



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

## ***A. Application Information***

### **PERRY BEACH MINOR FINAL**

Applicant:	Martin County
Property Owner:	Martin County
Agent for the Applicant:	C. Calvert Montgomery & Associates, Inc. Scott Montgomery
County Project Coordinator:	Peter Walden, Senior Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	P162-002
Application Type and Number:	D001 201700132
Report Number:	2018_0103_P162-002_Staff_Report_Final
Application Received:	04/28/2017
Transmitted:	04/28/2017
Staff Report Issued:	06/30/2017
Joint Workshop:	07/13/2017
Resubmittal Received:	08/23/2017
Transmitted:	08/23/2017
Date of Report:	01/03/2018

## ***B. Project description and analysis***

This is a request for approval of a Minor Final Site plan. The proposed project is located on an approximate five acre parcel, on the west side of Macarthur Boulevard approximately one mile south east of SE Ocean Boulevard.

Improvements include widening an existing pier, constructing a 400 square foot over water pavilion and kayak launch, construction of pervious parking and constructing a six foot wide sidewalk connecting to Fletcher beach to the north.

Improvements are proposed to comply with the requirements of funding assistance from Florida Communities Trust to acquire the parcel in 2008. The parcel has a future land use designation of Conservation and the PC, Public Conservation zoning District designation.

## ***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	Comprehensive Plan	Peter Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn Mccarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	N/A
K	Transportation	Lukas Lambert	288-5476	Comply
L	County Surveyor	Michael O'Brien	288-5418	N/A
M	Engineering	Stephanie Piche	223-7945	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Doug Wouters	219-4941	N/A
Q	ADA	Judy Lamb	221-1396	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	N/A
S	County Attorney	Krista Storey	288-5443	N/A
T	Adequate Public Facilities	Peter Walden	219-4923	Review Pending

#### ***D. Review Board action***

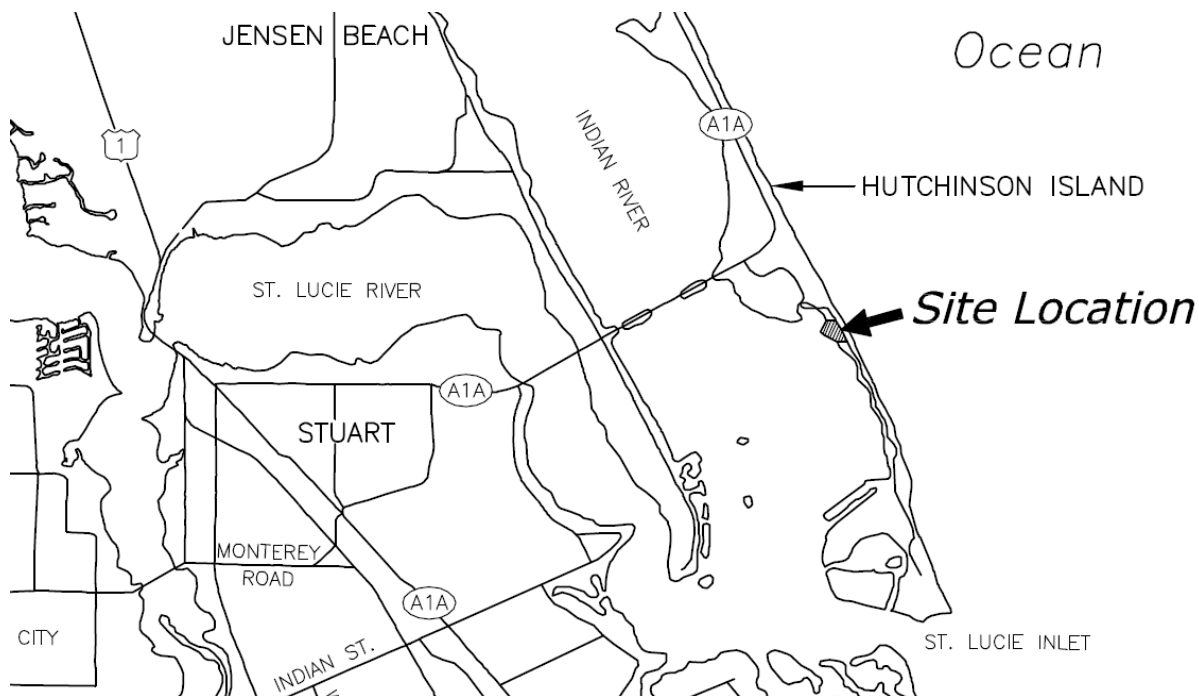
This application complies with the threshold requirement for processing as a minor development. As such, final action on this application will be taken by the Growth Management Director.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., (2016) 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.

#### ***E. Location and site information***

Parcel number(s) and address:  
05-38-42-000-0001.0-90000 20 SE Macarthur Blvd  
Existing Zoning: PC, Public Conservation  
Future land use: FLU-LDR, Future Land Use Conservation  
Census tract: Not Applicable  
Commission district: 1  
Community redevelopment area: Not Applicable  
Municipal service taxing unit: District 1 High  
Planning area: Hutchinson Island  
Storm surge zone: Not Available  
Taxing district: Not Available  
Traffic analysis zone: Not Available

## Location Map



## Aerial



### ***F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department***

#### **Findings of Compliance:**

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

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

**Findings of Compliance:**

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning or procedural requirement issues associated with this application

**Additional Information:**

**Information #1:**

The applicant has elected `Option 2, regarding Agency permit submittal for a consistency review after project approval. Prior to scheduling the mandatory pre-construction meeting for construction commencement authorization, all applicable local, state, and federal approved permits are to be submitted for review by the County Administrator with remittance of a \$600.00 review fee. If an application is made to any permitting agency for a modification to a permit that was required to be issued prior to final site plan approval, the application for the permit modification must be submitted concurrently to Martin County. MARTIN COUNTY, FLA., LDR §10.9.A (2016)

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

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, § 4.871.B.

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

N/A

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla., (2010) which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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

**Environmental**

**Findings of Compliance:**

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations. The management plan that was developed for this property as part of grant funding though the state will be the PAMP document the county approves as part of the development order.

***K. Determination of compliance with transportation requirements - Engineering Department***

**Findings of Compliance:**

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

**Compliance with Adequate Public Facilities Ordinance:**

This application satisfies the Adequate Public Facilities Standard; it is exempt as it is construction of a facility identified in the CIE of the Comprehensive Growth Management Plan, or the adopted Martin County Capital Improvement Program. [Martin County, Fla., LDR Article 5, Division 2, Section 5.32.B.3.g) (2009)]

***L. Determination of compliance with county surveyor - Engineering Department***

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. Therefore, The Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4 of the Land Development Regulations. MARTIN COUNTY, FLA., LDR §10.1.F

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

**Findings of Compliance:**

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

1. Division 8- Excavation, Fill, and Mining: The applicant has demonstrated compliance with Division 8.
2. Division 9- Stormwater Management: The applicant demonstrated the water quality volume is being met within the permeable shellrock parking area; thereby, the water quality treatment is in compliance with Division 9.
3. Division 10 - Flood Protection: The proposed restroom facility falls within a Special Flood Hazard Area AE with a Base Flood Elevation of 6.0-feet NAVD. The proposed finish floor elevation is 7.0-feet NAVD; therefore, the applicant demonstrated compliance with Division 10.
4. Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 by providing six parking spaces.
5. Division 19- Roadway Design: The applicant is not proposing to make modifications to SE MacArthur Blvd. The applicant is proposing to reconstruct the parking/drive-aisle with shellrock. The proposed design meets the requirements in Division 19.

**Compliance with Adequate Public Facilities Ordinance:**

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

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

**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. (2016).

**Electronic File Submittal**

**Findings of Compliance:**

The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable county requirements.

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

***O. Determination of compliance with utilities requirements - Utilities Department***

**Water and Wastewater Service**

**Findings of Compliance:**

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

**Wellfield and Groundwater 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***

N/A

The parameters of this project do not meet the threshold for fire prevention and emergency management review.

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

**Findings of Compliance:**

The General Services Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements.

(2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

**Martin County Health Department**

N/A

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

**Martin County School Board**

N/A

The applicant has indicated that this application is for public access to a conservation area. Therefore the Martin County School Board was not required to review this application for school concurrency evaluation. MARTIN COUNTY, FLA., LDR §10.1.F.

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

1. Review Ongoing

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

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve

consistency with the Comprehensive Growth Management Plan;

D. Boundary plats which permit no site development.

E. Public facilities in CIE. Construction of facilities identified in the CIE of the Comprehensive Growth Management Plan, or the adopted Martin County Capital Improvement Program.

#### ***U. Post-approval requirements***

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.

##### **Item #1:**

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

##### **Item #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.

##### **Item #3:**

Post Approval Impact Fees: Impact fees must be paid after the development order has been approved. Submit a check made payable to Martin County Board of County Commissioners within 60 days of project approval.

##### **Item #4:**

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.

##### **Item #5:**

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.

##### **Item #6:**

Ten (10) 24" x 36" copies of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Fold to 8 by 12 inches.

**Item #7:**

Original approved site plan on Mylar or other plastic, stable material.

**Item #8:**

Ten (10) 24" x 36" copies of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

**Item #9:**

One (1) digital copy of site plan in AutoCAD 2010 - 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

**Item #10:**

Original of the construction schedule.

**Item #11:**

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.

**V. Local, State, and Federal Permits**

**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>
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

\* 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.

**X. General application information**

Applicant: Martin County  
Don Donaldson  
2401 SE Monterey Rd  
Stuart, FL 34996

Agent: C. Calvert Montgomery & Associates, Inc.

Scott Montgomery  
P. O. Box 92  
Stuart, FL 34995  
772-287-3636

Engineer: C. Calvert Montgomery & Associates, Inc.  
Scott T Montgomery, Pe  
Po Box 92  
Stuart, FL 34994  
772-287-3636

## **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**