



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

9465 SE FEDERAL HIGHWAY REVISED MINOR FINAL SITE PLAN

Applicant/Property Owner:	9465 SE LLC
Agent for the Applicant:	McCarty & Associates Land Planning & Design LLC
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	F116-003
Record Number:	DEV2023110006
Report Number:	2024_0419_F116-003_Staff_Report_Final
Application Received:	02/21/2024
Transmitted:	02/23/2024
Date of Report:	04/19/2024

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B. Project description and analysis

This is a request by McCarty & Associates Land Planning & Design, LLC, on behalf of 9465 SE LLC for revised minor final site plan approval to construct an approximately 16,475 square-foot residential storage facility and a 14-unit two-story affordable/workforce housing apartment building. The 2.86-acre subject property is located at 9465 SE Federal Highway, approximately 0.5 miles northwest of the intersection of SE Federal Highway and SE Dharlys Street West, in Hobe Sound. Included is a request for a Certificate of Public Facilities Reservation.

The project is located inside the Primary Urban Services District.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comp Planning Review	John Sinnott	772-320-3047	Non-Comply
G	Site Design Review	John Sinnott	772-320-3047	Non-Comply
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
H	Commercial Design Review	John Sinnott	772-320-3047	Non-Comply
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Shawn McCarthy	772-288-5508	Non-Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	Non-Comply
M	Engineering Services Review	Stephanie Piche	772-223-4858	Non-Comply
N	Addressing Review	Emily Kohler	772-288-5400	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5400	Non-Comply
O	Wellfield Review	James Christ	772-320-3034	Comply
O	Water and Wastewater Review	Kim McLaughlin	772-546-6259	Non-Comply
P	Emergency Mgmt Review	Sally Waite	772-285-2298	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
Q	ADA Review	Stephanie Piche	772-223-4858	Non-Comply
R	Health Review	Nick Clifton	772-221-4090	N/A
R	School Board Review	Mark Sechrist	772-219-1200	Comply
S	County Attorney Review	Elysse Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	John Sinnott	772-320-3047	Pending

D. Review Board action

This application complies with the threshold for processing as a minor development, pursuant to Table 10.2.C.1., Section 10.2.C., LDR, Martin County, Fla. (2023). As such, final action will be taken by the Growth Management Director.

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019), it shall at all times be the applicant’s responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review

**Figure II:
Zoning Map**



Property to the Northeast: R-3A
Property to the Northwest: R-3A, RM-8
Property to the Southwest: SE Federal Highway, RM-8
Property to the Southeast: RM-8

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.

The current configuration of the shared infrastructure is not permitted under this Policy.

G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department

Unresolved Issues:

Item #1:

General

1. Legal Description:
 - a. Please remove the street address.
 - b. Legal description acreage does not correspond to the acreage on the boundary survey.
2. Please provide a parking rate adjustment request pursuant to Martin County LDR, Section 4.625. The provided parking for the residential storage building is acceptable based on the proposed square footage. However, the provided request does not adequately identify relevant facts or provide a detailed basis for the proposed rate adjustment for the apartment building. For example, a parking study of the same type of use in the local area may support the request for adjustment. For a development that requires less than 51 parking spaces, the number of required spaces may be increased or decreased by up to 20 percent without the need for a parking rate adjustment (4.623.A). Proper justification has not been provided for a reduction in residential spaces.
3. On the architectural plans, please depict the height of the apartment building in accordance with Martin County LDR, Section 3.14.

Item #2:

Site Plan Data

1. Please update the title bar to “Revised Minor Final Site Plan.”
2. Please dimension the building setbacks on the graphic and include a provided setbacks table for both the residential storage building and apartment building.
3. GC Development Standards Table:
 - a. Please revise “Building Setbacks” to “Building Setbacks (1 Story).”
4. RM-8 Development Standards Table:
 - a. Below maximum density, please include the density bonus stipulation per Martin County LDR, note (d) in Table 3.12.1.
5. Density Data Table:
 - a. Please update the code reference to “Policy 4.13A.7.(4), Comprehensive Growth

Management Plan.”

6. Provide a detail for Standard & Accessible Parking to include dimensions, curb or wheel stop, overhang and signage. Note that all sidewalks constructed in a road right-of-way or within a development shall be designed so there remains a six-foot unobstructed width taking into account vehicle parking, matured landscaping, proposed buildings and other possible obstructions [MARTIN COUNTY, FLA., LDR §4.843.G.4. (2018)].
7. Provide a dumpster enclosure detail. Additional sheets may be added to the site plan if necessary.
8. Please see the comments under Objective 4.9H in Section F of this staff report. Supporting infrastructure, including access drives, for the residential development should be located on the Medium Density future land use.
9. Please include revision dates on subsequent resubmittals.

Item #3

Site Plan Graphics

1. Please include “Min.” before F.F.E on the building graphics.
2. Please update “Proposed Zoning: RM-8” to “FLU: Medium Density.” Please provide a better delineation between the two future land uses. Consider adjusting the line weight.
3. Please update “Storage Building” to “Residential Storage Building.”
4. The gross floor area from the apartment building graphic only accounts for one floor. Please revise. Please include the number of units on the graphic.
5. Please remove floor plan lines/bathroom lines and unit labels from the building graphics.
6. For the adjacent properties to the north, south, and east, please note the zoning, land use, and existing use. Example for property to the east:
Zoning: R-3A
Land use: Medium Density
Existing Use: Single-family Residential
7. The proposed residential storage building gross floor area is not consistent between the site plan graphic, the GC building lot coverage data, and the calculations in the floor plans. Please update where appropriate.

Draft Condition of Approval:

1. The project has proposed fourteen (14) total units. The maximum density for Medium Density Future Land Use is 8 units per acre. Of the 2.87 acre site, 1.4 acres is in the Medium Density FLU. Pursuant Policy 4.13A.7(4) of the Martin County Comprehensive Growth Management Plan, a project may increase the density to 10 du/ac with the provision of affordable housing. Accordingly, pursuant to a commitment by the Developer to provide housing that meets this criteria, three (3) of the dwelling units shall remain as affordable housing units.

**H. Determination of compliance with the urban design and community redevelopment requirements –
Community Development Department**

Community Redevelopment

N/A – This project is not located within a Community Redevelopment area; therefore, staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Commercial Design

The commercial design standards of Martin County LDR, Article 4, Division 20 were updated with the adoption of Ordinance No. 1205 in September 2023. A copy of this ordinance is attached in Section Z of this report.

Unresolved Issues:

Item #1:

Primary Façades

Please label the primary façades on the architectural plans. The primary façades for the residential storage building are the north, south, and west elevations. The primary façade for the apartment building is the front (west) elevation. [MARTIN COUNTY, FLA., LDR §4.872.B.1 (2023)]

Item #2

Minimum Design Elements

Please note, the design elements have been modified in the updated Ordinance. Please provide a table or notes on the architectural plans demonstrating that each of the primary façades has the required minimum design elements. [MARTIN COUNTY, FLA., LDR §4.872.B.3 (2023)].

Item #3

Limitations on Blank Wall Areas

The west façade of the residential storage building does not meet the requirements of MARTIN COUNTY, FLA., LDR §4.872.B.4 (2023).

Item #4

Transparency/Fenestration

At least 40 percent of the ground-level floor of primary facades of commercial buildings and street facing facades of multifamily buildings shall be occupied by windows or doorways with non-mirrored glass. The apartment building appears to meet the requirement. However, if alternative compliance is requested for the residential storage building, please make a note on the corresponding sheet(s) of the architectural plans specifically referencing the section of code for which alternative compliance is being sought. If alternative compliance is sought for the residential storage building, please ensure that blank wall areas are addressed,

and adequate design elements are incorporated. [MARTIN COUNTY, FLA., LDR §4.872.B.5(a) (2023)].

Item #5

Separate Wall Planes

Residential Ground Floor: On the ground floor of any primary façade, the wall plane shall be staggered by recesses and projections every two (2) units or 50 feet whichever is less, a minimum of 3 feet deep and minimum five (5) feet width in length in order to create variation. Please address this requirement for the primary façade of the apartment building. The rear façade of the apartment building provides a good example of the intent of this stipulation. [MARTIN COUNTY, FLA., LDR §4.872.D.2(b) (2023)].

Item #6

Flat Roofs

Please demonstrate compliance with the requirements of MARTIN COUNTY, FLA., LDR §4.872.G.2 (2023). The west façade of the residential storage building does not have the required changes in height. A parapet should be incorporated into the flat roof portions of the primary façade of the apartment building. The height changes requirement appears to be met for the apartment building. Provide a cornice treatment detail. The cornice treatment should also be incorporated into the flat roof portions of the primary façade of the apartment building.

Item #7

Materials and Color

Please provide a finishings schedule to demonstrate compliance with MARTIN COUNTY, FLA., LDR §4.872.I (2023).

Item #8

Shading

Portions of the site do not appear to comply with the structural/vegetative shading requirements of MARTIN COUNTY, FLA., LDR §4.873.A.2 (2023).

Item #9

Bicycle and Pedestrian Amenities

Please demonstrate compliance with MARTIN COUNTY, FLA., LDR §4.873.B (2023). Depict the bike racks and benches on the site plan and provide a bike rack detail on the site plan. Required bike racks shall be the inverted "U" type or similar design and shall be designed to store a minimum of six bicycles each.

Item #10

Lighting

Lighting fixtures shall be a maximum of 20 feet in height within a parking lot and shall be a maximum of 15 feet in height within nonvehicular pedestrian areas. The proposed light poles exceed the height requirement. Please include the light pole detail, including overall height, on the site plan. [MARTIN COUNTY, FLA., LDR §4.873.C (2023)].

Item #11

Screening of Mechanical Equipment

Please indicate the location of proposed air conditioning equipment and verify compliance with MARTIN COUNTY, FLA., LDR §4.873.D (2023).

I. Determination of compliance with the property management requirements – Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

J. Determination of compliance with environmental and landscaping requirements - Growth Management Department

Environmental

Unresolved Issues:

Item#1: Final Site Plan

Please add the words "upland preserve" to the preserve call out label on the site plan.

Please more clearly delineate the dry detention boundary to show this area will not encroach or be constructed into the upland preserve.

It is not necessary to show a dotted line for the preserve area construction setback on the final site plan which can be confusing to where other pieces of infrastructure are located. This setback can typically be shown with just a dimensional measurement. Please adjust as needed.

Please provide for the following Notes on the Final Site Plan:

1. Preserve Area Setback.
 - a. New construction (including fill proposed adjacent to wetland buffer zones and upland preserve areas) shall be set back a minimum of ten feet for primary structures;
 - b. Setbacks for accessory structures, such as, but not limited to, pool decks, screen enclosures and driveways, shall be five feet.
 - c. Boundary markers will be placed at the corners of residential lots abutting Preserve Areas. Additional preserve signs will be at least 11 x 14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, at a frequency of no less than one (1) sign per 500 feet.

2. Other General Final Site Plan Notes.
 - a. All prohibited exotic plant species shall be removed from the site prior to issuance of a Certificate of Occupancy. Perpetual maintenance is required to prohibit the reestablishment of invasive exotic species within preservation areas and planted landscape or lake littoral areas and stormwater management areas as provided on the plans approved with the development order.
 - b. All Preserve Areas shall be maintained in accordance with the approved Preserve Area Management Plan (PAMP).

3. Firewise Notes.
 - a. No primary structure or attached secondary structure shall be constructed within the 30 foot defensible space to preservation areas.
 - b. Residential structures adjacent to preserve areas shall have a Class A asphalt shingle, slate or clay tiles, cement or metal roofing or terra cotta tiles.
 - c. Residential structures adjacent to preserve areas shall have non-combustible or fire-resistant siding and soffits.

Item#2: Construction Plans

Pursuant to Section 4.33.B, LDR, Martin County Fla., new construction (including fill proposed adjacent to wetland buffer zones and upland preserve areas) shall be set back a minimum of ten feet for primary structures; setbacks for accessory structures, such as but not limited to pool decks, screen enclosures and driveways, shall be five feet. Graded areas landward of these required buffer protection areas shall not exceed a slope of one foot vertical to four feet horizontal. All slopes shall be properly stabilized to the satisfaction of the county engineer.

Please amend the construction plans to provide cross-sectional details of proposed construction and/or grading in areas adjacent to preserve areas to document compliance with this criteria.

Item#3: Firewise Protection Standards

Firewise setback requirements, Martin County, Fla., LDR Section 4.35.E.

Required firewise setbacks shall be illustrated on the final site plan. Please show the 30 foot defensible space firewise setback on the site plan. Based on the currently proposed location of the apartment building to the preserve area, fifteen feet of this setback can be within the preserve area and the other fifteen feet between the rear of the structure and the preserve area.

Please add language in the PAMP under Part II, Section L for maintenance of the portion of the defensible space within the preserve area. This area can be maintained in accordance with the "firewise" principles by the Florida Forest Service.

Item#4: Land Clearing and Erosion Control Plan

The following shall be included on the land-clearing page:

- a. Location and limits of areas to be cleared.
- b. Locations of on-site and adjacent preserve areas. The upland preserve area is not shown on this plan sheet.
- c. Locations of perimeter native vegetation to be retained as un-cleared during construction.
- d. Locations of erosion control devices (silt fence and/or stabilized berms).
- e. Locations of preserve area/construction barricades (orange mesh safety fence) to be located on the surveyed preserve boundary.
- f. Erosion control devices located at least 5 feet landward of preserve area boundary.
- g. Location of tree protection barricades (where warranted).
- h. Location of on-site posted land clearing permit and permit box (to retain approved plan).
- i. Locations of any materials to be temporarily stockpiled to include land clearing debris or excavated materials.
- j. Construction details for the installation of erosion control devices and preserve area barricades.
- k. Proposed method for soil stabilization following land clearing.
- l. Include the text: 'Property corners shall be located by a licensed land surveyor and clearly marked in the field prior to the Engineering Department's pre-construction meeting for site development.'
- m. Include the text: 'Authorization to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. This authorization shall be posted on the site, in the permit box, its location shown elsewhere on this page.'
- n. Include the text: 'No additional land clearing shall commence until a satisfactory inspection of the required erosion control barricades has been obtained.'
- o. Include the text: 'All construction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.'

- p. Include the text: ‘Prior to scheduling a final environmental inspection for the infrastructure, all barricades and erosion control devices shall be removed and disposed of by the contractor.’
- q. Note on construction plans: Contractor must use site stabilization methods, such as, but not limited to, seeding, wetting, and mulching which minimize airborne dust and particulate emissions generated by construction activity. Such methods shall be completed progressively and actively maintained as vegetation removal occurs within a given area of a site. At the pre-construction meeting, the contractor shall inform the county which vegetation removal methods will be conducted and the plan to minimize airborne dust and particulate emissions.

Landscaping

Unresolved Issues:

Item #1:

Preserve Area Interface Requirements

Please provide for the following planting requirements, pursuant to Sec 4.663.E., LDR:

A preserve area interface shall be established between required landscaping and stormwater treatment areas and preservation areas when preservation areas exist on a development site and when preserve areas abut a development site. The preserve area interface shall include a consolidation and connection of landscaping and stormwater treatment areas with preservation areas. Where more than one preservation area exists on a development site or abutting a development site multiple preserve area interfaces shall be created. Within the preserve area interface the use of plant materials shall be restricted to native species.

The following preserve area interface criteria shall be documented and met for all development sites where preservation areas are identified and where preserve areas have been identified adjacent to a development site:

Stormwater management systems. Plantings within dry retention and detention stormwater areas abutting preserve areas shall be restricted to native trees, native shrubs and native groundcovers. Wet retention and detention stormwater areas abutting preserve areas shall be designed and planted as littoral and upland transition zone areas (preserve area interface) and connected to preserve areas pursuant to Article 4, Division 8, LDR, MCC.

Remedy/Suggestion/Clarification:

The retention areas adjacent to the preserve area needs to be planted in native species. Please provide. Add a note to the site plan and landscape plan to state that stormwater management areas are to be maintained with planted native vegetation, in perpetuity.

Provide a cross-section showing existing and proposed grades through the east property line and the preserve.

Item #2:

Turfgrass And Groundcover

Please provide that the ground area within required landscaped areas which is not dedicated to trees, vegetation or landscape barriers shall be appropriately landscaped and present a finished appearance and reasonably complete coverage upon planting, in accordance with the following (ref. Section 4.664.E., LDR):

Remedy/Suggestion/Clarification:

What is the proposed ground treatment within the 15' white band around the preserve?

K. Determination of compliance with transportation requirements - Engineering Department

Traffic

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility). [Martin County, Fla., LDR Article 5, Division 1, Section 5.3 (2009)]

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

BOUNDARY SURVEY: Date of last field work is not within 180 days of the date of this application and does not reference the current title commitment, with list all easements and encumbrances of record, nor shows all those easements and encumbrances that affect the property and are plottable.

M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Services Division

Engineering

Unresolved Issues:

Division 9: Stormwater Management

1. Provide a pre and post development drainage basin map that includes basin sizes in acres and all related flow paths.

2. Revise the stormwater management report to include the design certification language per LDR 4.384.A.2.
3. Demonstrate the location and elevation of the perimeter berm.
4. Provide documentation for the hydraulic conductivity rate being relied upon in the recovery analysis. (4.384.A.3.c.(3))
5. Calculate the water quality requirements for both the east and west basins. According to Martin County standards, the treatment volume should be 3 inches multiplied by the percentage of impervious surface (plus . (4.385.F.4)
6. Perimeter berm elevation shall be set above the 100-year, 1-day max stage (25-year, 3-day max stage is only applicable for projects with legal positive outfall).
7. In Appendix B, an ICPR recovery model was presented; however, there is a lack of time series data to illustrate the system's recovery. It is necessary to demonstrate that half of the water quality treatment volume is recovered between 24 hours and five days and that 90% of the full runoff volume is recovered within 12 days (as per 4.385.F.4).
8. Add details and location for preserve area barricades on the erosion and sedimentation control plan.
9. It is unclear what the 15-foot setback line from the preserve area represents.
10. The impervious and pervious area acreages on the Final site plan and the stormwater report are inconsistent. Revise accordingly.

Division 14: Parking and Loading

1. A parking rate adjustment will be required.
2. Demonstrate that a 24-foot drive aisle width is provided in front of the residential use at the 90-degree parking.
3. Although a loading zone was provided, for uses containing less than 20,000 square feet of floor area, each loading space shall be not less than ten feet in width and 25 feet in length. (LDR Section 4.626.B.4).
4. Provide a lighting plan consistent with LDR Section 4.627.C.3
5. Provide striping and signage details for the accessible spaces in compliance with ADA regulations and FDOT standards on the Construction Plans and Final Site Plan.
6. Label any proposed curb ramps.

Division 19: Roadway Design

1. Provide grading for all proposed improvements including the parking lot and driveway connection to the SE Federal Highway right-of-way.
2. Demonstrate how the sidewalk will connect across the entrance of the project, ensuring adherence to accessible sidewalk slopes, ramps, crosswalks, and compliance with ADA and FDOT guidelines.

Signed and Sealed Construction Plan

1. Provide cross sections demonstrating how the proposed improvements tie into existing grades at the property line. Include location and elevation of perimeter berm in cross sections.
2. Provide additional on-site grading details.
3. Provide Signed and sealed Construction plans, plans provided were not signed..
4. Provide typical cross sections for all proposed swales, and retention areas.

Consistency among Survey, Master Plan, Final Site Plan, Construction Plans, and Stormwater Report

1. Provide boundary annotations on the Final site plan and Construction Plans, consistent with the boundary survey.
2. The parking count quantity labeled on the Construction Plans as 7 (in front of the apartment at the ADA stall) is incorrect. Revise label to account for the 8 spaces.
3. The Final Site Plan inconsistently labels the Finished Floor Elevation as compared to the Construction Plans and Stormwater Management Plan. Revise for consistency.

Development Order

1. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Electronic Files

Unresolved Issues:

#1 The AutoCAD dwg file of the site plan is missing its additional xref dwg file. Please submit this with your AutoCAD dwg site plan file in round 2.

Addressing

Findings of Compliance:

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2024).

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater

The proposed project will connect to the water and wastewater facilities of South Martin Regional Utility (SMRU)

SMRU review of the project is ongoing.

Wellfield Protection

Findings of Compliance:

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Rescue

Finding of Compliance

The Fire Prevention Division finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Emergency Management

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department

ADA

Unresolved Issues:

1. Provide striping and signage details for the accessible spaces in compliance with ADA regulations and FDOT standards on the Construction Plans and Final Site Plan.
2. Demonstrate how the sidewalk will connect across the entrance of the project, ensuring adherence to accessible sidewalk slopes, ramps, crosswalks, and compliance with ADA and FDOT guidelines.
3. For pedestrian safety, shift sidewalk connection from residential building to right-of-way to the south side of the drive aisle.

R. Determination of compliance with Martin County Health Department and Martin County School Board

Martin County Health Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Martin County School Board

See analysis below.

THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA

Facilities Department

District Office, 1939 SE Federal Highway, Stuart, FL 34994 • Telephone (772) 219-1200 ex.30131



Martin County School District General School Capacity Analysis

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart, and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

Project/ Applicant: 9465 SE Federal Highway / 9465 HS LLC,
Mike McCarty (772)341-9322
Project Name: 9465 SE Federal Highway
Parcel # - PCN: 34-38-42-061-000-00061-3
Date: 03/11/2024
Request: Request for a General School Capacity Analysis for 9465 SE Federal Highway Multifamily 14 unit community on 2.86 acres, located on 9465 SE Federal Highway. One-year build-out.

Student Generation Calculation:

Residential Units	14
Current Student Generation Rate	.1987
Elementary 61%	1
Middle 22%	1
High 17%	1
Total Forecasted Students	3

School Zone Enrollment & Permanent Capacity:

Enrollment Numbers below reported from FOCUS, Projections through School District CIP Application

CSA	2022-2023 (as of 02/11/24) Enrollment	2024-2025 COFTE Projected Enrollment	2024-2025 LOS Concurrency Capacity
South Zone –Hobe Sound Elementary School	488	413	836
South Zone – Anderson Middle School	968	1076	1381
South Zone – South Fork High School	1816	1781	2114

THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA

Facilities Department

District Office, 1939 SE Federal Highway, Stuart, FL 34994 • Telephone (772) 219-1200 ex.30131



Comments: This General School Capacity Analysis shall be used in the evaluation of a development proposal but shall not provide a guarantee that the students from the above-referenced project will be assigned to attend the particular school(s) listed. The analysis indicates the elementary, middle and high school enrollment is projected to meet the Concurrency (LOS) Level of Service capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units.

Facilities Department
Martin County School District
1939 SE Federal Highway
Stuart, Florida 34994
Ph. 772.219.1200 Ext 30131

S. Determination of compliance with legal requirements - County Attorney's Office

Review Ongoing

T. Determination of compliance with the adequate public facilities requirements - responsible departments.

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities LDR for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities service provider –SMRU

Findings – Pending Evaluation

Source - SMRU

Reference - see Section O of this staff report

Sanitary sewer facilities service provider – SMRU

Findings – Pending Evaluation

Source - SMRU

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section N of this staff report

Community park facilities

Findings – In Place

Source - Growth Management Department

Roads facilities

Findings – Pending Evaluation

Source - Engineering Services Department

Reference - see Section M of this staff report

Mass transit facilities

Findings – Positive Evaluation

Source - Engineering Services Department

Reference - see Section L of this staff report

Public safety facilities

Findings – In Place

Source - Growth Management Department

Reference - see Section P of this staff report

U. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant’s submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	Recording Costs	The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.
5.	Unity of Title	Original and one (1) copy of the current Unity of Title in standard County format if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating so that no transfer has occurred.

Item	Description	Requirement
6.	Construction Plans	One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.
7.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
8.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
9.	Approved Elevations	One (1) copy 24" x 36" of the approved elevations.
10.	Digital Copy of Site Plan	One (1) digital copy of the plat/site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
11.	Engineer's Design Certification	One (1) original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
12.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

V. Local, State, and Federal Permits

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits to Martin County prior to scheduling the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$8,750.00	\$8,750.00	\$0.00
Inspection fees:	\$4,160.00	\$0.00	\$4,160.00
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

- * Advertising fees will be determined once the ads have been placed and billed to the County.
- ** Recording fees will be identified on the post approval checklist.
- ***Impact fees are required at building permit.

X. General application information

Applicant/Owner: 9465 SE LLC
14851 Wind River Drive
Palm Beach Gardens, FL 33418
Sebastian Monte
561-631-1007
monte3holdings@gmail.com

Agent: McCarty & Associates Land Planning & Design, LLC
309 SE Osceola Street, Suite 104
Stuart, FL 34994
Michael McCarty
772-341-9322
mike@mccartylandplanning.com

Engineer of Record: Velcon Engineering & Surveying
1449 Commerce Center Drive
Port St. Lucie, FL 34986
Darren Guettler, P.E.
772-879-0477
info@velconfl.com

Y. Acronyms

- ADA..... Americans with Disability Act
- AHJ..... Authority Having Jurisdiction
- ARDP..... Active Residential Development Preference
- BCC..... Board of County Commissioners
- CGMP..... Comprehensive Growth Management Plan
- CIE..... Capital Improvements Element
- CIP..... Capital Improvements Plan
- FACBC..... Florida Accessibility Code for Building Construction
- FDEP..... Florida Department of Environmental Protection
- FDOT..... Florida Department of Transportation
- LDR..... Land Development Regulations
- LPA..... Local Planning Agency

MCC..... Martin County Code
MCHD..... Martin County Health Department
NFPA National Fire Protection Association
SFWMD..... South Florida Water Management District
W/WWSA Water/Waste Water Service Agreement

Z. Attachments

Attachment I – Ordinance No. 1205

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NO. 1205

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA AMENDING SECTIONS 4.871, IN GENERAL, 4.872, ARCHITECTURAL DESIGN STANDARDS, AND 4.873, SITE DESIGN STANDARDS, DIVISION 20, COMMERCIAL DESIGN, ARTICLE 4, SITE DEVELOPMENT STANDARDS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, REGARDING ARCHITECTURAL AND SITE DESIGN CRITERIA FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT AND MODIFICATIONS TO THE DESIGN REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT; PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY; APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE; EFFECTIVE DATE; AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County, Florida (Board) is authorized by Chapter 125, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers; and

WHEREAS, the Board of County Commissioners (BCC) has adopted the Martin County Comprehensive Growth Management Plan (CGMP) within which are included goals, objectives, and policies related to the process for review and approval of certain development applications; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals, objectives and policies through the adoption of consistent land development regulations; and

WHEREAS, Article 4, Division 20 contains architectural and site design requirements for commercial buildings in certain Future Land Uses and for certain industrial uses; and

WHEREAS, revisions to Article 4 are proposed to introduce architectural and site design standards for multifamily residential uses and to modify existing requirements for commercial and industrial uses; and

WHEREAS, this proposed amendment to Article 4 of the Land Development

Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners finds the proposed amendment consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART I. AMENDMENT OF DIVISION 20– COMMERCIAL DESIGN, ARTICLE 4, SITE DEVELOPMENT STANDARDS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE.

DIVISION 20. COMMERCIAL, MULTIFAMILY, AND INDUSTRIAL DESIGN

Sec. 4.871. In general.

4.871.A. *Purpose and intent.* The purpose of this division 20 is to regulate the architectural features, form and arrangement of buildings, and site design of commercial, multifamily, and industrial developments, ~~including other types of development that are closely associated with commercial development~~. Massive or generic developments that do not contribute to, nor integrate with, the community in a positive manner can be detrimental to the community's image and sense of place. The goal of this division 20 is to create and maintain a strong community image by providing for architectural and site design standards which will enhance the visual appearance and function of ~~commercial~~-development in Martin County.

4.871.B. *Applicability.*

1. *Scope of regulations.* The provisions of this division 20 shall apply to the following:
 - a. Any nonresidential development conducted in the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use designations.
 - b. Any residential multifamily development outside of the Community Redevelopment Agency areas.
 - ~~b.c.~~ Except as provided for in subparagraph e.d., below, any development within an Industrial or Institutional Future Land Use designation, on lots abutting a minor or major arterial street or an expressway, or parkway, as defined in section 4.842, Roadway Design, of the Land Development Regulations, but specifically

excluding buildings and structures that are set back more than 600 feet from such ~~minor or major arterial~~ streets. Where any portion of a building lies within 600 feet of a minor or major arterial street, parkway, or an expressway, the entire building shall comply with the provisions of this division 20.

- e.d. Any development on the Witham Field airport property, excluding Fixed Base Operators and other uses directly related to aviation, but only until such time as the Board of County Commissioners has approved architectural design standards for Witham Field.
2. Developments lawfully established prior to the effective date of this division 20 which do not conform to the requirements of this division 20 shall be required to comply upon occurrence of any of the following:
- a. *Change of use.* Any change from one permitted use category, as set forth in article 3, Zoning Districts, to another permitted use category, as set forth in article 3, Zoning Districts, or any change in the use of a lot that increases the demand for parking, creates additional impervious area, or increases the traffic generating capacity of the development.
 - b. *Substantial improvement.* Any repair, reconstruction, extension or other improvement to a building or structure, including such work conducted over a period of time, the cost of which equals or exceeds 50 percent of the assessed value of such building or structure either before the improvement is commenced or, if the property has been damaged and is being restored, before the damage occurred. For purposes of this definition, assessed value shall mean the assessed value of a structure for the current year as determined by the Martin County Property Appraiser.
 - c. *Substantial renovation of building exterior.* A substantial renovation of the building exterior is one in which the appearance of the building materially changes, such as by the installation or modification of facade features, but not painting or cleaning that is simply intended to restore the exterior to its previous condition. The replacement of roofing material, even if it changes the appearance of the building, shall not be considered a substantial renovation of the building exterior provided that the new roofing material is not otherwise prohibited by section 4.872.F.
 - d. *Discontinuation of use.* A discontinuation of use occurs when the building or buildings on a lot have remained unoccupied for a period of 365 consecutive days. Evidence of discontinuation of a use may include, but is not limited to, failure to maintain required occupational or other licenses required by any government entity, the discontinuation of utility services, or removal of machinery or equipment normally associated with the use. This provision shall not apply to lots containing more than one principal use, such as a multitenant commercial center or industrial park. Where the requirements of this division 20 have been deemed to apply by virtue of this paragraph d., the applicant may appeal such decision to the County Administrator. The County Administrator

may set aside the finding that a discontinuation of use has occurred upon a demonstration by the applicant that the costs of complying with the requirements of this division 20 will make the parcel unmarketable.

4.871.C. *Determination of compliance.*

1. No final site plan or building permit shall be approved unless the application demonstrates compliance with the requirements of this division 20. ~~For final site plans, only a conceptual representation of proposed architectural features is required to demonstrate compliance with this division 20.~~
2. All elevation drawings used to demonstrate compliance with the requirements of this division 20; ~~including conceptual drawings;~~ shall be prepared under the direction of an architect licensed pursuant to F.S. ch. 481.

4.871.D. ~~Glossary.~~ For purposes of this division 20 the following words, terms and phrases shall have the meanings as set forth below:

~~*Large commercial development.* Any commercial development of 100,000 square feet in gross floor area or greater. In the case of multiple buildings within the same commercial development, including Planned Unit Developments, phased developments and outparcels in different ownership than the primary parcel, the total square footage of all buildings shall comprise the gross floor area. When making a determination as to whether or not a particular development constitutes a large commercial development, the decision maker shall consider the design of facilities and site components which are likely to be shared with the development of other properties, including but not limited to parking, drainage, vehicular access, pedestrian access, preserve areas and common areas.~~

~~*Primary facade.* Any building elevation that is:~~

1. ~~Visible from a public street, excluding alleys designed primarily for service vehicles;~~
or
2. ~~Which provides a customer entrance to a commercial or institutional use~~

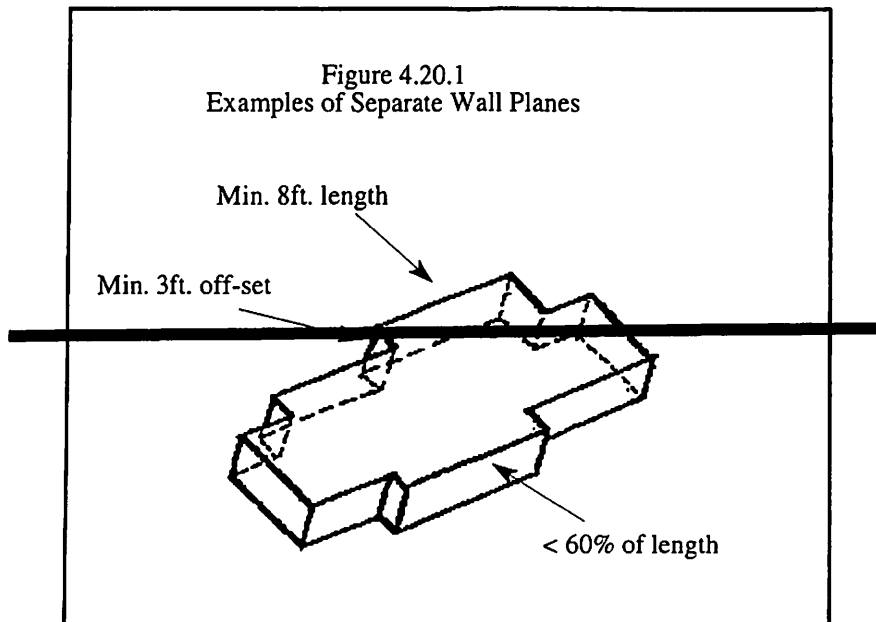
~~*Secondary facade.* Any building elevation that is not a primary facade.~~

(Ord. No. 617, pt. 1, § 4.20.1, 7-9-2002)

Sec. 4.872. Architectural design standards.

4.872.A. *Purpose and intent.* All commercial, multifamily and industrial buildings and structures should be designed to maintain and enhance the attractiveness of the streetscape and the existing architectural design of the community. Buildings and structures should have architectural features and patterns that reflect human scale and proportions, reduce massing and recognize local character. Facades should be designed to reduce the mass or scale and uniform monolithic appearance of large unadorned walls, while providing visual interest that will be consistent with the community's identity and character through the use of detail and scale.

4.872.B. *Control of building mass.* On the ground floor of any primary facade, no continuous wall plane shall exceed 100 linear feet, nor shall any single wall plane constitute more than 60 percent of a building's total length. A wall plane shall be off-set a minimum of three feet from the adjacent wall plane and be a minimum of eight feet in length to be considered a separate wall plane. However, any portion of a wall plane having a pedestrian arcade extending a minimum of eight feet out from such wall, shall be considered a separate wall plane, provided that such arcade does not extend uninterrupted farther than 120 linear feet.



Separate Wall Planes

4.872.C. *Primary facades.*

1. Primary facade shall mean any building elevation that is:

- a. Visible from a public street, excluding alleys designed primarily for service vehicles; or
- b. Which provides a primary resident entrance or a customer entrance to a commercial or institutional use

1.2. *Consistent architectural style.* The primary facades of all buildings and structures shall be designed with consistent architectural style, detail and trim features.

2.3. *Minimum design elements.* All primary facades on the ground floor shall have at least four of the enumerated design features ~~along a minimum of 50 percent of their horizontal length.~~

a. Commercial and Multifamily Buildings and Structures:

-
- i. ~~a.~~ Awnings, located over windows or doors, in increments of ten feet or less in length.
 - ii. Porches with decorative railings and/or stairs or covered stoops.
 - iii. ~~b.~~ Overhanging eaves, extending out from the wall at least three feet, with a minimum eight-inch fascia.
 - iv. ~~e.~~ Pedestrian arcades, a minimum of eight feet in width and length.
 - v. ~~d.~~ Raised parapet over a customer or primary residential entrance.
 - vi. ~~e.~~ Peaked or mansard roof forms.
~~f.~~ Windows.
 - vii. ~~g.~~ Decorative light fixtures.
 - viii. One or more bay windows projecting at least twelve inches from the facade plane.
~~h.~~ Clock or bell towers.
 - ix. ~~i.~~ Artwork, such as but not limited to sculpture, mosaic, glass block, opaque art glass, or relief work.
 - x. ~~J.~~ Architectural details other than those listed above, which are integrated into the building and overall design. Examples of architectural details include, but are not limited to, relief and reveal work, ~~tile mosaic~~, decorative columns, or pilasters or sculpture. Architectural details do not include: paint changes; signage; construction joints, scoring, or projections less than three inches in height, width, or depth.

b. Industrial Buildings and Structures

- i. A defined customer entrance including a raised parapet or other prominent architectural feature that is unique to overall building design.
- ii. Artwork, including ~~such as~~ but not limited to sculpture, mosaic, glass block, opaque art glass, or relief work.
- iii. Decorative light fixtures.
- iv. Faux windows which is designed to the standard of true windows per subsection 4.872.B.6.
- v. Changes in color and material/texture at least every 50 lineal feet to break up massing.
- vi. Architectural details other than those listed above, which are integrated into the building and overall design. Examples of architectural details include, but are not limited to, relief and reveal work, decorative columns, or pilasters. Architectural details do not include: paint changes; signage; construction joints, scoring, or projections less than three inches in height, width, or depth.

~~3.4.~~ *Limitations on blank wall areas.* Blank wall areas shall not exceed ten feet in vertical direction and 20 feet in horizontal direction on any primary facade. Control and expansion joints shall be considered blank wall area unless used as a decorative pattern and a minimum of three inches in depth, width or height. Wall areas that are adorned using at least one of the design features set forth in paragraph 23., above, with the exception of decorative light fixtures, shall not be considered blank wall areas. Walls that are ~~adjacent~~ incorporated with ~~to~~ a pedestrian arcade shall not be considered blank wall areas.

5. Transparency/Fenestration.

a. Commercial and Multifamily. At least 40 percent of the ground-level floor of primary facades of commercial buildings and street facing facades of multifamily buildings shall be occupied by windows or doorways with non-mirrored glass.

b. Industrial. At least 20 percent of the ground-level floor of primary facades of commercial buildings and street facing facades of multifamily buildings shall be occupied by windows or doorways with non-mirrored glass.

c. Street facing facades of the ground-level floor shall not include service bay entrances, overhead doors, or similar type of doors.

4.6. Windows. Windows shall include visually prominent sills, shutters, stucco reliefs, awnings or other such forms of framing.

7. Upper-story balconies located within 100 feet of a single-family dwelling shall be oriented or configured to prevent direct views into the single-family dwelling's rear yard.

~~5. Major intersections.~~ In addition to all other requirements of this subsection 4.872.C., developments located at an intersection of two or more arterial or collector streets shall provide a prominent architectural feature such as, but not limited to a monument, sculpture or clock tower, to emphasize their location as gateways and transition points within the community.

~~6. Artwork for large commercial developments.~~ In addition to all other requirements of this subsection 4.872.C., large commercial developments shall provide a public display of artwork, such as but not limited to sculpture, mural, or tile mosaic. The artwork may be placed on any outdoor portion of the site which is available for public viewing. Developers providing artwork in accordance with this paragraph are encouraged to coordinate with the Public Art Advisory Board.

4.872.DC. Secondary facades. Although the design standards of subsection 4.872.C., above, do not apply to secondary facades, the secondary facades of each building shall be consistent with the primary facade in terms of the exterior finish and colors used. For example, if the dominant exterior finish of the primary facade is stucco with beige paint and white trim, the secondary facades of the building shall include a similar stucco finish, beige paint and white trim.

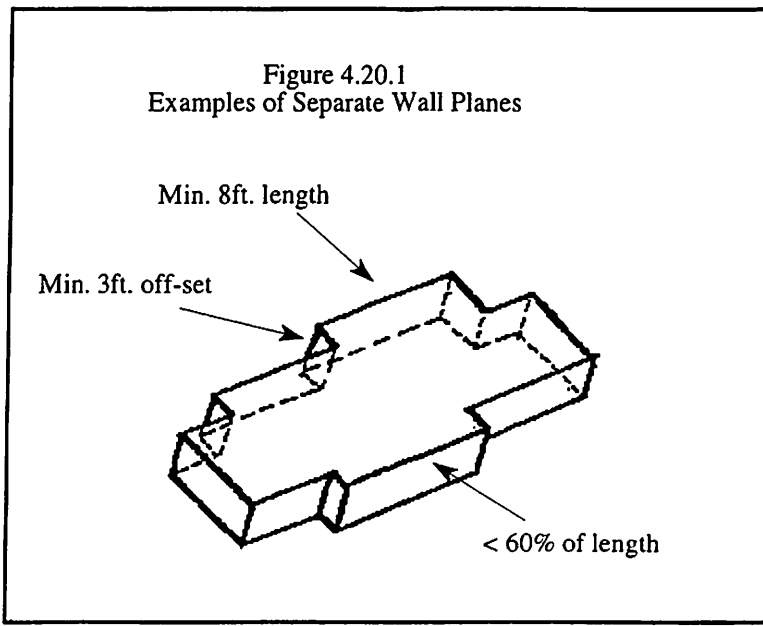
4.872.D. Building Orientation and Massing

1. Multi-Building Development. Developments over 5 acres with one or more buildings totaling 50,000 or more square feet of floor area shall be configured to:

- a. Break up the site into a series of smaller "blocks" defined by on-site streets, vehicle accessways, pedestrian walkways, or other circulation routes;
- b. For commercial developments, frame the corner of an adjacent street intersection or entry point to the development with a building or civic open space;
- c. To the maximum extent possible, outparcels and their buildings shall be configured and located to define street edges and development entry points. Areas between outparcels shall be configured with small scale pedestrian amenities such as plazas, seating areas, pedestrian connections, and gathering spaces and not just serve as parking lots or vehicular accessways.

2. Control of building mass.

- a. Commercial and industrial: On the ground floor of any primary façade, no continuous wall plane shall exceed 100 linear feet, nor shall any single wall plane constitute more than 60 percent of a building's total length. A wall plane shall be off-set a minimum of three feet from the adjacent wall plane and be a minimum of eight feet in length to be considered a separate wall plane. However, any portion of a wall plane having a pedestrian arcade extending a minimum of eight feet out from such wall, shall be considered a separate wall plane, provided that such arcade does not extend uninterrupted farther than 120 linear feet.



Separate Wall Planes

- b. Residential Ground Floor: On the ground floor of any primary façade, the wall plane shall be staggered by recesses and projections every two (2) units or 50 feet

whichever is less, a minimum of 3 feet deep and minimum five (5) feet width in length in order to create variation.

3. Horizontal Form. For commercial and multi-family buildings which are three or four stories, the building shall have a horizontal separation between the base and upper floors as well as material differences that clearly distinguish a recognizable base and top.

4.872.E Civic Open Space and Public Features

1. Major intersections. In addition to all other requirements of Section 4.872.B., developments located at an intersection of two or more arterial, parkway, or collector streets shall provide a prominent architectural or site feature including, but not limited to, a monument, sculpture, wall or ground mounted art feature, or mural to emphasize their location as gateways and transition points within the community.
2. Artwork for large developments. In addition to all other requirements of Section 4.872.B., large developments which are over 100,000 sf or 100 units shall provide a public display of artwork, including, but not limited to, sculpture, mural, or tile mosaic. The artwork may be placed on any outdoor portion of the site which is available for public viewing. Developers providing artwork in accordance with this paragraph are encouraged to coordinate with the Public Art Advisory Board.
3. Civic Open Space.
 - a. Developments in commercial or industrial future land uses that are ten (10) acres or greater shall design a civic open space area that may contain a display of public art, shaded refuge for pedestrians, or a space otherwise designed to be integrated into the surrounding community and is open to the general public. The civic open space shall be privately owned and maintained.
 - b. The civic open space shall not contain vehicular parking or access ways, mechanical equipment, dumpsters, service areas, or be directly adjacent to loading areas or trash pickup.
 - c. The minimum size of one area of required civic open space shall be 1,000 SF.
 - d. The space shall contain three of the following features or elements:
 - i. Pedestrian level lighting.
 - ii. Benches or seating areas that are shaded.
 - iii. Shall be designed to incorporate existing protected trees when practicable.
 - iv. Shall provide vegetative or structural shading.
 - v. Artwork as described in section 4.872.E.2
 - vi. Fountain or water feature
 - vii. Features other than those listed above, which are integrated into the overall design

4.872.EF. Parking structures. The parking requirements shall reduce the visual impact of parking uses, avoid conflicts between vehicles and pedestrians, and enhance pedestrian activity throughout the County.

1. Parking Structures: All new parking structures shall comply with the following standards:

- a. A minimum of 60 percent of any primary facade of a parking structure shall have at least one of the following:
 - i. ~~a.~~Decorative metal grill-work or similar detailing which provides texture and partially covers the parking structure opening(s); or
 - ii. ~~b.~~Vertical trellises extending a minimum of 20 feet in height or to the top of the parking structure, whichever is less, covering at least 50 percent of the primary facade).
 - iii. Wherever possible, circulation ramps shall be internalized to avoid visibility of the ramps from the street or public areas.
- b. ~~2.~~When a parking structure is an accessory structure within a larger development, the facades of such parking structure shall be consistent with the primary facades of other buildings within the development in terms of the exterior finish and colors used. For example, if the dominant exterior finish of the primary facades of the other buildings is stucco with beige paint and white trim, the facades of the parking structure shall include a similar stucco finish, beige paint and white trim.

2. Surface Parking Lots. All new surface parking lots shall be primarily at the rear or side of the building. In the case of a corner lot, parking shall be located along the rear or interior side property line when possible. One drive aisle with parking on either side may be included between the building and the street.

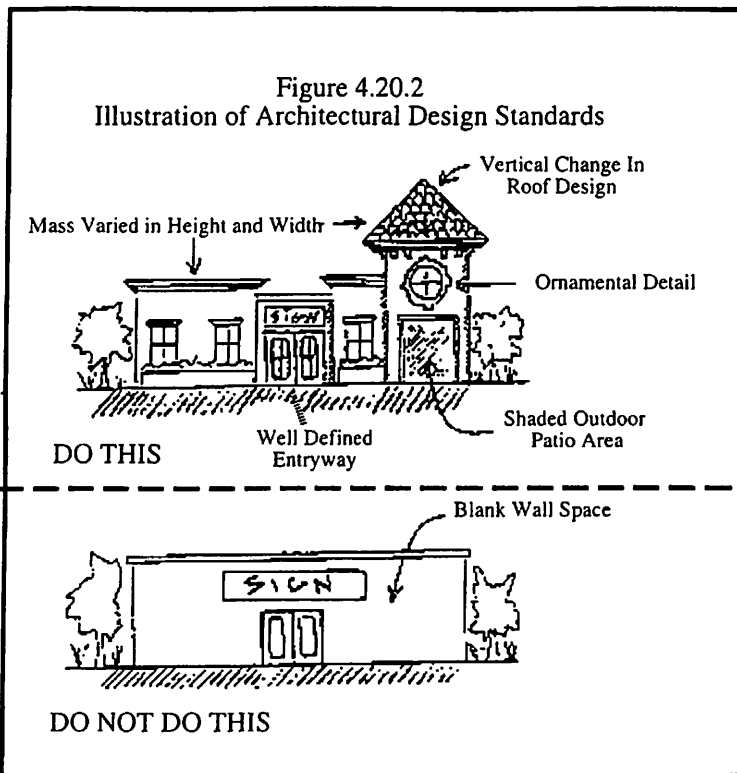
3. Whenever feasible, required vehicular cross access shall be provided at the rear of the development.

4. Drive-through uses. Drive-through uses shall be designed so that the drive-through window faces internally to the site in order for the primary façade to present itself as a storefront.

4.872.FG. Roofs.

1. Generally. Variations in roof lines shall be used to add interest to and reduce the massing of buildings (see figure 4.20.2 for examples). Roof features should be in scale with building mass and should complement the character of adjoining or adjacent buildings and neighborhoods wherever possible. Roofing material should be constructed of durable high quality materials in order to enhance the appearance and attractiveness of the community.
2. Flat roofs shall:
 - a. Have a parapet of at least 12 inches in height along any primary facade and shall have at least two changes in height of a minimum of two feet along each primary facade.

- b. Provide a three-dimensional cornice treatment along the entire length of the primary facade. The cornice treatments shall be a minimum of 12 inches in height and have a minimum of three reliefs.
3. Peaked roofs shall:
 - a. Provide at least two roof slope planes per primary facade, where the primary facade is less than 40 feet in horizontal length, or at least three roof slope planes where the primary facade is 40 feet or longer in horizontal length.
 - b. Not exceed the average height of the supporting walls.
 - c. Have an average slope greater than or equal to one foot of vertical rise for every three feet of horizontal run and less than or equal to an average slope of one foot of vertical rise for every one foot of horizontal run.
 4. Asphalt shingles shall be prohibited, except for 320 pound, 30-year architectural grade or better shingles which otherwise meet all requirements of the Florida Building Code.



Architectural Design Standards

4.872.GH. Customer and resident entrances.

1. All detached ~~commercial~~ buildings ~~should~~ shall have clearly defined, highly visible customer entryways (see figure 4.20.2 for examples). Entryway design elements and variations should give protection from the sun and adverse weather conditions. These

elements shall be integrated into a comprehensive design style for the commercial development.

- ~~2. Commercial buildings of more than 10,000 square feet in gross floor area shall provide an outdoor patio area adjacent to the customer entryway of a minimum of 200 square feet in area.~~

~~This patio area may be incorporated into a pedestrian arcade that is otherwise in compliance with the requirements of this division 20.~~

4.872.HI. *Materials and color.*

1. The following shall not be used as a wall covering on a primary facade:
 - a. Reflective or back-lit panels made of plastic, vinyl, fiberglass or similar materials.
 - b. Unfinished concrete block (i.e., without stucco finish), specifically excepting split-faced block.
 - c. Corrugated or other non-insulated metal panels where such material will cover more than 50 percent of the primary facade area.
2. The following shall not be used on any primary facade:
 - a. Black or florescent colors.
 - b. Back-lit awnings.
 - c. Unshielded florescent lights applied so as to accent the architectural features of a building or structure.

(Ord. No. 617, pt. 1, § 4.20.2, 7-9-2002; Ord. No. 930, pt. 3, 6-11-2013)

Sec. 4.873. Site design standards.

4.873.A. *Bicycle and pedestrian access.*

1. All commercial and multifamily development ~~should~~ shall be designed to provide safe opportunities for alternative modes of transportation by connecting with existing and future pedestrian and bicycle ways and to provide safe passage from public rights-of-way to the building(s) within the ~~commercial~~ development, between adjoining developments, and between alternative modes of transportation. Wherever possible, pedestrian ways should be constructed of paver blocks, stamped or colored concrete or similar materials that clearly distinguish them from vehicular use areas and promote traffic calming.
2. Structural or vegetative shading shall be provided along pedestrian ways at intervals of no greater than ~~70~~ 50 feet. Trees shall be a minimum of 16 feet in height. Along public sidewalks, including along the perimeter of the site, shade trees shall be installed at the back of sidewalk. Appropriate root barrier systems shall be installed when applicable.

4.873.B. *Bicycle and pedestrian amenities.* Bicycle and pedestrian amenities shall be provided as determined by the square footage of buildings or number of units on the site as indicated in the table below. These amenities may be incorporated into a pedestrian arcade or similar feature that otherwise meets the requirements of this division 20. Bicycle racks shall be provided within 50 feet of any customer entrance or main entrance to a multifamily building. The design of all amenities shall be of durable, long-lasting materials, ~~consistent with the design of the principal structures on site and principles found in Bicycle Facilities Planning and Design Handbook (State of Florida, Department of Transportation, 1997).~~ Benches shall not be less than six feet in length Seating areas shall provide a minimum of six linear feet of seating area and shall have either structural or vegetative shading. Required bike racks shall be the inverted "U" type or similar design and shall be designed to store a minimum of six bicycles each. Amenities including benches that are provided within civic open space shall count towards this requirement.

a. Commercial Development

Gross Floor Area of Commercial Development	Required Bicycle or Pedestrian Amenity
0—9,999 square feet	1 bike rack
10,000—50,000 square feet	1 bike rack, 1 bench <u>or equivalent seating area</u>
50,001—100,000 square feet	2 bike racks, 2 benches <u>or equivalent seating area</u>
100,001+ square feet	4 bike racks, 4 benches <u>or equivalent seating area</u> , outdoor water fountain

b. Multifamily Development. 1 bike rack and 1 bench or equivalent seating area for every 25 units.

4.873.C. *Lighting.* A photometric plan shall be provided for all projects and include light pole and fixture detail. Lighting fixtures shall be a maximum of ~~30~~ 20 feet in height within a parking lot and shall be a maximum of ~~20~~ 15 feet in height within nonvehicular pedestrian areas. Pedestrian sidewalks internal to the site and customer/residential entrances shall be lit with a minimum of 0.6 footcandle as measured one foot above the sidewalk. Light fixtures shall be shielded from adjacent properties and natural areas including preserves. Public sidewalks shall be lit by the County approved standard pedestrian scale lighting, with light poles at the back of sidewalk in private property whenever feasible. Light poles shall be placed within the rights-of-way at the discretion of the County Engineer; any light poles in the County ROW shall be subject to a right-of-way use permit and a maintenance agreement.

4.873.D. *Screening of mechanical equipment.*

1. The required screening of roof-mounted mechanical equipment, including air conditioning units and duct work shall be as follows: when located on a flat roof, roof shall provide full parapet coverage a minimum of four feet in height, or to the highest point of the mechanical equipment, whichever is lower.

2. Ground mounted mechanical equipment, including air conditioning units, dumpster enclosures, generators, shall be located in the rear or side of a development site and not between the building and a street.

~~2.3.~~ All mechanical equipment shall comply with the provisions of article XI, Noise, of chapter 12, Environmental Control, of the Code of Laws and Ordinances.

4.873.E. *Public transit stops.* Any development providing more than 200 parking spaces and located adjacent to any ~~arterial or collector~~ public street shall designate a minimum ~~400~~ 200 square foot area on the site plan as a future public transit stop easement area. For developments adjacent to an existing route or route which will be implemented within two years, the developer shall construct a bus shelter with lighting, a bicycle rack and a trash can. The future public transit stop or bus shelter shall be located immediately adjacent to the right-of-way line of the ~~arterial or collector~~ street. The ~~A~~ future transit stop easement area may be landscaped or used for overflow parking but shall not be used to comply with the minimum landscape, buffer, open space or similar requirements. The landowner shall execute an easement authorizing the County to construct and maintain a transit stop at that location.

(Ord. No. 617, pt. 1, § 4.20.3, 7-9-2002; Ord. No. 930, pt. 3, 6-11-2013)

Sec. 4.874. Alternative compliance.

4.874.A. *Generally.* The decision-maker for a particular development application, as determined by article 10, Development Review Procedures, may approve a design plan that varies from the standards set forth in this division 20 in order to accommodate unique site features or to provide a more innovative design, provided that the decision-maker finds that the alternative plan generally fulfills the purpose and intent as set forth in section 4.871 or complies to the maximum extent practicable considering the configuration of the development that existed prior to the effective date of this division 20.

(Ord. No. 617, pt. 1, § 4.20.4, 7-9-2002; Ord. No. 930, pt. 3, 6-11-2013)

Secs. 4.875—4.910. Reserved.

PART III. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART IV. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART V. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART VI. FILING WITH DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VII. EFFECTIVE DATE.

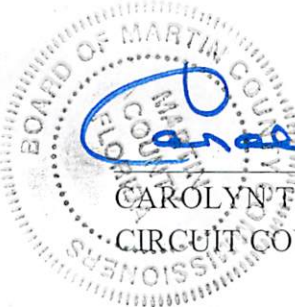
This ordinance shall take effect upon filing with the Office of Secretary of State.

PART VIII. CODIFICATION.

Provisions of this ordinance shall be incorporated into the General Ordinances, Martin County Code, except that Parts III through VIII shall not be codified. The word “ordinance” may be changed to “article,” “section,” or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS 26TH DAY OF SEPTEMBER , 2023.

ATTEST:



A blue ink signature of Carolyn Timmann, written over a horizontal line.

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

A blue ink signature of Edward V. Ciampi, written over a horizontal line.

EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

A blue ink signature of Elysse A. Elder, written over a horizontal line.

ELYSSE A. ELDER,
DEPUTY COUNTY ATTORNEY

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 6, 2023

Carolyn Timmann
Clerk of the Circuit Court
Martin County
P.O. Box 9016
Stuart, FL 34995

Dear Carolyn Timmann,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1205, which was filed in this office on October 5, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

Ad Number: GCI1101612-01

Insertion Number: N/A

Size: 2 Col x 10 in

Color Type: N/A

Advertiser:

Agency:

Section-Page-Zone(s):

Description:

Martin County - Growth Management

N/A

A-16-All

4 Multi-Family LPA a

NOTICE OF PUBLIC HEARINGS

The Martin County Local Planning Agency and the Board of County Commissioners will conduct public hearings on the following item:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA AMENDING SECTIONS 4.871, IN GENERAL, 4.872, ARCHITECTURAL DESIGN STANDARDS, AND 4.873, SITE DESIGN STANDARDS, DIVISION 20, COMMERCIAL DESIGN, ARTICLE 4, SITE DEVELOPMENT STANDARDS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, REGARDING ARCHITECTURAL AND SITE DESIGN CRITERIA FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT AND MODIFICATIONS TO THE DESIGN REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENT; PROVIDING FOR CONFLICTING PROVISIONS; SEVERABILITY; APPLICABILITY; FILING WITH THE DEPARTMENT OF STATE; EFFECTIVE DATE; AND CODIFICATION.

Public Hearing: Local Planning Agency
Date: Thursday, September 21, 2023
Time: 7 PM or as soon thereafter as the item may be heard

Public Hearing: Board of County Commissioners
Date: Tuesday, September 26, 2023
Time: 9 AM or as soon thereafter as the item may be heard

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be mailed to: Paul Schilling, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For more information, contact, Planner, Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

MC021101612

NOTICE OF PUBLIC HEARING

The Martin County Local Planning Agency and the Board of County Commissioners will conduct public hearings on the following item:

Application CPA 22-09, Chapter 18, Chapter 4 and Chapter 2: A request to amend the text of Chapter 18, Community Redevelopment Element, Chapter 4, Future Land Use Element and Chapter 2, Overall Goals and Definitions Comprehensive Growth Management Plan.

Public Hearing: Local Planning Agency
Date: Thursday, September 21, 2023
Time: 7 PM or as soon thereafter as the item may be heard

Public Hearing: Board of County Commissioners
Date: Tuesday, September 26, 2023
Time: 9 AM or as soon thereafter as the item may be heard

The Martin County Board of County Commissioners has initiated an amendment to Chapter 18, Community Redevelopment Element, and other Comprehensive Plan chapters as necessary. Changes provided improve clarity and internal consistency regarding density language and revise language referring to open space, accessory dwelling units and preserve requirements.

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be mailed to: Paul Schilling, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. For further information, including copies of the original agenda items, contact Peter Walden, AICP, CNU A, Deputy Growth Management Director, Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

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MC021101612

Teen shooting victim nearly hits Stuart Police Department building

Lindsay Leake
Treasure Coast Newspapers
USA TODAY NETWORK - FLORIDA

A teenage driver who had been shot while behind the wheel late Sunday afternoon nearly crashed into the nearby Stuart Police Department headquarters, seeking medical attention.

Around 5 p.m., in the 300 block of Southeast Martin Luther King Jr. Boulevard, an unidentified suspect fired a gun from a moving vehicle toward the victim's car, police said in a statement.

The injured 17-year-old boy then managed to drive himself roughly half a mile east, right up to the police department entrance at 830 S.E. Martin Luther King Jr. Blvd.

Stuart police posted to Facebook a photo of a white Chevrolet Cruze abutting the building's front doors. The sedan's rear windshield bore what appeared to be a bullet hole on the driver's side.

Police indicated the teen shot was treated and discharged from an undisclosed hospital.

On Tuesday, Stuart Police Chief Joseph Tumminelli said detectives continue to follow up on leads in the case, but he declined to elaborate.

"For the integrity of the case, we can't release any other information until we've exhausted everything," he said.

Anonymous tipsters may reach Stuart police at 772-600-1248.

Melissa E. Holsman contributed to this report.



A white Chevrolet Cruze, whose rear windshield appears to bear a bullet hole, is pictured in front of the Stuart Police Department on Sunday. Police said a teenage driver had been shot nearby, around 5 p.m., and nearly crashed his car into the building shortly after, seeking medical attention. Police indicated the teen was treated and discharged from a hospital. PROVIDED BY STUART POLICE DEPARTMENT

Prosecutions of threats are on the rise this year

Federal officials react to increase in attacks on public officials

Will Carless
USA TODAY

Last month, Abigail Jo Shry, 43, of Alvin, Texas, was arrested by federal agents and charged with threatening to kill a federal judge overseeing the prosecution of former President Donald Trump.

A week before that, Craig Robertson, 75, of Provo, Utah, was shot and killed by FBI agents who were trying to arrest him on charges of making social media threats against President Joe Biden and the Manhattan district attorney who has brought charges against Trump.

A month before that, Adam Bies, 47, of Mercer, Pennsylvania, pleaded guilty to 14 counts of making threats online against federal officers. Bies was arrested after an armed standoff with FBI agents at his home last August; he faces 10 years in prison.

The number of people being federally prosecuted for threats has skyrocketed in recent years.



A man holds a flag as law enforcement officers investigate the home of Craig Robertson in Provo, Utah, on Aug. 9. CHRIS SAMUELS/AP FILE

NOTICE OF PUBLIC HEARING

The Martin County Local Planning Agency will conduct a public hearing on the following item:

Application LDR 23-01, Article 12: A request to amend the text of Article 12, Community Redevelopment Code.

Public Hearing: Local Planning Agency
Date: Thursday, September 21, 2023
Time: 7 PM or as soon thereafter as the item may be heard

In conjunction with the Board initiated changes to Chapter 16 of the Martin County Comprehensive Growth Management Plan, Growth Management staff has recommended an amendment to Article 12, Community Redevelopment Code, to improve clarity and consistency with density language within the Martin County Comprehensive Growth Management Plan, to clarify language on small dwelling units, to provide for requirements for civic open space, and to provide for preserve requirements in accordance with Chapter 18, Community Redevelopment Element.

All interested persons are invited to attend and be heard. The meeting will be held in the Commission Chambers on the first floor of the Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida. Written comments may be mailed to: Paul Schilling, Director, Martin County Growth Management Department, 2401 S.E. Monterey Road, Stuart, Florida 34996. Copies of the items will be available from the Growth Management Department. For further information, including copies of the agenda items, contact Elizabeth Nagel, AICP, CNU-A, Development Review Administrator, Growth Management Department at (772) 288-5495.

Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. Persons using a TTY device, please call 711 Florida Relay Services.

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MC021101612

Last year, federal officials charged more people over public threats – against elected officials, law enforcement and judicial officials, educators and health care workers – than in any of the previous 10 years, according to research from the National Counterterrorism Innovation, Technology, and Education Center at the University of Nebraska, Omaha.

This year the trend has continued, said Seamus Hughes, a senior researcher on the team.

"We're on track to meet, if not surpass, the number of federal arrests when it comes to communicating threats against public officials this year," Hughes said. "Trend lines are going up – violent rhetoric is on the rise – and is unfortunately becoming normalized, and that's concerning."

A year ago August, the FBI and the Department of Homeland Security issued a joint warning about rising threats against law enforcement officials. The warning came days after FBI agents searched Trump's Mar-a-Lago, looking for classified documents over which Trump has since been indicted.

Trump, who is seeking the GOP nomination to run again in 2024, also faces another federal indictment in Washington, D.C., and local indictments in New York and Georgia. After the Georgia indictment, material circulated on right-wing sites purporting to be photos or home addresses of the grand jurors in the case, along with discussions of threats against them.

In this charged political environment – where a presidential front-runner also may be on trial – experts warn, threatening rhetoric is only likely to increase.

The University of Nebraska data is a snapshot of a broader trend; it captures only prosecutions by the federal government. Many more threats are investigated each year by local law enforcement, and even more are never reported, said Mark Pitcavage, a senior research fellow at the Anti-Defamation League's Center on Extremism.

"All sorts of agencies have reported increases in threats," Pitcavage said. "There are a lot of people out there using language to get people angry."

Once that anger kindles a threat, it can lead to encounters with law enforcement. By that time, no matter whether the original threat seemed realistic, danger often becomes a reality.

Federal law contains provisions that outlaw threats in various forms: against federal officials or their families; federal employees; federal agencies, witnesses and voters.

The law also broadly prohibits any communication containing a threat if it crosses state or country lines in any way – a scenario that often applies to communication on a phone network or the internet.

People often act under the assumption that their speech is always protected by the First Amendment, Hughes said.

But not all speech is protected, and the more specific the threat that is made, the more likely it is for prosecutors to take action, he said.