



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

THE PRESERVE AT RIO MARINE VILLAGE MAJOR FINAL SITE PLAN

A. Application Information

Applicant:	Rio South Dixie, LLC (Josh Simon)
Property Owner:	Rio South Dixie, LLC
Agent for Applicant:	Cotleur & Hearing (George Missimer)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	S241-017
Record Number:	DEV2022090015
Report Number:	2025_1013_S241-017_Staff_Report_Final
Application Received:	10/27/2022
Transmitted:	10/31/2022
Date of Report:	01/27/2023
Application Received:	05/17/2023
Transmitted:	05/19/2023
Date of Report:	07/19/2023
Application Received:	01/30/2024
Transmitted:	02/01/2024
Date of Report:	03/07/2024
Application Received:	05/31/2024
Transmitted:	06/03/2024
Date of Report:	06/20/2024
Application Received:	07/09/2024
Transmitted:	07/11/2024
Date of Report:	07/30/2024
Application Received:	07/18/2025
Transmitted:	07/18/2025
Date of Report:	10/13/2025

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

B. Project description and analysis

This is a request by Cotleur & Hearing on behalf of Rio South Dixie, LLC for approval of a major final site plan approval to develop 145 residential units consisting of multi-family, townhome and live/work units and the associated infrastructure on an approximately 14.34-acre undeveloped parcel located in the Rio Community Redevelopment Agency (CRA) area. As the project is no longer phased, the final site plan will replace the previously approved master plan. The site plan is consistent with the previously approved master plan with some minor changes proposed. The subject site is located on the north side of NE Dixie Highway west of NE Martin Avenue. Included in this application is a request for a Certificate of Public Facilities Reservation.

The future land use of the property is CRA Center and the zoning is Rio Redevelopment Zoning District with the General and Core Subdistrict designation. The proposed density is under the permitted 15 dwelling units per acre. Two access points are proposed from NE Dixie Highway and one access point from the extension of NE Charlotte Street and one access through the extension of NE Olive Street. Included with this application is offsite improvements to NE Dixie Highway including a new traffic circle.

The project is within the Primary Urban Service Boundary and water and wastewater will be provided by Martin County Utilities.

C. Staff recommendation

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

Table 1 Development Review Team

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan Review	Brian Elam	772-288-5501	Comply
F	ARDP Review	Samantha Lovelady	772-288-5664	N/A
G	Site Design Review	Brian Elam	772-288-5501	Comply
H	Commercial Design Review	Brian Elam	772-288-5501	N/A
H	Community Redevelopment Review	Jordan Pastorius	772-288-5497	Comply
I	Property Management Review	Ellen MacArthur	772-221-1334	Comply
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjolholm	772-288-5909	Comply
K	Transportation Review	James Hardee	772-288-5470	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	Comply
M	Engineering Review	Kaitlyn Zanello	772-288-5920	Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater Review	Jorge Vazquez	772-221-1448	Comply

Section	Division or Department	Reviewer	Phone	Assessment
O	Wellfields Review	Jorge Vazquez	772-221-1448	Comply
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	Comply
Q	ADA Review	Kaitlyn Zanello	772-288-5920	Comply
R	Health Department Review	Paul Stemie	772-221-4090	Comply
R	School Board Review	Juan Lameda	772-219-1200	Comply
S	County Attorney Review	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	Brian Elam	772-288-5501	Comply

D. Review Board action

This application meets the threshold requirements for processing as a major development final site plan with a previously approved master site plan. Pursuant Table 10.5.F.9., Land Development Regulations (LDR), Martin County, Florida., (2023) review of this application is required by the Growth Management Director and final action by the Board of County Commissioners (BCC) at a public meeting.

Pursuant to Sections 10.1.E. and 10.2.B.2., LDR, Martin County, Florida. (2023, 2024), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), LDR and the Code.

The applicant addressed the non-compliance findings from the staff report dated, July 30, 2024 with the resubmittal dated July 18, 2025. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the CGMP, LDR and the Code.

E. Location and site information

Parcel number:	283741000013002909
Address:	1220 NE Dixie Highway, Jensen Beach
Existing zoning:	Rio Redevelopment Area
CRA Subdistrict:	General and Core
Future Land Use:	CRA Center
Gross area of site:	14.34 acres

Figure 1: Location Map



Figure 2: Future Land Use Map

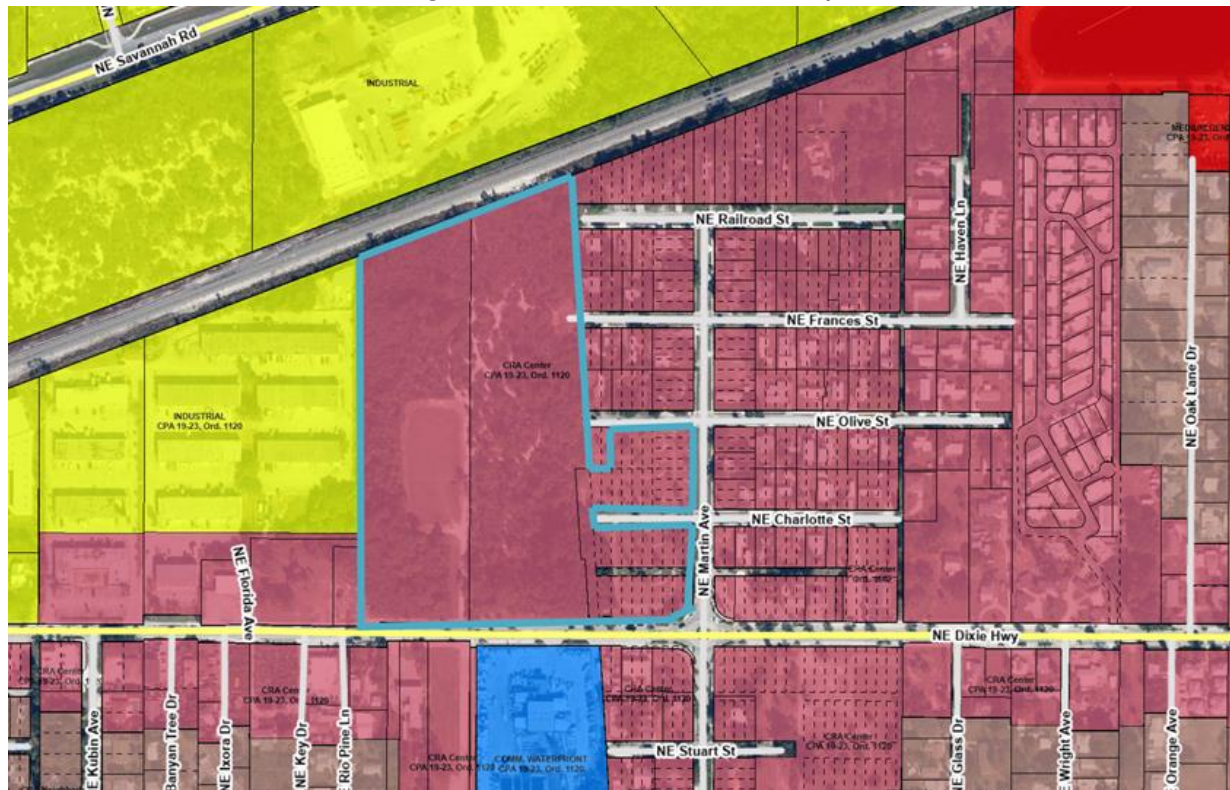
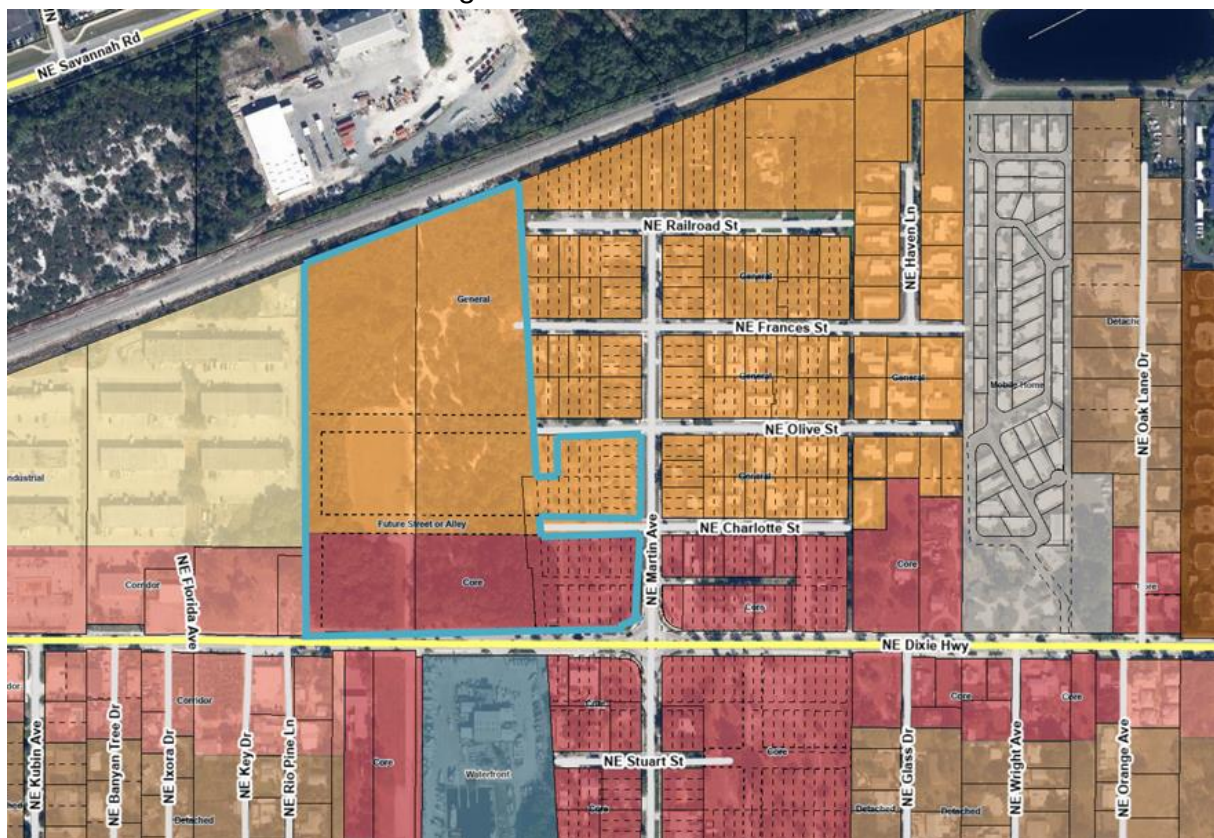


Figure 3: CRA Subdistrict



F. Determination of compliance with Comprehensive Growth Management Plan requirements – Growth Management Department

Findings of Compliance:

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

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

Findings of Compliance:

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

Information #1: Land Clearing

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department pursuant Section 10.14.C., Martin County, Florida., LDR (2019).

H. Determination of compliance with urban design and community redevelopment requirements – Community Redevelopment Department

Commercial Design

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

Community Redevelopment Area

Findings of Compliance:

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

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

It has been determined that the Applicant is required to dedicate right of way on NE Dixie Highway pursuant to Section 4.843.B.4, Land Development Regulations, Martin County, Fla. (2010).

It has been determined that the Applicant is required to provide: 1. A Public Transit Stop; and 2. A Flow-Through Drainage and Access Easement; and 3. A Public Access Easement.

The following is a list of the required due diligence materials:

TITLE COMMITMENT:

1. Original Title Commitment for the proposed dedication and easement sites.
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

Note: The applicant has complied with this requirement.

SURVEY – SKETCH AND LEGAL DESCRIPTION:

1. Two (2) original signed and sealed Surveys of the dedication and easement sites.
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. Two (2) original 8 ½" by 11" signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

Note: The applicant has complied with this requirement.

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

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the

application and finds it in compliance with the applicable land development regulations. A 3.16 acre upland preserve area will be established with a Preserve Area Management Plan (PAMP) as part of this development. The upland preserve is comprised of rare, unique upland habitat in a consolidated area on the north end of the project.

Landscaping

Findings of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations Article 12, Division The applicant has proposed construction of a multi-family and townhouse project consisting 145 dwelling units. The applicant has submitted landscape plans that provide for planting of the equivalent of 559 trees to document compliance with Section 12.3.09.4, Land Development Regulations, Martin County, Fla. (2020). Pursuant to this regulation a minimum of 1 tree shall be established for each 1000 sq. ft. of the total development area minus preserves. The total development site is 493,451 sq. ft. which requires the planting of 493 trees.

The planting of new shade trees shall be required along streets planted at 30-foot intervals with a minimum height of 12 feet, with a four-foot clear trunk, and two-inch dbh. These street trees have been proposed as required for project approval.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

K. Determination of compliance with transportation requirements – Engineering Services Department

Findings of Compliance:

CRAs are designated Transportation Concurrency Exception Areas (TCEA). Development within the TCEAs shall be exempt from the County's transportation concurrency requirement. [Martin County Comprehensive Growth Management Plan, Policy 18.4D.1. (2018)]

L. Determination of compliance with county surveyor – Engineering Department

Informational:

A right-of-way abandonment associated with this application is required to be completed. The

application is currently being processed.

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

Compliance with Adequate Public Facilities Ordinance:

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

Findings of Compliance:

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

Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and only fill will be brought onto the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.

Division 9- Stormwater Management: The applicant has demonstrated the proposed development will retain the 25- year, 3-day storm event prior to discharging into the NE Dixie Highway Drainage system. The applicant proposed a stormwater system consisting of dry retention areas and supporting drainage infrastructure. The applicant demonstrated the water quality volume is being met in the proposed prior to discharging; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10- Flood Protection: The site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation of 11.50-feet NAVD is set at or above the maximum predicted stage of the 100-year 3-day storm event (11.27-feet NAVD); therefore, the applicant demonstrated compliance with Division 10.

Division 14- Parking and Loading: The applicant demonstrated compliance with the parking and loading requirements set forth in Division 14 with the design and layout of the proposed on-site parking facilities.

Division 19- Roadway Design: The applicant has demonstrated compliance with Division 19 with the design of the proposed connection to NE Dixie Highway.

Development Order Conditions:

Hauling of fill from the site is prohibited. The routes and timing of any fill to be hauled to the site shall be coordinated with the County Engineer. Compliance with all County excavation and fill regulations is required.

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

Addressing

Findings of Compliance

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

Electronic File Submittal

Findings of Compliance:

The AutoCAD dwg file of the site plan was found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024).

O. Determination of compliance with utilities requirements – Utilities Department

Water and Wastewater Service

Findings of Compliance:

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

Wellfield and Groundwater Protection

Findings of Compliance:

A portion of the project is located in wellfield protection zones. However, the residential nature of the project is exempt from the requirements of the Wellfield Protection Ordinance.

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

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

Fire Prevention

Finding of Compliance

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

Emergency Management

The Emergency Management Division finds this submittal to be in compliance based on submitted evacuation procedures and plans.

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

Findings of Compliance:

COMPLY- The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. [2020 Florida Building Code, Accessibility, 7th Edition]

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

Martin County Health Department

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

Martin County School Board

A concurrency letter related to this application for The Preserve at Rio Marine was provided by Martin County School District. The General School Capacity Analysis is on file.

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

Review ongoing.

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

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

Potable water facilities service provider – Martin County Utilities

Findings – Positive evaluation

Source – Martin County Utilities

Reference – see Section O of this staff report

Sanitary sewer facilities service provider – Martin County Utilities

Findings – Positive Evaluation

Source – Martin County Utilities

Reference – see Section O of this staff report

Solid waste facilities

Findings – In Place

Source – Growth Management Department

Stormwater management facilities

Findings – Positive evaluation

Source – Engineering Services Department

Reference – see Section M of this staff report

Community park facilities

Findings – In Place

Source – Growth Management Department

Road's facilities

Findings – Positive evaluation

Source – Engineering Services Department

Reference – see Section M of this staff report

Mass transit facilities

Findings – Positive Evaluation

Source – Engineering Services Department

Reference – see Section K of this staff report

Public safety facilities

Findings – Positive evaluation

Source – Growth Management Department

Reference – see Section P of this staff report

Public school facilities

Findings – Positive evaluation

Source – Growth Management Department

Reference – see Section R of this staff report

U. Post-approval requirements

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

Please submit all of the following items in a single hard copy packet. Once submitted, a unique ShareBase link will be provided to the agent via email. CDs and Flash Drives are no longer accepted for post approval submittals. The 24" x 36" plans should be submitted rolled and in

separate sets as itemized below. Please note, the Public Works Department still requires a blank flash drive for the plans that will be stamped as part of post approval process. This flash drive will be distributed to the applicant/engineer of record at the pre-construction meeting. This blank flash drive now needs to be brand new, unopened in the original package.

1. Response to Post Approval Requirements List

The applicant will submit a response memo addressing the items on the Post Approval Requirements List.

2. Post Approval Fees

The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.

3. Recording Costs

The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

4. Warranty Deed

One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

5. Unity of Title

Original executed version Unity of Title in standard County format or one (1) copy of the existing recorded Unity of Title for the subject property.

6. Engineers Design Certification

One (1) original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.

7. Construction Plans

One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.

8. Digital Copy of Construction Plans

One (1) digital copy of the Construction Plans in PDF format. The digital version shall be signed / sealed, and third party authenticated. The digital version must match the hardcopy as submitted and be consistent with the approved documents.

Approved Final Site Plan

One (1) copy 24" x 36" of the approved final site plan. Rolled.

9. Digital Copy of Final Site Plan

One (1) digital copy of site plan in AutoCAD drawing format (.dwg). An e-Transmit zip file with 2018 file format is preferred. The digital version of the site plan must match the hardcopy version as submitted.

10. Approved Landscape Plan

One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida. Rolled.

11. Approved Elevations

One (1) copy 24" x 36" of the approved elevations. Rolled.

12. Water and Wastewater Service Agreement

A copy of the executed Water and Wastewater Service Agreement. Original executed agreement and payment shall be provided directly to Martin County Utilities prior to submittal of the post approval package to Growth Management.

13. Flash/Thumb Drive

One unopened (1) blank USB flash/thumb drive, in the original package, which will be utilized to provide the applicant with the approved stamped and signed project plans at the pre-construction meeting.

V. Local, State, and Federal Permits

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

W. Fees

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

Table 2 Fee Table

Fee type:	Fee amount:	Fee payment:	Balance:
Application review fees:	\$9,127	\$9,127	\$0.00
Inspection fees:	\$4,000		\$4,000
Advertising fees *:			
Recording fees **:			

* Advertising fees will be determined once the ads have been placed and billed to the County.

** Recording fees will be identified after the post approval package has been submitted.

X. General application information

Table 3 Applicant Contact Information

Entity	Contact Information
Applicant:	Rio South Dixie, LLC Josh Simon 601 Heritage Drive, Suite #227 Jupiter, Florida 33458 561-575-6454 joshsimon@flfhholdings.com
Owner:	Rio South Dixie, LLC Josh Simon 601 Heritage Drive, Suite #227 Jupiter, Florida 33458 561-575-6454 joshsimon@flfhholdings.com
Agent:	Cotleur & Hearing George Missimer 1934 Commerce Lane, Suite 1 Jupiter, Florida 33458 561-406-1008 gmissimer@cotleur-hearing.com
Engineer of Record:	Simmons and White Greg Bolen, PE 2581 Metrocentre Boulevard, Suite 3 West Palm Beach, Florida 33407 561-644-4312 bolen@simmonsandwhite.com

Y. Acronyms

Table 4 Acronym Definitions

Acronym	Definition
ADA	Americans with Disability Act
AHJ	Authority Having Jurisdiction
ARDP	Active Residential Development Preference
BCC	Board of County Commissioners
CGMP	Comprehensive Growth Management Plan
CIE	Capital Improvements Element

Acronym	Definition
CIP	Capital Improvements Plan
FACBC	Florida Accessibility Code for Building Construction
FDEP	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
LDR	Land Development Regulations
LOS	Level of Service
LPA	Local Planning Agency
MCC	Martin County Code
MCHD	Martin County Health Department
NFPA	National Fire Protection Association
SFWMD	South Florida Water Management District
W/WWSA	Water/Wastewater Service Agreement

Z. Attachments