

CPA 21-11, Waterside Text,  
06/19/2025 Application  
Materials



June 19, 2025

**HAND DELIVERY**

Jenna Knobbe, AICP, Senior Planner  
Martin County Growth Management Department  
2401 S.E. Monterey Road  
Stuart, FL 34996

**RE: CPA #21-11, Waterside Comprehensive Plan Text Amendment – Response to Staff Analysis Comments Dated February 14, 2025 (Our Ref. #23-050)**

Dear Jenna:

Per our meetings and discussions to date, we have updated the proposed Comprehensive Plan TEXT amendment language to be consistent with the current Comprehensive Plan policy language that includes the recently adopted EAR Amendments. The text amendments have also been revised to address the internal inconsistencies identified in the revised staff report issued on February 14, 2025 as follows:

- An amendment to Policy 4.13A.10 is now included to delete the reference to the 250-acre Freestanding Urban Service District; and
- The proposed amendments to Policy 4.7A.7(1) and Policy 1.7.B(1) have been made internally consistent.

To further ensure internal consistency, the text amendment also includes amendments to Chapter 2, Section 2.4, Definitions, and Chapter 4, Policy 4.2A

The revised Text is enclosed and listed as follows:

Exhibit 1: Chapter 4 TEXT Amendments (5-30-25)  
Exhibit 2: Chapter 4 RCA Policies (5-30-25)  
Exhibit 3: Chapter 1 RCA Policies (5-30-25)  
Exhibit 4: Chapter 2 Definitions (5-30-25)

As per your email dated May 12, 2025, we have updated the enclosed Disclosure of Interest Affidavit to reflect the current legal description for the 396 acres of Agricultural land to be added to the Primary Urban Service District.

I have also enclosed the various legal descriptions and deeds that make up the 250 acres of Industrial land to be converted from a Freestanding Urban Service District to the Primary Urban Service District. These areas are summarized as follows:

|                                           |                      |
|-------------------------------------------|----------------------|
| South Florida Gateway PUD and             |                      |
| Waterside Community Development District: | 216 acres (+/-)      |
| Martin County Operations Parcel:          | 29 acres (+/-)       |
| Waterside Way Public ROW:                 | <u>5 acres (+/-)</u> |
| Total:                                    | 250 acres            |

As per the attached email dated May 23, 2025 from Assistant County Attorney Elysse Elder to Tyson Waters, the property owners within the Freestanding Urban Service District do not have to provide a separate Disclosure of Interest Affidavit or otherwise consent to the conversion to Primary Urban Service District because "...the proposed amendment does not change the actual allowable uses on the property not owned by your client. The application may proceed without the other property owners' consent."

Please consider this updated text language (and the exhibits listed below that were previously submitted with our formal response on December 23, 2024) in the preparation of a final staff report and recommendation for the next available Local Planning Agency public hearing and County Commission transmittal public hearing.

List of previously submitted exhibits:

- Adjacent Non-Agricultural Development Map;
- Letter Dated October 15, 2024 from Stearns, Weaver, et al;
- Letter Dated March 18, 2024 from Stearns Weaver, et al;
- Cover Letter prepared by GAI Consultants, Inc.– Community Solutions Group;
- Updated Residential Capacity Analysis;
- Response to Traffic memo Dated August 16, 2024; and
- Response to Utility memo Dated August 19, 2024.

In brief, our application to expand the Primary Urban Service District (PUSD) follows the development of 250 acres of Industrial land use within the adjacent South Florida Gateway PUD and Martin County's future operations center, which are located within a Freestanding Urban Service District. The expansion of the PUSD includes converting the existing Freestanding Urban Service District to Primary Urban Service District and the addition of 396 acres of Agricultural land use that is surrounded by the St. Lucie Canal, major roads, urban development and non-agricultural land uses.

The additional 396 acres of Agricultural land is proposed to be changed to Low Density Residential land use under a companion Future Land Use Map (FLUM) Amendment and is restricted by this text amendment to a maximum allowable density of 2.7 units per acre (1,050 units). The expansion of the PUSD and conversion of land use from Agricultural to Low Density Residential is needed to address the County's deficit of residential lands to meet future housing needs and to provide housing in close proximity to the surrounding employment centers.

With this understanding, please note the following responses to the conclusions and recommendations in the staff report. Please note staff comments are **bold typed** and followed by our responses in *italics*.

#### **CONCLUSION:**

**Based on staff's analysis of the application materials provided and their consistency with the goals, policies, and objectives of the Comprehensive Growth Management Plan, staff does not recommend approval of the text amendment application. The basis for staff's recommendation is outlined below:**

- **Compliance with Policy 4.7A.7. subsections (1), (2), and (5) have not been demonstrated.**  
**Policy 4.7A.7.(1)**

*RESPONSE: Internal consistency has been addressed.*

**Policy 4.7A.7.(2)**

*RESPONSE: Disagree. Compatibility with the adjacent ranchettes and industrial lands are ensured through the PUD Master Site Plan process that is required by the site specific text amendment to Policy 4.1B.2. Ranchettes located on major roadways adjacent to the Primary Urban Service District (PUSD) are inherently compatible with low density, urban uses located in the PUSD. The adjacent Industrial lands have been strategically designed with physical buffers including lakes, berms and landscape buffers in anticipation of future residential use on the subject property*

**Policy 4.7A.7.(5)**

*RESPONSE: Disagree. The Residential Capacity Analysis (RCA) prepared by the County does not take into consideration the changes proposed by the proposed text amendment. An alternative RCA should be prepared based on the proposed text amendment. The County's Residential Capacity Analysis is based on flawed methodology that overestimates supply and underestimates need. The text amendment is intended to allow for alternative methodologies and best available data as required by s. 163.3177(1)(f) and (6)(a)2 and 4, F.S. It is not appropriate through policy to limit the potential scope of professionally accepted methodologies and data that may be applied by staff or an applicant in evaluating the need for land use allocations to meet growth demands and community needs. The existing lots of record should be eliminated in favor of a methodology that would distinguish between antiquated subdivisions with poor absorption and other subdivisions that are absorbing at different rates. The proposed amendment provides the ability to apply other professionally accepted methodology in forecasting absorption rates for subdivisions rather than simply assuming that 100% of the lots will be developed within the planning period.*

**• Proposed amendments to Policy 4.7A.3(9), Policy 4.7A.3.1.(3), and Policy 4.7A.14(9) are internally inconsistent until the applicant also proposes the same text amendment to Policy 4.13A.10.**

*RESPONSE: Internal consistency has been addressed with the enclosed revised text language.*

**• The application proposes to delete Plan text that is unrelated to other proposed changes. It is unclear why the proposed amendments to Sections 1.7.D. and 1.7.E. are needed.**

*RESPONSE: Tabulation of "Peak population in residential housing units for the unincorporated area", as described in Section 1.7.D, is no longer necessary due to proposed amendments within Sections 1.7.B and 1.7.C which describe a simplified methodology relying upon reliable publicly available data sources for "Housing unit demand projection" and "Residential capacity calculations", respectively. Proposed amendments to Section 1.7.E have been removed to assure internal consistency related to determination of Level of Service (LOS) for library collections, corrections, solid waste, and bicycle and pedestrian pathways.*

**• Proposed amendments to Section 1.7.B; Section 1.7.C; Policy 4.1D.3; and Policy 4.1D.5 are not clear. Until a methodology is applied and words describing calculations become calculations, it is unclear the result.**

*RESPONSE: Proposed Amendments to Section 1.7.B, Section 1.7.C, Policy 4.1D.3, and Policy 4.1D.5 have been revised to ensure the proposed methodology includes detailed step-by-step procedures for calculations described. Amendments are also proposed within Policy 4.1D.2, Policy 4.1D.4, Policy 4.1D.6, Policy 4.2A, and Section 2.4 to assure internal consistency.*

- **Proposed amendments to Section 1.7.B and Policy 4.1D.3 are not consistent with each other and with other elements of the Comprehensive Growth Management Plan and would result in internal inconsistency within the Plan.**

*RESPONSE: The enclosed text is now internally consistent.*

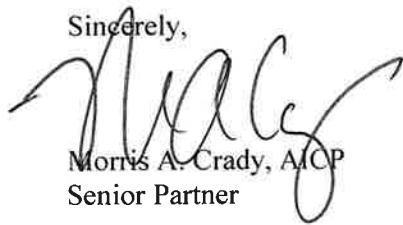
- **There are numerous instances of the proposed text amendments not being correctly formatted for strike and underline of added and deleted text. Text amendments must be shown in the proper format for an accurate representation of the proposed amendments to the text of the Comprehensive Plan.**

*RESPONSE: The enclosed text amendments use the most recently adopted Comprehensive Plan policy language and have been checked for accuracy.*

Based on these responses, the proposed text amendments meet all applicable Comprehensive Plan and statutory requirements and should enable a staff recommendation of approval.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Crady', with a stylized flourish at the end.

Morris A. Crady, AICP  
Senior Partner

Copy to: Client and development team

**Properties within Freestanding Urban Service District  
to be Converted to Primary Urban Service District**

|                                                                             |                      |
|-----------------------------------------------------------------------------|----------------------|
| South Florida Gateway PUD and<br>Waterside Community Development District*: | 216 acres (+/-)      |
| Martin County Operations Parcel**:                                          | 29 acres (+/-)       |
| Waterside Way Public ROW**:                                                 | <u>5 acres (+/-)</u> |
| <b>Total:</b>                                                               | <b>250 acres</b>     |

\*See PUD Legal Description

\*\* See Warranty Deeds

**REVISED EXHIBIT "A"**  
**PUD LEGAL DESCRIPTION**

**SOUTH FLORIDA GATEWAY PLAT AS RECORDED IN PLAT BOOK 19, PAGE 56, AND SOUTH FLORIDA GATEWAY PUD – C LOTS, AS RECORDED IN PLAT BOOK 19, PAGE 90, OFFICIAL RECORDS OF MARTIN COUNTY, FLORIDA, CONTAINING 184.11 ACRES, MORE OR LESS.**

**TOGETHER WITH (LOT IND-3):**

**A PARCEL OF LAND BEING A PORTION OF LOTS 6 AND 7, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE EAST LINE OF LOTS 3 AND 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1568.60 FEET TO THE POINT OF BEGINNING; THENCE S.89°44'18"E., A DISTANCE OF 1253.33 FEET; THENCE S.00°01'11"W., A DISTANCE OF 1078.10 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT; THENCE N.89°44'18"W., ALONG SAID SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 7, SECTION 13, OF SAID PLAT, A DISTANCE OF 1253.33 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF LOT 6, SECTION 13, OF SAID PLAT; THENCE N.89°44'14"W., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) OF SAID SECTION 13 AND SOUTH LINE OF SAID LOT 6, A DISTANCE OF 50.00 FEET; THENCE N.00°01'11"E., ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST (1/4) OF SECTION 13 AND THE EAST LINE OF SAID LOT 6, SECTION 13, OF SAID PLAT, A DISTANCE OF 1078.11 FEET; THENCE S.89°44'18"E., A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.**

**CONTAINING: 32.26 ACRES, MORE OR LESS.**

**TOTAL PUD AREA CONTAINING 216.37 ACRES, MORE OR LESS**



Recorded in Martin County, FL 7/20/2022 12:59 PM  
Carolyn Timmann, Clerk of the Circuit Court & Comptroller  
Rec Fees: \$44.00 Deed Tax: \$25,034.80  
CFN#2971540 BK 3325 PG 2137 PAGE 1 of 5

Robert A. Burson  
Attorney at Law  
Robert A. Burson, P.A.  
Post Office Box 1620  
Stuart, FL 34995  
772-286-1616  
File Number: 22-009  
Will Call No.: CH BOX #39  
Martin County RPM #3537  
Parcel Identification No. Part of 13-39-40-000-003-00000.1

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

**This Indenture** made this 20th day of July, 2022 between KL Waterside LLC, a Delaware limited liability company whose post office address is 105 NE 1st Street, Delray Beach, FL 33444 of the County of Palm Beach, State of Florida, grantor\*, and Martin County, a political subdivision of the State of Florida whose post office address is 2401 SE Monterey Road, Stuart, FL 34996 of the County of Martin, State of Florida, grantee\*,

**Witnesseth** that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

A PARCEL OF LAND BEING A PORTION OF LOTS 14 AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA;

THENCE SOUTH 89°37'58" EAST, ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13;

THENCE SOUTH 00°01'11" WEST, ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT;

THENCE SOUTH 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 1547.53 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°44'18" EAST, A DISTANCE OF 1353.39 FEET;

THENCE SOUTH 00°00'14" WEST, A DISTANCE OF 665.82 FEET;

THENCE NORTH 89°51'44" WEST, A DISTANCE OF 126.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET;



THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO POINT OF TANGENCY;

THENCE SOUTH 53°29'16" WEST, A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 300.00 FEET;

THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY;

THENCE NORTH 89°32'35" WEST, A DISTANCE OF 661.44 FEET;

THENCE NORTH 89°37'43" WEST, A DISTANCE OF 189.95 FEET;

THENCE NORTH 00°00'16" WEST, A DISTANCE OF 906.06 FEET;

THENCE SOUTH 89°44'18" EAST, A DISTANCE OF 189.95 FEET TO THE POINT OF BEGINNING.

F:\REAL-EST\MARTIN COUNTY\22-009\LEGAL DESCRIPTION FROM FUND REVISED COMMITMENT W REVISED FORMAT-01

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any

See attached Exhibit 1 being a Sketch of the above described parcel.

Accepted pursuant to Resolution No. 22-6.17.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

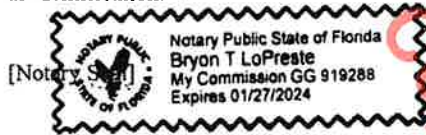
Witness Name: JAMES L. BERT  
Witness Name: BRIAN T. COCHRAN

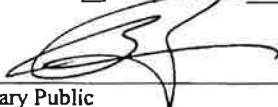
KL Waterside LLC, a Delaware limited liability company

By: James P. Harvey  
James P. Harvey, Authorized Signatory

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ~~☒ online notarization~~, this 15<sup>th</sup> day of July, 2022 by James P. Harvey, Authorized Signatory of KL Waterside LLC, a Delaware limited liability company, on behalf of the company, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.



  
\_\_\_\_\_  
Notary Public

Printed Name: Bryon T. LoPrete

My Commission Expires: 01-27-24

**-EXHIBIT "B"-****DESCRIPTION:**

A PARCEL OF LAND BEING A PORTION OF LOTS 14 AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE SOUTH 89°37'58" EAST, ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE SOUTH 00°01'11" WEST, ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE SOUTH 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 1547.53 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE SOUTH 00°00'14" WEST, A DISTANCE OF 665.82 FEET; THENCE NORTH 89°51'44" WEST, A DISTANCE OF 126.72 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO POINT OF TANGENCY; THENCE SOUTH 53°29'16" WEST, A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 300.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°32'35" WEST, A DISTANCE OF 661.44 FEET; THENCE NORTH 89°37'43" WEST, A DISTANCE OF 189.95 FEET; THENCE NORTH 00°00'16" WEST, A DISTANCE OF 906.06 FEET; THENCE SOUTH 89°44'18" EAST, A DISTANCE OF 189.95 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,298,202 SQUARE FEET OR 29.803 ACRES, MORE OR LESS.

**NOTE:**

BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE SOUTH LINE OF THE NE 1/4 OF SECTION 13, HAVING A BEARING OF NORTH 89°44'18" EAST.

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

**WATERSIDE - KL WATERSIDE LLC**  
**SKETCH AND DESCRIPTION**

EXHIBIT 1  
 PAGE 1 OF 2 PAGES

| REVISIONS                 |           |                                 |      | Prepared For: KOLTER LAND PARTNERS, LLC                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------|-----------|---------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No.                       | Date      | Description                     | Den. | Date: DECEMBER 10, 2021                                                                                                                                                                              | <b>SURVEYOR'S CERTIFICATE</b><br>This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 53-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.<br><b>Gary Rager</b><br><small>Digitally signed by Gary Rager<br/>           DN: cn=GARY A. RAGER, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, email=g.rager@geopointsurvey.com, c=FL<br/>           Date: 2021.12.14 11:05:11 -0500</small> |
| 1                         | 2-18-2022 | Revise per New Boundary         | SWM  |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 2                         | 3-01-2022 | Revise per County Eng. Comments | SWM  |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 3                         | 3-03-2022 | Revise Description per Comments | SWM  |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 4                         | 4-13-2022 | Revise Sketch and Description   | SWM  |                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Sheet No. 01 of 02 Sheets |           |                                 |      | <b>Gary A. Rager</b><br>FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. <b>LS4828</b><br>NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



**GeoPoint**  
Surveying, Inc.

4152 W. Blue Heron Blvd.  
Suite 105  
Riviera Beach, FL 33404  
Phone: (561) 444-2720  
www.geopointsurvey.com  
Licensed Business Number LB 7768

|                               |                  |                     |
|-------------------------------|------------------|---------------------|
| Drawn: SWM                    | Date: 01/20/2022 | Data File: N/A      |
| Check: GAR                    | P.C.: N/A        | Field Book: N/A     |
| Section: 13 Twn. 39S Rng. 40E |                  | Job #: KL Water S&D |





Inst. # 2971542  
Bk: 3325 Pg: 2146 Pages: 1 of 5  
Recorded on: 7/20/2022 1:01 PM Doc: D  
Carolyn Timmann  
Clerk of the Circuit Court & Comptroller  
Martin County, FL  
Rec Fees: \$44.00 Deed Tax: \$0.70



Prepared by and return to:

Robert A. Burson  
Attorney at Law  
Robert A. Burson, P.A.  
Post Office Box 1620  
Stuart, FL 34995  
772-286-1616  
File Number: 22-009C  
RPM 3537

Parcel Identification No. 13-39-40-000-003-00000-1  
Right of Way Dedication-SW Waterside Way

[Space Above This Line For Recording Data]

## Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 3rd day of July, 2022 between KL Waterside LLC, a Delaware limited liability company whose post office address is 105 NE 1st Street, Delray Beach, FL 33444 of the County of Palm Beach, State of Florida, grantor\*, and MARTIN COUNTY, a political subdivision of the State of Florida whose post office address is 2401 SE Monterey Road, Stuart, FL 34996 of the County of Martin, State of Florida, grantee\*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

See EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Accepted pursuant to Resoultion No. 22-7.4 on July 12, 2022

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

\* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Carol Kyden

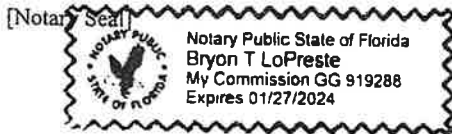
Witness Name: Bryan W. Lasse

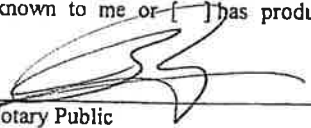
KL Waterside LLC, a Delaware limited liability company

By: James P. Harvey  
James P. Harvey, Authorized Signatory

State of Florida  
County of Hillsborough

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 5 day of July, 2022 by James P. Harvey, Authorized Signatory of KL Waterside LLC, a Delaware limited liability company, on behalf of the company, who ☒ is personally known to me or ☐ has produced a driver's license as identification.



  
\_\_\_\_\_  
Notary Public

Printed Name: Bryon T. LoPreste

My Commission Expires: 01-27-24

**EXHIBIT "A"**

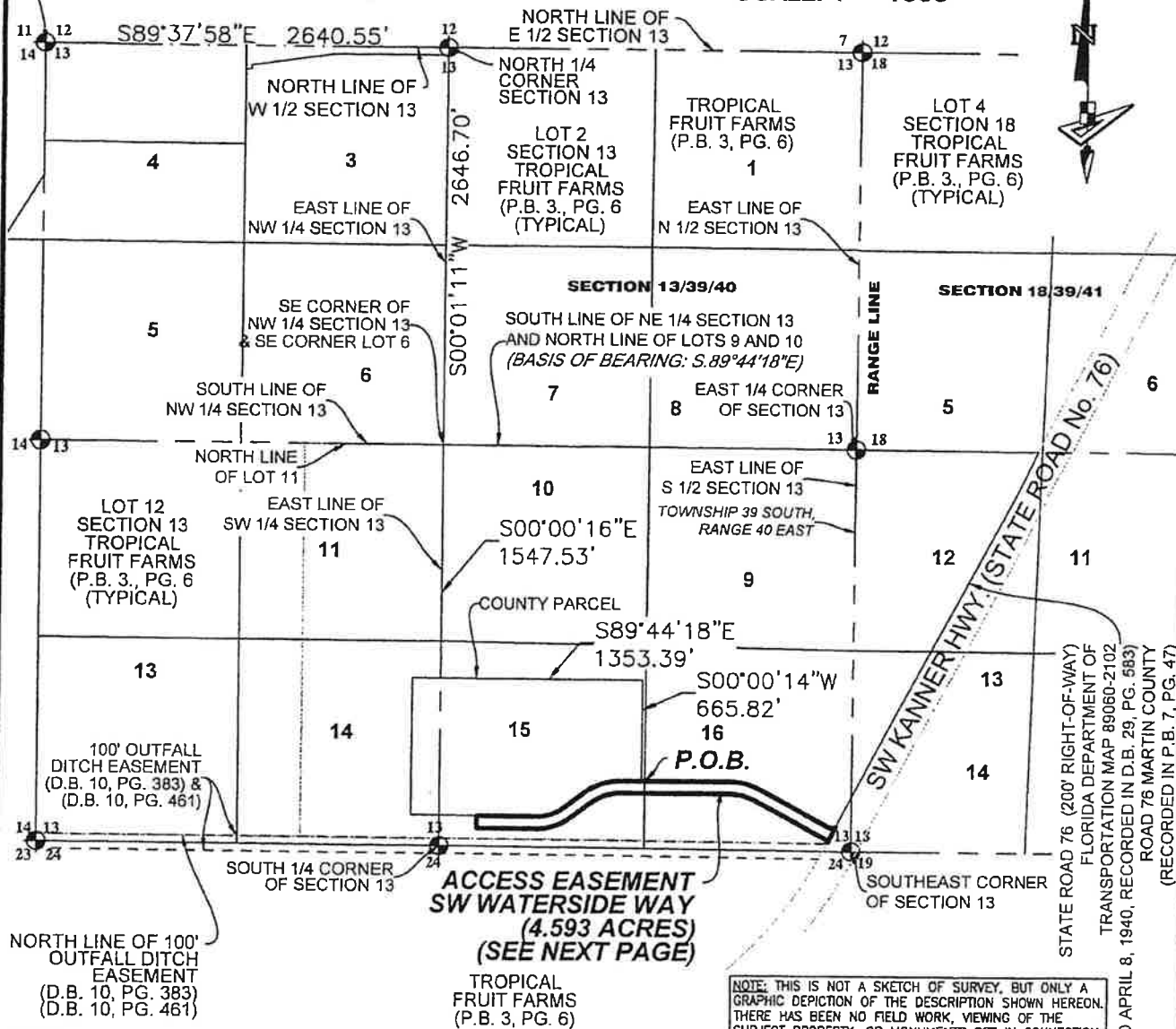
COMMENCEMENT AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE SOUTH 89°37'58" EAST, ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE SOUTH 00°01'11" WEST, ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE SOUTHEAST CORNER OF LOT 6, SECTION 13 OF SAID PLAT; THENCE SOUTH 00°00'16" EAST, ALONG THE EAST LINE OF SOUTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 1547.53 FEET; THENCE SOUTH 89°44'18" EAST, A DISTANCE OF 1353.39 FEET; THENCE SOUTH 00°00'14" WEST, A DISTANCE OF 665.82 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'44" EAST, A DISTANCE OF 577.77 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 420.00 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 201.72 FEET TO POINT OF TANGENCY; THENCE SOUTH 62°20'39" EAST, A DISTANCE OF 548.31 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°56'34", A DISTANCE OF 39.24 FEET TO A POINT OF NON-TANGENCY AND A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE SOUTH 27°42'47" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 115.51 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 35.00 FEET, AND A RADIAL BEARING OF SOUTH 73°18'02" WEST AT SAID INTERSECTION; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 45°38'42", A DISTANCE OF 27.88 FEET TO A POINT OF TANGENCY; THENCE NORTH 62°20'39" WEST, A DISTANCE OF 548.17 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 340.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°31'05", A DISTANCE OF 163.30 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°51'44" WEST, A DISTANCE OF 704.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 340.00 FEET; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 217.49 FEET TO A POINT OF TANGENCY; THENCE SOUTH 53°29'16" WEST, A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 380.00 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 245.19 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°32'35" WEST, A DISTANCE OF 410.00 FEET; THENCE NORTH 00°27'25" EAST, A DISTANCE OF 80.00 FEET; THENCE SOUTH 89°32'35" EAST, A DISTANCE OF 410.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO A POINT OF TANGENCY; THENCE NORTH 53°29'16" EAST, A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE SOUTH 89°51'44" EAST, A DISTANCE OF 126.72 FEET TO THE POINT OF BEGINNING.

## WATERSIDE - COUNTY ACCESS TRACT SKETCH AND DESCRIPTION

| REVISIONS                                                                                                        |          |                           |      | Prepared For: KOLTER LAND PARTNERS, LLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|------------------------------------------------------------------------------------------------------------------|----------|---------------------------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| No.                                                                                                              | Date     | Description               | Dwn. | Date: JUNE 24, 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| 1                                                                                                                | 07/06/22 | ADDRESSED REVIEW COMMENTS | DSC  | <div><div>SURVEYOR'S CERTIFICATE</div><div>This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors &amp; Mappers in Chapter SJ-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.</div><div>Gary A. Rager</div><div>FLORIDA PROFESSIONAL SURVEYOR &amp; MAPPER NO. <b>LS4828</b></div></div>                                                                         |  |
|                                                                                                                  |          |                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
|                                                                                                                  |          |                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
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|                                                                                                                  |          |                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| Sheet No. 01 of 03 Sheets                                                                                        |          |                           |      | <div><div><div>GeoPoint</div><div>Surveying, Inc.</div></div><div><div>4152 W. Blue Heron Blvd,<br/>Suite 105<br/>Riviera Beach, FL 33404</div><div>Phone: (561) 444-2720<br/>www.geopointsurvey.com<br/>Licensed Business Number LB 7765</div></div><div><div>Drawn:GAR</div><div>Date:06/24/2022</div><div>Data File:N/A</div></div><div><div>Check:AT</div><div>P.C.:N/A</div><div>Field Book:N/A</div></div><div><div>Section: 13</div><div>Twp. 39S</div><div>Rng. 40E</div><div>Job #:COUNTY ACC</div></div></div> |  |
| NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER |          |                           |      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

FILE: W:\OUTER\MTL\ENGINEERING\SURVEY\130 PLAT PARCELS OWNERS\30 ACRE PARCEL UPDATE\_4-15-22\COUNTY ACCESS.DWG PLOTTED BY: DAKOTA CHURCH ON: 7/6/2022 1:05 PM LAST SAVED BY: DAKOTA CHURCH ON: 7/6/2022 11:45 AM

NORTHWEST CORNER OF SECTION 13,  
TOWNSHIP 39 S., RANGE 40 E. AND NORTHWEST  
CORNER OF LOT 4 (P.B. 3, PG.6)



BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE SOUTH LINE OF THE NE 1/4 OF SECTION 13, HAVING A BEARING OF SOUTH 89°44'18" EAST.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

DATED APRIL 8, 1940, RECORDED IN D.B. 29, PG. 583)  
 TRANSPORTATION MAP 89060-2102  
 ROAD 76 MARTIN COUNTY  
 (RECORDED IN P.B. 7, PG. 47)

**Last Date of Field Survey:** N/A

P.O.B. --- POINT OF BEGINNING  
P.O.C. --- POINT OF COMMENCEMENT  
PG./PG(S) --- PAGE(S)  
13-39-40 --- SECTION-TOWNSHIP-RANGE  
14 13  
14 --- SECTION CORNER

P.B. --- PLAT BOOK  
D.B. --- DEED BOOK  
S.R. --- STATE ROAD  
R/W --- RIGHT-OF-WAY  
R --- RADIUS  
L --- ARC LENGTH  
D --- DELTA-CENTRAL ANGLE

# GeoPoint

Surveying, Inc.

Phone: (561) 444-2720  
www.geopointsurvey.com  
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|             |                   |                   |
|-------------|-------------------|-------------------|
| Section: 13 | Twn. 39S Rng. 40E | Job #: COUNTY ACC |
|-------------|-------------------|-------------------|

Sheet No. 02 of 03 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE  
 & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

UN: 7/6/2022 1:05 PM  
LAST SAVED BY: DAKOTA CHURCH  
ON: 7/6/2022 11:45 AM

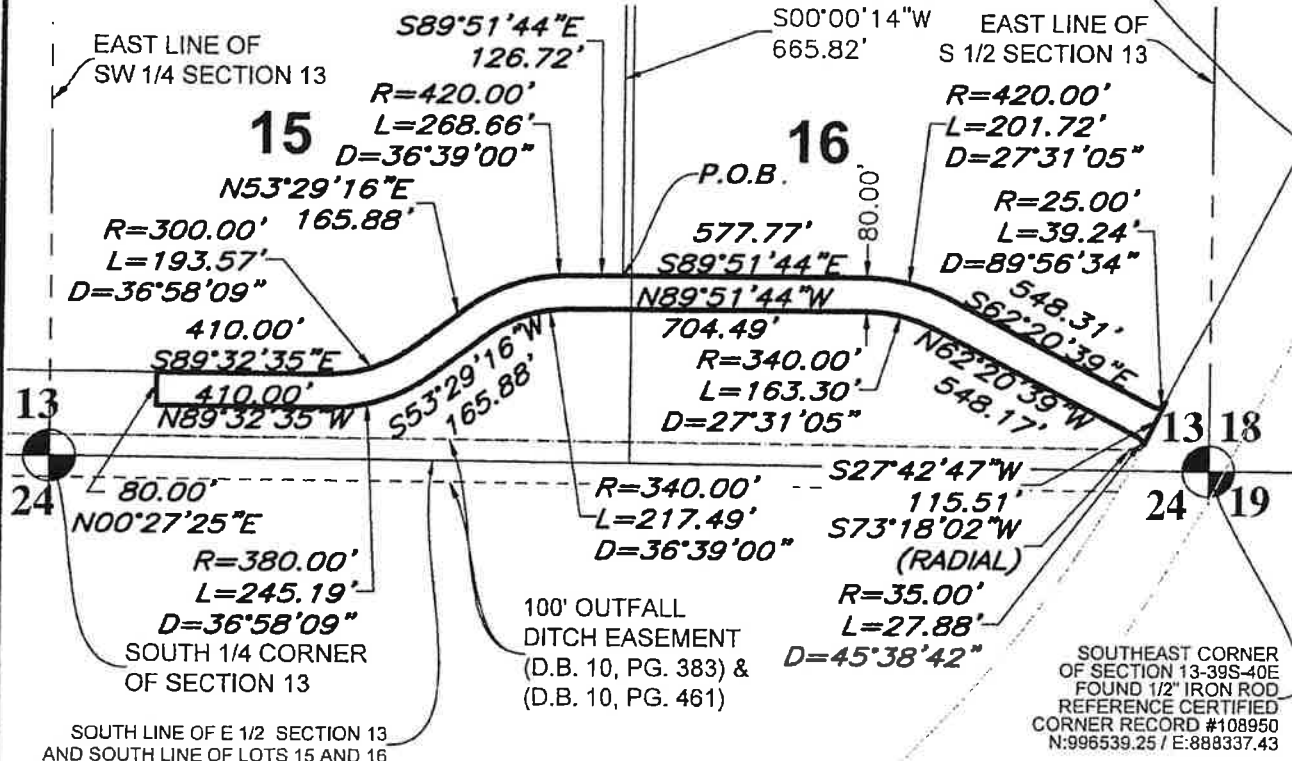




0 400 800  
SCALE: 1" = 400'

STATE ROAD 76 (200' RIGHT-OF-WAY)  
FLORIDA DEPARTMENT OF TRANSPORTATION MAP 89060-2102  
(DATED APRIL 8, 1940, RECORDED IN D.B. 29, PG. 583)  
ROAD 76 MARTIN COUNTY  
(RECORDED IN P.B. 7, PG. 47)

TOWNSHIP 39 SOUTH,  
RANGE 40 EAST  
TOWNSHIP 39 SOUTH,  
RANGE 41 EAST



NOTE:

THIS DOCUMENT MAY BE REPRODUCED UPON  
REQUEST IN AN ALTERNATE FORMAT BY  
CONTACTING THE COUNTY ADA COORDINATOR  
(772) 320-3131, THE COUNTY ADMINISTRATION (772)  
288-5400, FLORIDA RELAY 711, OR BY COMPLETING  
OUR ACCESSIBILITY FEEDBACK AT  
[WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK](http://WWW.MARTIN.FL.US/ACCESSIBILITY-FEEDBACK)

**WATERSIDE - COUNTY ACCESS TRACT  
SKETCH AND DESCRIPTION**

Prepared For: KOLTER LAND PARTNERS, LLC

Last Date of Field Survey: N/A

**LEGEND**

P.O.B. --- POINT OF BEGINNING  
P.O.C. --- POINT OF COMMENCEMENT  
PG./PG(s) --- PAGE(s)  
13-39-40 --- SECTION-TOWNSHIP-RANGE  
13-39-40 --- SECTION CORNER

P.B. --- PLAT BOOK  
D.B. --- DEED BOOK  
S.R. --- STATE ROAD  
R/W --- RIGHT-OF-WAY  
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D --- DELTA-CENTRAL ANGLE

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Licensed Business Number LB 7768

Drawn: GAR Date: 06/24/2022 Data File: N/A  
Check: AT P.C.: N/A Field Book: N/A  
Section: 13 Twn. 39S Rng. 40E Job #: COUNTY ACC

Sheet No. 03 of 03 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE  
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

DWG NAME: W:\KOLTER-WATERSIDE\SURVEYS\SD PLAT PARCELS OWNERS\30 ACRE PARCEL UPDATE\_4-13-22\COUNTY ACCESS.DWG PLOTTED BY: DAKOTA CHURCH ON: 7/6/2022 1:05 PM LAST SAVED BY: DAKOTAC ON: 7/6/2022 11:45 AM

## Chapter 1, Section 1.7. Supporting Data

The CGMP shall be based on analysis of the best available data on past trends, existing characteristics and future projections of the County's population, housing, land use and economic and natural resources. These data shall be maintained as public information filed in the Growth Management Department. The data shall be updated as required by state statute, and local ordinance.

Various elements of the CGMP-such as Future Land Use, Housing, and Capital Improvements - are directly based on population data. The appropriate resident and seasonal population figures are critical to the local government in assessing future needs for housing units, the adequacy of housing supply, and the need for services and facilities.

1.7.A. *Population estimates.* Assumptions used in the CGMP are based on Martin County population estimates and projections. These in turn are based on estimates and projections published by the Office of Economic and Demographic Research (EDR) and the University of Florida Bureau of Economic Business Research (BEBR) as the cited source for EDR estimates and projections.

The following standards shall be used in calculating population projections through a Population Technical Bulletin adopted annually by the County Commission:

- (1) Methodology must be clear and available for public review. Any change in methodology must be approved by the County Commission prior to the preparation of the report.
- (2) The base data for population estimates and projections comes from the U.S. Decennial Census. In between decennial Census years, the Office of Economic and Demographic Research (EDR) provides annual updates to the estimates and projections sourced from the University of Florida Bureau of Economic Business Research (BEBR). In the years in between the decennial Census, the permanent population estimates and projections provided by EDR, sourced from BEBR, shall be used in the annual update to the Population Technical Bulletin to project permanent and seasonal population for the unincorporated portion of Martin County for the planning horizon of the Plan.
- (3) Municipal permanent population shall be subtracted from total county permanent population to arrive at the estimate for total permanent population for the unincorporated area. Based on this calculation, the most recent 5-year average percentage of the total permanent population residing within the unincorporated area shall be multiplied by EDR projections for the total county, sourced from BEBR, to determine future permanent population for the unincorporated area. The Population Technical Bulletin shall show what portion of the permanent population is housed in residential-occupied housing units or households.
- (4) Peak population in residential-occupied housing units or households and peak population for level of service determination shall be calculated as outlined in Sections 1.7.D. and 1.7.E., CGMP. below.
- (5) See Chapter 2 for definitions of population terms used in the text of the Plan.

1.7.B. *Housing unit demand projection.* Projections of housing unit demand are based on expected increases in permanent population (housing) for the unincorporated area and shall be based on calculations described below:

(1) See Chapter 2 for definitions of housing terms used in the text of the Plan.

(2) The demand for future residential housing units in the unincorporated area shall be based on the percentage increase in permanent population (housing) for the unincorporated area projected by the Population Technical Bulletin, as well as percentage increase in vacant housing units.

permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing units

projected permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing unit demand

vacant housing units rented or sold / housing units = percent of housing units that are vacant housing units rented or sold

vacant seasonal housing units / housing units = percent of housing units that are vacant seasonal housing units

other vacant housing units / housing units = percent of housing units that are other vacant housing units

percent of housing units that are vacant housing units rented or sold + percent of housing units that are vacant seasonal housing units + percent of housing units that are other vacant housing units = minimum housing unit vacancy

sum of values / count of values = average

(occupied housing unit demand \* 5-year average minimum housing unit vacancy) + occupied housing unit demand = projected future housing unit demand

(1) \_\_\_\_\_

~~(2) Occupied housing units (HO) are classified by the census as those residential housing units in use by permanent population.~~

~~Vacant seasonal housing units (HS) are classified as those residential housing units that are seasonally occupied by residents who spend less than six months of the year in Martin County. American Community Survey Data shall be used as source data between Decennial Census years.~~

~~(3) Peak population in residential housing is served by housing units in actual use (HU).~~

~~Housing units in actual use (HU) equals the occupied housing units (HO) plus vacant seasonal housing units (HS).~~

~~HU= HO+ HS~~

~~(4) Vacant housing not in seasonal use shall not be used in calculating housing unit demand, but shall be used in calculating supply. Hotel/motel units shall not be used in calculating residential housing demand.~~

~~(5) The projected demand for housing units in the future shall be determined by dividing the projected, permanent population (housing), as defined in Chapter 2 by the permanent population (housing) identified. American Community Survey Data shall be used as source data between Decennial Census years.~~

~~Projected permanent population (housing)/Permanent population (housing)= percentage increase in demand.~~

~~(6) This percentage increase in demand multiplied by the housing units in actual use (HU) equals the projected residential housing unit need in the future period. American Community Survey Data shall be used as source data between Decennial Census years.~~

~~Percentage increase in demand x HU= projected housing unit demand.~~

~~(7) The eastern Urban Service District and the Indiantown Urban Service District shall be considered separately.~~

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 20-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. To account for various conditions which prevent achieving maximum allowable densities, 75% of the maximum allowable density shall be used in calculating the number of available housing units on vacant non-agricultural acreage. For the purpose of this calculation, the maximum allowable density for wetlands shall be one-half zero. The maximum allowable density for properties that are more than 50% inundated by wetlands shall be 75% of the maximum density of a given future land use designation and shall apply only to the upland portion of the property. The maximum allowable density for properties which contain wetlands but are less than 50% inundated by wetlands shall be one-half of the maximum 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 the CRAs.~~

~~(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 Decennial Census years.~~

~~(5) The eastern Urban Service District and the Indiantown Urban Service District shall be considered separately.~~

~~1.7.D. Peak population in residential housing units for the unincorporated area. The number of residents living in residential housing units for more than six months of the year, and the number of occupants of residential housing who spend less than six months in Martin County equals peak population (housing). It is calculated by adding permanent population (housing) and the seasonal population (housing) to determine the total demand for residential housing units~~

1.7.E.1.7.D. *Peak and weighted average population for Level of Service determination (LOS).* Peak and weighted average population for LOS for library collections, corrections, solid waste, and bicycle and pedestrian pathways as outlined in Chapter 14 shall be calculated as follows:

- (1) Permanent population for the unincorporated area including prisoners and group homes, shall be derived from EDR.
- (2) Seasonal population (facility) for the unincorporated area shall include seasonal population (housing) plus part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents. This includes tourists, migrant farm workers, and other short-term and long term visitors. Hotel motel population in the peak five months of the year for the unincorporated area shall be determined by using hotel occupancy data and hotel bed tax collections to estimate the average number of vacationers.
- (3) Permanent population plus seasonal population (facility) in the peak five months of the year shall equal the peak population (facility) for the unincorporated area. This data is then used to determine weighted average population for LOS determination.
- (4) The weighted average population assumes that five months of the year are peak population and the remaining seven are permanent. The permanent and peak populations are weighed accordingly to produce the weighted average population estimates. This is done by multiplying the appropriate permanent population by seven, and the appropriate peak population by five, and dividing the total by twelve.
- (5) Estimates and projections for the peak population and the weighted average population shall be calculated for countywide population and for unincorporated area population.

1.7.F.1.7.E. Every five years the staff shall analyze previous projections to determine the accuracy of the methodology and improve on it for future projections.

## Chapter 2, Section 2.4. Definitions

*Historic sites survey:* A comprehensive survey compiled for Martin County involving the identification, research and documentation of buildings, sites and structures of any historical, cultural, archaeological or architectural importance in Martin County.

*Housing trust fund:* A dedicated source of revenue available to assist people, who qualify based on income, to attain housing that is affordable.

*Housing units:* Means a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied or intended for occupancy as separate living quarters as classified by the US Census.

*Occupied Housing units in actual use:* Means A housing unit is occupied if a person or group of persons is living in it at the time of the US Census interview or if the occupants are only temporarily absent, as for example, on vacation. The persons living in the unit must consider it their usual place of residence or have no usual place of residence elsewhere. The number of occupied housing units is the same as, or equal to, the number of households the number of residential housing units occupied by permanent residents as classified by the US Census. plus the number of vacant seasonal housing units. Housing units in actual use equals the occupied housing units plus vacant seasonal housing units.

*Household:* Means the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit as classified by the US Census.

*Group Quarters:* As classified by the US Census, means a place where people live or stay in a group living arrangement that is owned or managed by an entity or organization providing housing and/or services for the residents. These services may include custodial or medical care, as well as other types of assistance, and residency is commonly restricted to those receiving these services. This is not a typical household-type living arrangement. People living in Group Quarters usually are not related to each other. Group Quarters include such places as college residence halls, residential treatment centers, skilled nursing facilities, group homes, military barracks, correctional facilities, workers' dormitories, and facilities for people experiencing homelessness.

*Vacant Housing Units:* A housing unit is vacant if no one is living in it at the time, unless its occupants are only temporarily absent. In addition, a vacant unit may be one which is entirely occupied by persons who have a usual residence elsewhere as classified by the US Census.

*Categories of Vacant Housing Units, as classified by the US Census, are as follows:*

- *Vacant Housing Units for Rent:* Vacant units offered for rent and those [which may also be] offered both for rent and sale.
- *Vacant Housing Units for Sale:* Limited to vacant housing units for sale only; excludes vacant housing units both for rent and sale. If a vacant housing unit was located in a multi-unit structure which was for sale as an entire structure and if the vacant housing unit was not for rent, it was reported as vacant housing unit held off market. However, if the individual vacant housing unit was intended to be occupied by the new owner, it was reported as vacant housing unit for sale.
- *Vacant Housing Units Rented or Sold:* Vacant housing units which have been rented or sold but the new renters or owners have not moved in.
- *Vacant Housing Units held off the Market:* Vacant housing units held for occasional use, temporarily occupied by persons with usual residence elsewhere, and vacant for other reasons.
- *Vacant Seasonal Housing Units:* Vacant housing units intended for occupancy only during certain seasons of the year, found primarily in resort areas. Vacant housing units held for occupancy by migratory labor employed in farm work during the crop season are tabulated as vacant seasonal housing units.
- *Other Vacant Housing Units:* Year-round vacant housing units which were vacant for reasons other than those mentioned above (i.e., for rent; for sale, only; rented, not occupied; sold, not occupied; and seasonal, recreational, and occasional use). For example, held for settlement of an estate, held for personal reasons, or held for repairs.

*Incentive:* The addition of a positive measure and/or the elimination or reduction of a negative measure to encourage activities, programs, or projects to obtain a specific goal.

*Individual potable water treatment system:* A potable water well, treatment and supply system which serves nonresidential uses with a flow rate of less than or equal to 2,000 gallons per day, and where treatment is mandated by governing agencies.

*Industrial, hazardous or toxic sewage waste* - From 64E-6.002{29} FAC. - Wastewater not otherwise defined as domestic sewage waste or commercial sewage waste. Wastewater carried off by floor drains, utility sinks and equipment drains located in buildings in industrial or manufacturing areas, estimated volumes of commercial sewage wastes exceeding 5,000 gallons per day, wastewater from commercial laundry facilities with more than four self-service machines, and wastewater from car and truck washes are included in this definition.

*Infill development:* Development occurring in vacant areas in the urbanized parts of the County.

*Influent:* Untreated or raw wastewater delivered by a combination of gravity sewers and force mains to the head end (front end) of a wastewater treatment facility.

*Injection well/zone:* A well in which fluid is transmitted to a subterranean formation.

*Interim level of service:* A temporary level of service designation for a roadway link that expires after limited time or when a specified traffic volume threshold is reached, whichever occurs first. The interim level is usually below the adopted level of service for the road network and is linked to a specific programmed improvement designed to bring the operation of the facility up to the adopted level.

*Interim package plant:* A temporary package plant or septic system in service until a regional system is available in close enough proximity and with adequate capacity.

*Interim water systems:* Any temporary potable water treatment and supply system, other than an individual potable water well, in service until a regional system is available in close enough proximity and with adequate capacity.

*Interlocal Agreement for School Facilities Planning and Siting:* The interlocal agreement detailing the responsibilities and coordination processes necessary to implement joint planning, school siting procedures, and school concurrency between Martin County, City of Stuart and the School Board of Martin County. It was signed by the School Board on February 19, 2008, and made effective by Martin County on March 11, 2008.

*Investor-owned public sewage system:* A wastewater treatment facility that is not owned by the government but is regulated by the Florida Public Service Commission.

*Ion exchange:* A reversible chemical process in which ions from an insoluble permanent solid medium (the ion exchanger - usually a resin) are exchanged for ions in a solution or fluid mixture surrounding the insoluble medium. The superficial physical structure of the solid is not affected. Both cation and anion exchange are used for water conditioning. Cation exchange is commonly used for water softening.

*Large multislip docking facility:* A boat facility constructed and used as a private docking area within residential areas. The facility is for the exclusive use of the residents and is not for use by the general public.

*Leap-frog development:* Developments located beyond the fringe of urban development where the planned provision of urban services cannot be assured in a cost-effective manner and where community planning goals would be adversely affected.

*Level of service (LOS):* An indicator of the extent or degree of service provided by, or proposed to be provided by a facility, based on and related to the facility's operational characteristics. Level of service indicates the capacity per unit of demand for a public facility.

*Lime softening:* The use of lime in a chemical precipitation process to remove compounds that contribute to hardness in water. Lime softening enhances the aesthetic quality of potable water.

*Limited access highway:* An expressway; a highway especially planned for high-speed traffic, usually having few if any intersections, limited points of access or exit, and a divider between lanes for traffic moving in opposite directions.

*Linkage fees:* Fees collected from nonresidential and market-rate residential development and placed in a trust fund to be used in building affordable homes for low-wage workers.

*Live-work units:* Buildings or structures used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary place of work.

*Living shorelines:* An environmentally sound practice that uses materials and methods of construction intended to stabilize shorelines and reduce erosion while simultaneously enhancing environmental function by providing habitat for marine organisms, native vegetation, fish and wildlife.

*Local street:* A street intended to provide access to abutting properties, which tends to accommodate lower traffic volumes and serves to provide mobility within that neighborhood (see also Residential road).

*Local register of historic places:* A listing maintained by the Martin County Historic Preservation Board, of various sites, buildings, structures, objects and districts that are historically significant, as determined by criteria established by local ordinance.

*Material Change:* Any change to the allowable uses, densities or intensities, development standards, extent of development allowances or infrastructure or preservation requirements. deadlines for payment of fees, completion of work or similar substantive matters, or other substantive aspect of development that may increase the impact of the amendment, including those related to financial obligations.

*Mean high water line:* the intersection of the tidal plane of mean high water with the shore as determined in accordance with Chapter 177, Part II, Florida Statutes.

*Metropolitan Planning Organization (MPO):* Mandated by the 1973 Federal Aid Highway Act, the MPO serves as the planning/decision-making body for the Metropolitan Planning Area (MPA) in Martin County. The policy-making board consists of elected officials from Martin County, the City of Stuart, the Town of Sewall's Point and the Village of Indiantown.

*Mixed-use development:* A mix of residential and commercial, institutional, or limited impact industrial uses, in the form of a mixed-used pattern or a mixed-use project.

*Mixed-use pattern:* A dynamic mix of residential, commercial, institutional and/or limited impact industrial uses located within walking distance that develops incrementally over time, and may, but need not, involve more than one type of land use on any individual lot.

*Mixed-use project:* One or more buildings containing a residential use and one or more complementary commercial, institutional, and limited impact industrial uses, in close proximity and planned and approved as a single, unified project.

*Mobile home:* A structure that is transportable in one or more sections, built on a permanent chassis and designed for use as a single-family residential dwelling when connected to the required utilities. If fabricated after June 15, 1976, each section should bear a U.S. Department of Housing and Urban Development (HUD) label certifying its compliance with the Federal Manufactured Home Construction and Safety Standards, 42 USC 5401 and 24 CFR 3282 and 3283.

*National Register of Historic Places:* A federal listing maintained by the National Park Service of buildings, sites, structures, objects and districts that are historically significant, as defined by the Historic Preservation Act of 1966 (amended).

*Native Upland Habitat:* Native plant community associations, including canopy, understory and groundcover, or any combination of them that are generally undisturbed and unimproved.



*Natural conditions:* Those wetlands and native upland habitat, in place on a property prior to any man-made alteration to the property, as indicated by generally accepted data sources including, but not limited to, the Soil Survey of Martin County Area (Martin Soil and Water Conservation District: U.S.D.A. Soil Conservation Service, 1981; Florida Division of Forestry, 1981) and aerial photographs.

*Neighborhood Advisory Committee or NAC:* Committee of residents, property owners, business owners or their agents appointed by the Board of County Commissioners to act in an advisory capacity to the Community Redevelopment Agency for a particular community redevelopment area.

*Neighborhood park:* A park servicing an area within a one-mile radius that provides open space and/or organized play structures.

*Nonpublic wastewater systems:* A regional wastewater treatment and disposal plant that serves the public but has less than 15 service connections and regularly serves less than 25 individuals daily on at least 305 days of the year.

*Objective:* A specific, measurable, intermediate end that is achievable and marks progress toward a goal.

*Onsite Sewage Treatment and Disposal Systems (OSTDS):* A system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes any item placed within, or intended to be used as a part of or in conjunction with, the system. The term does not include package sewage treatment facilities and other treatment works regulated under Florida Statute. (see definition for *enhanced nutrient-reducing onsite sewage treatment and disposal system*) A sewage treatment and disposal facility which contains a drainfield and an anaerobic or aerobic treatment systems.

*Open space:* The portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas and sidewalks, whether permeable or impermeable.

*Overlay zoning districts:* Zoning districts in which additional regulations are imposed as performance standards over and above the standard development regulations of the underlying district.

*Package wastewater treatment plant:* A wastewater treatment plant which accommodates flows greater than 2,000 gallons per day, but less than 500,000 gallons per day, and is not certified as a regional wastewater system.

*Package water treatment plant* means a water treatment plant which accommodates flows greater than 2,000 gallons per day, but less than 500,000 gallons per day, and is not certified as a regional potable water system.

*Passive parkland:* Parks where the natural features of the land are the major attractor.

*Peak hour:* The 60 minutes within a 24-hour period with the highest traffic volume. A peak hour is generally designated for both morning and afternoon traffic conditions.

*Peak population {facility}:* The number of permanent residents and seasonal visitors. It is calculated by adding permanent population to seasonal population (facility) to calculate the peak population for level of service planning. This definition includes tourists, migrant farmworkers, prisoners, group home residents, and other short-term and long-term visitors.

*Peak population {housing}:* The number of residents living in residential housing units for more than six months of the year, and the number of occupants of residential housing who spend less than six months in Martin County equals peak population (housing). It is calculated by adding permanent population (housing) and the seasonal population (housing) ~~to determine the total demand for residential housing units.~~

*Percent for Art Ordinance:* An ordinance designed to authorize commitment of a given percentage of public funds from certain public construction and remodeling projects (based on the project size and type) to place art in public places.

*Percolation pond:* An earthen impoundment designed and operated to provide for fluid losses by percolation/seepage in addition to evaporative losses. A percolation pond does not have an impervious liner.

*Permanent population:* The number of residents living in the unincorporated area for more than six months of the year. This includes permanent residents in households as well as prisoners and group homes.

*Permanent population (housing):* The number of residents living in the unincorporated area in residential occupied housing units or households (classified by the US Census as population in occupied housing units) for more than six months of the year.

*Permanent resident:* A person who resides in Martin County for six months or more of the year (U.S. Census Bureau).

*Permit Ready Industrial Development:* Projects located on lands with an Industrial land use designation or are located within a targeted business zoning district that have satisfied all requirements to be designated a permit ready project as specified in the Land Development Regulations.

*Persons per household (unincorporated Martin County):* The number of permanent residents living in residential occupied housing units or households (classified by the US Census as population in occupied housing units) divided by the number of occupied housing units (provided by the US Census or EDR, sourced from BEBR, in a given year) to arrive at the persons per household for unincorporated Martin County. Example using 2010 US Census data: 124,120 persons /54,709 units = 2.27 persons per occupied housing unit or household.

*Planned unit development:* A unified development that is planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD zoning district and approved at public hearing.

*Policy:* The way in which programs and activities are conducted to achieve an identified goal.

*Potable water facilities:* A system of wells, raw (untreated) water mains, treatment plants and water distribution mains that provide a continuous, safe source of high-quality drinking water.

*Prime groundwater recharge areas:* Land or water areas through which groundwater is replenished that are critical to maintaining the water table elevation of the groundwater basin. Such areas are determined by soil conditions that are conducive to the percolation of water from the surface to the water table. The recharge function cannot be preserved with development as an urban use.

*Prime agricultural areas:* Areas having soil and/or water conditions defined in the Federal Register, Volume 49, No. 130, July 1984, providing the Soil Conservation Service, U.S. Department of Agriculture Land Use Policy in Appendix A, Section 401.10.

*Private water systems:* Water systems not under governmental ownership and operation. These systems fall under the rules and regulations of the Florida Public Service Commission.

*Public art:* Any visual work of art displayed for two weeks or more in an open public-owned area, on the exterior of any public-owned facility, within any public-owned facility in areas designated as public area, such as lobbies, or public assembly areas, or on nonpublic property if the work of art is installed or financed either whole or in part with public funds or grants procured by the public.

*Public facility:* The capital improvements and systems of each of the following: airport, coastal, corrections, police and law enforcement, fire rescue, emergency shelters, golf courses, libraries, mass transit, miscellaneous, open space/conservation lands, parks and recreation, pedestrian/bicycle and other multimodal pathways, public buildings, public health, roads, schools, solid waste, water management and utilities.

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*Public open space:* The term "public open space" shall be used to describe lands purchased for public access and public benefit. It shall include resource-based parks and land preserved for conservation or aesthetic reasons. It shall not be confused with the definition of "open space" as permeable, unobstructed portions of a site, as used in the County Land Development Regulations and in Chapter 4, Future Land Use.

*Public urban facilities and services:* Regional water supply and wastewater treatment/disposal systems, solid waste collection services, acceptable response times for sheriff and emergency services, reasonably accessible community park and related recreational facilities, schools and the transportation network.

*Public use airport:* A publicly owned or privately owned airport that is open to the public without advance permission.

*Public water supply:* Water that is withdrawn, treated, transmitted and distributed as potable or reclaimed water.

*Pump station or lift station:* A wet well (holding tank) with pumps from which sewage is pumped into a force main or gravity system for transport to a wastewater treatment plant.

*Recharge:* The addition of water, typically by rainfall, to the Surficial aquifer, thereby replenishing the supply of water.

*Reclaimed water:* Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility (Source: Rule 62-610.200 Florida Administrative Code).

*Recreational airport:* A general aviation airport handling smaller aircraft that provides access to recreational facilities that are either on-site or in the immediate area. The recreational facilities may or may not be aviation related.

*Redevelopment:* The replacement, rehabilitation or repurposing of existing improvements on a previously developed site.

*Regional Long Range Transportation Plan (RLRTP):* A long-range transportation plan developed by the Metropolitan Planning Organization that identifies critical transportation needs and recommended roadway improvements. The RLRTP, on file with the Martin MPO, includes a Needs Plan and a Cost Feasible Plan.

*Regional park:* A park servicing a countywide area that may have the following: athletic facilities, open space, and passive features.

*Regional sewage systems:* A government-owned or investor-owned public sewage system that treats wastewater for a fee for specific geographic regions. Such a system has a capacity of at least 0.5 million gallons per day as rated by the Florida Department of Environmental Protection (FDEP). It is designed and located to offer service to a relatively large area. This term is not intended to designate a single, county-wide wastewater system.

*Regional water systems:* Either government-owned or investor-owned potable water facilities that provide water, for a fee, to specific geographic areas in Martin County. These systems have a capacity equal to or greater than 0.1 million gallons per day, as rated by the Florida Department of Environmental Protection (FDEP). These systems are designed and located to serve a relatively large area.

*Residential development tracking system:* The system which tracks all residential development with master plan approval or with final site plan or final plat approval through the approval and construction process.

*Residential road:* A street intended to provide access to abutting properties. It tends to accommodate lower traffic volumes and provides mobility within that neighborhood (see also Local street).

*Resilience:* the capacity of a community, business, or natural environment to prevent, withstand, respond to, and recover from a disruption.

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*Resource airport:* A publicly owned airport identified by the State of Florida as an important aviation asset that must be preserved to handle future needs. Resource airports typically provide aviation access to areas of the State where scheduled air service does not exist.

*Resource-based park:* A recreation site that primarily provides public access to a natural resource (i.e., beach) or to a recreational facility that depends on a specific natural resource (i.e., boat ramp, fishing access).

*Reverse osmosis:* A membrane process for desalting water using applied pressure to drive the feed water (source water) through a semipermeable membrane (Source: SFWMD, Consolidated Water Supply Plan Support Document).

*Roadway functional classification:* The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories (see definition of "collector road").

*Roadway link/segment:* A length of roadway being evaluated, usually the distance from one signalized intersection to the next.

*Rural area:* Areas of sparse population (less than 1,000 persons per square mile) generally located in the western portion of the County beyond the turnpike in the north, and 1-95 in the central and south County.

*Saltwater intrusion:* The inland encroachment of saltwater into an aquifer in coastal areas due to lowering of the freshwater head in the aquifer.

*School Concurrency Review Report:* A report providing the County with a determination on whether there is school capacity sufficient to accommodate a new development. It is produced by the School District staff and submitted to the County.

*Schools Technical Advisory Committee (TAC):* A five-member committee appointed by the County, School Board, and City of Stuart whose main purpose is to evaluate school siting needs. The Interlocal Agreement for School Facilities Planning and Siting provides details on the TAC.

*Scrivener's error:* A mistake in an ordinance or other document adopted by the Board that is the result of a clerical error and which is not a reflection of the Board's actual intent.

*Seagrass beds:* Long-term, persistent, viable habitat characterized by rhizome development and growth.

*Seasonal population (facility):* The number of people in the unincorporated area defined as seasonal population (housing) plus part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents. This includes tourists, migrant farmworkers, and other short-term and long-term visitors, (adapted from Section 163.3164f41-t F.S.)

*Seasonal population (housing):* The number of residents living in residential housing units who spend less than six months in Martin County. The seasonal population ~~in terms of the demand for residential housing units~~ is calculated by multiplying the persons per household, unincorporated area, by the "vacant seasonal housing units" as classified by the US Census and defined in this chapter.

*Secondary treatment:* Advanced treatment using aeration and biological decomposition of waste materials. This process, regulated by the Florida Department of Environmental Protection, is widely used for safe wastewater treatment.

*Septage mixture of biosolids:* Fatty materials, human feces and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.

*Site-related improvements:* Road improvements generally defined as direct site access, driveways and turn lanes for traffic entering and exiting the site, project signalization or other improvements directly required for and benefiting the proposed development.

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## Chapter 4, Policy 4.2A. Land Use Issues

### (8) *Population and projected residential demand for housing units.*

- (a) Population projections for demand of future residential housing units. The base data for population estimates and projections comes from the U.S. Decennial Census. In between decennial Census years, the University of Florida's Bureau of Economic and Business Research (BEBR) provides annual updates to the estimates and projections to the Office of Economic and Demographic Research (EDR). In the years in between the decennial Census, the permanent population estimates and projections provided by EDR shall be used in the annual update to the Population Technical Bulletin to project permanent and seasonal population for the planning horizon of the Plan.

See Chapter 2 for definitions of population and housing terms used in the text of the Plan.

Subtracting permanent population (housing) for the five Martin County municipalities from permanent population (housing) countywide provides the permanent population (housing) for the Martin County unincorporated area. ~~Permanent population is defined as those residents who spend more than six months of the year in Martin County.~~

~~Persons per household (unincorporated Martin County) is the number of permanent residents living in residential housing units (classified by the Census as population in occupied housing) divided by the number of occupied housing units (provided by the US Census or American Community Survey in a given year) to arrive at the persons per household for unincorporated Martin County. Example using 2010 Census data: 124,120 persons/ 54,709 units= 2.27 persons per unit.~~

Every ten years the US Census provides detailed data on the number of housing units. American Community Survey Data shall be used as source data between Decennial Census years.

~~"Occupied housing units" are the number of residential housing units occupied by permanent residents who live in residential units rather than in prison or group homes.~~

~~All other housing units are classified by the census as "vacant housing."~~

~~The vacant housing is broken into a number of categories. "Vacant seasonal housing units" represent housing units that are occupied less than six months of the year by seasonal residents.~~

~~Occupied housing plus vacant seasonal housing equals the number of housing units actually in use.~~

~~The projected, permanent population (housing) divided by the permanent population (housing), provides the percentage increase in population. Multiply this percentage times the number of housing units actually in use by permanent and seasonal residents to determine the housing need in the future period. This provides the simplest and most accurate estimate for future housing needs. American Community Survey Data shall be used as source data between Decennial Census years.~~

The demand for future housing units in the unincorporated area shall be based on the percentage increase in permanent population (housing) for the unincorporated area projected by the Population Technical Bulletin, as well as 5-year average percent of housing units in select vacancy conditions. Projections of housing unit demand are based on expected increases in permanent population (housing) for the unincorporated area and shall be based on calculations described below:

permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing units

projected permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing unit demand

vacant housing units rented or sold / housing units = percent of housing units that are vacant housing units rented or sold

vacant seasonal housing units / housing units = percent of housing units that are vacant seasonal housing units

other vacant housing units / housing units = percent of housing units that are other vacant housing units

percent of housing units that are vacant housing units rented or sold + percent of housing units that are vacant seasonal housing units + percent of housing units that are other vacant housing units = minimum housing unit vacancy

sum of values / count of values = average

(occupied housing unit demand \* 5-year average minimum housing unit vacancy) + occupied housing unit demand = projected future housing unit demand

- (b) *Population projections for LOS determination.* Chapter 14, the Capital Improvements Element, outlines the data sources for determining the Level of Service (LOS) for various County facilities. The LOS for sewer, potable water, roads, and other facilities are calculated based on specific information related to those services, while the LOS measures for corrections, libraries collections, prisons and sidewalk/bikepaths are based on the weighted average population. The peak population for this purpose refers to the entire population in the peak season and includes permanent and seasonal residents in residential housing, as well as people in group homes, prisons and tourist facilities. The weighted average population as outlined in Chapter 1, Section 1.7.E. assumes that five months of the year are peak population months and weighs the permanent and peak populations accordingly to produce the weighted average population for both countywide population and for the population of the unincorporated area.
- (9) *Residential capacity determination.* The challenge in providing for residential capacity is to provide adequate vacant land concentrated within the urban service districts to meet the needs of the projected population. The urban service districts are a key strategy for assuring that growth occurs where public facilities can be provided in an efficient cost-effective manner. Outside the urban service districts residential development is limited to twenty acre minimum lot sizes in the Agricultural Land Use and five acre lot sizes in the Agriculture Ranchette Land Use. A modest amount of growth happens outside the boundaries of the urban service districts and should be accounted for when projecting the increase in population that must be served within the urban service districts. When the undeveloped residential acreage within either the Primary Urban Service District or the Secondary Urban Service District no longer provides for projected population growth for the 20-year planning period, planning for expansion of residential capacity shall commence. When the undeveloped acreage within either the Primary Urban Service District or the Secondary Urban Service District provides for no more than 10 years of projected population growth, the County is required to expand capacity.

The 20-year planning period for residential capacity shall begin with the 2010 Census and shall be updated to a new 20-year planning period every 5 years.

*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 20-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. To account for various conditions which prevent achieving maximum allowable densities, 75% of the maximum allowable density shall be used in calculating the number of available housing units on vacant non-agricultural acreage. For the purpose of this calculation, the maximum allowable density for wetlands shall be one-half zero. The maximum allowable density for properties that are more than 50% inundated by wetlands shall be 75% of the maximum density of a given future land use designation and shall apply only to the upland portion of the property. The maximum allowable density for properties which contain wetlands but are less than 50% inundated by wetlands shall be one-half of the maximum 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 the CRAs.~~



~~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.~~

~~In a normal housing market there will always be a percentage of vacant housing. Calculations of "excess vacancy" are based on the assumption that 3% of the total unincorporated housing units will normally be vacant. When the vacant housing number exceeds 3% of the total number of housing units in actual use, the excess shall be included in the calculation of available residential capacity.~~

Residential capacity shall be re-calculated every five years to ensure that adequate capacity continues to exist for no less than ten years.

A small portion of the housing needs for the County's projected growth is regularly met by large lots outside the two urban service districts. An appropriate percentage of future growth will be assigned to the area outside the urban service districts based on the average number of certificates of occupancy for the preceding five years. The number of Certificates of Occupancy outside the urban service districts shall be divided by total Certificates of Occupancy for the unincorporated area to determine the appropriate percentage.

*Policy 4.1D.2. Population technical bulletin.* Martin County shall annually produce a population technical bulletin based on data provided by the Office of Economic and Demographic Research (EDR) and the University of Florida Bureau of Economic Business Research (BEBR) as the cited source for EDR estimates and projections. The ~~medium~~ EDR estimate, sourced from BEBR, for the unincorporated area population shall be the basis for the Population Technical Bulletin. The following standards shall be used in calculating population projections through a Population Technical Bulletin adopted annually by the County Commission:

- (1) Methodology must be clear and available for public review. Any change in methodology must be approved by the county commission prior to the preparation of the report.
- (2) Unless there is clear evidence to the contrary, the EDR, sourced from BEBR, ~~medium~~ population projections for Martin County shall be used. The EDR, sourced from BEBR, provides estimates for permanent population (housing). The permanent population (housing) shall be as calculated and provided by the EDR, sourced from BEBR, and the US Census.
- (3) Municipal permanent population (housing) shall be subtracted from total county permanent population (housing) to arrive at the estimate for total permanent population (housing) for the unincorporated area. The population Technical Bulletin shall show what portion of the permanent population (housing) is housed in ~~residential-occupied housing~~ units.
- (4) Peak population in residential housing units and peak population for LOS determination shall be calculated as outlined in Sections 1.70 and 1.7 E.

*Policy 4.1D.3 Future residential housing unit demand.*

~~Future housing demand projections shall be based on all of the following:~~The demand for future housing units in the unincorporated area shall be based on the percentage increase in permanent population (housing) for the unincorporated area projected by the Population Technical Bulletin, as well as 5-year average percent of housing units in select vacancy conditions. Projections of housing unit demand are based on expected increases in permanent population (housing) for the unincorporated area and shall be based on calculations described below:

permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing units

projected permanent population (housing) / persons per household (unincorporated Martin County) = occupied housing unit demand

vacant housing units rented or sold / housing units = percent of housing units that are vacant housing units rented or sold

vacant seasonal housing units / housing units = percent of housing units that are vacant seasonal housing units

other vacant housing units / housing units = percent of housing units that are other vacant housing units  
percent of housing units that are vacant housing units rented or sold + percent of housing units that are

$\text{vacant seasonal housing units} + \text{percent of housing units that are other vacant housing units} = \text{minimum housing unit vacancy}$

$\text{sum of values} / \text{count of values} = \text{average}$

$(\text{occupied housing unit demand} * 5\text{-year average minimum housing unit vacancy}) + \text{occupied housing unit demand} = \text{projected future housing unit demand}$

- ~~(1) The demand for future residential housing units in the unincorporated area shall be based on the percentage increase in permanent population projected by the Population Technical Bulletin.~~
- ~~(2) Occupied housing units (HO) are classified by the Census as those residential housing units in use by permanent population. Vacant seasonal housing units (HS) are classified as those residential housing units that are seasonally occupied by residents who spend less than 6 months of the year in Martin County. American Community Survey Data shall be used as source data between Decennial Census years.~~

- ~~(3) Permanent and seasonal population in residential housing is served by housing units in actual use (HU).~~

~~Housing units in actual use (HU) equals the occupied housing units (HO) plus vacant seasonal housing units (HS).~~

~~$HU = HO + HS$~~

- ~~(4) Vacant housing not in seasonal use shall not be used in calculating housing unit demand, but shall be used in calculating supply. Hotel/motel units shall not be used in calculating residential housing demand.~~
- ~~(5) The projected demand for housing units in the future shall be determined by dividing the projected, permanent population (housing), as defined in Chapter 2, by the permanent population (housing). American Community Survey Data shall be used as source data between Decennial Census years.~~

~~$\text{Projected permanent population (housing)} / \text{Permanent population (housing)} = \text{percentage increase in demand}$~~

- ~~(6) This percentage increase in demand multiplied by the housing units in actual use (HU) in the most recent census year equals the projected housing unit need in the future period.~~

~~$\text{Percentage increase in demand} \times HU = \text{projected housing unit demand}$~~

- (1) Future residential housing needs shall be updated every five years.

(7)(2) See Chapter 2 for definitions of population and housing terms used in the text of the Plan.

#### *Policy 4.1D.4. Distribution of housing unit demand.*

- (1) The percentage of residential housing demand that will be met outside the urban service districts shall be based on the average number of certificates of occupancy housing units built in for the preceding five years, based on "Actual Year Built" as reported in the most recent Final Martin County Tax Roll. The number of Certificates of Occupancy housing units built outside the urban service districts shall be divided by the total number of Certificates of Occupancy housing units built for the unincorporated area to determine the appropriate percentage.
- (2) The remainder of residential housing unit demand must be met within the Primary and Secondary Urban Service Districts.

*Policy 4.1D.5 Residential capacity analysis.* Martin County shall produce a residential capacity analysis every five years. Residential capacity defines the available residential development options within the Primary and Secondary Urban Service Districts that can meet the demand for population growth consistent with the Future Land Use Map. Residential supply shall consist of:

- (1) Vacant property that allows residential use according to the Future Land Use Map. To account for various conditions which prevent achieving maximum allowable densities, 75% of the maximum

allowable density shall be used in calculating the number of available housing units on vacant non-agricultural acreage. For the purpose of this calculation, the maximum allowable density for wetlands shall be ~~one-half~~zero. ~~The the maximum allowable density for properties that are more than 50% inundated by wetlands shall be 75% of the maximum density of a given future land use designation and shall apply only to the upland portion of the property. The maximum allowable density for properties which contain wetlands but are less than 50% inundated by wetlands shall be one-half of the maximum 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 the CRAs.~~

~~(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 Decennial Census years.~~

The 20-year planning period for residential capacity began with the 2010 Census and shall be updated to a new 20-year planning period every 5 years. The residential capacity analysis showing the total residential housing unit supply within the Primary and the Secondary Urban Service Districts shall be compared to the projected residential housing unit demand as outlined in Policy 4.10.3 and 4.1D.4 above. The report shall show demand and supply comparisons for a ten year period as well as for the 20-year planning period.

*Policy 4.1D.6* The residential capacity analysis will determine if the future demand for residential housing units exceeds the supply for residential housing units as provided in the residential capacity analysis.

When the undeveloped residential acreage within either the Primary Urban Service District or the Secondary Urban Service District no longer provides for projected population growth for the 20- year planning period, planning for expansion of residential capacity shall commence. When the undeveloped acreage within either the Primary Urban Service District or the Secondary Urban Service District provides for no more than 10 years of projected population growth, the County is required to expand capacity.

**CPA 21-11**  
**Kanner/96<sup>th</sup> Street Investments LLC**  
**Comprehensive Growth Management Plan**  
**Text Amendments**

May 30, 2025

NOTE: Proposed deleted text revisions are and ~~struck-through~~ and added text is underlined for clarity.

**Chapter 4 – Future Land use Element**

*Policy 4.1B.2. Analysis of availability of public facilities.* All requests for amendments to the FLUMs shall include a general analysis of (1) the availability and adequacy of public facilities and (2) the level of services required for public facilities in the proposed land uses. This analysis shall address, at a minimum, the availability of category A and category C service facilities as defined in the Capital Improvements Element. No amendment shall be approved unless present or planned public facilities and services will be capable of meeting the adopted LOS standards of this Plan for the proposed land uses. The Capital Improvements Element or other relevant plan provisions and the FLUMs may be amended concurrently to satisfy this criterion. The intent of this provision is to ensure that the elements of the CGMP remain internally consistent.

Compliance with this provision is in addition to, not in lieu of, compliance with the provisions of Martin County's Concurrency Management System. When a map amendment is granted under this provision, it does not confer any vested rights and will not stop the County from denying subsequent requests for development orders based on the application of a concurrency review at the time such orders are sought.

Martin County may adopt sub-area development restrictions for a particular site where public facilities and services, such as arterial and collector roads, regional water supply, regional wastewater treatment/disposal, surface water management, solid waste collection/disposal, parks and recreational facilities, and schools, are constrained and incapable of meeting the needs of the site if developed to the fullest capacity allowed under Goal 4.13 of this Growth Management Plan. The master or final site plan for a site that is subject to such sub-area development restrictions shall specify the maximum amount and type of development allowed. Sub-area development restrictions apply to the following sites:

(?) The following restrictions shall be applied to the tract of real property designated as Low Density Residential on the Future Land Use Map and described in Ordinance No. ????.

(a) Residential units shall be limited to a maximum of 1,050 units.

(b) Prior to the issuance of the 100<sup>th</sup> building permit, a monetary contribution of \$1000 per residential unit shall be donated to the Martin County Community Land Trust to address variable housing needs throughout the County.

(c) All future applications for development approval shall be processed as a Planned Unit Development (PUD).

(d) The owner/developer shall plan and appropriately fund public facilities consistent with Policy 14.1B.2, which requires that future development pay the full cost of capital facilities needed to address the impacts of such development. This shall include an amendment to the Capital Improvements Element, if needed, and a PUD Agreement and/or Development Agreement that addresses public facilities, infrastructure and the timing of development.

*Policy 4.7A.3.(9); Policy 4.7A.3.1.(3), and Policy 4.7A.14. (9).*

The following language in Policy 4.7A.3.(9); Policy 4.7A.3.1.(3) and Policy 4.7A.14. (9), that pertains to the existing Industrial land use within the Freestanding Urban Service District will not be applicable once the area is included in the Primary Urban Service District and should therefore be deleted for consistency:

~~The tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance Number 1153 and Ordinance 1210, less and except property described in Ordinance 1208.~~

*Policy 4.13A.10.*

The following language in Policy 4.13A.10. that pertains to the existing Industrial land use within the Freestanding Urban Service District will not be applicable once the area is included in the Primary Urban Service District and should therefore be deleted for consistency:

~~The tract of real property designated as Industrial on the Future Land Use Map and described in Ordinance Number 1153 and Ordinance 1210, less and except property described in Ordinance 1208 is hereby established as a Freestanding Urban Service District.~~

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## DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

| Name                                                                            | Address                                          |
|---------------------------------------------------------------------------------|--------------------------------------------------|
| Kanner/96 <sup>th</sup> St Investments LLC, a Florida limited liability company | 105 NE 1st Street<br>Delray Beach, Florida 33444 |
|                                                                                 |                                                  |
|                                                                                 |                                                  |
|                                                                                 |                                                  |

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

| Name         | Address | Interest |
|--------------|---------|----------|
| See attached |         |          |
|              |         |          |
|              |         |          |
|              |         |          |

(If more space is needed attach separate sheet)

## DISCLOSURE OF INTEREST AFFIDAVIT

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

| Name | Address | Interest  |
|------|---------|-----------|
|      |         | Mortgagee |
|      |         |           |
|      |         |           |

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

| Application Name and/or Project Number | Names & Addresses of Parties involved | Date | Type of Application | Status of Application <sup>1*</sup> |
|----------------------------------------|---------------------------------------|------|---------------------|-------------------------------------|
|                                        |                                       |      |                     |                                     |
|                                        |                                       |      |                     |                                     |
|                                        |                                       |      |                     |                                     |
|                                        |                                       |      |                     |                                     |

(If more space is needed attach separate sheet)

<sup>1</sup> Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

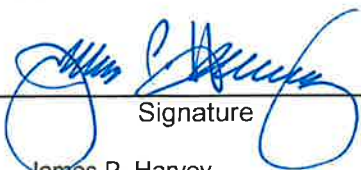


# DISCLOSURE OF INTEREST AFFIDAVIT

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

  
\_\_\_\_\_  
Signature  
James P. Harvey  
\_\_\_\_\_  
Print name

STATE OF: FLORIDA

COUNTY OF: HILLSBOROUGH

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 30<sup>th</sup> day of March, 2023, by James P. Harvey, who ☒ is personally known to me or ☐ has produced \_\_\_\_\_ as identification.

  
\_\_\_\_\_  
Signature

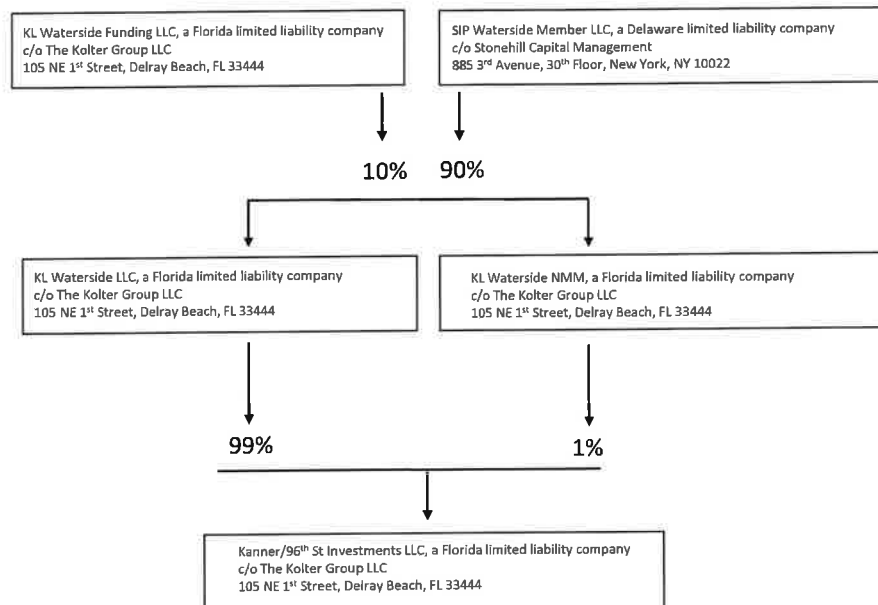


Notary Public, State of Florida

Print Name: Bryon T. LoPreste

My Commission Expires: 01/27/24

### Kanner/96<sup>th</sup> St Investments LLC - Organizational Chart



# **DISCLOSURE OF INTEREST AFFIDAVIT**

**Exhibit "A"**  
**(Disclosure of Interest and Affidavit) (Legal  
Description)**

**DESCRIPTION:**

A PARCEL OF LAND BEING A PORTION OF LOTS 1, 2, 3, 4, 6, 7, 11, 13, 14, 15, AND ALL OF LOTS 5, 8, AND 12, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOT 1, IN SECTION 14, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.00°00'45"W. ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 662.61 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (1/2) OF SAID LOT 4; THENCE S.89°38'43"E., ALONG SAID NORTH LINE, A DISTANCE OF 140.48 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.89°38'43"E., ALONG SAID NORTH LINE OF THE SOUTH HALF (1/2) OF LOT 4, A DISTANCE OF 1179.69 FEET TO A POINT ON THE WEST LINE OF LOT 3, SECTION 13 OF SAID PLAT; THENCE N.00°00'59"E., ALONG SAID WEST LINE OF LOT 3, A DISTANCE OF 496.77 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89002-2601, REVISED FEBRUARY 13, 1989; THE FOLLOWING THREE (3) COURSES BEING BY SAID RIGHT-OF-WAY LINE: 1) N.81°44'59"E., A DISTANCE OF 39.54 FEET; 2) THENCE N.07°34'57"W., A DISTANCE OF 25.14 FEET; 3) THENCE N.81°45'49"E., A DISTANCE OF 548.79 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89531-2601, DATED OCTOBER, 1958; THENCE S.89°50'10"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 741.38 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG SAID EAST LINE OF THE NORTHWEST (1/4) QUARTER AND THE EAST LINE OF LOT 3, SECTION 13 OF SAID PLAT, A DISTANCE OF 611.68 FEET; THENCE S.89°45'21"E., A DISTANCE OF 688.60 FEET; THENCE N.00°02'42"E., A DISTANCE OF 611.74 FEET; THENCE S.89°45'42"E., A DISTANCE OF 2066.62 FEET TO A POINT ON THE EAST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13; THENCE S.00°07'14"W., ALONG SAID EAST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 1585.66 FEET; THENCE S.00°07'53"W., A DISTANCE OF 1012.15 FEET TO THE EAST ONE QUARTER-CORNER OF SAID SECTION 13; THENCE N.89°44'18"W., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOTS 7 AND 8 OF SAID PLAT, A DISTANCE OF 1497.39 FEET; THENCE N.00°01'11"E., A DISTANCE OF 1078.10 FEET; THENCE N.89°44'18"W., A DISTANCE OF 1253.33 FEET TO SAID EAST LINE OF THE NORTHWEST (1/4) QUARTER AND THE EAST LINE OF LOT 6, SECTION 13 OF SAID PLAT; THENCE CONTINUE N.89°44'18"W., A DISTANCE OF 50.00 FEET; THENCE S.00°01'11"W. ALONG A LINE 50.00 FEET WEST OF AND PARALLEL WITH SAID NORTHWEST QUARTER (1/4) OF SECTION 13, A DISTANCE OF 1078.11 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF LOT 6; THENCE N.89°44'14"W., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 13 AND SAID SOUTH LINE OF LOT 6, A DISTANCE OF 513.37 FEET TO THE NORTHWEST CORNER OF THE PLAT OF SOUTH FLORIDA GATEWAY PUD - PLAT, AS RECORDED IN PLAT BOOK 19, PAGE 56 OF SAID PUBLIC RECORDS; THENCE S.00°15'42"W., ALONG THE WEST BOUNDARY OF SAID PLAT, A DISTANCE OF 1547.53 FEET; THENCE S.89°44'18"E., A DISTANCE OF 380.40 FEET; THENCE S.00°00'16"E., A DISTANCE OF 906.06 FEET; THENCE S.89°33'44"E., A DISTANCE OF 851.39 FEET; THENCE S.00°27'25"W., A DISTANCE OF 151.61 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, OF SAID PUBLIC RECORDS, ALSO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG THE NORTH LINE OF SAID 100.00 FOOT OUTFALL DITCH EASEMENT, AND ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 659.73 FEET;

DESCRIPTION: CONTINUED ON SHEET 2

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

**AGRICULTURAL TO LOW DENSITY  
RESIDENTIAL FLUM-P.U.D.-396  
SKETCH AND DESCRIPTION**



|                           |      |             |      |                                                                                                                                                                                                                                                                                        |  |
|---------------------------|------|-------------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>REVISIONS</b>          |      |             |      | Prepared For: KOLTER LAND PARTNERS, LLC                                                                                                                                                                                                                                                |  |
| No.                       | Date | Description | Dwn. | <b>Date: JANUARY 10, 2024</b>                                                                                                                                                                                                                                                          |  |
|                           |      |             |      | SURVEYOR'S CERTIFICATE                                                                                                                                                                                                                                                                 |  |
|                           |      |             |      | This certifies that this Sketch and Description was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. |  |
|                           |      |             |      | <b>Gary Rager</b>                                                                                                                                                                                                                                                                      |  |
|                           |      |             |      | Gary A. Rager, PSM                                                                                                                                                                                                                                                                     |  |
|                           |      |             |      | FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. <b>LS4828</b>                                                                                                                                                                                                                               |  |
| Sheet No. 01 of 04 Sheets |      |             |      | NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE & RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER                                                                                                                                                                       |  |
|                           |      |             |      | 4152 W. Blue Heron Blvd.<br>Suite 105<br>Riviera Beach, FL 33404<br>Phone: (561) 444-2720<br>www.geopointsurvey.com<br>Licensed Business Number LB 7768                                                                                                                                |  |
|                           |      |             |      | Drawn: GAR Date: 01/10/2024 Data File: N/A                                                                                                                                                                                                                                             |  |
|                           |      |             |      | Check: AT P.C.: N/A Field Book: N/A                                                                                                                                                                                                                                                    |  |
|                           |      |             |      | Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 1                                                                                                                                                                                                                              |  |

DWG NAME: W\KOLTER-WATERSIDE\SURVEYS\SD PUD-WATERSIDE RESIDENTIAL PARCELS\FLUM-PUD-AG-LOW-396.DWG PLOTTED BY: GARY RAGER ON: 1/10/2024 1:43 PM LAST SAVED BY: GARYR ON: 1/10/2024 1:14 PM

DESCRIPTION: CONTINUED FROM SHEET 1

THENCE N.89°37'43"W., ALONG THE NORTH LINE OF SAID 100.00 FOOT OUTFALL DITCH EASEMENT, AND ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2641.12 FEET TO A POINT ON THE WEST LINE OF THE SOUTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'32"E., ALONG SAID WEST LINE AND THE WEST LINE OF LOTS 12 AND 13, SECTION 13 OF SAID PLAT, A DISTANCE OF 2600.57 FEET TO THE WEST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE N.00°00'45"E., ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 5, SECTION 13 OF SAID PLAT, A DISTANCE OF 1326.29 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL NO. 131, AS DESCRIBED IN DEED BOOK 12, PAGE 451 AND THE SOUTHEAST CORNER OF LOT 1, SECTION 14 OF SAID PLAT AND THE SOUTH CORNER OF EASEMENT PARCEL 871, AS SHOWN ON OKEECHOBEE WATERWAY, FLORIDA, ST. LUCIE CANAL PORTION, RECORDED IN PLAT BOOK 10, PAGE 84, RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.89°41'22"W., ALONG SAID SOUTHERLY LINE OF PARCEL NO. 131 AND THE SOUTH LINE OF SAID LOT 1, ALSO THE SOUTH LINE OF SAID EASEMENT PARCEL 871, A DISTANCE OF 184.32 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF ST. LUCIE CANAL, A 400 FOOT RIGHT-OF-WAY, AS SHOWN ON SAID OKEECHOBEE WATERWAY, FLORIDA, ST. LUCIE CANAL PORTION, RECORDED IN PLAT BOOK 10, PAGE 84; THENCE N.31°15'05"E., ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF ST. LUCIE CANAL, A DISTANCE OF 355.40 FEET TO A POINT ON SAID WEST LINE OF THE NORTH (1/2) HALF OF SECTION 13 AND SAID WEST LINE OF LOT 4, ALSO THE NORTH CORNER OF SAID EASEMENT PARCEL 871; THENCE N.00°00'45"E., ALONG SAID WEST LINE OF THE NORTH (1/2) HALF OF SECTION 13 AND THE WEST LINE OF SAID LOT 4, SECTION 13 OF SAID PLAT, A DISTANCE OF 125.34 FEET TO THE SOUTHERLY CORNER OF PARCEL 136, RIGHTS-OF-WAY FOR ST. LUCIE CANAL IMPROVEMENT, RECORDED IN PLAT BOOK 2, PAGE 35, OF SAID PUBLIC RECORDS; THENCE N.31°15'05"E., ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 136, A DISTANCE OF 270.88 FEET TO THE **POINT OF BEGINNING**.

**CONTAINING:** 17,284,867 SQUARE FEET OR 396.806 ACRES, MORE OR LESS.

**NOTE:** THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

**NOTE:** LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

**AGRICULTURAL TO LOW DENSITY  
RESIDENTIAL FLUM-P.U.D.-396  
SKETCH AND DESCRIPTION**



**GeoPoint**  
Surveying, Inc.

4152 W. Blue Heron Blvd. Phone: (561) 444-2720  
Suite 105 www.geopointsurvey.com  
Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: GAR Date: 01/10/2024 Data File: N/A  
Check: AT P.C.: N/A Field Book: N/A  
Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 1

REVISIONS

| No. | Date | Description | Dwn. |
|-----|------|-------------|------|
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Prepared For: KOLTER LAND PARTNERS, LLC

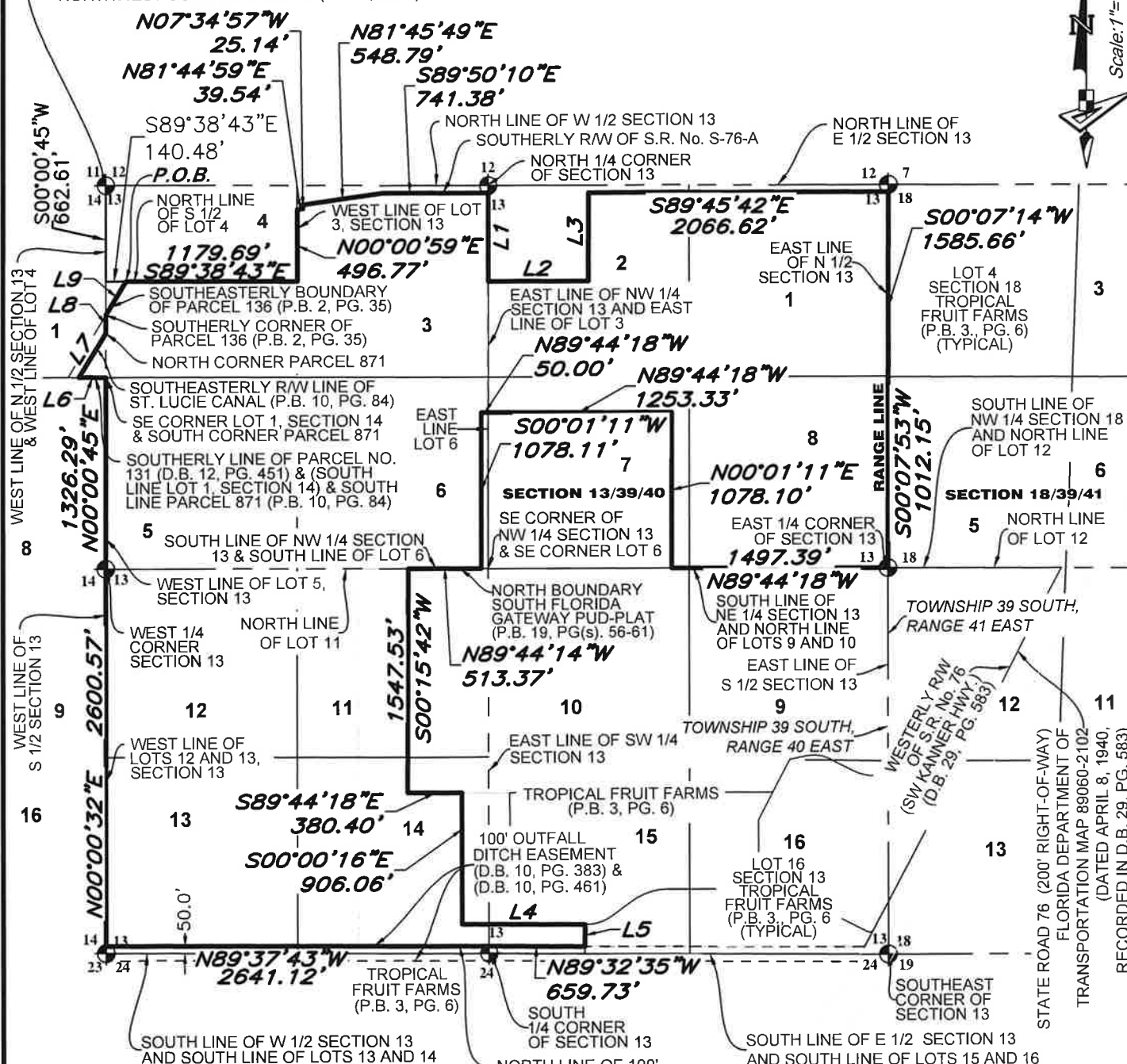
Date: JANUARY 10, 2024

Sheet No. 02 of 04 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE  
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

P.O.C.  
NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 S., RANGE 40 E. AND  
NORTHWEST CORNER OF LOT 4 (P.B. 3, PG. 6)

Scale: 1"=1000'



NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

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### LEGEND

P.O.B. --- POINT OF BEGINNING  
P.O.C. --- POINT OF COMMENCEMENT  
PG./PG(s) --- PAGE(S)  
13-39-40 --- SECTION-TOWNSHIP-RANGE  
14-13-24 --- SECTION CORNER  
P.B. --- PLAT BOOK  
P.U.D. --- PLANNED UNIT DEVELOPMENT

D.B. --- DEED BOOK  
S.R. --- STATE ROAD  
R/W --- RIGHT-OF-WAY  
L1 --- LINE SEGMENT

## AGRICULTURAL TO LOW DENSITY RESIDENTIAL FLUM-P.U.D.-396 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC

Date: JANUARY 10, 2024

**GeoPoint**  
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4152 W. Blue Heron Blvd.  
Suite 105  
Riviera Beach, FL 33404

Phone: (561) 444-2720  
www.geopointsurvey.com  
Licensed Business Number LB 7768

Drawn: GAR Date: 01/10/2024 Data File: N/A

Check: AT P.C.: N/A Field Book: N/A

Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 1

Sheet No. 03 of 04 Sheets

NOT VALID WITHOUT THE ELECTRONIC AND/OR ORIGINAL SIGNATURE  
& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

DWG NAME: W\KOLTER-WATERSIDE\RESIDENTIAL PARCELS\FLUM-PUD-AG-LOW-396.DWG PLOTTED BY: GARY RAGER ON: 1/10/2024 1:43 PM LAST SAVED BY: GARYR ON: 1/10/2024 1:14 PM

SURVEYOR'S NOTES:

- 1) BEARING SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE NORTHEAST 1/4 SECTION 13 TOWNSHIP 39 SOUTH, RANGE 40 EAST, HAVING A GRID BEARING OF N. 89°44' 18" W. THE GRID BEARINGS AS SHOWN HEREON REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD 83-2011 ADJUSTMENT) FOR THE EAST ZONE OF FLORIDA.
- 2) ALL DIMENSIONS, UNLESS OTHERWISE NOTED, ARE SURVEY DIMENSIONS.
- 3) THIS DESCRIPTION SKETCH IS INTENDED TO BE DISPLAYED AT 1" = 1000' OR SMALLER.

**LINE DATA TABLE**

| NO. | BEARING       | LENGTH  |
|-----|---------------|---------|
| L1  | S 00°01'11" W | 611.68' |
| L2  | S 89°45'21" E | 688.60' |
| L3  | N 00°02'42" E | 611.74' |
| L4  | S 89°33'44" E | 851.39' |
| L5  | S 00°27'25" W | 151.61' |
| L6  | N 89°41'22" W | 184.32' |
| L7  | N 31°15'05" E | 355.40' |
| L8  | N 00°00'45" E | 125.34' |
| L9  | N 31°15'05" E | 270.88' |

NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY, OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY AND EASEMENT OF RECORD.

**AGRICULTURAL TO LOW DENSITY  
RESIDENTIAL FLUM-P.U.D.-396  
SKETCH AND DESCRIPTION**

Prepared For: KOLTER LAND PARTNERS, LLC

Date: JANUARY 10, 2024

LEGEND

P.O.B. --- POINT OF BEGINNING  
P.O.C. --- POINT OF COMMENCEMENT  
PG./PG(s) --- PAGE(s)  
13-39-40 --- SECTION-TOWNSHIP-RANGE  
 --- SECTION CORNER  
P.B. --- PLAT BOOK  
P.U.D. --- PLANNED UNIT DEVELOPMENT

D.B. --- DEED BOOK  
S.R. --- STATE ROAD  
R/W --- RIGHT-OF-WAY  
L1 --- LINE SEGMENT

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Licensed Business Number LB 7768

Drawn: GAR Date: 01/10/2024 Data File: N/A

Check: AT P.C.: N/A Field Book: N/A

Section: 13 Twn. 39S Rng. 40E Job #: Ag-LwDenRes Parcel 1

Sheet No. 04 of 04 Sheets

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& RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER

## Morris Crady

---

**From:** Elysse Elder <eelder@martin.fl.us>  
**Sent:** Friday, May 23, 2025 2:48 PM  
**To:** Tyson J. Waters; Morris Crady; Jenna Knobbe  
**Cc:** Clyde Dulin; Josh Long; Shirley Lyders  
**Subject:** RE: Waterside Text Disclosure of Interest and Sketch/Legal

Hi Tyson,

Sorry for the delay in getting back to you. I have been out of the office more than usual over the past two weeks due graduations. I reviewed the issues below. I concur that the proposed amendment does not change the actual allowable uses on the property not owned by your client. The application can proceed without the other property owners' consent.

Thanks,  
Elysse



### **Elysse A. Elder**

Deputy County Attorney  
Martin County Board of County Commissioners  
2401 SE Monterey Rd., Stuart, FL 34996  
(772) 288-5925 [eelder@martin.fl.us](mailto:eelder@martin.fl.us)

Board Certified in City, County and Local Government Law

**From:** Tyson J. Waters <twaters@foxmccluskey.com>  
**Sent:** Wednesday, May 14, 2025 2:26 PM  
**To:** Elysse Elder <eelder@martin.fl.us>; Morris Crady <mcrady@lucidodesign.com>; Jenna Knobbe <jknobbe@martin.fl.us>  
**Cc:** Clyde Dulin <cdulin@martin.fl.us>; Josh Long <jlong@brookfieldkolter.com>; Shirley Lyders <slyders@lucidodesign.com>  
**Subject:** RE: Waterside Text Disclosure of Interest and Sketch/Legal



Elysse,

Following up one more time on this discussion and if we are still unable to reach an agreement, perhaps we can sit up a meeting to discuss further.

I understand and appreciate the concerns that changing the 250 acres from a Freestanding Urban Service District to the Primary Urban Service District might expand "the potential allowable uses for all of the property included in the expansion" as you stated below, however I do not believe this concern or possibility would trigger a requirement for all owners of the 250 acres join into the application request.