulated to assure preservation of environmentally sensitive natural communities.

(b) Natural resource limitations on the uses of land by general category. Although the soil survey for Martin County is one reference for site-specific natural resource information and is relied on for wetland/upland soil and vegetative analyses and topographic features, the County has devised an identification tool to provide more comprehensive data on soils and wetlands. Martin County uses the Composite Wetland Map (Figure 9-1, in the Conservation and Open Space Element, Chapter 9) to identify the approximate location of potential wetlands. The map consolidates many data sources into one useful tool. It consists of 1981 hydric soils data, 1985 National Wetlands Inventory data, satellite classification data (Thermatic Mapper and SPOT data) and Martin County environmental field data. Additional data sources will be considered as they become available.

Editor's note—

Figure 9-1 is on file in the office of the Martin County Growth Management Department.

In conjunction with Martin County's continuing analysis of the location of future land uses, strict development regulations have been put into effect. As a result, the FLUM designations restrict the type and intensity of uses that can be supported. As an overall environmental constraint, all development must preserve wetlands and native uplands on-site in grouped, clustered orientation with relationship to off-site regional natural resources, in accordance with the policies in the Conservation and Open Space Element (Chapter 9) and the Coastal Management Element. In addition, septic tanks for nonresidential and residential uses are subject to the restrictions in the Sanitary Sewer Services Element.
Natural resource constraints by general land use categories are summarized as follows:

1) Single-family residential developments must have natural area preserves (wetlands and native upland areas) set aside for common open space, controlled by a central homeowners association. The common open space generally assures that the net density of the entire tract is lower than the density allowed by the FLUM. Where this land use type depends on septic tanks, development on suitable soils is required. Lower density and/or clustered residential developments are generally better suited to environmentally sensitive areas because they can preserve large, contiguous natural areas and reduce impervious surfaces.

2) Multifamily residential projects can cluster the density and recoup some of the density lost to open space by transfer of development potential to more suitable upland portions. The common open space, in natural resource preserve areas, is similarly preserved and maintained in its natural state.

3) Commercial office and residential land uses are similar to multifamily areas. Natural preserve areas are incorporated in the development plan and maintained continuously. This category of uses should not generally be located in areas of extensive environmental sensitivity due primarily to significant lot sizes and the potential for runoff. However, compared to other commercial and industrial uses, commercial office and residential uses typically have less impact on the environment.

4) Limited and general commercial areas are restricted both in the intensity of site use (due to natural area preserve requirements) and in the type of use. Fuel service and other uses that could adversely affect the groundwater table are controlled by the Wellfield Protection Regulations. This category of uses should not generally be located in areas of extensive environmental sensitivity due primarily to significant lot sizes and the potential for runoff. Overall, general commercial uses have a greater impact on environmental resources than limited commercial uses.

5) Waterfront commercial uses are constrained by the limited access to the water. While the Coastal Management Element encourages this activity on sites that are not environmentally sensitive, all waterfront property, particularly multislip commercial docks, is controlled by the Boat Facilities Siting Plan and the Manatee Protection Plan (referenced in the Coastal Management Element).

6) Expressway-oriented transient commercial service centers are similarly restricted by the potential for impacts to natural systems, as are limited and general commercial uses. With freestanding utility systems and proximity of fuel storage tanks in gasoline stations at these sites, special attention is required to protect ground and surface water, provided by the Wellfield Protection Regulations. The proximity of rural and agricultural uses for sites outside the Primary Urban Service District must also be considered in any site plan approvals for this use.

7) Industrial uses are located most suitably in urban areas with access to transportation and proximity to markets/employees. Wetland and upland preservation areas are assured of continued viability by control of drainage outfall and other potentially noxious activities. Industrial runoff and waste products are regulated by the Wellfield Protection Regulations. Industrial uses generally have the greatest potential for environmental damage and should not be located in areas of extensive environmental sensitivity due primarily to significant lot sizes and the potential for runoff.

8) Agricultural uses must preserve wetland areas on-site. The wetland policies found in the Conservation and Open Space Element must be followed to ensure protection and preservation of on-site wetlands. Agricultural use of the land also must preserve
native upland areas on-site or pay a fee-in-lieu-of that contributes to native upland preservation in another location. Agricultural uses are required to preserve 25 percent of endangered, threatened or rare upland native habitat and 10 percent of common upland native habitat. Many low-intensity agricultural uses such as range (pasture) land can be compatible with environmentally significant resource areas.

9) Institutional development, whether for community-related services or for park and recreation development, is expected to preserve environmentally sensitive areas on-site. Intensive uses such as civic buildings can have negative environmental impacts and should not generally be located in significant natural resource areas.

10) Public utilities and major power generation facilities are intensive users of land. Although the majority of the acreage reserved for Florida Power & Light's use in Indiantown involves the reservoir for cooling water, such areas as the Barley Barber Swamp and the preserve area north of the existing power plant must be maintained in their natural state.

11) Private conservation areas should be set aside for permanent open space/natural preserves.

(c) Schools. Future residential needs and vacant land. Table 4-3 shows that in 2010 Martin County will have 80,277 residents below 55 years of age, and in 2025 that age group will account for 77,582 residents. However, the number of residents 55 years and older will increase from 63,423 people in 2010 to 86,499 people in 2025, totaling more than half the population of Martin County. The County's residential development should address the needs of the age groups projected to reside in the County.

In 2008 the Board of County Commissioners coordinated with the Martin County School Board to create the Public Schools Facilities Element (Chapter 17). The element creates concurrency standards preventing residential development from exceeding the capacity of public schools. The data required to monitor school concurrency and the need for residential capacity estimates call for close monitoring of vacant residential capacity in the Primary and Secondary Urban Service Districts, as shown in Table 4-6.

In compliance with Florida Statutes (F.S.) section 163.31777, Martin County entered into an interlocal agreement with the Martin County School Board and the City of Stuart to coordinate the planning and implementation of public schools with the timing and location of residential development. Suitable public school sites shall be determined by applying the Florida Department of Education siting criteria and site assessment by Martin County based on school-age population projections provided by the Martin County School Board. Site location shall be consistent with Policy 4.7A.12.

Table 4-6 shows that in the eastern USD, 2009, there is vacant capacity for 5,790 units. Adding in the 3,549 units that are approved, but unbuilt, in the eastern USD, the capacity of residential land is 9,339 units. With a need of 9,954 units, there is a shortfall of 616 units in the 15-year planning period. This is 94% of the units necessary to accommodate population inside the eastern USDs.

In Indiantown, 2009, there is vacant capacity for 5,335 residential units. Adding in the 1,351 units that are approved, but unbuilt, in Indiantown, the capacity of residential land is 6,686 units. There is need for 341 units for the next 15 years. This is an overcapacity of 6,260 units, or 1,569% of the capacity needed for the projected population growth.

The tabular data clearly shows an imbalance between the vacant land capacity in the Eastern Urban Service Districts and the Indiantown Urban Service Districts. Population projections for the Indiantown area indicate this will not change in the near future. Another imbalance occurs between residential land uses in the Eastern Urban Service Districts.
Table 4.6 also shows 2,950 acres of Rural density land remain vacant in the Eastern Urban Service Districts. Of that number 2,539 acres lie in the Secondary Urban Service District. In contrast 13 acres of High Density Residential, 57 acres of Medium Density Residential and 125 acres of Commercial Office Residential land are available for development (outside the Community Redevelopment Areas) in the Eastern Primary Urban Service District. Plan policies directing growth into the Primary Urban Service District have clearly worked. However, Future Land Use Map amendments in the coming years will need to balance the mixture of land uses in the Eastern Urban Service Districts to satisfy Goal 4.9. It requires the provision of appropriate and adequate lands for residential land uses to meet the housing needs of the anticipated population and provide residents with a variety of housing types and living arrangements throughout the County.

(d) **Preservation areas and vacant land.** Residential use of land near or on the coast, other water bodies or wetlands can threaten preservation of the very attributes that make the area attractive for growth. Such development should be planned to minimize that threat by assuring that environmentally sensitive and threatened habitats are preserved.

Certain areas in Martin County are recognized by federal, state and local programs as environmentally sensitive. Some of these are identified as lands to be protected by the Indian River Lagoon (South) Restoration Plan, Save Our Rivers, Florida Forever and other restoration programs recognized by Martin County. To implement the objectives of Policy 9.1 K.1. and Section 13.2 E. and to encourage implementation of recognized land protection programs, Martin County has adopted policies under Objective 4.5 F encouraging agricultural preservation, conservation of public open space and restoration of natural areas. These areas provide special public benefits, including recreational opportunities, life support services, tourism, commercial and sport fishing, scenic values, water purification, water recharge and storage, and sensitive habitats critical to the survival of endangered wildlife and plants.

Urban development in or adjacent to environmentally sensitive areas can significantly reduce their environmental values.

(e) **Agricultural use and vacant land.** Agriculture is one of the County's major exporting industries. It is concentrated at locations where soils, climatic conditions and other market and industry factors are especially suitable for crops such as citrus, vegetables and sugar cane.

As population growth continues and available land suitable for urbanization along the Coastal Ridge declines, development pressure will heighten on significant interior agricultural areas. This pressure can come in the form of higher land values for urban use, resulting in speculation and conversion to urban development. The loss of agricultural lands through urban encroachment adversely affects this export industry, as well as the entire service industry, which employs pickers, processors, refiners, shippers and similar workers. Agricultural land is not viewed by Martin County as vacant land use. Agricultural activities are vital to the continued diversity and health of the community. Lands used for agricultural purposes are to be protected for future benefits and community identity.

(f) **Natural vegetation and vacant land.** Vegetation has many uses for people. Besides providing habitat and food for wildlife, it produces oxygen, removes carbon dioxide, absorbs nutrients in waste, purifies the air and reduces soil erosion. A visible part of the only subtropical area in the continental United States, natural vegetation in Martin County is a strong attraction for many tourists and for permanent residents.

Urban development frequently removes or alters much of the County's natural vegetation. In many cases this is unnecessary and could be avoided. Many species, such as mangroves in coastal areas, are essential to the integrity and maintenance of the lands.
they occupy. Studies have shown enhanced value of residential property where native vegetation is preserved. The natural communities and their value for the planned future of Martin County are detailed in the Conservation and Open Space Element.

(7) Public services supporting development. The cost of energy is increasing as the supply diminishes. This cost is affecting the County's public service operations and maintenance requirements. Operation, maintenance and capital improvement needs to support development are becoming more costly.

Urban development located outside existing urban service areas to take advantage of low land costs results in higher future costs. This leapfrog development requires extension of public services past undeveloped land, which can be very costly in both dollars and energy. Isolated single-use developments, such as large single-family subdivisions removed from commercial or industrial centers, force residents into needlessly long trips for shopping, public schools and services. The County is encouraging the development of multiple-use projects that consolidate urban activities so they can be served in a planned expansion of urban services within the boundaries set forth in Figure 4-2.

Transportation access is a key factor affecting the location and magnitude of growth. As coastal land diminishes and growth continues, development pressures will lead to demands for access to the County's westerly areas. However, the County shall only entertain suburban and urban uses and densities (i.e., commercial, industrial and residential densities in excess of two units per acre) for lands located in the Primary Urban Service District, as amended periodically (see Figure 4-2).

The long-term quality and livability of a residential neighborhood depends considerably on access to public services and facilities. These include potable water and central sewer systems, adequate roads and drainage, street and sidewalk maintenance, recreational facilities, trash collection, fire and police protection, and schools. The FLUM and the provision of urban services, illustrated on Figure 4-2, are coordinated by Martin County. In an effort to assure that natural resources are maintained, natural systems are not degraded and the fiscal health of the County is maintained by a planned, timed and cost-effective capital improvement program, the County has staged needed infrastructure maintenance and improvements at realistic and achievable levels of service in the Capital Improvements Element (Chapter 14).

Editor's note—

Figure 4-2 is on file in the office of the Martin County Growth Management Department.

(8) Future residential land use requirements. The Housing Element (Chapter 6) gives a detailed analysis of the population trends that influence the amount and type of housing needed to shelter the County's population in 2025. The expected seasonality of that population and the mixture of single-family and multifamily units dictate the need for a broad mix of land use designations in the residential land use category.

The anticipated housing trends are based on demographic factors indicating that Martin County will continue as a retirement community. One half of the County's 2025 population is expected to be in the 55—64 and 65+ age groups (see Table 4-3), and this is a key factor influencing County planning and expected housing demand. The entry of exclusive retirement and second-home resort developments in planning areas previously noted as suburban bedroom communities is changing both the character of the area and the demand for land. The land areas devoted to traditional single-family subdivisions versus clustered and attached single-family and multiple-family residential areas are being accommodated in Martin County's development plans. Beginning with the projected population expansion shown in Table 4-5, a
picture of the future land use requirement can be drawn considering the assumptions established in the Housing Element.

Future residential land use requirements are based on future population projections. The state Bureau of Business and Economic Research (BEBR) medium estimates are used to determine population projections. BEBR provides estimates of permanent population for the entire county. Subtracting BEBR permanent population for the four Martin County municipalities from BEBR’s countywide estimates provides the permanent population estimates for the Martin County unincorporated area. Permanent population is defined as those residents who spend more than six months of the year in Martin County. The BEBR permanent population for unincorporated Martin County consists of:

<table>
<thead>
<tr>
<th></th>
<th>2010 Census</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Permanent population in households</td>
<td>124,120</td>
</tr>
<tr>
<td>(b) prisoners</td>
<td>1,744</td>
</tr>
<tr>
<td>(c) group homes residents</td>
<td>1,702</td>
</tr>
<tr>
<td>Total permanent residents</td>
<td>127,557</td>
</tr>
</tbody>
</table>

To determine the number of residents living in occupied housing, divide the BEBR permanent population by the group home factor and subtract the prison population. The 2010 Census showed 54,709 households with 124,120 permanent residents in unincorporated Martin County.

Persons per household (pph) is a number provided by the Census and by BEBR. It is calculated by dividing the household population (permanent less group residents and prisoners) by the number of occupied households as defined by the Census. While it is a useful piece of information, it is not necessary for calculating future housing needs. In the 2010 Census the persons per household number was 2.27.

Every ten years the Census provides detailed data on the number of housing units.

“Occupied housing” is the number of housing units occupied by permanent residents who live in residential units rather than in prison or group homes.

All other housing units are classified by the census as “vacant housing.”

The vacant housing is broken into a number of categories. “Vacant seasonal housing” represents housing units that are occupied less than six months of the year by seasonal residents.

Occupied housing plus vacant seasonal housing equals the number of housing units actually in use. For the Census years 2000 and 2010 for unincorporated Martin County.

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent population</td>
<td>109,069</td>
<td>127,512</td>
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<tr>
<td>Total housing</td>
<td>54,809</td>
<td>66,140</td>
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<tr>
<td>Occupied housing</td>
<td>46,690</td>
<td>54,709</td>
</tr>
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</table>
Chapter 4 - FUTURE LAND USE ELEMENT

<table>
<thead>
<tr>
<th>Seasonal housing</th>
<th>5,332</th>
<th>6,203</th>
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</thead>
<tbody>
<tr>
<td>Total housing in use</td>
<td>52,022</td>
<td>60,911</td>
</tr>
</tbody>
</table>

US Census unincorporated Martin County

The future year unincorporated permanent population divided by the Census year unincorporated permanent population provides the percentage increase in population. Multiply this percentage times the number of housing units actually in use by permanent or seasonal residents at the time of the Census to determine the housing need in the future year. This provides the simplest and most accurate estimate for future housing needs.

The challenge in providing for residential land use is to provide adequate vacant land concentrated within the urban service district to meet the needs of the projected population. The urban service district is a key strategy for assuring that growth occurs where public facilities can be provided in an efficient cost-effective manner. Outside the urban service district residential development is limited to twenty acre minimum lot sizes in the Agricultural Land Use and five acre lots sizes in the Agriculture Ranchette Land Use. A modest amount of growth happens outside the boundaries of the Urban Service Districts and should be accounted for when estimating the increase in population that must be served within the USDs. When the undeveloped residential acreage within the urban service district no longer provides for projected population growth for the fifteen year planning period, planning for expansion of the urban service district or other actions to increase residential capacity shall be commenced. When the undeveloped acreage within the urban service district provides for no more than 10 years of projected population growth, the County is required to expand the urban service district or take other actions in order to provide reasonable residential capacity for the 15 year planning period.

The 15 year planning period for residential capacity shall begin with the 2010 Census and shall be updated to a new 15 year planning period every 5 years.

Residential Capacity calculations. Residential capacity represents the capacity for residential development within the two urban service districts to meet the projected population needs for the 15 year planning period. The calculation of residential capacity within the urban service districts shall include:

1. Vacant property that allows residential use according to the Future Land Use Map. The maximum allowable density shall be used in calculating the number of available units on vacant acreage. Vacant platted single family or duplex subdivision lots eligible to pull building permits shall not be counted as vacant acreage.
2. Vacant buildable single family or duplex lots of record as of 1982 developed prior to the County’s tracking of development approvals.
3. Vacant single family or duplex lots of record platted after 1982.
4. Potential for residential development in Mixed Use overlays.
5. Multifamily residential site plans with final approval shall be counted as vacant property under 1. above until such time as COs are issued. Where COs are issued for a portion or phase of a final site plan, appropriate acreage shall be removed from the vacant land inventory. Appropriate acreage shall be the same percentage of the project acreage as the number of units with COs is to the total number of units for the final site plan.
6. Excess vacant housing not in use by permanent or seasonal residents. Excess vacant housing is a vacancy rate higher than 3% of the housing in actual use.

*Statistics from the 2010 Census make clear that the Great Recession, which began in 2008, resulted in a glut of vacant housing for sale, for rent or in foreclosure. In a normal housing market there will always be a percentage of vacant housing, but the current number of vacant units is at
an historic high and serves to depress the housing economy. Calculations of "excess vacancy" are based on the assumption that 3% of the total unincorporated housing units will normally be vacant. Each year BEBR provides the percentage increase in electrical connections for residential housing units. According to BEBR this percentage increase has been historically accurate in projecting the increase in occupied units from year to year. By applying this percentage increase to the total number of residential units in actual use in the preceding year, the number of residential units in actual use by permanent or seasonal residents can be calculated for the current year. Comparing this number to the total number of housing units plus certificates of occupancy for new units issued during the year, makes it possible to keep track of residential units that are not in use by either permanent or seasonal residents. When this vacant housing number exceeds 3% of the total number of housing units in actual use, the excess shall be included in the calculation of available residential capacity.

Residential capacity should be re-calculated every five years to insure that adequate capacity continues to exist for no less than ten years.

A small portion of the housing needs for the County’s projected growth is regularly met by large lots outside the two urban service districts. An appropriate percentage of future growth will be assigned to the area outside the urban service districts based on the average number of certificates of occupancy for the preceding five years. The percentage of COs outside the urban service districts shall be divided by total COs for the unincorporated area to determine the appropriate percentage.

While the County's residential capacity for the unincorporated area currently far exceeds the housing need for the 15 year planning period, a separate determination of residential capacity will be made for each of the urban service districts. Directing future growth to areas within the urban service boundaries is a key factor in Martin County’s commitment to meeting the needs of growth in a cost effective manner.

For this reason, the county will plan for the Indiantown urban service district to receive “overflow” from the Eastern urban service district in order to make use of existing public facilities. The total projected housing need for the unincorporated area for the 15 year planning period will be divided between the two districts so that at least 10% of future needs will be encouraged to locate in the Indiantown urban service district.

Where DRI’s with residential developments exist in the Indiantown urban service district, and are in accordance with their timelines and conditions of approval, it shall be assumed that they are proceeding and that the planned units will be built in accordance with their timelines.

In addition to insuring adequate residential capacity, it is critically important to maintain a strategy for tracking the timing and location of active residential developments. Unlimited development approvals lead to an unlimited commitment to provide public facilities and to higher taxes and higher rates for public services. In order to have a feasible concurrency management system, it is necessary to know when and where approved and vested developments are going to happen. In order to have a cost effective concurrency management system and Capital Improvement Plan, it is necessary to limit approvals to the number of units actually needed for expected population growth. Committing to and building facilities for projects that don’t happen is expensive and inefficient.

In order to track all residential development approvals and to limit active residential developments to the need for population growth and the ability to provide services, Martin County will implement and maintain a residential development tracking system.

The system will keep current information on all residential development approvals and will limit the location and timing of active developments in order to provide timely, cost-effective public facilities concurrent with development and consistent with a feasible Capital Improvement Plan. Separate systems shall be maintained for the Eastern urban service district and the Indiantown urban service district.
The regulatory system to synchronize development with public facilities will include all active residential projects whose timetables for development include residential construction within the first five years of the planning period. Active residential development projects are those projects with final plan or final plat approval, where building permits can be pulled without further site plan review. Lots of record prior to 1982 and residential developments which are 90% complete will be deleted from the active development list. The amount of active residential development scheduled in the first five year period in the 15 year planning period shall be limited to 125% of the need for housing units projected for that period.

While the current pattern of the Future Land Use Map will remain as it is, the active residential development test will be used in conjunction with location and land suitability requirements in the review and approval of future project requests. These requirements shall include, at a minimum, location within the primary or secondary urban service district; protection of natural resources; adequate provision of facilities and services at the adopted level of service, and meeting all land suitability standards specified in the Future Land Use Element.

In the event a proposed site plan, within the primary or secondary urban service districts, does not pass the active residential development test, all review of the project will cease until the applicant reduces the number of units in the proposed site plan to comply with the active residential development test. When the 125% threshold has been reached and one or more proposed site plans cannot receive a reservation of capacity and be added to the active residential development tracking system the applicants shall have three options:

1. Request, in writing all application materials and application fees be returned, or
2. Continue review and receive tentative approval without a reservation of capacity.
3. Reschedule units to a later period.

If site plans in the active residential development system are breached, fail to maintain development timetables or if new population projections result in additional capacity demands then site plans or portions of site plans with tentative approval will be added to the active list. Site plans with the earliest tentative approval date shall be added first. If the number of residential units in a tentative site plan exceeds the available capacity for the five year period, only the number of units necessary to arrive at the 125% threshold may be added to the active list.

At no time will the active development pool for the five year period be allowed to exceed 125% of the five year housing need. All new residential developments, including projects which already have the approved land use designations, will be tested against the 125% five year capacity measure. If the 125% capacity measure has been reached, no new projects shall be permitted within the five year time period.

Platted or vested residential lots outside the Urban Service Districts shall not be included in the active residential list.

The housing recession and changes in state law that automatically extended development timetables have created a challenge for the timely planning of public facilities. By Jan. 2016 the County shall have in place an active residential development system which limits approved development timetables to expected growth as described above.

Table 4-5
Martin County Permanent Population Estimates and Projections
Martin County has provided a reasonable mix of opportunities for single-family, multiple-family and mobile home residential units to meet the demands of the various demographic groups and family characteristics. The FLUM identified in Section 4.3 and adopted with this Plan reflect Martin County's policy on the use of all lands under the County's jurisdiction. The policies of the Future Land Use Element will ensure fulfillment of the County's residential needs without creating urban sprawl.

**Table 4-6**

Residential Capacity of Unincorporated Martin County, 2010—2025

The tables below summarize the maximum potential units on vacant residential land inside the eastern USD and the Indiantown USD that has received no residential development approvals.

**Eastern Urban Service Districts**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Units per Acre (UPA)</th>
<th>Undeveloped Acres</th>
<th>Wetland Acreage</th>
<th>Acres Less Wetlands</th>
<th>8.5% ROW</th>
<th>Net D.U.</th>
<th>Wetland Units Transfer</th>
<th>Adjusted D.U.</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Density</td>
<td>10.00</td>
<td>13.30</td>
<td>0.03</td>
<td>13.27</td>
<td>12.14</td>
<td>121</td>
<td>0.15</td>
<td>122</td>
</tr>
<tr>
<td>Medium Density</td>
<td>8.00</td>
<td>57.03</td>
<td>13.90</td>
<td>43.13</td>
<td>39.46</td>
<td>316</td>
<td>55.60</td>
<td>371</td>
</tr>
<tr>
<td>Low-Density</td>
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<td>334.74</td>
<td>62.29</td>
<td>272.45</td>
<td>249.29</td>
<td>1246</td>
<td>155.73</td>
<td>1402</td>
</tr>
<tr>
<td>Estate-Density</td>
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<td>253.48</td>
<td>90.26</td>
<td>163.22</td>
<td>149.35</td>
<td>299</td>
<td>90.26</td>
<td>389</td>
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<tr>
<td>Rural-Density</td>
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<td>700.90</td>
<td>2,249.10</td>
<td>2,057.93</td>
<td>1,029</td>
<td>175.23</td>
<td>1,204</td>
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### Chapter 4 - FUTURE LAND USE ELEMENT

#### Rural Heritage

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Rural Heritage</th>
<th>Mobile Home</th>
<th>Commercial/Office/Residential</th>
<th>CRA Units (Excluding Indiantown)</th>
<th>Non-Mixed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.50</td>
<td>8.00</td>
<td>10.00</td>
<td></td>
<td></td>
</tr>
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<td></td>
<td>3.70</td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>55.30</td>
<td>12.90</td>
<td>113.60</td>
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<td>26</td>
<td>95</td>
<td>1,099</td>
<td></td>
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<tr>
<td><strong>Subtotal</strong></td>
<td><strong>4,708</strong></td>
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#### Mobile Home

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<thead>
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<th>13.00</th>
<th>125.50</th>
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<th>16.90</th>
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<td>15.46</td>
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#### Commercial/Office/Residential

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<td>135.9</td>
<td>132</td>
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<td></td>
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</tbody>
</table>

#### CRA Units (Excluding Indiantown)

| Land Use                          | 11.25          | 12.77       | 4.78                          | 24.77                         | 0.00          | 24.77 | 22.66 | 255.26                        | 0.00                        | 255           |
|-----------------------------------|----------------|-------------|-------------------------------|--------------------------------|---------------|--------|--------|--------------------------------|-----------------------------|               |
| General-Commercial                | 7.22           | 0.00        | 7.22                          | 24.77                         | 0.00          | 24.77 | 22.66 | 255.26                        | 0.00                        | 255           |
| Commercial/Office/Residential     | 12.77          | 0.00        | 12.77                         | 24.77                         | 0.00          | 24.77 | 22.66 | 255.26                        | 0.00                        | 255           |
| Medium-Density                    | 4.78           | 0.00        | 4.78                          | 24.77                         | 0.00          | 24.77 | 22.66 | 255.26                        | 0.00                        | 255           |
| **Total Mixed Use Overlay**       | 24.77          | 0.00        | 24.77                         | 22.66                         | 0.00          | 255.26| 0.00          | 255.26                        | 0.00                        | 255           |

#### Non-Mixed Use

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<tr>
<td>COR</td>
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<td>16.40</td>
<td>0.00</td>
<td>16.4</td>
<td>15.01</td>
<td>168.8</td>
<td>0.0</td>
<td>169</td>
</tr>
<tr>
<td>General-Commercial</td>
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<td>5.40</td>
<td>0.00</td>
<td>5.4</td>
<td>4.94</td>
<td>55.6</td>
<td>0.0</td>
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</tr>
</tbody>
</table>
### Total Non-Mixed Use

<table>
<thead>
<tr>
<th></th>
<th>Units per Acre (UPA)</th>
<th>Undeveloped Acres</th>
<th>Wetland Acreage</th>
<th>Acres Less Wetlands</th>
<th>8.5% ROW</th>
<th>Net D.U.</th>
<th>Wetland Units Transfer</th>
<th>Adjusted D.U.</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRA Subtotal</td>
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<td></td>
<td></td>
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<tr>
<td>Total Inside Eastern Urban Service Districts</td>
<td>827</td>
<td></td>
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### Indiantown Units

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Units per Acre (UPA)</th>
<th>Undeveloped Acres</th>
<th>Wetland Acreage</th>
<th>Acres Less Wetlands</th>
<th>8.5% ROW</th>
<th>Net D.U.</th>
<th>Wetland Units Transfer</th>
<th>Adjusted D.U.</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Commercial</td>
<td>11.25</td>
<td>91.6</td>
<td>1.9</td>
<td>89.7</td>
<td>82.08</td>
<td>923.3</td>
<td>10.7</td>
<td>934</td>
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<tr>
<td>Waterfront Commercial</td>
<td>11.25</td>
<td>33.9</td>
<td>16.1</td>
<td>17.8</td>
<td>16.29</td>
<td>183.2</td>
<td>42.8</td>
<td>289</td>
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<tr>
<td>Industrial</td>
<td>11.25</td>
<td>31.5</td>
<td>7.6</td>
<td>23.9</td>
<td>21.87</td>
<td>246.0</td>
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<tr>
<td>Medium-Density</td>
<td>11.25</td>
<td>0.3</td>
<td>0.3</td>
<td>0.0</td>
<td>0.00</td>
<td>0.0</td>
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<tr>
<td>Total-Mixed Use Overlay</td>
<td>11.25</td>
<td>157.3</td>
<td>25.9</td>
<td>131.4</td>
<td>120.23</td>
<td>1,352.6</td>
<td>145.7</td>
<td>1,498</td>
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### Non-Mixed Use

<table>
<thead>
<tr>
<th></th>
<th>Units per Acre (UPA)</th>
<th>Undeveloped Acres</th>
<th>Wetland Acreage</th>
<th>Acres Less Wetlands</th>
<th>8.5% ROW</th>
<th>Net D.U.</th>
<th>Wetland Units Transfer</th>
<th>Adjusted D.U.</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>10</td>
<td>1.16</td>
<td>0.00</td>
<td>1.16</td>
<td>1.10</td>
<td>10.6</td>
<td>0.0</td>
<td>11</td>
</tr>
<tr>
<td>Medium</td>
<td>8</td>
<td>77.03</td>
<td>17.90</td>
<td>59.13</td>
<td>54.1</td>
<td>432.8</td>
<td>71.6</td>
<td>504</td>
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<tr>
<td>Low</td>
<td>5</td>
<td>636.81</td>
<td>63.74</td>
<td>573.07</td>
<td>524.4</td>
<td>2,621.8</td>
<td>159.4</td>
<td>2,781</td>
</tr>
<tr>
<td>Estate</td>
<td>2</td>
<td>309.90</td>
<td>32.37</td>
<td>277.53</td>
<td>253.9</td>
<td>507.9</td>
<td>32.4</td>
<td>540</td>
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</table>
Population estimates and projections for unincorporated Martin County shall be published to the Martin County web site and shall be updated annually.

Residential capacity for unincorporated Martin County shall be published to the Martin County web site and shall be updated every five years. Residential capacity shall be presented in tabular form for the Eastern and the Indiantown Urban Service Districts (Primary and Secondary) and shall include the following:

1. Vacant property without approvals (max density)
2. Vacant buildable single family or duplex lots of record as of 1982
3. Vacant single family or duplex lots of record platted after 1982.
4. Potential for residential development in Mixed Use overlays.
5. Multifamily residential site plans with final approval where COs have not been issued (max density)
6. Vacant housing in excess of 3%

Total residential capacity

Permanent population unincorporated area 2010 127,512
Permanenent population unincorporated area 2025
Percentage increase in population 15 year planning period

Housing units in actual use 2010 Census 60,911
Projected Housing units in us 2025
Number of new housing units needed in 15 year planning period

Average number COs outside USDs , 5 years preceding
Average number of COs unincorporated area, 5 years preceding
The residential capacity shall be presented in tabular form with the projected population increases to demonstrate both the 10 year capacity and the 15 year capacity for both the Eastern and Indiantown Urban Service Districts (Primary and Secondary).

### Conclusion

<table>
<thead>
<tr>
<th></th>
<th>East</th>
<th>Indiantown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peak Population 2010</td>
<td>134,927</td>
<td>11,195</td>
</tr>
<tr>
<td>Peak Population 2025</td>
<td>152,525</td>
<td>11,949</td>
</tr>
<tr>
<td>Population Increase</td>
<td>17,598</td>
<td>754</td>
</tr>
<tr>
<td>Persons per Household</td>
<td></td>
<td>2.21</td>
</tr>
<tr>
<td>Current Need in Units for 15-Year Planning Period</td>
<td>7,963</td>
<td>341</td>
</tr>
<tr>
<td>125% of Current Need in Units for the 15-Year Planning Period</td>
<td>9,954</td>
<td>426</td>
</tr>
<tr>
<td>Vacant Land Capacity (units)</td>
<td>5,790</td>
<td>5,335</td>
</tr>
<tr>
<td>Approved/Unbuilt Units (ARDP)</td>
<td>3,549</td>
<td>1,351</td>
</tr>
<tr>
<td>Total Current Capacity</td>
<td>9,339</td>
<td>6,686</td>
</tr>
<tr>
<td>Units Needed in 15-Year Horizon</td>
<td>616</td>
<td>-6,260</td>
</tr>
<tr>
<td>Percent of Need</td>
<td>94%</td>
<td>1,569%</td>
</tr>
</tbody>
</table>
For purposes of this inventory the vacant residential acreage is defined as:

- Residential land inside the Primary and Secondary Service Districts, designated vacant by the appraiser’s office which is not part of an approved, currently tracked development, plus any agricultural land. This represents land that is still available for development applications.

- Because some of the land will be taken up by nonresidential uses such as roads and utilities, the result is adjusted down by removing 8.5 percent to account for such uses.

(9) Future nonresidential requirements.

(a) **Industrial land.** The supply of industrial land was estimated by Martin County staff, who evaluated current comprehensive land use plan designations for industrial land (Martin County Industrial and Commercial Land Inventory, revised 2009). That assessment indicated the presence of 1,737 acres of vacant, buildable land designated for industrial development, much of which could accommodate other kinds of nonresidential development. This figure excludes wetlands and a 60-foot buffer surrounding them, partially developed lands and lands with an approved development order. The 2009 inventory may result in land use amendments to this Plan. This will enable the County to correct inappropriate industrial land use designations. Approximately 569 acres of vacant industrial land exists in approved, platted and improved industrial parks or large industrial sites within the urban service district growth boundary, based on inspection of these Industrial areas by the County, its consultant and several local economic development leaders and evaluation of maps prepared with Martin County’s geographic information system (GIS).

(b) **Commercial land.** Land associated with retail trade, services and office-related activities including government are collectively called commercial land. The supply of commercial land was estimated by County staff, who evaluated the current Future Land Use Map for commercial land in 2009. The raw data appear to show a significant deficit of commercial land necessary to accommodate economic needs. Any attempt to remedy the deficits should be based on geographic area in order to reflect sustainability principles and provide population centers with necessary services in an orderly and timely fashion. Further analysis is planned to continue refining the inventory and to consider whether population demands for commercial/retail services should be applied to the vacant land. Additional analysis should also include evaluation for compatibility with existing land uses.

(c) **Public utility needs.** The creation of a Public Utility land use category ensures fulfillment of the unique needs of electrical generation. The 11,510 acres in this category are designated for the public power plant operated by Florida Power and Light. The site includes the existing power plant and cooling pond, as well as the acreage set aside for the proposed plants and storage areas needed for them.

(d) **Institutional needs.** Martin County has approximately 49,000 acres designated as institutional use on the FLUM. This category accommodates three types of uses: public facilities (either publicly or privately operated), recreational facilities and conservation areas. Each use is specifically identified in the FLUM Series. Additional acreage is projected for, public facilities, dredge spoil management sites and additional recreation and conservation areas. Expansion plans for these uses are specified in greater detail in the following elements: Recreation, Conservation and Open Space, Solid and Hazardous Waste and Capital Improvements. The need for additional dredge spoil management sites is addressed in three documents: (1) Long-Range Dredged Material Management Plan for the Intracoastal Waterway in Martin County, Florida, Final Report, September 1993; (2) Long Range Dredged Material Plan for the Okeechobee Waterway-Crossroads to St. Lucie Lock, Martin County, Florida, July 1998; and (3) Long Range Dredged Material Management Plan for the Okeechobee Waterway-St. Lucie Lock to Palm Beach/Hendry
County Line, August 2007. These are hereby incorporated by reference into the CGMP. Other long-term needs for dredge spoil management sites identified by the Florida Inland Navigation District will be incorporated by reference in the Plan, consistent with policies in the Intergovernmental Coordination Element.

Section 4.3. - Future Land Use Map (Year 2025) and Map Series

As of December 7, 2004 the format for the adopted FLUM changed from 24 × 36 inch mylar sheets to the Martin County GIS.

The Year 2025 Future Land Use Map and the related map series, identified and adopted as part of this Plan, reflects Martin County policy for managing development and resource options. It is based on goals, objectives and policies stipulated throughout the CGMP together with analysis of population, housing and land resources; natural resources, including wetlands, floodplain areas, water recharge areas, fish and wildlife, and agricultural lands; capital improvement needs; and fiscal efficiency in the delivery of public facilities and services.

The densities denoted on the FLUM reflect the maximum gross residential density permitted on the land. The maximum density is not guaranteed by right.

Zoning and site plan review procedures found in the LDRs are consistent with this Plan. The LDRs to ensure that specific density and intensity assigned to new development is (1) compatible and consistent with established development and (2) provides equitable use of the land in conformance with the Capital Improvements Element (Chapter 14) and natural resource restrictions contained in the Coastal Management and Conservation Elements.

The land use pattern and capacities indicated on the Year 2025 FLUM and related map series are consistent with the Capital Improvements Element and adopted population projections. The land use pattern and capacities, along with estimated population growth, form the basis of the 10-year capital improvement plan shown in the Capital Improvements Element. The policies for allocating land use development are listed under Goal 4.13.

Section 4.4. - Goals, Objectives and Policies

Goal 4.1 To manage growth and development in a way that is fiscally efficient, consistent with the capabilities of the natural and manmade systems, and maintains quality-of-life standards acceptable to Martin County's citizens.

Objective 4.1A. To continue to update and revise the Land Development Regulations as needed to implement all provisions of the adopted CGMP.

Policy 4.1A.1. Conformity of Land Development Regulations. The County's Land Development Regulations shall conform to all guidelines and standards contained in this Plan and shall:

1. Regulate the use of land and water consistent with this element and the FLUM, while ensuring land use compatibility and providing open space;
2. Regulate the subdivision of land;
3. Protect environmentally sensitive lands and incorporate minimum landscape standards;
4. Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
5. Regulate signage;
6. Ensure safe and convenient on-site traffic flow and parking needs;
(7) Protect potable water wellfields and aquifer recharge areas;

(8) Protect endangered and threatened species and species of special concern and their habitats as defined in the Florida Fish and Wildlife Conservation Commission's official list or as determined as regionally significant by the Treasure Coast Regional Planning Council;

(9) Ensure that any development orders and permits issued do not result in a level of service (LOS) below the base level of service standards adopted in the Capital Improvements Element;

(10) Include provisions for the transfer of development rights to:

(a) Protect environmentally sensitive areas and/or historic resources; and

(b) Specify those receiving zones in the Primary Urban Service District that can accept additional density and where in-fill development allows for new development and redevelopment of previously underused portions of the Primary Urban Service District.

Policy 4.1A.2. Supremacy of CGMP. Where conflict arises between the adopted Land Development Regulations and this Plan, the goals, objectives and policies of this Plan shall control all land use and development decisions.

Objective 4.1B. To maintain a concurrency management system to assure that no development orders or permits will be issued that result in a reduction of the adopted LOS standards at the time the impact of development occurs.

Policy 4.1B.1. Satisfaction of concurrency requirement. The concurrency requirement shall be satisfied and approval of a development permit may be granted if all LOS standards specified in the Chapter 14, Capital Improvements Element are met.

Policy 4.1B.2. Analysis of availability of public facilities. 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.

Compliance with this provision is in addition to, not in lieu of, compliance with the provisions of Martin County's Concurrency Management System. When a map amendment is granted under this provision, it does not confer any vested rights and will not stop the County from denying subsequent requests for development orders based on the application of a concurrency review at the time such orders are sought.

Martin County may adopt sub-area development restrictions for a particular site where public facilities and services, such as arterial and collector roads, regional water supply, regional wastewater treatment/disposal, surface water management, solid waste collection/disposal, parks and recreational facilities, and schools, are constrained and incapable of meeting the needs of the site if developed to the fullest capacity allowed under Goal 4.13 of this Growth Management Plan. The master or final site plan for a site that is subject to such sub-area development restrictions shall specify the maximum amount and type of development allowed. Sub-area development restrictions apply to the following sites:

(1) The tract of real property described in the Warranty Deed recorded at OR Book 2157, Page 2403, of the Public Records of Martin County, which is limited to 365,904 square feet
of nonresidential use, consistent with the assigned future land use designation, and on which residential uses shall not be allowed.

(2) The development of the tract of real property described in the Warranty Deed recorded in OR Book 2239, Page 2498, Public Records of Martin County, Florida, shall be restricted and managed as follows:

(a) Uses on the subject property shall be limited to nonresidential uses. Residential uses shall not be permitted.

(b) Uses on the property shall be consistent with the future land use designations for the property and the applicable land use policies of the Martin County Comprehensive Growth Management Plan (CGMP).

(c) The maximum intensities of uses on the subject property contained within a building or buildings shall not exceed 1,600,000 square feet.

(d) All future applications for development approval shall be processed as a Planned Unit Development (PUD).

(e) The maximum intensities of all uses contained within a building or buildings shall not exceed 500,000 square feet on the subject property (of which up to 25,000 square feet may be in marina uses) prior to December 1, 2015.

(3) This sub-area policy applies only to lands within the boundaries of Florida state parks within Martin County, Florida. Recreation facilities allowed in the state parks shall be limited to those supporting resource-based outdoor recreation activities specifically identified in the park’s approved management plan which has been developed according to F.S. sections 253.034 and 259.032, and F.A.C. 18-2 including, but not limited to, hiking, biking and equestrian trails, swimming areas, interpretive visitor centers, resource-based camping accommodations for use by tents, pop-up campers and other recreational vehicles, and cabins. All uses within the state parks must conform to the park’s management plan. Activities which are normally allowed in this land use category but are prohibited under this sub-area policy include fairgrounds, commercial marinas, ball fields, dredge spoil facilities and other user-based (active) recreation facilities.

Policy 4.1B.3. Internal consistency of elements. Maintaining internal consistency among all elements of the Plan shall be a prime consideration in evaluating all requests for amendments to any element of the Plan. Among other considerations, the FLUM shall not be amended to provide for additional urban expansion unless the CGMP includes traffic circulation, mass transit, water, sewer, solid waste, drainage and park and recreation facilities necessary to serve the area, and the associated funding sources.

Objective 4.1C. To continue to inform the public about the development review process through the County website pages, which shall be updated routinely as revisions and changes occur.

Policy 4.1C.1. Minimum requirement for website pages. At a minimum the website pages should include:

(1) The procedures and costs involved in requests for CGMP amendments, rezonings, development plan reviews and building permits;

(2) Identification of the roles and responsibilities of each implementing agency involved in the development review process and the location of their offices for public contact;

(3) Identification of the roles and responsibilities of the Board of County Commissioners, Local Planning Agency, and Board of Zoning Adjustment with regard to the development review process;
Objective 4.1D. Martin County shall continue to collect and monitor development and population data to ensure sufficient land to address projected population needs while controlling urban sprawl and maintaining a cost effective Capital Improvements program.

Policy 4.1D.1. Tracking of approved site plans. Martin County shall track all approved residential site plans, including vested unbuilt development and approved mixed-use site plans. The status of approved final site plans shall be annually updated as units are completed, timetable extensions are approved or development orders are breached.

Policy 4.1D.2. Population technical bulletin. Martin County shall annually produce a population technical bulletin based on data provided by the University of Florida Bureau of Economic and Business Research. The medium BEBR estimate for unincorporated area population shall be the basis for the Population Technical Bulletin. The following standards shall be used in calculating population projections through a Population Technical Report adopted annually by the County Commission:

1. Methodology must be clear and available for public review. Any change in methodology must be approved by the county commission prior to the preparation of the report.
2. Unless there is clear evidence to the contrary, the Office of Economic and Demographic Research University of Florida's Bureau of Economic and Business Research (BEBR) medium population projections for Martin County shall be used. BEBR provides estimates for permanent population. The permanent population shall be as defined and calculated by BEBR and the US Census.
3. Municipal permanent population shall be subtracted from total county permanent population to arrive at the estimate for total permanent population for the unincorporated area.

Policy 4.1D.3 Future residential housing unit need.

Future housing unit need estimate. Estimates of future housing needs are based on expected increases in permanent population as determined in 4.1D.2 and on all of the following:

1. The need for future residential housing units in the unincorporated area shall be based on the percentage increase in permanent population projected by the Population Technical Memorandum based on BEBR and the U.S. Census.
2. Occupied housing units (HO) are defined by the census as those housing units in use by permanent population. Vacant seasonal housing units (HS) are defined by the census as those residential units that are seasonally occupied by residents who spend less than 6 months of the year in Martin County.
3. Peak population in residential housing is served by housing units in actual use (HU). HU equals the occupied units (HO) plus vacant seasonal housing (HS).

Housing units in use (HU) equals the occupied units (HO) plus vacant seasonal housing (HS).

HU = HO + HS
4. Vacant housing not in seasonal use shall not be used in calculating housing unit demand, but shall be used in calculating supply. Hotel/motel units shall not be used in calculating housing need.

5. The increased need for housing units in a future period shall be determined by dividing the future permanent population for the unincorporated area (FP) by the permanent population for the unincorporated area for the most recent census year (CP).

\[
\text{FP} / \text{CP} = \text{increased demand}
\]

6. This percentage increase in demand (FP/CP) multiplied by the housing units in actual use (HU) in the most recent census year equals the projected housing unit need in the future period.

\[
\text{FP} / \text{CP} \times \text{HU} = \text{future housing units needed.}
\]

6. Future residential housing needs shall be updated every five years.

**Policy 4.1D.4.** Residential capacity analysis. Martin County shall produce a residential capacity analysis every two five years. Residential capacity defines the available residential development options that can meet the need for population growth consistent with the Future Land Use Map.

a. The percentage of residential housing need that will be met outside the urban service districts shall be based on certificates of occupancy for the preceding five years. The percentage of COs outside the urban service shall be divided by total COs for the unincorporated area to determine the appropriate percentage.

b. The remainder of residential housing needs will be divided between the eastern USD and the Indiantown USD. In order to encourage growth in the existing Indiantown urban service district, the County will plan for no less than 10% of the future housing need for the urban service districts in the Indiantown district.

c. Residential capacity shall consist of:

1. Vacant property that allows residential use according to the Future Land Use Map. The maximum allowable density shall be used in calculating the number of available units on vacant acreage. Platted single family or duplex subdivisions eligible to pull building permits shall not be counted as vacant acreage, but shall be included in 2. and 3. below.
2. Vacant buildable single family or duplex lots of record as of 1982 developed prior to the County's tracking of development approvals.
3. Vacant single family or duplex lots of record platted after 1982.
4. Potential for residential development in Mixed Use overlays.
5. Multifamily residential site plans with final approval shall be counted as vacant property under (1) above until such time as COs are issued. Where COs are issued for a portion or phase of a final site plan, appropriate acreage shall be removed from the vacant land inventory. Appropriate acreage shall be the same percentage of the project acreage as the number of units with COs is to the total number of units for the final site plan.
6. Excess vacant housing not in use by permanent or seasonal residents. Excess vacant housing is a vacancy rate higher than 3% of the housing in actual use.

The 15 year planning period for residential capacity shall begin with the 2010 Census and shall be updated to a new 15 year planning period every 5 years.

**Policy 4.1D.4.** The County shall consider the following factors in its residential capacity analysis:
The current peak population, based on the University of Florida's Bureau of Economic and Business Research (BEBR) medium population, shall be used to demonstrate the unit need in the fifteen-year planning period.

A market factor of 125 percent shall be applied to the unit need.

The eastern Urban Service District and the Indiantown Urban Service District shall be considered separately.

Maximum density shall be calculated for Future Land Use categories in which residential development is allowed.

Wetland acreage shall be subtracted from the vacant, undeveloped acreage.

Because some land will be taken up by nonresidential uses such as roads and utilities, a reduction of 8.5 percent shall be calculated to account for such uses.

Policy 4.1D. 5. The residential capacity analysis will be used to review applications for comprehensive plan amendments in conjunction with Policy 1.11.C.(2), determine if the future need for residential units exceeds the potential for residential units as provided in the residential capacity analysis. In order to assure adequate residential units for projected population growth, residential capacity in each of the USDs shall provide no less than ten years of housing unit need. The boundary shall not be expanded for either of the urban service districts if 15 years of residential capacity is available within the district. When residential capacity for an urban service district is reduced to the amount of land necessary to provide for fifteen years of population growth, the County should begin planning for orderly expansion of the urban service district or take other action to expand residential capacity. When residential capacity for an urban service district is reduced to the amount of land necessary to provide for ten years of population growth, the County shall expand the urban service district or take other action to expand residential capacity.

Policy 4.1D.6 Active residential development system. Martin County will implement and maintain an active residential tracking system for all residential development approvals. By limiting approvals within the first five years of the planning period to 125% of the housing need for that five year period, the County can maintain a fiscally feasible and cost-effective concurrency management system. The County shall:

- Remove all projects that have breached or exceeded their timetables.
- Insure that for the current five year period that the active development pool does not exceed 125% of the five year residential need

Ten percent of the available residential units shall be set aside for small residential developments. Small residential developments are defined as projects that contain fifty units or fewer. If the set aside units for each five year planning period are not allocated by the fourth year of that planning period, the set aside units shall be available for allocation to large residential developments.
a. Residential development approved under the active residential development process must meet locational suitability requirements including:

1. Locating within the primary or secondary urban service district.
2. Consistency with the CIE.
3. Protection of natural resources.
4. Adequate provision of facilities and services at adopted levels of service standards; and
5. Consistency with all goals, objectives and policies of this Plan and the requirements of chapter 1.
6. Proposed residential development that encroaches into active agricultural lands shall not be permitted unless the proposed project’s density is permittable under the Agricultural use designation (minimum five acre lots in Agricultural Ranchette and twenty acre lots in Agriculture). Active agricultural land is defined as land currently receiving an Agricultural Classification from the Martin County Property Appraiser.
7. This criterion does not prevent the Board of County Commissioners from approving active developments with an agricultural classification in place provided the exemption is removed at the next available opportunity (typically January 1). Any property that is found by the Board of County Commissioners to maintain the agricultural classification for ad valorem tax purposes after receiving a development order shall be found in violation of the development order and be subject to breach proceedings.”

Policy 4.1D.6. Martin County may consider amending the urban service district policies concurrent with the production of the residential capacity analysis.

Policy 4.1D.7. Martin County will revise its policies on the residential capacity analysis as needed in order to be consistent with future amendments to the Florida Statutes and the Florida Administrative Code.

Objective 4.1E. To review development applications for consistency with the applicable goals, objectives and policies of the CGMP.

Policy 4.1E.1. Development. Remodeling, renovation or restoration of improved real estate to a former, better condition (as by cleaning, repairing or rebuilding) that does not increase or change the use of the property shall be exempt from the performance standards of this plan. Any other proposed manmade change to improved real estate shall meet the requirements of this Plan, but only to the extent of such manmade change.

Minor accessory uses (such as swimming pools, fences, screened enclosures, etc. and as further defined by the Land Development Regulations) shall be exempt from provisions of adequate park facilities described in Chapter 7, transportation impact analysis described in Chapter 5, potable water analysis described in Chapter 11, wastewater analysis described in Chapter 10, parking and circulation described in Chapter 5, sediment control plans required in Policy 4.5C.3., and concurrency requirements in Chapter 14.
Chapter 4 - FUTURE LAND USE ELEMENT

The Martin County Land Development Regulations and the Code of Ordinances, as they exist or may hereafter be amended, establish a legal requirement to obtain development permits and orders for various development activity and specify the procedure for review and approval of all development permits and orders.

Policy 4.1E.2. Appearance and nuisances. Final site plan reviews shall assure that nuisance impacts of sight, sound and smell shall be minimized. No standards on appearance shall be enforced unless adopted as part of the Land Development Regulations.

1) Screening and mechanical equipment. Mechanical equipment or other utility hardware other than antennas and stacks on roofs shall be harmonious with the building. Otherwise they shall be located and/or screened so as not to be visible from any public way, except in industrial districts. Utilities in or adjacent to residential areas shall be designed to minimize nuisance impacts such as noise and odor. They shall be landscaped and screened to minimize adverse visual impacts, enhance their appearance and preserve the stability and integrity of adjacent residential areas.

2) Maintenance of activities in enclosed building. All businesses, services, manufacturing or processing shall be conducted in completely enclosed buildings in all zoning districts except industrial districts, unless the Land Development Regulations provide exceptions for outside storage or display due to enclosure requirements being impractical or unreasonable.

3) Exterior lighting. Exterior lighting shall be so arranged as to shield or deflect the light from adjoining properties and public streets.

Policy 4.1E.3. Density. The density provisions in this Plan shall not prevent construction of one single-family unit by the owner of a lot of record created (1) prior to the adoption of the Martin County subdivision regulations on November 7, 1972 or (2) consistent with the subdivision regulations adopted subsequent to November 7, 1972. The construction shall be in accordance with the other provisions of this Plan and the Land Development Regulations.

Policy 4.1E.4. Gross density. The permitted densities stipulated in section 4.4 (Goals, Objectives and Policies) and on the FLUM designations shall be gross residential densities and the gross land area of which this density is applied is described as follows. These densities shall be applied to contiguous land areas under common ownership, with the following provisions and exceptions:

1) In cases where land abuts the waters of the Atlantic Ocean, St. Lucie River, Indian River, Loxahatchee River, Intracoastal Waterway, Lake Okeechobee or any tributary or manmade canal, the boundary of the land shall be delineated as established by State Statutes.

2) No submerged land areas waterward of the boundary described above shall be included under this definition.

3) No land areas proposed to be allocated to nonresidential uses shall be included under this definition except for contiguous land areas for:

   a) Utilities under common ownership and principally supporting the residential use;
   b) Recreational facilities for the primary use of on-site residents;
   c) Dedication to the County or other County-approved agencies or not-for-profit corporations;
   d) In mixed-use projects in the seven designated community redevelopment areas (CRAs) as described in Goal 4.3
(4) Maximum gross density is defined as maximum allowable units divided by gross land areas.

Policy 4.1E.6. A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

Policy 4.1E.7. Blended densities. Site plans proposed as PUD zoning districts including two or more underlying future land use designations may be developed with "blended" densities. When so developed, the total maximum density of the applicable residential future land use designations may be distributed in the PUD boundary without regard to the precise boundary line of the underlying land use. Density blending shall only be used in residential future land use designations. In no case shall the blending of densities allow more residential units to be approved than the maximum gross densities allowed by the individual future land use designations.

Policy 4.1E.8 Public Benefits. Flexible Design: Martin County shall allow PUD zoning districts associated with a site and project specific PUD zoning agreement to allow flexibility in the land development regulations in a manner which mutually benefits the county and the developer, and encourages innovative approaches to community planning. Specific PUD district regulations shall be negotiated voluntarily by both the developer and the county. Neither party to the agreement is guaranteed maximum benefits by right.

Benefits to the developer may include such items as incentives to encourage affordable housing; flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as transportation, recreation or other public facility improvements; additional preservation of environmental resources, and additional density transition zones. The provision of affordable and/or workforce housing, shall be strongly encouraged as a public benefit for any residential PUD. Any public benefits offered by the developer must clearly be in excess of the County's minimum standards.

Objective 4.1F. Density allocations and intensity. In considering density allocation in site plan approvals, the County shall consider the following:

Policy 4.1F.1. Projects directly adjacent to lands used or designated for higher intensity use may be given maximum density.

(1) Such projects must comply with the provisions of the concurrency management system (Goal 4.1) to assure all required services are available.

(2) Design of the new project shall assure that comparable density and dwelling unit types are planned for the area of the project abutting the existing development.
**Policy 4.1F.2.** Projects immediately adjacent to lands used or designated for lower intensity use should be given lesser density.

1. For that portion of said project abutting the existing development or area of lesser density, a density transition zone of comparable density and compatible dwelling unit types shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development’s lower density (i.e., the depth of the first block of single-family lots).

2. The new development project shall comply with all current regulations for concurrency management to assure the adequate provision of public services.

**Policy 4.1F.3.** In the alternative, if County and applicant agree, the provisions of this Policy may be applied to the new project in lieu of Policies 4.1F.1. or 4.1F.2.

For that portion of the proposed residential site plan abutting the existing residential development, a density transition zone shall be provided for a depth from the shared property line that is equal to the depth of the first tier of the existing residential development. Density within the density transition zone shall be no greater than 125 percent the density of the first tier of the existing residential development. Proposed lot sizes shall have 75 percent the square footage of the existing lots and the following shall apply:

1. A Type 1 (twenty-foot) landscape buffer, as defined in the Land Development Regulations, shall be provided between the proposed and existing residential development.

2. The maximum height of structures within the density transition zone shall be no more than the maximum height permitted in the zoning district for the existing residential development.

3. Dwelling types within the density transition zone shall be as follows:

<table>
<thead>
<tr>
<th>Existing residential development</th>
<th>Proposed residential site plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>Single-family</td>
</tr>
<tr>
<td>Duplex</td>
<td>Duplex or single-family</td>
</tr>
<tr>
<td>Townhouse</td>
<td>Townhouse, duplex or single-family</td>
</tr>
<tr>
<td>Condominium/apartment building</td>
<td>Condominium/apartment building, townhouse, duplex or single-family</td>
</tr>
</tbody>
</table>

**Policy 4.1F.4.** Exceptions. Neither Policy 4.1F.1., 2., or 3., above, shall be required where the proposed residential site plan abuts any of the following:

1. Nonresidential development;

2. Any existing road with a 30-foot minimum right-of-way.

**Policy 4.1F.5.** Exceptions. A Type 4 (forty-foot) landscape buffer, as defined in the Land Development Regulations, shall be provided in lieu of Policy 4.1F.1., 2., or 3., above, where the proposed residential site plan abuts any of the following:
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Policy 4.1F.6. Other buffers. In addition to the buffers required in Policy 4.1F.3. or 4.1F.5., other buffers required by the Comprehensive Plan or Land Development Regulations shall also be applicable.

Policy 4.1F.7. Residential structures in Mixed Use Overlay. A mixed-use development containing residential units in a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density. Buffers shall be as provided in Policy 4.3A.7.

Policy 4.1F.8. Height limits. Height limits for all structures shall be specified in Goal 4.13 and in the Land Development Regulations. In all instances the maximum height limit of four stories shall be followed.

Policy 4.1F.9. Indiantown Development of Regional Impact. To foster better planning, including such factors as innovative design, arrangement of upland preserve, transportation interconnectivity, sensitivity to existing neighboring uses and efficient use of land, the Indiantown Development of Regional Impact (DRI) may be developed as a unified plan of development under the County's PUD zoning regulations. It may have a maximum residential density of 1,650 dwelling units with blended densities. When developed consistent with the Indiantown DRI Development Order, the maximum 1,650 total dwelling units may be averaged or "blended" over the entire project, notwithstanding the varying underlying land uses. When using density blending, the resulting gross density shall not exceed one unit per acre in the portion of the Indiantown DRI located in the Secondary Urban Service District.

Those portions of the Indiantown DRI in the Secondary Urban Service District, when developed consistent with the Indiantown DRI Development Order, may be served by a central water and sewer system so long as the required service is available and is completely paid for by the developer.

Objective 4.1F. Density allocations and intensity. All projects must comply with the provisions of the concurrency management system (Goal 4.1) to assure all required services are available. In considering density allocation in site plan approvals, the County shall consider the following:

Policy 4.1F.1. Projects directly adjacent to lands used or designated for higher intensity use may be given maximum density.

Policy 4.1F.2. Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density.

(1) In all such cases the project with higher density shall provide for reduced density next to the existing lower density residential area.

(2) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply:

For the residential portion of said project abutting the existing development or area of lesser density, a density transition zone of comparable density and compatible dwelling unit types shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density (i.e., the depth of the first block of single-family lots).

Policy 4.1F.3. The following criteria shall be met when applying Policy 4.1F.2.
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(1) **For purposes of this policy, abutting property is the same as “adjacent” or “adjoining” or “immediately adjacent” property and shall refer to property with a shared property line regardless of easements on the abutting properties. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.**

(2) **Lands outside the urban service district, agricultural property and residential lots 2 acres or larger shall be protected by buffers and by 4.1F.2, but the tiering Policy in 4.1F.2 (1) and (2) shall not apply.**

(3) **Where the tiering Policy 4.1F.2 (1) and (2) applies, there shall be no requirement to construct residential units within the applicable area of the proposed development. However, if the area is left vacant, no other construction shall be allowed except for underground utilities, swales, stormwater ponds and dry retention areas.**

(4) **Other buffers required by the Comprehensive Plan or Land Development Regulations shall also be applicable.**

(5) **Residential structures within a Mixed Use Overlay. A mixed use development containing residential units within a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.**

**Policy 4.1F.4. Height limits.** Height limits for all structures shall be specified in Goal 4.13., CGMP and in the Land Development Regulations. No buildings shall exceed four stories nor shall any buildings exceed the maximum building height limit of 40 feet except as specifically provided in Policy 2.1A.1.(3), CGMP.

**Policy 4.1F.5. Indiantown Development of Regional Impact.** The Indiantown DRI shall be considered consistent with density allocation policies for so long as it remains legally vested.

**Goal 4.2** To alleviate the negative impacts of inadequate public facilities and services and substandard structures for affected areas in the County.

**Objective 4.2A.** To continue to assist areas in need of redevelopment.

**Policy 4.2A.1. Mechanisms for attracting private investment.** Using fiscally sound means, the County shall investigate and establish mechanisms for attracting private investment into redevelopment activities.

**Policy 4.2A.2. Requirements for redevelopment plans.** At a minimum, redevelopment plans, activities and regulations shall:

(1) **Be consistent with policies set forth in this Plan, including statutory condemnation and eminent domain provisions;**

(2) **Be coordinated with the availability of the following public facilities and services at the levels of service adopted in the CGMP: transportation, potable water, sanitary sewer, drainage and aquifer recharge, solid waste and recreation;**

(3) **Address the impacts of redevelopment activities on the natural systems and historic resources of Martin County;**

(4) **Provide for the visual continuity of designated redevelopment areas through application of sound principles of architectural design and landscaping.**

**Policy 4.2A.3. Amendments supporting redevelopment.** In conjunction with the continuing efforts of the Affordable Housing Advisory Committee, as well as objectives and policies established in the Housing Element, the County shall periodically consider amendments to the CGMP and/or
Objective 4.2B. To encourage redevelopment through the designation of CRAs.

Policy 4.2B.1. Creation of community redevelopment areas. All CRAs shall be created in accordance with the provisions of F.S. Chapter 163, Part III.

Policy 4.2B.2. Location of community redevelopment areas. CRAs shall not be established outside the Primary Urban Service District.

Policy 4.2B.3. Resources to aid redevelopment. Martin County shall continue to provide technical, planning and financial resources to aid the residents and landowners with redevelopment and in-fill development.

Policy 4.2B.4. Designation of community redevelopment areas. Martin County has designated the following CRAs in unincorporated Martin County: Jensen Beach, Port Salerno, Hobe Sound, Rio, Golden Gate, Old Palm City and Indiantown. These specific geographic areas are identified in the community redevelopment plan for each area, which were adopted by the Board of County Commissioners as of June 2003, and are designated on the FLUM. Any new CRAs or any changes to CRA boundaries shall require an amendment to the CGMP and to the FLUM.

Policy 4.2B.5. Analysis of land use impacts. Any Plan amendment and/or FLUM amendment that expands the boundary of a CRA or creates a new CRA must contain an analysis of the impacts of potential land use changes. Since designation of a CRA allows mixed use under certain conditions, there must be data and analysis supporting the conclusion that the potential impacts of the CRA creation or expansion are consistent with the CGMP. The analysis shall include review of the availability and adequacy of public facilities and the level of service necessary to support mixed use as well as potential fiscal impacts, land use impacts and land use need relative to population.

Policy 4.2B.6. Priority for capital improvements in CRAs. In developing its Capital Improvement Plan and as provided in the Capital Improvements Element, Martin County shall give priority to capital projects identified in adopted community redevelopment plans that provide infrastructure improvements in designated CRAs.

Policy 4.2B.7. Consistency of land use policies. Land use policies for CRAs or portions of them in a Coastal High-Hazard Area shall be consistent with all CGMP policies regulating construction in such areas.

Objective 4.2C. To encourage redevelopment by designating brownfields and pursuing public/private partnerships to redevelop designated sites.

Policy 4.2C.1. Establishment of brownfields. Brownfield areas shall be established in accordance with applicable federal and state regulations.

Policy 4.2C.2. Inventory of brownfields. Martin County shall inventory potential brownfield sites.

Policy 4.2C.3. Funding for brownfield redevelopment. Martin County shall seek federal and state funding to clean up and redevelop brownfields.

Objective 4.2D. To continue to provide a public education program to inform potentially eligible lower-income households and neighborhoods about housing assistance.

Policy 4.2D.1. Brownfield Program. At a minimum, the program shall:
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(1) Monitor housing assistance and related programs and determine which areas could be eligible for such programs;

(2) Provide public workshops to ensure that residents in eligible areas are aware of the availability of such assistance and the procedures for obtaining it.

Goal 4.3 To provide opportunities for mixed residential and nonresidential uses, including Traditional Neighborhood Development. The goal of allowing mixed use in specified areas of CRAs and in Traditional Neighborhood Development is to:

- Encourage redevelopment and in-fill;
- Provide for livable urban areas that mitigate the impacts of mixing uses;
- Provide a coordinated system of recreation and open space;
- Provide for pedestrian-friendly communities that reduce dependence on the automobile;
- Reduce infrastructure needs by integrating and sharing parking, drainage and other public facilities;
- Meet the needs of neighborhood residents;
- Provide residents with a variety of housing choices.

Objective 4.3A. To encourage, but not mandate, mixed use in designated CRAs as described in Policies 4.3A.1 through 4.3A.9. Mixed-use projects shall contain a mix of uses in close proximity to each other and shall be planned as a unified, complementary whole to reduce transportation and other infrastructure impacts. The mix of uses in each project shall be pedestrian oriented and neighborhood friendly. Mixed-use projects may contain both nonresidential and residential components. The nonresidential component shall be made up of commercial or light industrial uses, which shall include a use from one or more of the following: Commercial Office/Residential (COR), Limited Commercial (LC), General Commercial (GC) and compatible Industrial consistent with the requirements of this objective. The residential component is important to encourage residents to live, work and shop in the same neighborhood. Mixed-use projects shall be functionally integrated to encourage shared vehicular and pedestrian access and parking areas. The mix of uses may include residential, institutional, retail, office, recreation and open space and other appropriate uses as determined by the Board of County Commissioners.

Policy 4.3A.1. Mixed-use development in CRAs. Martin County shall allow mixed-use development in the CRA areas listed in Policy 4.2B.4., as follows:

1. In a Mixed Use Overlay (MUO) area(s) developed for designated CRAs, as described in Policy 4.2B.4., and as designated on the FLUM.

2. Outside of an MUO in the following land uses:
   a. COR as described in Policy 4.13A.8.(1);
   b. LC as described in Policy 4.13A.8.(2);
   c. GC as described in Policy 4.13A.8.(3).

Mixed-use development in these land use categories shall remain consistent with the nonresidential use and intensity requirements in each of these land use designations (see Goal 4.13) except that residential use shall be allowed. Residential densities shall be consistent with the mixed-use densities described in this section (Objective 4.3A).

Policy 4.3A.2. Provisions for mixed-use projects in Land Development Regulations. Martin County's Land Development Regulations include provisions for mixed-use projects to implement the Mixed Use Overlay in the seven CRAs designated in Policy 4.2B.4., and provide for mixed
Policy 4.3A.3. Requirements for mixed-use projects. All mixed-use projects in the designated CRAs must meet the following requirements, which shall be further delineated in the Land Development Regulations.

1. Constructed residential densities shall range from 2 units to 15 units per acre.
2. When the result of this calculation is a number that ends in 0.5 or higher, the total unit count shall be rounded up. When calculating the number of units in a mixed-use project on lot sizes of one-half acre or less, units of 800 or fewer square feet shall be counted as one half of a unit. When calculating the number of units in a mixed-use project on lot sizes greater than one-half acre, units of 800 or fewer square feet shall be counted as half a unit if at least 50 percent of the units are restricted to affordable housing, meeting the requirements of Policy 6.1D.5. All mixed-use projects, regardless of size, shall be allowed at least one residential unit.
3. Permitted uses shall be mutually supportive and compatible with the scale of neighborhood development. Clustered living, working, shopping and other activities shall serve the local population and help to create self-contained neighborhoods.
4. Highway-dependent retail and wholesale commercial with a regional market, high-impact industrial uses and other uses incompatible with a residential mixed-use neighborhood shall not be allowed.
5. Projects shall be designed primarily for pedestrians and only secondarily for cars. Drive-through businesses shall not be allowed. Pedestrian circulation systems shall assure ties to adjacent commercial and mixed-use areas as well as the surrounding residential community.
6. Urban design techniques that avoid a "sea of parking" and large parking areas in front of buildings shall be required.

Policy 4.3A.4. Requirements for projects inside Mixed Use Overlay in CRAs. All mixed-use projects in an MUO in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the Land Development Regulations:

1. A Mixed Use Overlay shall cover the area in the urbanized core of the CRA where conversion to mixed use is allowed to encourage redevelopment.
2. All land use designations in the Mixed Use Overlay areas shall allow mixed use regardless of the underlying land use designations. The nonresidential component of a mixed-use project in an MUO shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial consistent with the requirements of Objective 4.3A.
3. A mixed-use project located on a parcel designated Waterfront Commercial on the FLUM in an MUO may satisfy its required nonresidential component with nonresidential Waterfront Commercial uses. Boundaries shall be shown on the FLUM. New mixed-use overlay areas or changes in boundaries of existing mixed-use overlay areas can be made only by FLUM amendment, which shall assess the impacts of conversion to mixed use.
4. Maximum building coverage shall be 100 percent.
5. Building heights may range from one to three stories with a maximum of 35 feet. Floors devoted to parking shall count toward the maximum number of stories.
6. A Mixed Use Overlay shall have between 20 percent and 75 percent residential use based on the total building square footage.
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Policy 4.3A.5. Requirements for projects outside Mixed Use Overlay in CRAs. Projects outside a Mixed Use Overlay and in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the Land Development Regulations.

1. Mixed use shall be allowed only on land designated for Commercial Office/Residential, Limited Commercial and General Commercial.

2. Land use limitations shall remain consistent with the limitations of the underlying land use except that residential development shall be encouraged as part of any mixed-use development. Densities shall be consistent with the mixed use densities of Policy 4.3A.3.

3. Mixed-use projects shall have between 20 percent and 75 percent residential use based on the total building square footage of the project.

Policy 4.3A.6. Consistency with redevelopment plan. Maximum density and intensity of use are not guaranteed by right. Density and intensity must be consistent with the community redevelopment plan for the area and Goal 4.3, as well as with the redevelopment overlay districts, Land Development Regulations and infrastructure limitations.

Policy 4.3A.7. Buffers in CRAs. Buffers for mixed use in CRAs shall be as follows:

1. Buffers and land use transitions internal to a mixed-use project are exempt from policies that require density and use transitions and physical buffers inappropriate for compact mixed-use development including: Objective 4.9E; Policy 4.13A.7.(5)(d); Policy 4.13A.8.(1)(a); Policy 4.13A.8.(3); Objective 4.1F and Objective 4.9K. Land Development Regulations shall require urban design techniques, use control and other strategies for resolving the impacts of mixing different uses in close proximity. These shall include performance standards with specific requirements.

2. To encourage redevelopment, mixed-use projects that are entirely within an MUO, regardless of adjacent land use, shall require no buffers beyond those required in the Community Redevelopment Plan and the redevelopment overlay district. Ultimate conversion and redevelopment consistent with the community redevelopment plan and the redevelopment overlay district will provide for long-term compatibility of adjacent uses.

3. Mixed-use projects in an MUO that abut the boundary of an MUO shall have special provisions for buffers. Where the mixed-use project is adjacent to existing uses of lesser intensity outside the MUO, buffers shall protect those uses from adverse impacts. In this situation, mixed-use projects at the edge of the MUO shall be exempt from the density allocation requirements of Objective 4.1F.


Policy 4.3A.9. Open space requirements. For mixed-use projects in an MUO area, the minimum open space shall be 20 percent. The maximum building coverage may be 100 percent if alternative compliance measures are used to comply with minimum open space requirements. All other Plan requirements must be met.

Policy 4.3A.10. Alternative compliance for mixed-use projects in a Mixed Use Overlay of a CRA. Mixed-use projects in an MUO of one of the seven designated CRAs may provide an off-site alternative to the minimum 20 percent on-site open space requirement to meet community-wide goals for open space and recreational activities. Mixed-use projects in an MUO shall have no open space requirements, provided the applicant contributes, through either cash or land, off-site open space identified in the specific community redevelopment plan for that CRA area. Whether through prior purchase by the CRA and cash donation to cover the cost or through
land donation, the off-site parcel must be in place and in public ownership at the time of final site plan approval or of any earlier approvals allowing site clearing. Existing public conservation areas may not be used as an alternative for on-site compliance unless they were purchased specifically for the purpose of meeting this policy.

**Policy 4.3A.11. Indiantown CRA.** A review of the Indiantown CRA Plan shall be completed and presented to the BOCC by December 31, 2010. The CGMP shall be amended to incorporate objectives and policies that reflect the Indiantown CRA Plan and the findings of the review. The review shall include analysis of the residential capacity within the Indiantown Urban Service Districts. The proposed Comprehensive Plan amendment shall be presented to the BOCC by April 30, 2011.

**Objective 4.3B.** To incorporate in the Land Development Regulations the Traditional Neighborhood Development Regulations. These regulations shall be reviewed along with other Land Development Regulations for continuous improvement. The Traditional Neighborhood Development Regulations will provide a range of housing types and commercial opportunities. Traditional neighborhood development aims to encourage traditional and environmentally sound land development, thereby facilitating the economic and efficient use of land in the County.

**Policy 4.3B.1. Criteria for Traditional Neighborhood Development.** At a minimum, the location of the Traditional Neighborhood shall:

1. Be appropriate for new in-fill development and redevelopment projects in the Urban Service District;
2. Allow redevelopment of underused shopping centers into mixed-use communities;
3. In the case of redevelopment in CRAs, require the involvement of an active citizens organization that is representative of area residents, business people and landowners;
4. In no case shall the Traditional Neighborhood Development Regulations be used to allow strip commercial or highway-dependent commercial uses or to allow inappropriate intensity in existing neighborhoods that would disrupt rather than unify them.

**Policy 4.3B.2. Traditional Neighborhood Development regulations.** Traditional Neighborhood Development Regulations shall:

1. Allow clustering of living, working, recreational, shopping and other activities supportive of the local population into self-contained neighborhoods;
2. Require pedestrian circulation systems that functionally and physically integrate the various land use activities;
3. Incorporate performance standards that regulate buildings by type rather than use;
4. Include building setback requirements allowing buildings to abut front sidewalks;
5. Allow on-street parking, where deemed appropriate, to buffer walkways from roadways and increase pedestrian safety;
6. Concentrate any necessary boundaries along back-to-back property borders so that similar uses front across streets;
7. Allow the residents and/or landowners of an area, together with experienced design consultants, to determine the desired character of the community through joint development of controls for architectural and landscape design, signs, streetlights, trees and preservation of natural vistas;
8. Include parking standards that acknowledge the pedestrian nature of the community;
(9) Require well-defined public spaces, buildings and vistas that terminate on focal points, thereby making the area memorable and contributing to a sense of place;

(10) Permit well-designed, unobstructive sidewalk cafes, including tables and accessory items, where appropriate, to generate business and improve ambiance; and

(11) Allow for mixed residential and commercial development, i.e., residential uses with supportive commercial uses within a single structure or complex of structures.

**Goal 4.4** To eliminate or reduce uses of land that are inconsistent with community character or desired future land uses.

**Objective 4.4A.** To eliminate inconsistencies between the FLUM and the zoning maps and regulations.

**Policy 4.4A.1. Rezoning.** Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations by the following means:

(1) 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.

(2) Property owners seeking master or final site plan approval shall be required to rezone to the most appropriate zoning district in the most recently adopted Land Development Regulations.

**Objective 4.4B.** To continue to monitor nonconforming uses in order to reduce and/or eliminate nonconformities.

**Policy 4.4B.1. Criteria for changing land use classification.** Unless a property complies with the locational criteria established under Goal 4.13 of this element, Martin County shall not grant changes in land use designations (as shown on the FLUM) to a nonconforming land use or lot of record for the purpose of lessening the restrictions on that property, thereby making it a conforming land use or lot of record. For example, a salvage yard in existence for a significant period of time would not be reclassified to Industrial.

**Policy 4.4B.2. Expansion/replacement of incompatible uses.** Expansion or replacement of land uses that are incompatible with the Future Land Use Plan shall be prohibited. An exception to this policy may be made by the Board of County Commissioners for the County's only remaining and nonconforming private auto/scrap salvage site; it serves the public interest by accepting salvage that might otherwise be illegally disposed of on public or other private property. This site is identified as the salvage operation located on Tract 6 and the west half of Tract 3, Block 65 of the Hanson Grant. To implement this policy, the proposed alterations must reduce the impact of the nonconformity on adjacent properties and will require site plan approval by the Board of County Commissioners.

**Policy 4.4B.3. Recognition of nonconforming uses.** The Land Development Regulations shall recognize nonconforming land uses and nonconforming lots of record, provide for their legal status and provide for the conversion of such situations to conforming land uses, where possible.

**Objective 4.4C.** To gradually reduce or eliminate those existing uses which are nonconforming land uses, as illustrated on the CGMP FLUM Series.

**Policy 4.4C.1. Criteria for nonconforming uses to be reduced.** At a minimum, the following criteria shall govern nonconforming land uses:
(1) Nonconforming land uses damaged beyond 50 percent of their assessed value by natural or manmade causes shall not be allowed to be reconstructed to a land use that is nonconforming to this Plan.

(2) Nonconforming land uses shall not be reestablished if the use or activity has ceased for a period of 180 days.

(3) Additions or expansions to nonconforming land uses shall not be permitted.

**Objective 4.4D.** To continue to evaluate the Land Development Regulations and adopt revisions to address current issues before the County, such as:

(1) Compatibility policy for determining residential density allocation and transition;

(2) Policy regarding communication towers (i.e., fall distance and lighting standards);

(3) Utility substation locational criteria, including buffering and noise impacts;

(4) Green development and building standards that encourage alternative and renewable energy sources;

(5) Creation of zoning districts that encourage expansion and relocation of targeted business to Martin County.

**Objective 4.4E.** To provide a formal process for intergovernmental coordination among Martin County, its municipalities and adjoining counties and cities to assure that inconsistent land use patterns are minimized.

**Policy 4.4E.1. Responsibility for directing intergovernmental coordination.** The County Administrator shall have responsibility for directing an effective intergovernmental coordination program for Martin County.

**Policy 4.4E.2. Solicitation of comments on land development.** The County shall solicit comments from the governments and appropriate public agencies with which it shares coordination responsibilities on proposed land development within one-half of a mile of adjoining boundaries.

**Policy 4.4E.3. Procedure for staff participation in coordination.** The County shall establish a procedure for staff to coordinate with other governmental entities when municipal annexations or development approvals are proposed that may affect County LOS standards.

**Policy 4.4E.4. Participation in review of comprehensive plans and amendments.** The County shall participate in the local government review and adoption proceedings of comprehensive plans and plan amendments for the municipalities within its boundaries and for adjacent counties and municipalities.

**Goal 4.5.** To protect the County's natural resource systems from the adverse impacts of development, provide for continued growth in population and economy, and recognize the relationship between coastal zone environmental quality and maintenance of urban infrastructure in waste management and air and water quality.

**Objective 4.5A.** To continue to incorporate into the County's Land Development Regulations those regulations that implement the goals, objectives and policies of the Future Land Use; Conservation; Coastal Management; Sanitary Sewer Services; Potable Water; Drainage and Natural Groundwater Aquifer Recharge; and Recreation elements of this Plan and ensure maintenance of the high quality of the natural environment in Martin County.
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Policy 4.5A.1. Attention to cumulative impacts of development. The Land Development Regulations shall ensure that the development review process addresses the cumulative impacts of development projects on natural resources.

Policy 4.5A.2. Wetlands on Composite Wetland Map. Wetlands in Martin County shall be depicted on the Martin County Composite Wetland Map (Figure 9-1, Conservation and Open Space Element).

Martin County shall amend future land use designations and/or densities or intensities of use as depicted on the FLUM to reflect and be consistent with the existence of wetlands as shown on the amended Figure 9-1.

Editor's note—

Figure 9-1 is on file in the office of the Martin County Growth Management Department.

Objective 4.5B. To evaluate and monitor innovative techniques to protect environmentally sensitive features and areas and consider the effectiveness of implementing these innovations in Martin County.

Policy 4.5B.1. Innovative techniques to be investigated. Use of the following techniques shall be investigated, at a minimum:

(1) Overlay zoning districts for environmentally sensitive geographic areas. The underlying zoning district boundaries will retain the applicable minimum development regulations;
(2) Scenic highway corridor overlay zones to protect natural beauty and scenic vistas along roadways that serve as major access ways, gateways and canopy routes through Martin County;
(3) Fiscally sound mechanisms such as tax incentives and transfer of development rights to (1) encourage landowners to preserve critical habitats and (2) discourage development adjacent to lands held for conservation or preservation that are identified in the Conservation Element;
(4) Natural systems used for multiple purposes to the maximum extent possible, such as combining wellfields in natural system preserve areas and designating parks to prevent development in floodplains or high-hazard coastal areas;
(5) Transfer of development rights or other flexible methods of land development transfer to direct development from unsuitable lands to those most suitable for active use.

Policy 4.5B.2. Evaluation of environmental programs for exclusionary impacts. All programs designed to protect environmentally sensitive areas shall be evaluated for any possible exclusionary impacts. Such programs shall be implemented only upon determination that all regulations are fair and equitable.

Objective 4.5C. To recognize the adopted Soil Survey of Martin County, Florida Area (Martin Soil and Water Conservation District, 1981) and coordinate all future land uses, including the designations on the Future Land Use Map, with the noted soil and topographic conditions. The Soil Survey is adopted by reference as Figure 4-3. The County shall also use available data sources for wetlands, uplands and critical habitats in future delineation of land uses and evaluation of requests for land use changes.

Editor's note—
Figure 4-3 is on file in the office of the Martin County Growth Management Department.

Policy 4.5C.1. *Use of Soil Survey of Martin County for basic data.* The County shall continue to rely on the Soil Survey of Martin County to provide the basic information on soil conditions and topographic relief for all land use decisions ranging from designations on the FLUM to subdivision, site plan and building permit reviews.

Policy 4.5C.2. *Limitations on future land uses.* Limitations on future land uses are identified as soil conditions, topographic characteristics, natural/water resources, vegetation and wildlife habitat. Land Development Regulations shall recognize these limitations on the use of land. The Coastal Management Element and Conservation and Open Space Element shall be followed when revising the Land Development Regulations.

Policy 4.5C.3. *Control of soil erosion and sedimentation.* The Land Development Regulations shall address methods of controlling soil erosion and sedimentation. A soil erosion and sedimentation control plan shall be required as part of an application for site plan review whenever a development shall involve any clearing, grading, transporting or other form of land disturbance by the movement of earth, including the mining of minerals, sand and gravel.

All measures necessary to minimize soil erosion and control sedimentation in the disturbed land area shall be implemented. In all disturbed areas, velocities of water runoff shall be minimized and sedimentation shall be retained on the development site as early as possible following disturbances.

Objective 4.5D. To maintain an inventory of all publicly owned lands and buildings in the County in an easily accessible and usable format.

Policy 4.5D.1. *Record keeping on publicly owned properties.* The County shall coordinate with the Martin County Property Appraiser to maintain a system of record keeping for publicly owned properties.

Policy 4.5D.2. *Evaluation of publicly owned properties for disposition.* Inventoried properties shall be evaluated for their suitability to be marketed, sold, leased or exchanged for:

1. Development of affordable/workforce housing;
2. Protection of environmentally sensitive or historically significant sites;
3. Provision of recreation opportunities;
4. Development of stormwater management facilities; and
5. Provision of economic development sites.

Policy 4.5D.3. *Evaluation of publicly owned properties for relocation housing.* Inventoried properties shall be evaluated for their suitability as relocation housing sites for people displaced by redevelopment elsewhere in the County.

Policy 4.5D.4. *Simplified procedures for public-private property exchange.* The County shall establish simplified procedures for public-private property exchanges that could provide opportunities to carry out the goals of this Plan. Such simplified procedures shall comply fully with Florida Statutes concerning the exchange of property.

Objective 4.5E. To provide for emergency evacuation procedures and requirements in conjunction with requests for residential development approvals on Hutchinson Island and other high-hazard areas identified on Figure 8-5 Coastal High Hazard Area and detailed in Goal 8.2 of the Coastal Management Element.
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Editor's note—

Figure 8-5 is on file in the office of the Martin County Growth Management Department.

**Policy 4.5E.1. Coordination of Land Development Regulations and infrastructure improvements.** Land Development Regulations and supporting urban infrastructure improvements shall be coordinated to assure that development on coastal barrier islands and other high-hazard coastal areas results in prudent concentrations of population and expenditure of public and private funds, consistent with the most recent evacuation study.

**Policy 4.5E.2. Barrier island development regulations.** Barrier island development regulations shall address at a minimum:

1. Maximum residential densities;
2. Wetland preservation;
3. Shoreline protection;
4. Flood damage prevention;
5. Endangered species habitat protection;
6. Potable water and wastewater requirements;
7. Site design standards;
8. Recreation and open space standards;
9. Transportation standards;
10. Public safety standards; and

The barrier island regulations shall be to limit public expenditures and direct population concentrations away from the coastal high-hazard area.

**Policy 4.5E.3. Implementation of Hutchinson Island management planning.** The County shall continue to implement the findings and recommendations of the Hutchinson Island Resource Planning and Management Plan by:

1. Limiting unvested new development on the island to single-family residences; and
2. Continuing to enforce the provisions of the Barrier Island and Sea Turtle Protection Regulations.

**Objective 4.5F.** To create opportunities to permanently preserve contiguous open space, environmentally sensitive land and agricultural land uses. Public open space shall not include roads, highways or their median strips/berms. This objective is intended to encourage the fee-simple transfer of land to state, regional or local environmental or government agencies or land trusts as part of established government conservation programs. Lands listed for acquisition include those identified in Save Our Rivers; Florida Forever; the County's land conservation program; the Indian River Lagoon, North Palm Beach and the Lake Okeechobee portions of the Comprehensive Everglades Restoration Plan; and the Northern Everglades and Estuaries Protection Program.

**Policy 4.5F.1. Enforcement of open space protection.** Contiguous public open space, environmentally sensitive land and agricultural land set aside under Objective 4.5F. shall be protected and maintained in perpetuity. This shall be enforced using perpetual easements and/or the conveyance of fee-simple title to a combination of at least three governmental and
nongovernmental agencies. One of these agencies shall be Martin County and one shall be the South Florida Water Management District (which shall be listed as the lead agency regarding restoration on any lands included in the Comprehensive Everglades Restoration Plan). The third agency shall be chosen from among the following: Florida Department of Agriculture and Consumer Services, Florida Department of Environmental Protection and environmental entities recognized by the Internal Revenue Service as charitable organizations. These include Audubon of Florida, The Nature Conservancy and the Trust for Public Lands.

Policy 4.5F.2. PUD application with Plan amendment. Compliance with the minimum requirements of Objective 4.5F. qualifies the project to submit a residential PUD application with a concurrent Plan amendment but does not guarantee approval. Approval of the PUD shall be based on:

1. Significant site-specific public benefits listed in Policy 4.5F.[6.] These benefits shall be considered during the public hearing process for the PUD application and Plan amendment.

2. Same-day adoption by the Board of County Commissioners of a resolution for the PUD and an ordinance for the proposed amendment. The PUD zoning agreement shall not become effective until the Plan amendment becomes effective.

Policy 4.5F.3. Land use designation of land to be set aside. The Plan amendment that is part of a joint Plan Amendment and concurrent PUD application submitted under this objective must address the land use designation on the land set aside in perpetuity as contiguous public open space, environmentally sensitive land and/or agricultural land uses in the following manner:

1. If the land to be protected and maintained in perpetuity is contiguous public open space or environmentally sensitive land, the plan amendment must include a future land use amendment to change the future land use designation to Institutional Public Conservation.

2. The plan amendment must include a FLUM amendment to change the future land use designation to Institutional, Public Conservation where the portion of the land to be protected and maintained in perpetuity lies in one of the following parts of the Comprehensive Everglades Restoration Plan:
   - Indian River Lagoon;
   - North Palm Beach;
   - Lake Okeechobee;
   - Northern Everglades; and
   - St. Lucie Estuary Protection Program.

3. If the land to be protected is maintained in perpetuity for agricultural land uses, no change is required to the future land use designation on the property. However, a text amendment will be necessary to remove density and specify allowed uses.

Policy 4.5F.4. Conditions for approval of PUD zoning district. As an alternative to the 20-acre minimum lot size in Policy 4.13A.1, a PUD zoning district may be approved by the Board of County Commissioners, consistent with the Agricultural future land use designation, provided all of the following minimum requirements are met:

1. The property must be a minimum of 500 acres and create a public benefit by setting aside in perpetuity at least 50 percent of the property as contiguous public open space, environmentally sensitive land and/or agricultural land uses; and

2. At a minimum, the proposed PUD must be fiscally neutral to existing taxpayers; and
(3) Lots in the PUD must be larger than two acres, and the PUD must not require expansion of the Primary or Secondary Urban Service boundaries; and

(4) Development in the PUD shall not be allowed on unique, threatened or rare habitat containing species of flora or fauna listed as species of special concern, threatened or endangered by the U.S. Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission.

(5) No land approved for development or land set aside as contiguous public open space, environmentally sensitive land and/or agricultural land uses under this policy shall be eligible for any FLUM amendment that increases residential density or intensity of use. This and other land use restrictions shall be enforced by the CGMP, PUD conditions, perpetual easements, deed restrictions and covenants running with the land; and

(6) Where land is set aside by conveying fee-simple title, a perpetual easement over the land conveyed shall also be granted to a combination of at least three governmental and nongovernmental entities, one of which shall be Martin County. The purpose of this easement is to restrict future uses and ensure that the entities holding fee-simple title do not sell or develop the property inconsistent with this policy or the approved uses in the PUD agreement. Other agencies shall include those listed in Policy 4.5F.1.; and

(7) The Plan amendment filed concurrently with the PUD application shall allow the site-specific clustering of density in one portion of the site, including the transfer of full density of any wetlands on the site, at a density that shall not exceed one unit per 20 acres for the total site prior to conveyance. The Plan amendment shall also change the future land use designation of the acquired land to Institutional, Public Conservation, as appropriate. The amendment shall further specify that neither the land conveyed nor the land controlled by the PUD agreement shall be eligible for any additional FLUM amendment that increases residential density or intensity of use; and

(8) Except for the agricultural land use policies in Policy 4.13A pertaining to the 20-acre lot size, and Policy 9.1G.2.(8) CGMP pertaining to transferring density from wetlands, the PUD application must comply with all CGMP policies and land development regulations; and

(9) The entities taking title to land shall pay no more than the total amount of the actual closing costs (e.g., documentary stamps, title insurance, etc.). There shall be no cost to the transferor for the conveyance of the land; and

(10) The conveyance of land to a combination of at least three governmental and nongovernmental entities, one of which shall be Martin County, pursuant to this policy, shall be considered concurrently with the approval of a rezoning to PUD and the final site plan approval of the first phase of the PUD. Other agencies shall include those listed in Policy 4.5F.1. CGMP.

Policy 4.5F.5. Conditions for conservation land to be acquired. PUDs that include land listed for acquisition by state, regional or local agencies as part of an established conservation program shall be subject to the following additional requirements:

(1) At least 50 percent of the property listed for acquisition by state, regional or local agencies as part of an established conservation program must be conveyed by fee-simple title to at least three environmental, government or land trust entities; and

(2) No development in the PUD shall be allowed on the land listed for acquisition by state, regional or local agencies as part of an established conservation program unless (1) it has been previously affected by agricultural activities and (2) the proposed development is determined to be inconsequential to the implementation and success of the conservation program; and
The land to be conveyed shall be subject to a simultaneous FLUM amendment changing the land's designation to Public Conservation.

Policy 4.5F.6. Site-specific PUD benefits. Additional significant site-specific benefits may include:

1. Setting aside more than the minimum amount of land required;
2. Restoring the historical hydrology of the land and the connectivity of natural systems;
3. Creating a green buffer to prevent incremental expansion of the urban service district;
4. Restricting agricultural leases to retain agricultural uses while reducing their environmental impacts;
5. Providing additional support to maintain or preserve the lands in perpetuity;
6. Filling the gaps in natural systems, wildlife corridors, greenways and trails; and
7. Buffering roadways to limit access and to protect vistas.

Goal 4.6. To protect historical resources in the County from the adverse impacts of development as set forth in Chapter 16, Arts, Culture and Historic Preservation Element.

Goal 4.7. To regulate urban sprawl by directing growth in a timely and efficient manner to areas with urban public facilities and services, where they are programmed to be available, at the levels of service adopted in this Plan.

Objective 4.7A. To concentrate higher densities and intensities of development in strategically located Primary Urban Service Districts, including commercial, industrial and residential development exceeding a density of two units per acre, where all public facilities are available or are programmed to be available at the base levels of service adopted in the Capital Improvements Element.

Policy 4.7A.1. Designation of land uses to support urban services. Martin County shall designate land uses in the Primary Urban Service District to provide for the use and extension of all necessary urban services efficiently and economically.

Policy 4.7A.2. Development in Primary Urban Service District. Martin County shall require new residential development with lots of one-half acre or smaller, commercial uses and industrial uses to locate in the Primary Urban Service District. This requirement is to ensure consistency with the County's growth management policies and Capital Improvements Element and to assure that the Plan's LOS standards will be provided and maintained cost-efficiently.

Policy 4.7A.3. Exceptions to location in the Primary Urban Service District. All future development of a use or intensity that requires public urban facilities, including water and sewer, will be permitted only in the Primary Urban Service District, except:

1. Transient Commercial provisions contained in Policy 10.1A.10.;
3. The Fort Dawson Parcel, as contained in Policy 10.1A.8. and Policy 11.1C.11.; and
4. The Indiantown DRI as provided in Policy 4.1F.7.
5. Lots 119 through 122 and lots 191 through 220 of Canopy Creek PUD (f/k/a Tuscawilla PUD as recorded in Plat Book 16, Pages 039-001 to 039-036, Public Records of Martin County, Florida).
6. Bridgewater Preserve as recorded in Plat Book 16, Pages 033-001 to 033-007, Public Records of Martin County, Florida.
Policy 4.7A.3.1. All future development of a use or intensity that requires public urban facilities, including water and sewer, will be permitted only within the Primary Urban Service District, except the following facilities may be served with water and sewer service by the City of Port St. Lucie:

1. The Martin Correctional Institution, consistent with an interlocal agreement between Martin County, the City of Port St. Lucie and the Florida Department of Corrections.

Policy 4.7A.4. Discouragement of individual utilities. Martin County shall discourage the proliferation of small, individual water treatment, wastewater disposal and solid waste disposal facilities. Package treatment plants shall be prohibited outside the Primary and Secondary Urban Service Districts and outside the Expressway Oriented Transient Commercial Service Center Land Use District.

Policy 4.7A.5. Development options outside urban service districts. Martin County shall provide reasonable and equitable options for development outside the urban service districts, including agriculture and small-scale service establishments necessary to support rural and agricultural uses.

A small-scale service establishment shall be defined as a small, compact, low intensity development within a rural area containing uses and activities which are supportive of, and have a functional relationship with the social, economic and institutional needs of the surrounding rural areas.

Policy 4.7A.6. Any proposed amendment to either the Primary Urban Service District or the Secondary Urban Service District boundaries shall be considered only after the regular update to the Residential Capacity Analysis and an analysis that public facilities are available to fully serve land in the two existing urban service districts as well as any potential expansion of an urban service district. The Board of County commissioners must adopt both studies before applications for amendments to the Primary or Secondary Urban Service Districts can be determined complete.

Policy 4.7A.6 7. Allowed alterations to the Primary Urban Service District boundary. The Primary Urban Service District boundaries delineated on Figure 4-2 (Urban Services District Boundary Map) are intended to separate urban from nonurban areas. The land uses and intensity of development permitted in the Primary Urban Service District and development in the district must have all public facilities and services at adopted LOS standards. Therefore, during consideration of any expansion, creation or contraction of these boundaries through the plan amendment process, the Board of County Commissioners must find that the requested alteration to the Primary Urban Service District boundary will:

Editor's note—

Figure 4-2 is on file in the office of the Martin County Growth Management Department.

1. Not create any internal inconsistency with other elements of the adopted CGMP;
2. Not result in incompatibilities with adjacent land uses;
3. Not adversely impact environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with this Plan;
4. Be consistent with Goal 4.9 relating to appropriate residential land use capacities;
Demonstrate that reasonable capacity does not exist on suitable land in the existing Primary Urban Service District for the 15-year planning period. For the purpose of this subsection, "reasonable" means available for development from the standpoint of environmental concerns, efficient use and expansion of public facilities and services, or availability of development sites in relationship to the projected needs of the population;

Demonstrate that the land affected is suitable for urban uses; at a minimum, unsuitable uses include environmentally sensitive areas (to the degree they are protected by this Plan), prime agricultural areas, prime groundwater recharge areas and critical habitat for endangered or threatened species. This criterion is not intended to preclude development of surrounding lands provided that the unsuitable areas are fully protected;

Demonstrate that the full range of urban public facilities and services can be economically and efficiently supplied at the adopted LOS standards; and

Be consistent with the adopted Capital Improvements Element.

Policy 4.7A.7. Extension of boundaries. Boundaries may extend beyond the established delineation or to major boundaries, such as railroads, water bodies or transportation corridors, to a maximum distance of 660 feet, providing that such extensions are consistent with all provisions of the adopted CGMP. Any additional extension must be approved through a comprehensive plan amendment.

Policy 4.7A.8. Rehabilitation of existing structures. Martin County shall maximize the use of existing public facilities by encouraging rehabilitation and adaptive reuse of existing structures as an in-fill strategy. This shall include redevelopment or adaptive reuse of shopping centers as discussed under Objective 4.10C.

Policy 4.7A.9. Priority for public services. In providing public services and facilities and allocating public financial resources for them first priority shall be given to serve the Primary Urban Service District. Second priority shall support the staged development of suitable lands in the Secondary Urban Service District at densities specified in Policy 4.7B.1. or as they are converted to the Primary Urban Service District.

Public services that support or encourage urban development in other areas shall not be provided, except for improvements necessary to remedy an existing deficiency. Priorities in this policy shall be established within the existing priority framework of the Capital Improvements Element. In each of its nine priority rankings, capital needs in the Primary Urban Service District shall be satisfied first. Similarly, needs in the Secondary Urban Service District shall be addressed prior to existing deficiencies in other areas. The term "staged" development shall mean the geographic, logical progression of land use from more intensively developed areas adjacent to the Primary Urban Service District to the lesser developed, lower density areas of the Secondary Urban Service District.

Policy 4.7A.10. Fiscally sound methods for encouraging in-fill development. The County shall consider recommendations from the Affordable Housing Advisory Committee, Community Redevelopment Agency, Business Development Board and others in developing fiscally sound means to encourage in-fill development on vacant lands in Primary Urban Service Districts where private reinvestment and development may not be appealing without public encouragement.

Policy 4.7A.11. Outlying areas of the Primary Urban Service District. Martin County recognizes the following detached, outlying areas that meet the use and/or density criteria of the Primary Urban Service District but either (1) are subject to the waiver provisions in the Future Land Use Element or (2) existed before adoption of the 1982 Comprehensive Plan. These areas will not
receive the same level of urban services as provided for the contiguous areas in the main Primary Urban Service District:

(1) County landfill area north of C.R. 714 and east of I-95;
(2) Mobile home park area south of C.R. 714 between I-95 and S.R. 76A;
(3) Mobile home park area east of S.R. 76A immediately north of the intersection of S.R. 76A and Citrus Blvd. (S.R. 726).

Policy 4.7A.12. Public schools in urban service districts. Public schools shall be an allowable use in the Primary Urban Service District. Public schools may be allowed in the Secondary Urban Service District based on a demonstration of need.

Policy 4.7A.13. Allowable development outside the Primary Urban Service District. The following forms of development are recognized exceptions to the general prohibitions on development outside of the Primary Urban Service District set forth in Policies 4.7A.1. through 4.7A.12.:

(1) Expressway Oriented Transient Commercial Service Centers, as set forth in Policy 4.13A.8.(5).
(2) Reserved.
(3) The AgTEC land use category as set forth in Policy 4.13A.9.
(5) Seven Js Industrial Area, as set forth in Policy 4.13A.9.

Objective 4.7B. To concentrate rural and estate densities not exceeding one unit per gross acre in Secondary Urban Service Districts, where a reduced level of public facility needs are programmed to be available at the base level of service adopted in the Capital Improvements Element.

Policy 4.7B.1. Land uses allowed in the Secondary Urban Service District. In the Secondary Urban Services District, Martin County shall designate land uses that (1) will provide for the efficient and economical use and extension of urban services, and (2) are consistent with the reduced intensity of urban services normally associated with densities of one unit per gross acre (Estate Density RE-1A) and one unit per two gross acres (Rural Density). Regional water and sewer may be provided only when the proposed density is consistent with Policy 4.13A.5.(1) (Rural Density, one unit per two acres) or Policy 4.13A.7.(2) (Estate Density, one unit per acre). Sewer and water may be provided in the Secondary Urban Service District in accordance with the Indiantown DRI, Policy 4.1F.7.

Policy 4.7B.2. Prohibition of free-standing Secondary Urban Service Districts. Since the purpose of the Secondary Urban Service District is to accommodate low-density rural and suburban residential development on the edge of urban development, there shall be no additional free-standing Secondary Urban Service Districts or expansions of them.

Policy 4.7B.3. Conditions for expansion of Secondary Urban Service Districts. Since the Secondary Urban Service District accommodates residential uses at the edge of urban development, expansion of its boundaries shall be permitted only when it can be demonstrated that:

(1) A clear separation can be maintained between urban and rural uses;
(2) Internal inconsistency is not created with other elements of the adopted CGMP;
(3) Land use incompatibilities with adjacent or nearby land uses do not result;
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(4) No adverse impacts will result on environmental, natural, historical or archaeological resources, features or systems to a degree that is inconsistent with this Plan;

(5) Reasonable residential capacity does not exist on suitable land in the existing Secondary Urban Service District for the 15-year planning period. For the purpose of this subsection “reasonable” means available for development from the standpoint of environmental concerns, efficient use and expansion of public facilities and services, or availability of development sites sufficient for projected housing needs;

(6) Consistency can be maintained with Goal 4.9 relating to appropriate residential land use capacities;

(7) The land affected is suitable for urban uses. Unsuitable uses include environmentally sensitive areas to the degree they are protected by this Plan, prime agricultural areas, prime groundwater recharge areas and critical habitat for endangered or threatened species. This criterion does not preclude development of surrounding lands provided that the unsuitable areas are fully protected; and

(8) Consistency is maintained with the adopted Capital Improvements Element.

Policy 4.7B.4. Density of residential development in Secondary Urban Service Districts. Martin County shall require that residential development in Secondary Urban Service District have density no higher than specified under this objective. Lands shall be included in the Secondary Urban Service District based on (1) consistency with the County’s growth management policies and Capital Improvements Element and (2) maintenance of LOS standards in a cost-efficient manner.

Policy 4.7B.5. Criteria for inclusion in Secondary Urban Service Districts. Areas that meet the density criteria and are contiguous to the Primary Urban Service District shall be delineated as Secondary Urban Service Districts on the Urban Services District Boundary Map. A tract that would normally qualify for designation in the Secondary Urban Service District that is surrounded on at least three sides by Primary Urban Service District areas may be included in the Primary Urban Service District, through a Plan amendment.

Policy 4.7B.6. Criteria for change of designation. In areas designated as Secondary Urban Service Districts, where development is proposed that would contain one-half acre lots or commercial and industrial uses, a change of designation to Primary Urban Service District (1) must be approved by the Board of County Commissioners as part of a land use amendment and (2) must meet all the policies under Objective 4.7A relating to Primary Urban Service Districts, or as may be permitted in accordance with the Indiantown DRI consistent with Policy 4.1F.9.

Policy 4.7B.7. Water and sewer service in Secondary Urban Service District. The Board of County Commissioners has determined that the health, safety and welfare of the citizens of Martin County will be best served if regional water and sanitary sewer services are made available to properties in the Secondary Urban Service District, in order to:

(1) Protect natural resources, including wetlands and waterways, from the negative impacts of onsite sewage disposal (septic) systems and private wells to serve individual residential units;

(2) Provide fire protection;

(3) Provide safe drinking water.

Policy 4.7B.8. Criteria for extension of utility services in the Secondary Urban Service District. Utility service shall not be extended into the Secondary Urban Service District without a finding that the following criteria have been met:
(1) The property owner has made the request and has paid the required costs for connection to the regional system;

(2) Such services may only be provided by a regional utility, public or private, within a service area shown on Figure 11-2;

Editor's note—

Figure 11-2 is on file in the office of the Martin County Growth Management Department.

(3) Package plants for provision of utility service are prohibited except under the provisions of the CGMP;

(4) The regional utility must demonstrate that (1) the treatment facility has capacity for the proposed connection and (2) priority has been given to projects in the Primary Urban Service District;

(5) Extension of utility services shall not be construed to imply support for any increase in the residential density of the property;

(6) Property lying outside urban service districts (either primary or secondary) shall not receive utility service from a regional wastewater system;

(7) Extension of utility service outside the urban service districts shall be prohibited;

(8) Lot sizes in the Secondary Urban Service District shall exceed one-half acre.

Policy 4.7B.9. Criteria for connection to regional utilities. In rural developments or residential subdivisions with minimum lot sizes exceeding one-half acre in the Secondary Urban Service District, connection to regional utilities may be permitted but shall not be required. Outside the Primary or Secondary Urban Service Districts, neither regional utilities nor interim water systems shall serve customers.

. Policy 4.7B.10. Areas to receive different levels of urban services. Martin County recognizes the following detached, outlying areas that meet the use and/or density criteria of the Secondary Urban Service District but are either subject to the waiver provisions in this Element or were in existence prior to the adoption of the 1982 Comprehensive Plan. These areas will not receive the same level of urban services as provided for the main Secondary Urban Service Districts located contiguous to the Primary Urban Service District:

(1) Country Place Subdivision on the east side of S.R. 76A just south of I-95;

(2) Linear area between Citrus Blvd. (S.R. 726) and the Okeechobee Waterway, from Indiantown to S.R. 76A.

Objective 4.7C. To initiate several long-term studies regarding land use needs with the Treasure Coast Regional Planning Council and other interested parties as outlined in the following policies.

Policy 4.7C.1. Planning studies with Palm Beach and St. Lucie counties. Martin County shall participate in planning efforts in conjunction with Palm Beach County and its northern municipalities and St. Lucie County and its southern municipalities. All such activities shall be coordinated with the Greenways planning efforts underway by the State of Florida.

Policy 4.7C.2. Evaluation of urban uses near I-95 interchanges. In 2012/2013, The County shall have completed an evaluation of potential urban uses in the vicinity of the I-95 interchanges with CR 708 and CR 714. The results of these studies shall be incorporated into the CGMP via Plan Amendment.
Policy 4.7C.3. Determination of need to increase the urban service district. Martin County shall determine if there is any need to increase the County's urban service district. If such a need is determined, Martin County will investigate ways to address those needs, including expansion of the district, transfer of development rights or other techniques.

Policy 4.7C.4. Inventory of commercial and industrial lands. Martin County shall continue to refine its inventory of commercial and industrial lands in accordance with the policies cited in Policy 15.3D.1.

Policy 4.7C.5. Redesignation of inappropriately designated lands. Martin County shall develop a program to work with property owners to change the future land use designation on land identified as inappropriate or unsuitable for industrial development, as determined by the studies to be done in accordance with policies in Policy 15.3D.5.

Policy 4.7C.6. Identification of sites for affordable housing. Martin County shall identify additional sites for affordable and workforce housing including medium and high density residential development.

Objective 4.7D. To assure that facilities and services are provided equitably to support urban and rural development. Where deficiencies are found, they shall be satisfied through equitable fiscal contributions prior to issuing permits for such development.

Policy 4.7D.1. Coordinate future development. Final site plans shall be approved only after the owner/applicant has provided plans and assurances that all requirements for road improvements, potable water service, wastewater disposal, drainage, recreation areas, schools and protective services shall be satisfied prior to the issuance of a development order, as provided in the Capital Improvements Element.

Policy 4.7D.2. Provision of adequate capital facilities. Prior to granting development approval, Martin County shall assure that adequate capital facilities and public services are available to support the development as specified in the Concurrency Management System of the Capital Improvements Element.

Policy 4.7D.3. Responsibility for expanded capital facilities. The development shall bear the full cost of providing the new or expanded capital facilities required by it. Impact fees and dedication requirements are preferred methods of regulating land development to ensure that it bears a proportionate share of the cost of capital facilities needed by the development and to promote and protect the public health, safety and general welfare. Development approvals requiring dedications of land, capital improvements or equitable contributions of fees, or any combination of them, shall be granted appropriate credit for such dedications, capital improvements or equitable contributions at the time the impact fee is collected.

Goal 4.8. To encourage energy conservation and promote energy-efficient land use and development that implements sustainable development and green building principles.

Objective 4.8A. Martin County's Land Development Regulations shall be revised to ensure that development and redevelopment activities maximize energy conservation through effective and cost-efficient land use and design.

Policy 4.8A.1. Encouragement of sustainable development principles. Land Development Regulations shall encourage the following sustainable development principles:

1. Encourage the location and scale of land use activities to minimize long-term energy commitments for construction, operation, maintenance and replacement.
(2) Encourage the design, siting and orientation of buildings to use the sun, wind, tree canopies and plant materials to reduce the demand for artificial heating, cooling, ventilation and lighting.

(3) Ensure energy conservation in building, heating and cooling systems.

(4) Take advantage of compact building design.

(5) Create walkable neighborhoods.

(6) Foster distinctive, attractive communities with a strong sense of place.

(7) Provide a variety of transportation choices between employment centers, tourism destinations, public facilities and residential neighborhoods.

Objective 4.8B. To pursue implementation of green building standards developed by the Florida Green Building Coalition Inc. or the Leadership in Energy and Environmental Design (LEED) standards developed by the United States Green Building Council.

Policy 4.8B.1. Compliance with green building standards. All buildings constructed by Martin County shall be built in compliance with the Florida Green Building Coalition's minimum design standards.

Policy 4.8B.2. Incentives for using green building standards on nonresidential structures. Martin County shall work with the Treasure Coast Builders Association to develop voluntary incentives for using the standards of the Florida Green Building Coalition or LEED on nonresidential structures.

Policy 4.8B.3. Application of green building standards on residential structures. Martin County shall work with the Treasure Coast Builders Association to investigate the application of green building standards on all residential construction.

Objective 4.8C. To allow and encourage renewable energy resources such as wind and solar technologies in all future land use designations.

Policy 4.8C.1. Alternative energy in appropriate zoning districts. As the technology for wind, solar and other forms of power generation advance, the Land Development Regulations shall be revised to permit different forms of power generation in appropriate zoning districts.

Policy 4.8C.2. House Bill 697. As of December 2009 new rules had not been adopted implementing House Bill 697. Within one year of new rules becoming effective which implement House Bill 697, Martin County shall amend the CGMP to be consistent with such rules.

Goal 4.9. To provide for appropriate and adequate lands for residential land uses to meet the housing needs of the anticipated population and provide residents with a variety of choices in housing types and living arrangements throughout the County.

Objective 4.9A. To monitor population growth, development orders and Future Land Use Map amendments to ensure that an appropriate and adequate supply of residential land use is maintained in the unincorporated areas of the County.

Policy 4.9A.1. Suitable siting of residential development. Residential development shall be located in areas that are suitable in terms of efficient land use planning principles regarding the location and design of units; projected availability of service and infrastructure capacity; proximity and accessibility to employment, commercial and cultural centers and fire and police protection; avoidance of adverse impacts to natural resources; and continued viability of agricultural uses. The guideline for determining proximity is that commercial and employment opportunities are within 7.5 miles or 20 minutes.
**Policy 4.9A.2. Mixed-use developments outside CRAs.** Martin County shall establish Land Development Regulations to guide mixed-use development in commercial areas outside CRAs.

**Objective 4.9B.** To ensure the Land Development Regulations provide zoning classifications allowing a variety of housing types and locations.

**Policy 4.9B.1. Residential zoning classifications.** At a minimum, residential zoning classifications shall be:

1. Designed for sufficient single-family, multifamily and mobile home/manufactured housing development to meet the needs demonstrated in the Housing Element;

2. Located consistent with the designations of the Future Land Use Map and the policies of this Plan.

**Objective 4.9C.** To ensure that the Land Development Regulations provide for residential zoning classifications allowing for flexibility in site design and land use mix.

**Policy 4.9C.1.** At a minimum, the residential zoning classifications shall provide for:

1. A variety of lot sizes, floor areas, setbacks and residential land use mixes, to permit a choice in housing types, designs and price levels in both urban and rural areas;

2. PUDs, to encourage creativity in development, design, protection of open space and protection of environmental features, and a mix of residential and nonresidential land uses;

3. Mixed residential and commercial development, to allow for residential uses with supportive commercial uses in a single structure or complex of structures;

4. Mixed residential and professional office development, to serve as a transition between residential areas and other more intensive land use areas.

**Objective 4.9D.** To ensure that the Land Development Regulations include requirements that ensure orderly transitions in residential densities in land use categories and PUDs.

**Policy 4.9D.1. Procedures for orderly transitions in residential density.** At a minimum these regulations shall:

1. Allocate residential densities compatible with available public services, natural features of land and existing and anticipated future development;

2. Allocate higher densities to sites highly accessible to major urban thoroughfares or urban collector streets and to sites adjacent to existing development with the same or higher density or a less restrictive zoning district;

3. Allocate higher densities to sites highly accessible to major urban thoroughfares or urban collector streets and to sites adjacent to existing development with the same or higher density or that can be adequately buffered from adjacent existing development or otherwise meet the density transitioning requirements of Section 4.1F.1., if applicable;

4. Where density transition areas as required by the policies under Objective 4.1F cannot be physically accommodated, the County shall investigate performance zoning concepts that provide a physical buffer or a combination of use separation and landscape planting. For projects providing affordable or workforce housing to eligible households as defined by the Housing Element, the required density transition areas may also be satisfied by providing a minimum 25-foot buffer with a 6-foot-high opaque fence or wall and landscaping.

**Policy 4.9D.2. Coordination of procedures for orderly transition.** The requirements for orderly transition in residential densities shall be coordinated with the policies for land use allocation under Goal 4.13 and the mixed-use policies under Goal 4.3.
Objective 4.9E. To ensure the Land Development Regulations promote orderly land use transitions by requiring buffering between incompatible land uses.

Policy 4.9E.1. Forms of buffering between land uses. Buffering between incompatible land uses may take the form of:

(1) Physical barriers, such as berms, hedges or other landscape cover; walls or fences aesthetically designed for screening purposes; or indigenous densely vegetated open space;

(2) A transitional use between the incompatible uses providing for (1) low-intensity office development or (2) live-work units separating retail commercial centers and residential developments, when the impacts of live-work units are comparable to and do not exceed the impacts of office use.

Policy 4.9E.2. Buffers in CRAs. Buffers for mixed use in CRAs shall be as found in Policy 4.3A.7.


Objective 4.9F. To periodically amend the Land Development Regulations to enhance landscape requirements in residential areas.

Policy 4.9F.1. Enhancement of scenic vistas. Special attention shall be given to enhancing scenic vistas along the Atlantic Ocean, Intracoastal Waterway, St. Lucie River, Loxahatchee River, Indian River, Savannas and major transportation corridors by preservation of open space, installation and maintenance of landscaping, and application of community appearance criteria that reinforce good principles of design, as noted under Goal 4.5.

Policy 4.9F.2. Requirements of Land Development Regulations. The Land Development Regulations shall consider, at a minimum:

(1) Preservation of open space and native vegetation;

(2) Installation and maintenance of landscaping;

(3) Application of sound principles of community design.

Objective 4.9G. To provide for residential development and required community facilities to adequately meet the housing needs of the present and expected future population of the County measured in accordance with Goal 4.9. (Residential Land Use) and Goal 4.4. (Eliminate inconsistent uses). Residential development shall be planned and designed to create and perpetuate stable living areas and protect investments in land and land improvements.

Objective 4.9H. To protect residential areas from encroachment by incompatible development. Existing and future residential areas shall be protected from encroachment by commercial or industrial development or other nonresidential uses having characteristics that would be incompatible with residential development. This objective does not preclude necessary community facilities and compatible uses established in planned communities from locating in residential areas when such activities satisfy established zoning criteria. Nonresidential land uses other than community facilities, houses of worship and certain not-for-profit public or quasi-public institutions or clubs shall be excluded from exclusively residential areas, except as provided for in the Land Development Regulations.

Policy 4.9H.1. Protect Residential from commercial uses. No commercial land uses shall be permitted in residential areas delineated on the Land Use Map unless such uses are approved...
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by the County as a home occupation or as an incidental commercial use that support residential units in a Residential PUD consistent with the Martin County Land Development Regulations. No industrial use may be permitted in any exclusively residential area as denoted on the Land Use Map. Commercial and Light Industrial uses may be allowed in Residential land uses in the Mixed Use Overlay of a CRA in accordance with Goal 4.3. Inconsistent uses shall be eliminated consistent with the provisions of Goal 4.4.

Policy 4.9H.2. Protect Residential from nonresidential uses. Any nonresidential use proposed as part of a Residential PUD is to be designed principally to support the residential units and shall be incidental to them. Calculations of residential density shall not include land area used for commercial, industrial or other nonresidential purposes including parking, access ways, open space or utilities principally supporting the nonresidential development. The maximum size of the nonresidential use shall be determined by a formula provided in the Land Development Regulations.

This formula may be adjusted by the Board of County Commissioners when the applicant can acceptably demonstrate that a larger nonresidential allocation is a necessary convenience for a larger market area. This demonstration shall include a market feasibility report that shall analyze:

(1) All existing competing commercial facilities within a six-mile radius of the site, including delineation of estimated market areas and projected number of users assigned to each primary and secondary market area;

(2) Impacts of the proposed commercial facility on land resources designated on the FLUM for future nonresidential development; and

(3) The impact of the proposed nonresidential development on the quality and character of existing and anticipated future residential development in the neighborhood, including traffic impacts.

After reviewing the applicant's plan and market feasibility report, the Local Planning Agency shall recommend to the Board of County Commissioners whether the demonstrated need exists for additional nonresidential area beyond the maximum allowable gross leasable floor area, as determined in the Land Development Regulations. The Board of County Commissioners shall make the final determination as to whether a net beneficial public use is served by the proposal.

Goal 4.10. To provide for adequate and appropriate sites for commercial land uses to serve the needs of the County's anticipated residents and visitors.

Objective 4.10A. To continue using the Land Development Regulations to provide a variety of commercial zoning districts to implement future land use designations and provide sufficient space for a variety of activities.

Policy 4.10A.1. Diverse commercial zoning districts. Appropriate zoning districts shall be provided, at a minimum, for research and development facilities; targeted industries; business and professional offices; general retail sales and services; limited commercial uses; wholesale trades and services; and marine waterfront commercial uses.

Policy 4.10A.2. Zoning for research and development. A zoning district shall be created to permit research and development in one or more commercial future land use designations.

Objective 4.10B. To consider the space requirements and location of commercial development and its impact on a community when assigning commercial future land use designations.
Policy 4.10B.1. Criteria for commercial land use designation. The following criteria, at a minimum, shall be used for assigning a commercial land use designation at a given location on the Future Land Use Map:

(1) Trip generation characteristics; impact on existing and planned transportation facilities; and ability to achieve functional internal circulation and a landscaped parking area.

(2) Specific needs of commercial activities, such as market area, anticipated employment generation and floor area requirements.

(3) Compatibility with and impact on other surrounding commercial activities.

(4) Relationship to surrounding land uses and natural systems.

(5) Impact on existing and planned community services and utilities.

Policy 4.10B.2. Criteria for siting commercial development. Commercial development shall be strategically directed to areas best able to accommodate its specific requirements of land area, site, public facilities and market location. The aim is to promote efficient traffic flow along thoroughfares, achieve orderly development and minimize adverse impacts on residential quality.

Policy 4.10B.3. Avoidance of strip commercial development. Changes in land use designation shall not be granted if the Board of County Commissioners finds (upon review by the Local Planning Agency) that the change will lead or contribute to a proliferation of strip commercial development. The existence of commercial areas on one corner shall not dictate development with the same or similar use on all corners. Nor shall the existence of commercial development on a major thoroughfare dictate similar use for all frontage. Mixed-use development shall not be considered strip commercial development.

Policy 4.10B.4. Criteria to guide mixed-use development. Martin County shall continue to refine policies and criteria to guide mixed-use development.

Objective 4.10C. To allow the conversion of commercial development to mixed-use development, in order to encourage redevelopment or adaptive reuse of shopping centers or other commercial core areas, thereby limiting unnecessary strip commercial shopping center development.

Policy 4.10C.1. Identification of vacant commercial properties. The County shall identify vacant or underused commercial properties outside CRAs, especially in commercial core areas and along U.S. Highway 1.


Policy 4.10C.3. Feasibility of including affordable housing in adaptive reuse policy. The analysis of underused shopping centers shall specifically consider the feasibility of and incentives needed to incorporate affordable housing opportunities into any adaptive reuse policy.

Policy 4.10C.4. Conditions for site plan approval. Final site plans shall not be approved pursuant to this objective until Martin County adopts amendments to the Land Development Regulations:

(1) Identifying commercial future land use designations and commercial zoning districts where mixed use will be allowed.

(2) Identifying permitted residential density.
(3) Identifying permitted commercial space.
(4) Identifying the appropriate balance between residential and commercial space.
(5) Encouraging affordable housing, workforce housing and specialized housing, such as residential care facilities.
(6) Requiring interconnectivity between strip commercial spaces when adapted for reuse.

Objective 4.10D. To continue to refine the Land Development Regulations to ensure compatibility and smooth transitions between commercial and noncommercial land uses.

Policy 4.10D.1. Transitional uses to separate commercial from residential uses. Office development and live-work units may serve as transitional uses separating more intensive commercial uses from residential development, when live-work units are limited to those with impacts equal to or less than the impacts of office development.

Policy 4.10D.2. Encouragement of office and live-work units in commercial areas. Office use and live-work units are encouraged along the outer fringe of core commercial areas to encourage reinvestment in adjacent, declining residential areas.

Objective 4.10E. To encourage improved design of core commercial areas that serve as the focal point of major unincorporated communities.

Policy 4.10E.1. Improved design of commercial development is to be used to promote the commercial core areas of Jensen Beach, Palm City, Port Salerno, Hobe Sound and Indiantown. Improved physical design is aimed at reinforcing and improving their role as community centers of office and institutional activity, retail trade and civic and cultural enrichment. Innovative themes and design approaches will be used that are consistent with the purpose and unique character of these areas. Development shall accommodate and encourage pedestrian circulation. Vehicular traffic flow and parking shall be designed to reinforce and improve pedestrian mobility.

Goal 4.11. To provide for adequate and appropriate sites for industrial land uses to support the role of industry in the County's economy.

Objective 4.11A. To continue to use the Land Development Regulations to provide a variety of zoning classifications to implement the Industrial future land use designation and accommodate a diversity of industrial development, as desired by the community.

Policy 4.11A.1. Zoning district for research and development. A zoning district shall be created to permit research and development in the Industrial future land use designation.

Objective 4.11B. To ensure the County's Land Development Regulations recognize locational criteria for industrial land in the Land Use Element and ensure that space requirements are satisfied when determining the distribution of specific types of industrial activities.

Policy 4.11B.1. Development review process for industrial development. The development review process shall ensure that, at a minimum:

(1) Industrial activities are compatible with surrounding land uses, established or planned development, and natural systems and resources.

(2) Sites for industrial development are accessible to essential public and private facilities and services at the levels of service adopted in this Plan for transportation, potable water, solid waste, drainage and sanitary sewer.
(3) Sites for industrial development are located with convenient access to major road transportation corridors and are encouraged to locate with convenient access to air, water and rail transportation facilities.

(4) Sites for industrial development are located with convenient access to the labor supply, raw material sources, energy resources and market areas.

(5) A need for industrial land use is demonstrated in a County-wide assessment when industrial proposals are considered by the Board of County Commissioners.

Objective 4.11C. To ensure the Land Development Regulations continue to minimize the "nuisance" effects or other negative impacts of industrial activity.

Policy 4.11C.1. Nuisance standards for industrial development. The Land Development Regulations shall contain standards that manage, at a minimum, noise, air pollutants, odor, vibration, fire or explosive hazard, and glare. Industrial activities shall be located and designed based on their ability to comply with these standards.

Policy 4.11C.2. Buffers in industrial areas. Natural vegetation and other appropriate buffers shall be required where appropriate to minimize adverse impacts of the activity on nearby land uses.

Objective 4.11D. To prepare an annual report aimed at selectively expanding the County's industrial base, consistent with the economic assumptions and limitations in the Economic Element (Chapter 15).

Policy 4.11D.1. Criteria for encouraging industries. The County shall encourage industries that:

(1) Generate high levels of employment offering higher than average wages and salaries and relative independence from cyclical changes in the economy;

(2) Produce services and/or products that complement the needs and resources of existing industry in Martin County;

(3) Provide basic industry that is likely to attract additional industry compatible with the goals and objectives in the Economic Element;

(4) Contribute net revenue to the Martin County government, thus enhancing the County's fiscal capability;

(5) Conserve the County's natural resources and public facilities by generating minimal adverse impacts on groundwater and potable water, the transportation system, the solid waste system and other natural resources or community facilities.

Policy 4.11D.2. Sufficient industrial land. Allocation of land for industrial development shall reflect its location and space requirements and the potential fiscal and environmental impacts on Martin County. The location and distribution of specific types of industrial activities shall be determined based on the following considerations:

(1) Trip generation characteristics and impact on existing and planned transportation systems, including dependence on rail, air or trucking for distribution of materials and goods;

(2) Anticipated employment generation, floor area requirements and market area;

(3) Ability to meet established performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, glare, noise or odor;

(4) Impact on established or planned development and natural systems;

(5) Impact on existing and planned public services, utilities and water and energy resources; and
(6) Ability to connect to a regional water and wastewater treatment system.

Goal 4.12. To fairly and equitably enhance and protect appropriate and productive land for agricultural uses.

Objective 4.12A. To ensure the Land Development Regulations set forth procedures to preserve the agrarian character of agricultural lands and to provide other methods to maintain the economic viability of agriculture.

Policy 4.12A.1. Prevention of urban encroachment on agricultural lands. The County shall restrict expansion of urban public facilities and services to the urban service districts designated in this Plan to preserve agricultural land and provide farmers with maximum protection from urban encroachment.

Policy 4.12A.2. Restrictions outside urban service districts. Outside urban service districts, development options shall be restricted to low-intensity uses, including Agricultural lands, not exceeding one unit per 20 gross acres; Agricultural Ranchette lands not exceeding one unit per five gross acres; and small-scale service establishments necessary to support rural and agricultural uses.


Policy 4.12A.4. Allowance of congregate housing. The County shall permit congregate housing for agricultural farm workers as an agricultural activity consistent with this Plan.

Policy 4.12A.5. Minimum farm size for congregate housing. The land on which congregate housing is located shall be a minimum of 60 acres and under common ownership with a contiguous producing farm.

Policy 4.12A.6. Use of congregate housing. The congregate housing shall be inhabited solely by farm workers, and the facilities shall satisfy the Florida Building Code and Section 64-E of the Florida Administrative Code. Facilities constructed to house farm workers shall not be used to house any other persons or for any other purpose.

Policy 4.12A.7. Standards for congregate housing. Failure to maintain safe and sanitary facilities, consistent with the Florida Building Code, the Land Development Regulations of Martin County and Section 64-E of the Florida Administrative Code may cause the Board of County Commissioners to require closure or demolition of the facilities.

Objective 4.12B. To monitor and evaluate innovations and new management practices for preserving farmlands while protecting the property rights of farmers.

Policy 4.12B.1. Innovations for preserving farmland. At a minimum, the following innovations shall be investigated to preserve farmland:

1. Fiscal incentives such as differential assessments to reduce burdensome property taxes;
2. Transferable development rights that compensate the owners of preserved land for the loss of their rights to develop;
3. Voluntary agricultural districts coupled with benefits and assurances to improve farming conditions.

Objective 4.12C. To strongly urge preservation of agricultural lands in the County, as denoted on the FLUM, realizing that soil attributes and climatic conditions make the land especially productive for agriculture and silviculture.
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Policy 4.12C.1. Incentives for farming. Owners of agricultural land shall be encouraged through incentives to keep the land in productive use. Preserving the agrarian character of agricultural lands outside the urban service district boundaries (Figure 4-2) shall involve the use of land and water management policies, including the FLUM; strategies for locating and timing public and private improvements; subdivision controls; and other relevant land use controls.

Editor’s note—

Figure 4-2 is on file in the office of the Martin County Growth Management Department.

Objective 4.12D. To continue to preserve agricultural lands by restricting expansion of urban services to areas adjacent to urban cores. In addition to its economic and fiscal benefits, this objective will protect farmers from encroachment by urban uses. Also, congregate farm worker housing will aid flexibility in land management policies for owners of large farm. As additional issues unfold, the County shall continue to apply innovative concepts to reconcile preservation of agricultural land with protection of farmers' property rights.

Goal 4.13. To allocate land uses as indicated on the Year 2025 Land Use Map to provide for compatibility with existing development, consistency with the Capital Improvements Element, protection of natural resources and implementation of the adopted LOS standards.

Objective 4.13A. To revise the Land Development Regulations as necessary to implement policies for land use allocation.

Policy 4.13A.1. Intent of agricultural designation. The FLUM identifies those lands in Martin County that are allocated for agricultural development. This designation is intended to protect and preserve agricultural soils for agriculturally related uses, realizing that production of food and commodities is an essential industry and basic to the County's economic diversity. Most agricultural lands are far removed from urban service districts and cannot be converted to urban use without substantial increases in the cost of providing, maintaining and operating dispersed services. The allocation of agricultural land is furthered by Goal 4.12.

The further intent of the Agricultural designation is to protect agricultural land from encroachment by urban or even low-density residential development. Such development affects the natural environment and may cause adverse impacts such as erosion, run-off, sedimentation and flood damage, all of which reduce the land's agricultural productivity. Residential development in the Agricultural future land use designation is restricted to one single-family residence per gross 20-acre tract. To further avoid activities that adversely affect agricultural productivity on such lands on the FLUM, development shall not be permitted that divides landholdings into lots, parcels or other units of less than 20 gross acres. Acreage may be split for bona fide agricultural uses into parcels no smaller than 20 gross acres. Subdivisions containing residential dwellings must be platted, provide for all necessary services and maintain a minimum of 50 percent open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space. Buildings in Agricultural developments shall be no more than 40 feet in height.

Subdivisions containing residential dwellings at a density greater than one single-family dwelling unit per 20 gross acre lot shall not be allowed.

In agriculturally designated lands, the Agriculture zoning districts shall provide definitive policy regarding development options. All such provisions in agricultural zoning districts shall be consistent with the CGMP. Limited residential and other uses are permitted where they are directly related to and supportive of agriculture or would not jeopardize the integrity of the agricultural purpose of the district.
(1) Congregate housing for farm workers. Farm worker housing shall be considered an agricultural activity and shall only be permitted as part of bona fide agricultural activity, consistent with Policies 4.12A.4. through 7. Agricultural zoning shall include farmworker housing as a permitted use, implementing this provision.

(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.

Policy 4.13A.2. Viable economic use of agricultural land. Martin County shall continue to protect agriculture as a viable economic use of land through its planning, capital improvements, cooperative extension and regulatory and intergovernmental coordination activities.

Policy 4.13A.3. Agricultural Ranchette development. The FLUM identifies lands allocated for Agricultural Ranchette development. These lands are primarily located west of the Sunshine State Parkway and in the western part of Martin County surrounding Indiantown. The Agricultural Ranchette designation is intended to protect and preserve areas of Martin County generally located between the fringe of the agricultural heartland and the outer fringe of urban development. These areas are situated in locations removed from urban services, have developed at very sparse densities and maintain their original agricultural and rural character. The CGMP recognizes the primary value of these lands for small agricultural operations, recreational equestrian activities and small stables, rural residences and open space. It therefore assigns reasonable development options consistent with the existing and anticipated agricultural character in the area. A density of one single-family dwelling unit per five gross acres shall be permitted in areas designated for Agricultural Ranchettes.

Residential dwelling units on these lands should be related to the agricultural uses. Five-acre lots with this land use designation shall meet this requirement. This Plan recognizes the need to concentrate urban development near the urban core where facilities may be more economically provided, maintained and operated. These areas still require minimal levels of urban services, such as fire and emergency medical service, so Ranchette areas should be located adjacent to the Secondary Urban Service District.

The zoning regulations shall govern future development options in the areas designated for Agricultural Ranchette development and shall be consistent with the CGMP. Standards in the Land Development Regulations shall assure that future development is compatible with established uses sharing common lot lines to provide for smooth transitions in use and densities. All Agricultural Ranchette development shall have a maximum building height of 40 feet and maintain at least 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space.
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Policy 4.13A.4. Criteria for amendment requests for Agricultural Ranchettes. Standards governing Agricultural land conversion in Policy 4.13A.1.(2) shall also be used as criteria in evaluating future FLUM amendment requests in areas designated for Agricultural Ranchettes.

Policy 4.13A.5. Secondary Urban Service District development. The FLUM identifies lands allocated for Secondary Urban Service District development. This designation is intended to protect the value of rural suburban lands located outside the normal economical service radius of intensive (primary) urban services.

(1) Rural density (one unit per two acres) Rural lands shall be developed at a density of no more than one dwelling unit per two gross acres. This density recognizes the need to concentrate urban development on lands closer to the urban core where intensive facilities and services can be provided cost-effectively. This policy also provides reasonable development options to landowners whose property is on the fringe of secondary urban development in sparsely developed rural or rural suburban areas.

All Rural development shall have a maximum building height of 40 feet and maintain at least 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space. Golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the course due to their characteristically high water and nutrient loads. Golf courses may be used in calculating open space as long as 30 percent of the residential area consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

Zoning regulations shall provide standards for these areas designed to ensure that development is compatible with the need to preserve their rural character. These standards shall reflect the high value placed on open space, need to preserve wetland areas, function and value of recharge areas, and need to minimize changes in natural hydrology. 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.

One accessory dwelling unit shall be allowed on Rural density lots of at least two acres as follows:

(a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.

(b) It shall not count as a separate unit for the purpose of density calculations.

(c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

(d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

(2) Residential Estate densities (one unit per acre). Residential Estate densities are primarily assigned to established, stable residential areas and transitional areas having a density up to one unit per gross acre. These areas are generally on the fringe of urban service districts and not accessible to a full complement of urban services. The CGMP also assigns Estate densities to (1) selected areas near existing estate development where the lands have characteristics similar to existing residential estates and (2) areas in the urban service district requiring density limitations because of unique problems of urban services.
The aim in reviewing specific densities shall be to preserve the stability and integrity of established residential development and to 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.

All Residential Estate density development (one unit per acre) shall have a maximum building height of 40 feet and maintain a minimum of 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. Golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the course due to their characteristically high water and nutrient loads. Golf courses may be used in calculating open space as long as 30 percent of the residential area consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

Existing agricultural uses in this land use designation shall be allowed to continue in a nonconforming status. This designation differs from Residential Estate density (two units per acre) in that lot sizes are generally larger and the areas are more rural. This policy applies to lands in the Secondary Urban Service District because the density range of one dwelling unit per one to two acres supports the transitional nature of these lands and is intended to protect and preserve the rural, suburban lands in close proximity to the Primary Urban Service District.

One accessory dwelling unit shall be allowed on Estate density lots of at least one acre as follows:

(a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.

(b) It shall not count as a separate unit for the purpose of density calculations.

(c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

(d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

Policy 4.13A.6. Rural Heritage designation. The Rural Heritage designation identifies lands that have historically been small farms but now lie in the Primary or Secondary Urban Service Districts. The FLUM recognizes the unique value of these lands for small agricultural operations and open space, and it acknowledges that their development pattern is distinct in the urban service district. Therefore, this designation is intended to protect these areas by assigning reasonable development options consistent with the agricultural character of the area. These lands are primarily west of U.S. 1 and east of the Turnpike and Interstate 95. The Rural Heritage designation aims to preserve the agricultural function and character of these areas and prevent encroachment of urban uses.

These areas, which have developed at very sparse densities, maintain their original agricultural and rural character. While the CGMP recognizes that higher densities are most appropriate inside the Primary Urban Service District, it also values preservation of existing neighborhoods. These areas are characterized as areas that have a developed pattern of large lots, ranging from 1 to 20 acres. They often retain pre-Comprehensive Plan zoning districts that were intended for small farm operations. Lastly, the road system serving such areas is not built to current County standards.
A density of one unit per two gross acres shall be permitted in areas designated Rural Heritage. Lots smaller than two gross acres that were lawfully established prior to creation of the Rural Heritage designation shall not be considered inconsistent with this lot size requirement. New lots created in these areas shall be not less than two gross acres. Residential development on these lands should be related to agricultural uses. Public and institutional uses permitted in residential areas - including community centers, educational institutions, protective and emergency services, libraries and places of worship shall be allowed in the Rural Heritage designation. Given the large lot sizes, these areas are not required to have centralized water and sewer services but could be connected to service at the lot owner’s expense if such service were warranted due to environmental concerns and if connections were consistent with other sections of the Plan.

The Land Development Regulations governing future development options in the areas designated Rural Heritage shall be consistent with the CGMP. All Rural Heritage development shall have a maximum building height of 40 feet and shall maintain a minimum of 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. The zoning regulations of the Land Development Regulations shall provide standards for these areas designed to permit development compatible with the goal of preserving the area’s rural character. Existing zoning consistent with this designation shall be considered appropriate to remain on parcels in the area. Standards of the Land Development Regulations shall assure that future development is compatible with established uses sharing common lot lines to provide for a smooth transition between uses and densities. These standards shall reflect the high value placed on open space, need to preserve wetland areas, function and value of recharge areas, and need to minimize changes in natural hydrology.

(1) One accessory dwelling unit shall be allowed on Rural Heritage lots of at least two acres as follows:

(a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.

(b) It shall not count as a separate unit for the purpose of density calculations.

(c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

(d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

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:

(a) All Residential development described in subsections (1) through (6) of this policy shall have a maximum building height of 40 feet.

(b) All Residential development shall maintain a minimum of 50 percent of the gross land area as open space, except as described under Goal 4.3. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. This section shall not apply to construction of a single-family home on a lot of record.
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(c) Proposed Residential developments with golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the golf course, due to the characteristically high water and nutrient loads of golf courses. Golf course developments that retain over 30 percent of their golf course area in preserved native habitat may count this in calculating open space as long as 30 percent of the residential area consists of open space.

(d) One accessory dwelling unit shall be allowed on Residential lots consistent with Section 10.2.B and the following criteria:
   1) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.
   2) It shall not count as a separate unit for the purpose of density calculations.
   3) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.
   4) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

(e) In mixed-use projects developed in accordance with Objective 4.3.A and affordable housing consistent with Policy 6.1.5., impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, covered gathering spaces, etc.

(f) The following Residential future land use designations may be a part of a mixed-use project, as allowed by policies under Goal 4.3 in any of the mixed-use overlays found in the seven CRAs designated in Policy 4.2.B.4. Residential densities for a mixed-use project in a mixed use overlay shall be as provided in Goal 4.3.

(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.

(3) Low Density Residential development. The Low Density Residential designation is reserved for land in the Primary Urban Service District. Densities shall not exceed five units per gross acre. 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.

(4) Medium Density Residential development. The Medium Density Residential designation is reserved for land in the core of the Primary Urban Service District and accessible to employment centers. The maximum density is eight units per gross acre. However, sites may be approved for a maximum of 10 units per gross acre (a density bonus), after demonstrating compliance with all of the following criteria:
(a) The development commits to providing affordable or workforce housing to eligible households as defined by the Housing Element;

(b) The site is or can be serviced by a full complement of urban services including water and wastewater service from a regional public utility;

(c) The applicant provides a significant open space buffer, natural landscape (including a landscaped berm where appropriate), plant material and/or an aesthetic wall or fence to effectively shield the Residential use from any existing or potential adjacent nonresidential use or from any single-family use.

In reviewing specific densities, the aim shall be to preserve the stability of established residential areas. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.

(5) **High Density Residential development.** The High Density Residential development designation is reserved for land near employment centers in the core of the Primary Urban Service District. The maximum density is 10 units per gross acre. However, sites shall be approved for a maximum of 15 units per gross acre, assuming compliance with all of the following criteria:

(a) The development commits to providing affordable or workforce housing to eligible households as defined by the Housing Element;

(b) The site shares a common zoning district boundary with a Commercial or Industrial district or a Medium Density or High Density Residential area as reflected on the Zoning Atlas or FLUM;

(c) The site is or can be served by a full complement of urban services including water and wastewater service from a regional public utility;

(d) The applicant provides a significant open space buffer, natural landscape (including a landscaped berm where appropriate), plant material and/or an aesthetic wall or fence to effectively shield the residential use from any existing or potential adjacent nonresidential use or from any single-family use.

In reviewing specific densities, the aim shall be to preserve the stability and integrity of established residential development, maintain compatibility with it and provide equitable treatment of lands with similar characteristics. Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.

(6) **Mobile Home density development and mobile homes generally.** Residential densities in Mobile Home density areas shall be limited to a maximum of eight units per gross acre. However, specific site densities must be consistent with the policy, map and standards of the CGMP and zoning code. The more restrictive density provision shall rule where any inconsistency may exist. In reviewing specific densities, the aim shall be to preserve established residential development. All mobile home parks and subdivisions for which site plan approval has not been granted shall be encouraged to develop under the PUD provisions.

Mobile home dwelling units may be permitted in any single-family residential and agricultural future land use designation. Mobile home units that were lawfully established prior to February 20, 1990, but that lie outside of Mobile Home density areas shall not be considered nonconforming uses and may be replaced with another mobile home. While the primary purpose of the Mobile Home density area is to accommodate mobile home development, the Land Development Regulations may allow a site-built dwelling on a mobile home site provided the owner has established, in the manner prescribed by law, a
Homestead Exemption under Article VII, Section (6)(a), of the Florida Constitution. The Land Development Regulations shall also include performance standards, such as maximum height, maximum floor area and maximum lot coverage, to ensure that site-built dwellings constructed in areas originally developed as mobile home subdivisions are compatible with any remaining mobile homes. Site-built dwellings constructed in Mobile Home density areas shall be limited to one story, except for those buildings that received building permits for taller buildings prior to May 22, 2007.

All development in the Mobile Home future land use designation shall preserve a minimum of 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space.

Policy 4.13A.8. Commercial development. The Future Land Use Map identifies the allocation of commercial land for offices and services, limited commercial, general commercial and marine waterfront commercial activities. The allocation is compatible with the goals and objectives in the CGMP and consistent with supportive research and analysis.

(1) Commercial Office/Residential development (COR). Martin County shall establish policies and criteria to guide mixed-use development. Commercial Office/Residential development shall be allocated to accessible sites adjacent to major thoroughfares. It shall also serve as a transitional use separating more intensive commercial uses from residential development. Office and residential development may be allocated along the outer fringe of core commercial areas where such development may encourage reinvestment in declining residential areas adjacent to commercial core areas. The COR future land use designation shall also be allocated to areas appropriately suited for Traditional Neighborhood Development, described under Goal 4.3. The development provisions for the standard COR zoning districts and the PUD zoning district are expressed below:

(a) Development in the Commercial Office/Residential future land use designation shall be restricted to professional and business offices, limited service establishments, financial institutions, live-work units, residential development or any combination of these uses. Freestanding retail sales and service establishments shall be excluded from these areas. However, restaurants, certain service commercial uses, and limited commercial uses, as identified in the Land Development Regulations, may occupy 25 percent of the commercial square footage in a building.

Residential storage facilities may be approved in areas designated COR, and the Land Development Regulations shall include criteria for review of such uses. However, the building shall be restricted to structures with small modules adaptive exclusively to storage of personal items of residential clients. Commercial tenants shall be expressly prohibited. The facility shall be designed to blend harmoniously with residential structures.

The intensity of lot use, defined as floor area ratio (FAR), shall be governed by the parking standards of the Land Development Regulations. The maximum building coverage shall be 40 percent, and the minimum net lot size permitted in COR districts shall be 10,000 square feet. The minimum open space shall be 40 percent and the maximum building height shall be 30 feet. Multiple-family residential uses are encouraged to develop in areas designated for office development at densities compatible with criteria cited in Policy 4.13A.7.(5) for High Density Residential development. The Land Development Regulations shall require appropriate landscaping and screening, including a vegetative berm system where feasible. Plant material and a decorative fence or wall shall be used to assure compatibility between established residential uses and proposed office developments.
A bed and breakfast or other facilities for transient lodging, catering to seasonal residents, shall be permitted. Kitchen facilities shall be permitted to accommodate occupants visiting for periods exceeding the general motel trip duration of one to four nights. Approved transient lodging facilities existing as of the effective date of the CGMP shall be considered permitted in such an area.

Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.

Residential use shall be allowed in the COR future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided in Policy 4.3A.2.

(2) **Limited Commercial development.** Limited Commercial development is allocated to commercial sites accessible to major thoroughfares near residential neighborhoods. The scale and intensity of commercial uses in Limited Commercial areas shall be compatible with adjacent residential neighborhoods. Sites in this designation are intended for shops with limited inventory of goods as well as transient lodging facilities consistent with the CGMP and the Land Development Regulations. This designation is not generally intended to accommodate residential development. Duly approved residential uses existing at the effective date of the CGMP shall be considered permitted uses.

Areas designated for Limited Commercial development are not intended to accommodate large-scale retail sales, service or trade activities that generally serve a larger market area. Such stores would usually require a larger floor area, carry a relatively larger inventory and require a substantially greater parking area.

Land Development Regulations implementing the Limited Commercial future land use designation shall be consistent with these development standards. Minimum net lot sizes shall be 10,000 square feet. FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units shall be 20 units per gross acre. Maximum building coverage shall be 50 percent. Minimum open space shall be 30 percent. Maximum building height shall be 30 feet.

Residential use shall be allowed in the Limited Commercial future land use designation as part of a mixed-use project in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided for in Policy 4.3A.2.

(3) **General Commercial development.** The General Commercial areas are designated on the Future Land Use Map to accommodate general retail sales and services; highway-oriented sales and services; commercial amusement; and trade and warehousing facilities. These areas are principally located in highly accessible parts of the urban service district that are compatible with the unique location and market requirements of these uses. The sites are located on major or minor arterials and require a minimum net lot size of 10,000 square feet. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum densities for hotel/motel units located in a General Commercial future land use designation shall be 20 units per gross acre. Maximum building coverage shall be 60 percent. Minimum open space shall be 20 percent. Maximum building height shall be 40 feet.

The Land Development Regulations implementing the General Commercial future land use designation shall be consistent with the development standards described above. This area is not intended to accommodate businesses, trades or services that generate significant nuisance impacts, including glare, smoke or other air pollutants; noise; vibration; major fire hazards; need for extensive outside storage and display; or other impacts associated with more intensive industrial uses. Automotive sales and services shall be
located in the General Commercial land use classification on sites appropriately designated for highway-oriented commercial uses in the Land Development Regulations.

The areas designated for General Commercial development are specifically not adapted to permanent residential housing, and such uses shall be located in other areas designated for residential development. On the other hand, transient residential facilities including hotels and motels, timesharing or fractional fee residential complexes, or other transient quarters should be located in areas designated for commercial use. Areas planned for mixed-use developments as allowed under Goal 4.3 are considered compatible for mixed use.

The General Commercial site should generally be removed from single-family residential development and able to be buffered and screened consistent with the Land Development Regulations requiring appropriate landscaping and screening. Screening shall include vegetative berms (where feasible), plant material and/or aesthetic decorative fences or walls to assure compatibility with less intensive uses existing or anticipated on adjacent sites.

Residential use shall be allowed in the General Commercial future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be provided for under Goal 4.3.

Prior to approval of a development plan, all applicants for development in the area designated General Commercial shall provide assurances that central water distribution and wastewater collection utilities shall be provided by a regional public utility system.

(4) **Marine Waterfront Commercial.** The Future Land Use Map designates Marine Waterfront Commercial areas to accommodate marine resort, marina and water-related services along highly accessible waterfront sites with the potential to satisfy the unique location, market and resource needs of water-dependent more intense marine service/industrial uses. Waterfront Commercial uses are generally either water-dependent or water-related. Specific zoning regulations shall regulate the nature of marine waterfront commercial operations. They shall also assist in maintaining the stability of adjacent and nearby residential areas through use restrictions, landscaping and screening, and nuisance abatement standards. The regulations shall also guard against environmentally adverse impacts to biologically active and environmentally sensitive habitats in a manner consistent with the Coastal Management and Conservation and Open Space Elements.

The Land Development Regulations shall provide several marine waterfront commercial zoning districts to accommodate relevant activities, including transient residential facilities, other facilities oriented to marine resorts such as restaurants and shops, and more intense marine service uses that have specific siting criteria to assure compatibility with human and natural resources identified in section 8.4.A5.

Marine Waterfront Commercial sites shall have a minimum net lot size of 10,000 square feet, with a residential density not exceeding 10 units per gross acre and a hotel/motel density not exceeding 20 units per gross acre. The FAR shall be governed by the parking standards of the Land Development Regulations. Maximum building coverage shall be 50 percent. Minimum open space shall be 30 percent. Maximum building height shall be 30 feet for parcels zoned for resort (water-related) uses and 40 feet for parcels zoned for general (water-dependent) uses.

Residential use shall be allowed in the Waterfront Commercial future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. if the mixed-use project is in a Mixed Use Overlay. Residential
densities shall be as provided for in Policy 4.3A.2. A mixed-use project in an MUO located on a parcel designated Waterfront Commercial on the Future Land Use Map may satisfy its required nonresidential component with nonresidential waterfront commercial uses.

Marine Service Areas. Although Marine Waterfront Commercial areas allow for a variety of uses, Marine Service Areas shall not be developed or converted to permanent residential uses other than accessory dwelling units (e.g., watchman's quarters).

(a) At a minimum, the following shall be considered Marine Service Areas:

1) Parcels zoned Waterfront General Commercial, including those zoned after the effective date of the Marine Service Area provision; and
2) Parcels or portions of parcels used as marinas or marine repair facilities, including all related boat storage and repair areas, but not including vacant areas or portions of the parcel devoted to uses other than marinas or marine repair.

(b) This restriction on permanent residential use in Marine Service Areas took effect on March 20, 2006. However, Land Development Regulations shall also be adopted to allow landowners to petition for amendments to the Marine Service Area map under certain circumstances. At a minimum, the petition process shall provide for amendments to the map where the landowner can demonstrate that:

(c) Land equally or more suitable for use as a Marine Service Area can be redesignated as such, so as to ensure no net loss of the total Marine Service Area. The Land Development Regulations may provide limits as to acceptable locations for such new Marine Service Areas; or

(d) The existing marine service uses on the site proposed for conversion to permanent residential uses can be replaced by developing similar marine service uses on the same parcel or on a different parcel not already designated as a Marine Service Area (including combinations of on-site and off-site improvements). The Land Development Regulations may provide limits as to acceptable locations for such new marine service uses; or

(e) A particular parcel of land in a Marine Service Area cannot reasonably be developed or redeveloped for marine service uses due to changes in the surrounding area or government regulations related to marine service uses.

Where new Commercial Waterfront lands are created via amendments to the Future Land Use Map, the Board of County Commissioners shall also determine whether such lands shall be designated as Marine Service Area. Lands that are changed from Commercial Waterfront to another future land use designation shall automatically be removed from the Marine Service Area with no additional action required.

(5) Expressway Oriented Transient Commercial Service Centers. This special land use designation is established to recognize the immediate and unique needs of the public traveling through the County. This policy addresses the areas immediately adjacent to Interstate 95/State Road 714, Interstate 95/State Road 76 and Interstate 95/County Road 708. These interchange locations shall be designated by a hatching pattern on the Year 2025 Future Land Use Maps. The areas around these interchanges eligible for this land use category are specified in subsections (f) and (g) below. If there is any conflict between the hatching pattern on the Future Land Use Map and the text of subsections (f) and (g) below, the text shall prevail. Expressway Oriented Transient Commercial Service Centers are subject to compliance with the following performance standards:

(a) An application must be submitted and processed as a Planned Unit Development.
(b) A development application must comply with the goals, objectives and policies of the CGMP. The buffers required adjacent to agriculture shall be 35 feet with a 6-foot wall or 40 feet without a wall and must be at least 75 percent opaque. Agricultural land adjacent to Expressway Oriented Transient Commercial Service Centers may not be used to provide supportive services to the Expressway Oriented Transient Commercial Service Center.

(c) A market feasibility analysis, acceptable to Martin County, that demonstrates a need must be submitted to document that the uses proposed are warranted by the traveling public they are intended to serve.

(d) Uses permitted in the PUD are limited to:

1) Convenience stores;
2) Gift shops;
3) Hotels and motels, excluding permanent residential units, at a maximum density of 20 units per gross acre;
4) Restaurants, including drive-ins and fast food service;
5) Vehicular service and maintenance (gas stations);
6) The FAR shall be governed by the parking standards of the Land Development Regulations;
7) Minimum open space shall be 30 percent and maximum building height shall be 40 feet.

(e) The property proposed for the PUD must be directly accessed from a major arterial. The requirements of this paragraph shall be considered met for parcels immediately adjacent to the limited access facility that have had their direct legal access to a major arterial replaced by a newly created access road by the Florida Department of Transportation. Such parcels are typically located between the limited access facility and the newly created access road. Should the PUD require improvements to the newly created access road, those improvements shall be completed at the developer’s expense.

(f) All the property on which the PUD is proposed must be within 1,320 feet of any access ramp to the limited access facility and within 1,320 feet of the intersecting arterial.

(g) The access point to any property on which the PUD is proposed shall be no closer than 660 feet from any access ramp to the limited access facility unless it can be specifically proven by a traffic study performed by a registered Florida engineer that a shorter distance (1) would allow for a continuing function of the road system and (2) would not be detrimental to the health, safety and welfare of the public.

(h) Applicants must successfully demonstrate that the urban services needed by the PUD will be fully funded by the development. New Expressway Oriented Transient Commercial Service Center PUD applications outside the Primary Urban Service District shall not be granted without making provision for shared sewer and water facilities for all subsequent Expressway Oriented Transient Commercial Service Center development expected to occur at the interchange. This policy will not apply to PUD approvals in an Expressway Oriented Transient Commercial Service Center made prior to February 20, 1990, on which development has commenced and continued in good faith.

(i) The parcel must have an area of five gross acres.
(6) Rural Services Node. The establishment of the Rural Services Node shall allow the clustering of small-scale service establishments in accordance with Policy 4.7A.5. A Rural Services Node shall be designed to reduce the distances County residents must travel for goods and services on the County's roadways, improve the quality of life for rural citizens and reduce greenhouse emissions by reducing vehicle trips.

(a) A Rural Services Node shall be located at the NW corner of the intersection of County Road 714 (SW Martin Highway) and County Road 609 (SW Allapattah Road) on property not to exceed five acres in area.

(b) The Rural Services Node shall be limited to low intensity, small-scale service establishments. Uses within the Rural Services Node shall be limited to a general store offering groceries and other sundries, and other stores offering products and services such as hardware, feed store, non-drivethrough restaurant not to exceed 3,000 square feet, gas station, veterinarian services, farmers market, bed and breakfast not to exceed six guest rooms, and post office, and similar uses appropriate to serve the daily needs of the rural population within a 7.5 miles radius service area. The maximum size of any building within the Rural Services Node shall not exceed 15,000 square feet. The maximum cumulative size of all buildings within the Rural Services Node shall not exceed 45,000 square feet. Water and wastewater services for the Rural Services Node shall be limited to individual well and septic systems with a 10,000 gallons per day limit.

(c) The Rural Service Node shall be a phased development restricted to a maximum of 20,000 square feet over a period of five years to 2015. Thereafter, phases shall be added to a maximum of 45,000 square feet based on established market demands.

(d) The development of the Rural Services Node shall not require an amendment to the Future Land Use Map but shall be processed and approved as a Planned Unit Development zoning district. The Rural Services Node development must maintain a minimum 30 percent open space for the site. The maximum height for any structure within the development shall not exceed two stories and 30 feet. The development site plan and building design shall reflect and be consistent with the rural character of the area where the development is located and shall provide a lower intensity transition area or a buffer between the uses on the property and the uses on adjacent properties. The Rural Services Node development site shall have a minimum lot frontage on both County Road 714 (SW Martin Highway) and County Road 609 (SW Allapattah Road) of 200 feet measured from the intersection of County Road 714 (SW Martin Highway) and County Road 609 (SW Allapattah Road).

Policy 4.13A.9. AgTEC policies. The AgTEC land use category, is intended to allow the continuation of permitted economically viable agriculture, support the development of targeted businesses, tax base and employment opportunities, and facilitate environmental enhancement through the protection of common open space or restoration of natural systems while protecting and enhancing the Martin Grade Scenic Corridor. The AgTEC land use category shall apply solely to the 1,717 acre parcel located west of Interstate 95 and north of S.W. Martin Highway and further described in Exhibit "A" attached to Ordinance #881.

While a primary emphasis for this land use category is to provide an opportunity for targeted industries and institutions, this land use category shall also set the standard for green development in the region through sustainable, environmentally-friendly, and energy efficiency in planning and design, and the accommodation of an evolving agricultural industry.

(1) Uses permitted within the AgTEC land use category are limited to the following primary and ancillary uses:

(a) Primary "Targeted Employment" Uses (requires PUD approval):
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Research and Biotech development laboratories and facilities
Administrative services, not for profit
Business and professional offices
Educational institution
Electronic equipment manufacturing and testing
Limited impact industries (including distribution centers)
Medical and dental labs
Medical equipment manufacturing
Optical equipment manufacturing
Pharmaceutical products manufacturing
Precision instrument manufacturing
Public park and recreation, active
Utilities

(b) Ancillary Uses:

Commercial day care
Convenience restaurants
Copy services and duplicating services
Financial institutions
General restaurants
Hotels and motels
Mail services and parcel exchange
Physical fitness centers
Post offices

(c) Any Agricultural Use that is permitted in the Agricultural Future Land Use Designation (approved in accordance with current County requirements).

The total non-agricultural development within the (AgTEC) land use category shall be limited to 5 million square feet of Targeted Employment Uses, 1 million square feet of office/regional headquarters/Institutions floor area, 200,000 square feet of ancillary retail development and 500 hotel units. Only retail uses that are intended to service the permitted uses in the nearby agricultural land use designation or the Targeted Employment/commerce activities and are ancillary to the principal uses shall be allowed. Further, to promote distribution of the retail uses throughout the site, no more than 20 percent of the square footage contained in any non-agricultural Final Site Plan Approval shall be allocated to ancillary retail. Similarly, in order to ensure a mix of uses and provide for internal capture, a minimum of 25,000 square feet of ancillary uses shall be required for each 1,000,000 square feet of primary uses.

Bona fide agricultural uses and their support structures, or agriculturally related uses (such as the growing of feedstock for renewable fuels), shall not be counted against the total development allocations for non-agricultural development. Total acreages for non-agricultural and agricultural development are shown below.

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Area (Acres)</th>
<th>Maximum Area (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-agricultural development/Targeted Employment Uses</td>
<td>0</td>
<td>900</td>
</tr>
</tbody>
</table>
(2) Non-agricultural development on the property will be limited within the first 5 years (following the effective date) to a development program not to exceed 1,000,000 square feet of industrial land uses (or the trip generation equivalent of alternative land uses) unless the applicant is able to demonstrate that transportation concurrency requirements have been satisfied for additional development, or additional development is otherwise permitted by applicable laws and ordinances at time of development approval, and the requirements of Policy 4.13A.9(3)(e) are satisfied.

(3) The AgTEC land use category is for the expressed purpose of providing land for targeted employment uses and the ancillary uses that these businesses need to thrive, or for supporting agricultural activities and uses permitted in agricultural land use categories. Therefore, all development proposals or activities shall be aimed at providing locations for Targeted Sectors as defined by the Martin County Business Development Board and the State of Florida, or for facilitating the growth and expansion of agriculture, or bona fide agriculturally related uses such as the growing of materials for renewable/bio fuels.

Development within the AgTEC shall meet the following requirements:

(a) Permitted zoning categories within the AgTEC shall include A-2, AG-20A and non-residential Planned Unit Development. All development proposals that convert from agriculture to a non-agriculture employment use must be approved through the Planned Unit Development (PUD) process. Any Agricultural related activity that currently requires a non-residential site plan approval would still be required to obtain the same local permits for development.

(b) AgTEC uses shall be located no closer than 300 feet from any existing residential use.

(c) All development shall be limited to a maximum height of 40 feet, and as set forth in Policy 4.1F.8 a maximum height limit of four stories, excluding non-habitable structures as described in Section 3.14 of the Martin County Land Development Regulations.

(d) Prior to any non-agricultural master site plan approval within the AgTEC land use category, a water and wastewater service agreement with the City of Port St. Lucie shall be established. No non-agricultural development shall be approved unless it will be served by central water and wastewater facilities provided by the City of Port St. Lucie by facilities located within the City.

(e) Non-agricultural development on the property shall be subject to Development of Regional Impact thresholds and be limited to 1,000,000 square feet of industrial land uses (or the trip generation equivalent of alternative land uses) until the applicant has achieved the following:

i. An Application for Development Approval (ADA) for a Development of Regional Impact (DRI) with the Treasure Coast Regional Planning Council, if required, a Sector Plan or other regional transportation planning effort. The purpose of the additional review is to identify mitigation measures and compensatory obligations necessary to address the development proposed within the application, and the transportation impacts on roadway, intersections, and interchange facilities in Martin County, St. Lucie County, and the City of Port St. Lucie.

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ii. The applicant will provide the right-of-way for a typical multi-lane arterial roadway and shall commit to fund construction (including an additional 30 feet to accommodate the option for multi-modal forms of transportation and the bridge over the canal) for a north-south roadway, connecting Martin Highway to Becker Road, providing the opportunity for a regional parallel reliever road to I-95, consistent with the AgTEC Long Range Transportation Map. No development beyond the first 1,000,000 square feet of non-agricultural development shall be approved until the road and bridge have been constructed of sufficient length and lane geometry connecting the project to Becker Road. The timing of all phases of construction of road shall be determined by the Development of Regional Impact or other applicable transportation analyses. The right-of-way and construction costs of the north-south road may be impact fee creditable and/or creditable against any proportionate share established as part of an Application for Development Approval, pursuant to state and county regulations.

iii. An agreement with the City of Port St. Lucie has been entered into for the construction of the roadway connection to Becker Road, and funded by the applicant consistent with the schedule and geometric needs identified by the Development of Regional Impact or other applicable transportation analyses as agreed by the City of Port St. Lucie. Martin County shall amend Exhibits 5.5 A, B, and C of the Transportation Element to reflect the inclusion of this road through the next scheduled update. Furthermore, Martin County shall request its Metropolitan Planning Organization to update the Regional Long Range Transportation Plan to reflect Martin County’s inclusion of the road through its next scheduled update.

(4) Provide a minimum of 30 percent common open space for the entire property (gross acreage) and an additional 10 percent open space within each specific development parcel, for a total of 40 percent of the gross acreage ultimately being placed in open space or agricultural uses. The 30 percent Open Space shall be shown on the required Conceptual Master Plan. Final Site Plan approval for each specific site development area must demonstrate the provision of the additional 10 percent of open space. Further, a minimum of 75 percent of the common open space shall be provided in the western half of the AgTEC land use category to facilitate compact development oriented to the eastern portion of the site, and to provide a "transect" that reduces in intensity as you move away from Interstate 95. The common open space and required development tract open space shall be proportionately established with each development phase. Open space shall be defined in accordance with the Comprehensive Growth Management Plan.

(5) The AgTEC future land use category is hereby established as a Freestanding Urban Service District. The provision of urban services shall be in accordance with Policies 4.7A.13. and 4.13A.9. except as otherwise provided in Policy 4.13A.9.

(6) Agricultural activity, consistent with the Agricultural land use designation, may be pursued in compliance with the Comprehensive Growth Management Plan and the Land Development Regulations, and shall comply with the open space provisions for the Agricultural future land use. Any non-agricultural, primary or ancillary use must be approved through a PUD, and shall comply with the performance standards in Section 4.5 of the Comprehensive Growth Management Plan, except as otherwise specified in this policy.

(7) Any PUD zoning within the AgTEC shall, at a minimum, incorporate the following sustainability and environmental design principles:

(a) Maintain water quality in excess of the Martin County and SFWMD standards through the incorporation of low impact development techniques, Best Management Practices, and sustainable stormwater management practices. The applicant shall investigate
financially feasible partnership opportunities with organizations including, but not limited to Martin County, the SFWMD, Martin Soil and Water Conservation District, IFAS and USDA on possible environmental service opportunities that could serve as demonstration projects to illustrate techniques in water quality enhancement, more environmentally beneficial surface water management activities, or restoration of localized hydrology or habitat.

(b) Minimize greenhouse gas emissions and vehicle miles traveled (VMT) by locating employment intensive uses, such as regional headquarter offices or labor intensive industrial uses in such a manner as to locate them close to mass transit/alternative transit modes, or in close proximity to existing and planned residential areas; and provide a mix of uses to promote internal capture of trips during the work day in accordance with Chapter 163.3177 (6) (a). Provide transportation demand management strategies to support a reduction in VMT. Prior to approval of any Planned Development Application, a Transportation Demand Measures (TDM) implementation plan will be developed for each phase of the project. The following TDM elements shall incorporate any combination of the following as part of this implementation plan:

- Land Use/Site Planning Measure - The Master Development Plan reflecting the proposed mix of uses shall demonstrate support for the use of non-motorized modes of travel (bicycle and pedestrian pathways) as well as a "park-once" philosophy.
- Land Use/Site Planning Measure - Concurrent with obtaining each certificate of occupancy for a non-residential building located on a parcel 50 acres or greater, implement parking strategies that provide preferred parking for alternative (i.e. hybrid or electric) vehicles and car pool vehicles.
- Land Use/Site Planning Measure - Provide right-of-way for implementation of future transit stops along the proposed Village Parkway.
- Land Use/Site Planning Measure - Upon the completion of 1,000,000 square feet of non-agricultural development, provide a dedicated car/van pool parking facility to be located near one of the interchanges to further reduce VMT for both project and non-project use.
- Transit Measure - Coordinate with Treasure Coast Connector to provide a bus route(s) to/from the site upon the certificate of occupancy of 3 million square feet of non-agricultural development.
- Transit Measure - Establish a development order condition or deed restriction for companies within the AgTEC land use category to provide a financial incentive in the form of a subsidy of at least 50 percent of the annual ticket cost to at least 5 percent of the persons employed at the project site for riding future transit service.
- Transit Measure - Provide onsite bus stop facilities within one year of provision of a bus service.
- Transportation Demand Management (TDM) Measure - Provide an on-going ride-sharing information service to persons employed at the project site.

(c) Incorporate design and development standards from programs such as the Leadership in Energy and Environmental Design (LEED), Florida Green Building Council or other programs for energy efficiency and environmental sustainability.
(d) Utilize native vegetation and xeriscape techniques, including limiting irrigated turf to a maximum of 15 percent of lot area to decrease the overall consumption of irrigation water.

(e) Incorporate compact development designs which provide large areas of common open space and provide opportunities for natural lands restoration.

(f) Establish a continuous 100 foot wide conservation area, beginning at the southwestern corner of the property, and running northward 13,200 feet (along the western property line). This area shall be documented in phases that correspond with development approvals, through the adoption of a conservation designation on a PUD, or the establishment of deed restrictions or conservation easements. If a conservation easement is established, it shall benefit Martin County, the South Florida Water Management District, or any other appropriate entity. Within this conservation area, the following uses are permitted: access for management of publicly owned land, separation from preserve uses, agriculture, passive recreation, water quality and water management areas (in accordance with applicable permits), environmental service activities, and other similar uses.

(g) Where appropriate, provide an open space management and enhancement plan as part of each PUD submittal to demonstrate interconnectivity of common open space areas.

(h) Final Site Plan Approval for any development within the AgTEC land use category shall demonstrate that any external service areas or illumination are adequately screened for adjacent residential uses, or that illumination is shielded and oriented away from adjacent residential or preserve areas.

(i) In conjunction with the approval of any PUD within the AgTEC land use category, the developer/owner shall provide a plan for supporting the protection and enhancement of the Martin Grade Scenic Corridor that includes at a minimum providing financial support and helping address traffic impacts on the corridor by exploring alternative roadway locations, traffic patterns, traffic timing, and roadway designs for the purpose of protecting and enhancing the scenic character of the corridor.

(j) In furtherance of the intent of this land use category, the land owner or its designee shall obtain a Planned Unit Development approval from the Martin County Board of County Commissioners for an initial phase of development, consistent with the design and development criteria contained in this Policy, within 5 years of the effective date of this amendment.

(k) In order to protect the allocation of the industrial land base, Martin County may initiate an amendment to remove the AgTEC land use category if the owner, or its designee, has not achieved a Planned Unit Development approval for an initial phase of development within 5 years of the effective date of the amendment, and a final site plan approval for an initial phase of development within 10 years of the effective date of this amendment.

(8) Any PUD zoning within the AgTEC shall, at a minimum, incorporate the following design principles:

(a) In order to support the "Martin Grade Scenic Corridor", any development within the AgTEC land use designation shall provide a minimum 100 foot building setback from the Martin Highway right-of-way, which shall include a minimum 50 foot buffer preserve area adjacent to the right-of-way.

(b) A minimum of 90 percent of the native vegetation within the 100 foot building setback shall be preserved.
Prior to approval of any development plan for buildings abutting Martin Highway, the land owner shall submit a landscape plan that augments the preserved native vegetation with additional native ground cover, understory and canopy trees, with the goal of providing a Type "5" buffer, and/or meeting 50 percent opacity at eye level within 5 years.

Prior to approval of the first Final Site Plan for a phase within the AgTEC land use category, the land owner/developer shall submit a uniform signage plan that ensures a common design theme, clear requirements for signage location, size and materials, and a limit on the overall amount of signage permitted along the Martin Highway frontage.

In order to reinforce the rural character of properties located to the west of the AgTEC site, and to support the "Scenic Highway" designation of portions of Martin Highway, only agricultural uses that are consistent with the Agricultural land use category and AG-20A zoning shall be permitted on the western 40 percent of the frontage of Martin Highway to a depth of 1,000, subject to the necessary site development plan approval.

In cooperation with Martin County, the State of Florida and the South Florida Water Management District, the land owner/developer shall investigate the opportunity to incorporate additional water storage capacity within the proposed water management system of the AgTEC area for any future widening of Martin Highway. As part of any such widening project that includes the Martin Grade Scenic Corridor, the land owner/developer will assist the county in exploring alternative traffic patterns, traffic timing, and roadway cross sections for the purpose of protecting and enhancing the scenic character of the corridor.

To assist Martin County with hurricane evacuation needs, the property owner shall coordinate with Martin County to identify opportunities for Martin County to fund upgrades to proposed public or private facilities such that they may serve the public as hurricane shelters, community relief centers or emergency operations centers during declared hurricane events.

**Policy 4.13A.10. Industrial development.** The FLUM allocates land resources for existing and anticipated future industrial development needs. The allocation process gives high priority to industry's need for lands accessible to rail facilities, major arterials or interchanges, labor markets and the services of the Primary Urban Service District (Figure 4-2). Industrial development includes both Limited Impact and Extensive Impact Industries. Limited Impact Industries include research and development, light assembly and manufacturing. Extensive Impact Industries include heavy assembly plants, manufacturing/processing plants, fabricators of metal products, steam/electricity co-generation plants and uses customarily associated with airports.

**Editor's note—**

Figure 4-2 is on file in the office of the Martin County Growth Management Department.

Private development of airport property shall be subject to an Airport Zoning District or Planned Unit Development (Airport) Zoning District, when such a district is adopted to implement this policy.

The locational criteria require that all development in areas designated Industrial shall provide assurances that central water distribution and wastewater collection utilities shall be provided by a regional public utility system, as described in the Sanitary Sewer Services Element and the Potable Water Services Element. Areas of the County where freestanding urban services (i.e.,
central utility system) can be provided by a group of industrial users may be considered as independent or freestanding urban service districts. They may be illustrated as such on Figure 4-2 in conjunction with formal amendments to the FLUM as provided in section 1.11, Amendment Procedures. All such freestanding urban service districts must comply with the adopted LOS standards in this Plan and the Capital Improvements Element.

The Seven Js Industrial Area (which covers the same area as the plat of Seven Js Subdivision, recorded in Plat Book 15, Page 97 of the Public Records of Martin County, Florida) is hereby established as a Freestanding Urban Service District. Any package wastewater treatment plants constructed in it shall be fully funded and maintained by the landowner.

The AgTEC future land use category is hereby established as a Freestanding Urban Service District.

Industrially designated areas are not generally adaptive to residential use, and they shall not be located in areas designated for residential development unless planned for a mixed-use development allowed under Goal 4.3 or in a large-scale PUD.

This provision shall not prohibit residences for night watchmen or custodians whose presence on industrial sites is necessary for security purposes. Such a use may be permitted through the Land Development Regulations.

Based on the extensive impacts that industrial development frequently generates, industrial development shall be encouraged to develop under provisions of a PUD zoning district to give the applicant maximum design flexibility and to avoid major unanticipated adverse impacts.

The Land Development Regulations shall be amended to include performance standards for regulating the nuisance impacts sometimes associated with intense commercial and industrial development. Sites acceptable for development by limited impact industries shall contain a minimum of 15,000 square feet, maximum building coverage of 40 percent and maximum building height of 30 feet. Sites better suited for development by extensive impact industries shall have a minimum lot size of 30,000 square feet, maximum building coverage of 50 percent and maximum building height of 40 feet. Minimum open space for either use shall be 20 percent. The FAR shall be governed by the parking standards of the Land Development Regulations. Salvage yards shall be considered an industrial use due to the potential intensity and nature of the use, acreage requirements, aesthetic impact and associated heavy truck traffic.

Residential use shall be permitted in the Industrial future land use designation as part of a mixed-use project, in a Mixed Use Overlay, as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided for in Policy 4.3.

Policy 4.13A.11. Institutional development. The FLUM contains three separate land use categories for institutional development. Recreational, Public Conservation and General Institutional categories allow for varying degrees of use and development. Institutional land shall be owned by public agencies or nonprofit service providers, except for investor-owner public water and sewer systems, private cemeteries and private hospitals existing as of October 26, 1993. In addition, privately owned land subject to perpetual easements as provided under Objective 4.5F may be designated Institutional Public Conservation.

(1) Recreational. Recreational lands are designed for activity-based and resource-based recreational uses and typically contain recreational facilities and substantial access improvements. Lands assigned to the Recreational category may be developed only as public recreation areas or used for temporary storage of dredged spoil material resulting
from the construction, reconstruction or maintenance of recreation facilities. Examples include Langford Park in Jensen Beach, Pendarvis Cove Park in Palm City and J.V. Reed Park in Hobe Sound. Lands acquired by the County for Recreational uses shall be reclassified to the Institutional-Recreation land use designation during the next plan amendment cycle. The minimum open space shall be 40 percent, maximum building coverage shall be 45 percent and maximum building height shall be 40 feet.

2) **Public Conservation.** The Public Conservation category recognizes publicly owned areas designed for conservation uses. In addition, privately owned land subject to perpetual easements as provided under Objective 4.5F may be designated Institutional Public Conservation. Only development compatible with conservation and passive recreation uses shall be permitted in the Public Conservation category. This may include access, parking and other facilities that enable the management of the resource and the public's enjoyment of it. Conservation areas include the DuPuis Preserve in south Martin County and the Savannas in north Martin County. Environmentally sensitive lands acquired by the County shall be reclassified to the Institutional-Conservation land use designation during the next plan amendment cycle.

3) **General Institutional.** The General Institutional category accommodates public and not-for-profit facilities such as schools, government buildings, civic centers, prisons, major stormwater facilities, fire and emergency operation centers, public cemeteries, hospitals, publicly owned water and sewer systems, dredge spoil management sites and airports. Investor-owned regional public water and sewer systems and private cemeteries may be allowed in General Institutional. Lands acquired by the County for General Institutional uses shall be reclassified to the Institutional-General land use designation during the next plan amendment cycle, as will lands or property rights acquired by the Florida Inland Navigation District as future dredge spoil management sites.

Although Institutional use is reserved for the uses cited above, this shall not prohibit for-profit medical offices and other ancillary facilities owned by a nonprofit hospital as long as they are part of a PUD. The impervious area covered by buildings and required parking for such medical offices shall not include more than 12 percent of the site.

Public and/or private development of airport property owned or managed by the County shall be subject to an Airport Zoning District or Planned Unit Development (Airport) zoning district developed to implement this policy. It shall apply only to airports owned or managed by the County.

Privatized government operations shall be allowed in Institutional land use when the land is publicly owned and the private entity is acting under contract with the government that would normally provide the service.

All Institutional development must meet all suitability and compatibility standards in the CGMP. Minimum open space requirement shall be 40 percent, maximum building height shall be 40 feet and maximum building coverage shall be 45 percent.

**Policy 4.13A.12. Public Utilities - major public power generation facilities.** Land uses in this category are confined to major public power generation sites and related facilities. Currently, the only such designated area is the Florida Power and Light Martin Plant site and cooling reservoir west of Indiantown. Major public power generation sites are those owned by utilities regulated by the Public Service Commission and that own and operate the public utility electrical distribution systems. This designation is required for all public power generation sites that contribute electricity to the power grid in Martin County. Such systems are traditional electrical power facilities that convert nonrenewable energy to electricity and are regional, intense industrial type uses. Such land uses are subject to the same locational and compatibility considerations as required of industrial development. The minimum open space shall be 20
percent, maximum building coverage shall be 50 percent and maximum building height shall be 40 feet. Electrical power facilities solely utilizing solar, wind or other renewable energy fuel or energy source may be permitted in any other Future Land Use Designation, consistent with the Land Development Regulations.

**Policy 4.13A.13. Private Conservation.** Martin County will evaluate environmentally sensitive lands in the County and consider the designation of a Private Conservation land use category that would be appropriate for very low density residential uses such as one unit per 20 acres to one unit per 40 acres and/or various types of low-intensity agricultural uses, such as ranch land.

**Policy 4.13A.14. Mixed Use Overlay.** The Future Land Use Map designates Mixed Use Overlays to areas in designated community redevelopment areas as specified in Policy 4.2B.4. MUO areas are intended to support a compact urban form and provide for local, small-scale employment, shopping and civic opportunities. The overlay areas seek to attain a small town urban form, with walkable streets, on-street parking, small parking lots, public open spaces, community facilities and buildings of similar scale related to each other in form and proportion. Generally, mixed use overlay areas cover the urbanized core of the CRA where mixed use is allowed to encourage redevelopment. Redevelopment of existing sites and in-fill development in these areas shall be designed to improve residents' quality of life by (1) encouraging compatibility and pedestrian links between commercial developments and surrounding residential areas; (2) accommodating home-based small businesses; (3) increasing economic and social integration by providing opportunities for diverse housing types and reduced traffic and other infrastructure needs. Opportunities for mixed use in these overlay areas shall be provided by allowing different types of land uses in close proximity, planned as a unified, complementary whole, and functionally integrated to share infrastructure.

Martin County shall encourage but not mandate mixed-use development in a Mixed Use Overlay in designated CRAs. All land use designations in MUO areas shall allow mixed use regardless of the mixed-use project's land use designations. The nonresidential component of a mixed-use project in an MUO shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial, consistent with the requirements of Policy 4.3A.2. Boundaries of the overlay area shall be shown on the FLUM. New overlay areas or changes in the boundaries of existing overlay areas can be made only by FLUM amendments, which shall assess the impacts of conversion to mixed use.

The MUO shall allow and encourage mixed use as defined under Goal 4.3 (Mixed Use). Mixed-use development in a Mixed Use Overlay in a CRA shall comply with the thresholds for densities and intensities of use identified in Policies 4.3A.2. and 4.3A.3. Martin County shall allow mixed-use development in this designation consistent with the applicable redevelopment overlay districts found in the Land Development Regulations. Specific redevelopment regulations shall detail building coverage and height, permitted uses, buffers, landscaping and parking requirements consistent with the policies in Goal 4.3.

**Goal 4.14.** To provide adequate and appropriate lands for institutional land uses.

**Objective 4.14A.** To ensure the availability of dredge spoil disposal sites to address identified needs.

**Policy 4.14A.1. Dredged material management.** Martin County shall adhere to the dredged material management concept for the Intracoastal Waterway in Martin County, as established by the Florida Inland Navigation District, as follows:

(1) In the vicinity of St. Lucie Inlet, material dredged from the Waterway channels will be managed through the use of beach disposal combined with back-up upland storage capability.
(2) In all other segments of the Waterway, dredged material will be placed in diked upland management facilities with existing or developable road access.

(3) Centralized upland sites will be established in a minimum number of locations within operating reach of the Waterway.

(4) Sites will be operated and maintained as permanent facilities in which dredged material will be actively managed.

Policy 4.14A.2. Inspections for future dredge spoil sites. Initial considerations for future dredge spoil sites shall be based on site inspections by a biologist and an engineer. The site inspection shall include:

- Preliminary identification of wetlands;
- Initial assessment of vegetation communities, habitat and environmental constraints;
- Presence of protected wildlife and habitat;
- Existing and adjacent land use;
- Site topography;
- General soil condition;
- Existing or potential upland road access;
- Possible pipeline routes;
- Suitability for site development;
- Adequate uplands for central storage requirements (minimum 5 acres desired);
- Prior development activity of site; and
- Obvious archeological features.

Policy 4.14A.3. Criteria for dredge material management sites. Dredge material management sites shall be judged on their ability to satisfy criteria in three broad areas:

(1) Engineering/operational considerations:
- Sufficient capacity to meet the storage requirements for the reach in which the site is located;
- Sufficient dike material on site to construct a 15-foot dike without excavating the basin interior to a depth beyond reasonable engineering considerations;
- Pumping distances from dredging area to storage site of no more than 10 miles, with 3 to 6 miles preferred;
- Pipeline access that minimizes environmental and operational impacts such as extensive marsh crossings, significant elevation changes or road/railroad crossings; and
- Upland access with existing or potential road service;

(2) Environmental considerations:
- The goal is complete avoidance of wetlands impacts; where it cannot be met, impacts will be allowed consistent with Martin County wetland policies;
- Upland impacts such as quality of habitat, presence or potential presence of threatened or endangered species, uniqueness, maturity, and aesthetic quality of
vegetation (e.g., mature hardwood canopy versus second-growth saplings), and the extent of site disturbance by prior development;

- Buffer area outside of containment area to serve as undisturbed vegetative buffer to adjacent development, preservation of unique environmental values or the ability to serve as a dedicated conservation easement to facilitate permitting;

- Archeological value as identified by field inspection and federal and state records to avoid destruction of such features; and

- Groundwater conditions to ensure that measures such as hydrology and geographic separation can be taken to avoid saltwater and other groundwater contamination.

(3) Socioeconomic or cultural considerations:

- Land use such as avoidance of adjacent residential uses, minimal existing site development, lands previously disturbed by clearing, excavation, timber harvesting or draining;

- Zoning and comprehensive plans to determine local government jurisdiction, satisfy relevant local regulations as allowed by law and address community concerns, with priority given to industrial or agricultural uses;

- Site ownership to obtain permission for phase II site evaluations and to reduce the number of individual property owners involved.