



STATE OF FLORIDA

# DEPARTMENT OF COMMUNITY AFFAIRS

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CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

June 25, 2010

The Honorable Doug Smith, Chairman  
Martin County Board of County Commissioners  
2401 South East Monterey Road  
Stuart, Florida 34996

Dear Commissioner Smith:

The Department has completed its review of the Martin County proposed Comprehensive Plan Amendment (DCA No. 10-1), which was received on April 26, 2010. Copies of the proposed amendment have been distributed to appropriate state, regional, and local agencies for their review and their comments are enclosed.

The proposed amendment was reviewed for consistency with Rule 9J-5, Florida Administrative Code, and Chapter 163, Part II, Florida Statutes. The Department has prepared the attached Objections, Recommendations, and Comments Report, which outlines our findings concerning the comprehensive plan amendment. There are 14 objections and five comments regarding lack of demonstrated need, urban sprawl, public facilities, environmental concerns, and internal inconsistencies.

My staff and I are available to assist the County in addressing the issues identified in our report. If you have any questions, please contact Laura Regalado, Planning Analyst, at (850) 921-3762.

Sincerely,

Mike McDaniel, Chief  
Office of Comprehensive Planning

MM/lmr

Enclosures: Objections, Recommendations and Comments Report  
Review Agency Comments

cc: Ms. Nicki van Vonno, AICP, Growth Management Director, Martin County  
Michael Busha, AICP, Executive Director, Treasure Coast Regional Planning Council

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100

850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

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**DEPARTMENT OF COMMUNITY AFFAIRS**  
**OBJECTIONS, RECOMMENDATIONS AND COMMENTS**  
**FOR**  
**MARTIN COUNTY**  
**PROPOSED AMENDMENT 10-1**

June 25, 2010  
Division of Community Planning  
This report is prepared pursuant to Rule 9J-11.010, F.A.C.

## **INTRODUCTION**

The following objections, recommendations and comments are based upon the Department's review of the Martin County 10-1 proposed amendment to its Comprehensive Plan pursuant to s. 163.3184, Florida Statutes (F.S.).

The objections relate to specific requirements of relevant portions of Chapter 9J-5, Florida Administrative Code (F.A.C.), and Chapter 163, Part II, F.S. Each objection includes a recommendation of one approach that might be taken to address the cited objection. Other approaches may be more suitable in specific situations. Some of these objections may have initially been raised by one or more of the other external review agencies. If there is a difference between the Department's objection and the external agency advisory objection or comment, the Department's objection would take precedence.

Each of these objections must be addressed by the County and corrected when the amendment is resubmitted for our compliance review. Objections that are not addressed may result in a determination that the amendment is not in compliance. The Department may have raised an objection regarding missing data and analysis items, which the local government considers not applicable to its amendment. If that is the case, a statement justifying its non-applicability pursuant to Rule 9J-5.002(2), F.A.C., must be submitted. The Department will make a determination on the non-applicability of the requirement, and if the justification is sufficient, the objection will be considered addressed.

The comments that follow the objections and recommendations section are advisory in nature. Comments will not form a basis of a determination of non-compliance. They are included to call attention to items raised by our reviewers. The comments can be substantive, concerning planning principles, methodology or logic, as well as editorial in nature dealing with grammar, organization, mapping, and reader comprehension.

Appended at the end of the Department's ORC Report are the comment letters from the other state review agencies and other agencies, organizations and individuals. These comments are advisory to the Department and may not form a basis for Departmental objections unless they appear under the "Objections" heading in this report.

## TRANSMITTAL PROCEDURES

Upon receipt of this letter, Martin County has 60 days in which to adopt, adopt with changes, or determine that the County will not adopt the proposed amendment. The process for adoption of local government comprehensive plan amendments is outlined in s. 163.3184, F. S., and Rule 9J-11.011, F.A.C. The County must ensure that all ordinances adopting comprehensive plan amendments are consistent with the provisions of Chapter 163.3189(2)(a), F.S.

Within ten working days of the date of adoption, the County must submit the following to the Department:

Three copies of the adopted comprehensive plan amendments;

A listing of additional changes not previously reviewed;

A listing of findings by the local governing body, if any, which were not included in the ordinance; and

A statement indicating the relationship of the additional changes to the Department's Objections, Recommendations and Comments Report.

The above amendment and documentation are required for the Department to conduct a compliance review, make a compliance determination and issue the appropriate notice of intent.

In order to expedite the regional planning council's review of the amendments, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to the Executive Director of the Treasure Coast Regional Planning Council.

Please be advised that Section 163.3184(8)(c), F.S., requires the Department to provide a courtesy information statement regarding the Department's Notice of Intent to citizens who furnish their names and addresses at the local government's plan amendment transmittal (proposed) or adoption hearings. In order to provide this courtesy information statement, local governments are required by law to furnish the names and addresses of the citizens requesting this information to the Department. **Please provide these required names and addresses to the Department when you transmit your adopted amendment package for compliance review. In the event there are no citizens requesting this information, please inform us of this as well.** For efficiency, we encourage that the information sheet be provided in electronic format.

## **OBJECTIONS, RECOMMENDATIONS AND COMMENTS REPORT**

### **MARTIN COUNTY**

#### **PROPOSED COMPREHENSIVE PLAN AMENDMENT 10-1**

#### **I. Consistency with Chapter 163, Florida Statutes (F.S.), and Rule 9J-5, Florida Administrative Code (F.A.C.)**

The Martin County 10-1 proposed comprehensive plan amendment consists of 11 Future Land Use Map Amendments and four text amendments to the Future Land Use Element of the County's Comprehensive Plan. The Department has identified the following objections and comments to the proposed comprehensive plan amendment:

#### **II. Objections**

##### **A. The Department raises the following objections to the St. Lucie Partners and Canopus Sound proposed Future Land Use Map Amendments:**

- 1. Objection (Need):** The amendments propose the conversion of a total of 6,983 acres from Agricultural. St. Lucie Partners proposes to convert 3,902 acres of Agricultural (one dwelling unit per 20 acres) to Agricultural Ranchette (one dwelling unit per five acres). Canopus Sound proposes to convert 3,081 acres from Agricultural to 2,407 acres of Agricultural Ranchette and 674 acres of Institutional Conservation. The County has not provided data and analysis to demonstrate that there is a need for the increase in Agricultural Ranchette land use and the additional residential units allowed in the proposed amendments within the long term planning time frame established in the Martin County Comprehensive Growth Management Plan. In fact, the County's Evaluation and Appraisal Report, adopted December 2009, states that the County has an adequate supply of land designated as residential within the Primary and Secondary Urban Service Districts to support the 2025 projected population of 164,474.

Authority: Section 163.3161(3) and (5); 163.3167; 163.3177(2), (3), (6)(a), (b), (c), (d), (f), and (j), (8), and (10), F.S.; and Rules 9J-5.005(1), (2), (4), and (5); 9J-5.055(1) and (2); 9J-5.006(2), (3), (4), and (5), 9J-5.011(1), and (2); 9J-5.013, 9J-5.016(2), (3), and (4); 9J-5.019(2), (3), and (4); and 9J-5.025, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments to include an analysis, based on a professionally accepted and applied methodology, demonstrating that the proposed land use changes are needed in order to accommodate the County's projected population growth, consistent with the requirements of the Martin County Comprehensive Growth Management Plan. The analysis must take into account vacant, developable land already included on the Future Land Use Map for residential development. Additionally, the projected population used in the analysis of need must be consistent with the planning time frame of the County's Comprehensive Growth Management Plan.

**2. Objection (Urban Sprawl, Energy Efficient Land Use Patterns, and Reduction of Greenhouse Gas):** The proposed amendments will result in single-use, low density developments that will convert agricultural lands prematurely, create compatibility conflicts between agricultural and residential uses, and lead to an increased reliance on the automobile for daily needs and an increase in Vehicle Miles Traveled (VMT). The proposed amendments will result in Agricultural Ranchette developments with increased residential densities that are surrounded by Agricultural land uses that allow one unit per 20 acres. The amendments could encourage additional requests for land use changes to prematurely convert Agricultural lands to higher density uses. House Bill 697, which went into effect on July 1, 2008, requires amendments to the future land use plan to be based upon surveys, studies, and data regarding the discouragement of urban sprawl, energy-efficient land use patterns and greenhouse gas reduction strategies. The proposed amendment does not represent an energy-efficient land use pattern, reduce greenhouse gas emissions, or discourage the proliferation of Urban Sprawl as defined by the requirements of Section 163.3177(6)(a), (b), (d), (f), and (j), F.S. and Rule 9J-5.006(5), F.A.C. The amendment exhibits the following indicators of urban sprawl:

- Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
- Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
- As a result of premature or poorly planned conversion of rural land to other uses and fails to adequately protect and conserve natural resources.
- Fails adequately to protect adjacent agricultural areas and activities.
- Fails to maximize use of existing public facilities and services.
- Fails to maximize use of future public facilities and services.
- Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services.
- Fails to provide a clear separation between rural and urban uses.
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- Fails to encourage an attractive and functional mix of uses.
- Results in poor accessibility among linked or related land uses.
- Results in the loss of significant amounts of functional open space.

Authority: Section 163.3161(3) and (5); 163.3167; 163.3177(2), (3), (4), (6)(a), (b), (c), (d), (f), and (j), (8), and (10); 163.3180; and 163.3187(2), F.S.; and Rules 9J-5.003(33) and (134); 9J-5.005(1), (2), (4), and (5); 9J-5.055(1), (2), (4), (5), and (6); 9J-5.006(2), (3), (4), and (5), 9J-5.011; 9J-5.013, 9J-5.016, 9J-5.018; 9J-5.019; and 9J-5.025, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, if a need for these amendments can be demonstrated, revise the proposed amendments so that they do not contribute to urban sprawl by including development controls as described in Rule 9J-5.006(5)(j). In addition, revise the amendments to ensure an efficient and compact land use pattern that minimizes green house gas emmissions.

**3. Objection (Transportation Facilities):** The proposed amendments are not supported by adequate data and analysis demonstrating that roadway capacity will be available to serve the new developments at the maximum development potential that will result from the proposed amendments.

- a. St. Lucie Partners:** Throughout the amendment materials, varying numbers are used for the maximum residential units that would result from the proposed amendment. In addition, analyses presented with the amendment are based on these varying numbers. The amendment materials state that the traffic analysis was based on the original proposal of 725 units. However, the County considered a maximum of 600 units, per a proposed development agreement. The proposed Agricultural Ranchette land use would allow a maximum of 780 units (based on five units per acre) on the site. The maximum development potential of 780 units was not used in the analyses to determine if the transportation infrastructure can accommodate future potential development.
- b. Canopus Sound:** The data and analysis that was provided by the County was based on the development of 270 lots having sizes of five, 10, and 20 acres. However, the maximum allowable density for the Agricultural Ranchette land use designation would result in 481 dwelling units. The maximum development potential of 481 units was not considered for all analyses to determine if the transportation infrastructure can accommodate future potential development.

Authority: 163.3167(32); 163.3177(2), (3), (4), (6)(a), (8) and (9)(b), F.S.; and Rules 9J-5.005(2), (4), (5), and (6); and 9J-5.006(2)(a), (3)(b)1, and (C)3; 9J-5.016(2), (3)(b)1, 3, 4, and 5, and (c)6 and 8; and 9J-5.019(3), (4)(b)1, 2, 3, 4, and 5, and (c)1, and 13, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments based on revisions made in response to Objection 2 and evaluate the traffic impacts for the maximum development potential of the sites or include a policy in the Future Land Use Element to limit the amount of development on the sites so that existing roadway capacities are not exceeded, considering revisions made in response to Objection 2. If data and analysis determines that capital improvements will be needed in the next five years to address roadway impacts created through the amendments, then those capital improvements must be included in a five year schedule of capital improvements. Any capital improvements that will be funded by the developer must be guaranteed in an executed development agreement and referenced in the five year schedule of capital improvements. Any improvements needed after the initial five years and through the long term planning time frame need to be identified and included in the Capital Improvements Element along with strategies that will be implemented to provide them.

**4. Objection (Environmental):** The proposed amendments are not demonstrated to be suitable for the type and level of development proposed because of the presence of endangered, threatened, or species of special concern and their habitat.

- a. St. Lucie Partners:** The Florida Fish and Wildlife Conservation Commission has identified the site as a Consultation Area for the Snail Kite, Audubon's Crested Caracara, and the Florida Scrub Jay. The United States Fish and Wildlife Service identifies consultation Areas as areas essential to the conservation of listed species. The site includes potential habitat for several listed species including Sherman's Fox Squirrel, Eastern Indigo Snake, Gopher Tortoise, Gopher Frog, White Ibis, Snowy Egret, Florida Sandhill Crane, Tricolored Heron, and Little Blue Heron. The Florida Natural Areas Inventory (FNAI) has identified designated under-represented communities on the site that include large acreages of pinelands and freshwater marsh/wet prairie. The site also includes priority wetlands for Florida sandhill crane, tricolored heron, and little blue heron.

The applicant included a proposed Development Agreement to establish a conservation easement limited to 20-years for 2,452 acres of the property. The area that is proposed for conservation contains the majority of native wildlife habitat on the site. A conservation easement limited to 20 years does not ensure long-term protection for the listed species. Additionally, the County has not included data and analysis to demonstrate how the area identified for the conservation set aside fits in with other Comprehensive Everglades Restoration Program (CERP) projects and how it helps achieve the overall CERP objectives.

- b. Canopus Sound:** This property is part of a significant wildlife corridor connecting several public lands including Atlantic Ridge Preserve State Park, John C. and Marianna Jones/Hungryland Wildlife and Environmental Area, Cypress Creek/Loxahatchee, and Jonathan Dickenson State Park. The Florida Fish and Wildlife Conservation Commission has identified potential impacts to wildlife and their habitat on the site. The site is a Consultation Area for the Snail Kite, Audubon's Crested Caracara, Red Cockaded Woodpecker, and the Florida Scrub Jay. The United States Fish and Wildlife Service identifies Consultation Areas as areas essential to the conservation of listed species. The site includes potential habitat for several listed species including Sherman's Fox Squirrel, Eastern Indigo Snake, Gopher Tortoise, Little Blue Heron, Florida Sandhill Crane, Tricolored Heron, and Little Blue Heron. The site also includes priority wetlands for Florida Sandhill Crane, Tricolored Heron, and Little Blue Heron.

A residential development in this area at the proposed densities would fragment listed species habitat in the area and likely interfere directly with wildlife movement between public lands. Residential development could also inhibit prescribed fire management on adjacent public lands. Even with the donation of 674 acres to Martin County for conservation, the net effect of the residential development on 2,407 acres in this area would still fragment the habitat corridor and impede listed wildlife movement.

Authority: 163.3161(3) and (5); 163.3177(2), (6)(a) and (d), (8) and (10), F.S.; and Rules 9J-5.003(28) and (41); 9J-5.005(2), (5), and (6); 9J-5.006(1), (2), (3)(b), and (4); and 9J-5.013(1), (2), (3)(b)3, 4, and (c)3, 5, and 6, and (3), F.A.C.



**Recommendation:** Do not adopt the amendments. Alternatively, if the amendments can resolve Objections 1 through 4 above, then place the 2,452 acres proposed for conservation in the St. Lucie Partners amendment in a conservation easement to ensure the protection of the wildlife habitat in perpetuity. Include data and analysis to show how the set aside fits in with other CERP projects and how it helps achieve the overall CERP objectives. If the data and analysis indicates the conservation easement needs adjustment to be consistent with the CERP objectives, then revise the amendment to be consistent with the data and analysis. The conservation easement, as may be amended based on the data and analysis, should be held by an environmental non-profit organization with the ability to enforce the easement and manage the land set aside in the easement. Designate the area subject to the conservation easement as Conservation on the Future Land Use Map and reference the Development Agreement by title, author, and date. Coordinate with the Florida Fish and Wildlife Commission on the Canopus Sound amendment to identify appropriate areas within the property for residential development and conservation. Designate the conservation areas as Conservation on the Future Land Use Map.

**5. Objection (Internal Inconsistency):** The proposed amendments will increase residential capacity in a rural portion of the County outside the primary or secondary urban service districts. The County has not demonstrated that its Future Land Use Map is coordinated with the availability of public facilities or that the proposed land use change is internally consistent with comprehensive plan objectives and policies that require the County to ensure coordination between land uses and the provision of public facilities and to ensure new development and redevelopment are provided services that meet the County's level of service standard. The proposed amendments are inconsistent with the following objectives and policies in the Martin County Comprehensive Plan that guide development in the rural portions of the County, regulate the provision of public facilities outside the Primary and Secondary Urban Service District, and provide for the protection of sensitive environmental areas within the County:

- ***Policies 4.4.E.1.a.(5) and (10)*** – Address the protection and enhancement of wildlife habitats and endangered and threatened species as well as species of special concern as defined in lists maintained by the State of Florida Game and Freshwater Fish Commission.
- ***Policy 4.4.E.7.d.*** – Establishes the criteria for clustering the density of lands in the Agricultural land use designation on lots that are less than 20 acres.
- ***Policy 4.4.E.7.d.(6)*** – Establishes the requirements for the conveyance of lands to a public entity, including the conveyance to a combination of at least three governmental and nongovernmental entities.
- ***Goal 4.4.G*** – Addresses regulating urban sprawl tendencies by directing growth in a timely and efficient manner to those areas where public facilities are available or are programmed to be available.

- **Policy 4.4.G.1.a** - Requires the County to ensure coordination between land uses and the provision of public facilities to ensure new development is provided services that meet the County's level of service standard.
- **Policy 4.4.M.1.a.** – describes the intent of the existing Agricultural land use designation on the 3,902 acre site. The section emphasizes the importance of agricultural activity for food and commodity production, which is an essential industry in Martin County.
- **Policy 4.4.M.1.b** – Describes the logical and timely extension of a more intense land use designation in a nearby area.
- **Policy 4.4.M.1.c.** – Describes the intent of the Agricultural Ranchette land use designation. The section emphasizes that land designated Agricultural Ranchette should be related to agricultural uses.

**Authority:** 163.3177(2), (3), (4)(a), (6)(a), (d), and (j), (8), (10), and (12); 163.3187(2). F.S. and Rules 9J-5.005(2), (5), and (6); 9J-5.006(2), (3), and (5); and 9J-5.019(3) and (4), F.A.C.

**Recommendation:** Do not adopt the amendment. Alternatively, revise the amendment as necessary to ensure internal consistency within the Martin County Comprehensive Growth Management Plan.

**B. The Department raises the following objection to the proposed Canopus Sound Future Land Use Map Amendment:**

6. **Objection: Water Quality:** One of the justifications for this amendment is the environmental benefits to be realized by the restoration of Kitching Creek's hydrology. However, the amendment does not provide assurances that development on the site will occur as proposed and in a way that ensures the damaged flowway and the hydrology of Kitching Creek will be restored. Moreover, the County has failed to demonstrate that the increase in residential density that will result from the proposed amendment will not adversely impact water quality or quantity to the Northwest Fork of the Loxahatchee River and Estuary, and two of its major tributaries, Kitching Creek and Hobe Grove Ditch.

The Northwest Fork of the Loxahatchee River is Florida's first federally designated "Wild and Scenic River" and different portions of the river and estuary are also designated by the State as an Aquatic Preserve and Outstanding Florida Waters. The South Florida Water Management District has taken action to protect the Loxahatchee River with the adoption of a Minimum Flow and Level (MFL) and Regional Water Availability Rule. However, the MFL cannot be met at this time, resulting in the designation of the Northwest Fork as a waterbody in recovery. The South Florida Water Management District and Florida Department of Environmental Protection have developed a Restoration Plan for the Northwest Fork of the Loxahatchee River. The Florida Department of Environmental Protection has also designated Kitching Creek as an impaired waterbody.

Because the amendment site is located outside the County's Primary Urban Service District, the proposed residential increase would result in 327 additional wells for potable water and non-potable water demands, and 327 additional septic systems for wastewater disposal in this highly protected area. The Department has received comments (attached) from the South Florida Water Management District as well as Jonathan Dickinson State Park regarding the potential negative environmental impacts of additional wells and septic tanks on the site.

Authority: 163.3161(3) and (5); 163.3177(2), (6)(a) and (d), (8) and (10); and 163.3197(2), F.S.; and Rules 9J-5.005(2), (5), and (6); 9J-5.006(1), (2), (3)(b), 1 and 4, and (c)2; and 9J-5.013(1), (2), (3)(b)2 and (c)1, F.A.C.

**Recommendation:** Do not adopt the amendment. Alternatively, place the acres proposed for conservation in a perpetual conservation easement and include other implementation measures to ensure the restoration of the flowway. Include data and analysis to show how the set aside fits in with the restoration of the flowway and Kitching Creek's hydrology. If the data and analysis indicates the area of the set aside needs adjustment to be beneficial to the Kitching Creek restoration, then revise the amendment to be consistent with the data and analysis. The conservation easement should be held by an environmental non-profit organization with the ability to enforce the easement and manage the land set aside in the easement. Designate the area subject to the conservation easement as Conservation on the Future Land Use Map and reference the any Development Agreement by title, author, and date. Coordinate with the South Florida Water Management District to identify appropriate areas within the property for residential development and conservation.

Revise the data and analysis to demonstrate that the additional wells and septic systems will not adversely impact the Northwest Fork of the Loxahatchee River and Estuary, and its tributaries so that the environmental benefit of restoration of the Kitching Creek hydrology will be realized. If the data and analysis indicates there will be adverse impacts by using wells and septic tanks, then revise the amendment to include development controls to prevent negative impacts to these water bodies. The County should coordinate with the South Florida Water Management District and the Florida Department of Environmental Protection to identify the appropriate development controls to ensure that the proposed development will not negatively impact these water bodies.

**C. The Department raises the following objections to the Sunrise Groves and 7<sup>th</sup> Edition proposed Future Land Use Map Amendments and AgTEC Sunrise Groves and 7<sup>th</sup> Edition Text amendments:**

- 7. Objection (Need):** The amendments propose the conversion of a total of 1963 acres from Agricultural. Sunrise Groves proposes to convert 1717 acres from Agricultural to a new land use designation, AgTEC. 7<sup>th</sup> Edition proposes to convert 246 acres from Agricultural to 171 acres of Industrial and 75 acres of Waterfront Commercial. The County has not provided data and analysis to demonstrate that there is a need for the increase in nonresidential land use that will result from the proposed amendments. The County's Evaluation and Appraisal Report, adopted December 2009, included an inventory of vacant nonresidential land uses, but did not include an analysis to project the future nonresidential land use needed within the County to support the 2025 projected population. The Evaluation and Appraisal Report indicated

that the 2009 inventory of vacant land may result in land use amendments to the Plan. However, the Report stated that further analysis was necessary to identify the amount of nonresidential land needed or the most suitable locations for the proposed nonresidential land uses. The report *Development Assessment and Strategy for Vacant Industrial Lands in Martin County* by URBANOMICS, Inc., recommended five areas as “Economic Development Strategy Areas” where the County should focus most of its economic development marketing efforts and related infrastructure investments. The amendment properties were not identified in that report. In addition, the City of Port St. Lucie has five approved and largely undeveloped DRI’s just across the C-23 canal from the Sunrise Groves property. The DRI’s have the combined development potential of 7,444,404 million square feet of Industrial land use.

Authority: Section 163.3161(3) and (5); 163.3167; 163.3177(2), (3), (6)(a), (b), (c), (d), (f), and (j), (8), and (10), F.S.; and Rules 9J-5.005(1), (2), (4), and (5); 9J-5.055(1) and (2); 9J-5.006(2), (3), (4), and (5), 9J-5.011(1), and (2); 9J-5.013, 9J-5.016(2), (3), and (4); 9J-5.019(2), (3), and (4); and 9J-5.025, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments to include an analysis, based on a professionally accepted and applied methodology, demonstrating that the proposed land use changes are needed in order to accommodate the County’s projected demand for non-residential development, consistent with the requirements of the Martin County Comprehensive Growth Management Plan. The analysis must take into account vacant, developable land already included on the Future Land Use Map for non-residential development. Additionally, the projected demand for non-residential development used in the analysis of need must be consistent with the planning time frame of the County’s Comprehensive Growth Management Plan. If one of the justifications for these amendments is to provide employment opportunities for Martin County residents, the County should provide incentives to encourage the development of one of the alternative sites discussed in the URBANOMICS, Inc. study that are located within the urban services district.

**8. Objection (Urban Sprawl, Energy Efficient Land Use Patterns, and Reduction of Greenhouse Gas):** The proposed amendments will result in a single-use development that will lead to an increased reliance on the automobile for daily needs and an increase in Vehicle Miles Traveled (VMT). House Bill 697, which went into effect on July 1, 2008, requires amendments to the future land use plan to be based upon surveys, studies, and data regarding the discouragement of urban sprawl, energy-efficient land use patterns and greenhouse gas reduction strategies. The proposed amendments do not represent an energy-efficient land use pattern, reduce greenhouse gas emissions, or discourage the proliferation of Urban Sprawl as defined by the requirements of Section 163.3177(6)(a), (b), (d), (f), and (j), F.S. and Rule 9J-5.006(5), F.A.C. The amendment exhibits the following indicators of urban sprawl:

- Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
- Promotes, allows or designates significant amounts of urban development to occur in

rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

- As a result of premature or poorly planned conversion of rural land to other uses and fails adequately to protect and conserve natural resources.
- Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.
- Fails adequately to protect adjacent agricultural areas and activities.
- Fails to maximize use of existing public facilities and services.
- Fails to maximize use of future public facilities and services.
- Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services.
- Fails to provide a clear separation between rural and urban uses.
- Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
- Fails to encourage an attractive and functional mix of uses.
- Results in poor accessibility among linked or related land uses.
- Results in the loss of significant amounts of functional open space.

Sunrise Groves is located three and one half miles from the Primary Urban Service District. One of the justifications of the amendment is that it will create jobs for Martin County residents. However, the location of amendment will increase vehicle miles traveled by creating a commute Patten from the Primary urban Service District through rural areas for the majority of Martin County residents.

The expansion of the Primary Urban Service district to include the 7<sup>th</sup> Edition parcel creates an enclave of land between SW 96<sup>th</sup> Street and SR 76 that will remain outside the Primary and Secondary Urban Service Districts. The resulting development pattern is not compact and does not maintain a clear separation between urban and rural uses creating an incompatibility with the adjacent agricultural land uses.

Authority: Section 163.3161(3) and (5); 163.3167; 163.3177(2), (3), (4), (6)(a), (b), (c), (d), (f), and (j), (8), and (10); 163.3180; 163.3187(2), F.S.; and Rules 9J-5.003(33) and (134); 9J-5.005(1), (2), (4), and (5); 9J-5.055(1), (2); (4), (5), and (6); 9J-5.006(2), (3), (4), and (5), 9J-5.011; 9J-5.013, 9J-5.016, 9J-5.018; 9J-5.019; and 9J-5.025, F.A.C.

**Recommendation:** The County should reconsider the need for the Sunrise Groves amendment and its location in light of the URBANOMICS, Inc. study that identified five areas suitable for this type of development. Revise the 7<sup>th</sup> Edition amendment to ensure an efficient and compact land use pattern to minimize green house gas emissions that prevents the creation of an agricultural enclave between the amendment site and the existing Primary Urban Service District boundary.

- 9. Objection (Transportation Facilities):** The transportation data and analysis provided with the amendments does not evaluate the maximum development potential of the proposed amendments.

- a. Sunrise Groves:** The analysis included with the amendment assumes that the development will be limited within the first five years to 1,000,000 square feet of industrial development. However, the amendment does not include a provision to limit development within the first five years. In addition, the long-term impacts from the full development potential identify potential transportation deficiencies by 2030 for segments of CR-609 (SW Allapattah Rd.), SW Citrus Boulevard, SR-714 (SW Martin Highway), and I-95.

To address these deficiencies, the traffic analysis provided by the applicant relies on a future north-south connector road over the C-23 canal to Becker Highway in the City of Port St. Lucie. The amendment states that the applicant will donate right-of-way for the road, but there is no identified funding for this roadway and bridge project. This future roadway is not identified in the Martin County or City of Port St. Lucie future transportation plans nor is it identified in the Martin County Metropolitan Planning Organization's or the St. Lucie Transportation Planning Organization's cost feasible long range transportation plans (2030).

- b. 7<sup>th</sup> Edition:** The data and analysis that was included with the proposed amendment analyzed the transportation impacts of the original 492 acres, not the revised 146 acre project site. In addition, the analysis does not evaluate the maximum development potential of the proposed future land use designations. The analysis assumes that the short term impact will be restricted, but the proposed amendment does not specify what development can occur within the first five years. The data and analysis does not evaluate the maximum development potential of 1.6 million square feet on the 246 acre parcel.

**Authority:** Section 163.3161(3) and (5); 163.3167 (13); 163.3177(1), (2), (3), (5), (6)(a) (h), and (j), (8), and (10); 163.3180(1) and (10), F.S.; and Rules 9J-5.005(2), (5); and (6); 9J-5.055(1)(a); 9J-5.006(2), (3)(b)1, and (3)(c)3; 9J-5.011(1), (2)(b)1, 2, (2)(c)1, and 2; 9J-5.016(1), (2), (3)(b)1, 3, 4, 5, (3)(c)6, 8, and (4); 9J-5.019(3) (4)(b)2, 3, (3)(c)11; and 9J-5.025, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments based on revisions made in response to Objections 7 and 8 to include policies in the Future Land Use Element to limit the amount of development on the sites so that existing roadway capacities are not exceeded. If development will not be limited based on existing roadway capacities, then revise the data and analysis to evaluate the impact on the County's road network based upon the maximum development potential of the sites, based on revisions made in response to Objections 7 and 8. If data and analysis determines that capital improvements will be needed in the next five years to address roadway impacts created through this amendment, then those capital improvements must be included in a five year schedule of capital improvements. Any capital improvements that will be funded by the developer must be guaranteed in an executed development agreement and referenced in the five year schedule of capital improvements. Any improvements needed after the initial five years and through the long term planning time frame need to be identified and included in the Capital Improvements Element along with strategies that will be implemented to provide them. For the Sunrise Groves amendment, the development agreement must identify the

funding, responsible entity, and timing for constructing the north-south connector road that will connect to Becker Road.

**10. Objection (Internal Inconsistency):** The proposed amendments will increase nonresidential capacity in a rural portion of the County outside the existing primary or secondary urban service districts. The County has not demonstrated that its Future Land Use Map is coordinated with the availability of public facilities or that the proposed land use change is internally consistent with comprehensive plan objectives and policies that require the County to ensure coordination between land uses and the provision of transportation facilities and to ensure new development and redevelopment are provided services that meet the County's level of service standard. The proposed amendments are inconsistent with the following objectives and policies in the Martin County Comprehensive Plan that guide development in the rural portions of the County, regulate the provision of public facilities outside the Primary and Secondary Urban Service District, and regulate the expansion of the Primary and Secondary Urban Service Districts:

- ***Policy 4.4.E.1.a.(5). and (10).*** – Address the protection and enhancement of wildlife habitats and endangered and threatened species as well as species of special concern as defined in lists maintained by the Florida Fish and Wildlife Conservation Commission (CPA 10-5 Sunrise Groves).
- ***Goal 4.4.G.*** – Addresses regulating urban sprawl tendencies by directing growth in a timely and efficient manner to those areas where public facilities are available or are programmed to be available (CPA 10-5 Sunrise Groves).
- ***Objective 4.4.G.1.*** - Addresses locating higher densities and intensities of development within the Primary Urban Service Districts, including industrial and commercial development.
- ***Policy 4.4.G.1.a.*** - Requires the County to ensure coordination between land uses and the provision of public facilities to ensure new development is provided services that meet the County's level of service standard.
- ***Policy 4.4.G.1.d.*** – Discourages the proliferation of small, individual water treatment, wastewater disposal, and solid waste disposal facilities and prohibits package treatment plants outside the Primary and Secondary Urban Service Districts.
- ***Policy 4.4.G.1.f.*** – Addresses expansion of the Primary Urban Service District and the criteria that will be used to determine if expansion for a particular site is warranted. Specifically, Policy 4.4.G.1.f.(2). states that the expansion cannot result in land use incompatibilities with adjacent uses and (5) states that it must be demonstrated that reasonable capacity does not exist on suitable land within the existing Primary Urban Service District for the 15-year planning period.
- ***Policy 4.4.G.1.n.*** – Recognizes exceptions to the general prohibitions of development outside the Primary Urban Service District.



- **Policy 4.4.K.2.a.** – Addresses the criteria for determining the distribution of Industrial sites including the compatibility with adjacent uses, accessibility to public facilities, accessibility to major roadway transportation corridors, accessibility to labor supply, and demonstrated need.
- **Objective 4.4.K.4.** – Describes a program to be undertaken by the County to selectively expand its industrial base.
- **Policy 4.4.L.1.a.** – Addresses the restriction of the expansion of the urban public facilities in order to preserve agricultural lands and provide maximum protection to the farmer from encroachment by urban uses.
- **Policy 4.4.M.1.a.** – Describes the intent of the existing Agricultural land use designation on the site. The section emphasizes the importance of agricultural activity for food and commodity production, which is an essential industry in Martin County.
- **Policy 4.4.M.1.b.** – Describes the logical and timely extension of a more intense land use designation in a nearby area.

Authority: 163.3177(2), (3), (4)(a), (6)(a), (d), and (j), (8), (10), and (12); 163.3187(2). F.S. and Rules 9J-5.005(2), (5), and (6); 9J-5.006(2), (3), and (5); and 9J-5.019(3) and (4), F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments as necessary to ensure internal consistency within the Martin County Comprehensive Growth Management Plan.

**D. The Department raises the following objections to the proposed Sunrise Groves Future Land Use Map amendment and Sunrise Groves AgTEC Text amendment:**

- 11. Objection (Public Facilities and Coordination with Adjacent Local Governments):** The proposed amendment includes options for water and wastewater service to the site, but does not identify a specific guaranteed service provider with available capacity. In addition, as discussed in Objection 9, the proposed right of way for the north south connector road to Becker Road in the City of Port St. Lucie will not improve access to the site unless the roadway is constructed. If water and wastewater service will be provided by the City of Port St. Lucie, the County has not undertaken the necessary coordination with the City to provide these services. Nor has the County undertaken the necessary coordination with the City to connect the north south road to Becker Road.

Authority: 163.3161(3) and (5); and 163.3177(2), (3), (4)(a), (6)(a), (b), (d), (h), and (j), and (10), F.S. and Rules 9J-5.005(2), and (5); 9J-5.055; 9J-5.006(1), (2), (3)(b)(1), and (c)(3); 9J-5.011(1), (2), and (3)(b)2 and (c)1; 9J-5.015(1), (2), and (3)(b)1 and 3, and (c)1 and 11; 9J-5.016(3)(b)1, 2, 3, 4, and 5, (c)6 and 8, and (4); 9J-5.019(3)(b)2, and 3, and (c)1, 11, and 13, F.A.C.



**Recommendation:** Do not adopt the amendment. Alternatively, revise the data and analysis to identify the specific water and sewer provider. If the City of Port St. Lucie will be the provider then revise the amendment to show that the City has agreed to provide the services through a service agreement demonstrating that capacity is available to service the site. Additionally, The County needs to establish an agreement with the City of Port St. Lucie to connect the north south road to Becker Road.

- 12. Objection (Environmental):** The Florida Fish and Wildlife Conservation Commission has identified the site as a Consultation Area for the Snail Kite, Audubon's Crested Caracara, and the Florida Scrub Jay. The United States Fish and Wildlife Service identifies Consultation Areas as areas essential to the conservation of listed species. The site also includes potential habitat for several listed species including the Eastern Indigo Snake and Gopher Tortoise.

The project proposes to maintain acreage in active agriculture and to restore acreage immediately adjacent to the Save Our Rivers Program acquisition lands. The proposed restoration along the southwestern portion of the property could benefit the Save Our Rivers Program and would maintain connectivity with public conservation lands. However, no specific site policies have been proposed to require that the project will develop as proposed. In addition, Policy 7 of the proposed text amendment establishes a 100-foot wide conservation area on the western portion of the property. Permitted uses in the conservation area include agriculture and passive alternative energy collection. Agriculture and alternative energies are not appropriate uses in conservation areas.

Authority: 163.3161(3) and (5); 163.3177(2), (6)(a) and (d), (8) and (10); and 163.3197(2), F.S.; and Rules 9J-5.005(2), (5), and (6); 9J-5.006(1), (2), (3); 9J-5.011(1) and (2); and 9J-5.013(1), (2), and (3), F.A.C.

**Recommendation:** Do not adopt the amendment. Alternatively, coordinate with the Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection, the South Florida Water Management District, and the Florida Department of Agriculture to identify appropriate areas within the property for restoration and conservation. Designate the conservation areas on the Future Land Use Map as Conservation. Revise the text amendment to remove agriculture and passive alternative energy collection as allowed uses within the conservation areas and include policies that will ensure that the project develops as proposed.

**E. The Department raises the following objections to the proposed Becker B-4 Future Land Use Element Text Amendment:**

- 13. Objection (Land Use Need and Urban Sprawl):** The proposed text amendment is for a "Rural Services Node" to be located at a specific location at the intersection of CR 609 and CR 714, in the northwestern portion of the County. The purpose of the amendment as stated in Policy 4.4.M.1.g is to "allow development limited to a low intensity, small scale service establishment." The County has not demonstrated that there is an unmet need for commercial development at the proposed location and the type of commercial uses that are needed to serve the agricultural and rural residents to address the unmet need. The County has not provided data and analysis to demonstrate that the 50,000 square feet of

nonresidential development that would occur as a result of this amendment is “low intensity” in nature and would be consistent with the Martin County Comprehensive Plan Policy 4.4.G.1.e, that allows for “small scale service establishments necessary to serve rural and agricultural uses.” The County does not provide a definition for “small scale service establishments” or that “service establishments” includes “commercial uses.” Additionally, the proposed uses, including a restaurant and bed and breakfast facility, are not necessary to support rural and agricultural uses. The amendment is not supported by professionally accepted data regarding the size and location of the existing and projected rural population; the amount and location of existing commercial development in the area; and the standard for commercial development (for example, square feet per person) within the western portion of the County, to justify the proposed increase of nonresidential development at this location in the County.

The adopted amendment does not discourage the proliferation of urban sprawl. House Bill 697, which went into effect on July 1, 2008, requires amendments to the future land use plan to be based upon surveys, studies, and data regarding the discouragement of urban sprawl, energy-efficient land use patterns and greenhouse gas reduction strategies. The proposed amendment does not discourage the proliferation of Urban Sprawl as defined by the requirements of Section 163.3177(6)(a), (b), (d), (f), and (j), F.S. and Rule 9J-5.006(5), F.A.C. The amendment exhibits the following indicators of urban sprawl:

- Promotes, allows or designates single use development in excess of demonstrated need.
- As a result of premature or poorly planned conversion of rural land to other uses
- Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
- Fails to maximize use of existing public facilities and services.
- Fails to maximize use of future public facilities and services.
- Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services.
- Fails to provide a clear separation between rural and urban uses.
- Fails to encourage an attractive and functional mix of uses.

The amendment is inconsistent with the following objectives and policies of the comprehensive plan that guide the location of commercial uses within the County and that limit commercial uses outside the primary urban service district to low intensity uses:

- **Goal 4.4.G** – Addresses regulating urban sprawl tendencies by directing growth in a timely and efficient manner to those areas where public facilities are available or are programmed to be available.
- **Objective 4.4.G.1.** - Addresses locating higher densities and intensities of development within the Primary Urban Service District, including industrial and commercial development.

- **Policy 4.4.G.1.e.-** Addresses development options outside the urban service district including agriculture and small-scale service establishments necessary to support rural and agricultural uses”
- **Policy 4.4.G.1.n.** – Recognizes exceptions to the general prohibitions of development outside the Primary Urban Service District.
- **Policy 4.4.I.1.a.** – Addresses the factors to be considered when locating residential development including proximity and accessibility to employment, commercial, and cultural centers. The policy provides the guideline for determining proximity as the distance and trip times to commercial and employment should not exceed 7.5 miles or 20 minutes from the residential development.
- **Policy 4.4.M.1.a.** – Describes the intent of the existing Agricultural land use designation on the site. The section emphasizes the importance of agricultural activity for food and commodity production.
- **Policy 4.4.M.1.b.** – Describes the logical and timely extension of a more intense land use designation in a nearby area.

Authority: Sections 163.3161(3) and (5); 163.3167; 163.3177(2), (3), (4), (6)(a), (b), (c), (d), (f), and (j), (8), and (10); 163.3180; and 163.3187(2), F.S.; and 9J-5.003(33) and (134); 9J-5.005(1), (2), (4), (5), and (6); 9J-5.055(1), (2), (4), (5), and (6); 9J-5.006(1), (2), (3), (4), and (5); 9J-5.011; 9J-5.013; 9J-5.016; 9J-5.018; 9J-5.019; and 9J-5.025, F.A.C.

**Recommendation:** Do not adopt the amendment. Alternatively, include a policy that describes “small scale service establishments” in the comprehensive plan. For Example, A Planners Dictionary Edited by Michael Davidson and Fay Dolnick defines “service establishment” to be “any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.” The policy should include a maximum amount of service uses that are compatible with agricultural and rural uses as a use by right, rather than polices which allow a use that is so large in area or intensity that a land use change should be required to designate these uses on the Future Land Use Map.

Revise the amendment to include an analysis, based on professionally accepted methodology and assumptions, demonstrating that the proposed “Rural Services Node” is needed to support the “daily needs of the rural population.” Based on the data and analysis, revise the amendment to limit the development to low intensity small scale service establishments consistent with the requirements of the Martin County Comprehensive Plan including the definition of “small scale service establishments”. The projected population used in the analysis of need must be consistent with the planning time frame of the County’s Comprehensive Plan. If a need for these amendments can be demonstrated, revise the amendment so that it does not contribute to urban sprawl by including development controls as described in Rule 9J-5.006(5)(j), F.A.C. In addition, revise the amendment as necessary to ensure internal consistency within the Martin County Comprehensive Growth Management Plan.

**F. The Department raises the following objections to the proposed St. Lucie Partners, Sunrise Groves, Canopus Sound, and 7<sup>th</sup> Edition Future Land Map Amendments and the proposed Becker B-4 Future Land Use Element Text:**

- 14. Objection (Cumulative Impacts to Transportation Facilities):** The transportation data and analysis provided with the amendments does not evaluate the maximum development potential of the proposed amendments. The County did not provide an overall assessment of the impact to Strategic Intermodal System (SIS) and regionally significant transportation facilities based on the combined maximum development potential of the proposed amendments. Additionally, no amendments are included for the Transportation, Capital Improvements, and Intergovernmental Coordination Elements of the County's comprehensive plan addressing the changes to the transportation network that will be needed to accommodate the increased development potential within the County.

The Florida Department of Transportation analyzed the impact of the proposed amendments as a group on the SIS facilities within the County. The Department identified anticipated failures based on the increased development potential from the proposed amendments for the following SIS facilities:

- I-95 from Palm Beach County line to Bridge Road – Failing as of 2008
- I-95 from Bridge Road to SR 76/Kanner Highway – Failing by 2015
- I-95 from SR 76/Kanner Highway to Turnpike/High Meadows Avenue – Failing by 2017
- I-95 from Turnpike High Meadows Avenue to SW Martin Highway (CR 714) – Failing by 2023
- I-95 from SW Martin Highway (CR 714) to St. Lucie County Line – Failing by 2017
- SR 710 from Okeechobee County Line to Transitioning Boundary - Failing by 2012
- SR 710 from Transitioning Boundary to SW VanBuren Avenue – Failing by 2014
- SR 710 from SW VanBuren Avenue to SW Citrus Boulevard – Failing by 2023
- SR 710 from SW Citrus Boulevard to SR 76 – Failing by 2012

The proposed amendment does not address how the County proposes to minimize impacts to I-95 or recommend alternate routes for use instead of I-95.

**Authority:** Section 163.3161(3) and (5); 163.3167 (13); 163.3177(1), (2), (3), (5), (6)(a), (b), (h), and (j), (8), and (10); 163.3180(1) and (10); and 163.3187(2), F.S.; and Rules 9J-5.005(2), (5); and (6); 9J-5.055(1)(a); 9J-5.006(2), (3)(b)1, and (3)(c)3; 9J-5.016(1), (2), (3)(b)1, 2, 3, 4, 5, (3)(c)6, 8, and (4); and 9J-5.019(3), (4)(b)2 and 3, (3)(c)1 and 11, F.A.C.

**Recommendation:** Do not adopt the amendments. Alternatively, revise the amendments based on revisions made in response to Objections 2, 8, and 13 to include policies in the Future Land Use Element to limit the amount of development on the sites so that existing roadway capacities are not exceeded. If development will not be limited based on existing roadway capacities, then revise the data and analysis to evaluate the impact on the County's road network based upon the maximum development potential of the sites based on revisions made in response to Objections 2, 8, and 13. Provide data and analysis demonstrating that the

County will ensure that impacts to SIS and other regionally significant transportation facilities will be minimized so the adopted level of service standards can be maintained for the short and long term planning periods. If data and analysis determines that capital improvements will be needed in the next five years to address roadway impacts created through this amendment, then those capital improvements must be included in a five year schedule of capital improvements. Any capital improvements that will be funded by the developer must be guaranteed in an executed development agreement and referenced in the five year schedule of capital improvements. Revise the amendment to include policies for the Transportation, Capital Improvements, and Intergovernmental Coordination Elements of the County's comprehensive plan addressing the changes to the transportation network that will be needed to accommodate the increased development potential within the County from the proposed amendments.

### **III. Comments**

- 1. Comment (Historic Resources):** The Department of State notes in their comments there are recorded historic structures in or near the Post Infill Parcels (CPA 10-6). In addition, each of the following parcels appears to have at least moderate archaeological site probability: CPA 10-1 St. Lucie Partners; CPA 10-4 Sunrise Groves; CPA 10-8 Post Waterway Parcel; and CPA 10-9 Canopus Sound. The county should ensure that potentially significant historic resources will not be adversely affected by the proposed amendments.
- 2. Comment (School Facility Planning):** Although there is adequate school capacity in Martin County for the five-year planning period to accommodate the proposed amendments, the data and analysis submitted with the amendments does not correctly evaluate the potential impacts of the proposed developments. The analysis of a proposed future land use map amendment on public school level of service standards must evaluate the impacts based on projected capacity and enrollment at the end of the five-year planning period (unless the county proposes a longer phasing plan for the residential development). The county and school district provided analyses based on current enrollment and capacity expected within three years. While that method is appropriate for a school concurrency review (implementation of planning), the adequate capacity review necessary to support a plan amendment must use at least the current five-year planning period.
- 3. Comment (Transportation Facilities, Via Claudia and Abundant Life Ministries):** The data and analysis that was included with the amendments indicated potential long-term level of service deficiencies along SE Willoughby Blvd and SE Pomeroy Street. There are no plans to add capacity to these roadway segments by 2030. This amendment, combined with a substantial number of amendments in this portion of the County in recent years, facilitates the need for an area assessment to appropriately plan for and accommodate development occurring in the area. Pedestrian and bicycle needs should be evaluated through this area with adequate connections to non-residential areas to minimize vehicle miles traveled and provide residents with transportation options. Prior to approving any additional land use changes in the Salerno Area, the County should identify projects or strategies that support an energy efficient and compact urban development pattern that coordinates land uses and transportation planning and promotes the reduction in greenhouse gas emissions.

4. **Comment (Pedestrian Planning, Abundant Life Ministries):** The proposed use as a “contemporary worship facility” identifies the possible development of a 1,000 seat church and 500 student private school. This type of development should provide safe and convenient bicycle and pedestrian access, including connections to surrounding neighborhoods. The County should consider enhancing Policy 5.5.D.1.e. in the Transportation Element to be more specific with regard to bicycle and pedestrian considerations to be incorporated into reviews of site plans and plats.
5. **Comment (Transportation Facilities, Becker B-4):** The data and analysis that was included with the proposed amendment does not indicate that the amendment will have a negative impact on the County’s road facilities. However, County transportation staff identified that the capacity on the segment of CR 609 between CR 714 and the Martin County line will most likely be exceeded by the increased traffic that will result from the proposed amendment. The County does not have plans to add capacity to this segment by 2030. The County should identify projects or strategies to maintain level of service standards along this important corridor in western Martin County.

#### **IV. Consistency with Chapter 187, F.S.**

The proposed amendment is inconsistent with the following provisions of Chapter 187, F.S., the State Comprehensive Plan:

Section 187.201(7), Water Resources, Policies (b)4, 5, 8, and 10: Protect and use natural water systems in lieu of structural alternatives and restore modified systems; ensure that new development is compatible with existing local and regional water supplies; encourage the development of a strict floodplain management program by state and local governments designed to preserve hydrologically significant wetlands and other natural floodplain features; and protect surface water and groundwater quality and quantity in the state. (Applies to Objection 6).

Section 187.201(9) Natural Systems and Recreational Lands, Policies (b)1, 2, 3, 4, 9, and 10: Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values; acquire, retain, manage, and inventory public lands to provide recreation, conservation, and related public benefits; prohibit the destruction of endangered species and protect their habitats; establish an integrated regulatory program to assure the survival of endangered and threatened species; promote restoration of the Everglades system and of the hydrological and ecological functions of degraded or substantially disrupted surface waters; and develop and implement a comprehensive planning, management, and acquisition program to ensure the integrity of Florida’s river systems. ((Applies to Objections 4, 6, and 12).

Section 187.201(11) Energy, Policies, (b)1, and 4: Continue to reduce per capita energy consumption; and ensure energy efficiency in transportation design and planning. (Applies to Objections 2, 8, and 13).

Section 187.201(15) Land Use Policies, (b)1, 2, 3, and 6: Encourage efficient development and ensure development occurs where there are public facilities to support the development;

encourage the separation of urban and rural uses while protecting water supplies, resource development and fish and wildlife; ensure compatibility with water supplies and other natural resources. (Applies to all objections)

Section 187.201(17) Public Facilities, Policies (b)1, 3, 4, 5, 6, 7, and 9: Encourage the development of land to maximize the use of existing public facilities; allocate the costs of needed public facilities among those that will benefit from them; and encourage the development and use, and coordination of capital improvement plans by all levels of government and identify and use stable revenue sources which are responsive to growth for financing public facilities. (Applies to Objections 1, 2, 3, 5, 7, 8, 9, 10, 11, 13, and 14).

Section 187.201(19) Transportation, Policies (b) 2, 3, 9, 11, and 13: Coordinate transportation investments to enhance system efficiency and minimize adverse environmental impacts; promote a comprehensive transportation planning process which coordinates state, regional, and local transportation plans; ensure a transportation system that provides efficient access to services, jobs, and attractions; emphasize state transportation investments in major travel corridors and direct state transportation investments to contribute to efficient urban development; and coordinate transportation plans with state, local, and regional plans. (Applies to Objections 3, 5, 9, 10, 11 and 14).

Section 187.201(20), Governmental Efficiency, Policy (b)1: Encourage greater cooperation between, among, and within all levels of Florida government through the use of Interlocal agreements and mutual participation for mutual benefit. (Applies to Objections 11 and 14).

Section 187.201(25), Plan Implementation, Policy 7 (b)1, 3 and 5: Ensure that local plans implement and accurately reflect State goals and policies. (Applies to all Objections).

By addressing the concerns noted in Section II., these inconsistencies with Chapter 187, Florida Statutes, can be addressed.