TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

From: Staff

Date: August 29, 2019

Subject: Local Government Comprehensive Plan Review
Draft Amendment to the Martin County Comprehensive Plan
Amendment No. 19-02ESR

Introduction

The Community Planning Act, Chapter 163, Florida Statutes, requires that the regional planning council review local government comprehensive plan amendments prior to their adoption. The regional planning council review and comments are limited to adverse effects on regional resources or facilities identified in the Strategic Regional Policy Plan (SRPP) and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. Council must provide any comments to the local government within 30 days of the receipt of the proposed amendments and must also send a copy of any comments to the state land planning agency.

The amendment package from Martin County was received on August 1, 2019 and contains one Future Land Use Map (FLUM) amendment and a series of text amendments related to the proposed addition of a Community Redevelopment Element to the comprehensive plan. This report includes a summary of the proposed amendments and Council comments. It is relevant to note Council staff assisted the County with the preparation of these comprehensive plan amendments. However, the final amendment package submitted for review by the Community Redevelopment Agency Board, the Local Planning Agency, and the Martin County Board of County Commissioners (BOCC) is the work product of County staff.

Summary of Proposed Amendments

Chapter 18, Community Redevelopment Element

In December of 2017, the Martin County BOCC adopted a resolution to encourage in-fill development and redevelopment in the County’s six Community Redevelopment Areas (CRAs) by strengthening the goals, policies, and objectives in the County’s comprehensive plan. The intent of the proposed amendment is to further that directive by adding a new element to the
comprehensive plan. Due to the extensive volume of material, the proposed new element has been provided as a supplement on Council’s website. A summary of the new element follows:

- Background and Current Conditions sections are included to provide consistency with the other chapters of the comprehensive plan. The majority of the proposed content and text is taken from existing goals, objectives, and policies in other elements that govern the CRAs.

- Policies designed to address negative impacts of inadequate public facilities and services, and substandard structures have been copied from Chapter 4, Future Land Use.

- New objectives are proposed regarding regional public wastewater collection and treatment systems, regional potable water distribution systems, and community stormwater systems.

- Two new future land use designations, CRA Center and CRA Neighborhood are being created. Concurrent with this amendment to adopt this new element, changes to the FLUM are being proposed that will assign the CRA Center designation within the Jensen Beach CRA boundary, replacing the current Mixed-Use Future Land Use Overlay. The remaining five CRAs will be the subject of future FLUM amendments.

- The Marine Waterfront Commercial, Institutional, and Industrial future land use designations will be retained in the CRAs.

- Chapter 18 proposes that new development in a CRA be exempt from density transition and that instead the Land Development Regulations are to provide for a proper transition through use of mass, scale, height, setbacks, landscaping, and/or architectural rhythm.

- Policies governing the Mixed-Use Future Land Use Overlays are retained, because they will remain in effect until the FLUM is amended for the 6th and final CRA.

- A policy is provided for urban design standards in the CRAs including neighborhood and building standards, and roadway design.

- Provision for alternative means of compliance with County-wide policies is set-forth. Policies currently allow development within the CRAs alternative means of compliance with open space and native upland habitat preservation policies. Amendments are recommended to allow the policies to be implemented.

- Separate objectives and policies are established regarding open space, native upland habitat, shoreline protection zones, and roadways. The key policy changes regarding open space in the CRAs are: (1) the CRAs must develop open space plans; (2) the Community Redevelopment Agency will be permitted to aggregate cash payments made in-lieu-of on-site open space in order to realize CRA open space objectives rather than be required to have the open space in public ownership for each small development that seeks to utilize the policy; (3) current policy regarding impervious or covered areas serving as
civic open space is expanded; and (4) only development sites that are less than one-half acre can transfer the entire open space obligation to another location within the CRA.

- The current policy that allows some projects in a CRA to satisfy their obligation to preserve native upland habitat by preserving upland habitat elsewhere is amended to make the policy more workable. The increased flexibility enables the County to receive cash payments in-lieu-of on-site preservation and allows a conservation easement on private land in addition to public ownership to substitute for on-site preservation. The policy is made stricter by prohibiting the off-site transfer of upland habitat if the required preservation area is equal to or greater than 1 acre or if endangered or threatened species or species of special concern are present.

- The amendments to the Shoreline Protection Zone policies are applicable only to land with the Marine Waterfront Commercial or the CRA Center future land use designation or within a Mixed-Use Future Land Use Overlay. Countywide, fifty-eight properties are affected. The majority of affected properties have hardened shorelines, are currently subject to the 25-foot shoreline protection zone, and have existing development within the shoreline protection zone. The proposed policies establish a uniform 25-foot shoreline protection zone and allow additional activity within that area.

- Regarding roadways in the CRAs, and consistent with the County’s desire to encourage mixed-use development, it is being proposed that the CRAs are designated as Transportation Concurrency Exception Areas.

- To encourage infill development and redevelopment of vacant land in the CRAs, an exemption to the countywide policies of “no net loss” of mobile home lands is proposed for lands within CRAs. Additionally, a modification is made regarding the determination of gross land area for platted lots in the CRAs.

As a result of establishment of new and revised policies in the new element, text changes are also being proposed to the following elements: Chapter 2, Overall Goals and Definitions; Chapter 4, Future Land Use; Chapter 6, Housing; Chapter 8, Coastal Management; Chapter 9, Conservation and Open Space; Chapter 13, Drainage and Natural Groundwater Aquifer Recharge; and Chapter 14, Capital Improvements. Due to the extensive volume of material, the proposed changes, by element, have been provided as supplements on Council’s website in strikeout and underline format. Following is a summary of these amendments to the existing elements:

- **Chapter 2, Overall Goals and Definitions, amended to:**
  - provide that the density transition policy does not apply in the CRAs.
  - recognize alternative compliance regarding native upland habitat in the CRAs.
  - recognize a reduced shoreline protection zone on land in a CRA with the Marine Waterfront Commercial future land use designation, the CRA Center future land use designation, or within a Mixed-Use Future Land Use Overlay.
  - define additional terms and modify existing definitions.
• **Chapter 4, the Future Land Use Element**, is amended as follows:
  o CRA-specific Goals, Objectives and Policies are relocated from Chapter 4. A reference to the Indiantown CRA is deleted since Indiantown is now incorporated.
  o Goal 4.3 is amended to delete policies that apply only within a CRA, but to retain the objectives and policies regarding Traditional Neighborhood Development and mixed-use development in other areas of the County.
  o Numerous small edits are made to substitute a reference to the CRAs generally for a more limited reference to the Mixed-use Future Land Use Overlays, or to add a reference to the CRA Center future land use designation, or to reference Chapter 18 rather than Chapter 4.
  o Policy 4.1E.4., Gross density, is amended to provide “For development proposed for previously platted lots in a CRA and subject to calculation of gross residential density, the property owner may opt to include within the gross land area one half of any right-of-way adjoining the development site.”
  o Policy 4.1F.3.(5) is amended to provide that density transition does not apply within the CRAs. Instead buffers and transitions between uses in the CRAs shall be governed by Chapter 18.
  o Policy 4.9E.2. is amended to specify that buffers between incompatible land uses in CRAs shall be governed by Chapter 18.
  o Policy 4.3A.7. is amended to remove reference to mixed-use projects and Objective 4.3A. because the policy is now covered in Chapter 18.
  o Policy 4.13A.14., Mixed-Use Overlay, is amended to reference Chapter 18 and to reduce redundancy with text and policies provided in Chapter 18.
  o Policies 4.13A.16. and 4.13A.17. are created to recognize the new future land use designations—CRA Center and CRA Neighborhood.

• **Chapter 6, the Housing Element**, is amended to provide that the Mobile Home “no net loss” policy does not apply in the CRAs. Additionally, two non-substantive edits are made to recognize changes made by Chapter 18.

• **Chapter 8, the Coastal Management Element**, is amended to recognize that certain land in a CRA is eligible for an exception to the 75-foot shoreline protection zone.

• **Chapter 9, the Conservation and Open Space Element**, is amended to reference Chapter 18 for alternative compliance regarding native upland habitat in a CRA.

• **Chapter 13, the Drainage and Natural Groundwater Aquifer Recharge Element**, is amended to update existing Policy 13.1E.8 regarding stormwater needs in the CRAs.

• **Chapter 14, the Capital Facilities Element**, is amended to correct an inconsistency with Chapter 5, Transportation Element, regarding roadway level of service.

**Jensen Beach FLUM Amendment**

With the creation of the two new future land use designations proposed in Chapter 18, Community Redevelopment Element, the Martin County BOCC adopted a resolution to initiate the amendments to the FLUM for each of Martin County’s six CRAs by:
1. Assigning the CRA Center future land use designation to the urbanized core of the CRAs and along certain corridors where mixed-use development patterns exist or are allowed;
2. Assign the CRA Neighborhood future land use designation to the areas in each CRA where residential uses predominate, that are outside the urbanized core and mixed-use corridors;
3. Eliminate the Mixed-Use Future Land Use Overlay; and
4. Delete the underlying future land use designations from the CRA, except Marine Waterfront Commercial, Industrial, and Institutional future land use designations, which will be retained in the CRAs.

The proposed FLUM amendment will remove the future land use designations of Limited Commercial, General Commercial, Commercial Office/Residential, and Mobile Home Density, and also remove the Mixed-Use Future Land Use Overlay on the 67-acres that comprise the Jensen Beach CRA. The proposed change will assign the CRA Center future land use designation to the entire Jensen Beach CRA except those parcels which have an existing Marine Waterfront Commercial designation. This FLUM amendment is currently being proposed only for the Jensen Beach CRA. Similar amendments to the FLUM for the Rio, Old Palm City, Hobe Sound, Golden Gate, and Port Salerno CRAs will follow. Additionally, to correct a mapping error, the proposed amendment will remove approximately 25,000 square feet of land from the Jensen Beach CRA, because that land is located within the municipal boundary of the Town of Ocean Breeze.

The future land use designation of CRA Center is being created under the concurrent text amendment that proposes a new Chapter 18, Community Redevelopment Element. This future land use amendment is contingent upon the approval of that text amendment. All development in the CRA Center shall comply with the following requirements, which shall be further delineated in the forthcoming revisions to the Land Development Regulations (LDR):

1. **Residential density.** Residential density in the CRA Center shall not exceed 15 units per gross acre and may be further limited in the LDR.
2. **Residential density, small units.** When calculating the number of residential units in a project in the CRA Center on lot sizes of one acre or less, units of 800 or fewer square feet shall be counted as one-half of a unit.
3. **Residential density, affordable units.** When calculating the number of residential units in a项目 on lot sizes greater than one acre, units of 800 or fewer square feet shall be counted as one-half a unit if at least 50 percent of the units are restricted to affordable housing.
4. **Building height.** Building height in the CRA Center shall not exceed four stories or 40 feet and may be further restricted in the LDR.
5. **Open space.** The minimum open space in the CRA Center shall be 20 percent. The LDR may require a higher percentage of open space.
6. **Transition between uses.** The LDR shall provide for the regulation of mass, scale, height, setbacks, landscaping, and/or architectural rhythm to make a proper transition between an existing residential use or structure and a new use or structure. The buffers and transitions
between different development intensities provided by Policies 2.1A.3, 4.1F.1, 4.1F.2, and 4.1F.3, shall not apply in the CRA Center Future Land Use Designation.

7. Neighborhood and Building Design. Development in the CRA Center shall comply with Goal 18.4.

The Jensen Beach CRA is located in the northeast corner of Martin County. It is bordered on the east by the Indian River Lagoon. To the west is the FEC Railroad and to the south is the Town of Ocean Breeze. To the north, the boundary with St. Lucie County is less than one-mile away. Adjacent future land use designations include Low Density Residential, up to 5 dwelling units per acre to the north; the Town of Ocean Breeze Mobile Home Residential, up to 16.46 dwelling units per acre and the Indian River Lagoon to the east; and the Town of Ocean Breeze Commercial land use designation across approximately 200 feet of roadway and railroad right-of-way to the west.

The staff report states that the proposed amendment will not substantially change the uses or the intensity of development that is currently allowed. The intent is to modify the regulatory framework in order to simplify interpretation and implementation for property owners, developers, and County staff and provide greater flexibility of permitted uses. The staff report indicates this will more efficiently and effectively further the vision of the CRAs of economically and socially vibrant, environmentally-sustainable, compact, walkable communities presented in each of the CRA redevelopment plans.

Regional Impacts

No adverse effects on regional resources or facilities have been identified.

Extrajurisdictional Impacts

Council requested comments from local governments and organizations expressing an interest in reviewing the proposed amendment on August 5, 2019. No extrajurisdictional impacts have been identified.

Conclusion

No adverse effects on regional resources or facilities and no extrajurisdictional impacts have been identified. These amendments represent a substantial move forward in Martin County’s ability to implement the vision for each of the CRAs and are very supportive of the goals of the SRPP of compact, walkable, sustainable infill urban development. The best way to further those objectives in Martin County is to facilitate redevelopment in historically developed areas, i.e. the CRAs.

Recommendation

Council should approve this report and authorize its transmittal to Martin County and the Florida Department of Economic Opportunity.
Council Action – September 20, 2019

Commissioner Smith from Martin County moved approval of the staff recommendation. Commissioner O’Bryan from Indian River County seconded the motion, which carried unanimously.

Attachments
## List of Exhibits

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General Location Map
Exhibit 3
Jensen Beach and Hobe Sound
Community Redevelopment Area Maps

Jensen Beach Community Redevelopment Area

Hobe Sound Community Redevelopment Agency
Exhibit 4
Old Palm City and Rio
Community Redevelopment Area Maps
Exhibit 5
Golden Gate and Port Salerno
Community Redevelopment Area Maps

Golden Gate Redevelopment Area Maps

Port Salerno Redevelopment Area Maps
Exhibit 6
Location Maps for Jensen Beach CRA FLUM Amendment
Exhibit 7
Existing and Revised Jensen Beach CRA Boundary Maps

Current Map Showing land in both Jensen Beach CRA and Town of Ocean Breeze

Proposed Boundary of CRA Excluding land in the Town of Ocean Breeze

= Area within CRA and also within the Town of Ocean Breeze

= CRA Boundary
Exhibit 8
Existing Future Land Use Map
Exhibit 9
Proposed Future Land Use Map

LEGEND
- CRA Center future land use designation
- Marine Waterfront Commercial future land use designation