

# MARTIN COUNTY, FLORIDA

## INTER-OFFICE MEMORANDUM

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2401 SE Monterey Road, Stuart, Florida 34996

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**TO:** Local Planning Agency

**DATE:** January 10, 2019

**VIA:** Nicki van Vonno, AICP  
Growth Management Department Director

**FROM:** Irene A. Szedlmayer, AICP  
Senior Planner

**SUBJECT:** CPA 18-10, CRA Text Amendments

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**REQUEST:** The Board of County Commission has initiated text amendments to the Comprehensive Growth Management Plan to strengthen Goals, Policies and Objectives that encourage in-fill development and redevelopment in the Community Redevelopment Areas.

**STAFF RECOMMENDATION:** Receive the staff presentation, ask questions and provide input regarding desired policy directions.

### EXECUTIVE SUMMARY

In November 2017, at the first public hearing before the Board of County Commissioners (BCC or Board) on the amendments to Article 3 (Zoning Districts), Division 6 (Redevelopment Overlay Districts), of the Land Development Regulations, (the Glitch Bills), the Board directed staff to prepare an agenda item regarding the Comprehensive Growth Management Plan (CGMP) and the CRAs.

In response to that direction, staff identified several generally-applicable CGMP policies, that while laudable in their intent, may impede achievement of CGMP Goals, Policies and Objectives intended to encourage investment and redevelopment in the CRAs, primarily CGMP Goal 4.2 and Goal 4.3 and realization of the vision for the CRAs-- *economically and environmentally sound CRAs with safe, healthy neighborhoods and vibrant town centers; a network of well-planned, interconnected parks, public open spaces, and complete streets; a full spectrum of high-quality housing that accommodates all walks of life; well-designed community infrastructure; and successful redevelopment that celebrates the distinctive identity and community character of each district and contributes to the overall sustainability of Martin County.* [Source: <https://www.martin.fl.us/CRA>].

The staff memorandum was considered by the Board in December 2017 and resulted in adoption of Resolution 17-12.3 which initiated a “text amendment to strengthen Goals, Policies and Objectives that encourage in-fill development and redevelopment in the Community Redevelopment Areas.” The December 2017 staff report and Resolution 17-12.3 are attached as Exhibits. Two additional documents that were also provided to the BCC regarding the topic are also attached to this staff report--*CGMP Policies that reference the Community Redevelopment Areas* and *Impact Fees in the Comprehensive Growth Management Plan*.

The purpose of this agenda item is to introduce the CGMP objectives and policies being explored for possible modification with regard to implementation within the CRAs, identify some of the options staff is considering for recommendation, and receive questions and direction from the LPA, as appropriate. Eight topics were identified in the December 2017 staff report and 2 additional issues have since been included. These are:

1. The design of the Mixed-Use Future Land Use Overlay
2. Mixed-Use Development Projects versus a Mixed-use Neighborhood
3. Density Transition
4. Upland Preservation Requirements
5. Impact fees
6. Shoreline protection zones
7. Article 10 Development Review
8. Urban Infrastructure
9. No net loss of Mobile Home Future Land Use designation
10. Calculation of gross land area involving platted lots of record in a CRA.

#### Exhibits

- A. Resolution 17-12.3
- B. November 30, 2017 staff report
- C. *CGMP Policies that reference the Community Redevelopment Areas*
- D. *Impact Fees in the Comprehensive Growth Management Plan*

NvV/IAS/jvs

# EXHIBIT A

Prepared by:  
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Martin County Growth Management Department  
2401 S.E. Monterey Road  
Stuart, FL 34996

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

### RESOLUTION NUMBER 17-12.3

#### A RESOLUTION TO INITIATE TEXT AMENDMENTS REGARDING THE COMMUNITY REDEVELOPMENT AREAS

**WHEREAS**, the Board of County Commissioners of Martin County, Florida adopted the Comprehensive Growth management Plan on February 20, 1990; and

**WHEREAS**, the Martin County Comprehensive Growth Management Plan contains Goals, Objectives and Policies regarding the County's Community Redevelopment Areas; and

**WHEREAS**, implementation of other Comprehensive Growth Management Plan Goals, Objectives and Policies has made the Goals, Objectives and Policies related to the Community Redevelopment Areas more difficult to achieve; and

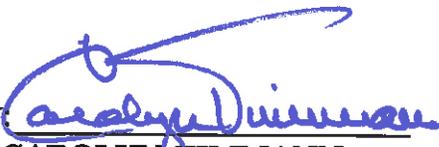
**WHEREAS**, the Martin County Comprehensive Growth Management Plan, Section 1-11, Amendment Procedures, states that the Martin County Board of County Commissioners may, by resolution, initiate a request to amend, modify, add to, or change the Comprehensive Growth Management Plan.

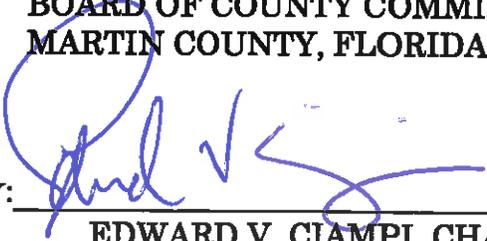
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA THAT:** The Martin County Board of County Commissioners hereby initiates text amendment to strengthen Goals, Policies and Objectives that encourage in-fill development and redevelopment in the Community Redevelopment Areas.

DULY PASSED AND ADOPTED THIS 12TH DAY OF DECEMBER 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY:   
CAROLYN TIMMANN  
CLERK OF THE CIRCUIT  
COURT AND COMPTROLLER

BY:   
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
KRISTA STOREY  
SENIOR ASSISTANT COUNTY  
ATTORNEY

**MARTIN COUNTY, FLORIDA**  
 Comprehensive Planning Division



**Martin County’s Community Redevelopment Areas  
 and Comprehensive Growth Management Plan  
 Goals, Policies and Objectives**

Staff	Irene A. Szedlmayer, AICP, Senior Planner Nicki van Vonno, AICP, Growth Management Director
Date of this Report	November 30, 2017

***A. Introduction***

During its consideration of proposed amendments to Article 3, Division 6, Section 3.262., Port Salerno Redevelopment Overlay District, on November 28, 2017, the Board of County Commissioners directed staff to prepare an agenda item addressing the role of the Martin County Comprehensive Growth Management Plan in the County’s Community Redevelopment Areas for the the December 12, 2017 Board meeting.

Martin County has three primary tools available to it to encourage investment and infill development in the seven Community Redevelopment Areas: (1) the Land Development Regulations; (2) the Comprehensive Growth Management Plan; and (3) installation of water, wastewater and stormwater infrastructure.

While staff believes the “Glitch Bill” work is essential, several caveats are appropriate. First, no code is perfect and the proposed amendments contained in the “Glitch Bill” do not resolve all issues evident in the code. Staff anticipates additional amendments will be brought forward as each Community Redevelopment Area reviews and updates its Redevelopment Plan and as the community has time to more thoroughly vet some of the additional issues. The work on the “glitch bill” amendments to the LDRs will be completed by the end of next summer.

Investment in basic urban infrastructure, such as drinking water distribution lines, public wastewater collection lines, and stormwater collection and treatment is needed. The cost of planning and installing public utility lines is too great to be absorbed by smaller-scale, in-fill development projects and the opportunity costs are perceived to be too great for any one individual or a small group of individuals to devote the time and effort necessary to organize the community to petition for the County to install the lines and assess the property owners. Also, the amount of land required to provide necessary stormwater detention and treatment is excessive for small scale-infill development, and the expense of more sophisticated underground collection and treatment is considered too high to be

absorbed by a small project. Community stormwater collection, detention and treatment solutions are needed and could be designed to also provide needed community open-space.

Included with this agenda item are this staff report, a document entitled “CGMP Policies that Reference the Community Redevelopment Areas,” a document entitled “MC CGMP reference to Impact Fees in Goals, Objectives and Policies,” and public comment received.

The CGMP Objectives and Policies intended to encourage investment and redevelopment in the CRAs are primarily found in Chapter 4, Future Land Use, specifically Goal 4.2 and Goal 4.3. Goal 4.2 and Goal 4.3 are found on pages 4 and 5 in *CGMP Policies that reference the Community Redevelopment Areas* (a document initially prepared for the Community Redevelopment Agency in June 2017 which is included with this agenda item).

Some CGMP policies, while intended to achieve laudable county-wide goals and objectives, when implemented within the CRAs may make it more difficult to achieve the vision of the CRAs—economically and socially vibrant, compact, mixed-use town centers surrounded by sustainable, pleasant, compact, walkable, residential neighborhoods. Some Comprehensive Plan policies may be based on a more suburban, automobile-dependent development pattern where different uses are strictly separated. Some of the policies that may make realization of the full potential of the CRAs less likely are briefly explored in this memo.

This is an opportune time to consider these issues. The Community Redevelopment Agency is finalizing revisions to the Martin County Community Redevelopment Plan, which was adopted in 2001. That work will be followed by updates to each of the individual redevelopment plans for each community redevelopment area, guided by the principles established in the County plan. Perhaps more importantly, Martin County is moving forward with a septic-to-sewer program with emphasis on the older neighborhoods within the CRAs. Finally, staff is engaged with the Neighborhood Advisory Committees to complete the glitch bills. The work on the Redevelopment Plans, the careful review and calibration of some Comprehensive Plan policies, and the update of the codes will help the CRA attract the private investment that can help facilitate the septic-to-sewer conversion.

### **1. The design of the Mixed-Use Future Land Use Overlay.**

The Mixed-Use Future Land Use Overlay provides benefits only to mixed-use development projects. For single-use projects, the policies and standards of the underlying future land use designation remain in place.

Mixed-Use development within a Mixed-Use Future Land Use Overlay is permitted to have 80% lot coverage and is required to provide only 20% open space, the same standard that applies to the General Commercial Future Land Use. Unlike the General Commercial FLU, in mixed-use projects in a CRA, impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, or covered gathering spaces. Finally, mixed-use projects,

in a mixed-use overlay, may satisfy the 20% open space requirement by providing the equivalent in cash or land in another part of the CRA.

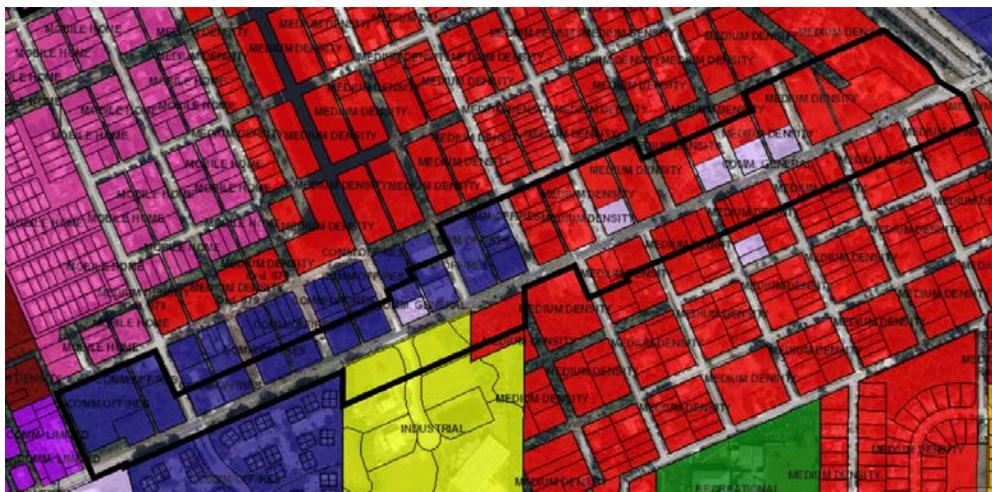
For single-use development in the Mixed-Use Overlays, CGMP policies regarding permitted uses and development standards such as minimum lot area, minimum open space, maximum building coverage and maximum building height remain in effect. While these neighborhoods were identified as “in need of redevelopment,” there are no incentives for single-use investment.

For example, within the 15-acre Salerno Road Mixed-Use Future Land Use Overlay, a small scale commercial use such as a barber shop, coffee shop, or insurance brokers office is limited to just 0.8 acres (lilac). The remaining 14+ acres has a residential or mobile home future land use and commercial uses are not allowed.

Figure 1. Salerno Road CRA Zoning and Mixed-Use Future Land Use Overlay



Figure 2. Cove Road CRA Zoning and Mixed-Use Future Land Use Overlay



In the Cove Road Zoning and Mixed-Use Overlay, within the Medium Density Future Land Use (red) a small 4-unit or 6-unit apartment house would be required to provide 50% open space, the same minimum amount of open space required in residential developments throughout Martin County. Requiring residential development located within a CRA Zoning and Mixed Use Future Land Use Overlay to provide the same percentage of open space as the outlying residential neighborhoods is an obstacle to creating compact, walkable town centers.

Additionally, residential development that is a component of a mixed-use project in the Mixed-Use Future Land Use Overlay is permitted up to 15 dwelling units per acre, but a single-use residential project located in the Medium Density Future Land Use is limited to 8 dwelling units per acre, unless affordable housing is provided, in which case, the maximum possible density increases to 10 dwelling units per acre.

Table 1. CGMP Development Standards by Future Land Use Designation

Future Land Use Designation	Minimum Lot Area	Minimum Open Space	Maximum Building Coverage	Maximum Building Height
Estate Density, Low Density, Medium Density, High Density	Varies, depending on zoning district	50%	N/A	40 ft./ 4 stories (per CGMP;
Commercial Office/Residential	10,000	40%	40%	30 ft.
Limited Commercial	10,000	30%	50%	30 ft.
Waterfront Commercial	10,000	30%	50%	water related- 30 ft.; water dependent- 40 ft.
General Commercial	10,000	20%	60%	40 feet/ 4 stories
Mixed-Use project in a Mixed-Use Overlay	none	20%	80%	35 feet/ 3 stories

Source: CGMP Policies 4.3, 4.13A.7, and 4.13A.8

It may be worth exploring whether the CRA Mixed-Use Future Land Use Overlays can be re-calibrated to function like the CRA Zoning Overlays in that they supersede the underlying future land use. A mix of uses would be permitted anywhere in the Overlay, subject to careful design and performance standards. If the Mixed-Use Future Land Use Overlays functioned like the CRA Zoning Overlays, a mix of uses could develop naturally, incrementally, over time.

## **2. Mixed-Use Development Projects versus a Mixed-use Neighborhood.**

As described in the first section, the CGMP policies designed to encourage the development of walkable, compact, mixed-use neighborhoods are available only to mixed-use projects, not to all development within the Mixed-Use Future Land Use Overlays. Whereas, CGMP Objective 4.3A. is to “encourage, but not mandate, mixed uses in designated CRAs,” CGMP Policies 4.3A.3., 4.3A.4., 4.3A.9., 4.3A.10. are limited to mixed-use *projects*. The vision for the CRA Mixed-Use Overlays is a vibrant, walkable neighborhood. Vibrant, walkable neighborhoods do not require every project to be mixed-use. Staff recalls that the original draft of these policies was not limited in this fashion. By limiting the regulatory incentives to mixed-use projects, one practical effect is that smaller-scale developers with access to smaller amounts of capital are less able to participate.

## **3. Density Transition**

The County’s density transition policies are designed to protect existing residential neighborhoods from residential development with excessive density and intensity on adjacent land. However, in the CRAs, the goal of compact, walkable, traditional neighborhood development in some cases requires increased density and intensity. It may be possible to accommodate this policy on large tracts of land, but within the CRAs, most of the remaining undeveloped parcels are small. It is nearly impossible to comply with the density transition policy and provide any increase in density or intensity on the land. Compliance with this policy drives fundamental planning determinations. Sometimes a plan designed to comply with density transition is less advantageous to the community overall.

Policy 2.1A.3 reads, in relevant part, as follows:

In areas of residential development, project design shall ensure that comparable density and dwelling unit types are planned for the area of the project abutting existing residential development. For purposes of this policy, abutting property is the same as "adjacent," "immediately adjacent" or "adjoining" property and shall refer to property with a shared property line or to properties separated only by right of ways or easements. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.

- (1) Projects directly adjacent to lands used or designated for higher density may be given maximum density.
- (2) Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density and shall provide for reduced density next to the existing lower density residential area.
- (3) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply: For projects abutting a residential development of lesser density, a density transition zone of comparable density and compatible dwelling unit types, shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density. (Ex. - the depth of the first block of single family lots.) . . .

Policy 2.1A.3, is virtually identical to Policy 4.1F.1, F.2. and F.3, which read as follows:

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

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

- (1) In all such cases the project with higher density shall provide for reduced density next to the existing lower density residential area.
- (2) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply:

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

*Policy 4.1F.3.* The following criteria shall be met when applying Policy 4.1F.2.

- (1) For purposes of this policy, abutting property is the same as "adjacent" or "adjoining" or "immediately adjacent" property and shall refer to property with a shared property line regardless of easements on the abutting properties. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.

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

This policy applies regardless of the underlying future land use designation and zoning. Because one goal of the CRAs is to increase density, while also creating a highly desirable streetscape, it may be advisable to consider the suitability of the density transition policy within the Community Redevelopment Areas and whether other ways to protect the quality of existing residential development may be more appropriate and effective. Existing Policies in Chapter 6, the Housing Element, suggest some other methods that can protect existing neighborhoods:

*Policy 6.1B.3. Protection of existing neighborhoods.* The County shall promote the use of innovative site planning, landscaping, and other buffering devices to protect existing neighborhoods. Housing needs shall be satisfied by encouraging preservation of the existing housing stock and by revitalizing declining neighborhoods through measures such as rehabilitation, public investments in infrastructure, and fair and equitable development regulations.

*Policy 6.1B.5. Buffering existing neighborhoods.* Where intensity transition areas cannot be physically accommodated, the County shall investigate performance zoning concepts that provide a physical buffer or a combination of use separation and landscape planting. Buffering between land uses may take the form of:

- (1) Physical barriers, such as berms, hedges or other landscape cover; walls or fences aesthetically designed for screening purposes; or indigenous densely vegetated open space.
- (2) A transitional use between the incompatible uses providing for low intensity office development or live-work units separating retail commercial centers and residential developments.
- (3) Buffers for mixed use within community redevelopment areas as set forth in the Future Land Use Element of the CGMP.

#### **4. Upland Preservation Requirements**

Pursuant to Policy 9.1G.5., all development must preserve least 25 percent of the existing upland native habitat on the site. Additionally, it is the best habitat that must be preserved. Implementation of this policy has created obstacles to the street and pedestrian interconnectivity desired in the CRAs. Policy 9.1G.9, allows mixed-use projects in the Mixed-Use Overlay, to pay cash in lieu of preserving on-site habitat.

For the Hobe Sound CRA, the recent purchase by the County of the Hamm parcel provides an ideal opportunity to implement the transfer of small upland habitat preservation requirements to a sustainable community-scale Preserve Area.

However, as described in the first section, the transfer option is not available to single use projects. Additionally, the off-site location of the substitute preserve area must be located within the CRA. For some CRAs, that may be an impossible parameter to meet. Finally, 25% of the upland native habitat on an in-fill parcel may be so small that it may consist of native upland habitat in name more than in function. This reality was acknowledged by the Board with the adoption of Resolutions 17-3.25 and Resolution 17-3.26 in March 2017, providing different ongoing management requirements for previously established upland preserve areas not meeting current locational and width requirements.

Exploration regarding why and how upland habitat preservation can be achieved within Zoning and Mixed Use Overlays within the CRAs, or within the CRAs generally, may lead to more efficient and effective policies.

## 5. Impact fees

Impact fees are a cornerstone of the County's commitment to ensure that development pays for itself and that existing residents and businesses are not burdened with additional costs created by new development. Impact fees are defined on the County website as "a charge on new development to pay for the construction or expansion of off-site capital improvements (roads, public buildings, etc.) that are necessitated by and benefit the new development." Impact fees are referenced in no fewer than fourteen Comprehensive Plan policies. (See, "Impact Fees in the Comprehensive Growth Management Plan" included in this agenda item. Nonetheless, impact fees can be a sizable expense (\$13,677 for a single-family dwelling ranging from 1,101 square feet to 2,300 square feet) and when applied to a redevelopment project that changes one use to another can stifle an otherwise desirable change of use in an existing building in the CRAs or can come as a surprise to the developer.

Martin County has received comments from the Florida Department of Transportation to the proposed Evaluation and Appraisal Report-based Comprehensive Plan Amendments. FDOT said this with regard to impact fees:

"The County should consider adding policies under Objective 4.2A, Objective 4.2C, and Objective 4.3A to provide a reduction in impact fees or local access fees to promote redevelopment within community redevelopment areas and brownfields, consistent with Section 163.3180(5)(f), F.S."

An Interlocal Agreement between the County and the City of Stuart provides discounted County impact fees for some County services and reductions on County

impact fees charged within the City of Stuart's Community Redevelopment Area. The County has also adopted policies that allow the payment of impact fees to be deferred for affordable housing units.

Because the impact fees for roads are the largest single impact fee, because a goal of the CRAs is to create compact, walkable communities, and because redevelopment of existing structures in the CRAs would benefit the County fiscally by creating higher taxable value in an already developed area, it may be appropriate to explore whether a reduction in impact fees might be appropriate for development within the CRAs.

## **6. Shoreline protection**

Six of Martin County's seven CRAs are waterfront communities. Hobe Sound, Jensen Beach, Port Salerno, Rio and Old Palm City are located on the much cherished waterways of Martin County—the Indian River Lagoon or the St. Lucie River. Indiantown has 3 miles of frontage on the Okeechobee Waterway. Only Golden Gate is landlocked (even it has a small shoreline on West Lake.) While the waterfronts in Hobe Sound, Rio, and Old Palm City are largely residential, some access is provided via public parks. In Jensen Beach and Port Salerno access to the waterfront is a major attraction to visitors and investors, as well as to residents and business-owners. The waterfront is an essential component of the communities' history and character. Many people do not own boats and their access to the water may be limited to eating at a restaurant with a scenic water view or strolling along public walkways.

The seventy-five foot shoreline protection zone for any new development, established by CGMP Policy 2.2C.9., will make it more difficult to redevelopment some in-fill lots with hardened shorelines, in the CRAs. The exceptions to the 75-ft. shoreline protection zone are for lots of one-acre or less, existing as of April 1, 1982, the SPZ is reduced to 25 feet. Existing structures can be replaced, notwithstanding the SPZ. Non-residential lots of more than one acre are subject to a 50-ft. SPZ. There are exceptions for development such as boat ramps, docks and elevated walkways. There are no exceptions for waterfront restaurants in a CRA.

Two parcels of vacant land in the Port Salerno CRA, affected by the 75-foot SPZ, are illustrated here:



The location of the planned Rio Town Center, in the Rio CRA, which could not have been approved if a then available exception to the 75-foot SPZ was not available. That exception is no longer available.



## **7. Article 10 Development Review**

There is no exception to full compliance with Article 10 Development Review for small commercial or mixed-use developments. Redevelopment can occur pursuant to a building permit, rather than an Article 10 Development Review, only if the new use will not increase the impact on public facilities or generate more than 5% additional vehicle trips or 15 peak hour trips. This exception to Art. 10 Development Review is not available if the building has been unoccupied for 2 years.

It might be worthwhile to explore how commercial or mixed-use projects, up to a certain specified size, located on platted lots of record, might proceed pursuant to a building permit while at the same sufficiently protecting the public interest in adequate stormwater and other necessary infrastructure. The requirement for Article 10 site plan review adds tens of thousands of dollars and months of review to the cost of a project and renders some small scale projects infeasible.

## **8. Urban Infrastructure**

Significant Tax Increment Financing, along with other County funds and Community Development Block Grant funds, have provided for installation of basic infrastructure within the CRAs, including regional stormwater plans and projects, installation of wastewater infrastructure including lift stations, main transmission lines and collection lines. However, available TIF revenue falls far short of the investment needed to provide regional water, wastewater treatment and stormwater systems. Two CRAs—Hobe Sound and Indiantown—are not located within the Martin County Utility Service District.

The 2018 County CIP identifies millions of dollars planned to be invested in “neighborhood restoration” within CRA neighborhoods along with septic-to-sewer conversion. However, currently, septic-to-sewer conversion for only the Golden Gate and Old Palm City CRAs is proposed within the timeframe to appear on the County CIP.

Continued exploration of the plans, timetables, and financing for installation of regional water lines and wastewater lines is needed.

# CGMP POLICIES THAT REFERENCE THE COMMUNITY REDEVELOPMENT AREAS

Growth Management Department June 26, 2017

Updated on Nov. 29, 2017 to include edits proposed by the 2017 EAR-based CPAs

## **GCMP policies that reference the Community Redevelopment Areas**

Numerous Comprehensive Growth Management Plan Goals, Objectives and Policies reference the Community Redevelopment Areas (CRAs) and the Mixed-Use Future Land Use Overlays, which exist only within the CRAs. Additionally, the CRAs are referenced in some background material. Chapters 1, 2, 4, 6, 8, 9, 10, 13, 14, and 17 all include policies or background information specific to the CRAs. Policies in Chapter 4-Land Use describe the type of compact, walkable, mixed-use development to be encouraged, but not mandated, in the Mixed-Use Overlays. The policies in other chapters provide alternative methods by which county-wide policies can be met within the CRAs with the intent of providing additional flexibility.

### **Chapter 1 – Preamble**

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

- (1) Vacant property that allows residential use according to the Future Land Use Map. The maximum allowable density shall be used in calculating the number of available units on vacant acreage. For the purpose of this calculation, the maximum allowable density for wetlands shall be one-half the density of a given future land use designation.
- (2) Subdivided single family and duplex lots. The following lot types shall be included in the residential capacity calculation:
  - (a) Vacant single family or duplex lots of record as of 1982 developed prior to the County's tracking of development approvals.
  - (b) Vacant single family or duplex lots of record platted after 1982.
- (3) Potential for residential development in Mixed Use Overlays.
- (4) Excess vacant housing not in use by permanent or seasonal residents. Excess vacant housing is a vacancy rate higher than 3% of the number of housing units in actual use. American Community Survey Data shall be used as source data between the Decennial Census years.
- (5) The eastern Urban Service District and the Indiantown Urban Service District shall be considered separately.

### **Chapter 2 - Overall Goals and Definitions**

*Policy 2.1A.3.* In areas of residential development, project design shall ensure that comparable density and dwelling unit types are planned for the area of the project abutting existing residential development. For purposes of this policy, abutting property is the same as "adjacent," "immediately adjacent" or "adjoining" property and shall refer to property with a shared property line or to properties separated only by right of ways or easements. Properties separated by an existing road with a minimum 30 foot right of way shall not be considered abutting.

- (1) Projects directly adjacent to lands used or designated for higher density may be given maximum density.
- (2) Projects immediately adjacent to lands used or designated for lower density use should be given less than maximum density and shall provide for reduced density next to the existing lower density residential area.
- (3) Within the urban service districts where lot sizes in the existing residential development are two acres or less and density is more than 1 unit per 2 acres, the following shall apply: For projects abutting a residential development of lesser density, a density transition zone of comparable density and compatible dwelling unit types, shall be established in the new project for a depth from the shared property line that is equivalent to the depth of the first tier of the adjoining development's lower density. (Ex. - the depth of the first block of single family lots.)
- (4) Where the tiering Policy 4.1 F.2.(1) and (2) applies, there shall be no requirement to construct residential units within the applicable area of the proposed development. However, if the area is left vacant, no other construction shall be allowed except for underground utilities, sidewalks, swales, stormwater ponds, and dry retention areas.
- (5) A mixed use development containing residential units within a Mixed Use Overlay shall not be required to have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.

## **Definitions**

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

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

## **Chapter 4 - Future Land Use Element**

### **Section 4.2 – Analysis of Land Use Features**

#### *4.2.A. Land use issues.*

##### *(9) Residential capacity determination*

*Residential supply calculations.* Residential capacity represents the supply for residential development within the two urban service districts to meet the projected

population demand for residential units in the 15 year planning period. The calculation of residential supply within the urban service districts shall include:

1. Vacant property that allows residential use according to the Future Land Use Map. The maximum allowable density shall be used in calculating the number of available units on vacant acreage. For the purpose of this calculation, the maximum allowable density for wetlands shall be one-half the density of a given future land use designation.
2. Subdivided single family and duplex lots. The following lot types shall be included in the residential capacity calculation:
  - (a) Vacant single family or duplex lots of record as of 1982 developed prior to the County's tracking of development approvals.
  - (b) Vacant single family or duplex lots of record platted after 1982.
3. Potential for residential development in Mixed Use Overlays.
4. Excess vacant housing not in use by permanent or seasonal residents. Excess vacant housing is a vacancy rate higher than 3% of the housing in actual use.
5. The eastern Urban Service District and the Indiantown Urban Service District shall considered separately.

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

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

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

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

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

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

*Policy 4.1F.3.* The following criteria shall be met when applying Policy 4.1F.2.

...

(5) Residential structures within a Mixed Use Overlay. A mixed use development containing residential units within a Mixed Use Overlay shall not be required to

have a residential structure on that part of the project abutting existing development or area of lesser density within the Mixed Use Overlay. Buffers shall be as provided in Policy 4.3A.7.

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

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

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

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

- (1) Be consistent with policies set forth in this Plan, including statutory condemnation and eminent domain provisions;
- (2) Be coordinated with the availability of the following public facilities and services at the levels of service adopted in the CGMP: transportation, potable water, sanitary sewer, drainage and aquifer recharge, solid waste and recreation;
- (3) Address the impacts of redevelopment activities on the natural systems and historic resources of Martin County;
- (4) Provide for the visual continuity of designated redevelopment areas through application of sound principles of architectural design and landscaping.

*Policy 4.2A.3.* Amendments supporting redevelopment. In conjunction with the continuing efforts of the Affordable Housing Advisory Committee, as well as objectives and policies established in the Housing Element, the County shall periodically consider amendments to the CGMP and/or Land Development Regulations regarding mechanisms to address areas in need of redevelopment and renewal and the provision of affordable housing.

*Objective 4.2B.* To encourage redevelopment through the designation of CRAs.

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

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

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

*Policy 4.2B.4.* Designation of community redevelopment areas. Martin County has designated the following CRAs in unincorporated Martin County: Jensen Beach, Port Salerno, Hobe Sound, Rio, Golden Gate, Old Palm City and Indiantown. These specific

geographic areas are identified in the community redevelopment plan for each area, which were adopted by the Board of County Commissioners as of June 2003, and are designated on the FLUM. Any new CRAs or any changes to CRA boundaries shall require an amendment to the CGMP and to the FLUM.

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

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

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

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

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

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

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

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

*Policy 4.2D.1.* Brownfield Program. At a minimum, the program shall:

- (1) Monitor housing assistance and related programs and determine which areas could be eligible for such programs;
- (2) Provide public workshops to ensure that residents in eligible areas are aware of the availability of such assistance and the procedures for obtaining it.

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

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

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

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

- (1) In a Mixed Use Overlay (MUO) area(s) developed for designated CRAs, as described in Policy 4.2B.4., and as designated on the FLUM.
- (2) Outside of an MUO in the following land uses:
  - (a) COR as described in Policy 4.13A.8.(1);
  - (b) LC as described in Policy 4.13A.8.(2);
  - (c) GC as described in Policy 4.13A.8.(3).

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

*Policy 4.3A.2.* Provisions for mixed-use projects in Land Development Regulations. Martin County's Land Development Regulations include provisions for mixed-use projects to implement the Mixed Use Overlay in the seven CRAs designated in Policy 4.2B.4., and provide for mixed use in Commercial Office/Residential, Limited Commercial and General Commercial in the seven designated CRAs outside the Mixed Use Overlay.

*Policy 4.3A.3.* Requirements for mixed-used projects. All mixed-use projects in the designated CRAs must meet the following requirements, which shall be further delineated in the Land Development Regulations.

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

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

- (1) A Mixed Use Overlay shall cover the area in the urbanized core of the CRA where conversion to mixed use is allowed to encourage redevelopment.
- (2) All land use designations in the Mixed Use Overlay areas shall allow mixed use regardless of the underlying land use designations. The nonresidential component of a mixed-use project in an MUO shall include a use from one or more of the following: Commercial Office/Residential, Limited Commercial, General Commercial and compatible Industrial consistent with the requirements of Objective 4.3A.
- (3) A mixed-use project located on a parcel designated Waterfront Commercial on the FLUM in an MUO may satisfy its required nonresidential component with nonresidential Waterfront Commercial uses. Boundaries shall be shown on the FLUM. New mixed-use overlay areas or changes in boundaries of existing mixed-use overlay areas can be made only by FLUM amendment, which shall assess the impacts of conversion to mixed use.

- (4) Maximum building coverage shall be 100 percent.
- (5) Building heights may range from one to three stories with a maximum of 35 feet. Floors devoted to parking shall count toward the maximum number of stories.
- (6) A Mixed Use Overlay shall have between 20 percent and 75 percent residential use based on the total building square footage.

*Policy 4.3A.5.* Requirements for projects outside Mixed Use Overlay in CRAs. Projects outside a Mixed Use Overlay and in any of the seven designated CRAs shall meet the following requirements, which shall be further delineated in the Land Development Regulations.

- (1) Mixed use shall be allowed only on land designated for Commercial Office/Residential, Limited Commercial and General Commercial.
- (2) Land use limitations shall remain consistent with the limitations of the underlying land use except that residential development shall be encouraged as part of any mixed-use development. Densities shall be consistent with the mixed use densities of Policy 4.3A.3.
- (3) Mixed-use projects shall have between 20 percent and 75 percent residential use based on the total building square footage of the project.

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

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

- (1) Buffers and land use transitions internal to a mixed-use project are exempt from policies that require density and use transitions and physical buffers inappropriate for compact mixed-use development including: Objective 4.9E; Policy 4.13A.7.(5)(d); Policy 4.13A.8.(1)(a); Policy 4.13A.8.(3); Objective 4.1F and Objective 4.9D. Land Development Regulations shall require urban design techniques, use control and other strategies for resolving the impacts of mixing different uses in close proximity. These shall include performance standards with specific requirements.
- (2) To encourage redevelopment, mixed-use projects that are entirely within an MUO, regardless of adjacent land use, shall require no buffers beyond those required in the Community Redevelopment Plan and the redevelopment overlay district. Ultimate conversion and redevelopment consistent with the community redevelopment plan and the redevelopment overlay district will provide for long-term compatibility of adjacent uses.
- (3) Mixed-use projects in an MUO that abut the boundary of an MUO shall have special provisions for buffers. Where the mixed-use project is adjacent to existing uses of lesser intensity outside the MUO, buffers shall protect those uses from adverse impacts. In this situation, mixed-use projects at the edge of the MUO shall be exempt from the density allocation requirements of Objective 4.1F.

*Policy 4.3A.8.* Expedited review in CRAs. By December 2011 Martin County's Land Development Regulations shall incorporate provisions for expedited review of redevelopment and in-fill projects in designated CRAs.

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

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

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

The County's EAR based amendments are currently being reviewed by state and regional agencies. On November 28, 2017, FDOT emailed its Agency comments on Martin County's EAR based amendments. Among the comments is this one that is directly relevant to a discussion of impact fees and Community Redevelopment Areas:

"The County should consider adding policies under Objective 4.2A, Objective 4.2C, and Objective 4.3A<sup>1</sup> to provide a reduction in impact fees or local access fees to promote redevelopment within community redevelopment areas and brownfields, consistent with Section 163.3180(5)(f), F.S."

**Goal 4.13.** To allocate land uses as indicated on the Year 2025 Land Use Map to provide for compatibility with existing development, consistency with the Capital Improvements Element, protection of natural resources and implementation of the adopted LOS standards.

*Objective 4.13A.* To revise the Land Development Regulations as necessary to implement policies for land use allocation.

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<sup>1</sup> These are policies within the Future Land Use Element of the Plan

*Policy 4.13A.7. Residential development.* The FLUM allocates urban residential density based on population trends; housing needs; and past trends in the character, magnitude and distribution of residential land consumption patterns. Consistent with the goals, objectives and policies of the CGMP, including the need to provide and maintain quality residential environments, it also preserves unique land and water resources and plans for fiscal conservancy.

(1) General policies for all urban Residential development;

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(e) In mixed-use projects developed in accordance with Objective 4.3A, and in affordable housing consistent with Policy 6.1D.5., impervious areas may be credited toward the required open space if designated as community gathering spaces such as plazas, esplanades, covered gathering spaces, etc.

(f) The following Residential future land use designations may be a part of a mixed-use project, as allowed by policies under Goal 4.3 in any of the mixed-use overlays found in the seven CRAs designated in Policy 4.2B.4. Residential densities for a mixed-use project in a mixed use overlay shall be as provided in Goal 4.3.

(2) *Residential Estate densities (up to two units per acre).*

(3) *Low Density Residential development (up to five units per acre).*

(4) *Medium Density Residential development. (up to eight units per acre).*

(5) *High Density Residential development. (up to ten units per acre).*

## **Chapter 6- Housing Element**

**Goal 6.1.** To provide a diverse housing stock adequate to serve the needs of current and future populations of Martin County, consistent with the desired development character of the County as set forth in this Plan.

*Objective 6.1A.* To provide for monitoring of population and housing trends, and the appropriate planning to meet housing needs.

*Policy 6.1A.1.* Population and housing trends. The County shall monitor and evaluate population and housing trends annually. The County shall maintain current population and housing information databases and track shifts in character and distribution of population, new housing starts, housing costs, and redevelopment activity.

## **Chapter 8 - Coastal Management Element**

Section 8.2. - Existing Conditions

8.2.A. *Land use.* The Atlantic shoreline of Martin County consists of two barrier islands: the southern end of Hutchinson Island, extending from the north border of the County approximately

seven miles south to the St. Lucie Inlet, and the northern end of Jupiter Island, extending from the St. Lucie Inlet approximately 14 miles south to the south border of the County. The predominant land use along the shoreline is residential. While the water enhances land use, it is important to leave sufficient land for uses that are water-dependent, water-related, in a Community Redevelopment Area, or in a preferred marina siting location. Commercial and sport fishing and seasonal residents (tourism) are extremely important to the Martin County economy. In many instances, only redevelopment will allow water-dependent and water-related uses to recapture the shoreline from the more successful competition of residential land use. The shoreline has a finite capacity, and balancing competing uses for waterfront property can be extremely difficult.

## **Chapter 9- Conservation and Open Space Element**

**Goal 9.1.** To effectively manage, conserve and preserve the natural resources of Martin County — air, water, soils, habitat, fisheries and wildlife, and especially the St. Lucie Estuary and the Indian River Lagoon — giving consideration to an equitable balance of public and private property rights.

*Objective 9.1A.* To ensure that air quality in Martin County continues to meet or surpass National Ambient Air Quality Standards for all pollutants measured by the FDEP.

*Policy 9.1A.1. Road improvement program.* Martin County shall ensure that traffic flows smoothly to minimize vehicle emissions in order to maintain or enhance air quality. The County therefore shall (1) implement the Capital Improvements Road Program and other necessary road projects and (2) require that new development and redevelopment projects construct needed road improvements concurrent with the traffic impact of the development. Road improvements needed to mitigate a project's impacts shall be listed as a condition of development approval and shall be included on the development timetable.

*Objective 9.1G. Natural systems.* To protect and preserve the many functions and values of wetland and upland natural systems, including flood control, groundwater aquifer recharge and wildlife habitat.

*Policy 9.1G.4. Buffer zones and performance criteria for wetlands.* The following buffer zone provisions and performance criteria for wetland areas identified in Policy 9.1G.2 must be met. These provisions and criteria shall continue to be implemented through the Land Development Regulations.

*(2) Performance criteria for wetland areas:*

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(g) Waivers and exceptions. The following exceptions to Policy 9.1G.4.(1), buffer zone provisions, are allowed:

- 1) For lots of record (April 1, 1982) with an area of one acre or less with wetlands that abut or connect to the estuaries or their navigable tributaries, the wetland buffer shall be reduced to 25 feet. The buffer shall not require

additional “construction setbacks” from the buffer area. However, required zoning setbacks from property boundaries shall remain applicable. Erosion control devices shall be installed and maintained throughout the duration of any construction activities adjacent to the wetland buffer. The wetland buffer shall not be subject to a preserve area management plan (PAMP) unless a PAMP has already been established pursuant to a development order, prior to August 13, 2013.

- a. Native upland and wetland vegetation in the wetland and wetland buffer shall be maintained. If no native vegetation exists within this zone, there is no requirement to replant with this material. Invasive exotic vegetation shall be removed from the wetland and wetland buffer as part of any permit approval on the property.
  - b. . . .
- 2) Single-family residential lots of record on plats approved after April 1, 1982 may be developed in accordance with the regulations (wetland buffer, setback, and performance criteria) in effect at the time that the plat was approved.
  - 3) Existing permitted structures within a wetland buffer zone may be maintained, rebuilt or reconstructed within the existing foot prints.
  - 4) For residential lots of record (as of April 1, 1982) with an area of more than one acre but not more than two acres, with wetlands that abut or connect to the estuaries or their navigable tributaries, the wetland buffer zone may be reduced to less than 75 feet but shall not be reduced to less than 25 feet for either primary or accessory structures. New principal structures on lots shall maintain a wetland buffer zone equal to or greater than the average wetland buffer and shoreline protections zone of the nearest principal residences on adjacent lots. The average shoreline protection zone of the nearest principal residences on adjacent lots shall be determined by measuring from the point of each of the existing principal residences nearest to mean high water.

Native wetland and upland vegetation in the wetland and wetland buffer shall be maintained and the 25-foot buffer shall be exceeded if the lot size is large enough to allow it and the larger buffer zone conforms to the neighborhood pattern. If no native vegetation exists within this zone, there is no requirement to replant with this material. Invasive exotic vegetation

shall be removed from the wetland and wetland buffer as part of any permit approval in the property.

- 5) For a lot of record as of April 1, 1982, to reduce the buffer to isolated wetlands, to provide reasonable use.

*Policy 9.1G.9. Alternative compliance for mixed-use projects within the Mixed Use Overlay of a designated CRA.* For lots of record as of February 20, 1990, that are located within the Mixed Use Overlay of one of the seven designated CRAs, compliance other than on-site preservation may be allowed to meet the goals for preserving upland native habitat. Off-site preservation of upland native habitat may be substituted where the following standards are met:

- (1) Special habitat is not present on site;
- (2) The off-site habitat shall be the same size, type and habitat value as the native upland habitat on-site and shall be located within the CRA;
- (3) The off-site preserve area shall be part of a sustainable preserve system planned for the CRA;
- (4) The applicant either pays the full cash value of the offsite preserve or donates land that is part of a planned CRA preserve system;
- (5) Whether through prior purchase by the CRA and cash donation to cover its cost or through land donation, the offsite parcel is in place and in public ownership at the time of final site plan approval or any earlier approvals that allow site clearing. Existing public conservation areas must not be used as an alternative for on-site compliance unless they were purchased specifically for the purpose of meeting this policy.

## **Chapter 10 - Sanitary Sewer Services Element**

### Section 10. 1. Background Information

#### A. 10.1. Introduction

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Within the County's seven Community Redevelopment Areas (CRAs), there are areas that meet the criteria for high prioritization for capital investment for the extension of regional sewer facilities. The County Community Development Department and the County Utilities Department have prepared preliminary draft utility plans for each CRA. These preliminary draft plans identify needed gravity collection lines, force mains and lift stations needed to provide regional sewage facilities to the CRAs. Preliminary cost estimates have also been prepared.

## Chapter 13- Drainage and Natural Groundwater Aquifer Protection Element

**Goal 13.1.** To protect and improve the quantity and quality of Martin County's groundwater and surface water resources.

*Objective 13.1E.* To reduce the adverse environmental impacts of overdrainage and restore presently impacted affected areas.

*Policy 13.1E.8. Stormwater needs in community redevelopment areas.* The County shall review the stormwater needs of the mixed use projects in community redevelopment areas and shall provide exceptions or alternative compliance measures for these areas in the Land Development Regulations. Any exceptions shall assure that other properties do not flood and that the timing, quantity and quality of stormwater runoff has no potentially negative impacts on the St. Lucie River or other receiving bodies. Where offsite water management facilities are used they must be in place and functioning prior to the issuance of a building permit.

## Chapter 14 - Capital Improvements Element

**Goal 14.1.** To use sound fiscal policies to provide adequate public facilities concurrent with, or prior to, development in order to achieve and maintain adopted standards for levels of service and to exceed the adopted standards, when possible, and to promote policies of the Comprehensive Growth Management Plan that are cost-effective in terms of capital improvement needs and programming.

*Objective 14.1A.* To establish standards for levels of service for each type of public facility, to determine what capital improvements are needed in order to achieve and maintain the standards for existing and future populations, and to repair or replace existing public facilities.

*Policy 14.1A.10.* Criteria for evaluation of capital improvements. Capital improvements within a type of public facility are to be evaluated on the following criteria and considered in the order of priority listed below. Any revenue source that cannot be used for a high-priority facility will be used beginning with the highest priority for which the revenue can legally be expended.

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- (5) New or expanded facilities that provide the adopted levels of service for new development and redevelopment during the next 10 fiscal years, as updated by the annual review of this Element. The County may acquire land or right-of-way in advance of the need to develop a facility for new development. The location of facilities constructed pursuant to this subsection shall conform to the Future Land Use Element, and specific project locations shall serve projected growth areas within the allowable land use categories. In the event that the planned capacity of public facilities is insufficient to serve all applicants for development orders, the capital improvements will be scheduled in the following priority order to serve:
  - (a) Previously approved orders permitting redevelopment;
  - (b) Previously approved orders permitting new development;

- (c) New orders permitting redevelopment; and
  - (d) New orders permitting new development.
- (6) New or expanded public facilities that are contained in a Community Redevelopment Plan and scheduled in the next five years.

## **Chapter 17 – Public Schools Facilities Element**

### **Section 17.6 School Siting**

The Martin County School Board, the City of Stuart and the Martin County Board of County Commissioners have agreed to the procedural processes and the substantive evaluation criteria to be followed in selecting a site for a new school. The matrices of criteria to be used for the siting of future elementary, middle and high schools are set forth in full in the 2008 Interlocal Agreement for School Facilities Planning and Siting.

The types of factors to be considered in choosing the location of a new school include the following:

- walkability - the percentage of students who live within 2 miles, the quality of the sidewalks; and posted speed limits on the roadway networks;
- complementary uses – proximity of parks, athletic facilities, and libraries, and similar facilities, after-school employment and additional educational opportunities for high school students; and the potential to co-locate school and other public facilities;
- sustainable community design - inclusion within a private or public plan, proximity to population centers, ability to maintain student diversity; opportunity for adaptive re-use, adequate land area;
- environmental and hydrological - presence or absence of wetlands; functional hydrology; impact to native upland habitat; and,
- infrastructure and efficiency – availability and proximity of water and wastewater lines, stormwater capacity, and arterial roadways

**Impact Fees  
in the  
Comprehensive Growth Management Plan**  
(as proposed to be edited by the 2017 EAR-based Plan Amendments)

## I. Chapter 2 - Overall Goals and Definitions

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

*Objective 2.3D.* Martin County shall coordinate with and support the county's public schools as an incentive to business creation, expansion, and relocation.

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

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

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

*Policy 2.4A.1.* New development shall pay the cost of the facilities it requires. **Impact fees**, enterprise fund user charges, connection fees, and other user fees paid by new development shall be reviewed every two years to ensure that provision of capital improvements needed to address the impact of future development will not increase ad valorem tax rates.

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

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

## II. Chapter 3 - Intergovernmental Coordination Element

Goal 3.1. To establish processes to ensure coordination of the adopted CGMP with the comprehensive plans of the incorporated municipalities, adjacent counties, TCRPC and the State; and with the plans of the Martin County School Board and other units of local government and state and federal agencies that provide services but do not have regulatory authority over the use of land.

*Objective 3.1H.* To coordinate, on an ongoing basis, the implementation of the CGMP with the plans of the Martin County School Board; City of Stuart; Towns of Sewall's Point, Jupiter Island and Ocean Breeze Park; City of Port St. Lucie; Village of Tequesta; and the counties of Palm Beach, St. Lucie and Okeechobee.

*Policy 3.1H.4. Coordination on review of School Impact Fee Ordinance.* Martin County and the Martin County School Board shall coordinate a biennial review of the School Impact Fee Ordinance to ensure that new developments bear their proportionate share of the cost of providing new school facilities.

*Objective 3.1J.* In collaboration with the municipalities and the Martin County School Board, to coordinate the planning and location of proposed sites for educational facilities and review of site plans and off-site impacts.

*Policy 3.1J.5. School Board provision of Capital Improvement Plan.* Each fiscal year, the School Board shall submit to the Martin County Growth Management Department an approved, updated, financially feasible five-year Capital Improvement Plan. Martin County shall incorporate this School Board Capital Improvement Plan into the Martin County Capital Improvements Element/Capital Improvement Plan. Martin County shall use this information to update school impact fees, when necessary.

## III. Chapter 4 – Land Use

Goal 4.7. To regulate urban sprawl by directing growth in a timely and efficient manner to areas with urban public facilities and services, where they are programmed to be available, at the levels of service adopted in this Plan.

*Objective 4.7D.* To assure that facilities and services are provided equitably to support urban and rural development. Where deficiencies are found, they

shall be satisfied through equitable fiscal contributions prior to issuing permits for such development.

*Policy 4.7D.3. Responsibility for expanded capital facilities.* The development shall bear the full cost of providing the new or expanded capital facilities required by it. Impact fees and dedication requirements are preferred methods of regulating land development to ensure that it bears a proportionate share of the cost of capital facilities needed by the development and to promote and protect the public health, safety and general welfare. Development approvals requiring dedications of land, capital improvements or equitable contributions of fees, or any combination of them, shall be granted appropriate credit for such dedications, capital improvements or equitable contributions at the time the impact fee is collected.

[One use of “impact fee” in Ag-Tech policies is excluded as having no applicability beyond land with the Ag-Tech Future land Use designation.]

#### **IV. Chapter 5 – Transportation Element**

Goal 5.2. To develop, operate and maintain an efficient and cost-effective roadway network that provides for ease of mobility and meets the adopted LOS standards.

*Objective 5.2A.* To ensure that no roadways in Martin County operate at a level of service lower than the standard established in Policy 5.2A.1.

*Policy 5.2A.3. Apply a transportation impact fee.* All development shall be subject to the applicable transportation impact fee. Impact fees shall continue to be utilized, as appropriate, on state and County transportation networks to make capacity improvements needed to accommodate new development.

*Policy 5.2A.4. Provide impact fee credit for improvements not site-related.* Developments requiring site plan approval shall be required to dedicate sufficient rights-of-way to meet the minimum widths set forth in Policy 5.2C.2. These developments may be required to construct roadway improvements, not site-related, to meet projected State/County transportation needs. Any roadway construction and/or right-of-way dedication required by a development order and implemented by a developer, other than site-related improvements, shall be credited against road impact fees in accordance with Article 6 of the Land Development Regulations.

## V. Chapter 6 - Housing Element

Goal 6.1. To provide a diverse housing stock adequate to serve the needs of current and future populations of Martin County, consistent with the desired development character of the County as set forth in this Plan.

*Objective 6.1D.* To provide adequate and affordable housing for extremely low, very low, low, moderate, and workforce income households, including households with special housing needs, such as rural, farm worker and the elderly.

*Policy 6.1D.3. Pursue innovative programs and concepts.* The Affordable Housing Advisory Committee shall continue to investigate innovative concepts that facilitate the development or rehabilitation of affordable housing. Concepts to be investigated may include:

...

- (2) The development of criteria whereby **impact fees** could be paid by the County for very low income housing developments. . . .

## VI. Chapter 7 – Recreation Element

Goal 7.1. To provide ample high quality and diverse recreational opportunities for the citizens of Martin County and its visitors in a cost-efficient manner.

*Objective 7.1C.* To coordinate public and private entities to meet recreation demands.

*Policy 7.1C.2. Credits for beaches.* There shall be no credits against beach recreation **impact fees**.

## VII. Chapter 9 – Conservation and Open Space

Goal 9.1. To effectively manage, conserve and preserve the natural resources of Martin County — air, water, soils, habitat, fisheries and wildlife, and especially the St. Lucie Estuary and the Indian River Lagoon — giving consideration to an equitable balance of public and private property rights.

*Objective 9.1J.* To pursue an aggressive program to identify, preserve and provide appropriate public access to areas of natural beauty and scenic importance.

*Policy 9.1J.9. Funding open space landscaping and maintenance.* The County shall continue to investigate various funding sources, such as user fees, **impact fees** and volunteer programs, to finance the costs of implementing these policies.

**IX. Chapter 14 – Capital Improvements**

Goal 14.1. To use sound fiscal policies to provide adequate public facilities concurrent with, or prior to, development in order to achieve and maintain adopted standards for levels of service and to exceed the adopted standards, when possible, and to promote policies of the Comprehensive Growth Management Plan that are cost-effective in terms of capital improvement needs and programming.

*Objective 14.1B.* To provide needed public facilities that are within the ability of the County to fund from County revenues, development's proportionate share contributions and grants or gifts from other sources.

*Policy 14.1B.2. Existing and future development to pay for facilities.* Both existing and future development shall pay for the costs of needed public facilities.

...

(2) *Future development:*

- (a) Future development shall pay for the full cost of the capital improvements needed to address the impact of such development. Future development's proportion of the cost of capital improvements needed to address the impact of such development shall be determined, in part, by the local government's impact fee ordinances and supporting studies, and it may include credits for other payments by future development. **Impact fees**, enterprise fund user charges, connection fees and other user fees paid by new development shall be reviewed every two years to assure that provision of capital improvements needed to address the impact of future development will not increase ad valorem tax rates. Upon completion of construction, future development becomes present development, and it shall contribute to paying the costs of the replacement of obsolete or worn-out facilities. The County will allocate the cost of new public facilities on the basis of the benefits received by existing and future residents so that current residents will not subsidize an urban sprawl pattern of new development.

- (b) Future development's payments may take the form of voluntary contributions for the benefit of any public facility, **impact fees**, capacity fees, dedications of land, provision of public facilities and future payments of user fees, special assessments and taxes. Future development shall not pay **impact fees** for the portion of any capital improvement that reduces or eliminates existing deficiencies.

*Policy 14.1C.5. Criteria for determining capacity of facilities for development orders.* The County shall determine the capacity of category A and category C public facilities for preliminary development orders according to Policy 14.1C.4.:

- (1) The applicant may request a determination of such capacity as part of the review and approval of the preliminary development order, provided that:
  - (a) The determination that such capacity is available shall apply only to specific uses, densities and intensities based on information provided by the applicant and included in the development order; and
  - (b) The determination that such capacity is available shall be valid for development that is completed within a period of time:
    - 1) Not to exceed two years; or
    - 2) Up to a maximum of five years, as approved by the County, provided that the period of time is explicitly set forth in a binding development agreement as authorized by Florida Statutes, in any other development agreement acceptable to Martin County or in a certificate of adequate public facilities reservation. In addition, the applicant must provide one or more of the following assurances for each applicable mandatory public facility, acceptable to the County in form and amount, to guarantee the applicant's pro rata share of the County's financial obligation for public facilities that are constructed by the County or the applicant for the benefit of the subject property:
      - a) Performance bond;
      - b) Irrevocable letter of credit;
      - c) Prepayment of **impact fees**;

- d) Prepayment of capacity (i.e., prepayment of capacity connection charges); or
- 3) Up to a maximum of 10 years, as approved by the County, for Permit Ready Industrial Developments as defined in Chapter 2, provided that the period of time is explicitly set forth in a binding development agreement as authorized by Florida Statutes, in any other development agreement acceptable to Martin County or in a certificate of adequate public facilities reservation. Category A **impact fees** shall be paid no later than at the time of building permit issuance and shall be determined according to the impact fee schedule in effect at the time of the payment. If by the end of the 10-year period the applicant or their successors in title have not paid all Category A **impact fees**, the development order shall automatically expire and the certificate of public facilities reservation shall be void. There shall be no extension of time for development orders or certificates of public facilities reservation under this subsection.

#### Section 14.5. - Implementation

14.5.D. *Programs to ensure implementation.* The following programs ensure that the goals, objectives and policies established in this Capital Improvements Element will be achieved or exceeded.

- (1) *Review of applications for development orders. . . .*
- (2) **Impact fees. Impact fee** ordinances shall require the same standard for the level of service as is required by Policies 14.1A.2. through 14.1A.5., and may include standards for other facility types not addressed under these policies. All **impact fee** ordinances shall be revised at a minimum of every two years.
- (3) *Annual budget. . . .*
- (4) *Capital Improvements Plan. . . .*
- (5) *Update of Capital Improvements Element. . . .*
- (6) *Concurrency implementation and monitoring system. . . .*

### X. Chapter 15 – Economic Element

Goal 15.4. To promote education and workforce development opportunities.

*Objective 15.4C.* Martin County shall coordinate with and support the county's public schools as an incentive to business creation, expansion, and relocation.

*Policy 15.4C.3.* **Impact fees** shall be kept current to avoid school overcrowding.

## **XI. Chapter 16 – Arts, Culture and Historic Preservation Element**

Goal 16.3. To endeavor to identify funding sources and allocate funding to promote art, culture and history in the community, aimed at enhancing the quality of life and the economic base of business, tourism and manufacturing.

*Objective 16.3A.* To foster economic growth through greater availability of cultural, arts and similar community-supported facilities and programs.

*Policy 16.3A.3.* **Impact fees for arts.** Whenever the impact fee process is being reviewed, the County shall consider the inclusion of **impact fees** or impact fee credits for arts facilities.

## **XII. Chapter 17 – Public School Facilities**

*Objective 17.1B.* To ensure adequate capacity is available to accommodate projected development at the adopted Level of Service (LOS).

*Policy 17.1B.3.* Upon receipt of a completed public school **impact** form for a final site plan which includes residential units, the School District shall provide the local governments with a School Concurrency Review Report that states whether or not adequate school capacity exists for the proposed development, based on the Interlocal Agreement and this Element. The School Concurrency Report shall include the following information: . . .

(2) The available school capacity, by type of school and relevant CSA. The available school capacity, by type of school and CSA is calculated by subtracting from the total permanent and temporary capacities, the following: . . .

(c) The demand on school facilities created by the proposed development shall be projected at the county-wide student generation rates specified in the School District's latest Educational **Impact Fee** report.

These Comprehensive Growth Management Plan chapters make no reference to impact fees:

Chapter 8 – Coastal Management Element

Chapter 10 – Sanitary Sewer Services Element

Chapter 11 – Potable Water Services Element

Chapter 12 – Solid and hazardous Waste Element

Chapter 13 – Drainage and Natural Groundwater Aquifer Recharge Element

The current schedule of Martin County Impact Fees is attached.

**Figure 6.1  
Martin County Impact Fees  
Effective June 20, 2016**

Land Use	Unit	Roads	Public Buildings	Law	Fire Rescue	Parks	Conservation / Open Space	Libraries	Subtotal	Adm Fee (1.5%)	Total Impact Fees
<b>Residential:</b>											
800 FT <sup>2</sup> & Under	Dwelling	\$2,268.00	\$410.11	\$264.00	\$208.00	\$1,196.55	\$540	\$439	\$5,325.66	\$79.88	\$5,405.54
801 to 1,100	Dwelling	\$2,293.00	\$469.31	\$363.00	\$286.00	\$1,377.09	\$579	\$471	\$5,838.40	\$87.58	\$5,925.98
1,101 to 2,300	Dwelling	\$2,815.00	\$645.97	\$760.00	\$599.00	\$1,971.91	\$661	\$537	\$7,989.88	\$119.85	\$8,109.73
2,301 & Over	Dwelling	\$4,063.00	\$809.84	\$991.00	\$780.00	\$2,699.40	\$755	\$614	\$10,712.24	\$160.68	\$10,872.92
<b>Non-Residential:</b>											
Hotel/Motel	Room	\$2,159.31	\$394.06	\$341.36	\$119.00	\$1,058.46	\$654		\$4,726.19	\$70.89	\$4,797.08
RV Park	Lot	\$1,110.28	\$273.16	\$231.31	\$89.00	\$753.40	\$491		\$2,948.15	\$44.22	\$2,992.37
Nursing Home	1000 s.f.	\$725.39	\$228.05	\$197.10	\$166.16			\$266	\$1,582.70	\$23.74	\$1,606.44
ACLF	1000 s.f.	\$282.57	\$119.55	\$103.85	\$86.94			\$266	\$858.91	\$12.88	\$871.79
Medical Office	1000 s.f.	\$5,281.41	\$238.26	\$310.21	\$351.01				\$6,180.90	\$92.71	\$6,273.61
Bank Walk In	1000 s.f.	\$6,241.42	\$693.36	\$601.61	\$80.00				\$7,616.39	\$114.25	\$7,730.64
Bank w/Drive In	1000 s.f.	\$6,841.38	\$554.09	\$480.82	\$80.00				\$7,956.29	\$119.34	\$8,075.64
Office Under 100,000 FT <sup>2</sup>	1000 s.f.	\$2,198.39	\$316.04	\$274.36	\$80.00				\$2,868.79	\$43.03	\$2,911.83
Office 100,000 to 199,999 FT <sup>2</sup>	1000 s.f.	\$2,276.55	\$314.33	\$272.72	\$80.00				\$2,943.60	\$44.15	\$2,987.75
Office 200,000 to 399,999 FT <sup>2</sup>	1000 s.f.	\$2,311.60	\$305.52	\$265.17	\$80.00				\$2,962.30	\$44.43	\$3,006.73
Office 400,000 TO 599,999 FT <sup>2</sup>	1000 s.f.	\$2,510.30	\$286.30	\$248.51	\$80.00				\$3,125.11	\$46.88	\$3,171.98

Land Use	Unit	Roads	Public Buildings	Law	Fire Rescue	Parks	Conservation / Open Space	Libraries	Subtotal	Adm Fee (1.5%)	Total Impact Fees
Office 600,000 TO 799,999 FT <sup>2</sup>	1000 s.f.	\$2,437.05	\$302.93	\$262.96	\$80.00				\$3,082.94	\$46.24	\$3,129.19
Office 800,000 TO 999,999 FT <sup>2</sup>	1000 s.f.	\$2,325.26	\$348.46	\$302.52	\$80.00				\$3,056.25	\$45.84	\$3,102.09
Office 1,000,000 Ft <sup>2</sup> or Larger	1000 s.f.	\$2,171.03	\$409.87	\$355.86	\$80.00				\$3,016.75	\$45.25	\$3,062.00
Manufacturing	1000 s.f.	\$1,044.57	\$154.97	\$134.86	\$12.00				\$1,346.40	\$20.20	\$1,366.60
Warehouse	1000 s.f.	\$1,314.16	\$98.36	\$85.78	\$12.00				\$1,510.30	\$22.65	\$1,532.95
Mini-Warehouse	1000 s.f.	\$827.48	\$9.93	\$173.60	\$12.00				\$1,023.00	\$15.35	\$1,038.35
Gen. Industrial	1000 s.f.	\$1,856.96	\$182.10	\$157.74	\$12.00				\$2,208.80	\$33.13	\$2,241.93
Retail Under 50,000 FT <sup>2</sup>	1000 s.f.	\$4,224.00	\$424.60	\$368.50	\$309.10				\$5,326.20	\$79.89	\$5,406.09
Retail 50,000 to 99,999 FT <sup>2</sup>	1000 s.f.	\$4,919.37	\$616.18	\$534.25	\$319.00				\$6,388.80	\$95.83	\$6,484.63
Retail 100,000 to 199,999 FT <sup>2</sup>	1000 s.f.	\$5,182.79	\$550.98	\$741.94	\$319.00				\$6,794.71	\$101.92	\$6,896.63
Retail 200,000 to 399,999 FT <sup>2</sup>	1000 s.f.	\$5,907.05	\$496.38	\$678.36	\$319.00				\$7,400.79	\$111.01	\$7,511.81
Retail 400,000 TO 599,999 FT <sup>2</sup>	1000 s.f.	\$6,249.63	\$496.38	\$642.69	\$319.00				\$7,707.71	\$115.62	\$7,823.32
Retail 600,000 TO 799,999 FT <sup>2</sup>	1000 s.f.	\$6,864.73	\$451.71	\$811.88	\$319.00				\$8,447.32	\$126.71	\$8,574.03
Retail 800,000 TO 999,999 FT <sup>2</sup>	1000 s.f.	\$7,575.80	\$451.71	\$785.68	\$319.00				\$9,132.19	\$136.98	\$9,269.17
Retail 1,000,000 Ft <sup>2</sup> or Larger	1000 s.f.	\$7,183.78	\$414.48	\$671.93	\$319.00				\$8,589.20	\$128.84	\$8,718.04
Gasoline/Service Station	Fuel Pstn	\$3,266.08	\$76.94	\$571.75	\$480.82				\$4,395.59	\$65.93	\$4,461.53
Auto Sales & Repair	1000 s.f.	\$7,071.06	\$550.98	\$749.36	\$92.00				\$8,463.40	\$126.95	\$8,590.35

Land Use	Unit	Roads	Public Buildings	Law	Fire Rescue	Parks	Conservation / Open Space	Libraries	Subtotal	Adm Fee (1.5%)	Total Impact Fees
Restaurant	1000 s.f.	\$10,570.79	\$550.98	\$2,352.43	\$575.00				\$14,049.20	\$210.74	\$14,259.94
Fast Food Restaurant	1000 s.f.	\$15,692.54	\$2,481.90	\$2,756.66	\$575.00				\$21,506.10	\$322.59	\$21,828.69
Car Wash	1000 s.f.	\$9,570.22	\$992.76	\$1,064.42	\$92.00				\$11,719.40	\$175.79	\$11,895.19
Convenience Store w/o Gas	1000 s.f.	\$13,556.27	\$496.38	\$1,549.80	\$1,302.35				\$16,904.80	\$253.57	\$17,158.37
Convenience Store w/Gas	1000 s.f.	\$15,328.27	\$744.57	\$1,691.71	\$1,421.64				\$19,186.20	\$287.79	\$19,473.99
Pharmacy w/Drive Thru	1000 s.f.	\$1,763.30	\$326.70	\$283.80	\$237.60				\$2,611.40	\$39.17	\$2,650.57
Golf Course	Hole	\$8,219.00	\$431.85	\$1,351.41	\$218.00				\$10,220.26	\$153.30	\$10,373.57
Racquet Club	1000 s.f.	\$3,151.93	\$310.24	\$444.68	\$373.25				\$4,280.10	\$64.20	\$4,344.30
Parks	Acre	\$527.24	\$66.05	\$58.21	\$36.00				\$687.50	\$10.31	\$697.81
Tennis Court	Court	\$7,138.00	\$124.10	\$99.00	\$444.00				\$7,805.10	\$117.08	\$7,922.18
Marina	Slip	\$715.00	\$7.45	\$186.46	\$18.00				\$926.91	\$13.90	\$940.81
Boat Storage	Slip	\$150.65	\$7.45	\$47.80	\$18.00				\$223.91	\$3.36	\$227.26
Post Office	1000 s.f.	\$4,404.40	\$411.40	\$356.40	\$299.20				\$5,471.40	\$82.07	\$5,553.47
Library	1000 s.f.	\$4,674.96	\$362.36	\$676.90	\$568.97				\$6,283.20	\$94.25	\$6,377.45
Day Care Center	1000 s.f.	\$2,686.20	\$394.90	\$343.20	\$288.20				\$3,712.50	\$55.69	\$3,768.19
Hospital	1000 s.f.	\$2,132.90	\$496.10	\$430.10	\$361.90				\$3,421.00	\$51.32	\$3,472.32
House of Worship	1000 s.f.	\$1,347.26	\$124.10	\$188.50	\$158.43				\$1,818.30	\$27.27	\$1,845.57
Movie Theatre	1000 s.f.	\$10,140.74	\$49.64	\$4,778.42	\$319.00				\$15,287.80	\$229.32	\$15,517.12
Elem School	1000 s.f.	\$1,769.64	\$243.23	\$440.31	\$370.53				\$2,823.71	\$42.36	\$2,866.06
Middle School	1000 s.f.	\$1,695.04	\$208.48	\$419.82	\$351.87				\$2,675.20	\$40.13	\$2,715.33
High School	1000 s.f.	\$1,758.06	\$161.32	\$418.88	\$352.35				\$2,690.61	\$40.36	\$2,730.96
Fitness Center	1000 s.f.	\$4,609.76	\$310.24	\$1,709.00	\$444.00				\$7,073.01	\$106.10	\$7,179.10

See also School Impact Fee Schedule below.

SCHOOL IMPACT FEE SCHEDULE		
<i>Dwelling Unit Size*</i> <i>(square feet)</i>	Cost Per Unit	Cost Per Unit Martin Downs**
800 and under	\$3,609.37	\$448.18
801—1,100	\$5,355.08	\$665.16
1,101—2,300	\$5,567.39	\$689.63
2,301 and over	\$5,756.12	\$712.62

\*Size is based on "living area." Detached living area will be included in total living area unless it constitutes a separate dwelling unit. Guest houses do not constitute a separate dwelling unit (School Impact fees only).

\*\*Fees reduced to offset land dedication. Supplementary Agreement recorded at O.R. Book 584, Page 1368.