

County



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

EXHIBIT # 1

File ID: 21-1093

PHQJ-1

Meeting Date: 9/28/2021

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

D.R. HORTON, INC. REQUESTS APPROVAL OF REZONING TO PLANNED UNIT DEVELOPMENT THROUGH A PUD ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN FOR THE PRESERVE AT PARK PLACE PROJECT (V038-002)

EXECUTIVE SUMMARY:

D.R. Horton, Inc. requests approval of rezoning to a Planned Unit Development (PUD) zoning district classification through The Preserve at Park Trace PUD Zoning Agreement. Included is a master/final site plan for the development of a 114-lot single family subdivision and the associated infrastructure on an approximate 97-acre parcel located on the south side of SE Cove Road at the SE Willoughby Boulevard intersection in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

DEPARTMENT: Growth Management

PREPARED BY: Name: Peter Walden, AICP
Title: Principal Planner

REQUESTED BY: Lucido and Associates, Morris A. Crady, AICP

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The existing future land use designation on the parcel is Estate Density up to two units per acre. The existing zoning district designation is RE-1/2A, Residential Estate District. The PUD zoning district will allow the applicant to transfer density and to cluster development; this will in turn provide more open space. The proposed site plan depicts a density of 1.2 units per acre and provides for approximately 84 percent open space project wide. The proposed Preserve Area Management Plan covers over 62 acres of the 97 acre parcel.

The project is located inside the Primary Urban Services District and therefore has utilities, including water and wastewater services available from Martin County Utilities. The only access to the site is via SE Cove Road. Wetland impacts require a waiver and mitigation measures as there is no upland alternative to provide access to the property.

The proposed public benefits include an additional 10.4 acres of upland preserve area and the

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 9/28/21 Time _____
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By [Signature] D.C.

extension of the public sidewalk on the south side of the SE Cove Road approximately 3,000 ft. west from the entrance of The Preserve at Park Trace PUD to the entrance of the Cove Royale PUD.

This application is scheduled for the Local Planning Agency on September 16, 2021.

The following supporting items are attached:

Staff Report
PUD Zoning Agreement
Master/Final site plan
Preserve Area Management Plan (PAMP)
Rezoning Resolution
Application Materials
Landscape Plans
Disclosure of Interest
Notice to Surrounding Properties
Legal Ad
Sign Posting Affidavit
Resolution to Deny
Staff PowerPoint Presentation

ISSUES:

There are no unresolved issues with this application.

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process - to cross-examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision based on a correct application of the law and competent substantial evidence in the record.

RECOMMENDED ACTION:

RECOMMENDATION

- Move that the Board receive and file the agenda item and its attachments including the staff report as Exhibit 1.
- Move that the Board approve the request for a zoning district change from the RE-1/2A, Residential Estate District to the Planned Unit Development District through The Preserve at Park Trace PUD Zoning Agreement including the Master/Final Site Plan and the Preserve Area Management Plan

ALTERNATIVE RECOMMENDATIONS

Move that the Board continue this item to a date certain.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$13,800 application fee and the \$290.00 completeness fee.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☒ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☐ Other:

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MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

THE PRESERVE AT PARK TRACE PUD PUD ZONING AGREEMENT AND MASTER / FINAL SITE PLAN

Applicant:	D.R.Horton, Inc.
Property Owner:	Via Claudia Investments, LLC
Agent for the Applicant:	Lucido and Associates, Morris A. Crady, AICP
County Project Coordinator:	Pete Walden, AICP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	V038-002
Record Number:	DEV2020060003
Report Number:	2021_0831_V038-002_Staff_Report_Final
Application Received	06/23/2020
Transmitted	06/24/2020
Date of Report:	10/05/2020
Resubmittal Received:	02/05/2021
Transmitted:	02/08/2021
Date of Report:	04/20/2021
Resubmittal Received:	06/11/2021
Transmitted:	06/14/2021
Date of Report:	08/08/2021
Resubmittal Received:	08/23/2021
Transmitted:	08/23/2021
Date of Report:	08/31/2021

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B. Project description and analysis

Request approval for Planned Unit Development, (PUD) zoning district designation including a concurrent approval of a master/final site plan for the development of a 114 lot single family subdivision and the associated infrastructure on an approximate 97 acre parcel located on the south side of SE Cove Road at the Willoughby Boulevard intersection in Stuart. Included is a request for a Certificate of Public Facilities Reservation.

The existing future land use on the parcel is Estate Density up to two units per acre. The existing zoning district designation is RE-½A, Residential Estate District. The PUD zoning district will allow the applicant

to transfer density and to cluster development, this will in turn provide more open space. The proposed site plan depicts a density of 1.2 units per acre and provides for approximately 84 percent open space project wide. The proposed Preserve Area Management Plan (PAMP) covers over 62 acres of the 97 acres parcel.

The project is inside the Primary Urban Services District (PUSD) and therefore has utilities, including water and wastewater services available from Martin County Utilities. The only access to the site is via SE Cove Road. Wetland impacts require a waiver and mitigation measures as there is no upland alternative to provide access to the property.

The proposed public benefits include preserving approximately 2/3 of the site in the PAMP, the extension of the public sidewalk approximately 3,000 ft. west to connect to the sidewalk proposed by the Neighboring Cove Royale development, and an enhanced wetland monitoring system to ensure previous manmade impacts are adequately addressed and remediated.

C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comp Planning Review	Pete Walden	772-219-4923	Comply
F	ARDP Review	Pete Walden	772-219-4923	Comply
G	Site Design Review	Pete Walden	772-219-4923	Comply
H	Community Redevelopment Review	Santiago Abasolo	772-288-5485	NA
H	Commercial Design Review	Santiago Abasolo	772-288-5485	NA
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	NA
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjolholm	772-288-5909	Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Thomas Walker	772-288-5928	NA
M	Engineering Review	Clark Bridgman	772-288-5512	Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Wellfield Review	James Christ	772-320-3034	Comply
O	Water and Wastewater Review	James Christ	772-320-3034	Comply
P	Emergency Mgmt Review	Sally Waite	772 219 4942	NA
P	Fire Prevention Review	Doug Killane	772-288-5633	Comply
Q	ADA Review	Clark Bridgman	772-288-5512	Comply
R	Health Review	Nick Clifton	772 221-4090	NA
R	School Board Review	Kimberly Everman	772 219-1200	Comply
S	County Attorney Review	Krista Storey	772 288-5923	Ongoing
T	Adequate Public Facilities Review	Pete Walden	772-219-4923	Comply

D. Review Board action

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board

of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

The applicant addressed the non-compliance findings from the staff report dated July 8, 2021 with its resubmittal dated July 23, 2021. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Location and site information

Parcel number(s) and address:

343841000000000110

343841001000002705

343841001000002803

Existing Zoning:

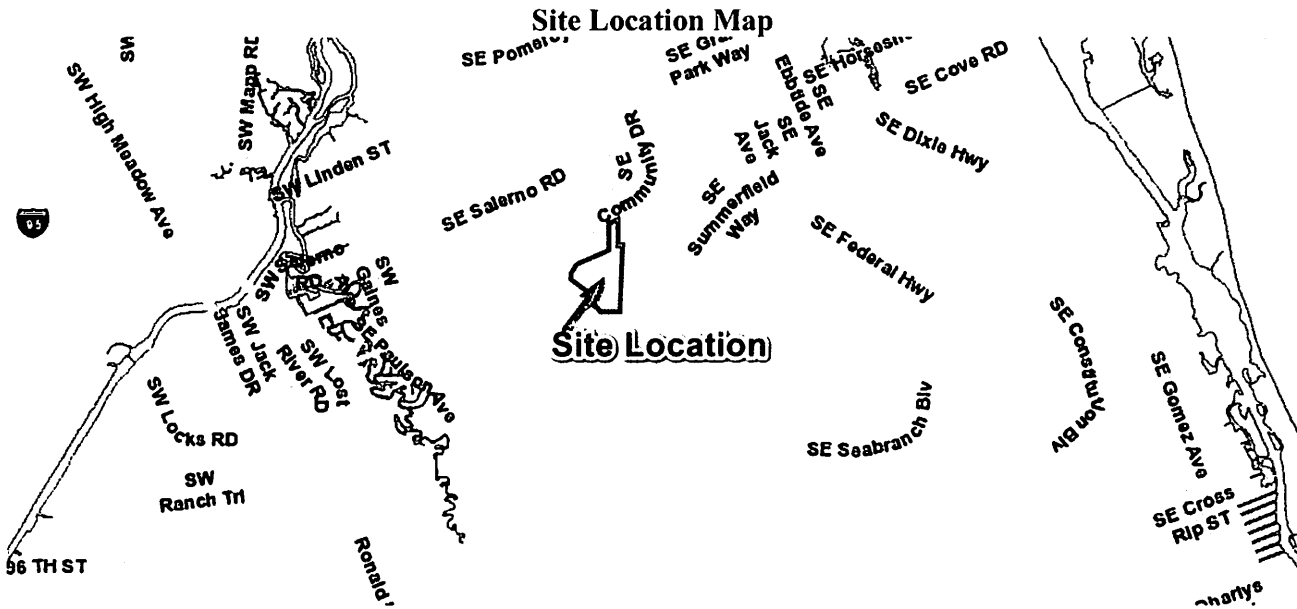
Future Land use:

2320 SE COVE RD

2350 SE COVE RD

RE-1/2A, Rural Estate District

Estate Density 2UPA



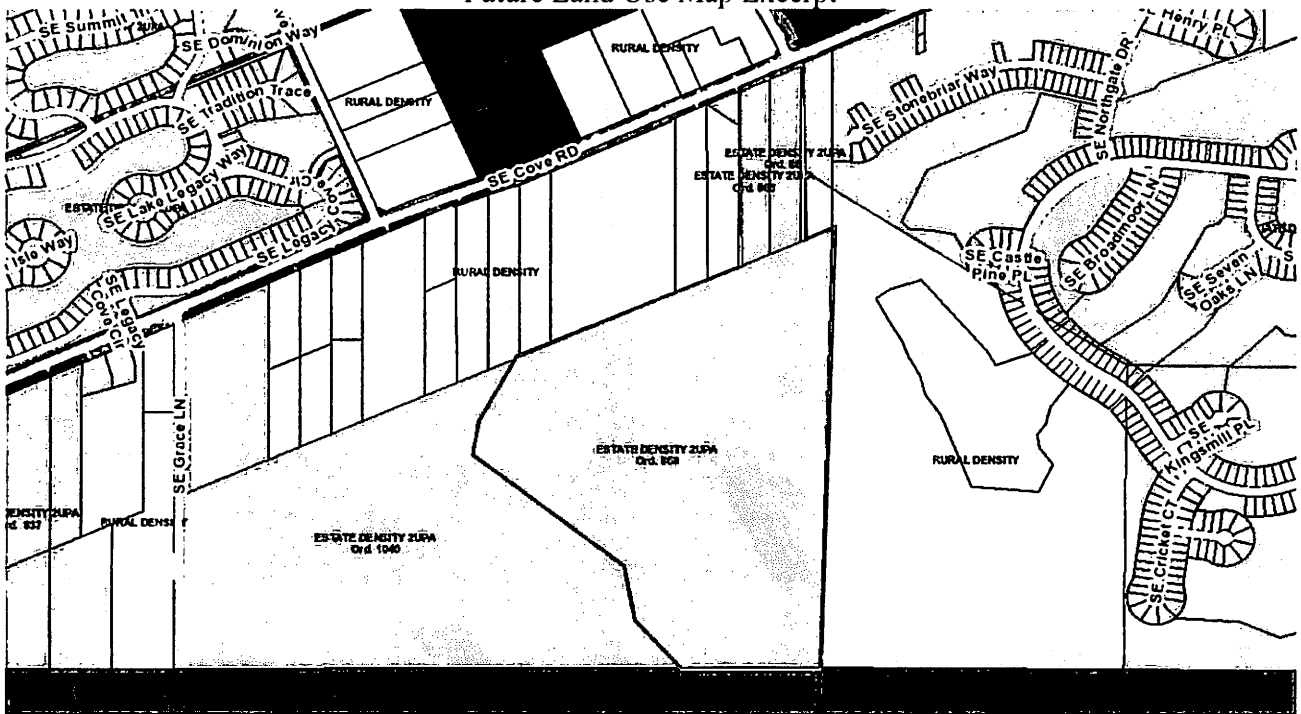
Aerial



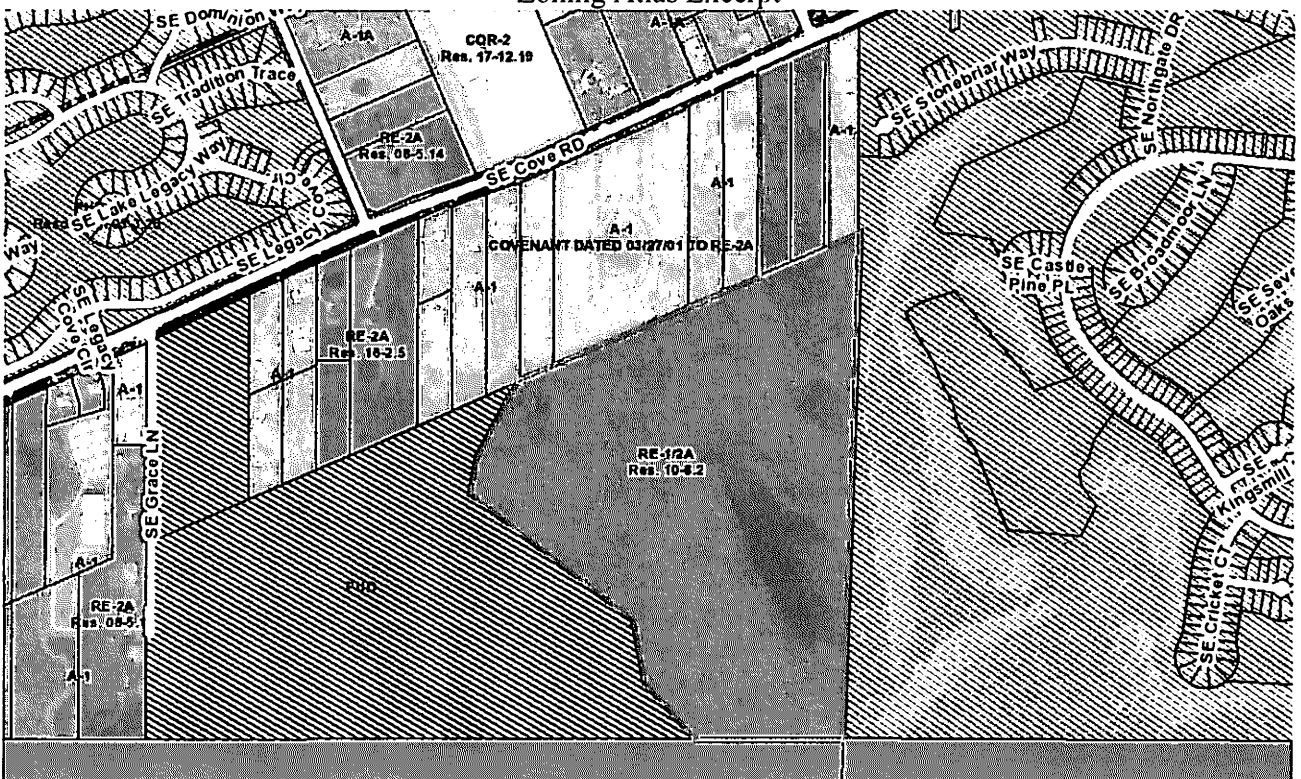
Proposed Development Overlay



Future Land Use Map Excerpt



Zoning Atlas Excerpt



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

Policy 4.1A.1. Conformity of Land Development Regulations. The County's Land Development Regulations shall conform to all guidelines and standards contained in this Plan and shall:

- (1) Regulate the use of land and water consistent with this element and the FLUM, while ensuring land use compatibility and providing open space;
- (2) Regulate the subdivision of land;
- (3) Protect environmentally sensitive lands and incorporate minimum landscape standards;
- (4) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (5) Regulate signage;
- (6) Ensure safe and convenient on-site traffic flow and parking needs;
- (7) Protect potable water wellfields and aquifer recharge areas;
- (8) Protect endangered and threatened species and species of special concern and their habitats as defined in the Florida Fish and Wildlife Conservation Commission's official list or as determined as regionally significant by the Treasure Coast Regional Planning Council;
- (9) Ensure that any development orders and permits issued do not result in a level of service (LOS) below the base level of service standards adopted in the Capital Improvements Element;
- (10) Include provisions for the transfer of development rights to:
 - (a) Protect environmentally sensitive areas and/or historic resources; and
 - (b) Specify those receiving zones in the Primary Urban Service District that can accept additional density and where in-fill development allows for new development and redevelopment of previously underused portions of the Primary Urban Service District.

All Residential Estate density development (two units per acre) shall have a maximum building height of 40 feet and maintain a minimum of 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space.

9.1.G.2.(8)

Density transfer. All property owners have the right to transfer density to the upland area on any site containing wetlands pursuant to the following stipulations:

(a) The development must be submitted for review as either a planned unit development or a clustered multifamily project in one of the multiple-family residential zoning districts.

(b) In addition, the following equations must apply:

1) The resulting residential density of the upland property must be no greater than 15 units per acre, except that for densities in excess of 10 dwelling units per acre there must be a 75-foot native upland transition zone around all wetlands;

- 2) The total number of units allowed in any development using this formula must be equal to or less than the allowed maximum density for the entire parcel as shown on the Future Land Use Map;
- 3) Density transferred must not exceed one-half of the wetland acreage multiplied by the gross density; and
- 4) For parcels with wetlands occupying 50 percent or more of the total site, the gross residential density of the upland property must not exceed two times the gross residential

The project as proposed has over 60 acres of upland area allowing 120 units, with the density transfer as stated above a total of 157 units are permitted.

Findings of Compliance:

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

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

Findings of Compliance:

Staff has reviewed this application for consistency with the LDR and code implementing Martin County Comprehensive Growth Management Plan goals, objectives and policies and the associated guidelines and standards. Staff finds that this development application is consistent with the applicable Land Development Regulations and recommends approval.

Additional Information

Information #1:

No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre- construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. MARTIN COUNTY, FLA., LDR § 4.37

Information #2:

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.1., 5.32

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

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

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

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

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

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

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Landscape

Findings of Compliance

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013]. The applicant has proposed construction of a 114 lot subdivision. The applicant has submitted landscape plans that provide 7.45 acres of landscape area which equates to 21.7% of the development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. Section 4.663.B., Land Development Regulations, Martin County, Fla. (2013).

A Type 2 buffer is required on the south property line adjacent to the State Park. Section 4.663.B.10, Land Development Regulations, Martin County, Fla. (2013). This buffer is being satisfied by proposed preserve areas.

Wherever new residential dwelling units are proposed to be located along any minor or major arterial road, excluding Community Redevelopment Overlay Districts, a Type 5 bufferyard shall be required to screen the view of the dwelling units from the street Section 4.663.B.2., Land Development Regulations, Martin County, Fla. (2013). This project has frontage on Cove Road therefore a Type 5 buffer is required and has been provided by proposed preserve areas.

To demonstrate compliance with Section 4.663.E.1. Land Development Regulations, Martin County, Fla. (2013) the applicant has proposed that the stormwater retention area adjacent to the on-site preserve be planted with native grasses and trees.

Section 4.666.E. Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. To meet this requirement the applicant has submitted Landscape and Construction Plans to provide for preservation of pines, oaks, and sabal palms within the proposed landscape buffers. The applicant has submitted plans that remove 9 protected trees and preserve 10 trees that are located in buffer areas.

PUD streetscaping standards for sustainable streets include the planting of shade trees along walkways and access roads to avoid the "sea of asphalt" and "line of cars" affect and to provide a more meaningful balance between green spaces and dwellings.

The applicant has proposed to plant trees along the street to provide these benefits. Due to narrow width of available planting area, it was agreed it would be acceptable that the trees consist of Sabal palms and where space was available large shade trees be specified. The submitted plans provide for these plantings along the street section.

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

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

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

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

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

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by O'Rourke Engineering and Planning, dated January, 2021. O'Rourke Engineering and Planning stated that the site's maximum impact was assumed to be 43 directional trips during the PM peak hour. Staff finds that SE Cove Road is the recipient of a majority of the generated trips. The generalized service capacity of SE Cove Road is 880. The project impact is 4.89% of the maximum volume of that roadway. SE Cove Road is currently operating at a level of service C; it is anticipated to operate at level of service D at buildout (year 2023) with the project trips.

L. Determination of compliance with county surveyor - Engineering Department

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

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

Findings of Compliance:

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

1. Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that the amount of proposed excavation is less than the amount of fill needed for the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.
2. Division 9- Stormwater Management:
 - a. The applicant has demonstrated the proposed development discharge rate is lower than the allowable discharge rate for the project and that flows from the development to offsite will be adequately passed through the project via a series of interconnected storm culverts, dry retention areas, wet retention areas and wetland buffers.
 - b. The applicant is proposing the minimum finished floor elevation be set above the predicted elevation of stormwater that will stage within the development after a 100-year storm having a three-day duration and without any discharge from the development.
 - c. The applicant is proposing the minimum edge of roadway elevation be set above the predicted elevation of stormwater that will stage within the development after a 10-year storm having a one-day duration.
 - d. The applicant has demonstrated that the system provides 125% of the dry retention and 150% additional water quality criteria for wet detention systems and recovers half of the water quality volume between 24 hours and 5 days, and recovers 90% of the entire volume within 12 days after the storm event.
 - e. Thereby, the required attenuation, flood protection, and water quality treatment is in compliance with Division 9.

3. Division 10 - Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevation is set at or above the maximum predicted stage of the 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.
4. Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 with the design and layout of the proposed on-site parking locations.
5. Division 19- Roadway Design: The applicant's proposed modifications to SE Cove Road for the project entrance meets Martin County's roadway requirements; therefore, the proposed design meets the requirements in Division 19.

The Engineering Department finds this application in compliance provided the Development Order includes conditions for the following:

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

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

Electronic File Submittal

Findings of Compliance

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)

Addressing

Findings of Compliance

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2021).

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

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

Wellfield and Groundwater

Findings of Compliance:

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

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

Findings of Compliance:

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

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

Finding of compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

Martin County School District CIP School Concurrency Determination

Project: The Preserve at Park Trace

Date Received: 6/23/2020

Project #: V038-002 (1st Rd.) – Master and Final

Site Plan Owner/Applicant: Via Claudia Investments,
LLC

Location: South side of Cove Rd. between Willoughby and Ault Rd.

Planned Project Units: 114 Project Unit Yield by Type of School

School Type	Rate	Students
Elementary:	.094	11
Middle School:	.053	6
High School:	.067	7
SGR =	.214	24

Concurrency Service Area Analysis:

CSA ANALYSIS	A	B	C	D	E	F	G	H
SOUTH CSA SCHOOLS	LOS CAPACITY	3 YR. ADDED CAPACITY	TOTAL LOS CAPACITY (A+B)	CURRENT ENROLLMENT 7/23/2020	PROJECTS w/RESERVED CAPACITY	THIS PROJECT DEMAND	TOTAL DEMAND (D+E+F)	AVAILABLE CAPACITY (C - G)
Elementary								
Crystal Lake Elem	649	0	649	466	1		465	184
Hobe Sound Elem	675	0	675	490	28		462	213
Seawind Elem	675	0	675	520	34	11	475	200
Total	1999	0	1999	1476	63		1402	597
Middle								
Anderson Middle	1150	0	1150	1063	28		1035	115
Murray Middle	859	0	859	596	25	6	565	294
Total	2009	0	2009	1659	53		1600	409
High								
South Fork High	2138	0	2138	1942	61	7	1874	264

Concurrency Availability: Pursuant to the City, County, School District Interlocal Agreement for School Planning and Siting, Section 6.2.7 and Article 5 of the Martin County Land Development Regulations, Division 5, Section 5.83, the School District has determined that sufficient school capacity does exist to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180.

School Capacity: This analysis is only used to serve as a review of the potential impact of the schools within the area of a future residential land use. School capacity shall be reserved for the above referenced project upon receipt of a final approval from the Martin County Growth Management Department. This concurrency reservation shall expire **three (3)** years from the date of issuance of this concurrency determination.

Comments: This determination does not guarantee that the students from the above referenced project will be assigned to attend a particular school(s). Please note if capacity demand should exceed existing availability, students may be housed in relocatable units.

Letter of No Objection w/Conditions: At this time we can provide a letter of no objection with the following conditions:

1. None.

School District Contact: Kimberly Everman, Capital Planner/Project Specialist **Date Issued:** 7/23/2020

Telephone: 772- 219-1200, Ext.30220 **E-Mail:** evermak@martinschools.org

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

Review ongoing.

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

The following is a summary of the review for compliance with the standards contained in Article 5.32.D of the Adequate Public Facilities, Land Development Regulations (LDR's), Martin County Code for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities (Section 5.32.D.3.a, LDR)

Service provider – Martin County

Findings – positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR)

Service provider – Martin County

Findings – positive evaluation

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR)

Findings – in place

Source - Growth Management Department

Storm water management facilities (Section 5.32.D.3.d, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR)

Findings – in place

Source - Growth Management Department

Roads facilities (Section 5.32.D.3.f, LDR)

Findings – positive evaluation

Source - Engineering Department

Reference - see Section K of this staff report

Mass transit facilities (Section 5.32.D.3.g, LDR)

Findings - in place

Source - Engineering Department

Reference - see Section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR)

Findings - in place

Source - Growth Management Department

Reference - see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item #1:

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

Item #2:

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

Item #3:

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

Item #4:

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

Item #5:

One (1) copy 24" x 36" of the approved master and final site plans. (rolled)

Item #6:

One (1) Copy 24" x 36" of the Construction drawings. (rolled)

Item #7:

One (1) digital copy of master and final site plan in AutoCAD 2010 - 2018 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #8:

Original and one (1) copy of the executed approved PUD zoning agreement.

Item #9:

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

Item #10:

The applicant has submitted the information for a draft Water and Wastewater Service Agreement as requested. The applicant must execute the Agreement and pay the resultant fees within sixty (60) days of final Martin County approval of the request. [ref. Code, LDR, s.5.32.D.1, 2.(a)(b) and (c) Code, LDR, Art.5, Div.2]

Item #11:

Original of the Engineer's Design Certification, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #12:

Two (2) originals of the Cost Estimate, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #13:

An Original of the construction schedule.

Item #14:

Include one (1) blank flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

V. Local, State, and Federal Permits

All state and federal permits are the responsibility of the applicant.

W. Fees

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

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$14,090.00	\$14,090.00	\$0.00
Inspection fees:	\$4,000.00	\$0.00	\$4,000.00
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact Fees TBD:	\$0.00	\$0.00	\$0.00

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

** Recording fees will be identified on the post approval checklist.

X. General application information

Owner John Maiucci
 Via Claudia Investments, LLC
 55 SE Osceola Street, Ste. 200
 Stuart, FL 34994
 maiucci@aol.com

Applicant DR Horton, contract purchaser
 Karl Albertson
 6123 Lyons Road
 Coconut Creek, FL 33073
 kkalbertson@drhortomn.com

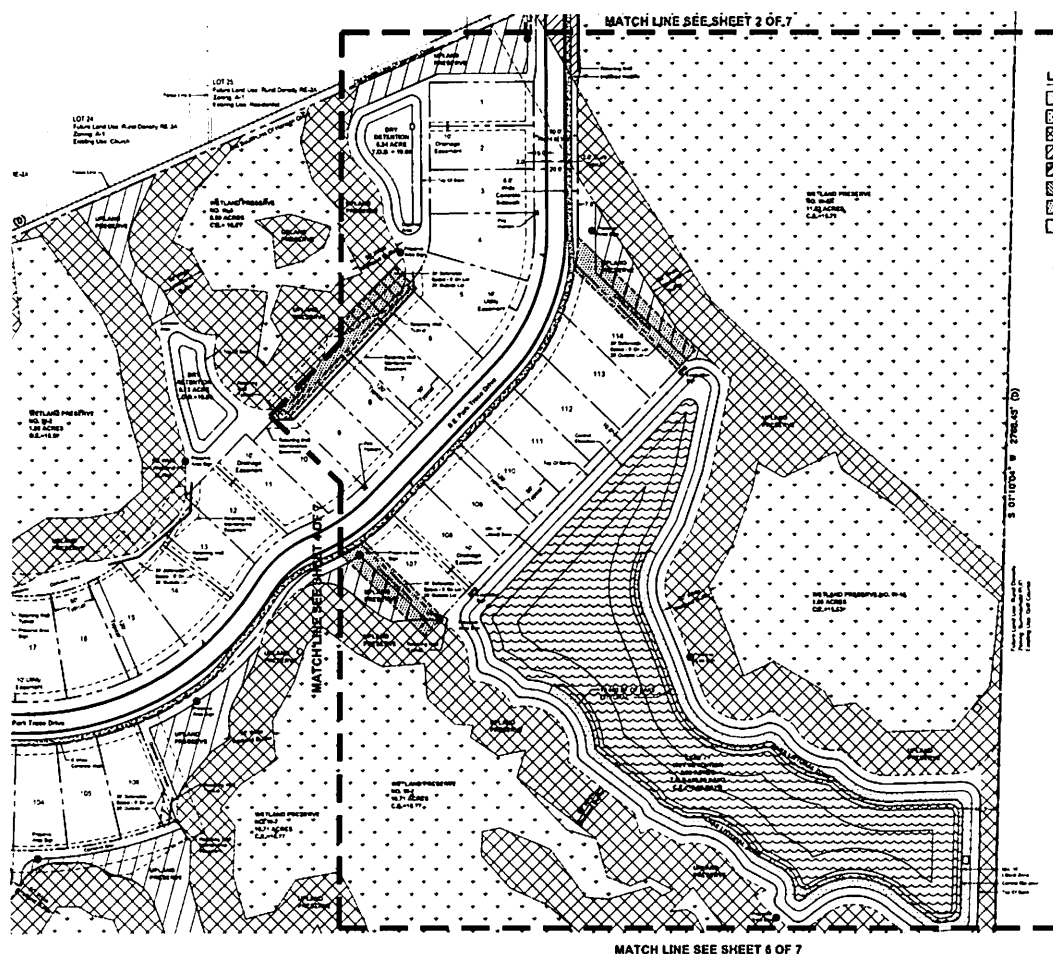
Agent Lucido and Associates
 Morris A. Crady
 701 SE Ocean Boulevard
 Stuart, FL 34994

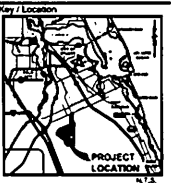
Y. Acronyms

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

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

Z. Attachments





Project Team

Client	City of Fort Lauderdale, Florida
Design	Luobo & Associates, Inc.
Engineer	City of Fort Lauderdale, Florida
Architect	City of Fort Lauderdale, Florida
Contractor	City of Fort Lauderdale, Florida

**The Preserve
 At
 Park Trace**
 Stuart, Florida
**PUD
 Master / Final
 Site Plan**

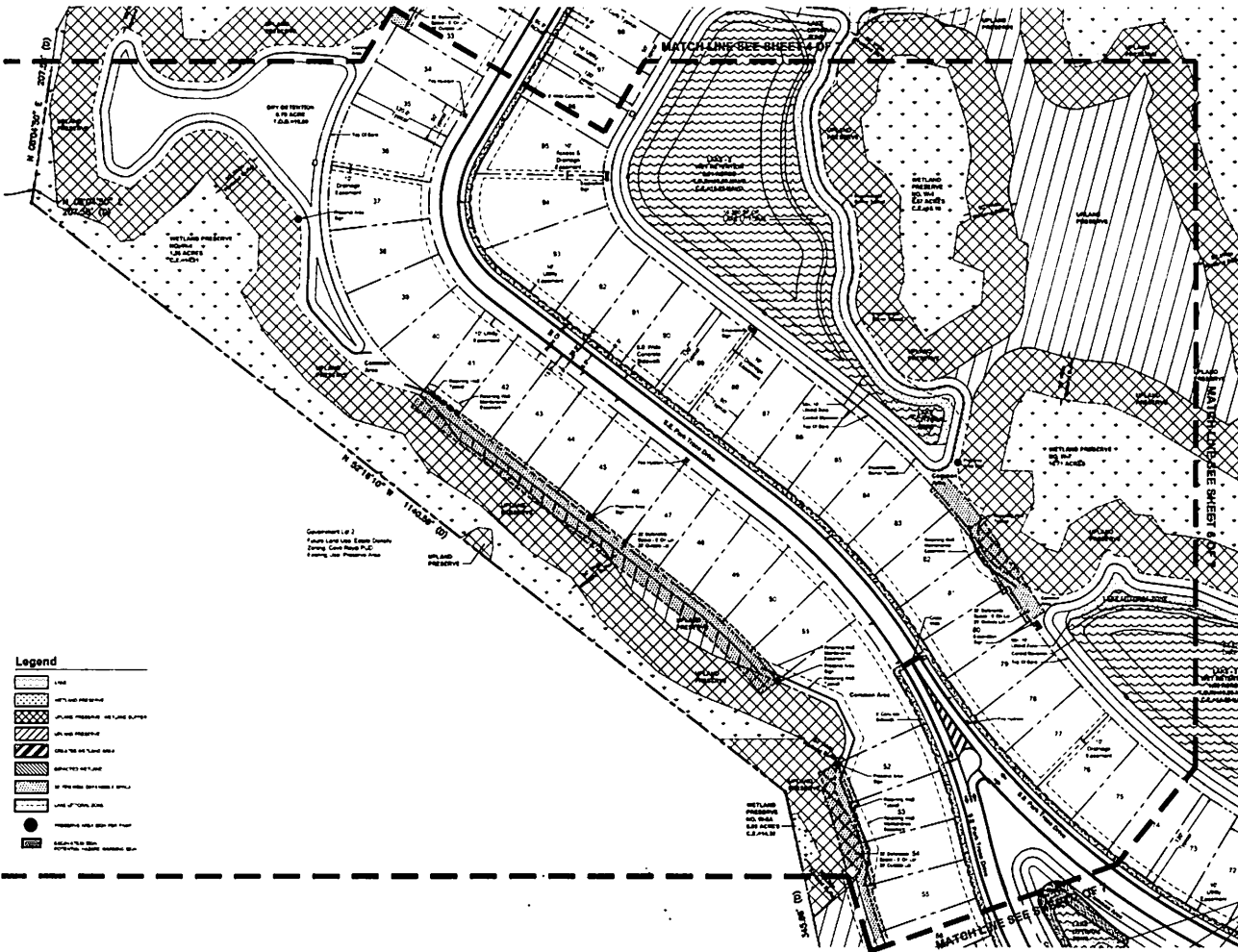
Date	By	Description
06-01-00	J.L.A.	Site Plan
06-10-00	J.L.A.	Site Plan
06-10-00	J.L.A.	Master / Final Site Plan
06-10-00	J.L.A.	Master / Final Site Plan
06-10-00	J.L.A.	Master / Final Site Plan



5 of 7

Project Number	10-200
Revision Number	1
Computer File	

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Legend

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This Instrument Prepared By:

Lucido & Associates
701 SE Ocean Boulevard
Stuart, FL 34994
(772) 220-2100

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THE PRESERVE AT PARK TRACE

PLANNED UNIT DEVELOPMENT ZONING AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between, VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company hereinafter referred to as OWNER, and MARTIN COUNTY, a political subdivision of the State of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, OWNER is the fee simple title holder of the property situated in Martin County, Florida, and more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, it is the desire of OWNER to develop a Planned Unit Development (hereinafter sometimes referred to as PUD) to be known as The Preserve at Park Trace consisting of common areas, and a single family residential project not to exceed an aggregate sum of 114 residential lots together with accessory buildings and other related improvements and facilities; and

WHEREAS, The Preserve at Park Trace Homeowners Association, Inc., hereinafter Association, a Florida not-for-profit corporation, will be formed to provide for the maintenance of the roads, streets, rights-of-way, and common areas within The Preserve at Park Trace; and

WHEREAS, this type of consolidated development is permitted in Martin County subject to a PUD Agreement; and

WHEREAS, it is the desire of the COUNTY to encourage this form of development, to prevent and discourage urban sprawl, promote compatible, consistent and effective usage of land, to protect, preserve, and manage natural resources, and to implement the COUNTY's growth management plans.

NOW, THEREFORE, the parties do hereby agree as follows:

1. UNIFIED CONTROL

The OWNER hereby warrants that it has, as a result of fee simple ownership, unified ownership of all real property included in this PUD. Documents certifying title, or the right to acquire title, as applicable, are attached hereto and incorporated herein as Exhibit B. A Covenant of Unified Control by the OWNER is attached hereto and incorporated herein as Exhibit C.

2. DEVELOPMENT

The OWNER agrees that this PUD will be undertaken and carried out in accordance with the following:

- 2.1 The master/final site plan approved by the COUNTY, a copy of which is attached hereto as Exhibit D and by reference made a part hereof. Approval of the master/final site plan by the COUNTY shall constitute approval to build and construct the improvements shown thereon subject to compliance with all post-approval requirements.
- 2.2 The Timetable for Development as shown in Exhibit E, attached hereto and by reference made a part hereof.

2.3 The conditions and requirements agreed to by the COUNTY and the OWNER as set forth in Exhibit F, attached hereto and by reference made a part hereof.

2.4 Permits and authorizations granted in accordance with such laws, ordinances and regulations as may be in effect at the time of such approval.

3. VESTED RIGHTS

The OWNER shall have the right to develop the PUD in accordance with applicable laws, ordinances and regulations, the provisions and requirements of this Agreement, the approved master/final site plan and the subdivision plat.

4. COMMON AREAS, COVENANTS, CONDITIONS AND RESTRICTIONS

4.1 The OWNER shall create a Declaration of Covenants, Conditions and Restrictions for The Preserve at Park Trace (hereinafter the Covenants and Restrictions), which shall be submitted as part of the application for plat approval. A copy of the Covenants and Restrictions shall be recorded with the plat. As part of said Covenants and Restrictions, the Association shall be established for the maintenance, operation and management of the Common Areas as defined therein. The Common Areas of the PUD shall be designated as such and shown on the approved master/final site plan and subdivision plat. The Covenants and Restrictions shall be in conformity with such laws, ordinances and regulations as may be in effect at the time of the approval of the subdivision plat.

4.2 Except for conveyances to governmental entities, it shall be deemed a breach of this Agreement for any land to be conveyed by the OWNER by an instrument which does not contain the Covenants and Restrictions or incorporate them by reference thereto.

- 4.3 The Association shall not be dissolved nor shall it dispose of any common areas, by sale or otherwise, except to an organization conceived and organized to own and maintain the common areas, without first receiving approval of the COUNTY. The COUNTY, as a condition precedent to the dissolution or disposal of common areas, may require dedication of common open areas, utilities or road rights-of-way to the public as are deemed necessary.
- 4.4 In the event that the COUNTY determines that the Association (or any successor organization) has failed at any time to maintain the common areas of the PUD in reasonable order and condition in accordance with the approved master/final site plan and applicable laws, ordinances, and regulations, then the COUNTY shall serve written notice by certified mail, return receipt requested, upon such organization and upon each owner of real property within the PUD, which notice shall set forth the manner in which the organization has failed to maintain the common areas in reasonable order and condition, and shall demand that such failure be remedied within thirty (30) days of the sending of such notice or, in the alternative, that such organization appear before the COUNTY at a specified time [at least ten (10) days but not more than thirty (30) days after the sending of such notice] either to contest the alleged failure to maintain the common areas or to show cause why it cannot remedy such failure within the thirty (30) day period. If such failure has not been remedied within the thirty (30) day period or such longer period as the COUNTY may allow, then the COUNTY, in order to preserve the taxable values of the real property within the Planned Unit Development and to prevent the common areas from becoming a public nuisance, shall hold a public

hearing to consider the advisability of the COUNTY entering upon such common areas and maintaining them for a period of one (1) year. Notice of such hearing shall be sent by certified mail, return receipt requested, to the organization involved and to each owner of real property within the PUD and shall be published in a newspaper of general circulation published in Martin County, Florida. Such notice shall be sent and published at least fifteen (15) days in advance of the hearing. At such hearing, the COUNTY may determine that it is advisable for the COUNTY to enter upon such common areas, take non-exclusive possession of them and maintain them, according to COUNTY standards, for one (1) year. Such entry, possession and maintenance when followed in accordance with the above procedures shall not be deemed a trespass. In no event shall any such entry, possession and maintenance be construed to give the public or the, COUNTY any right to use the common areas.

- 4.5 The COUNTY may, upon public hearing with notice given and published in the same manner as above, return possession and maintenance of such common areas to the organization, or successor organization, abandon such possession and maintenance, or continue such possession and maintenance for an additional one (1) year period. The cost of such maintenance by the COUNTY shall be assessed ratably against the real properties within the PUD, the owners of which have the right to the use and enjoyment of the common areas and shall become a charge or lien on said properties if not paid within thirty (30) days after the receipt of a statement therefor.

5. DESTRUCTION

In the event that all or a portion of the PUD should be destroyed by a storm, fire, or other common disaster, the OWNER, its grantees, successors or assigns and/or the Association, shall have the right to rebuild and/or repair so long as there is strict compliance with the approved master/final site plan and subdivision plat.

6. CHANGE OR AMENDMENT

There shall at all times be a strict adherence to the provisions of the Agreement and the approved master/final site plan. Any change or amendment to the Agreement and/or the approved master/final site plan and subdivision plat shall only be made in accordance with Section 10.15, Amendments to Approved Development Orders, Land Development Regulations, Martin County Code.

7. BREACH OF AGREEMENT

7.1 Development of The Preserve at Park Trace shall at all times be in compliance with the PUD Agreement and the approved master/final site plan and subdivision plat (hereinafter sometimes referred to as development orders). Failure to comply with a development order may result in the suspension of that development order, the cessation of COUNTY processing of all applications for development on the subject property and any associated phases, or termination of the development order pursuant to Section 10.14.G., Failure to Comply with Conditions of Approved Development Order, Land Development Regulations, Martin County Code.

7.2 Any person, including the Board of County Commissioners (hereinafter sometimes referred to as Board) or any member of the Board of County

Commissioners, may file a complaint with the county administrator alleging that a development order has been violated, that unauthorized development has occurred, or that misrepresentation, fraud, deceit, deliberate error or omission, or a material omission that should have been disclosed regarding information required in a development application has occurred. In the event that such a complaint is filed, it shall be addressed as set forth in Section 10.14.G., Failure to Comply with Conditions of an Approved Development Order, Land Development Regulations, Martin County Code.

- 7.3 The above provisions shall not be interpreted to provide an exclusive remedy, and COUNTY may pursue any appropriate remedy at law or equity in the event OWNER or his successors in interest fail to abide by the provisions of this Agreement.

8. JURISDICTION

This Agreement shall be governed by the laws of the State of Florida, and any and all legal action instituted because of this Agreement shall be instituted in Martin County, Florida.

9. SUCCESSORS AND ASSIGNS

This Agreement shall be binding upon the parties hereto, their successors in interest, heirs, assigns and personal representatives.

10. NOTICE

Any notice, request, demand, consent, approval, or other communication required or permitted by this Agreement shall be given or made in writing and shall be served as elected by the party giving the notice by any of the following methods: (i) hand delivery to the other party; (ii) delivery by commercial overnight courier service; (iii) mailed by registered or certified mail

(postage prepaid), return receipt requested; or (iv) mailed by regular U.S. mail. For purposes of notice, the addressees are as follows:

OWNER: Via Claudia Investments, LLC
55 SE Osceola Street, Suite 200
Stuart, FL 34994

with required copy to:

Gunster, Yoakley & Stewart, P.A.
800 SE Monterey Commons Boulevard, Suite 200
Stuart, Florida 34996

COUNTY: County Administrator
Martin County
2401 S.E. Monterey Road
Stuart, Florida 34996

with required copy to:

County Attorney
Martin County
2401 S.E. Monterey Road
Stuart, Florida 34996

Notice given in accordance with the provisions of this Section shall be deemed to be delivered and effective on the date of hand delivery; or on the second day after the date of the deposit with an overnight courier; or on the date upon which the return receipt is signed, or delivery is refused, or the notice is designated by the postal authorities as not delivered if mailed; or on the second business day after the date of mailing by regular U.S. mail. Either party may change its address for the purpose of this Section by written notice to the other party given in accordance with the provisions of this Section.

11. ENTIRE AGREEMENT

This Agreement incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understanding applicable to the matters

contained herein, and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior or contemporaneous representations or agreements, whether oral or written.

12. SEVERABILITY

If any term or provision of this Agreement, or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable for the remainder of this Agreement, then the application of such term or provision to persons or circumstances other than those as to which its held invalid or unenforceable shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

13. STATUTORY REFERENCES

Any references to laws, ordinances, codes or other regulations shall include any future amendments to such laws, ordinances, codes or regulations.

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below. The date of this Agreement shall be the date on which this Agreement was approved by the Board of County Commissioners.

WITNESSES:

Name: _____

Name: _____

OWNER

VIA CLAUDIA INVESTMENTS, LLC, a
Florida limited liability company

By: _____
John E. Maiucci, Managing Member

55 SE Osceola Street, Suite 200
Stuart, FL 34994

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me by means of [] physical presence or [] online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, was acknowledged by JOHN E. MAIUCCI, MANAGING MEMBER of VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company, on behalf of the company, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

(NOTARIAL STAMP)

Notary Public
My commission expires:

ATTEST:

COUNTY
BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann
Clerk of the Circuit Court and Comptroller

By: _____
Stacey Hetherington, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

(COMMISSION SEAL)

Krista A. Storey
Senior Assistant County Attorney

EXHIBIT A

[LEGAL DESCRIPTION]

EXHIBIT B
OWNERSHIP CERTIFICATE

I, _____, a member of the Florida Bar, hereby certify that the record title to the property described in Exhibit A to that Planned Unit Development Zoning Agreement dated the _____ day of _____, 20____, by and between Via Claudia Investments, LLC, a Florida limited liability company and Martin County, is in the ownership of Via Claudia Investments, LLC, a Florida limited liability company.

Dated this ____ day of _____, 20____.

By: _____

Name:

Address:

Florida Bar No.

EXHIBIT C

UNIFIED CONTROL

The undersigned, being the OWNER of the property described in Exhibit A, to the Planned Unit Development Zoning Agreement dated the ____ day of _____, 20____, between VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company and MARTIN COUNTY, does hereby covenant and agree that: (i) the property described in Exhibit A shall be held under single ownership, and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety; provided, however that individual subdivision lots or fully constructed condominium units, if any, may be conveyed to individual purchasers in accordance with and subject to the terms and conditions of the PUD Agreement.

In addition, the following conveyances shall be permitted:

1. Common elements, common open areas and developed recreation areas, if any, may be conveyed to a property owners' association or other legal entity so long as such conveyance shall be subject to the express restriction that the subject property will never be used for any purpose other than as common elements, common open areas or developed recreation areas as applicable.
2. Other portions of the subject property may be conveyed and used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the Board of County Commissioners of Martin County, Florida may deem appropriate.

Nothing herein contained shall limit, in any manner, the undersigned, or their successors or assigns, to mortgage or encumber the property or any part thereof.

The undersigned further agrees that the conditions, restrictions and limitations contained herein shall be deemed a covenant running with the land and shall remain in full force and effect and be binding on the undersigned, its successors and assigns, until such time as the same may be released in writing by the Board of County Commissioners of Martin County, Florida.

The undersigned further agrees that this instrument may be recorded in the public records of Martin County, Florida.

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below.

WITNESSES:

Name: _____

Name: _____

OWNER

VIA CLAUDIA INVESTMENTS, LLC, a
Florida limited liability company

By: _____
John E. Maiucci, Managing Member

55 SE Osceola St., Suite 200
Stuart, FL 34994

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me by means of [] physical presence or [] online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, was acknowledged by JOHN E. MAIUCCI, MANAGING MEMBER of VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company, on behalf of the company, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

(NOTARIAL STAMP)

Notary Public
My commission expires:

EXHIBIT D

MASTER/FINAL SITE PLAN

Master/final site plan as approved by Martin County Board of County Commissioners to be attached as Exhibit D.

EXHIBIT E

TIMETABLE FOR DEVELOPMENT

- A. The Preserve at Park Trace PUD shall be constructed in accordance with this timetable for development. This development shall be constructed in one phase in accordance with the master/final site plan attached as Exhibit D.
- B. Development must be completed within two (2) years of master/final site plan approval. As used herein, the term “development” shall not mean the construction of single family homes.
- C. The core infrastructure improvements, consisting of the required stormwater management system, the appropriate NPDES components, stabilized roadways, and adequate fire protection must be completed before issuance of building permits. All required improvements, including but not limited to roads, sidewalks, stormwater and drainage facilities, utilities, landscaping, recreational amenities and those identified on the final site plan for the applicable phase, must be substantially completed, as determined by the County Engineer, prior to the issuance of any certificate of occupancy.

EXHIBIT F

SPECIAL CONDITIONS

1. COMPLIANCE REQUIREMENTS

The Preserve at Park Trace PUD shall comply with all requirements of the Martin County Comprehensive Growth Management Plan. In addition, unless specifically provided for within this PUD Agreement, The Preserve at Park Trace PUD shall comply with all requirements of the General Ordinances and Land Development Regulations of the Martin County Code.

2. DRAINAGE/STORMWATER MANAGEMENT

- A. It shall be the OWNER'S sole responsibility to obtain the necessary drainage/stormwater management permits from the South Florida Water Management District (SFWMD). In no event shall COUNTY bear the responsibility for aiding the OWNER in obtaining permits from the SFWMD or funding the improvements necessary to develop the Preserve at Park Trace PUD.
- B. In order to ensure that the PUD's drainage/stormwater management system functions as designed and permitted in perpetuity, OWNER shall maintain the PUD's drainage/stormwater management system according to the Stormwater Management System Maintenance Plan to be submitted with final site plan application. The Maintenance Plan will provide that the OWNER shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Board of County Commissioners at final site plan approval in order to ensure it functions as intended and as approved by COUNTY. Neither COUNTY nor the SFWMD shall have any responsibility in maintaining the system.

3. EFFLUENT IRRIGATION

The OWNER agrees to accept wastewater effluent for irrigation, when available in sufficient quality and quantity in accordance with the South Florida Water Management District and Department of Environmental Protection rules, at such rates and charges as may then be charged by the utility. It shall be the OWNER's sole responsibility to obtain the necessary permits and extend the reclaimed water main to the site for connection of the irrigation system. OWNER shall design the irrigation system within the Preserve at Park Trace PUD to accommodate spray irrigation with wastewater effluent and provide adequate area for storage of such effluent.

4. EMERGENCY /CONSTRUCTION/ DELIVERY ACCESS

Any emergency/construction/delivery access indicated on the master site plan/final site plan and subdivision plat shall be primarily for emergency vehicles and construction and delivery vehicles, but may also be used by residential unit owners. The OWNER shall secure the emergency/construction/delivery access in a manner acceptable to the COUNTY. If gates are featured, knox switches, or locks, are required.

5. ENDANGERED SPECIES

In the event that it is determined that any representative plant or animal species of regional concern is resident on or otherwise is significantly dependent upon the Preserve at Park Trace PUD, the OWNER shall cease all activities which might negatively affect that individual or population and immediately notify Martin County, the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS). Construction may resume when proper protection, to the satisfaction of all agencies, is provided by the OWNER.

Gopher Tortoises – In Florida, gopher tortoises are protected as a Threatened Species. No land clearing or construction shall occur until all tortoises which will be impacted are relocated to upland preservation areas or off-site. A certified environmental professional will supervise clearing in the areas of the gopher tortoise burrows. Tortoises inhabiting burrows in areas to be developed will be captured and relocated using methodology approved by the Florida Fish and Wildlife Conservation Commission and conducted by an environmental professional possessing a valid relocation permit. During clearing and grubbing operations, equipment operators will be notified of the occurrence of gopher tortoises on-site and instructed to observe for roaming and foraging individuals. Should gopher tortoises be seen during the clearing and grubbing, all equipment operations will be stopped and the gopher tortoises will be captured and relocated. Once the tortoise(s) have been safely relocated, equipment operation can resume.

Endemic Species - All gopher tortoise relocation efforts will include trapping of endangered endemic species that may live in the burrow.

Relocation of Tortoises - If the number of tortoises exceeds the carrying capacity of the remaining natural area, the Martin County Environmental Planning Administrator will be notified and will be provided with a copy of the Gopher Tortoise Relocation Permit from the Florida Fish and Wildlife Conservation Commission. Every attempt shall be made to relocate within Martin County.

6. FIRE PROTECTION

Demonstration of compliance with provisions of the National Fire Protection Association (NFPA) is required. Specifically, stabilized roads and fire protection shall be completed before issuance of building permits pursuant to NFPA 241. Hydrants shall be located within 500 feet of each residential building.

7. HAULING OF FILL

The OWNER agrees not to haul any fill off of the site of The Preserve at Park Trace PUD and to coordinate with the County Engineer the routes and timing of any fill to be hauled to the site of this project. The OWNER shall also comply with all COUNTY excavation and fill regulations. Lake littoral zones and upland buffers shall be maintained in accordance with a Lake Management Plan approved by COUNTY.

8. IRRIGATION

Irrigation water for The Preserve at Park Trace PUD will be supplied by Martin County Utilities or as authorized by permit from South Florida Water Management District in accordance with all applicable regulations.

9. LANDSCAPING

Except as specifically provided for within this PUD Agreement, on the master/final site plan or the landscape plan, landscaping within The Preserve at Park Trace PUD shall comply with Article 4, Division 15, Landscaping, Buffering and Tree Protection, Land Development Regulations, Martin County Code.

10. MODELS

Model units with interim septic tanks, necessary access road, parking and utilities will be allowed on-site for purposes of sales presentation. Model units must be consistent with the approved master/final site plan. The location and number, not to exceed ten (10), shall be mutually agreed upon by the OWNER and the Growth Management Department Director. The OWNER agrees that the septic tanks will be removed at the time of completion of the sewer system and a bond satisfactory to the COUNTY will be provided to ensure said removal. Models may be used for the sale of residential units within the PUD until such time as ninety percent (90%) of the residential units have been issued certificates of occupancy.

11. SCHOOL IMPACT

The OWNER has obtained a letter of "No Objection" from the Martin County School Board.

12. SOIL EROSION AND SEDIMENTATION

Site clearing and vegetation removal shall be phased in accordance with the approved master/final site plan. Construction practices such as seeding, wetting, and mulching which minimize airborne dust and particulate emission generated by construction activity shall be undertaken within thirty (30) days of completion of clearing work. The slopes of constructed lakes from the top of the bank to the control water elevation (landward edge of littoral zone) shall be immediately stabilized and/or sodded to the satisfaction of the Public Works Department upon completion of the lake construction.

13. SUSTAINABLE DESIGN STANDARDS

Streetscaping standards for sustainable trees include the planting of shade trees along walkways and access roads to avoid the “sea of asphalt” and “line of cars” effect and to provide a more meaningful balance between green spaces and dwellings.

Trees shall be planted along streets as shown on the approved landscape plans. Where there is a narrow width of available planting area, the trees shall consist of Sabal palms. Where space is available, live oak or other approved large native shade trees shall be established within the common areas to promote the streetscape concept.

The following sustainable standards have been incorporated into the master/final site plan for The Preserve at Park Trace PUD and accordingly, compliance is required.

- A. Street trees are considered part of the essential infrastructure of the development. Therefore, street trees shall be maintained in perpetuity by the Association as a condition of this PUD.
- B. Trees shall be established along roadways in a manner that will maintain their long-term survival and health for perpetuity. Trees shall be protected and maintained to avoid future conflicts with structures and utilities. Practices to be employed include canopy pruning to promote good structure and growth as well as root pruning and buried concrete root barriers. Sidewalks, utilities and other improvements that may be impacted or suffer damage due to street trees shall be replaced or relocated in lieu of street tree removal. Notwithstanding any law, ordinance or regulation to the contrary, the parties to this PUD Agreement have agreed as a condition of approval of this PUD that street tree removal shall only be allowed as a last resort to remove diseased trees or trees critically damaged by weather, storm, fire or other natural causes.

14. TEMPORARY CONSTRUCTION OFFICE

The OWNER may establish and maintain on the property a temporary construction office in a location approved by the Growth Management Department Director during the period that the property is being developed and until three (3) months following the issuance of the last certificate of occupancy for a unit. A bond for the removal of the construction office shall be supplied to the COUNTY.

15. TEMPORARY SALES OFFICE

The OWNER may establish and maintain on the property a temporary sales office in a location approved by the Growth Management Department Director during the period that the property is being developed and until three (3) months following the issuance of the last certificate of occupancy for a unit. A bond for the removal of the sales office shall be supplied to the COUNTY.

16. TIME SHARING OR INTERVAL OWNERSHIP PROHIBITED

The units to be constructed within the Preserve at Park Trace PUD shall not be sold nor shall title be conveyed or transferred on the basis of time sharing or interval ownership.

17. USES AND DEVELOPMENT STANDARDS

The minimum lot size and dimensions shall be 6,000 square feet (50' x 120'). Setbacks are as indicated on the master/final site plan. Except as provided for within this PUD Agreement or as set forth on the master/final plan, the requirements of Article 3, Land Development Regulations, Martin County Code, and specifically the Estate Density (RE-1/2A) zoning district shall apply to the development of the Preserve at Park Trace PUD.

18. WATER/WASTEWATER:

Water and Wastewater services for this project shall be provided by Martin County Utilities. OWNER shall provide an executed copy of an agreement within 60 days of master/final site plan approval of the Preserve at Park Trace PUD. For water conservation OWNER shall individually meter each unit and/or supporting structure.

19. PUBLIC BENEFITS

- A. As depicted on the master/final site plan, OWNER shall provide an additional 10.4 acres of upland preserve area. OWNER shall be responsible in perpetuity for the maintenance of all preserve areas; provided, however, that upon creation of the ASSOCIATION, as required under this PUD, the OWNER shall convey and assign all such ownership and maintenance responsibilities to the ASSOCIATION.
- B. At no cost to the COUNTY, OWNER shall design, permit and construct the extension of the public sidewalk on the south side of the right-of-way of SE Cove Road, approximately 3,000 feet west, from the entrance of The Preserve at Park Trace PUD to the entrance of the Cove Royale PUD.

MARTIN COUNTY, FLORIDA

PRESERVE AREA MANAGEMENT PLAN

For:

The Preserve at Park Trace

Section 34, Township 38S, Range 41E

Prepared by:

EW Consultants, Inc.

Approved by/Date: _____

A Preserve Area Management Plan (PAMP) is required of all applicants for development approval on sites which contain wetland or upland preserve areas, pursuant to provisions of Section 4.36.A.1 of the Martin County Land Development Regulations, Martin County Code.

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Lake Area Management Plan

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1.0 GENERAL

The owner of the lands to be preserved and maintained by this Preserve Area Management Plan (PAMP) and the developer of The Preserve at Park Trace successors and assigns, and their environmental consultants and contractors, will implement and comply with all portions of this PAMP.

Compliance with the terms of this PAMP includes submittal of all Monthly Monitoring Reports on PAMP compliance throughout all phases of project construction and submittal of all Annual Monitoring Reports following completion of project construction, pursuant to Section 10.17 of the Martin County Land Development Regulations. The owner of the lands to be preserved/maintained shall have ultimate responsibility for the submittal of all Monthly and Annual Monitoring Reports, according to the format and schedule requirements of Section 10 of this PAMP.

As noted in Section 9 of this PAMP, the Martin County Environmental Planning Administrator shall be notified in writing within thirty (30) days of transfer of ownership of any lands to be preserved/maintained under the terms of this PAMP. Failure to notify shall be considered as non-compliance with the terms of this PAMP

This PAMP will not be altered or amended by either Martin County or the owner/developer of The Preserve at Park Trace, except by an alteration or amendment agreed to by both the Martin County Environmental Planning Administrator and the owner/developer of The Preserve at Park Trace. Such alterations and amendments shall be inserted into the PAMP and the final revised document shall be recorded by the Martin County Clerk of Courts. The revised PAMP will be labeled with the appropriate O.R. Book and Page Number. Three copies of the revised document shall be provided to the Martin County Environmental Planning Administrator within thirty (30) days of the Recording date.

2.0 ENVIRONMENTAL ASSESSMENT

The Environmental Assessment (EA) includes maps and text which accurately depict the site's location, soils, uplands, listed species, previous impacts, preserve area locations and boundaries, and any other significant environmental features. It is attached to this Preserve Area Management Plan.

- 2.1 Location** – A location map is included in the EA.
- 2.2 Soils** – Soil types on the property were classified using a Soils Survey of Martin County Area, Florida and a copy of the appropriate map is included as an attachment. Please refer to the attached Environmental Assessment for a detailed description of soils present on the property.
- 2.3 Habitats** – Vegetative community classifications were mapped based on the Florida Land Use Cover and Forms Classifications System (FLUCCS), and the Florida Natural Areas Inventory (FNAI). Field Reconnaissance and aerial photograph interpretation were employed in the mapping effort of the vegetative communities on the subject property.

Please refer to the attached Environmental Assessment for a detailed description of the habitats present on the property.

2.4 Listed Species Evaluation

Please refer to the attached Environmental Assessment and associated attachments for a detailed description of the listed species evaluation for this property.

2.5 Previous Impacts

Please refer to the attached Environmental Assessment for a detailed description of the existing land covers and previous impacts.

2.6 Agency Correspondence

A database search of the Department of State's Florida Division of Historical Resources for the subject property. The findings of this request are included in the attached Environmental Assessment.

A database search of the Florida Fish and Wildlife Conservation Commission's online resources has been made for the project site. The findings are included in the attached Environmental Assessment.

A wetland jurisdictional determination (JD) has been performed by the SFWMD for the project site and is included in the Environmental Assessment.

Through the SFWMD ERP process, the Florida Fish & Wildlife Conservation Commission has provided the applicant with advisory comments which have been incorporated into the May 2021 EA and this PAMP.

3.0 IDENTIFICATION OF PRESERVE AREAS

3.1 Site Plan - All Preserve Areas, right-of-ways and easements are shown on The Preserve at Park Trace Site Plan, a copy of which is included in this PAMP. The Site Plan will contain the notation: "PRESERVE AREAS ARE NOT TO BE ALTERED WITHOUT WRITTEN PERMISSION OF THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS."

3.2 Legal Recording - The final The Preserve at Park Trace Site Plan will be recorded with the PAMP by the Martin County Clerk of Courts. The Site Plan and the PAMP will be labeled with the appropriate O.R. Book and Page Number and copies of each recorded document will be provided to the Martin County Environmental Planning Administrator within thirty (30) days of the Recording date.

4.0 SURVEYING, MARKING AND BARRICADING REQUIREMENTS

All Preserve Areas shown on the Site Plan for The Preserve at Park Trace will be surveyed and marked in the field with appropriate survey markers and signage. During the clearing and construction phases of the project, Preserve Area boundaries will be marked by physical barriers. No plant material will be removed from the Preserve Areas to facilitate surveying, fencing or soil boring/sampling without prior permission from the Martin County Environmental Planning Administrator.

- 4.1 Preserve Area Surveying Requirements – Each Preserve Area will be surveyed and marked with permanent monuments at each corner and at other sites necessary for locating the boundary of the Preserve Area. These permanent monuments will be constructed under the supervision of a Registered Land Surveyor and will be shown on the Site Plan. Map coordinates of each Preserve Area will be provided to the Martin County Environmental Planning Administrator, in a form compatible for use in the County’s GIS mapping system.**
- 4.2 Preserve Area Boundary Markers and Signs - Preserve Areas will be posted with permanent signs and boundary markers. Boundary Markers will be placed at the corners of residential lots abutting Preserve Areas. Signs will be at least 11 x 14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, at a frequency of no less than one (1) sign per 500 feet. All boundary markers and signs will be approved by the Martin County Environmental Planning Administrator and they will be in place prior to issuance of a building permit for construction on the site.**
- 4.3 Barricading Requirements - Prior to clearing, the developer will ensure that all Preserve Areas are protected with physical barriers during all clearing and construction activities in accordance with the following guidelines. Barricades will be inspected by County Environmental Division staff prior to work approval. Removal of the barricade materials will be done upon issuance of the final Certificate of Occupancy with authorization from appropriate County staff.**

Barricades (not including turbidity screens) will be high-visibility orange safety fence extending from the ground to a height of at least 4 feet. Barricades will not be attached to vegetation.

All barricades and turbidity screens will be upright and maintained intact for the duration of construction.

Where areas are proposed for clearing (i.e. building envelope, utilities, drainage, road right-of-way, etc.) the bright orange barricades and silt fences will be offset at least 5 feet outside the Preserve Area or placed at the dripline of the canopy trees, whichever is greater.

All native vegetation not slated for removal as part of the development plans will be retained in their undisturbed state and will be barricaded at or outside the dripline of the trees.

Cut or fill will meet existing grade without encroaching into Preserve Areas.

It is the responsibility of the owner and developer of The Preserve at Park Trace to inform all contractors of these Marking and Barricading Requirements. Failure to comply with these Marking and Barricading Requirements will be considered a violation of the Site Plan approval. Further work on the project may be stopped until compliance with the Marking and Barricading Requirements is achieved, and the owner or developer may be required to appear before the Code Enforcement Board.

5.0 USE OF PRESERVE AREAS

- 5.1 Activities Allowed in Preserve Areas – Activities allowed in preserve areas are bird watching and nature enjoyment.**

- 5.2 Activities Prohibited In Preserve Areas -** Activities prohibited in Preserve Areas or easements within Preserve Areas include, but are not limited to: construction or placing of building materials on or above the ground; dumping or placing soil or other substances such as garbage, trash, and cuttings; removal or destruction of native trees, shrubs or other native vegetation; excavation, dredging or removal of soil materials; diking or fencing; vehicular traffic including use by non-motorized vehicles, recreational vehicles and off-road vehicles; permanent irrigation; trimming, pruning, or fertilization; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife conservation and preservation.

No hazardous material other than fuel for refueling on-site heavy equipment will be stored during the construction phases. On-site fuel tanks shall not be located within twenty-five (25) feet of any Preserve Areas and shall be removed upon completion of construction work.

Buildings proposed to be located adjacent to Preserve Areas shall be set back a minimum of ten (10) feet to allow for construction and maintenance without encroaching into the Preserve Area. All other structures (e.g. pools, sheds, decks, fences) shall be set back a minimum of five (5) feet from the Preserve Area boundary.

Development activities such as the construction of building pads for associated structures, swales, or culverts for surface water management shall not alter the hydrology of adjacent Preserve Areas. Nor shall any activities increase non-point source pollution in Preserve Areas.

6.0 RESTORATION AND MAINTENANCE ACTIVITIES

Except for approved restoration and maintenance activities, Preserve Areas will be left undisturbed. All maintenance of Preserve Areas will be in accordance with this PAMP for *The Preserve at Park Trace*. Maintenance and management activities will be performed by or under the supervision of a qualified environmental professional and must be approved by the Martin County Environmental Planning Administrator. The following restoration and maintenance activities may be allowed within Preserve Areas with prior written approval from the Environmental Planning Administrator: exotic plant removal, re-vegetation or planting native vegetation, and removal of dead, diseased, or safety hazard plant material.

- 6.1 Exotic Vegetation Removal –** Exotic vegetation shall be removed from Preserve Areas by the least ecologically-damaging method available. Such methods include hand pulling, hand spading, cutting with hand or chain saws and in-situ treatment with appropriate herbicides. No debris, including dead plants, plant clippings or wood scraps, shall be allowed in Preserve Areas. In addition, all dead plant material and exotic plant debris removed from Preserve Areas shall be disposed of in a County-approved recycling facility.
- 6.2 Re-vegetation -** Any re-vegetation which might be necessary as a result of exotic vegetation removal or site construction activities shall consist of native plant species representative of the existing native plant community. This will ensure that the Preserve Areas maintain indigenous plant associations.
- 6.3 Vegetation Removal -** Dead or diseased plant material shall be removed from Preserve Areas upon approval by the Martin County Environmental Planning Administrator. Re-vegetation may be required for any removed plant material. No debris, including dead

plants, plant clippings or wood scraps, shall be allowed in Preserve Areas. All dead plant material and debris removed from Preserve Areas shall be disposed of in a County-approved recycling facility.

- 6.4 **Prescribed Burns** - Martin County considers prescribed burns an acceptable habitat management tool. When approved by the Martin County Environmental Planning Administrator, they will be conducted by a certified burn manager who will be responsible for obtaining all appropriate permits from State and local agencies.

It should be noted that the project site is located adjacent to the Atlantic Ridge State Park. As part of the vegetative management of this park, prescribed burns will be performed on a regular basis. The Preserve at Park Trace project is therefore located within the “smoke shed” of the Atlantic Ridge State Park. Residents of the development are to be provided with a copy of this PAMP which raises the awareness of this issue.

- 6.5 **Hydrology** - Previous or potential drainage impacts will be corrected to the extent technically feasible. Wetlands and waterbodies on adjacent properties shall be protected from adverse impacts, as necessary.
- 6.6 **Mitigation Plan** - There are proposed activities on-site which will necessitate wetland mitigating measures (access to upland areas through wetlands). As such, an Environmental Waiver application has been submitted under separate cover which evaluates the proposed impact and the corresponding wetland creation areas (from uplands) as shown on the graphics contained in the waiver application.

7.0 PROTECTIVE MEASURES FOR LISTED SPECIES

- 7.1 **Gopher tortoises** have been confirmed on-site. In Florida, gopher tortoises are protected as Threatened. Under Florida law, no person may take, possess, transport or sell a Listed Species. No land clearing or construction shall occur until all tortoises which will be impacted are relocated to upland preservation areas or to off-site receiver areas as permitted by the FFWCC. A gopher tortoise agent registered with the Florida Fish and Wildlife Conservation Commission will supervise clearing in the areas of the gopher tortoise burrows. Tortoises inhabiting burrows in areas to be developed will be captured and relocated following guidelines set forth below. Tortoise burrows may be bucket trapped or excavated using methodology approved by the Florida Fish and Wildlife Conservation Commission and conducted by an authorized gopher tortoise agent possessing a valid relocation permit. During clearing and grubbing operations, equipment operators will be notified of the occurrence of gopher tortoises on-site and instructed to observe for roaming and foraging individuals. Should gopher tortoises be seen during the clearing and grubbing, all equipment operations will be stopped and the gopher tortoises will be captured and relocated into a Preserve Area of the project away from the immediate clearing activities. Once the tortoise(s) have been safely relocated to a Preserve Area and restrained by tortoise fencing, equipment operation can resume.
- 7.2 **Endemic Species** – If necessary, all gopher tortoise relocation efforts will include trapping of protected endemic species that may live in the burrow. These endemic species include but are not limited to the Florida mouse (*Peromyscus floridana*), gopher frog (*Rana aerolata*) and Eastern indigo snake (*Drymarchon corias couperi*).

- 7.3 **Relocation of Tortoises** - The Martin County Environmental Planning Administrator will be notified and will be provided with a copy of the Gopher Tortoise Relocation Permit from the Florida Fish and Wildlife Conservation Commission. All relocations shall be carried out by a gopher tortoise agent licensed for gopher tortoise relocations. The responsible party shall have access to literature pertaining to gopher tortoise preservation and shall be encouraged to preserve additional areas and to landscape with native vegetation.

8.0 MISCELLANEOUS PROVISIONS AND RESTRICTIONS

The project will comply with the Martin County/State of Florida "Firewise" program. The project has been designed to provide a 30' wide defensible space between the upland preserves and the primary structures on lots adjacent to those preserves. The owner/developer and homeowners' association shall ensure that these lots maintain the 30' wide defensible space inclusive of a maximum of 20 feet within the adjacent preserve area. Maintenance of the defensible space shall adhere to the Firewise Program's landscaping guidelines developed by the Florida Forest Service.

After construction is complete, the lot owner and homeowners' association will be responsible for maintaining the buildings and common property in accordance with the Firewise principles.

Firewise Notes:

- Lots adjacent to forested preserve areas shall maintain a 30' defensible space that will be maintained in accordance with "firewise" principles including the removal of trash and debris and restricting landscape to fire resistant species.
- No primary structure or attached secondary structure shall be constructed within the 30 foot defensible space to preserve areas.
- Homes on lots adjacent to preserve areas shall have Class A asphalt shingle, slate or clay tiles, cement or metal roofing or terra cotta tiles.
- Homes on lots adjacent to preserve areas shall have non-combustible or fire-resistant siding and soffits.

9.0 TRANSFER OF RESPONSIBILITIES

The property owner(s) and developers of The Preserve at Park Trace are responsible for implementation of all requirements of this Preserve Area Management Plan until such time as the developer transfers responsibility to the owners or a successor. The Martin County Environmental Planning Administrator will be notified in writing within thirty (30) days of transfer of ownership of any lands to be preserved under this PAMP. Failure to notify will be considered as non-compliance with the terms of this PAMP. At such time as the developer is ready to transfer control of The Preserve at Park Trace to the property owners or another appropriate entity, whether the developer retains ownership of the lots/parcels in the project or not, an environmental professional shall certify, in writing, to the Martin County Environmental Planning Administrator, that the Preserve Areas are in full compliance with this PAMP.

The developer and/or successor will be responsible for maintaining the Preserve Areas in their existing natural condition with the periodic removal of invasive exotic vegetation. After transfer of responsibilities, funding for all maintenance and management programs will be the responsibility of all successors.

10.0 MONITORING, REPORTING AND INSPECTIONS

10.1 Monthly Construction Reports – During construction of The Preserve at Park Trace, the developer will be responsible for submitting a monthly report on the progress of The Preserve at Park Trace, which will address all aspects of the site construction relative to the Preserve Areas. Information regarding construction and maintenance of the Preserve Areas, such as placement of barriers and signage, removal of exotic vegetation, re-vegetation, prescribed burns, etc. will be described and supported with photographs, where appropriate.

10.2 Annual Monitoring Reports -

Monitoring and reporting will be conducted annually by a qualified environmental professional for a period of five years from the date of completion of the project or project phase encompassing the monitored area. Annual monitoring will be conducted at the end of the wet season (usually by November 30) and a report of the monitoring will be submitted to the Martin County Environmental Planning Administrator within 30 days of the completion of the monitoring.

The Annual Monitoring Reports will document changes in vegetation including encroachment and/or overgrowth of noxious or exotic vegetation. Fixed-point photos of all Preserve Areas will be included in each report. The reports will include recommendations for exotic vegetation removal, re-vegetation, and any additional enhancement activities necessary to maintain the Preserve Area. A timetable for action within 90 days of the report will be prepared and followed.

A copy of the proposed Annual Monitoring Report format is attached to this PAMP as an Appendix. This format may be modified separately from the PAMP, as necessary, upon written approval from the Martin County Environmental Planning Administrator.

Upon request, Martin County Environmental Planning staff may meet with the responsible parties to review the annual monitoring report findings and supply technical assistance and support for stewardship.

The first Annual Monitoring Report due in compliance with this PAMP will be submitted to the Martin County Environmental Planning Administrator no later than _____. Subsequent Annual Monitoring Reports will be due on the same date for the next four years.

After the initial five-year monitoring period, the Preserve Areas may be subject to periodic review and, if conditions warrant, will be subject to further monitoring and maintenance to ensure environmental integrity, consistent with the provisions of this Plan.

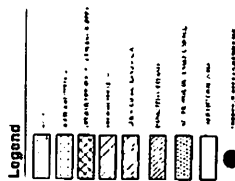
10.3 Enhanced Wetland Monitoring Program - As part of an “enhanced wetland monitoring program” developed in conjunction with Martin County Environmental Division staff, two automated water level monitoring devices will be installed on-site; one within W-9A and one within W-10. Both will be located near the east property line on either side of the existing earthen berm which separates the two wetlands as shown on the wetland monitoring map included as part of this August 2021 PAMP as is a typical diagram for these recorders. The purpose of these devices will be to document any significant changes in wetland water levels due to the potential hydrologic changes within the landscape. The recorded water elevations will be charted along with nearby rainfall data, with the wetland bottom elevation and

seasonal high water/normal pool elevations plotted as constants. In this manner, the chart will show the changes in water elevation within each wetland in relation to local rainfall, which will be collected from a public source such as the SFWMD database or from MCU rainfall units in the area. Should any significant changes to the wetlands' hydrology after two (2) years of monitoring, such data will be reviewed with Martin County Environmental Division staff to examine potential causes (whether natural or man-made) and resultant corrective measures that may be necessary and appropriate to restore the wetlands' hydrology. The definition of "significant" will be determined in conjunction with Martin County Environmental Division staff based on generally accepted water level tolerances for the types of freshwater wetlands found on-site.

- 10.4 Inspections - Martin County is authorized to inspect any County regulated site or appurtenance. Duly authorized representatives of Martin County may, at any time, upon presenting proper identification, enter upon and shall be given access to any premises for the purpose of such inspection.**

11.0 ENFORCEMENT

Martin County shall have the right to enforce the provisions of this PAMP through any available administrative or civil proceeding, which may result in penalties. Restoration of habitat and other remedies, such as fines and fees covering staff time, may be required of any person, corporation or other entity found in violation of any of the provisions of this PAMP or of Article 10 of the Martin County Land Development Regulations.

[illegible][illegible]

Lake Portmeria Sheridano - 4.917 M

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1. The first step is to identify the problem.

https://www.arsip.uns.ac.id/arsip/2019/01/

The property comes of succession by interest, or agent, if any, shall be jointly and severally responsible for the following:

Regular maintenance of all land included to be kept and used according to and in a way that preserves a healthy soil, and healthy appearance. All underground and surface water, including but not limited to, shall be protected and not include any contamination, including but not limited to, petroleum products, pesticides, herbicides, insecticides, fertilizers, or any other hazardous materials, or any other substances that may be detrimental to the health of the land.

Regular or replacement of required walls, fences, or structures in a substantially safe and sound condition.

Regular maintenance, repair or replacement, where necessary, of any swimming pool, spa, hot tub, or other water feature.

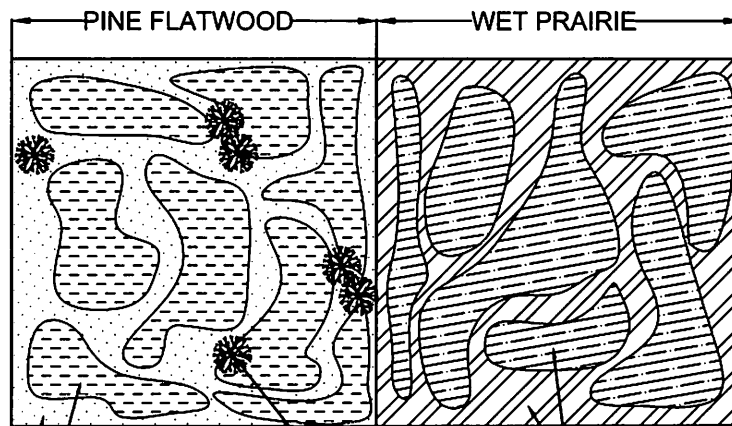
Performing required to be provided the requested removal of harmful soil, vegetation, debris, and other materials that may be detrimental to the health of the land, including but not limited to, debris, brush, and other materials that may be detrimental to the health of the land.



the authors' view, the results of the present study suggest that the use of a single, standardized, and validated instrument to assess the prevalence of depression in a community sample is not sufficient to identify the full range of depressive symptoms and disorders. The use of a structured clinical interview, such as the SCID, is necessary to identify the full range of depressive symptoms and disorders. The use of a structured clinical interview is necessary to identify the full range of depressive symptoms and disorders. The use of a structured clinical interview is necessary to identify the full range of depressive symptoms and disorders.



PINE FLATWOOD & WET PRAIRIE PLANTING PLAN



Understory - (7' o.c., 1 gal)
Serenia repens - Saw Palmetto
Myrica corifera - Wax Myrtle
Lyonia spp. - Fetterbush
Ilex glabra - Gallberry

Groundcover
Spartina bakeri - Sand Cordgrass (4' o.c., gal)
Muhlenbergia capilaris - Muhly Grass (4' o.c., gal)
Fakahatchee Florida spp. - Dwarf Fakahatchee (4' o.c., quart)

Trees - (20' o.c., 7 gal)
Pinus elliotii Slash Pine

Groundcover - (BR, 2' o.c.)
Spartina bakeri - Sand Cordgrass
Telmatoblechnum serrulatum - Swamp Fern
Osmunda regalis var. spectabilis - Royal Fern
Hypericum spp. - St John's Wort
Panicum hermitomon - Maidencane
Amphicarpum muehlenbergianum - Blue Maidencane

QUANTITY OF PLANTS WILL BE DETERMINED BY SIZE OF RESTORATION
 AREA AND SPACING (O.C.) OF SELECTED PLANTS.

REFERENCED SPECIES MAY BE SUBSTITUTED WITH OTHER
 APPROPRIATE NATIVE SPECIES BASED ON AVAILABILITY.

NOTE: PLANTS TO BE INSTALLED AS TO MIMIC NATURAL OCCURRENCE.

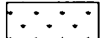
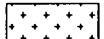


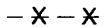

THE PRESERVE AT PARK TRACE PLANTING PLAN

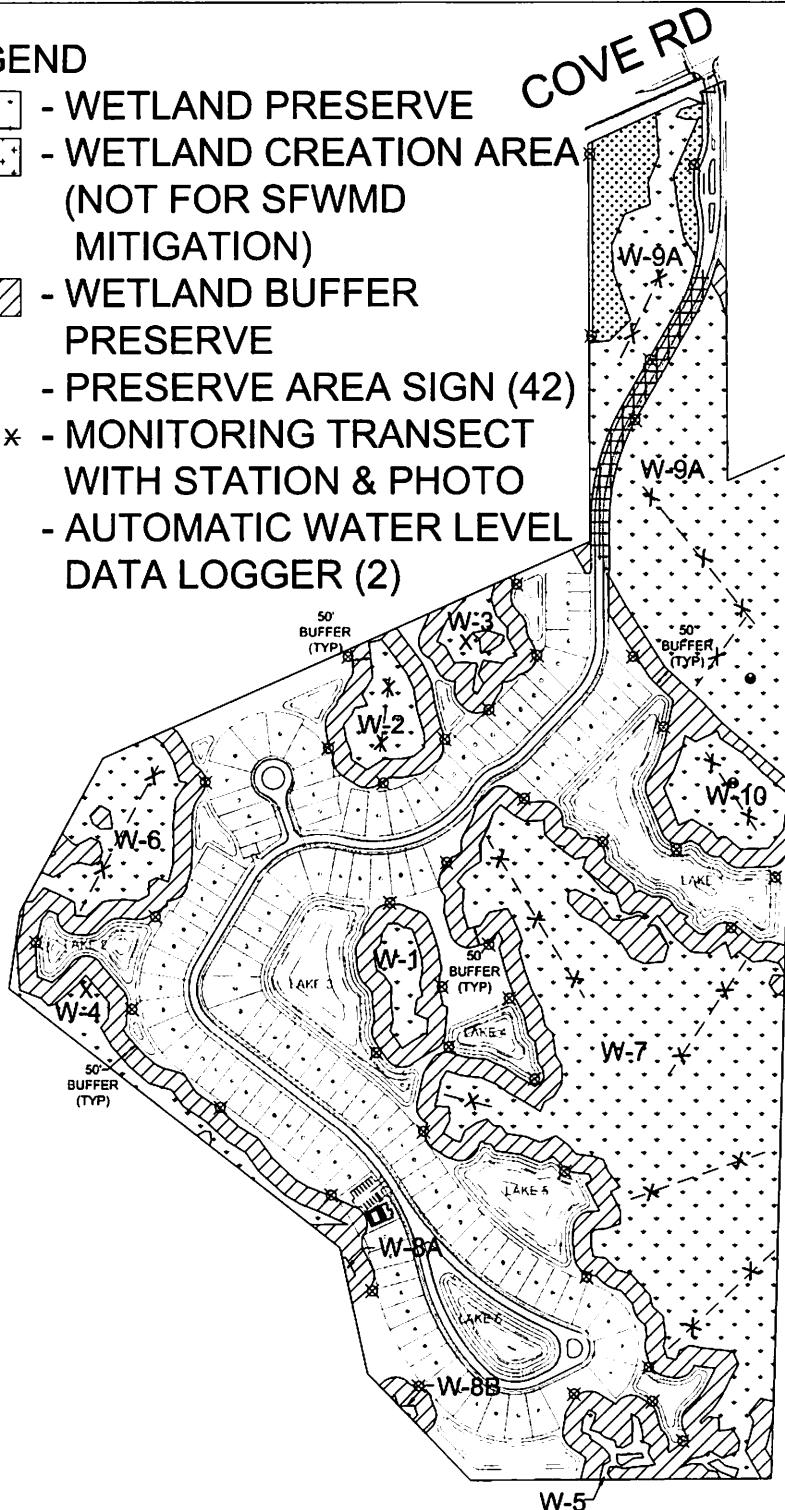


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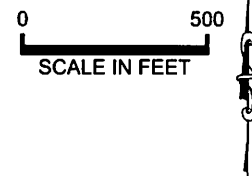
**MAY 2021
 FIGURE**

LEGEND

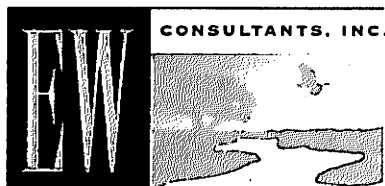
-  - WETLAND PRESERVE
-  - WETLAND CREATION AREA (NOT FOR SFWMD MITIGATION)
-  - WETLAND BUFFER PRESERVE
-  - PRESERVE AREA SIGN (42)
-  - MONITORING TRANSECT WITH STATION & PHOTO
-  - AUTOMATIC WATER LEVEL DATA LOGGER (2)



PRESERVE AREA SIGN (TYP)



THE PRESERVE AT PARK TRACE MONITORING



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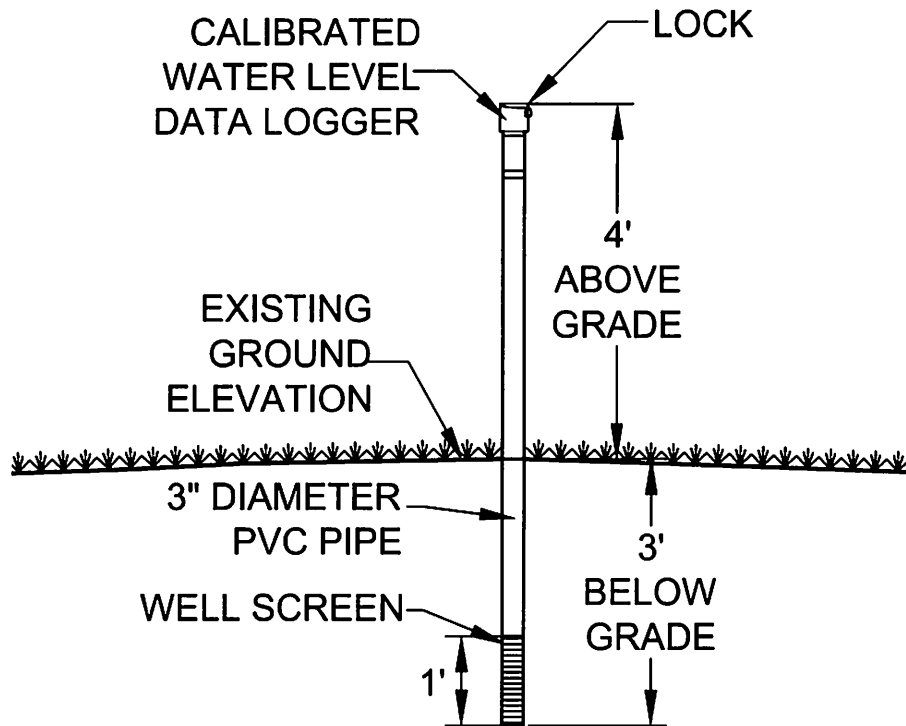
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FIGURE

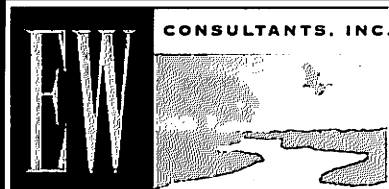
2

TYPICAL



THE PRESERVE AT PARK TRACE MONITORING WELL DETAIL

WELL_SECTION.dwg DETAIL 1



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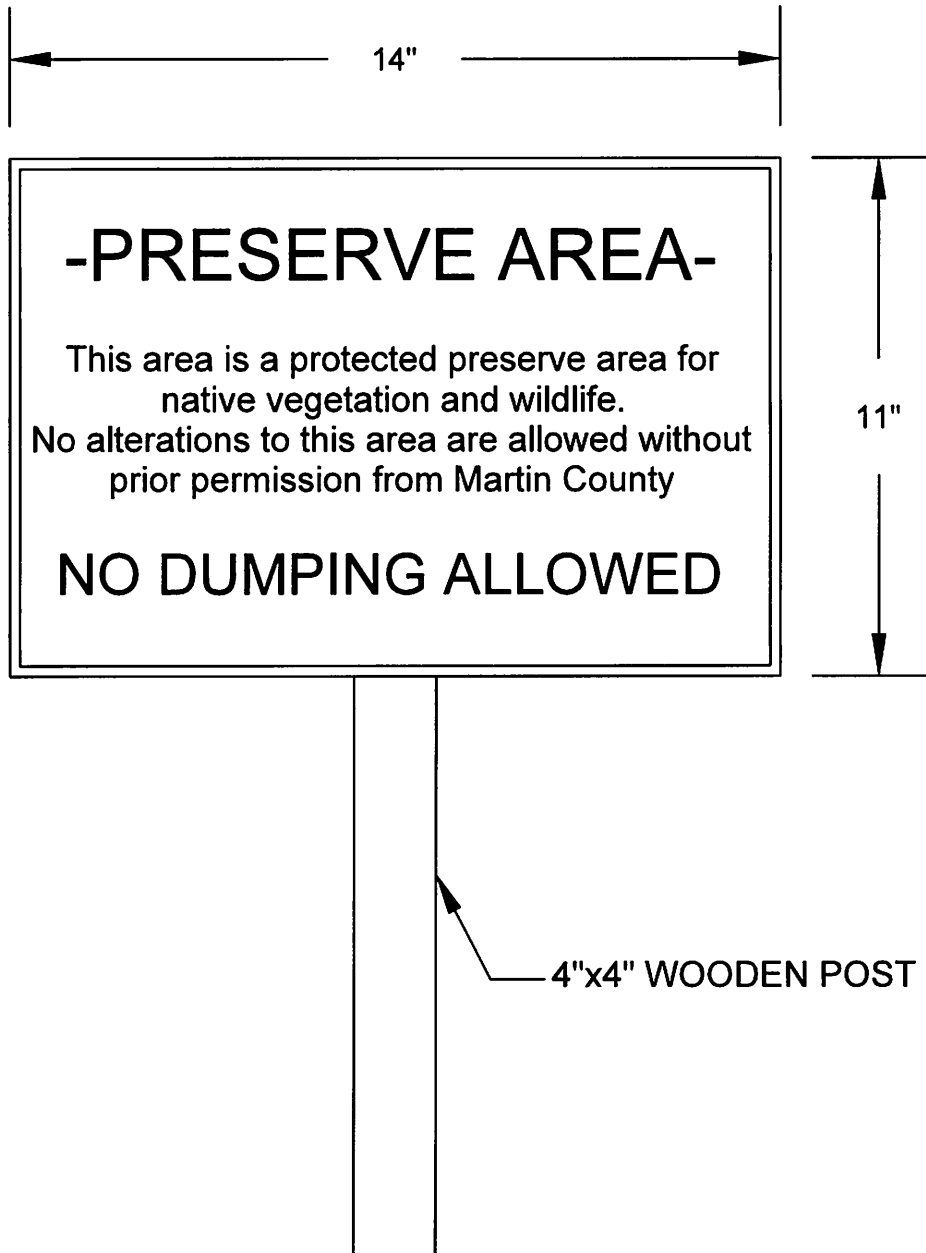
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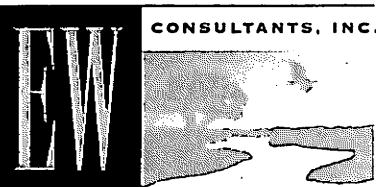
AUG 2021

FIGURE

3



PRESERVE AREA SIGN

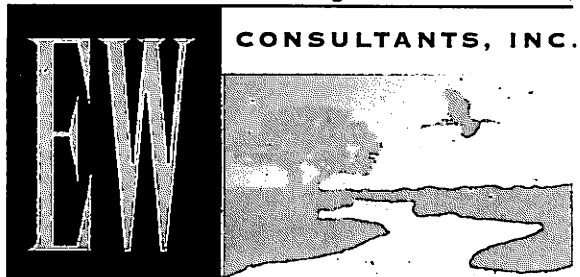


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OCT 2013
FIGURE

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Natural Resource Management, Wetland, and Environmental Permitting Services



ENVIRONMENTAL ASSESSMENT

THE PRESERVE AT PARK TRACE

MARTIN COUNTY, FLORIDA

Prepared for:

D.R. Horton

Prepared by:

EW Consultants, Inc.

May 2021

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INTRODUCTION -

The Preserve at Park Trace project site covered by this Environmental Assessment comprises 97+/- acres. The site is located just north of the Atlantic Ridge State Park, east of Ault Avenue, south of Cove Road, and west of the Summerfield development (see Figure 1 in Appendix A, Location Map). The project site is situated in east-central Martin County, FL, in the Section 34, Township 38S, and Range 41 East (see Figure 2 in Appendix A, USGS Quadrangle Map).

GENERAL PROPERTY DESCRIPTION -

The majority of the parcel consists of native pine/mesic flatwoods upland habitat, with a substantial amount of freshwater wetlands, as well. The property is surrounded by vacant wooded lands to the south and west, a golf course to the east, Cove Road and large lot residential parcels and a church to the north (see Figure 3, 2020 Aerial Photograph, in Appendix A for an aerial view of the project site and surroundings).

Current land cover types include native upland and wetland habitats, as well as lands dominated by exotic plant species (both wetland and upland) within the northern “chimney” of the project site along Cove Road. The only visible alterations on-site include a series of rudimentary ditches.

SOILS -

A soils report for the site generated by the USDA/NRCS is included in Appendix B. The soils in this part of Martin County are generally poorly drained sands and depressional sands.

NATURAL COMMUNITIES AND LAND COVERS -

The following is a summary of the land covers and vegetative communities found on the subject site. Land cover and vegetative community classifications were mapped based on the Florida Land Use, Cover and Forms Classification System (FLUCCS) and Florida Natural Areas Inventory (FNAI). The land cover mapping is based on the vegetative site conditions as of March 2020. Please refer to Figure 4 in Appendix A, for the approximate limits of the land cover categories described below.

Land cover categories present on-site include:

#411: Pine/Mesic Flatwoods – This common native upland vegetative cover consists of slash pine canopy, with saw palmetto, gallberry, fetterbush and wax myrtle in the understory, with wiregrasses in the groundcover layer. Native vines are also present such as wild grape and

greenbrier. This land cover type is suitable habitat for the state threatened gopher tortoise, and evidence of their presence was observed during recent site visits.

#422: Brazilian Pepper - This upland land cover includes wooded areas in the chimney portion of the project site south of and adjacent to Cove Road. This land cover is dominated by the invasive exotic Brazilian pepper tree. The exotic schefflera tree, as well as exotic grasses such as guinea grass and rose natal grass are also present within this land cover type. Numerous vines are also present such as wild grape and greenbrier. This land cover provides very little wildlife utilization potential.

#643: Wet Prairie – The east-central, northwestern and chimney portion of the project site consists of freshwater wetlands. Such areas are dominated by desirable native wetland plants such as St. John's wort, corkwood, maidencane, bog buttons and hatpins. Wetlands along the western property line as well as the wetland in the chimney contain a significant (greater than 75%) coverage of the exotic melaleuca tree. The wetlands on-site provide foraging and nesting habitat opportunities for a variety of common and listed wildlife species, in particular wading birds. The landward extents of the wetlands on-site have been verified by the SFWMD (see Exhibit 1).

PREVIOUS IMPACTS -

Minimal impacts to the site have occurred over the past decades most likely due to its remote nature and inaccessibility from major roadways. Invasion of exotic plant species is evident along Cove Road, as are rudimentary ditches throughout the site.

AGENCY COORDINATION AND RECOMMENDATIONS –

With the databases of the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC) readily available on-line, Figures 5 and 6 represent the database downloads for these agencies. The landward extents of the wetlands on-site have been verified by the SFWMD (see Exhibit 1).

Discussions with staff from the Florida Fish and Wildlife Conservation Commission (FWC) during the SFWMD Environmental Resource Permit (ERP) process led to the following recommendations for the project site based on the habitats present:

- 1) Survey, permitting, and relocation of the state threatened gopher tortoise
- 2) Survey of the deepwater areas within on-site wetlands for nesting sandhill cranes and other wading birds during the recognized nesting season
- 3) Making observations for least tern nesting during construction activities since this listed species has been known to nest on newly-cleared sites with fresh sand

- 4) Posting of informational signage and training for site contractors regarding the identification and stoppage of work procedures for the Florida pine snake and Eastern Indigo snake.
- 5) Including language in the recorded Preserve Area Management Plan informing residents of the project of the adjacent Atlantic Ridge State Park and the frequency of prescribed burns along with the potential for occasional smoke associated with those burns.

As a result of these recommendations, the May 2021 PAMP has been updated accordingly.

LISTED FLORA AND FAUNA -

Due the various types of habitats found on-site, listed wildlife species may utilize the pine flatwoods and wetlands for nesting and foraging opportunities.

A search of the FWC water bird colonies database is shown on Figure 5. The data reveal that several colonies within 20 miles of the project site have been documented. Since the foraging range of a wood stork is generally recognized as 18.6 miles from its colony, the project site is located within a wood stork foraging area. However, only minimal impacts to the on-site wetlands are proposed within the exotic-infested areas of the wetlands along Cove Road. Therefore, there will be no anticipated impacts to listed wading bird populations.

Although the bald eagle has been removed from the Endangered Species Act list, it remains protected under the Bald and Golden Eagle Protection Act. The subject property contains numerous mature slash pines that could provide potential nesting opportunities for bald eagles and is located within a few miles of major foraging areas, such as the Indian River Lagoon, St. Lucie River, and numerous local waterways. A mature bald eagle was observed just off-site along the eastern boundary with the Summerfield project. No bald eagle nest trees were observed on-site during the past year of field visits. The closest eagle nest is located to the southeast of the site (MT010 in the Atlantic Ridge State Park). A map showing FWC documented bald eagle nest locations is attached as Figure 6 in Appendix A.

As mentioned previously, the state threatened gopher tortoise has been observed on-site. It is recommended that a full survey be conducted within the development footprint no more than 90 days prior to land operations. As for the listed wading birds observed on-site, it is recommended that systematic surveys be conducted within the on-site wetlands in accordance with FWC guidelines at the appropriate times of year prior to and during site development activities.

Figure 7 in Appendix A shows the locations of the observations made for listed species over the past year, as well as a survey loop through the upland portions of the site for gopher tortoise burrows. This survey loop represents approximately a 10% survey of the upland areas for gopher tortoise burrows. Table 1 below is the current list of state and federally protected fauna in Florida with those species likely to occur on-site highlighted.

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In addition, federally listed plant species within Florida are shown on Table 2 below. No such species on this list was observed during the site visits or expected to occur on-site based on the habitat types present. It should be noted that other protected plants listed by FDACS are not provided in Table 2 since they are considered the property of the landowner under Chapter 5B-40, F.A.C., and are protected from un-permitted commercial exploitation, which is not applicable to the project site.

TABLE 1				
PRESERVE AT PARK TRACE				
POTENTIAL LISTED FAUNAL SPECIES				
USFWS/FWC 12/2018 OFFICIAL LIST				
RECOMMENDED SURVEY				
VERTEBRATES		Potential		
FISH		Occurrence	Comment	
Common Name	Scientific Name	Status		
Atlantic sturgeon	<i>Acipenser oxyrinchus</i>	FE	N/A	Not found in Martin County
Blackmouth shiner	<i>Notropis melanostomus</i>	ST	N/A	Not found in Martin County
Bluenose shiner	<i>Pteranotropis welaka</i>	ST	N/A	Not found in Martin County
Crystal darter	<i>Crystallaria asprella</i>	ST	N/A	Not found in Martin County
Giant manta ray	<i>Manta birostris</i>	FT	N/A	No appropriate habitat found on-site
	<i>Acipenser oxyrinchus desotoi</i>	FT-1	N/A	Not found in Martin County
Gulf sturgeon		FT-1	N/A	Not found in Martin County
Key silverside	<i>Menidia conchorum</i>	ST	N/A	Not found in Martin County
Okaloosa darter	<i>Etheostoma okaloosae</i>	FT	N/A	Not found in Martin County
Saltmarsh topminnow	<i>Fundulus jenkinsi</i>	ST	N/A	Not found in Martin County
Shortnose sturgeon	<i>Acipenser brevirostrum</i>	FE-1	N/A	Not found in Martin County
Smalltooth sawfish	<i>Pristis pectinate</i>	FE	N/A	No appropriate habitat found on-site
Southern tessellated darter	<i>Etheostoma olmstedii maculatiiceps</i>	ST	N/A	Not found in Martin County
AMPHIBIANS				
Common Name	Scientific Name	Status		
Florida bog frog	<i>Lithobates okaloosae</i>	ST	N/A	Not found in Martin County
Frosted flatwoods salamander	<i>Ambystoma cingulatum</i>	FT	N/A	Not found in Martin County
Georgia blind salamander	<i>Haideotriton wallacei</i>	ST	N/A	Not found in Martin County
Reticulated flatwoods salamander	<i>Ambystoma bishopi</i>	FE	N/A	Not found in Martin County
REPTILES				
Common Name	Scientific Name	Status		
American alligator	<i>Alligator mississippiensis</i>	FT(S/A)	Minimal	May occur in ditches and wetlands
American crocodile	<i>Crocodylus acutus</i>	FT	N/A	Not found in Martin County
Atlantic salt marsh snake	<i>Nerodia clarkii taeniata</i>	FT	N/A	Not found in Martin County
Barbour's map turtle	<i>Graptemys barbouri</i>	ST	N/A	Not found in Martin County
Bluetail mole skink	<i>Eumeces egregius lividus</i>	FT	N/A	Not found in Martin County

Eastern indigo snake	<i>Drymarchon corais couperi</i>	FT	Minimal	May occur in pine flatwoods
Florida brownsnake (1)	<i>Storeria victa</i>	ST-3	N/A	Lower Keys population only
Florida Keys mole skink	<i>Eumeces egregius egregius</i>	ST	N/A	Not found in Martin County
Florida pine snake	<i>Pituophis melanoleucus mugitus</i>	ST	Moderate	May occur in pine flatwoods
Gopher tortoise	<i>Gopherus polyphemus</i>	ST	Confirmed	Burrow observed on-site
Green sea turtle	<i>Chelonia mydas</i>	FE-1	N/A	No appropriate habitat found on-site
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	FE-1	N/A	No appropriate habitat found on-site
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	FE-1	N/A	No appropriate habitat found on-site
Key ringneck snake	<i>Diadophis punctatus acricus</i>	ST	N/A	Not found in Martin County
Leatherback sea turtle	<i>Dermochelys coriacea</i>	FE-1	N/A	No appropriate habitat found on-site
Loggerhead sea turtle	<i>Caretta caretta</i>	FE-1	N/A	No appropriate habitat found on-site
Rim rock crowned snake	<i>Tantilla aolitic</i>	ST	N/A	Not found in Martin County
Sand skink	<i>Neoseps reynoldsi</i>	FT	N/A	Not found in Martin County
Short-tailed snake	<i>Stilosoma extenuatum</i>	ST	N/A	Not found in Martin County
BIRDS				
Common Name	Scientific Name	Status		
American oystercatcher	<i>Haematopus palliatus</i>	ST	N/A	No appropriate habitat found on-site
Audubon's crested caracara	<i>Polyborus plancus audubonii</i>	FT	N/A	No appropriate habitat found on-site
Bachman's wood warbler	<i>Vermivora bachmanii</i>	FE	N/A	Not found in Martin County
Black skimmer	<i>Rynchops niger</i>	ST	N/A	No appropriate habitat found on-site
Cape Sable seaside sparrow	<i>Ammodramus maritimus mirabilis</i>	FE	N/A	Not found in Martin County
Eskimo curlew	<i>Numenius borealis</i>	FE	N/A	Not found in Martin County
Everglade snail kite	<i>Rostrhamus sociabilis plumbeus</i>	FE	N/A	No appropriate habitat found on-site
Florida burrowing owl	<i>Athene cunicularia floridana</i>	ST	N/A	No appropriate habitat found on-site
Florida grasshopper sparrow	<i>Ammodramus savannarum floridanus</i>	FE	N/A	No appropriate habitat found on-site
Florida sandhill crane	<i>Grus canadensis pratensis</i>	ST	High	Observed foraging in wetlands on-site
Florida scrub-jay	<i>Aphelocoma coerulescens</i>	FT	N/A	No appropriate habitat found on-site
Ivory-billed woodpecker	<i>Campephilus principalis</i>	FE	N/A	Not found in Martin County
Kirtland's wood warbler	<i>Dendroica kirtlandii</i> (<i>Setophaga kirtlandii</i>)	FE	N/A	Not found in Martin County
Least tern*	<i>Sterna antillarum</i>	ST	N/A	No appropriate habitat found on-site
Little blue heron	<i>Egretta caerulea</i>	ST	High	Confirmed foraging in wetlands on-site
Marian's marsh wren	<i>Cistothorus palustris marianae</i>	ST	N/A	Not found in Martin County
Piping plover	<i>Charadrius melodus</i>	FT	N/A	No appropriate habitat found on-site
Red-cockaded woodpecker	<i>Picoides borealis</i>	FE	N/A	No appropriate habitat found on-site
Reddish egret	<i>Egretta rufescens</i>	ST	High	May use aquatic resources on-site
Roseate spoonbill	<i>Platalea ajaja</i>	ST	High	May use aquatic resources on-site
Roseate tern	<i>Sterna dougallii dougallii</i>	FT	N/A	No appropriate habitat found on-site
Rufa red knot	<i>Calidris cantus rufa</i>	FT	N/A	No appropriate habitat found on-site

Scott's seaside sparrow	<i>Ammodramus maritimus peninsulae</i>	ST	N/A	Not found in Martin County
Snowy plover	<i>Charadrius nivosus</i> (<i>Charadrius alexandrinus</i>)	ST	N/A	No appropriate habitat found on-site
Southeastern American kestrel	<i>Falco sparverius paulus</i>	ST	N/A	No appropriate habitat found on-site
Tricolored heron	<i>Egretta tricolor</i>	ST	High	May use aquatic resources on-site
Wakulla seaside sparrow	<i>Ammodramus maritimus juncicola</i>	ST	N/A	Not found in Martin County
White-crowned pigeon	<i>Patagioenas leucocephala</i>	ST	N/A	Not found in Martin County
Whooping crane	<i>Grus americana</i>	FXN	N/A	Extreme western Martin County only
Worthington's marsh wren	<i>Cistothorus palustris griseus</i>	ST	N/A	Not found in Martin County
Wood stork	<i>Mycteria americana</i>	FT	High	May use aquatic resources on-site
MAMMALS				
Common Name	Scientific Name	Status		
Anastasia Island beach mouse	<i>Peromyscus polionotus phasma</i>	FE	N/A	Not found in Martin County
Big Cypress fox squirrel	<i>Sciurus niger avicennia</i>	ST	N/A	Not found in Martin County
Choctawhatchee beach mouse	<i>Peromyscus polionotus allophrys</i>	FE	N/A	Not found in Martin County
Everglades mink	<i>Neovison vison evergladensis</i>	ST	N/A	Not found in Martin County
Finback whale	<i>Balaenoptera physalus</i>	FE-1	N/A	No appropriate habitat found on-site
Florida bonneted (mastiff) bat	<i>Eumops [=glauconus] floridanus</i>	FE	N/A	Not documented north of Broward County
Florida panther	<i>Puma [=Felis] concolor coryi</i>	FE	N/A	Not found in Martin County
Florida salt marsh vole	<i>Microtus pennsylvanicus dukecampbelli</i>	FE	N/A	Not found in Martin County
Gray bat	<i>Myotis grisescens</i>	FE	N/A	Not found in Martin County
Gray wolf	<i>Canis lupus</i>	FE-2	N/A	Not found in Martin County
Humpback whale	<i>Megaptera novaeangliae</i>	FE-1	N/A	No appropriate habitat found on-site
Indiana bat	<i>Myotis sodalis</i>	FE	N/A	Not found in Martin County
Key deer	<i>Odocoileus virginianus clavium</i>	FE	N/A	Not found in Martin County
Key Largo cotton mouse	<i>Peromyscus gossypinus allapaticola</i>	FE	N/A	Not found in Martin County
Key Largo woodrat	<i>Neotoma floridana smalli</i>	FE	N/A	Not found in Martin County
Lower Keys rabbit	<i>Sylvilagus palustris hefneri</i>	FE	N/A	Not found in Martin County
North Atlantic right whale	<i>Eubalaena glacialis</i>	FE-1	N/A	No appropriate habitat found on-site
Perdido Key beach mouse	<i>Peromyscus polionotus trissyllepsis</i>	FE	N/A	Not found in Martin County
Red wolf	<i>Canis rufus</i>	FE	N/A	Not found in Martin County
Rice rat	<i>Oryzomys palustris natator</i>	FE-3	N/A	Not found in Martin County
Sanibel Island rice rat	<i>Oryzomys palustris sanibeli</i>	ST	N/A	Not found in Martin County
Sei whale	<i>Balaenoptera borealis</i>	FE-1	N/A	No appropriate habitat found on-site
Sherman's short-tailed shrew	<i>Blarina [=carolinensis] shermani</i>	ST	N/A	Not found in Martin County
Southeastern beach mouse	<i>Peromyscus polionotus niveiventris</i>	FT	N/A	No appropriate habitat on-site
Sperm whale	<i>Physeter catodon [=macrocephalus]</i>	FE-1	N/A	No appropriate habitat found on-site
St. Andrew beach mouse	<i>Peromyscus polionotus peninsularis</i>	FE	N/A	Not found in Martin County
West Indian manatee	<i>Trichechus manatus</i> (<i>Trichechus manatus latirostris</i>)	FE-1	N/A	No appropriate habitat found on-site

INVERTEBRATES				
CORALS				
Common Name	Scientific Name	Status		
Boulder star coral	<i>Orbicella franksi</i>	FT	N/A	No appropriate habitat on-site
Elkhorn coral	<i>Acropora palmata</i>	FT	N/A	No appropriate habitat on-site
Lobed star coral	<i>Orbicella annularis</i>	FT	N/A	No appropriate habitat on-site
Mountainous star coral	<i>Orbicella faveolata</i>	FT	N/A	No appropriate habitat on-site
Pillar coral	<i>Dendrogyra cylindricus</i>	ST	N/A	No appropriate habitat on-site
Rough cactus coral	<i>Mycetophyllia ferox</i>	FT	N/A	No appropriate habitat on-site
Staghorn coral	<i>Acropora cervicornis</i>	FT	N/A	No appropriate habitat on-site
CRUSTACEANS				
Common Name	Scientific Name	Status		
Black Creek crayfish	<i>Procambarus pictus</i>	ST	N/A	Not found in Martin County
Panama City crayfish	<i>Procambarus econfinae</i>	SSC	N/A	Not found in Martin County
Santa Fe Cave crayfish	<i>Procambarus erythrope</i>	ST	N/A	Not found in Martin County
Squirrel Chimney Cave shrimp	<i>Palaemonetes cummingsi</i>	FT	N/A	Not found in Martin County
INSECTS				
Common Name	Scientific Name	Status		
American burying beetle	<i>Nicrophorus americanus</i>	FE	N/A	Not found in Martin County
Bartram's scrub-hairstreak	<i>Strymon acisbartrami</i>	FE	N/A	Not found in Martin County
Cassius blue butterfly	<i>Leptotes cassius theonus</i>	FT(S/A)	N/A	Listed as similar to Miami blue butterfly
Ceraunus blue butterfly	<i>Hemiargus ceraunus antibubastus</i>	FT(S/A)	N/A	Listed as similar to Miami blue butterfly
Miami blue butterfly	<i>Cyclargus thomasi bethunebakeri</i>	FE	N/A	Not found in Martin County
Nickerbean blue butterfly	<i>Cyclargus ammon</i>	FT(S/A)	N/A	Listed as similar to Miami blue butterfly
Schaus' swallowtail butterfly	<i>Heracles aristodemus ponceanus</i>	FE	N/A	Not found in Martin County
MOLLUSKS				
Common Name	Scientific Name	Status		
Chipola slabshell (mussel)	<i>Elliptio chipolaensis</i>	FT	N/A	Not found in Martin County
Choctaw bean	<i>Villosa choctawensis</i>	FE	N/A	Not found in Martin County
Fat threeridge (mussel)	<i>Amblema neislerii</i>	FE	N/A	Not found in Martin County
Fuzzy pigtoe	<i>Pleurobema strodeanum</i>	FT	N/A	Not found in Martin County
Gulf moccasinshell (mussel)	<i>Medionidus penicillatus</i>	FE	N/A	Not found in Martin County
Narrow pigtoe	<i>Fusconai escambia</i>	FT	N/A	Not found in Martin County
Ochlockonee moccasinshell(mussel)	<i>Medionidus simpsonianus</i>	FE	N/A	Not found in Martin County
Oval pigtoe (mussel)	<i>Pleurobema pyriforme</i>	FE	N/A	Not found in Martin County

Purple bankclimber (mussel)	<i>Elliptoideus sloatianus</i>	FT	N/A	Not found in Martin County
Round ebonyshell	<i>Fusconaia rotulata</i>	FE	N/A	Not found in Martin County
Shinyrayed pocketbook(mussel)	<i>Lampsilis subangulata</i>	FE	N/A	Not found in Martin County
Southern kidneyshell	<i>Ptychobranthus jonesi</i>	FE	N/A	Not found in Martin County
Southern sandshell	<i>Hamiota australis</i>	FT	N/A	Not found in Martin County
Stock Island tree snail	<i>Orthalicus reses (not incl. nesodryas)</i>	FT	N/A	Not found in Martin County
Tapered pigtoe	<i>Fusconaia burki</i>	FT	N/A	Not found in Martin County
KEY TO ABBREVIATIONS AND NOTATIONS				
FWC = Florida Fish and Wildlife Conservation Commission				
FE = Federally Endangered				
FT = Federally Threatened				
SE = State Endangered				
ST = State Threatened				
SSC = Species of Special Concern				
FXN = Federal Experimental Non-Essential Population				
1 - A species for which FWC does not have constitutional authority				
2 - Not documented in Florida				
3 - Lower Keys population only				
* - Least Tern may appear during clearing activities				

TABLE 2		Preserve at Park Trace					
FEDERALLY ENDANGERED AND THREATENED PLANT SPECIES							
fdacs.gov, 2021 website download							
Plant Species	(FE) Federal Endangered (FT) Federal Threatened	Common Name	Recent Synonyms	Plant Family	Habitat	Distribution in Florida	NOTES
<i>Amorpha crenulata</i> Rydberg	FE	Miami lead plant	<i>A. herbacea</i> Walter var. <i>crenulata</i> (Rydb.) Isely	Leguminosae/Fabace ae (Legume Family)	pine rocklands, marl prairies	Miami-Dade County (endemic to FL)	Not found in Martin County
<i>Asimina tetramera</i> Small	FE	four-petal pawpaw	none	Annonaceae (Custard- apple Family)	scrub	Martin and Palm Beach counties (endemic to FL)	No appropriate habitat on-site
<i>Brickellia mosieri</i> (Small) Shinners	FE	Brickell-bush	<i>B. eupatorioides</i> L. var. <i>floridana</i> (Long) Turner; <i>Kuhnla eupatorioides</i> L. var. <i>gracilis</i> Torrey & Gray	Compositae/ Asteraceae (Daisy Family)	pine rocklands, sandy soil over limestone	Miami-Dade County (endemic to FL)	Not found in Martin County
<i>Campanula robinsiae</i> Small (EF)	FE	Chinsegut bellflower	none	Campanulaceae (Bellflower Family)	edge of ponds, wet hammocks	Hernando and Hillsborough counties (endemic to FL)	Not found in Martin County
<i>Pilosocereus robinii</i> (Lem.) Byles and Rowley	FE	Keys tree cactus	<i>P. polygonus</i> (Lam.) Byles and Rowley	Cactaceae (Cactus Family)	rockland hammocks	Monroe (Keys only) County	Not found in Martin County
<i>Chamaesyce deltoidea</i> (Engelm. ex Chapm.) Small (FE, as <i>Euphorbia</i>)	FE	rockland spurge	<i>Euphorbia deltoidea</i> Engelm. ex Chapm.	Euphorbiaceae (Spurge Family)	pine rocklands	Miami-Dade and Monroe counties (endemic to FL)	Not found in Martin County
<i>Chlonanthus pygmaeus</i> Small	FE	Pygmy fringe-tree	none	Oleaceae (Olive Family)	scrub	DeSoto, Highlands, Hillsborough, Lake, Manatee, Osceola, Polk, Sarasota and Seminole counties (endemic to FL)	Not found in Martin County

<i>Chrysopsis floridana</i> Small	FE	Florida golden-aster	none	Compositae/Asteraceae (Daisy Family)	sand pine scrub	Hardee, Hillsborough, Manatee and Pinellas counties (endemic to FL)	Not found in Martin County
<i>Cladonia perforata</i> Evans	FE	Florida perforate lichen	none	Cladoniaceae (Reindeer Lichen Family)	sandhills	Highlands, Manatee, Martin, Okaloosa, Palm Beach and Polk counties (endemic to FL)	No appropriate habitat on-site
<i>Conradina brevifolia</i> Shinners	FE	short-leaved rosemary	usually included in <i>C. canescens</i> Gray	Labiatae/Lamiaceae (Mint Family)	sand pine scrub	Hernando, Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Conradina etonia</i> Kral & McCartney	FE	Etonia rosemary	none	Labiatae/Lamiaceae (Mint Family)	clearings in sand pine scrub	Putnam County (endemic to FL)	Not found in Martin County
<i>Conradina glabra</i> Shinners	FE	Apalachicola rosemary	none	Labiatae/Lamiaceae (Mint Family)	sandhills	Liberty and Santa Rosa counties (endemic to FL)	Not found in Martin County
<i>Crotalaria avonensis</i> K.R. Delaney & Wunderlin	FE	Avon Park harebells	none	Leguminosae/Fabaceae (Legume Family)	white sand scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Cucurbita okeechobeensis</i> (Small) Bailey	FE	Okeechobee gourd	none	Cucurbitaceae (Gourd Family)	wet hammocks, ditch banks	Glades, Lake, Palm Beach, Seminole and Volusia counties (endemic to FL)	Not found in Martin County
<i>Deeringothamnus pulchellus</i> Small	FE	white squirrel-banana	<i>D. rugelii</i> (B.L. Robinson) Small var. <i>pulchellus</i> (Small) D.B. Ward	Annonaceae (Custard-apple Family)	grassy flatwoods	Charlotte, Lee and Orange counties (endemic to FL)	Not found in Martin County
<i>Deeringothamnus rugelii</i> (B.L. Robinson) Small	FE	yellow squirrel-banana	<i>Asimina rugelii</i>	Annonaceae (Custard-apple Family)	wet pine flatwoods	Volusia County (endemic to FL)	Not found in Martin County
<i>Dicerandra christmanii</i> Huck & Judd	FE	Christman's mint	none	Labiatae/Lamiaceae (Mint Family)	oak scrub	Highlands County (endemic to FL)	Not found in Martin County

<i>Dicerandra cornutissima</i> Huck	FE	Robin's mint	none	Labiatae/Lamiaceae (Mint Family)	sand pine scrub, oak scrub, sandhills	Marion and Sumter counties (endemic to FL)	Not found in Martin County
<i>Dicerandra frutescens</i> Shinnars	FE	Lloyd's mint	none	Labiatae/Lamiaceae (Mint Family)	sand pine scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Dicerandra immaculata</i> Lakela	FE	Olga's mint	none	Labiatae/Lamiaceae (Mint Family)	sand pine scrub	Indian River and St. Lucie counties (endemic to FL)	Not found in Martin County
<i>Eryngium cuneifolium</i> Small	FE	scrub eryngium	none	Umbelliferae/Apiaceae (Carrot Family)	sand pine scrub	Highlands County (endemic to FL)	Not found in Martin County
<i>Eupatorium frustratum</i> B.L. Robinson	FE	Cape Sable thoroughwort	listed in Federal Register as <i>Chromolaena frustrata</i> (B.L. Robinson) King and H. Robinson	Compositae/Asteraceae (Daisy Family)	coastal hammocks	Monroe County (endemic to FL)	Not found in Martin County
<i>Galactia smallii</i> H.F. Rogers ex Herndon	FE	Small's milkpea	sometimes lumped into <i>G. regularis</i> (L.) Britton et. al	Leguminosae/Fabaceae (Legume Family)	pine rocklands	Miami-Dade County (endemic to FL)	Not found in Martin County
<i>Harperocalis flava</i> McDaniel	FE	Harper's beauty	none	Tofieldiaceae (False Asphodel Family) or Liliaceae (Lily Family)	bogs, edges of swamps, roadsides	Franklin and Liberty counties (endemic to FL)	Not found in Martin County
<i>Harrisia eriophora</i> (Pfeiffer) Britton	FE	Indian River prickly-apple	<i>Harrisia fragrans</i> Small; listed in Federal Register as <i>Cereus eriophorus</i> Pfeiffer var. <i>fragrans</i> (Small) Benson	Cactaceae (Cactus Family)	coastal hammocks, scrubby flatwoods	Brevard, Indian River, St. Lucie and Volusia counties	Not found in Martin County

<i>Harrisia gracilis</i> (Miller) Britton	FE	West Coast prickly-apple	listed in Federal Register as <i>H. aboriginum</i> Small ex Britton. Now recognized to be 2 species: <i>H. aboriginum</i> Small ex Britton and Rose and <i>H. simpsonii</i> Small ex Britton and Rose	Cactaceae (Cactus Family)	Shell middens, maritime hammocks	Brevard, Indian River, Lee, Manatee, Miami-Dade, Monroe and St. Lucie counties (endemic to FL)	Not found in Martin County
<i>Hypericum cumulicola</i> (Small) Adams	FE	Highlands scrub hypericum	none	Guttiferae/Clusiaceae (Garcinia Family)	sand pine scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Jacquemontia reclinata</i> House	FE	beach clustervine	none	Convolvulaceae (Morning-glory Family)	beach dunes, strand openings	Broward, Martin, Miami-Dade and Palm Beach counties (endemic to FL)	No appropriate habitat on-site
<i>Justicia cooley</i> Monachino & Leonard	FE	Cooley's water-willow	none	Acanthaceae (Acanthus Family)	moist to seasonally wet rocky woods	Hernando, Lake and Sumter counties (endemic to FL)	Not found in Martin County
<i>Liatris ohlingerae</i> (Blake) B.L. Robinson	FE	scrub blazing-star	none	Compositae/Asteraceae (Daisy Family)	sand pine scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Lindera melissifolia</i> (Walter) Blume	FE	pondberry	none	Lauraceae (Laurel Family)	limestone sinks, moist, shallow depressions	Gadsden County	Not found in Martin County
<i>Linum carteri</i> Small	FE	Everglades flax	two varieties are recognized: var. <i>carteri</i> and var. <i>smallii</i> Rogers	Linaceae (Flax Family)	pine rocklands, roadsides	Collier, Hendry, Miami-Dade and Monroe counties (endemic to FL)	Not found in Martin County
<i>Lupinus aridorum</i> McFarlin ex Beckner	FE	McFarlin's lupine	<i>L. westianus</i> Small var. <i>aridorum</i> (McFarlin ex Beckner) Isely	Leguminosae/Fabaceae (Legume Family)	sand pine scrub	Orange, Osceola and Polk counties (endemic to FL)	Not found in Martin County

<i>Nolina brittoniana</i> Nash	FE	Britton's bear-grass	none	Agavaceae (Agave Family) or Ruscaceae (Butcher's-broom Family)	dry pinewoods, sand pine scrub	Hernando Highlands, Lake, Marion, Orange, Osceola, Pasco and Polk counties (endemic to FL)	Not found in Martin County
<i>Opuntia corallicola</i> (Small) Werdemann in Backeberg	FE	semaphore cactus	listed in Federal Register as <i>Consolea corallicola</i> Small; <i>O. spinosissima</i> (Martyn) P. Miller; <i>Consolea corallicola</i> Small	Cactaceae (Cactus Family)	rocky hammocks	Miami-Dade and Monroe (Keys only) counties	Not found in Martin County
<i>Polygala lewtonii</i> Small	FE	Lewton's polygala	none	Polygalaceae (Milkwort Family)	white sand scrub	Brevard, Highlands, Lake, Marion, Orange, Osceola and Polk counties (endemic to FL)	Not found in Martin County
<i>Polygala smallii</i> R.R. Sm. & Ward	FE	tiny polygala	none	Polygalaceae (Milkwort Family)	pine rocklands, rosemary scrub, sandhills	Broward, Martin, Miami-Dade, Palm Beach and St. Lucie counties (endemic to FL)	No appropriate habitat on-site
<i>Polygonella basiramia</i> (Small) Nesom & Bates	FE	tufted wireweed	<i>P. ciliata</i> Meisner var. <i>basiramea</i> (Small) Horton	Polygonaceae (Buckwheat Family)	sand pine scrub, rosemary scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Polygonella myriophylla</i> (Small) Horton	FE	sandlace	none	Polygonaceae (Buckwheat Family)	scrub	Highlands, Orange, Osceola and Polk counties (endemic to FL)	Not found in Martin County
<i>Prunus geniculata</i> Harper	FE	scrub plum	none	Rosaceae (Rose Family)	sand pine scrub	Highlands, Lake, Orange and Polk counties (endemic to FL)	Not found in Martin County
<i>Rhododendron chapmanii</i> Gray	FE	Chapman's rhododendron	<i>R. minus</i> Michaux var. <i>chapmanii</i> (Gray) Duncan and Pullen	Ericaceae (Heath Family)	pine flatwoods, edges of swamps	Clay, Gadsden, Franklin, Gulf, Leon and Liberty counties (endemic to FL)	Not found in Martin County
<i>Rhus michauxii</i> Sargent	FE	Michaux's sumac	none	Anacardiaceae (Cashew Family)	sandy or rocky open woods	Alachua County (not recently seen)	Not found in Martin County

<i>Schwalbea americana</i> L.	FE	chaff-seed	none	Orobanchaceae (Broomrape Family) or Scrophulariaceae (Figwort Family)	savannas, pinelands	Brevard, Duval, Gadsden, Highlands, Levy, Manatee, Polk, Putnam and Volusia counties	Not found in Martin County
<i>Silene polypetala</i> (Walter) Fernald & Schubert	FE	fringed pink	<i>S. catesbaei</i> Walter	Caryophyllaceae (Pink Family)	rich bluffs	Gadsden and Jackson counties	Not found in Martin County
<i>Spigella gentianoides</i> Chapman	FE	gentian pinkroot	none	Strychnaceae (Strychnine Family) or Loganiaceae (Logania Family)	oak-pine woods	Calhoun, Jackson and Washington counties	Not found in Martin County
<i>Thalictrum cooleyi</i> Ahles	FE	Cooley's meadow-rue	none	Ranunculaceae (Buttercup Family)	savannas, bogs	Walton County	Not found in Martin County
<i>Torreya taxifolia</i> Arnott	FE	Florida torreya	none	Taxaceae (Yew Family)	rich wooded slopes of ravines and bluffs	Gadsden, Jackson and Liberty counties	Not found in Martin County
<i>Warea amplexifolia</i> (Nuttall) Small	FE	clasping warea	none	Cruciferae/Brassicaceae (Mustard Family)	dry pinelands, sandhills	Lake, Orange, Osceola and Polk counties (endemic to FL)	Not found in Martin County
<i>Warea carteri</i> Small	FE	Carter's mustard	none	Cruciferae/Brassicaceae (Mustard Family)	pinelands, scrub, sandhills	Brevard, Glades, Highlands, Miami-Dade and Polk counties (endemic to FL)	Not found in Martin County
<i>Ziziphus celata</i> Judd & D.W. Hall	FE	scrub ziziphus	none	Rhamnaceae (Buckthorn Family)	sand pine scrub	Highlands and Polk counties (endemic to FL)	Not found in Martin County
<i>Bonamia grandiflora</i> (Gray) Haller f.	FT	Florida bonamia	none	Convolvulaceae (Morning-glory Family)	Sandy soil, scrub	Highlands, Hillsborough, Lake, Manatee, Marion, Orange, Polk and Sarasota counties (endemic to Florida)	Not found in Martin County
<i>Chamaesyce garberi</i> (Engelm. ex Chapm.) Small (FT, as Euphorbia)	FT	Garber's spurge	<i>Euphorbia garberi</i> Engelm. ex Chapm.	Euphorbiaceae (Spurge Family)	pine rocklands, coastal grassland	Miami-Dade and Monroe counties (endemic to FL)	Not found in Martin County

<i>Clitoria fragrans</i> Small	FT	pigeon wings	none	Leguminosae/Fabaceae (Legume Family)	sandhills, scrub, scrubby flatwoods	Highlands, Lake, Orange and Polk counties (endemic to FL)	Not found in Martin County
<i>Eriogonum longifolium</i> Nuttall var. <i>gnaphalifolium</i> Gandog	FT	scrub buckwheat	none	Polygonaceae (Buckwheat Family)	sandhills, scrub	Highlands, Lake, Marion, Orange, Osceola, Polk, Putnam, Seminole and Sumter counties (endemic to FL)	Not found in Martin County
<i>Euphorbia telephoides</i> Chapman	FT	Telephus spurge	none	Euphorbiaceae (Spurge Family)	wet flatwoods	Bay, Franklin and Gulf counties (endemic to FL)	Not found in Martin County
<i>Macbridea alba</i> Chapmann	FT	white birds-in-a-nest	none	Labiatae/Lamiaceae (Mint Family)	wet flatwoods, savannahs	Bay, Franklin, Gulf and Liberty counties (endemic to FL)	Not found in Martin County
<i>Paronychia chartacea</i> Fernald	FT	papery whitlow-wort	none	Caryophyllaceae (Pink Family)	scrub	Bay, Highlands, Lake, Orange, Osceola, Polk and Washington counties (endemic to FL)	Not found in Martin County
<i>Pinguicula lonanthes</i> Godfrey	FT	Panhandle butterwort	none	Lentibulariaceae (Bladderwort Family)	flatwoods, bogs	Bay, Franklin, Gulf, Liberty and Wakulla counties (endemic to FL)	Not found in Martin County
<i>Scutellaria floridana</i> Chapman	FT	Florida skullcap	none	Labiatae/Lamiaceae (Mint Family)	wet flatwoods	Franklin, Gulf and Liberty counties (endemic to FL)	Not found in Martin County

<i>Sideroxylon reclinatum</i> Michx. subsp. austrofloridense (Whetstone)Kartesz & Gandhi	FT	Florida bully	none	Sapotaceae (Sapote Family)	calcareous glades	Miami-Dade and Monroe counties	Not found in Martin County
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APPENDIX A

Figure 1 – Location Map

Figure 2 – USGS Quadrangle Map

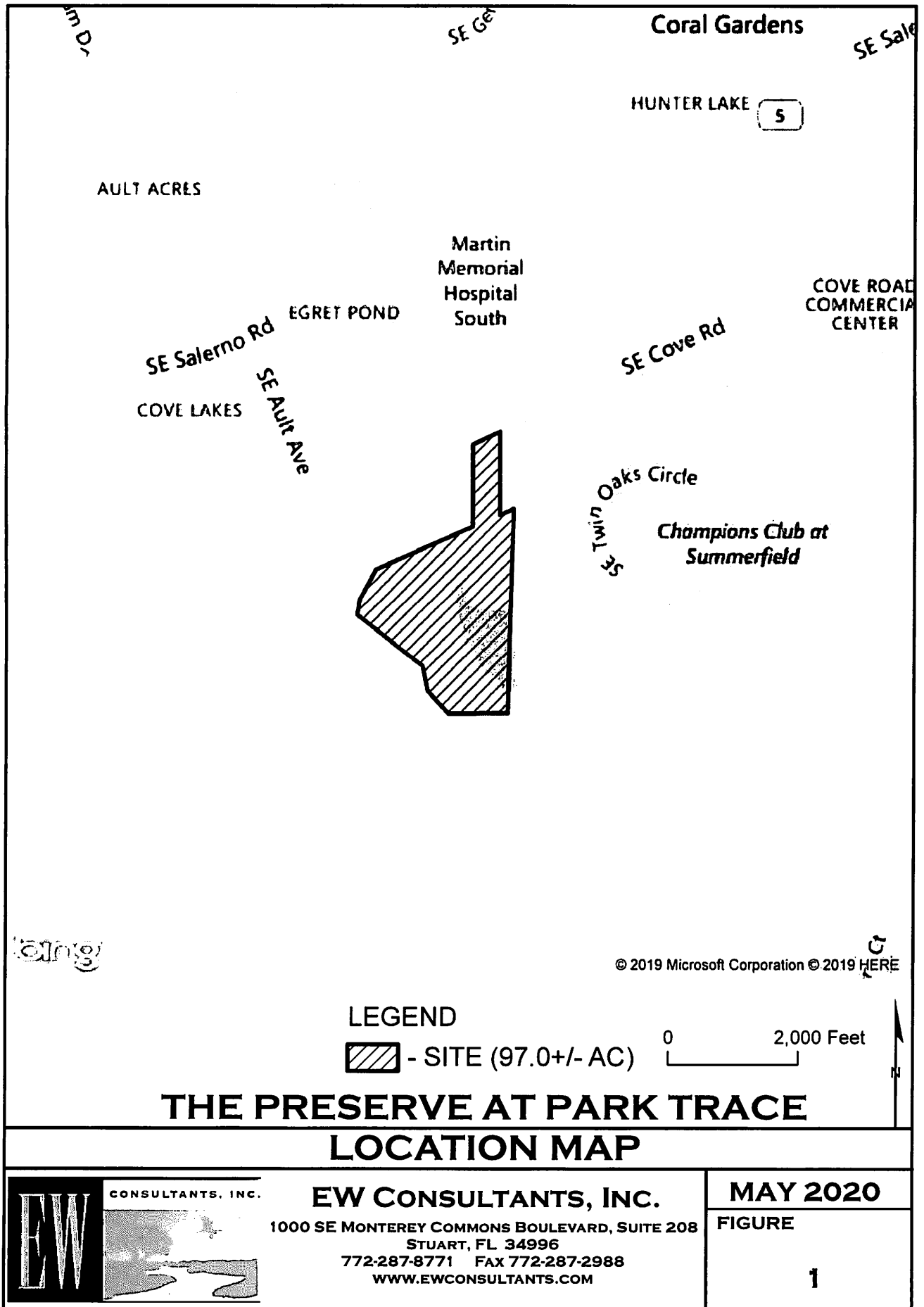
Figure 3 – 2020 Aerial Photograph

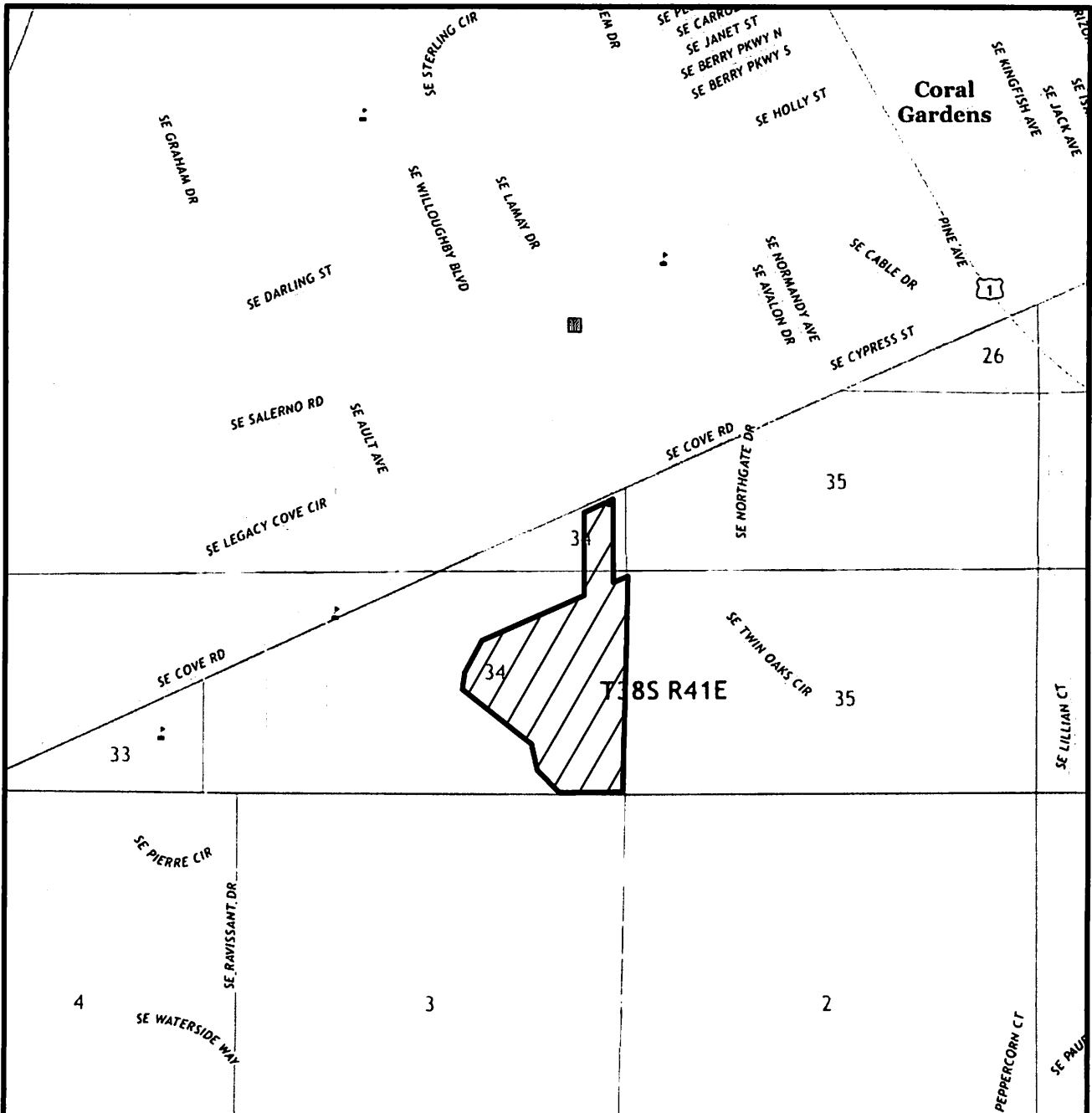
Figure 4 – FLUCCS/FNAI Land Cover Map

Figures 5 – FFWCC Wading Bird Colonies

Figure 6 – FFWCC Eagle Nest Locations

Figure 7 – Listed Species Observations





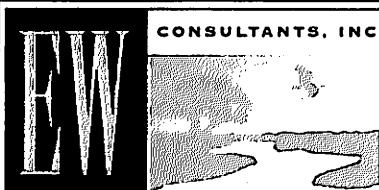
USGS QUAD MAP "ST LUCIE INLET" SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST, STUART, MARTIN COUNTY, FLORIDA, LATITUDE 27°07'16.16" LONGITUDE -80°13'29.82"

LEGEND

 - SITE (97.0± AC)

0 2000
SCALE IN FEET

THE PRESERVE AT PARK TRACE QUAD

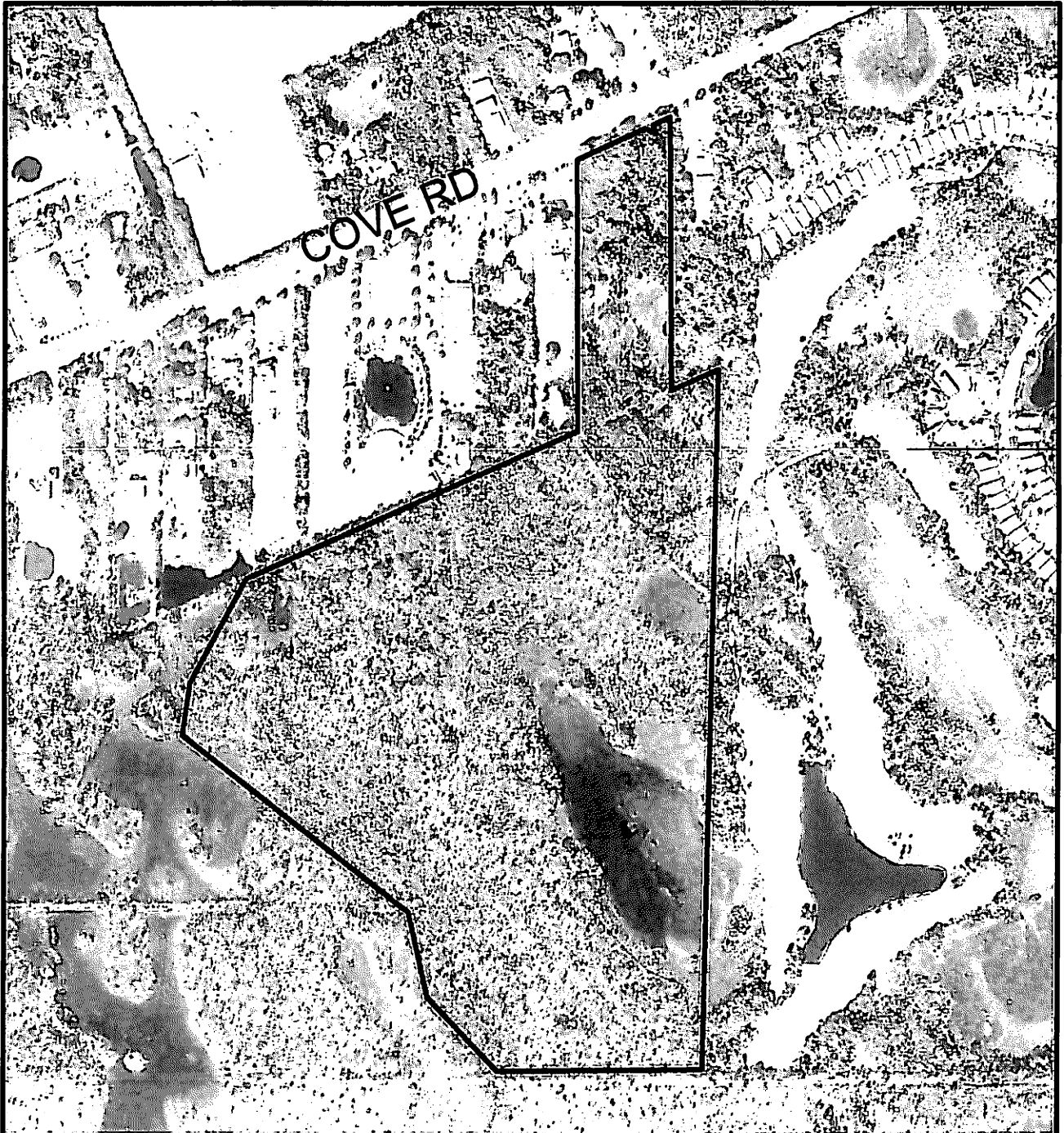


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FIGURE

2



MARTIN COUNTY AERIAL DATED 2020

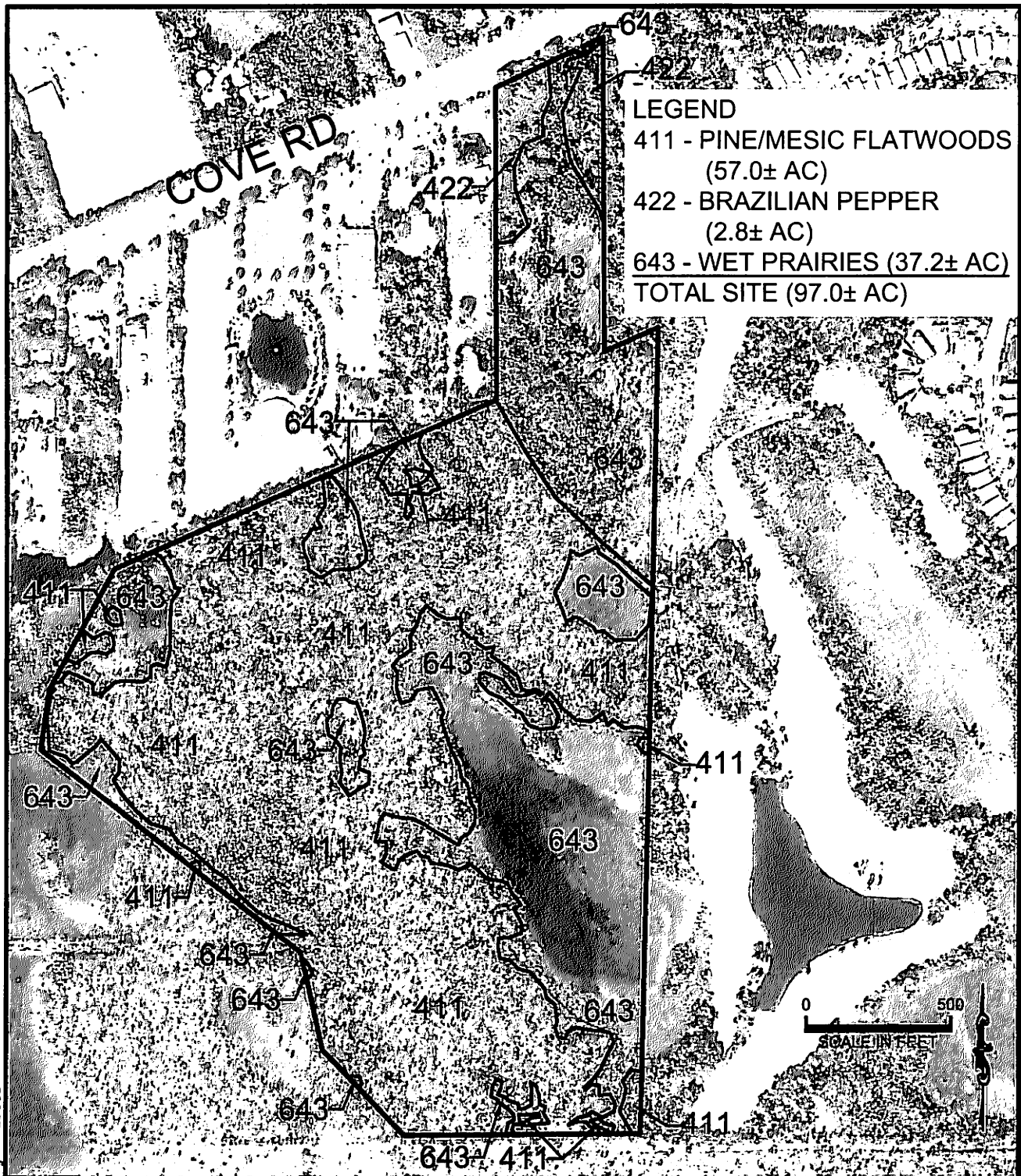
0 600
SCALE IN FEET

THE PRESERVE AT PARK TRACE AERIAL



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FIGURE
3



THE PRESERVE AT PARK TRACE FLUCCS



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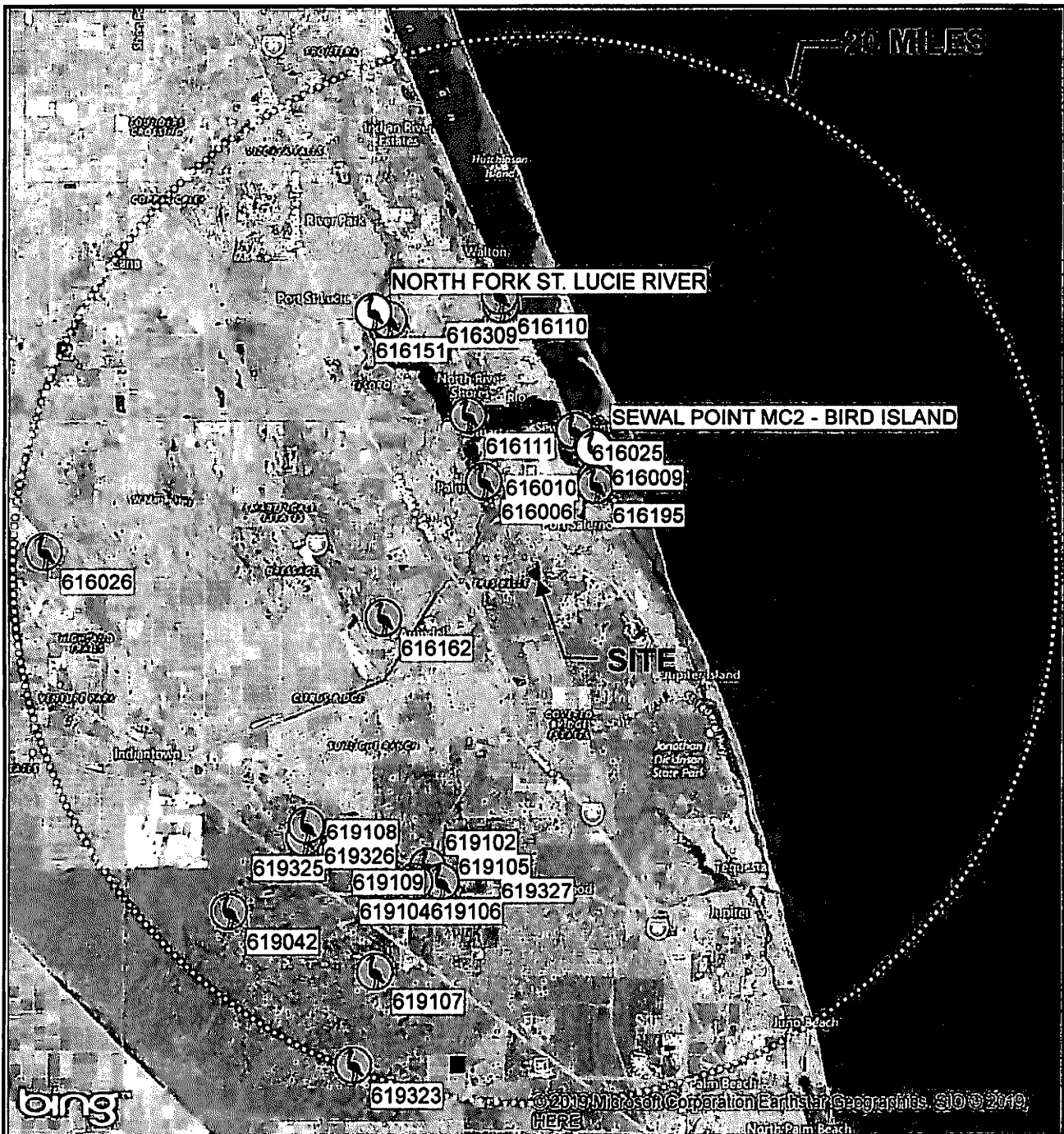
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FIGURE

4



LEGEND



WOST COLONIES ACTIVE 2008-2017



WADING BIRD ROOKERIES 1999

0

7 Miles

THE PRESERVE AT PARK TRACE WOODSTORK & WADING BIRDS



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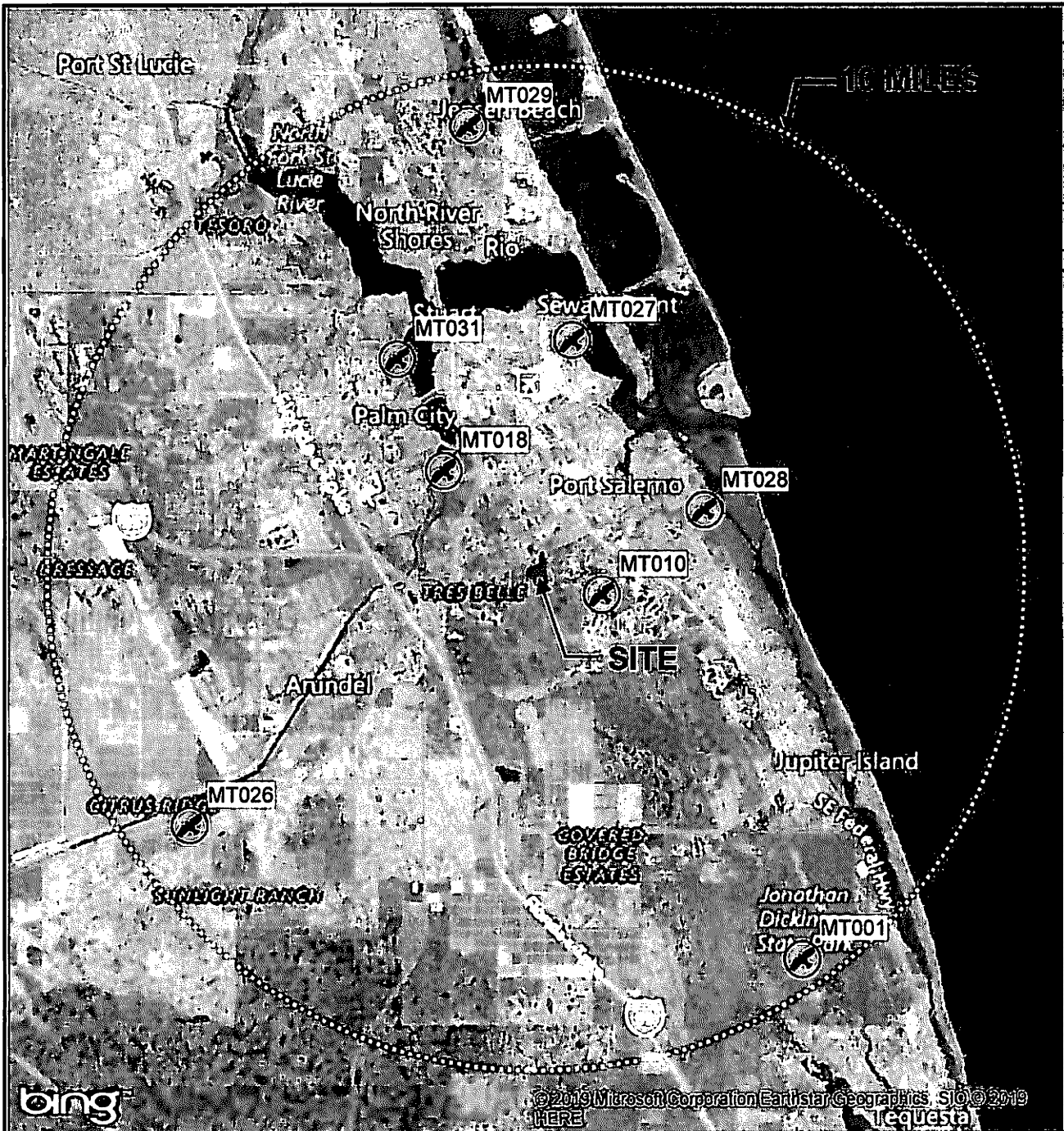
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FIGURE

5



LEGEND



FFWC EAGLE NESTING 2016

0 3 Miles



THE PRESERVE AT PARK TRACE EAGLE NESTING MAP



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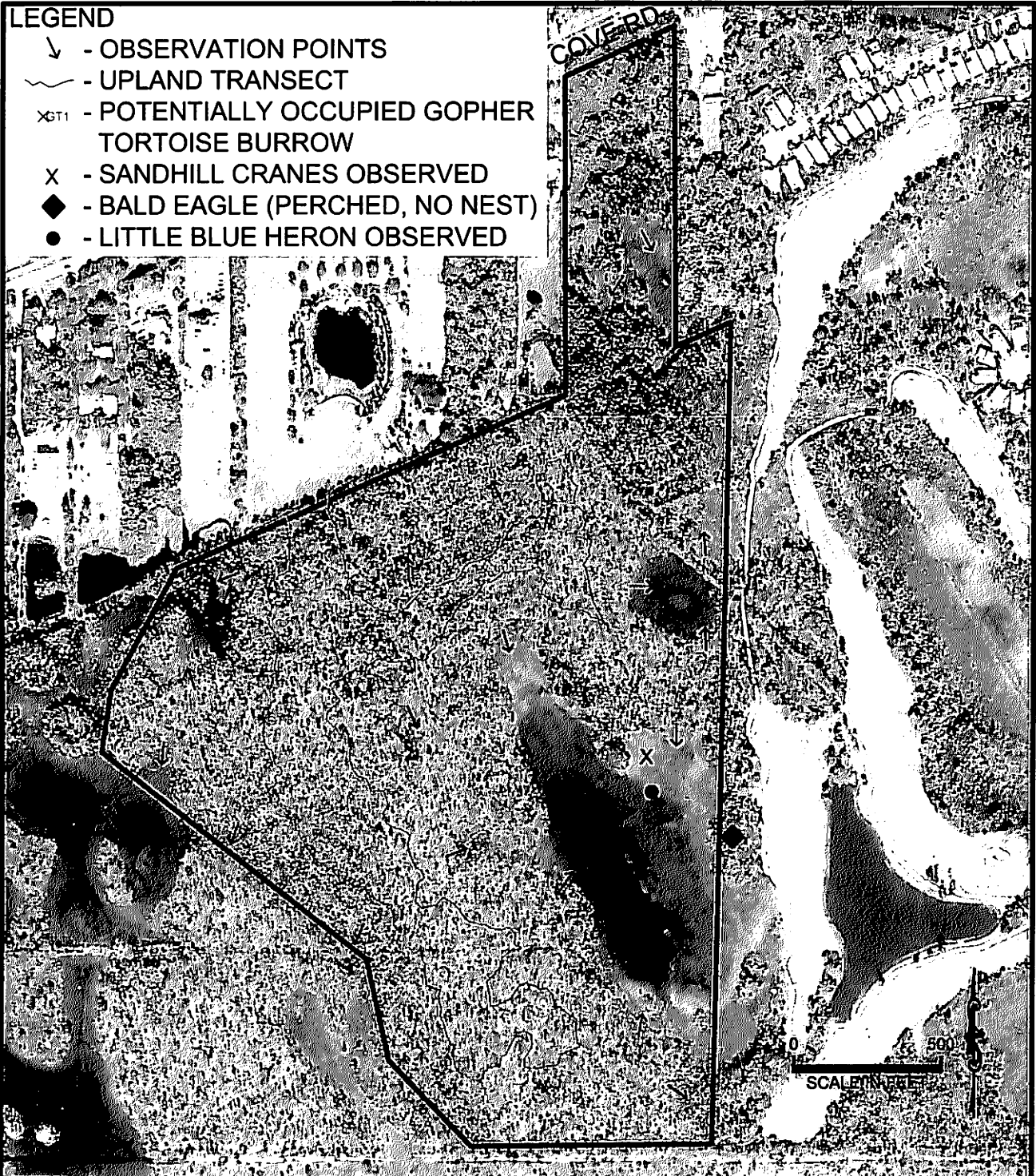
MAY 2020

FIGURE

6

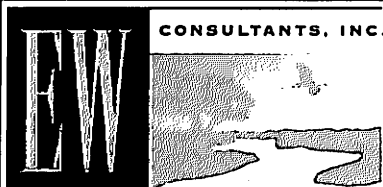
LEGEND

- ↓ - OBSERVATION POINTS
- ~ - UPLAND TRANSECT
- XGT1 - POTENTIALLY OCCUPIED GOPHER TORTOISE BURROW
- X - SANDHILL CRANES OBSERVED
- ◆ - BALD EAGLE (PERCHED, NO NEST)
- - LITTLE BLUE HERON OBSERVED



MARTIN COUNTY AERIAL DATED 2021

THE PRESERVE AT PARK TRACE LISTED SPECIES OBSERVATIONS 2020-2021



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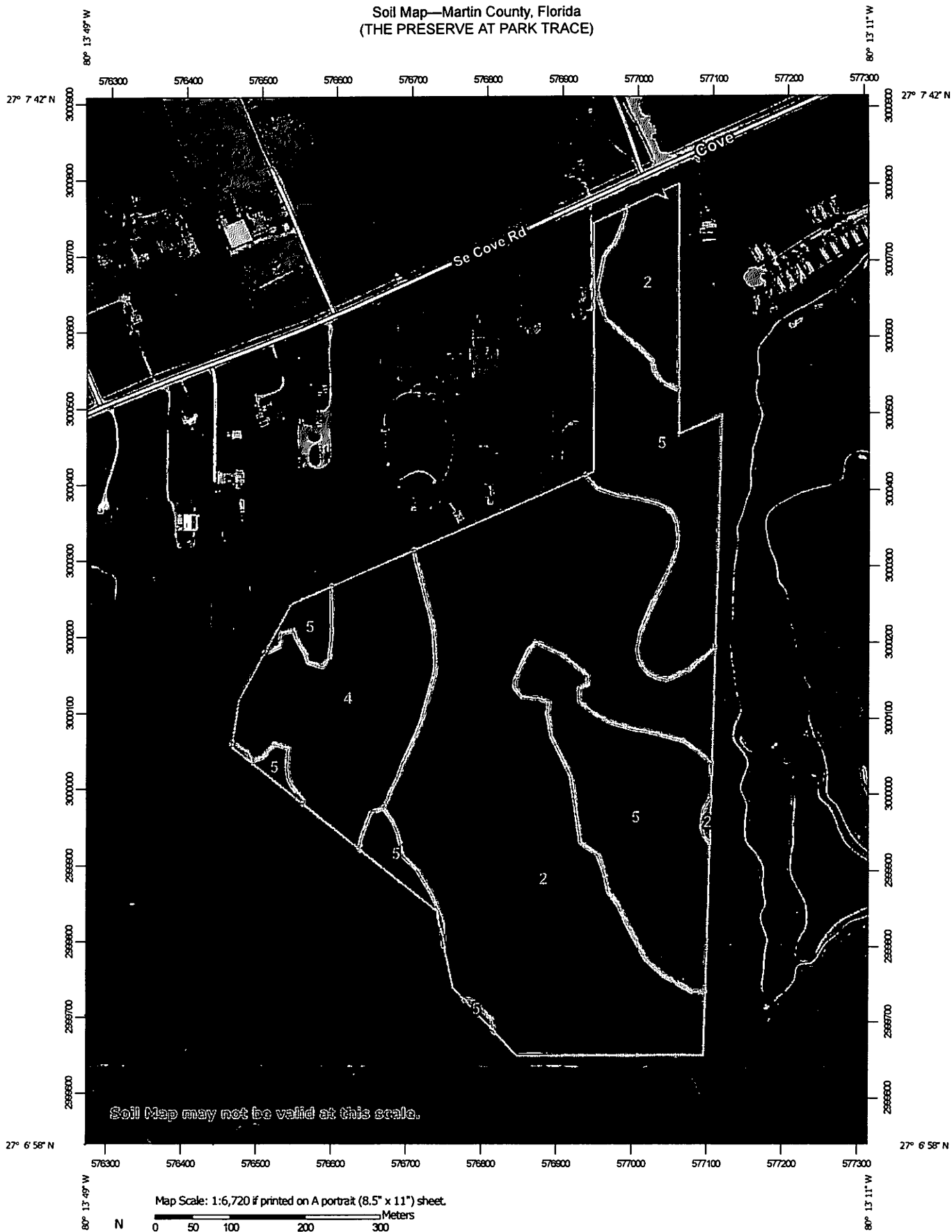
FIGURE

7

APPENDIX B































USDA/NRCS Soils Report

Soil Map—Martin County, Florida
(THE PRESERVE AT PARK TRACE)



Soil Map—Martin County, Florida
(THE PRESERVE AT PARK TRACE)

MAP LEGEND

Area of Interest (AOI)			Area of Interest (AOI)
Soils			
	Soil Map Unit Polygons		Spoil Area
	Soil Map Unit Lines		Stony Spot
	Soil Map Unit Points		Very Stony Spot
			Wet Spot
			Other
			Special Line Features
Special Point Features		Transportation	
	Blowout		Rails
	Borrow Pit		Interstate Highways
	Clay Spot		US Routes
	Closed Depression		Major Roads
	Gravel Pit		Local Roads
	Gravelly Spot	Background	
	Landfill		Aerial Photography
	Lava Flow		
	Marsh or swamp		
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG 3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida
Survey Area Data: Version 18, Sep 17, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 8, 2019—Mar 28, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Lawnwood and Myakka fine sands	54.1	55.8%
4	Waveland and Immokalee fine sands	14.6	15.1%
5	Waveland and Lawnwood fine sands, depressional	28.3	29.1%
Totals for Area of Interest		97.0	100.0%

EXHIBIT 1

SFWMD Wetland Determination



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 18, 2020

** Delivered via email*

John Maiucci *
55 SE Osceola Street
Stuart, FL 34994

Subject: Via Claudia
Application No. 191112-2285
Informal Wetland Determination No. 43-102922-P
Martin County

Dear Mr. Maiucci:

The District reviewed your request for an informal determination of the jurisdictional wetland and other surface water boundaries within the subject property, which is located as shown on the attached Exhibit 1. A joint site inspection was conducted on December 5, 2019.

Based on the information provided and the results of the site inspection, jurisdictional wetlands and other surface waters as defined in Chapter 62-340, Florida Administrative Code, exist on the property. Exhibit 2, attached, identifies the boundaries of the property inspected and the approximate landward limits of the wetlands and other surface waters.

This correspondence is an informal jurisdictional wetland determination pursuant to Section 373.421(6), Florida Statutes, and Section 7.3 of Environmental Resource Permit Applicant's Handbook Volume I. It does not bind the District, its agents or employees, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal jurisdictional determination are not entitled to rely upon it for purposes of compliance with provision of law or District rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Conmy". The signature is fluid and cursive.

Barbara Conmy
Section Leader

c: Paul Ezzo *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 191112-2285 .

Exhibit No. 1.0 Location Map

Exhibit No. 2.0 Wetland Boundary Map



Exhibit No:1.0	Exhibit Created On: 2019-11-20	MARTIN COUNTY, FL	<div data-bbox="987 1717 1073 1759"></div> <div data-bbox="1105 1724 1247 1755">Application</div> <div data-bbox="1403 1709 1495 1877"></div> <div data-bbox="951 1856 1349 1887">Application Number: 191112-2285</div>
<div data-bbox="159 1885 250 1976"></div> <div data-bbox="354 1787 732 1818">REGULATION DIVISION</div> <div data-bbox="354 1829 656 1860">Project Name: Via Claudia</div> <div data-bbox="337 1944 753 2007"><div>04,0508,100</div><div>Feet</div></div> <div data-bbox="834 1877 891 1992"><div>N</div></div>			



MARTIN COUNTY AERIAL
DATED 2019

LEGEND

 - WETLAND (36.77± AC)

NOTE:
THE LANDWARD EXTENT OF THE WETLAND AREAS DEPICTED ON THIS GRAPHIC WERE RECORDED USING A HAND-HELP GPS DEVICE. THIS GRAPHIC DOES NOT REPRESENT A SURVEY PREPARED BY A FLORIDA REGISTERED PROFESSIONAL SURVEYOR AND MAPPER.

0 600
SCALE IN FEET

D R HORTON - VIA CLAUDIA VERIFIED WETLANDS

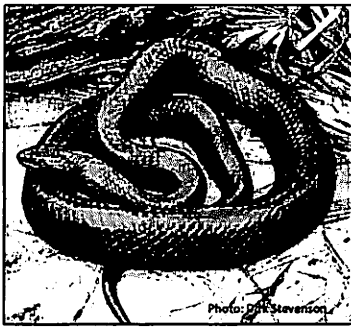


EW CONSULTANTS, INC.

1000 SE MONTEREY COMMONS BLVD., SUITE 208
STUART, FL 34996
772-287-8771 FAX 772-287-2988
WWW.EWCONSULTANTS.COM

FEB 2020

FIGURE



ATTENTION: THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON THIS SITE!!!

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, and the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicant's designated agent, and the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office – (904) 731-3336

Panama City Field Office – (850) 769-0552

South Florida Field Office – (772) 562-3909

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

DESCRIPTION:	The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.
SIMILAR SNAKES:	The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.
LIFE HISTORY:	The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.
PROTECTION:	The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

**IF YOU SEE A LIVE EASTERN
INDIGO SNAKE ON THE SITE:**

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Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

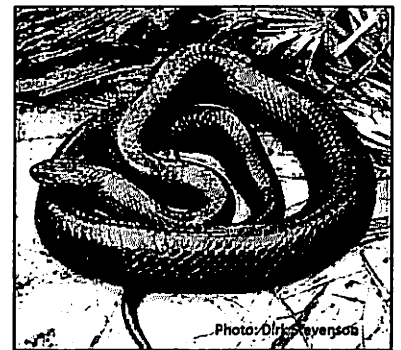
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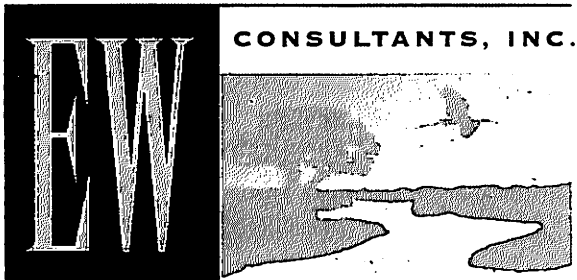


August 12, 2013

ATTENTION:
THREATENED EASTERN INDIGO
SNAKES MAY BE PRESENT ON
THIS SITE!!!



Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.



THE PRESERVE AT PARK TRACE

LAKE AREA MANAGEMENT PLAN

**Martin County, Florida
May, 2020**

The following Lake Area Management Plan is provided for the wet retention lakes and dry retention areas within The Preserve at Park Trace development site. It is to be used in conjunction with the master site plan and lake planting plans provided by the project's landscape architect and environmental consultant. This plan addresses standards set forth in the Martin County Excavation and Fill Ordinance.

Erosion Control and Water Management Provisions –

The operator shall use Best Management Practices to minimize erosion. The use of native top-soils is encouraged, especially in areas reclaimed for aquatic or wildlife habitats. Where topsoil is not used, the operator shall use a soil or growing medium, including amendments, suitable for the type of vegetative communities planned. Should washes or rills develop after re-vegetation and before final release of the area, the operator shall repair the eroded areas and stabilize the slopes.

Best Management Practices also apply to water quality within the lakes so as to protect the health of the plant material. Turbid water will be kept to a minimum so that sunlight may reach the littoral shelf floor promoting aquatic grass recruitment. The water levels within the lakes have been designed to a specific elevation. Such elevations will be staked along the littoral shelf in order to provide the plant installation contractor a reference from which to install the appropriate plant material. Should water levels within the completed lakes drop to elevations potentially harmful to the planted littoral plants, temporary irrigation will be established by using a small pump and spray-rig situated within the lake. Water from the lake will be sprayed onto the planted littoral and upland transition zones as needed in order to keep such plants healthy.

Installation of Native Plant Material –

The installation of the native plant material within the lakes' littoral and upland transition zones and dry retention areas will be in accordance with approved planting plans (to be submitted at a later date). Please note that all lakes will contain planted littoral zones, while only one which does not front an upland preserve area will contain a planted upland transition zone in accordance with the associated site plan.

Planting of such material will be conducted at the appropriate time after the lake banks and retention areas are sloped in accordance with the approved Construction Drawings. Plants are to be installed in accordance with the spacing and quantities detailed on the approved landscape plans and littoral/UTZ/dry retention planting plans (to be submitted at a later date). All plant material will be of appropriate type for the soils found on site. An Environmental Professional familiar with aquatic plant installation will oversee this activity.

Maintenance of Littoral and Upland Transition Zone Areas -

The littoral and upland transition zone and dry retention planting areas as shown on the approved landscape plans and planting plans will be kept free of nuisance and exotic vegetation in perpetuity. All Category I and II nuisance and exotic vegetation as listed by the Florida Exotic Pest Plant Council (Rule 5B-57.007 FAC) will be treated within such areas. All treatment events will be through the application of the appropriate herbicide approved for use within aquatic environments. The criterion for acceptance of eradication for Category I and II exotic vegetation will be 100 percent treatment/kill and 95 percent treatment/kill for nuisance species. If initial efforts do not achieve this criterion, follow up treatments will be conducted.

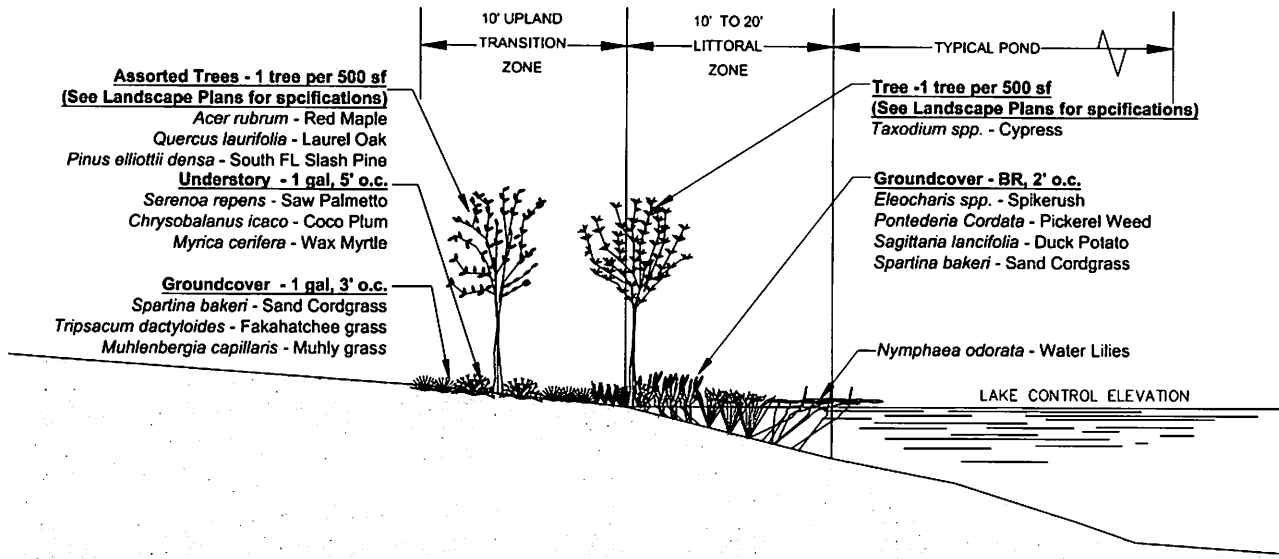
Transport of vegetative debris from the lake and retention areas to the staging area will be conducted in a fashion that minimizes the distribution and dispersal of seeds from such debris. No exotic or nuisance woody vegetative material will be left in the littoral and upland transition zone areas or within any of the dry retention areas. All herbicide application activity will be conducted under the supervision of a Florida Department of Agriculture certified applicator, licensed for application of aquatic herbicides. All herbicide applied within aquatic systems on-site must be properly labeled for such use. All herbicide applied must include a visible tracer dye in the mix to facilitate observation of treated vegetation. Within the littoral zones, the areal extent of desirable native plants shall cover at least 80% of the surface area by the end of the second year of monitoring after installation.

Re-Vegetation Provisions -

Re-vegetation of the lake littoral and upland transition zone areas will occur using aquatic plant species native to the region in accordance with the approved landscape and planting plans. The operator has developed a plan for the proposed re-vegetation, including the species to be planted, and the spacing of vegetation.

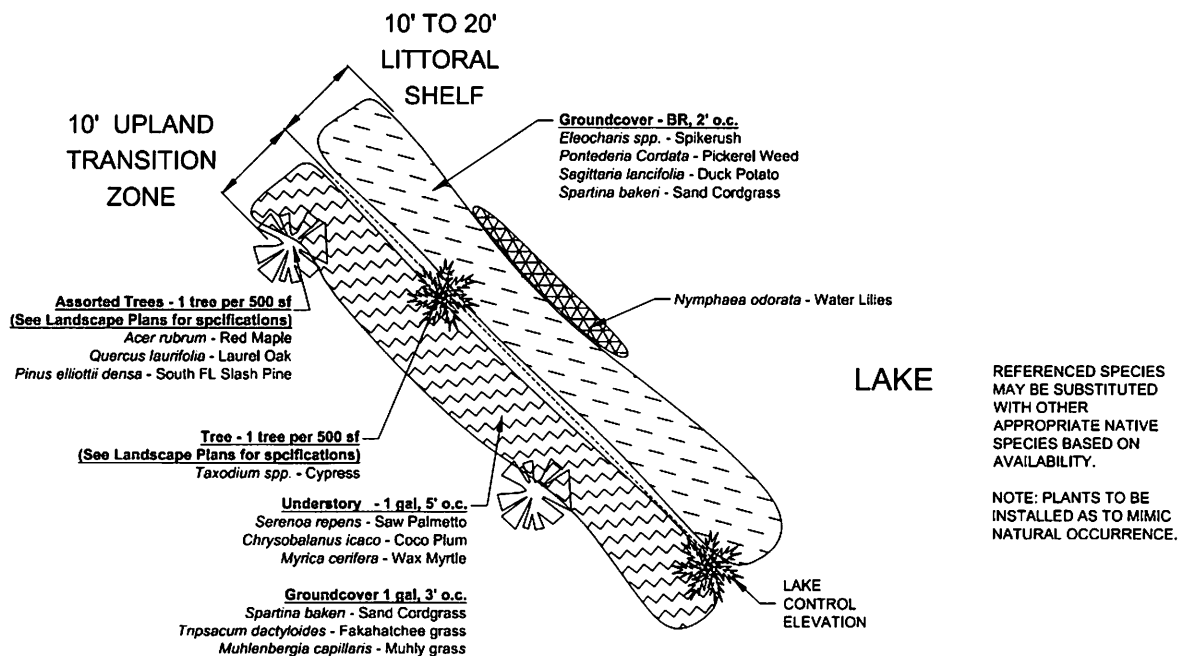
LITTORAL & UPLAND TRANSITION ZONE SECTION

N.T.S.



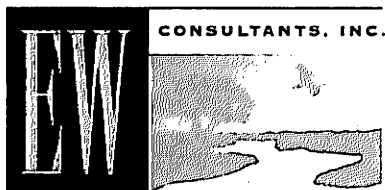
LITTORAL & UPLAND TRANSITION ZONE DETAIL

N.T.S.



THE PRESERVE AT PARK TRACE

LITTORAL & UTZ PLANTING



CONSULTANTS, INC.

EW CONSULTANTS, INC.

1000 SE MONTEREY COMMONS BLVD., SUITE 208

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772-287-8771 FAX 772-287-2988

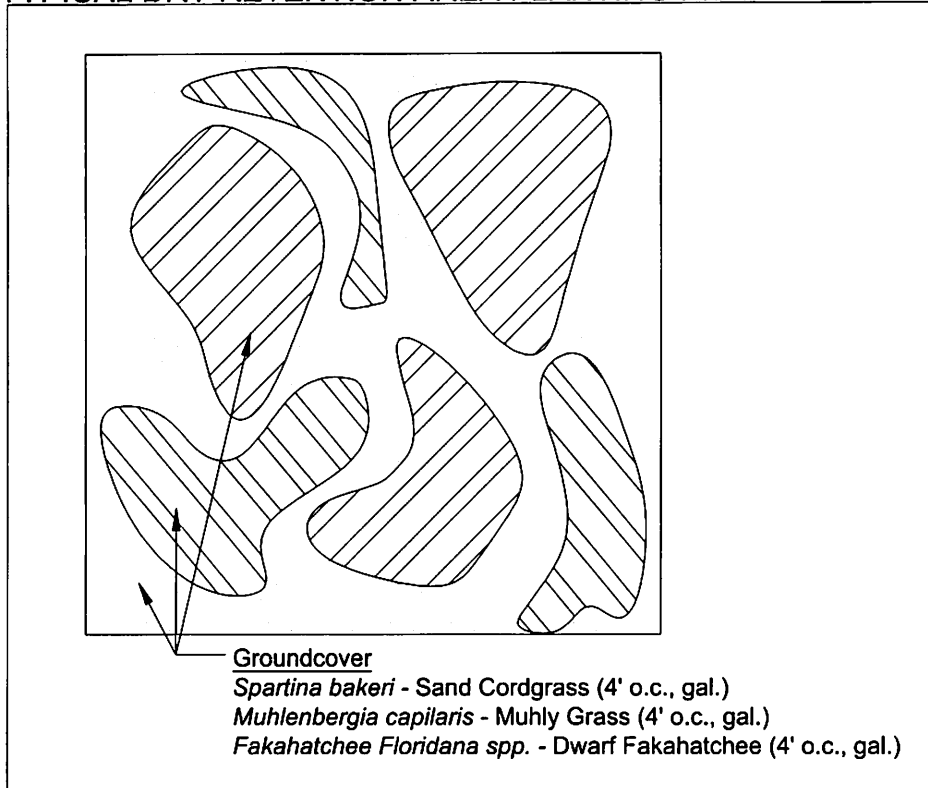
WWW.EWCONSULTANTS.COM

MAY 2020

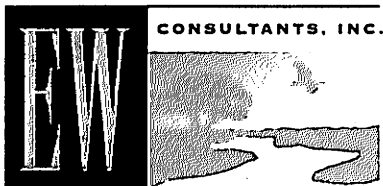
FIGURE

D R Horton The Preserve at Park Trace.dwg DRY RETENTION PLANTING TYPICAL

TYPICAL DRY RETENTION AREA PLANTING PLAN



THE PRESERVE AT PARK TRACE DRY RETENTION PLANTING

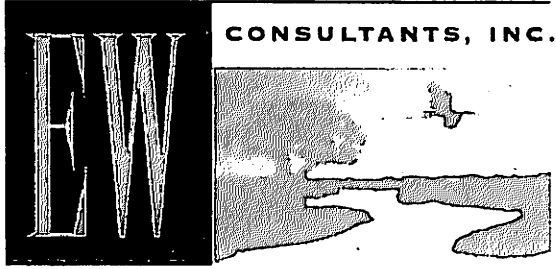


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WWW.EWCONSULTANTS.COM

MAY 2020

FIGURE



THE PRESERVE AT PARK TRACE

DOCUMENTATION IN SUPPORT OF THE ENVIRONMENTAL WAIVER AND EXCEPTION APPLICATION

**Prepared for:
Via Claudia Investments LLC**

**Prepared by:
EW Consultants, Inc.**

June 2020

©2020

1.0 PROJECT DESCRIPTION -

1.1 Introduction and Project Description -

The Preserve at Park Trace project consists of three parcels of land totaling ±97 acres, located in unincorporated Martin County, Florida. It is south of and adjacent to Cove Road, south of its intersection with Willoughby Boulevard. The proposed project consists of a single-family development, associated roadways, amenities center, stormwater facilities, as well as extensive wetland and upland preserve areas.

The site can generally be described as containing wetland areas along its perimeter, with a large melaleuca-infested wetland located along Cove Road extending into the interior of the site identified as Wetland 9A. This portion of the site is the only access point connecting to an existing external roadway (Cove Road). Thus, access to the upland portion of the property (generally located in the central and southern portions of the site) is proposed through Wetland 9A (as well as through the much smaller 9B) as shown on the submitted site plan. Therefore, the Access to Uplands provision in Martin County's Land Development Regulations (Section 4.3.B.2., LDR), is being utilized as part of the associated Environmental Waiver application.

As part of the access to the upland portions of the site, fill impacts to the melaleuca-infested wetland along Cove Road and associated wetland buffers are proposed. Discussions regarding the areal extent of the impacts, the location, and alternatives to the proposed access roadway are detailed in subsequent sections of this report.

1.2 Environmental Conditions -

The project site consists of a mosaic of pine flatwoods (57 acres), prairie wetlands (37.2 acres), and upland exotic vegetation (2.8 acres). There are also pockets of exotic vegetation within the wetland areas. Specifically, exotic vegetation such as melaleuca and Brazilian pepper dominate the northern "chimney" of the site in the location of the proposed access road connecting to Cove Road. The remaining wetlands site are in good ecological condition, as are the pine flatwoods with only minor occurrences of the exotic vegetation.

There are 12 state-verified freshwater wetland areas on-site, with the two northern wetlands in the chimney (9A and 9B) the subject of this waiver application. The ecological value of these wetlands is significantly diminished by the presence, and in some areas the dominance, of the exotic melaleuca tree, as well as Brazilian pepper along their edges. All wetlands on the site have been flagged, surveyed and verified by the South Florida Water Management District within the past year. Such documentation is included in the Environmental Assessment (EA) provided in the Preserve Area Management Plan (PAMP).

Upland land covers on-site include common native pine flatwoods and exotic Brazilian pepper-infested areas. The presence of the state threatened gopher tortoise has been confirmed in the pine flatwoods portions of the site.

The upland areas surrounding the subject wetlands (9A and 9B) are dominated by Brazilian pepper as well as other exotic species such as earleaf acacia and java plum. These areas, therefore, are the logical locations for the creation of additional wetland areas. In this way, impacts to native pine flatwoods for the creation of wetland areas can be avoided.

1.3 Proposed Wetland Impact -

In order to access the upland portions of the property from Cove Road, a single 50-foot wide roadway crossing through wetlands 9A and 9B is proposed as shown on Figure 1. This "Preferred Alternative" location was chosen based on its ultimate alignment with Willoughby Boulevard. This roadway will result in the filling of 1.0-acre of isolated, freshwater wetlands, with 9B (0.03 acres) being eliminated and 9A having 0.97-acres of impact. Using the Wetland Rapid Assessment Procedure (WRAP) functional assessment methodology, these direct (fill) impacts generate 0.41 debits of wetland mitigation (see Table 1 below). The WRAP functional assessment was selected for this impact analysis based on its anticipated future use with the permitting agencies (South Florida Water Management District and U.S. Army Corps of Engineers).

Initial entrance roadway designs included a 75-foot wide right-of-way at a 3:1 slope which included all associated construction impacts. This option was not selected as shown on the corresponding site plan.

Secondary wetland impacts have also been considered in order to determine the ultimate wetland mitigation needed on-site for compensation. A 25-foot swath adjacent to the both sides of the access roadway (50-feet total) has been assessed using the WRAP system to reflect potential impacts to wildlife usage. Other functional components, such as vegetation, hydrology and land use/water quality, will remain unimpacted. As such, 0.91 acres of wildlife foraging area adjacent to the driveway may be partially impacted resulting in 0.03 functional units lost (debts) in addition to the 0.41 from the direct impact to the wetland within the 50-foot roadway segment. Therefore, the direct and secondary impacts generate 0.44 total debits as shown on Table 1.

1.4 Proposed Wetland Buffer Impacts -

As part of the Preferred Alternative roadway alignment, 0.17-acres (7,500 square feet) of wetland buffer will be impacted ((50 feet in width x 50-foot buffers) x 3). This calculation is based on Martin County's minimum 50-foot wetland buffer requirement for isolated wetlands. As proposed, the Preferred Alternative alignment will partially impact the northern and southern buffers of W-9A, plus the southern buffer to 9B (there is no northern buffer since it is bounded by Cove Road to the north). The buffers associated on the northern end of W-9A and southern portion of 9B are dominated by exotic vegetation and do not consists of intact native upland habitat. The southern buffer of W-9A consists of native pine flatwood upland habitat. Additional pine flatwood habitat preserve is provided within throughout the development site in order to account for the loss in buffer acreage.

2.0 ROADWAY ALIGNMENT ALTERNATIVES -

Figure 1 shows the preferred alternative alignment and two (2) alternative alignments that were examined as part of the site planning process. Each alternative alignment is described below.

2.1 Preferred Alternative –

The Preferred Alternative, as shown on Figure 1, is located in the northeast portion of the project site. As designed, it would impact 0.03 acres of W-9B and 0.97 acres of W-9A using the 50-foot right-of-way design. This alternative aligns with Willoughby Boulevard off-site to the north which is preferred by traffic professionals.

2.2 Alternative 1 –

Alternative 1 is located in the northwestern portion of the project site, paralleling the western property line. This alignment was the initial design, as it avoided more wetland area than the Preferred Alternative. As designed, it would impact 0.66 acres of W-9A. While this alternative is the least damaging from an areal standpoint, it does not align with Willoughby Boulevard, and would likely cause visual and noise impacts to the adjacent properties to the west.

2.3 Alternative 2 –

Alternative 2 is located in the north-central portion of the project site, midway between the property lines. The alignment was not considered by the design professionals working on the project, but has been added as a second possible alternative to the selected alignment. As shown, Alternative 2 would impact 1.59 acres of W-9A. This alternative has more impact area than the Preferred Alternative, and does not align with Willoughby Boulevard.

3.0 PROPOSED MITIGATION FOR WETLAND AND BUFFER IMPACTS -

Two primary mitigation techniques will be used to offset the proposed wetland and wetland buffer impacts. The first is an increased amount of native upland preserve habitat throughout the project site. Martin County requires a minimum of 25% of the upland habitat be preserved on-site when common native upland habitat exists. The project site contains 57.0 acres of pine flatwoods, a common native upland habitat type per Martin County code. Therefore, 14.25 acres (minimum) is required to be preserved in-situ. The applicant proposes to preserve a total of 20.34 acres of upland area, 20.33 of which are native pine flatwoods representing an excess of 6.08 acres above the 14.25 acres required. The remaining 0.01 acres of wetland preserve is Brazilian pepper infested buffer on the northeast side of W-9A. This buffer will be restored to

pine flatwoods as shown on Figure 2. With the proposed impact to required wetland buffers to W-9A and 9B calculated to be 0.17-acres, there is sufficient additional native upland preserve provided in the form of 6.08 acres to offset these impacts.

The second portion of the proposed mitigation is the creation of 1.94-acres of wet prairie in the northern portions of the project site on either side of W-9A in areas currently dominated by Brazilian pepper. The 1.94-acres is 0.94-acres more than the proposed impact area, thus meeting Martin County's "no loss of the spatial extent of wetlands" criterion. Please refer to Figure 2 for the locations of the created wetland areas.

In evaluating if these wetland mitigation areas will be sufficient in function to offset the proposed impact, the Wetland Rapid Assessment Procedure (WRAP) was used to evaluate the ecological condition of W-9A and 9B along the Preferred Alternative roadway alignment. These impact areas were given scores (from 0.0 to 3.0) for five separate wetland functions. The total scores were then divided by fifteen (total number of points possible), and multiplied by the areal extent of each impact area to determine the number of wetland debits generated. The mitigation areas (in this case the created wet prairies shown on Figure 2) was then evaluated using WRAP based on projected wetland conditions after creation activities have been completed. Similarly, this score is multiplied by the areal extent of the created wetland areas which then generates a total credit figure.

In the case of this application, the impact areas for W-9A and 9B scored a 0.42 and 0.20 respectively, generating 0.41 debits (see Table 1). The secondary impacts added another 0.03 debits for a total of 0.44. The mitigation areas generate a score of 0.47, totaling 0.91 credits (0.47×1.94 acres), with "lift" coming from a higher vegetation score for densely installed native wetland groundcover, as well as a higher pre-treatment score due to the presence of the surface water management system in the post-development condition. Other categories, such as adjacent upland buffer and land use, were scored lower in the post-development condition appropriately. There was lift given for wetland hydrology since the creation area is currently upland and will be scraped-down to meet adjacent grades within W-9A. Therefore, the net credit for the on-site mitigation is estimated to be 0.47 which meets Martin County's "no net loss of wetland function" criterion.

See Table 1 below for a summary of the wetland impacts and proposed mitigation.

TABLE 1

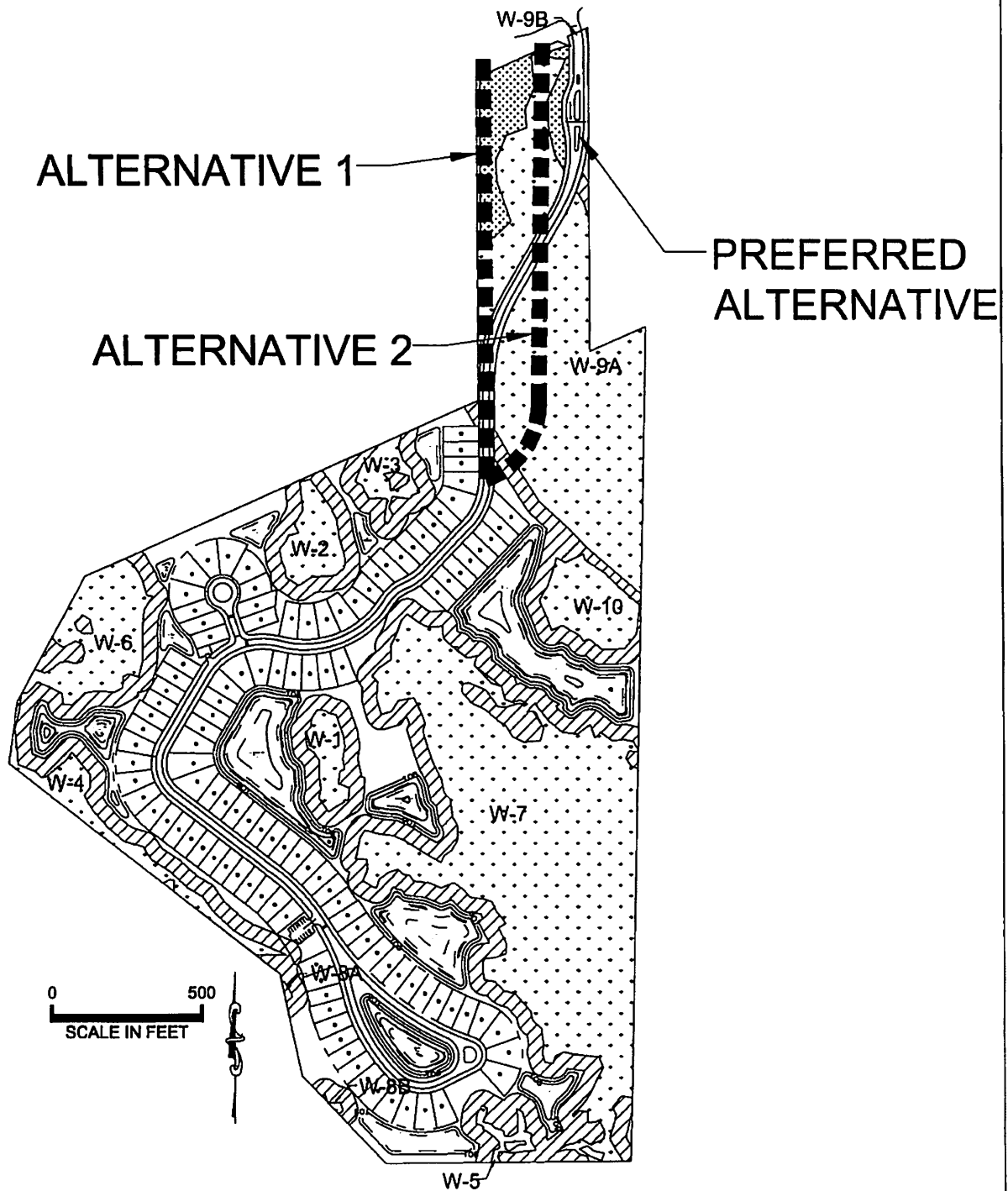
**THE PRESERVE AT PARK TRACE
WETLAND MITIGATION SUMMARY**

DIRECT IMPACTS									
Wetland #	AC	Type	Preserve	Impact	Imp Type	WRAP Pre	WRAP Post	Debits	
9A	12.60	643	11.63	0.97	Direct (Fill)	0.42	0.00	0.407	
9B	0.03	643	0.00	0.03	Direct (Fill)	0.20	0.00	0.006	
TOTALS	12.63		11.63	1.00				0.413	
SECONDARY IMPACTS									
Wetland #									
9A	0.91	643	0.00	0.91	Secondary	0.42	0.38	0.030	
GRAND TOTAL								0.443	
MITIGATION									
ID	AC	Target Type	Preserve	Impact	Imp Type	WRAP Pre	WRAP Post	Credits	
W-9A Expansion	1.94	643				0.0 (up)	0.47	0.912	
TOTALS	1.94							0.912	
NET CREDITS									0.468

4.0 WETLAND CREATION AREA DESIGN -

As part of the mitigation for the wetland crossing impact, 1.94 acres of wet prairie wetland habitat will be created as shown on Figure 2. The areas selected for the wetland creation are upland, and contain extensive amounts of the exotic vegetation. It is anticipated that heavy equipment will be used to remove the exotic vegetation within these creation areas in anticipation of the scrape-down that will need to occur prior to wetland plant installation.

Following the exotic vegetation removal and scrape-down effort, native plant species typically found in wet prairie communities will be installed (see planting detail on Figure 2). Monitoring of the creation areas will be on an annual basis in order to ensure success. The project's PAMP contains additional details with regard to monitoring requirements and vegetative success criteria.



THE PRESERVE AT PARK TRACE PREFERRED & OPTIONAL ROUTES



CONSULTANTS, INC.

EW CONSULTANTS, INC.

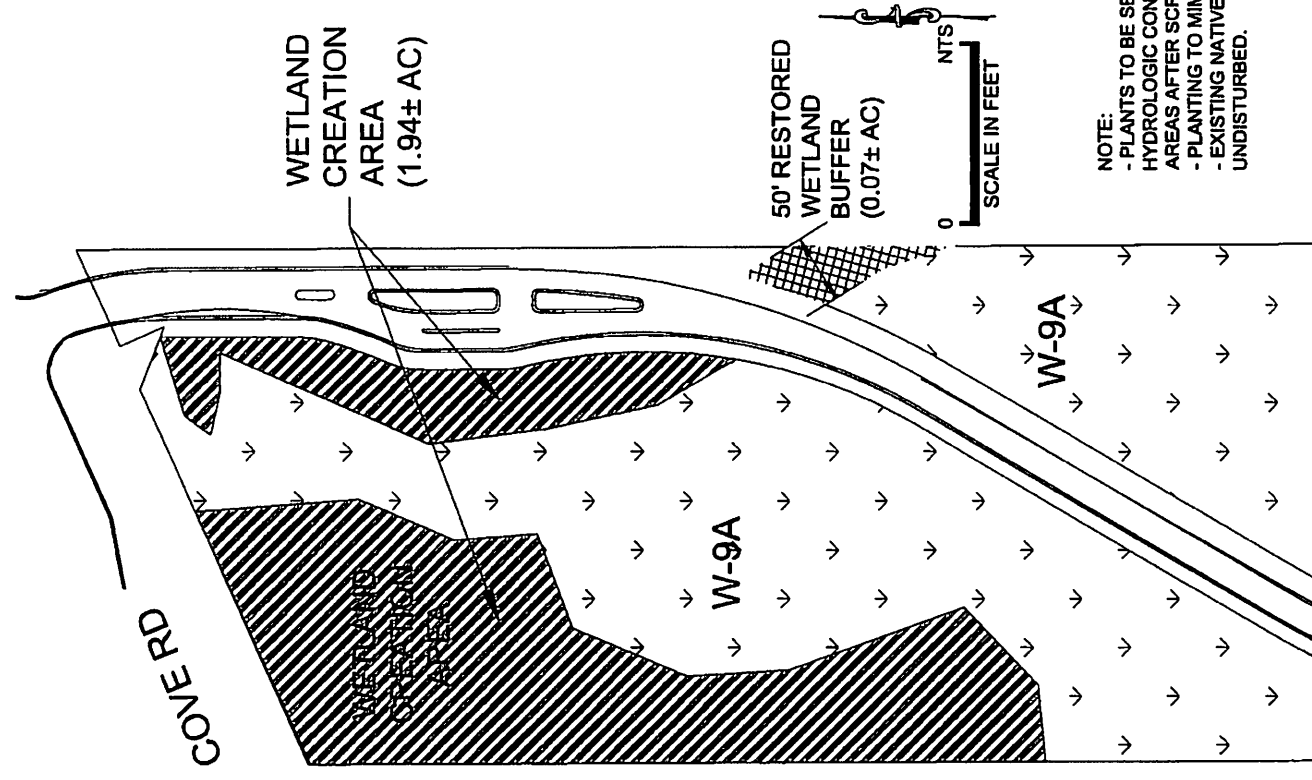
1000 SE MONTEREY COMMONS BLVD., SUITE 208
STUART, FL 34996

772-287-8771 FAX 772-287-2988
WWW.EWCONSULTANTS.COM

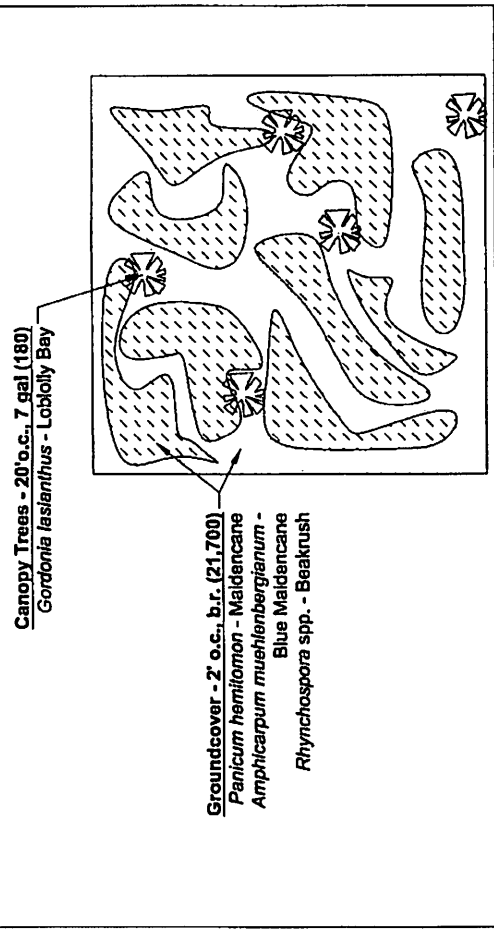
JUNE 2020

FIGURE

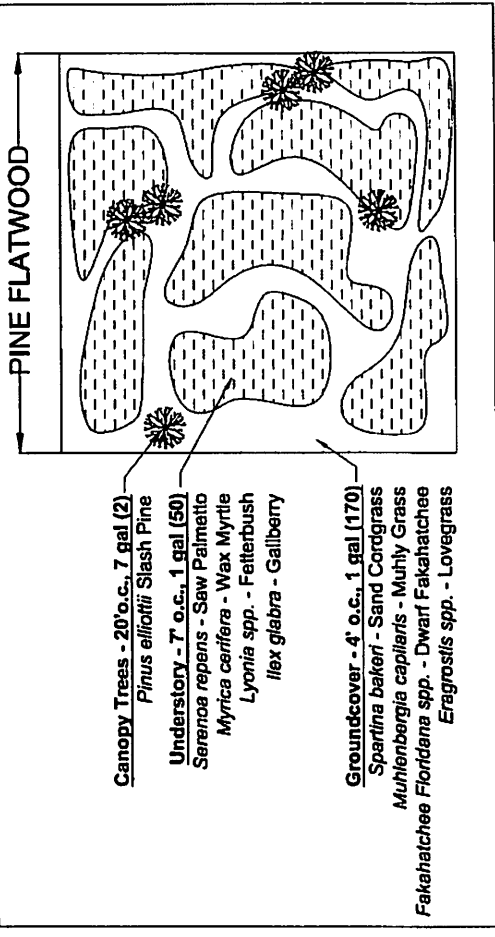
1



WETLAND CREATION AREA PLANTING MATERIAL



RESTORED WETLAND BUFFER PLANTING PLAN



NOTE:
- PLANTS TO BE SELECTED AND INSTALLED BASED ON HYDROLOGIC CONDITIONS OF WETLAND CREATION AREAS AFTER SCRAPE-DOWN IS COMPLETED.
- PLANTING TO MIMIC NATURAL OCCURRENCE.
- EXISTING NATIVE VEGETATION TO REMAIN UNDISTURBED.

PRESERVE AT PARK TRACE
WETLAND CREATION AREA
PLANTING MATERIAL

CONSULTANTS, INC. EW CONSULTANTS, INC.
1500 MC ANASTASIO DRIVE, SUITE 200
MIAMI, FL 33134
773.287.5771 FAX 773.287.2388
WWW.EWCONSULTANTS.COM

JUNE 2020
FIGURE
2

MARTIN COUNTY, FLORIDA

PRESERVE AREA MANAGEMENT PLAN

ANNUAL MONITORING REPORT FOR (Year)

- **Name and address of current owner of Preserve Area;**
- **Location of Preserve Area**
- **Date PAMP approved;**
- **Documentation of vegetation changes, including encroachment of exotic vegetation;**
- **Fixed-point panoramic photos of all Preserve Areas;**
- **Synopsis of maintenance activities conducted in compliance with the PAMP requirements such as exotic vegetation removal, re-vegetation, and additional enhancement activities necessary to maintain the Preserve Area;**
- **A timetable for action within 90 days of the report;**
- **A list of all violations of the PAMP; and**
- **Recommendations for remedial actions, with a proposed schedule for the coming year.**

Signature/Date : _____

Typed Name/Title : _____

Company Name (if applicable) : _____

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

RESOLUTION NUMBER 21-

**REGARDING CHANGE IN ZONING CLASSIFICATION FROM RE-1/2A,
RESIDENTIAL ESTATE DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT
DISTRICT FOR THE PRESERVE AT PARK TRACE PUD WITH A CERTIFICATE OF
PUBLIC FACILITIES EXEMPTION**

WHEREAS, this Board has made the following determinations of fact:

1. Via Claudia Investments, LLC. submitted an application for a change in zoning district classification from the current RE-1/2A, Residential Estate District to the PUD, Planned Unit Development District for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on September 16, 2021, and its recommendation has been provided to the Board.
3. This Board has considered such recommendation.
4. Upon proper notice of hearing this Board held a public hearing on the application on September 28, 2021.
5. At the public hearing, all interested parties were given an opportunity to be heard.
6. All conditions precedent to granting the change in zoning district classification have been met.

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

- A. The zoning district classification of the property described in Exhibit A is hereby changed from the RE-1/2A, Residential Estate District to the PUD, Planned Unit Development District pursuant to The Preserve at Park Trace Planned Unit Development Zoning Agreement.
- B. Pursuant to Section 5.32.B.3.f., Land Development Regulations, Martin County Code, this rezoning action is hereby determined to meet the requirements for a Certificate of Public Facilities Exemption.
- C. Pursuant to Section 14.1C.5.(2), Comprehensive Growth Management Plan, Martin County Code, regarding preliminary development approvals, the property described in Exhibit A is subject to a determination of level of service capacity at final site plan approval and no rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by this Board.

D. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT AND
COMPTROLLER

BY: _____
STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY
ATTORNEY

Attachments: Exhibit A

Exhibit A
Legal Description

DESCRIPTION:

THE FOLLOWING DESCRIPTION INCLUDES THREE PARCELS: PCN 343841001000002705, PCN 343841001000002803, AND PCN 343841000000000110;

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARTIN, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN LOTS 27 AND 28, WA-CO FIELD PLACE, AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND A PORTION OF GOVERNMENT LOTS 1 AND 2, SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST; THENCE A BEARING OF S.89°29'29"W. ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 817.02 FEET; THENCE N.43°50'49"W. DEPARTING THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 404.93 FEET; THENCE N.12°45'03"W., A DISTANCE OF 345.66 FEET; THENCE N.52°15'09"W., A DISTANCE OF 1140.59 FEET; THENCE N.08°05'51"E., A DISTANCE OF 207.58 FEET; THENCE N.28°32'06"E., A DISTANCE OF 470.92 FEET TO A POINT ON THE SOUTH LINE OF WA-CO FIELD PLACE, AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE N.66°13'13"E. ALONG THE SOUTH LINE OF SAID WA-CO FIELD PLACE, A DISTANCE OF 1441.67 FEET TO THE SOUTHWEST CORNER OF LOT 27, AS SHOWN ON SAID PLAT OF WA-CO FIELD PLACE; THENCE N.00°13'04"W. ALONG THE WEST LINE OF SAID LOT 27, A DISTANCE OF 1070.48 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COVE ROAD, AS SHOWN ON SPECIFIC PURPOSE RIGHT-OF-WAY CONTROL SURVEY COVE ROAD, AS RECORDED IN MAP BOOK 1, PAGE 29, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.65°26'48"E. ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF COVE ROAD, A DISTANCE OF 297.85 FEET; THENCE S.69°10'17"E., A DISTANCE OF 49.17 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST AND A RADIUS OF 2231.83 FEET WITH A RADIAL BEARING OF S.66°20'47"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY ALONG THE ARC SAID CURVE THROUGH A CENTRAL ANGLE OF 0°12'21", A DISTANCE OF 8.02 FEET TO A NON-TANGENT INTERSECTION AND THE POINT OF TANGENCY; THENCE N.23°49'02"W., A DISTANCE OF 26.98 FEET; THENCE N.65°26'47"E., A DISTANCE OF 32.35 FEET; THENCE N.65°04'55"E., A DISTANCE OF 43.98 FEET TO A POINT ON THE EAST LINE OF LOT 28, OF SAID PLAT OF WA-CO FIELD PLACE; THENCE S.00°15'51"E. ALONG SAID EASTERN LINE OF SAID LOT 28, A DISTANCE OF 1076.43 FEET TO SOUTHEAST CORNER OF SAID LOT 28 AND THE SOUTH LINE OF WA-CO-FIELD FILED PLACE; THENCE N.66°13'13"E. ALONG THE SOUTH LINE OF SAID PLAT OF WA-CO-FIELD PLACE, A DISTANCE OF 203.76 FEET TO A POINT ON THE EAST LINE OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST; THENCE S.01°11'04"W. ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 2767.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 4226924.81 SQUARE FEET OR 97.037 ACRES.

lucido&associates

TRANSMITTAL

Date:	June 19, 2020		
To:	Pete Walden, Principal Planner		
From:	Morris Crady <i>MC</i>		
Subject:	The Preserve at Park Trace County Project Number: V038-002	Project No.	19-290

In response to the attached completeness letter dated June 12,2020, please find enclosed the application fee check in the amount of \$13,800.00, the original application package, an additional set of the 24x36 plans, and a CD with PDF copies of the application.

The items needing additional attention have been addressed as follows:

Item #1: SURVEY

RESPONSE: The propose project is bordered primarily by existing wetlands over which development is not proposed and there will be no disturbances. Current survey limits extends 40-80' around the property boundary. These limits are in addition to the existing perimeter wetlands and their 50' upland buffers around most of the project area which is primarily concentrated to the interior of the property. These limits of survey have been reviewed by the team design consultants and has been deemed suitable for design of all facets of the project including grading, drainage, utilities, access, and environmental. South Florida Water Management District (SFWMD) permits have been review along with Martin County DEM Lidar data to determine drainage basin limits for off-site contributing areas from the north, east, and west. The southern limits of the project drain south into the Atlantic Ridge Preserve and will not be affected by this project. The proposed project has been designed to accept and/or bypass the corresponding off-site flows. The project does not depend or propose impact to any off-site area that is outside of the current limits of survey which includes the Cove Road right-of-way.

Item #2: STORMWATER REPORT OR CALCULATIONS

RESPONSE: See original signed/sealed stormwater report enclosed.

Item #3: ENVIRONMENTAL WAIVER

RESPONSE: See \$440.00 application fee and environmental waiver application enclosed.



MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

DOUG SMITH
STACEY HETHERINGTON
HAROLD E. JENKINS II
SARAH HEARD
EDWARD V. CIAMPI

Commissioner, District 1
Commissioner, District 2
Commissioner, District 3
Commissioner, District 4
Commissioner, District 5

TARYN KRYZDA, CPM County Administrator
SARAH W. WOODS County Attorney

TELEPHONE (772) 288-5400
WEBSITE www.martin.fl.us

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June 12, 2020

Mr. Morris Crady
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Application No: DEV2020060003
Project Number: V038-002

RE: Completeness Review

THE PRESERVE AT PARK TRACE (FKA VIA CLAUDIA) PUD ZONING MASTER & FINAL SITE PLAN

Dear Mr. Crady:

The above referenced application has been determined to be complete for review by the County. Pete Walden, Principal Planner, will be the County's project coordinator for this request. As such, please direct all future questions and correspondence to his attention.

Although the review was determined complete, the following items need additional attention:

Item #1: SURVEY: A topographic survey of the project site that extends a minimum of 200 feet outside the proposed limits of construction (or until a discernible drainage basin boundary is reached). The topography must be collected at an interval adequate to generate one-foot contours. The date of the field survey must be within 180 days of the date of this application; the survey must be signed and sealed by a licensed Florida professional surveyor and mapper.

Comments: Please extend the topographic survey beyond the property lines and label the survey as "Boundary and Topographic Survey".

Item #2: STORMWATER REPORT OR CALCULATIONS: A stormwater management report that is signed and sealed in accordance with the Florida Administrative Code (F.A.C.) 61G15-23.002 by a licensed Florida professional engineer. The report cover sheet and index sheet shall be signed and sealed; the report must clearly demonstrate compliance with Article 4, Division 9, Section 4.383, Martin County Land Development Regulations and its referenced Stormwater Management and Flood Protection Standards for Design and Review.

Comments: Provide the original signed & sealed stormwater management report.

Item #3: ENVIRONMENTAL WAIVER: Environmental waiver, when appropriate. (Separate fee required, see fee schedule)

Comments: Please provide the environmental waiver application with the fee of \$440.00 for the access through the wetlands.

You may review the application on-line at <https://aca3.accela.com/martinco>. Select Search Development Review and enter the Record Number above.

At this time, please submit the full application with a bookmarked disc and an extra set of plans, along with an application fee in the amount of **\$13,800.00** (check payable to Martin County Board of County Commissioners) to the Growth Management Department, Development Review Division. Each set must duplicate the application submitted for completeness review. Each set must contain original signed and sealed documents. The review of the application will commence the date after the project coordinator distributes the copies to the various agencies and individuals who participate in the review process for this application. At the end of the review period, you will be provided with a completed staff report for this application.

In the meantime, it is required that a sign be erected on the subject property. The project number **V038-002** must be included on the sign(s). Prior to preparing your sign, please read Section 10.6, Land Development Regulations, Martin County, Fla., which contains the required information that must be on the sign. Please provide documentation (i.e., photograph and certification to the project coordinator) that the property has been posted in accordance to the notification requirements.

Sincerely,



Paul Schilling
Growth Management Director

PS:PW:kk

cc: Via Claudia Investments, LLC, 55 SE Osceola Street, Ste. 200, Stuart, FL 34994



June 1, 2020

HAND DELIVERY

Paul Schilling, Director
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

Re: The Preserve at Park Trace (fka Via Claudia) – Application for Rezoning from RE-1/2A to PUD and Master/Final Site Plan Approval with Public Facilities Reservation (Our ref. #19-290)

Dear Paul:

On behalf of the property owner, Via Claudia Investments, LLC and the contract purchaser, DR Horton, we are pleased to submit this application for a PUD Agreement and master/final site plan approval.

As more particularly described in the enclosed project narrative, the +/- 100-acre subject property is located within the Primary Urban Service District, south of Cove Road between the Summerfield Golf Club PUD and the recently approved Cove Royale PUD. It is designated for Estate Density future land use (up to 2 units per acre) and currently zoned RE-1/2A. The property has approximately 400 feet of frontage on Cove Road directly across from the intersection of Willoughby Boulevard.

The proposed project consists of 114 single family lots clustered around preserve areas, lakes and dry retention areas that will be enhanced and maintained with native landscaping. The proposed density of 1.14 units per acres represents approximately 57% of the maximum allowable density and is consistent with the Estate Density future land use and the densities approved within the adjoining Summerfield PUD and Cove Royale PUD.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials:

- The completed application form;
- Affidavit for digital submittal;
- Project narrative;
- Owner's notarized power of attorney for representation by Lucido & Associates;
- Disclosure of Interest Affidavit;
- The recorded deed reflecting Via Claudia Investments, LLC as the owner;
- No property transfer statement;
- The legal description;
- PUD Zoning Agreement;
- PUD Statement of Benefits;
- Aerial map;
- Location/parcel assessment map;
- Future land use map;
- Zoning map;

Lucido & Associates 701 SE Ocean Boulevard Stuart, Florida 34994
tel 772.220.2100 fax 772.223.0220 web www.lucidodesign.com

- Signed & sealed Engineer's Opinion of Probable Excavation, Fill & Hauling;
- Signed & sealed Stormwater Report;
- Signed & sealed Stormwater Maintenance Plan;
- Signed & sealed Traffic Impact Analysis;
- Wildfire score sheet;
- School impact worksheet including exhibits;
- Preserve Area Management Plan (PAMP) including environmental assessment and environmental waiver;
- Utility service letters;
- Water/wastewater service agreement information form;
- The proposed water sources;
- Utilities-related calculations (i.e. lift station);
- Signed & sealed boundary, topo and wetland survey, and electronic copy of same;
- The proposed master/final site plan, and electronic copy of same;
- The proposed landscape plans including protected tree survey;
- Land clearing page; and
- Signed & sealed construction plans.

Exceptions to Standard Application Checklist:

Evacuation plan - Not applicable. The property is not located in a hurricane surge area.

Landscape alternative compliance - Not proposed or required.

CRA alternative compliance - Not located within a CRA.

Utility certification - Not applicable. Martin County is water/wastewater utility provider.

Groundwater model - Not applicable. Potable water and irrigation water on lots to be provided by Martin County Utilities. Irrigation water for common areas to be provided by permitted well less than 3 MGM (or 100,000 GPD).

Phasing Plan - The project will be constructed in one phase.

Architectural drawings and floor plans - Not required for single family residential projects.

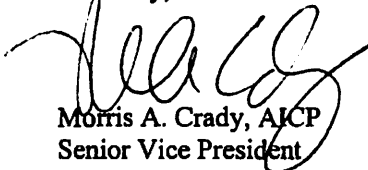
Lighting plan - Not required for single family residential projects.

List of surrounding property owners - To be provided prior to the public hearing.

Upon your determination of completeness, we will install the notice sign and submit the required application fee of \$13,800.00 along with the additional sets of 24x36 plans to begin the development review process.

If you have any questions or comments, please do not hesitate to contact me or Shirley Lyders.

Sincerely,



Morris A. Crady, AICP
Senior Vice President

Encl.

Copy to: Client and Team Members (w/o encl.)



Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

DEVELOPMENT REVIEW APPLICATION

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A. GENERAL INFORMATION

Type of Application:

PUD Zoning Master & Final Site Plan

Name or Title of Proposed Project: The Preserve at Park Trace PUD

Brief Project Description:

See project narrative

Was a Pre-Application Held? ☒ YES/NO ☐ Pre-Application Meeting Date: 11-21-19

Is there Previous Project Information? ☒ YES/NO ☐

Previous Project Number if applicable: V038-001

Previous Project Name if applicable: _____

Parcel Control Number(s)

34-38-41-000-000-00011-0

34-38-41-001-000-00270-5

34-38-41-001-000-00280-3

B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Via Claudia Investments, LLC

Company Representative: John E. Maiucci, Managing Member

Address: 55 SE Osceola Street, Suite 200

City: Stuart, State: FL Zip: 34994

Phone: 772-221-0333 Email: maiucci@aol.com

C. PROJECT PROFESSIONALS

Applicant (Name or Company): D.R. Horton, Inc.

Company Representative: Paul Quinn

Address: 6123 Lyons Road

City: Coconut Creek, State: FL Zip: 33073

Phone: 954-949-3000 Email: pquinn@drhorton.com

Agent (Name or Company): Lucido & Associates

Company Representative: Morris A. Crady

Address: 701 SE Ocean Boulevard

City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

Contract Purchaser (Name or Company): Same as applicant

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner (Name or Company): Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Landscape Architect (Name or Company): Same as agent

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Surveyor (Name or Company): GeoPoint Surveying, Inc.

Company Representative: Joe Rager

Address: 4152 W. Blue Heron Blvd., Suite 105

City: Riviera Beach, State: FL Zip: 33404

Phone: 561-444-2720 Email: joer@geopointsurvey.com

Civil Engineer (Name or Company): EDC

Company Representative: David Baggett

Address: 10250 SW Village Parkway, Suite 201

City: Port St. Lucie, State: FL Zip: 34987

Phone: 772-462-2455 Email: davidbaggett@edc-inc.com

PROJECT PROFESSIONALS CONTINUED

Traffic Engineer (Name or Company): Susan O'Rourke, PE, Inc.

Company Representative: Susan O'Rourke

Address: 969 SE Federal Highway, Suite 402

City: Stuart, State: FL Zip: 34994

Phone: 772-781-7918 Email: seorourke@comcast.net

Architect (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Attorney (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Environmental Planner (Name or Company): EW Consultants

Company Representative: Paul Ezzo

Address: 1000 SE Monterey Commons Blvd., Suite 208

City: Stuart, State: FL Zip: 34996

Phone: 772-287-8771 Email: pezzo@ewconsultants.com

Other Professional (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

D. Certification by Professionals

Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877, F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial. (125.022(1), Fla. Stat.)



This box must be checked if the applicant waives the limitations.

E. APPLICANT or AGENT CERTIFICATION

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Morris A. Crady
Applicant Signature

5-28-2020
Date

Morris A. Crady
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

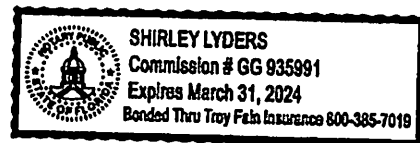
I hereby certify that the foregoing instrument was acknowledged before me this 28th day of May, 20 20, by Morris A. Crady.

He or She X is personally known to me or has produced as identification.

Shirley Lyders
Notary Public Signature

Shirley Lyders
Printed name

STATE OF: FLORIDA at-large





Martin County County Florida Growth Management Department
 DEVELOPMENT REVIEW DIVISION
 2401 SE Monterey Road, Stuart, FL 34996
 772-288-5495 www.martin.fl.us

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Digital Submittal Affidavit

I, Morris A. Crady, attest that the electronic version included for the project The Preserve at Park Trace PUD is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

[Signature]
 Applicant Signature

5-28-2020
 Date

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA

COUNTY OF: MARTIN

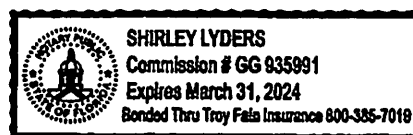
I hereby certify that the foregoing instrument was acknowledged before me this 28th day of May, 20 20, by Morris A. Crady.

He or She ☒ is personally known to me or ☐ has produced _____ as identification.

[Signature]
 Notary Public Signature

Shirley Lyders
 Printed name

STATE OF: FLORIDA at-large





PROJECT NARRATIVE
The Preserve at Park Trace (fka Via Claudia)
PUD Master and Final Site Plan Application
May 30, 2020

The +/- 100-acre subject property is located within the Primary Urban Service District, south of Cove Road between Summerfield Golf Club PUD and the recently approved Cove Royale PUD. It is designated for Estate Density future land use (up to 2 units per acre) and currently zoned RE-1/2A. The property has approximately 400 feet of frontage on Cove Road directly across from the intersection of Willoughby Boulevard.

The property to the west consists of the Cove Royale PUD, which consists of a 119-unit single family residential community that was recently approved under the same land use and zoning as the subject property. The property to the east consists of the Summerfield PUD, which includes a public golf course and surrounding single family residential communities clustered around the golf course and preserve areas. The property to the south consists of the Atlantic Ridge Preserve State Park, and the properties to the north include a catholic church on approximately 20 acres, and single family residences on approximately 5-acre parcels with direct access to Cove Road.

The proposed project site is undeveloped and contains approximately 36 acres of wetlands that will be protected with a minimum 50' buffer in accordance with Martin County's wetland protection requirements. The balance of the site consists of relatively undisturbed pine flatwoods. A minimum of 25% of the pine flatwoods habitat will be set aside as preserve areas including buffers along the south property line, which border the Atlantic Ridge State Park. Additional upland preserves and expanded wetland buffers have been provided as a public benefit.

The proposed project consists of 114 single family home sites clustered around preserve areas, lakes and stormwater treatment areas (dry retention areas landscaped with native plants to blend in with the adjacent preserve areas). The proposed density of 1.14 units per acres represents approximately 57% of the maximum allowable density and is consistent with the densities allowed within the adjoining Summerfield and Cove Royale PUDs.

Primary access to the property is provided by way of intersection improvements to Cove Road and Willoughby Boulevard. Because there is no upland alternative, access into the usable area of the site will require a wetland waiver for access as described in the PAMP. The proposed alignment has been shown in the least damaging location and additional wetlands have been created as mitigation in strict accordance with Martin County's wetland protection requirements. The created wetland areas is proposed in an area of uplands near Cove Road that is heavily impacted by exotic plants, namely Brazilian pepper.

The Cove Road improvements will include the extension of the public sidewalk on the south side of the right-of-way, approximately 3,000 feet west, to connect to the sidewalk to be constructed by the Cove Royale PUD, which together will provide safe pedestrian access to the existing schools and other facilities located on the south side of Cove Road.

The project has a provision in the PUD to accept Irrigation Quality (IQ) water from Martin County, if available. Irrigation water will otherwise be provided by way of surface water withdrawals permitted by the South Florida Water Management District.

Potable water and wastewater treatment services will be provided by Martin County Utilities.

**Via Claudia Investments, LLC
55 SE Osceola Street, Suite 200
Stuart, Florida 34994**

February 6, 2020

Nicki van Vonno, Director
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

Re: PCN #s: 34-38-41-000-00011-0
34-38-41-001-000-00270-5
34-38-41-001-000-00280-3

Dear Ms. van Vonno:

As owner of the property referenced above, please consider this correspondence formal authorization for Lucido & Associates to represent Via Claudia Investments, LLC during the governmental review process of the development application.

Sincerely,

VIA CLAUDIA INVESTMENTS, LLC,
a Florida limited liability company

By: 
John E. Maiucci, Managing Member

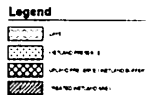
STATE OF Florida
COUNTY OF Martin

The foregoing was acknowledged before me this 11 day of February, 2020,
by John E. Maiucci, Managing Member of VIA CLAUDIA INVESTMENTS, LLC, a
Florida limited liability company. He [☒] is personally known to me or [☐] has produced
_____ as identification.

(Notarial Seal)




NOTARY PUBLIC
My Commission Expires:



1. The structure of the grain is made up of elongated cells grain wall and	10 points
2. The structure of the seed coat is made up of elongated cells grain wall and	10 points
3. The structure of the seed coat is made up of elongated cells grain wall and	10 points
4. The structure of the seed coat is made up of elongated cells grain wall and	10 points
5. The structure of the seed coat is made up of elongated cells grain wall and	10 points
6. The structure of the seed coat is made up of elongated cells grain wall and	10 points
7. The structure of the seed coat is made up of elongated cells grain wall and	10 points
8. The structure of the seed coat is made up of elongated cells grain wall and	10 points
9. The structure of the seed coat is made up of elongated cells grain wall and	10 points
10. The structure of the seed coat is made up of elongated cells grain wall and	10 points

Total Sales Area	9' 0" BC across 100%
Preparation Area	6' 0" BC across Mid 75%
Development Area	34' 24" across Mid 75%
Future Land Use	8' 0" across 100% to 2' 0" use
Loading / unloading	RZ 12A
Preparation / unloading	PUD
Crushing Line	Varies
Preparation / unloading	Varies / 8' 0" across, 100%
Total Length	
Crushing Capacity	12' 0" with 100% use

Impervious Area	2,525,172 sf	57.97 ac	see para 4
Wetland Area	166,768 sf	3.82 ac	
Land Area 60%	1,515,104 sf	34.42 ac	
Waterbody	38,160 sf	0.88 ac	
Land Surface Area 2.5 (Impervious)	1,553,264 sf	35.50 ac	
Land Area 60%	213,664 sf	4.91 ac	
Common Area	3,568 sf	0.08 ac	
Wetland Proportion	1,676,072 sf	38.28 ac	
Wetland Proportion	166,768 sf	3.82 ac	
Pervious Area	1,701,831 sf	39.07 ac	see para 4
Wetland Area	166,768 sf	3.82 ac	
Land Area 60%	1,303,172 sf	29.81 ac	
Waterbody	106,564 sf	2.43 ac	
Wetland Surface Area 2.5 (Impervious)	1,419,168 sf	32.24 ac	
Wetland Surface Area 2.5 (Impervious)	1,419,168 sf	32.24 ac	

Common "Developed" Area	733,550 sf, 16.84 ac
-------------------------	----------------------

(List Areas Not Included)

Trees Required 262 trees
(1 tree / 1000 of a 265 trees = 17 Albatross Trees 262)

Trees Provided: 262 trees

(Includes 20 Preserved Tree credits.)

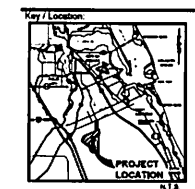
*TOTAL IRRIGATED AREA 9.5 AC

*EACH LOT TO PROVIDE 1 TREE PER 3000 SF OF
AREA AT TIME OF BUILDING PERMIT ISSUANCE

1. **Assessment of the problem:** The problem is that the company is not meeting its financial goals. The problem is caused by a combination of factors, including a decline in sales, an increase in expenses, and a change in the market environment. The problem is not unique to the company, but is a common problem for many companies in the industry. The problem is not a one-time event, but is a ongoing problem that needs to be addressed. The problem is not a simple problem, but is a complex problem that requires a comprehensive solution. The problem is not a minor problem, but is a major problem that could lead to the failure of the company. The problem is not a problem that can be solved by a single person, but is a problem that requires the input of many people. The problem is not a problem that can be solved by a single department, but is a problem that requires the input of all departments. The problem is not a problem that can be solved by a single strategy, but is a problem that requires a combination of strategies. The problem is not a problem that can be solved by a single action, but is a problem that requires a series of actions. The problem is not a problem that can be solved by a single person, but is a problem that requires the input of many people. The problem is not a problem that can be solved by a single department, but is a problem that requires the input of all departments. The problem is not a problem that can be solved by a single strategy, but is a problem that requires a combination of strategies. The problem is not a problem that can be solved by a single action, but is a problem that requires a series of actions.

Adaptive regulation of body fluid osmotic pressure is provided for the larval growing organism and continues throughout adult life as osmotic equilibrium regulation of pond and facility osmotic pressure.

Sheet L1.....	Overall Plan
Sheet L2-L7.....	Landscape Plans
Sheet L8.....	Lake Littoral Plan
Sheet L9.....	Tree Inventory Plan
Sheet L10.....	Landscape Details
Sheet L11.....	Landscape Specifications

[illegible]

Cove Road, Stuart Florida
Landscape Plan

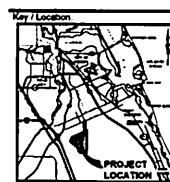
Date	By	Description
8/19/20	PG	Landscape Plan Submitted
2/01/21	PG	Revised Per UC Comments
8/02/21	PG	Revised Per UC Comments
8/16/21	PG	Revised Per UC Comments



Age Group	Percent of Total Sample
18-24	~100
25-34	~250
35-44	~150
45-54	~100
55-64	~50
65-74	~20
75-84	~10
85-94	~5
95-104	~2

Designer: EAB
 Manager: MC
 Project Number: 16-200

○ **Legal title & benefits**, two elements of fee estate as to property of both & benefits by operation, either exclusive or as if two elements that to upon other extent of both & benefits is possible to be.



Project Team:

Client	City of Tampa
Project Name	Core Road, Stuart Florida
Lead Designer	Lucido & Associates, Inc.
Design	Lucido & Associates, Inc.
Construction	Lucido & Associates, Inc.

The Preserve at Park Trace PUD

Core Road, Stuart Florida
 Landscape Plan

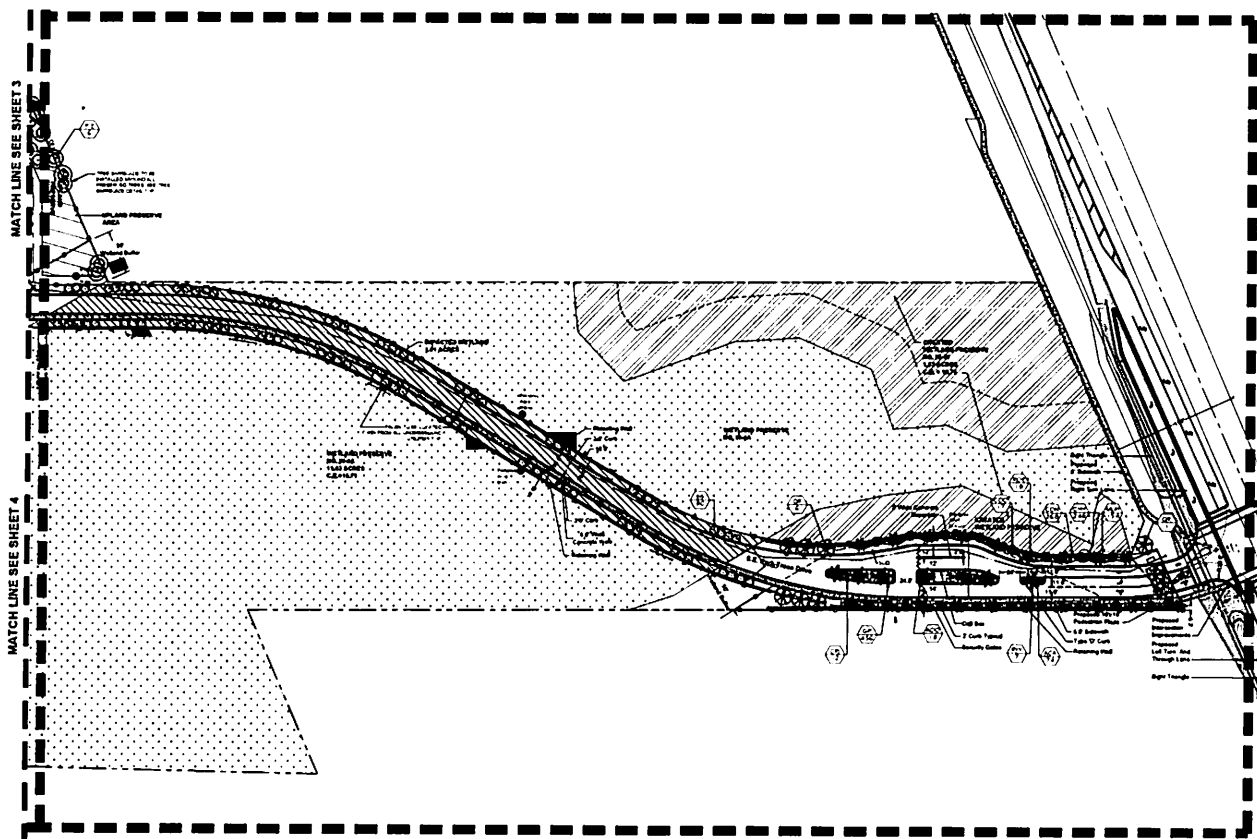
Date	By	Description
11/15/09	PG	Landscape Plan Submitted
12/01/09	PG	Revised Plan for NC Comments
02/02/10	PG	Revised Plan for NC Comments
04/16/10	PG	Revised Plan for NC Comments

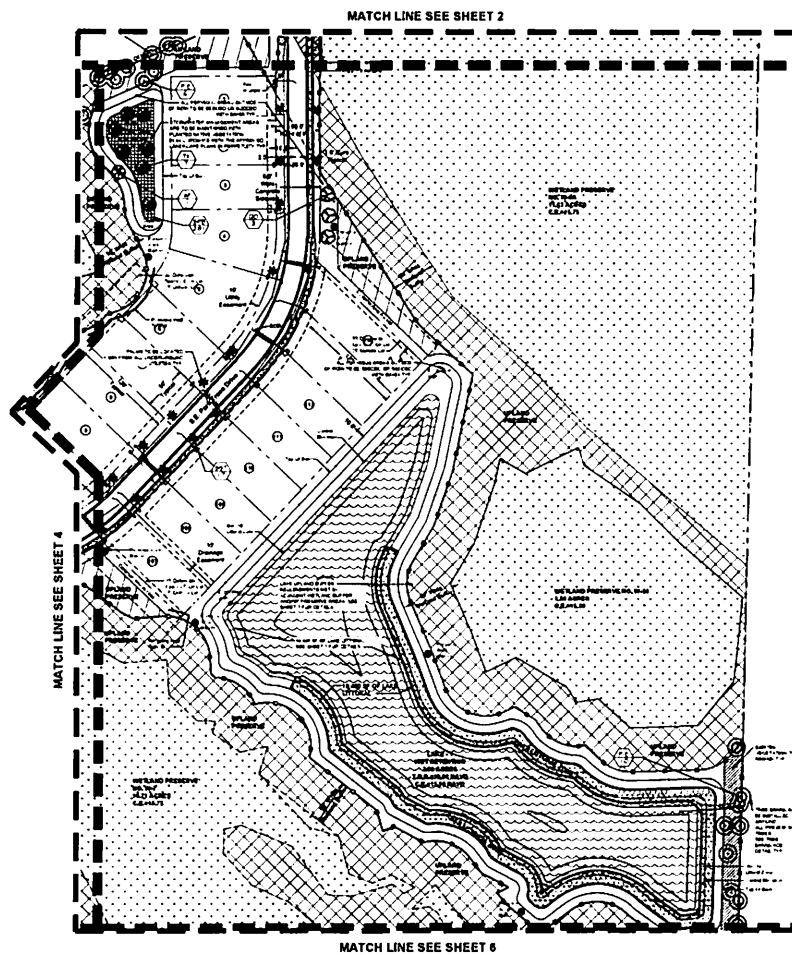


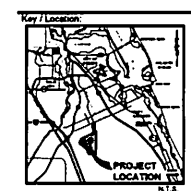
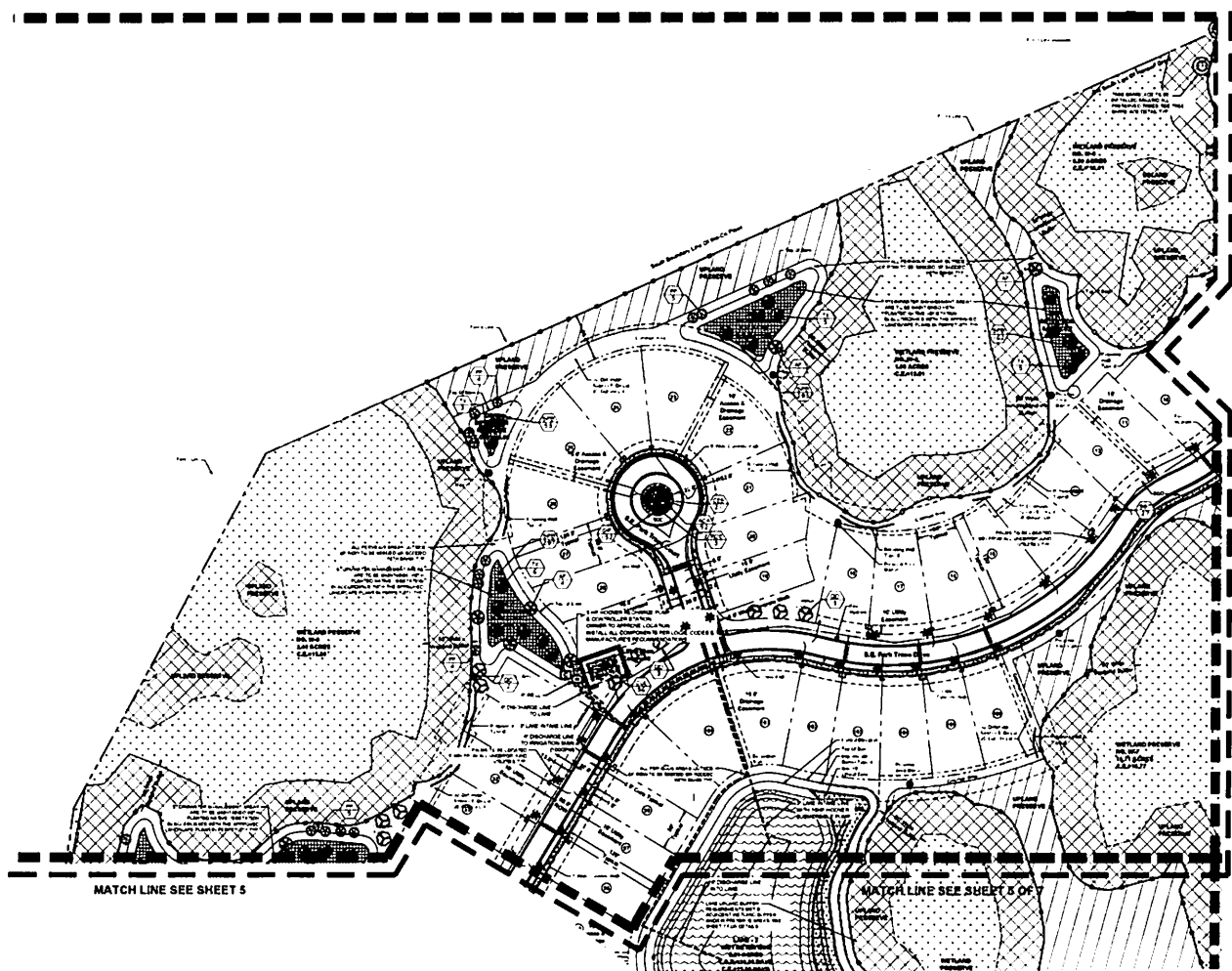
SCALE: 1" = 50'
 0 50 100 Feet
 0 50 100 Meters

Designer	PG	Sheet
Project Number	10-300	L2 of 11
Worksheet Number	---	
Computer File	---	

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Project Team:

Project Name:	The Preserve at Park Trace PUD
Client:	City of St. Johns County, Florida
Design:	Lucido & Associates, Inc.
Drawn:	Lucido & Associates, Inc.
Checked:	Lucido & Associates, Inc.
Approved:	Lucido & Associates, Inc.

The Preserve at Park Trace PUD Cove Road, Stuart Florida Landscape Plan

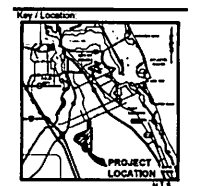
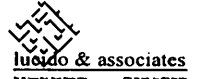
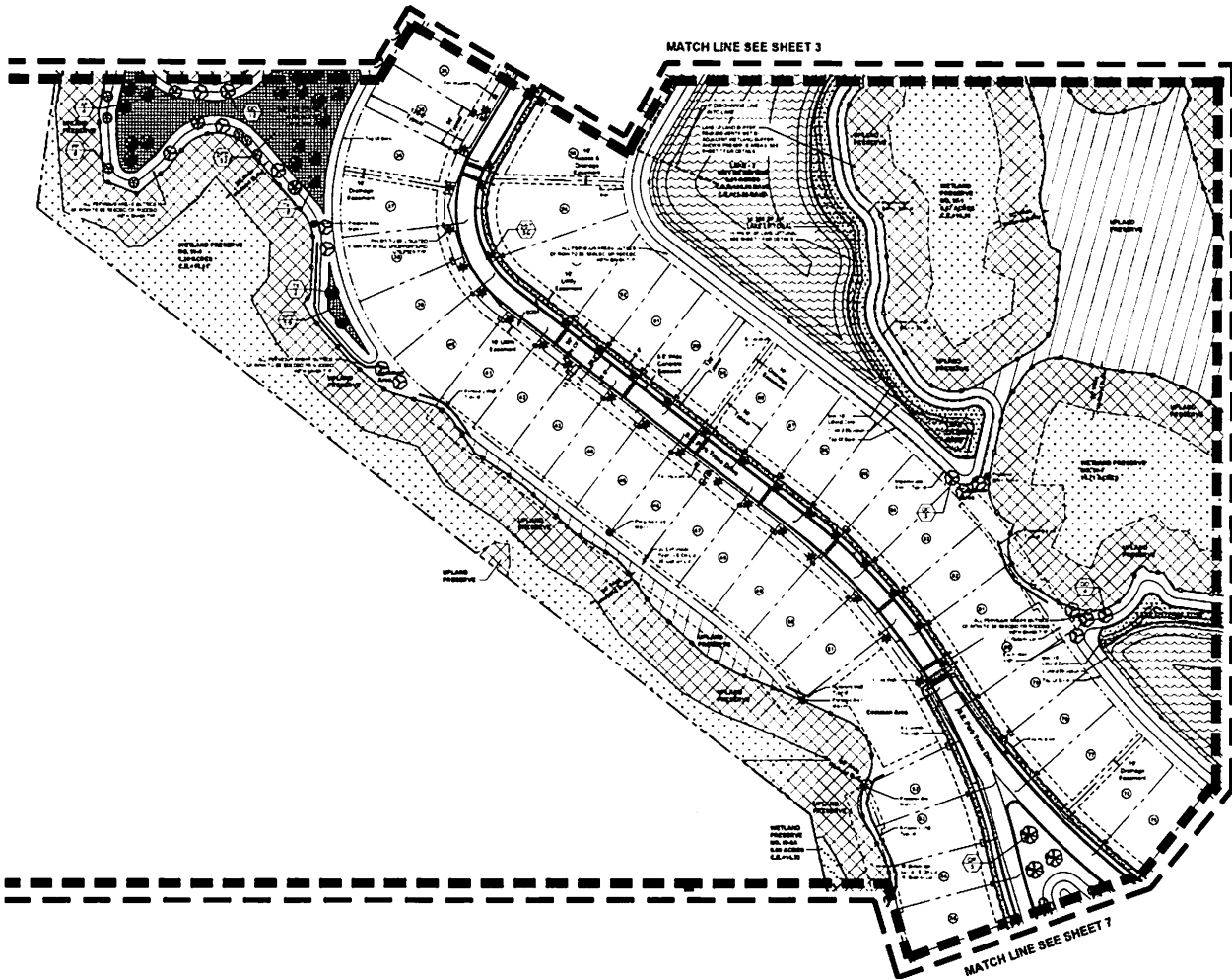
Date	By	Description
5.15.20	PG	Landscape Plan Issued
5.18.21	PG	Revised Per MIC Comments
6.02.21	PG	Revised Per MIC Comments
6.16.21	PG	Revised Per MIC Comments



Designer: **SL** **SL**
 Manager: **MC**
 Project Number: **16-200**
 Worksheet Number: **11**
 Computer File:

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L4 of 11



Project Team

Client	City of Miami
Project Manager	John J. Lucido, P.E., F.A.S.T.C.E.
Lead Designer	John J. Lucido, P.E., F.A.S.T.C.E.
Designer	John J. Lucido, P.E., F.A.S.T.C.E.
Author	John J. Lucido, P.E., F.A.S.T.C.E.
Reviewer	John J. Lucido, P.E., F.A.S.T.C.E.

The Preserve at Park Trace PUD

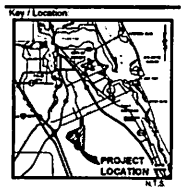
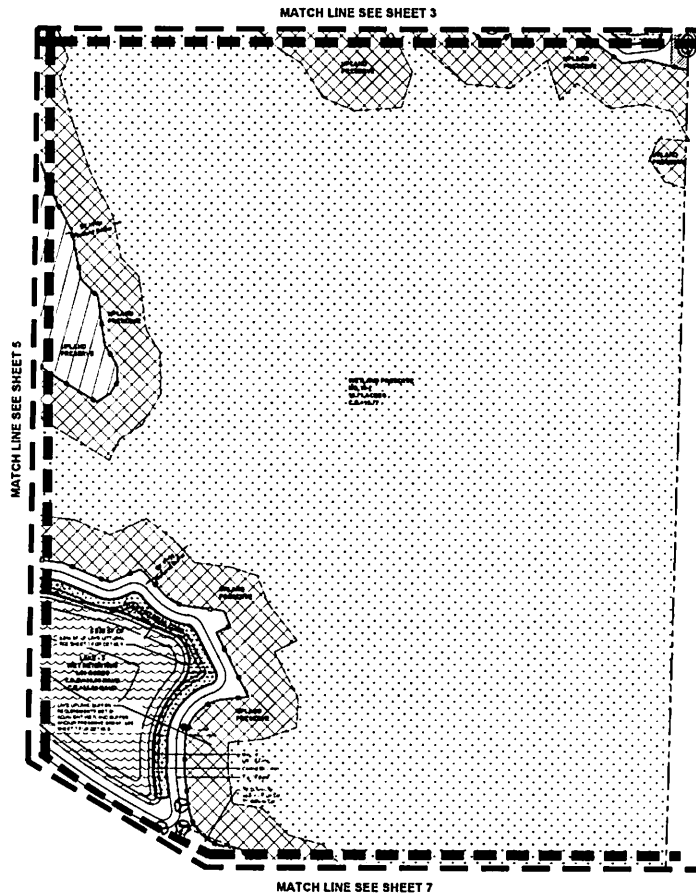
Cove Road, Shumil Florida
Landscape Plan

Date	By	Description
1.18.20	PL	Landscape Plan Submitted
2.09.21	PL	Revised Per NC Comments
6.02.21	PL	Revised Per NC Comments
6.16.21	PL	Revised Per NC Comments



Designer	JAL	Sheet	L5 of 11
Manager	SK		
Project Number	10-200		
Computer File			

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Project Team	
Client & Property Owner	City of San Antonio 1000 N. Nueces St. San Antonio, TX 78201
Landscape Architect	Lucido & Associates, Inc. 1000 N. Nueces St. San Antonio, TX 78201
Engineer	W. J. & Associates, Inc. 1000 N. Nueces St. San Antonio, TX 78201
Surveyor	Dr. Paul Anderson & Associates, Inc. 1000 N. Nueces St. San Antonio, TX 78201
Environmental Consultant	W. J. & Associates, Inc. 1000 N. Nueces St. San Antonio, TX 78201

The Preserve at Park Trace PUD

Core Road, Stuart Florida
Landscape Plan

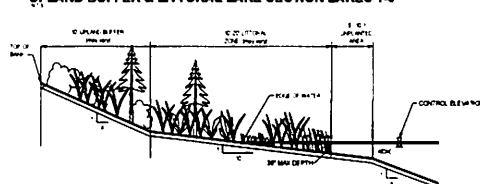
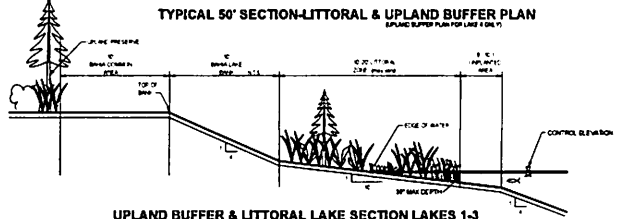
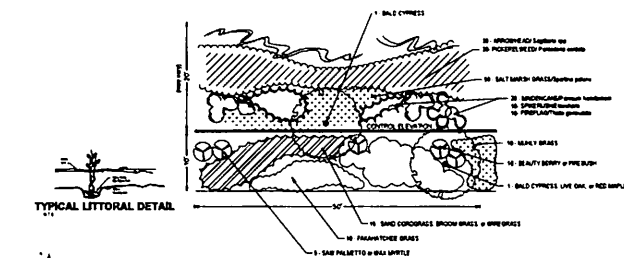
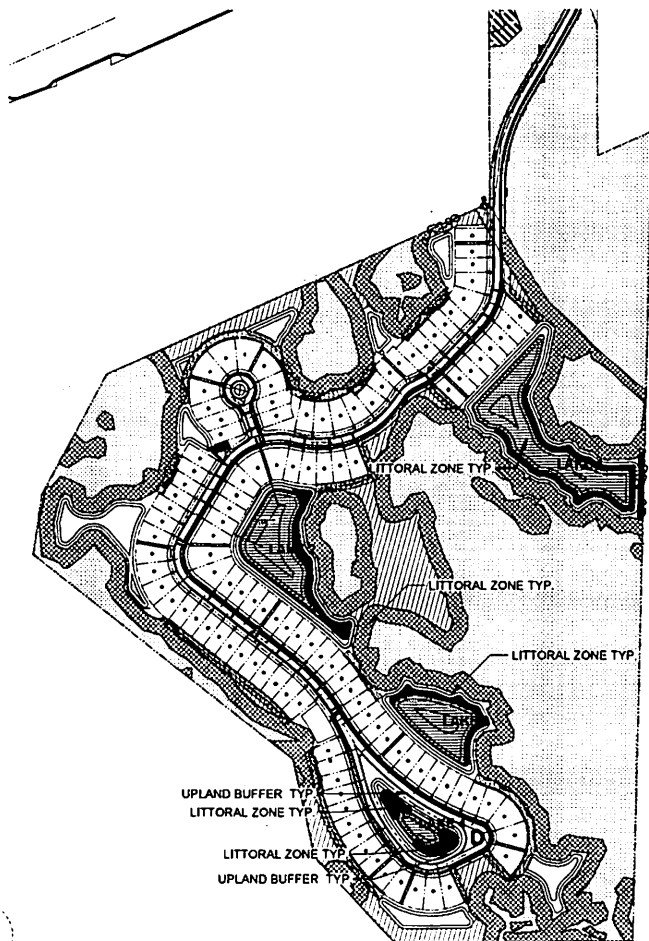
Date	By	Description
8.18.20	PL	Landscape Plan Submitted
2.24.21	PL	Revised For IBC Comments
4.22.21	PL	Revised For IBC Comments
6.18.21	PL	Revised For IBC Comments



Designer	PL	Sheet
Manager	WJ	
Project Number	10-201	
Municipal Number	---	
Computer File		

L6 of 11

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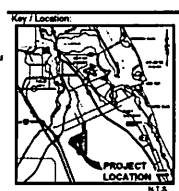
UPLAND BUFFER & LITTORAL LAKE SECTION LAKE 4

LAKE LITTORAL PLANTINGS

11	12	13	14	TOTAL
19,400	14,300	8,800	8,300	49,230 SF (1.12 AC)
1176	876	540	360	2376
1176	876	540	360	2376
1068	1068	864	864	4664
176	540	360	108	1080
360	360	108	108	936
360	360	108	108	936
36	36	108	108	288

LAKE UPLAND BUFFER PLANT LIST

11	12	13	14	TOTAL
19,400	14,300	8,800	8,300	49,230 SF (1.12 AC)
13	13	13	13	52
45	45	45	45	180
132	132	132	132	528
132	132	132	132	528
180	180	180	180	720
132	132	132	132	528



Project Team:
 Owner: City of Fort Lauderdale
 Designer: lucido & associates, Inc.
 Engineer: [blank]
 Surveyor: [blank]
 Consultant: [blank]

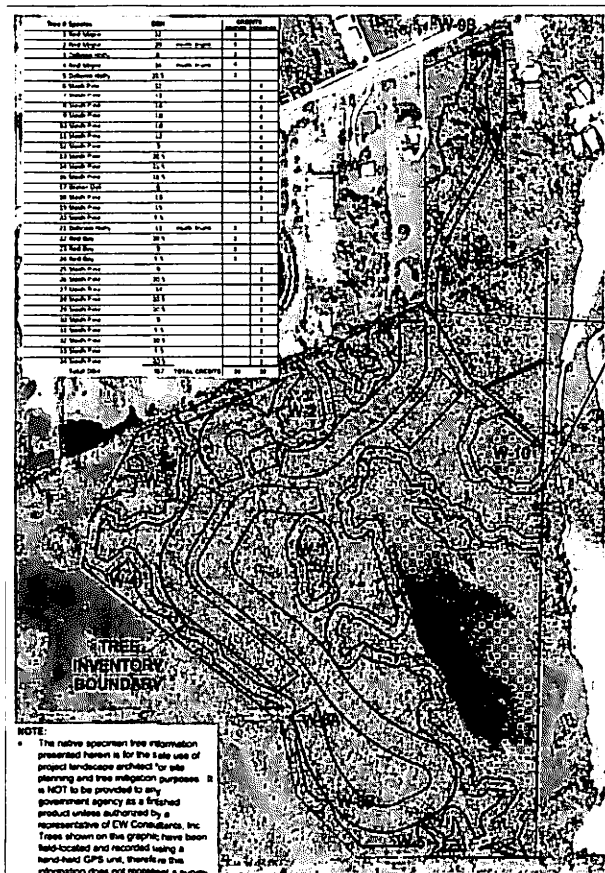
The Preserve at Park Trace PUD
 Cove Road, Stuart, Florida
 Lake Littoral Plan

Date	By	Description
6/18/01	PL	Calculation: Plan Submitted
6/22/01	PL	Revised Plan: MC Comments
6/22/01	PL	Revised Plan: MC Comments



Designer: BAE
 Manager: MC
 Project Number: 16-300
 Worksheet Number: 11
 Computer File: [blank]

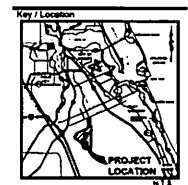
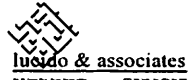
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Tree Inventory :

Total Removed Tree Credits: 30 (17) T. Proposed Oak Trees will be used to satisfy removed trees credits.
 Total Preserved Tree Credits: 28 (26) Tree Credits will be applied towards site code required tree quantities.
 *See Tree Protection Detail on sheet L9

PRESERVED TREES TYP.
 SEE DETAIL BELOW &
 LANDSCAPE PLAN FOR
 LOCATIONS TYP.



Project Team	
Owner	City of Miami
Developer	City of Miami
Architect	City of Miami
Engineer	City of Miami
Landscaper	City of Miami

The Preserve at Park Trace PUD

Cove Road, Stuart Florida
 Tree Inventory Plan

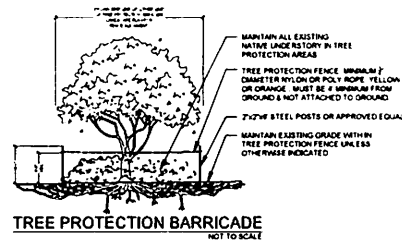
Date	By	Description
6/15/20	PG	Landscape Plan Approved
1/24/21	PG	Revised Per WC Comments
4/22/21	PG	Revised Per WC Comments
6/16/21	PG	Revised Per WC Comments



Designer	SG	Sheet
Manager	SG	
Project Number	19-200	
Municipal Number		
Category	PL	

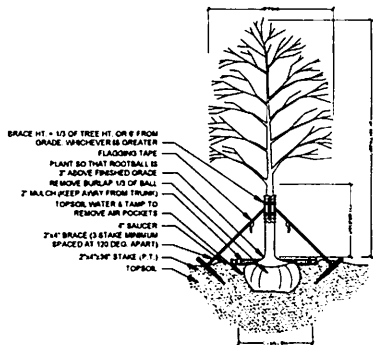
L9 of 11

0 Supply each 10' section. Two sections at the ends in the project of
 10' Supply each 10' section. Two sections at the ends in the project of
 10' Supply each 10' section. Two sections at the ends in the project of

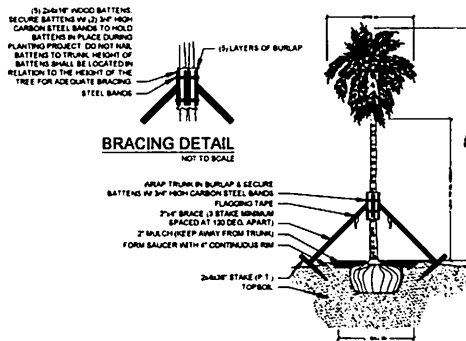


TREE PROTECTION BARRICADE
 NOT TO SCALE

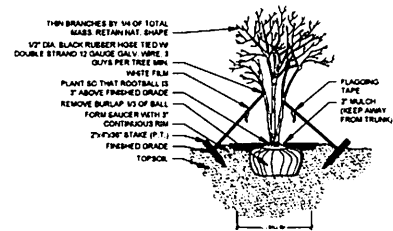
NOTES:
 1- SEE LANDSCAPE PLAN FOR FENCE ALIGNMENT
 2- NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST
 3- NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL



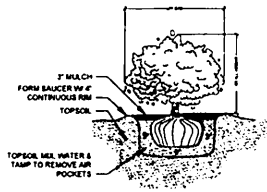
TREE PLANTING & STAKING
NOT TO SCALE



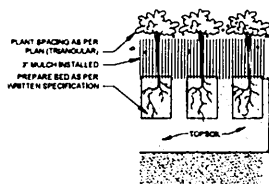
PALM PLANTING - ANGLE STAKE
NOT TO SCALE



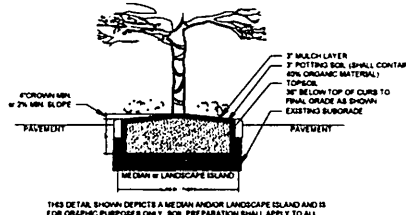
MULTI-TRUNK PLANTING & GUYING
NOT TO SCALE



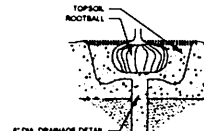
SHRUB PLANTING
NOT TO SCALE



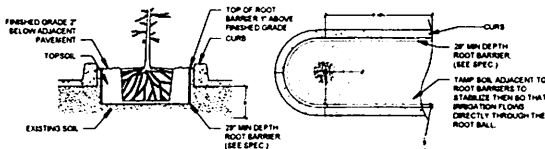
GROUNDCOVER PLANTING DETAIL
NOT TO SCALE



LANDSCAPE AREA PREPARATION DETAIL
NOT TO SCALE

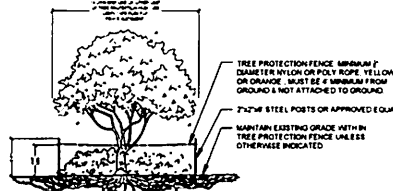


DRAINAGE TESTING DETAIL
NOT TO SCALE



SPECIAL APPLICATIONS ROOT BARRIER DETAIL
NOT TO SCALE

- NOTES:
1. ROOT BARRIER SHALL BE INSTALLED WHEN ROOT BALLS IS LOCATED WITHIN 8" OF PAVEMENT AND ON CURB
2. ROOT BARRIER SHALL BE 2" MIN DEPTH OR APPROVED EQUAL
3. ROOT BARRIER SHALL BE INSTALLED PER MANUFACTURE'S SPECIFICATIONS AND RECOMMENDATIONS



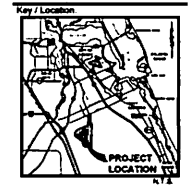
TREE PROTECTION BARRICADE
NOT TO SCALE

- NOTES:
1. SET LANDSCAPE PLANT FOR FENCE ALLOWING HT.
2. NO PLANTING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST
3. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL

DRAINAGE TESTING/DRAINAGE CHANNEL REQUIREMENTS

PRIOR TO PLANTING, ALL PLANTING PITS SELECTED FOR TESTING SHALL BE TESTED IN THE FOLLOWING MANNER:

- DO EACH PLANTING PIT TO THE MINIMUM SPECIFIED SIZE.
- FILL PLANTING PIT WITH TWELVE INCHES (12") OF WATER IF THE WATER LEVEL DROPS FOUR (4) OR MORE WITHIN FOUR (4) HOURS THE DRAINAGE IS SUFFICIENT AND A DRAINAGE CHANNEL IS NOT REQUIRED IF THE WATER LEVEL DROPS LESS THAN FOUR INCHES (4") WITHIN THE FOUR (4) HOUR PERIOD A DRAINAGE CHANNEL IS REQUIRED.
- WHERE REQUIRED THE DRAINAGE CHANNEL MUST EXTEND DOWN THROUGH THE NON POROUS SOIL AND INTO POROUS SOIL (SEE DETAIL).
- ALL MATERIAL REMOVED FROM THE DRAINAGE CHANNEL SHALL BE DISCARDED.
- WHEN BACKFILLING PLANTING PITS WITH NATIVE TOPSOIL, CARE MUST BE TAKEN TO KEEP THE CONSISTENCY OF THE SOIL THE SAME THROUGHOUT THE PLANTING PIT AND DRAINAGE CHANNEL.



Project Team

Role	Name	Phone	Email
Owner	City of Phoenix		
Architect	Lucido & Associates, Inc.		
Engineer	City of Phoenix		
Inspector	City of Phoenix		
Contractor	City of Phoenix		

The Preserve at Park Trace PUD

Cave Road, Shatt Florida
Landscape Details

Date	By	Description
6/10/20	PL	Landscape Plan Submitted
6/24/20	PL	Revised Per SIC Comments
6/24/20	PL	Revised Per SIC Comments
6/24/20	PL	Revised Per SIC Comments



Sheet
Manager: MC
Project Number: 10-200
Revised Number: 10-200
Revision: 10-200
L10 of 11

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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
Via Claudia Investments, LLC, a Florida limited liability company	55 SE Osceola Street, Suite 200 Stuart, FL 34994

(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
John E. Maiucci	55 SE Osceola Street, Suite 200 Stuart, FL 34994	100%

(If more space is needed attach separate sheet)

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
D.R. Horton, Inc.	6123 Lyons Road Coconut Creek, FL 33073	Contract Purchaser

(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 *
None				

(If more space is needed attach separate sheet)

- Status defined as:
A = Approved
P = Pending
D = Denied
W = Withdrawn

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.

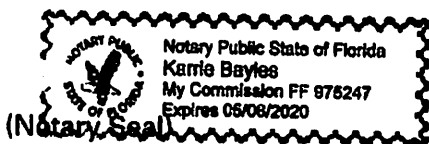
FURTHER AFFIANT SAYETH NOT.

AFFIANT


John E. Malucci, Managing Member
Via Claudia Investments, LLC

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 11 day of February 2020, by JOHN E. MAIUCCI, Managing Member of Via Claudia Investments, LLC, a Florida limited liability company, who is personally known to me or has produced _____ as identification.





Notary Public, State of Florida
Print Name: Karrie Bayles
My Commission Expires: 5-16-2020

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

EXHIBIT A
THE PRESERVE AT PARK TRACE

DESCRIPTION:

THE FOLLOWING DESCRIPTION INCLUDES THREE PARCELS: PCN 343841001000002705, PCN 343841001000002803, AND PCN 343841000000000110;

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARTIN, STATE OF FLORIDA, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN LOTS 27 AND 28, WA-CO FIELD PLACE, AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, AND A PORTION OF GOVERNMENT LOTS 1 AND 2, SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST; THENCE A BEARING OF S.89°29'29"W. ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 817.02 FEET; THENCE N.43°50'49"W. DEPARTING THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 404.93 FEET; THENCE N.12°45'03"W., A DISTANCE OF 345.66 FEET; THENCE N.52°15'09"W., A DISTANCE OF 1140.59 FEET; THENCE N.08°05'51"E., A DISTANCE OF 207.58 FEET; THENCE N.28°32'06"E., A DISTANCE OF 470.92 FEET TO A POINT ON THE SOUTH LINE OF WA-CO FIELD PLACE, AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE N.66°13'13"E. ALONG THE SOUTH LINE OF SAID WA-CO FIELD PLACE, A DISTANCE OF 1441.67 FEET TO THE SOUTHWEST CORNER OF LOT 27, AS SHOWN ON SAID PLAT OF WA-CO FIELD PLACE; THENCE N.00°13'04"W. ALONG THE WEST LINE OF SAID LOT 27, A DISTANCE OF 1070.48 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COVE ROAD, AS SHOWN ON SPECIFIC PURPOSE RIGHT-OF-WAY CONTROL SURVEY COVE ROAD, AS RECORDED IN MAP BOOK 1, PAGE 29, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.65°26'48"E. ALONG THE SAID SOUTH RIGHT-OF-WAY LINE OF COVE ROAD, A DISTANCE OF 297.85 FEET; THENCE S.69°10'17"E., A DISTANCE OF 49.17 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST AND A RADIUS OF 2231.83 FEET WITH A RADIAL BEARING OF S.66°20'47"W. AT SAID INTERSECTION; THENCE NORTHWESTERLY ALONG THE ARC SAID CURVE THROUGH A CENTRAL ANGLE OF 0°12'21", A DISTANCE OF 8.02 FEET TO A NON-TANGENT INTERSECTION AND THE POINT OF TANGENCY; THENCE N.23°49'02"W., A DISTANCE OF 26.98 FEET; THENCE N.65°26'47"E., A DISTANCE OF 32.35 FEET; THENCE N.65°04'55"E., A DISTANCE OF 43.98 FEET TO A POINT ON THE EAST LINE OF LOT 28, OF SAID PLAT OF WA-CO FIELD PLACE; THENCE S.00°15'51"E. ALONG SAID EASTERN LINE OF SAID LOT 28, A DISTANCE OF 1076.43 FEET TO SOUTHEAST CORNER OF SAID LOT 28 AND THE SOUTH LINE OF WA-CO-FIELD FILED PLACE; THENCE N.66°13'13"E. ALONG THE SOUTH LINE OF SAID PLAT OF WA-CO-FIELD PLACE, A DISTANCE OF 203.76 FEET TO A POINT ON THE EAST LINE OF SECTION 34, TOWNSHIP 38 SOUTH, RANGE 41 EAST; THENCE S.01°11'04"W. ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 2767.78 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 4226924.81 SQUARE FEET OR 97.037 ACRES.

This Instrument Prepared By /
Return To:

WILLIAM F. CRARY, II Esquire
CRARY, BUCHANAN, BOWDISH, BOVIE,
BERES, ELDER & WILLIAMSON, CHARTERED
555 S.W. Colorado Avenue, Suite 1
Post Office Drawer 24
Stuart, Florida 34985-0024

INST 2130123
OR BK 02373 PG 2615
Pgs 2615 - 2618 (4pgs)
RECORDED 02/12/2009 04:43:11 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 0.70
RECORDED BY K Wintercorn

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 10 day of February, 2009 between VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company, and ANG HOLDINGS, L.L.C., an Illinois limited liability company, whose post office addresses are 55 E. Osceola Street, Suite 200, Stuart, FL 34984 and 202 Lori Court, Medinah, IL 60157 respectively, hereinafter called the Grantors, and Via Claudia Investments, LLC, a Florida limited liability company, whose post office address is 55 E. Osceola Street, Suite 200, Stuart, FL 34984, hereinafter called the Grantee.

(Whenever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representative, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said Grantors, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations to said Grantors 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 as if fully set forth herein.

SUBJECT TO covenants, restrictions, and reservations of public record, easements, zoning and land use laws, and taxes for the year 2009.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the Grantors hereby covenant with said Grantee that the Grantors are lawfully seized of said land in fee simple; that the Grantors have good right and lawful authority to sell and convey said land; that the Grantors hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantors.

IN WITNESS WHEREOF, Grantors have hereunto set Grantors' hand and seal the day and year first above written.

Signed, sealed and delivered in our
presence:
company

VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability

[Signature]
Witness
(PRINT NAME OF WITNESS)

[Signature]
By: John E. Maiucci
As: Managing Member

[Signature]
Witness
(PRINT NAME OF WITNESS)

Signed, sealed and delivered in our
presence:

ANG HOLDINGS, L.L.C., an Illinois limited liability company

[Signature]
Witness
(PRINT NAME OF WITNESS)

x [Signature]
By: Anthony Glenda
As: Managing Member

[Signature]
Witness
(PRINT NAME OF WITNESS)

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 10th day of February, 2009 by John E. Malucci, Managing Member of Via Claudia Investments, LLC, a Florida limited liability company, on behalf of the company who is ☒ personally known to me or ☐ produced _____ as identification.

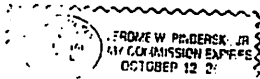


(SEAL)

Joyce D. Neyland
JOYCE D. NEYLAND (Print Name)
 Notary Public, State of Florida
 Commission Number:
 My Commission Expires:

STATE OF ILLINOIS
COUNTY OF DUPAGE

The foregoing instrument was acknowledged before me this 6 day of February, 2009 by Anthony Gironda, Managing Member of ANG Holdings, L.L.C., an Illinois limited liability company, on behalf of the company who is ☒ personally known to me or ☐ produced _____ as identification.



(SEAL)

Jerome W. Proderick, Jr.
Jerome W. Proderick, Jr. (Print Name)
 Notary Public, State of Illinois
 Commission Number:
 My Commission Expires:

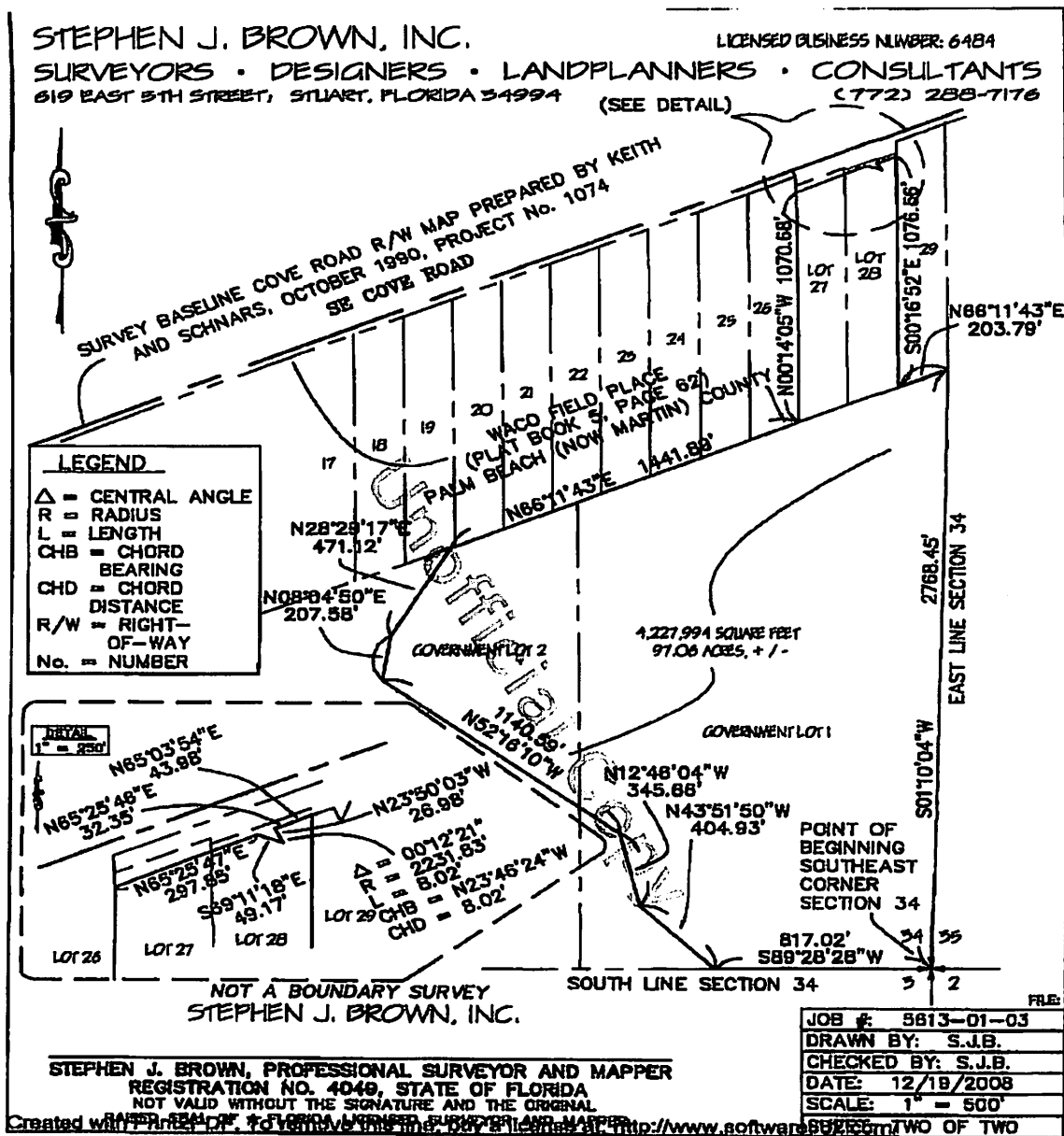
LEGAL DESCRIPTION

EXHIBIT "A"

A parcel of land lying in Lots 27 and 28, WACO FIELD PLACE, as recorded in Plat Book 5, Page 82, Public Records of Palm Beach (now Martin) County, Florida, and a portion of Government Lots 1 and 2, Section 34, Township 38 South, Range 41 East, and being further described as follows:

Begin at the Southeast corner of Section 34, Township 38 South, Range 41 East, thence South 89 deg 28' 28" West, along the South line of said Section 34, for a distance of 817.02 feet; thence, departing said South line, North 43 deg 51' 50" West, for a distance of 404.93 feet; thence North 12 deg 48' 04" West, for a distance of 345.68 feet; thence North 52 deg 16' 10" West, for a distance of 1140.59 feet; thence North 08 deg 04' 50" East, for a distance of 207.58 feet; thence North 28 deg 29' 17" East, for a distance of 471.12 feet to a point on the South line of Waco Field Place, as recorded in Plat Book 5, Page 82, Public Records of Palm Beach (now Martin) County, Florida; thence North 68 deg 11' 43" East, along said South line, for a distance of 1441.89 feet to the Southwest corner of Lot 27, said plat of Waco Field Place; thence, departing said South line, North 00 deg 14' 05" West, along the West line of said Lot 27, for a distance of 1070.68 feet; thence, departing said West line, North 65 deg 25' 47" East, for a distance of 287.85 feet; thence South 69 deg 11' 18" East, for a distance of 49.17 feet to a point on a non-tangent curve, concave to the Southwest, having a central angle of 00 deg 12' 21", a radius of 2231.83 feet, a chord bearing of North 23 deg 48' 24" West, and a chord length of 8.02 feet; thence, travel counter-clockwise, along the arc of said non-tangent curve, for a distance of 8.02 feet; thence North 23 deg 50' 03" West, for a distance of 26.98 feet; thence North 66 deg 25' 48" East, for a distance of 32.35 feet; thence North 66 deg 03' 54" East, for a distance of 43.98 feet to a point on the East line of Lot 28, said plat of Waco Field Place; thence South 00 deg 18' 52" East, along the East line of said Lot 28, for a distance of 1078.58 feet to the Southeast corner of said Lot 28, and the South line of said Waco Field Place; thence North 68 deg 11' 43" East, along the South line of said Waco Field Place, for a distance of 203.79 feet, to a point on the East line of said Section 34; thence South 01 deg 10' 04" West, along said East line, for a distance of 2768.45 feet to the Southeast corner of said Section 34, and the Point of Beginning of said parcel.

NOTE: SEE SKETCH ATTACHED FOR INFORMATIONAL PURPOSES ONLY



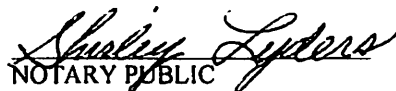
To the best of my knowledge and belief, there has been no transfer of the subject property since the Special Warranty Deed into Via Claudia Investments, LLC was recorded in the Martin County Public Records.

DATED THIS 28th DAY OF May, 2020.


Morris A. Crady

STATE OF FLORIDA
COUNTY OF MARTIN

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ☒ PHYSICAL PRESENCE OR ☐ ONLINE NOTARIZATION, THIS 28th DAY OF May, 2020 BY MORRIS A. CRADY, WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED _____ AS IDENTIFICATION.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

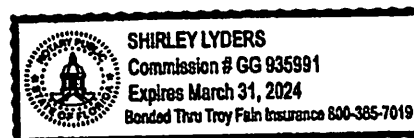


EXHIBIT A
THE PRESERVE AT PARK TRACE

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CONTAINING 4226924.81 SQUARE FEET OR 97.037 ACRES.



September 2, 2021

Subject and Location: V038-002 – Via Claudia, LLC (AKA The Preserve at Park Trace PUD)
Request for approval of an amendment to the zoning atlas to change the zoning from the existing RE-1/2A (Estate District) to PUD (Planned Unit Development District) with a Certificate of Public Facilities Exemption, and request for approval of the Preserve at Park Trace Planned Unit Development Agreement, Master Site Plan and Final Site Plan with a Certificate of Public Facilities Reservation. The proposed planned unit development, consisting of 114 detached single-family homes on 97 acres, is located south of Cove Road at the Cove Road/Willoughby Boulevard signalized intersection.

Dear Property Owner:

As a landowner within 500 feet of the property identified above and as shown on the enclosed maps and exhibits, please be advised that the Local Planning Agency and the Board of County Commissioners will conduct public hearings on the subject listed above.

The date, time and place of the scheduled hearings are as follows:

Time and Date: **LOCAL PLANNING AGENCY**
7:00 P.M., or as soon after as the matter may be heard, on
Thursday, September 16, 2021

Time and Date: **BOARD OF COUNTY COMMISSIONERS**
9:00 A.M., or as soon after as the matter may be heard, on
Tuesday, September 28, 2021

Location: Martin County Administrative Center, 2401 S.E. Monterey Road, Stuart, Florida 34996

All interested persons are invited to attend and be heard.

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

When attending a public hearing, a person may speak during the public comment portion of the public hearing. A person may also participate as an Intervenor. An Intervenor may ask questions of the staff, applicant and provide testimony. In order to be an Intervenor, a person must qualify to receive mailed notice of the application in accordance with Section 10.6.E, Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator at least 7 business days

prior to the LPA or BCC meeting. No fee will be assessed. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website www.martin.fl.us. Any documentation, including all DVD, cd or video cassette tapes intended to be proffered as evidence must be submitted to the Growth Management Department at least 7 business days prior to the LPA or BCC meetings.

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

For further information, please feel free to contact me directly at 772-220-2100 or call the Growth Management Department at 772-288-5495. All written comments should be sent to Pete Walden, Principal Planner, pwalden@martin.fl.us or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator 772-320-3131, the County Administration Office 772-288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

Sincerely,

Morris A. Crady, AICP
Senior Vice President

Attachments: Location Map
Master/Final Site Plan



**TRANSMITTAL
(VIA HAND DELIVERY)**

Date:	June 30, 2020		
To:	Pete Walden Martin County Growth Management Dept.		
From:	Shirley Lyders		
Subject:	The Preserve at Park Trace (Martin County Project #V038-002)	Project No.	19-290

Pursuant to Article 10.6.B of the Development Review Procedures, attached is the certification regarding the posting of the project sign and map showing its location for your records.

Doug Fitzwater
220 Hibiscus Avenue
Stuart, FL 34996

Mr. Morris Crady
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Notice Rezoning and Proposed Development
The Preserve at Park Trace
File Number V038-002

Dear Mr. Crady:

This is to certify that the above referenced sign was installed per Martin County requirements and complies with the standards of the notice provisions of Article 10, Section 10.6: Development Review Procedures.

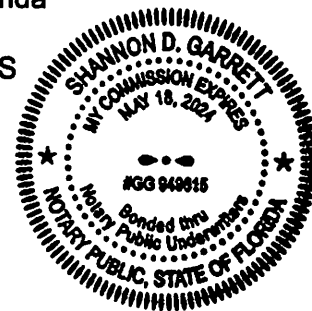

Doug Fitzwater

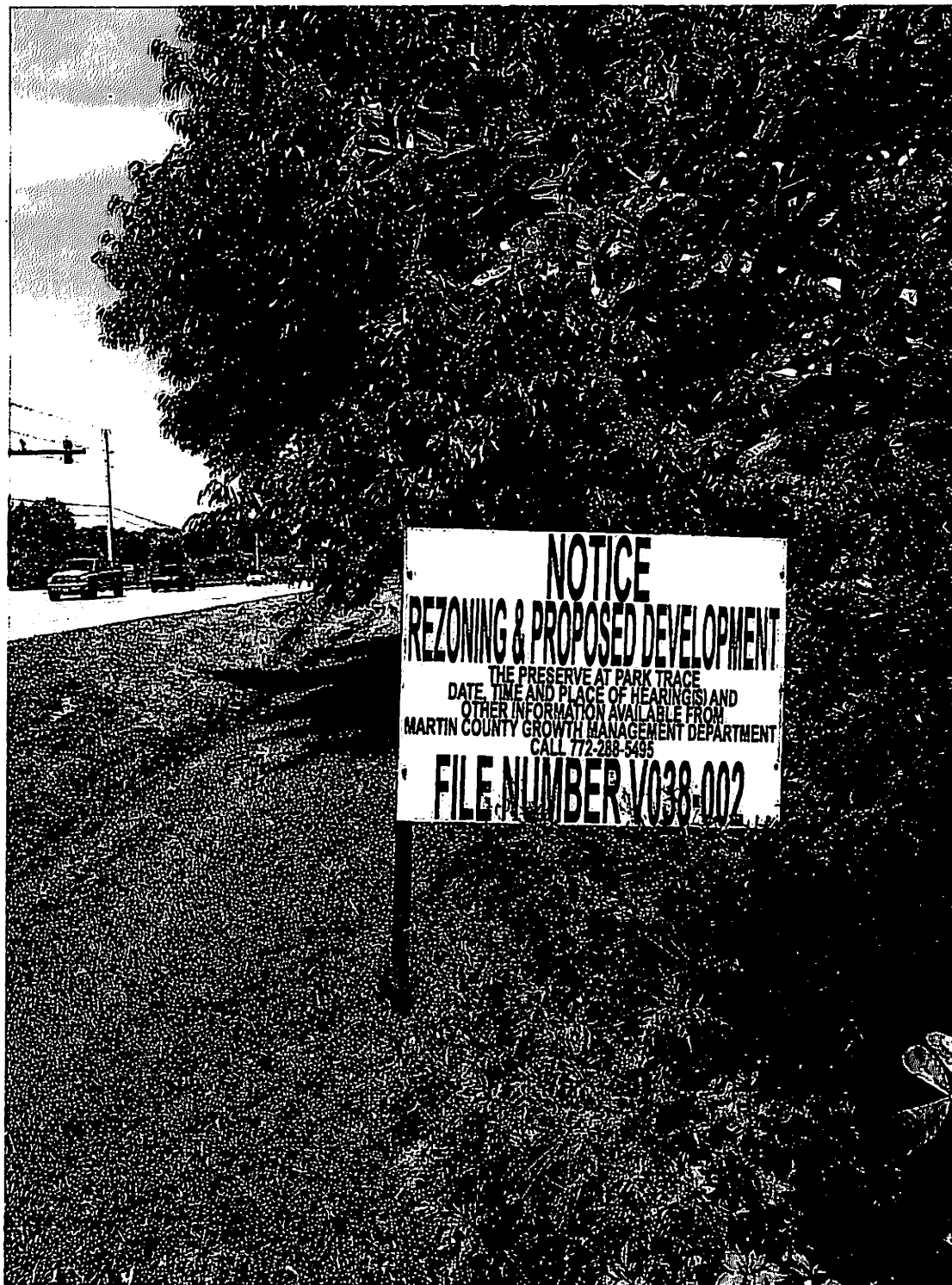
State of Florida
County of Martin

THE FORGOING WAS ACKNOWLEDGED BEFORE ME BY MEANS OF ~~PHYSICAL~~ PRESENCE OR ☐ ONLINE NOTARIZATION, THIS 29th DAY OF June, 2020 BY Doug Fitzwater, WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED _____ AS IDENTIFICATION.

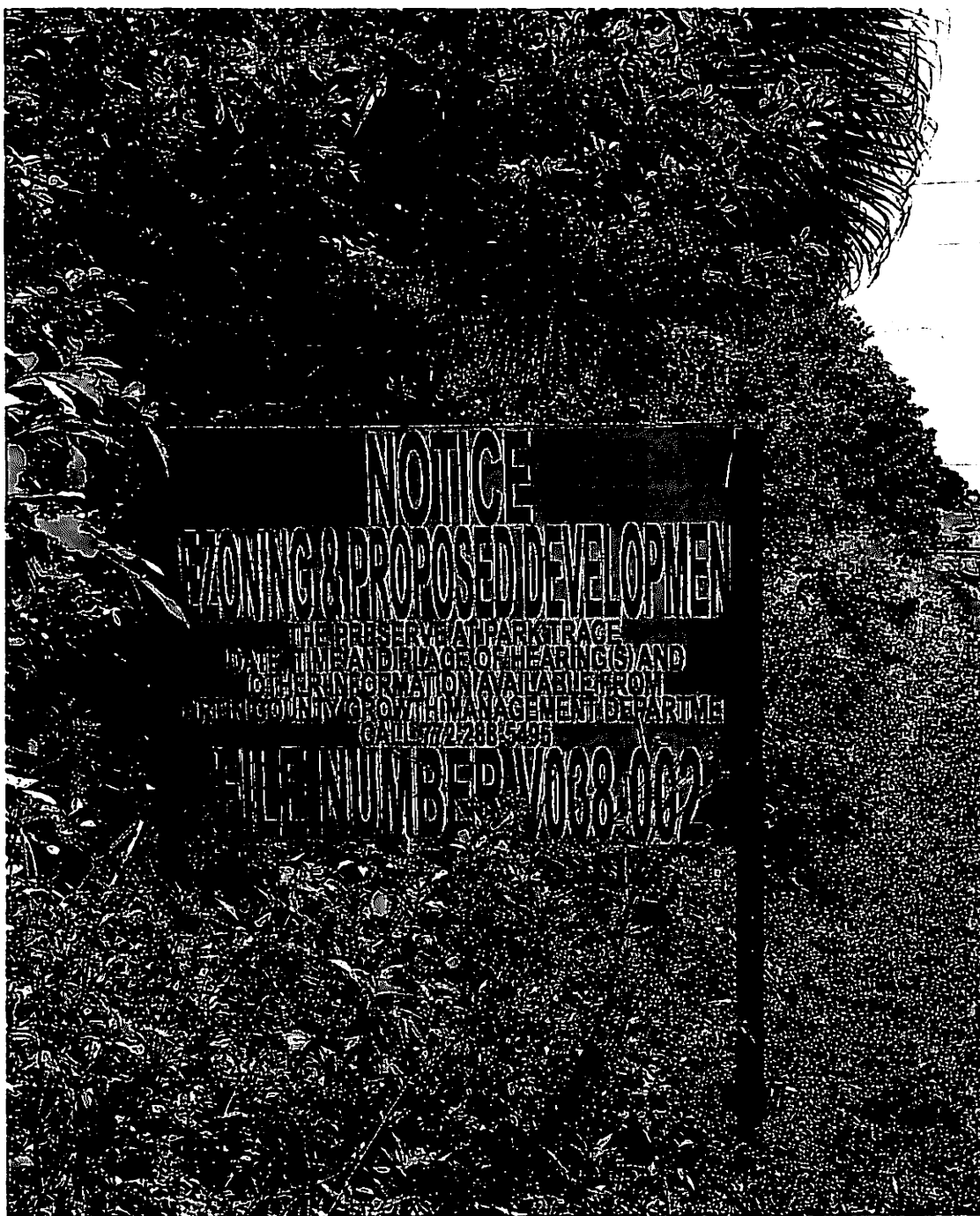

Notary Public, State of Florida

MY COMMISSION EXPIRES

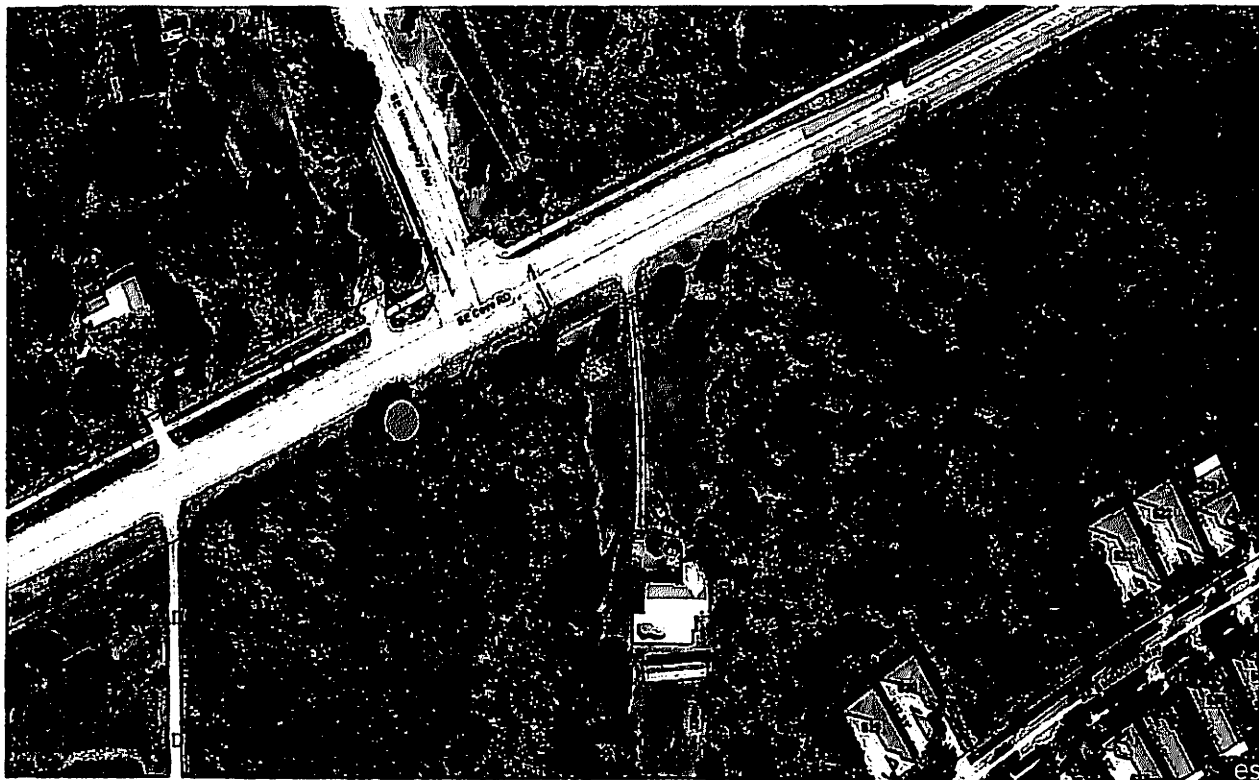




Sign 1- Side 1



Sign 1- Side 2



Sign Location

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

RESOLUTION NUMBER _____

**[REGARDING DENIAL OF PUD ZONING AND MASTER AND FINAL SITE PLAN
FOR THE PRESERVE AT PARK TRACE PUD]**

WHEREAS, this Board has made the following determinations of fact:

1. Via Claudia Investments, LLC submitted an application for master site plan approval for the Preserve at Park Trace project, located on lands legally described in Exhibit A, attached hereto.
2. This Board considered such application at a public meeting on September 28, 2021
3. At the public meeting, all interested parties were given an opportunity to be heard.

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

A. The request for PUD Zoning and Master Site plan approval for the Preserve at Park Trace PUD project is hereby denied, for the following XXXX.

B. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
STACEY HETHERINGTON, CHAIR

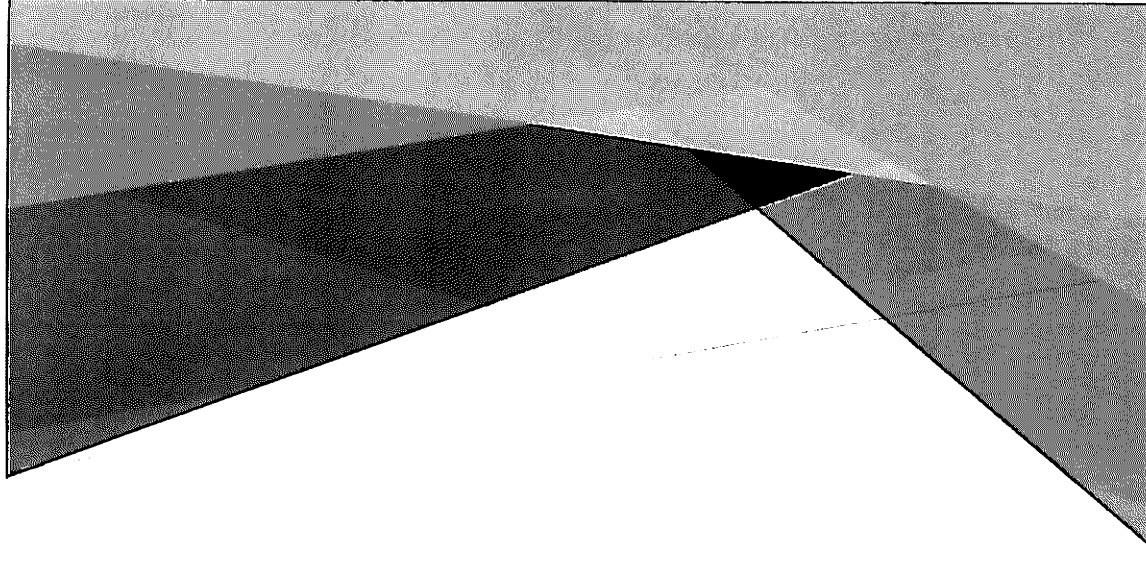
APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: _____

KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

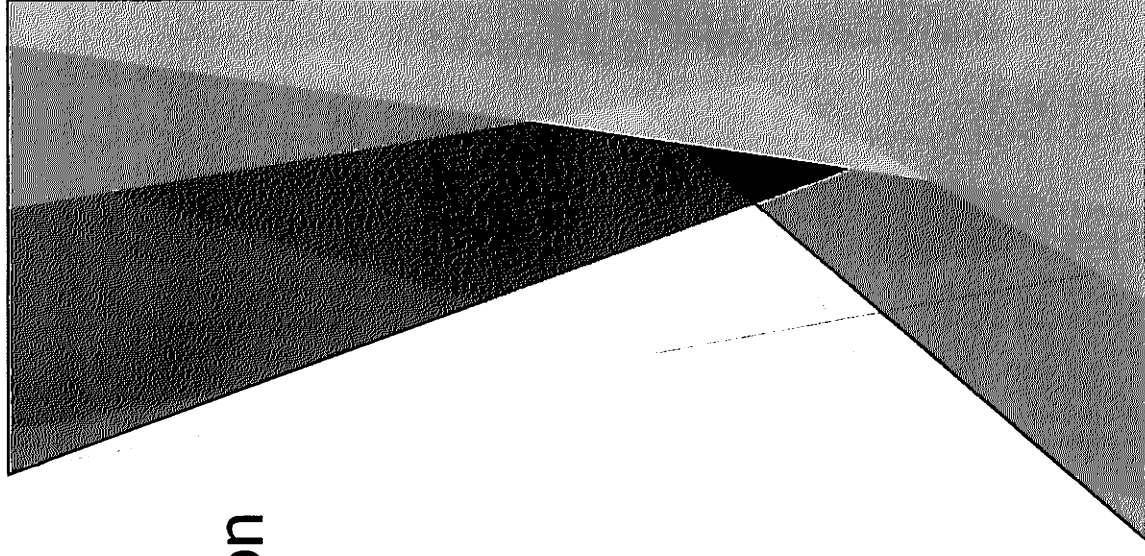
ATTACHEMENTS:
Exhibit A, Legal Description

D.R. Horton
Request for rezoning from the RE-1/2A
Residential District to Planned Unit
Development, PUD through the approval of a
PUD agreement including a Master and Final
site plan



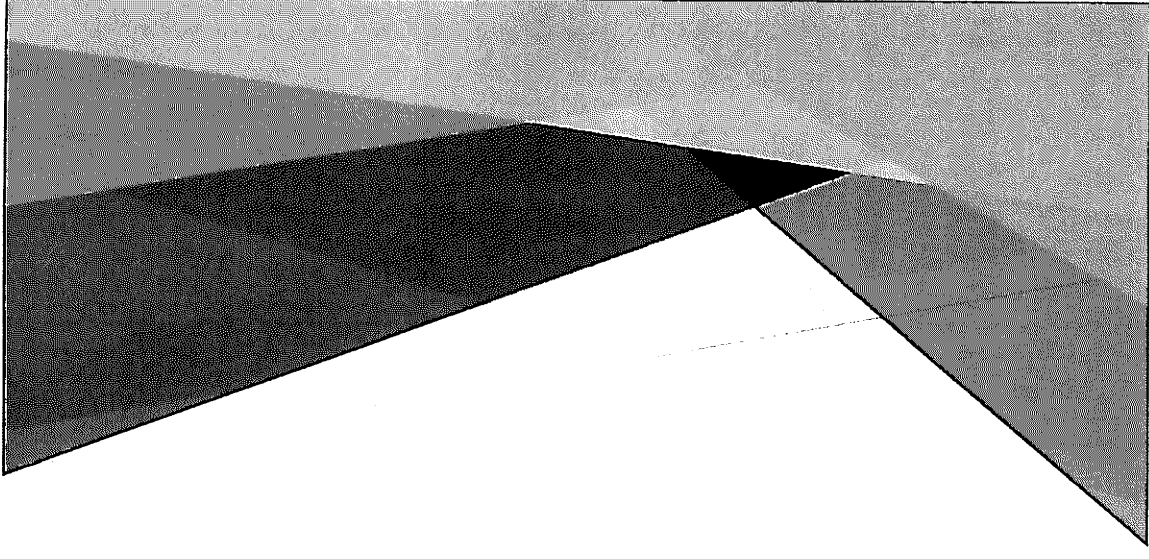
The project site is located on the south side of SE Cove Road at the signalized intersection with SE Willoughby Boulevard

- ▶ Parcel size is approximately 97 acres
- ▶ Project proposes 114 detached single family homes
- ▶ Resulting in a residential density of 1.2 units per acre
- ▶ There are no density transition issues with the site



Uplands total 59 acres
Wetlands total 38 acres

- ▶ Total area under the Preserve Area Management Plan (PAMP) is 62.8 acres
- ▶ The total open space provided is 82 acres or approximately 84%



Proposed Intersection
 Proposed
 Right Turn Lane
 Right Turn Lane





MARTIN COUNTY, FLORIDA
DEVELOPMENT REVIEW
STAFF REPORT

A. Application Information

THE PRESERVE AT PARK TRACE PUD
PUD ZONING AGREEMENT AND
MASTER / FINAL SITE PLAN

Applicant: D.R.Horton, Inc.
Property Owner: Via Claudia Investments, LLC
Agent for the Applicant: Lucido and Associates, Morris A. Crady, AICP
County Project Coordinator: Pete Walden, AICP, Principal Planner
Growth Management Director: Paul Schilling
Project Number: V038-002
Record Number: DEV2020060003
Report Number: 2021_0831_V038-002_Staff_Report_Final
Application Received: 06/23/2020
Transmitted: 06/24/2020
Date of Report: 10/05/2020
Resubmittal Received: 02/05/2021
Transmitted: 02/08/2021
Date of Report: 04/20/2021
Resubmittal Received: 06/11/2021
Transmitted: 06/14/2021
Date of Report: 08/08/2021
Resubmittal Received: 08/23/2021
Transmitted: 08/23/2021
Date of Report: 08/31/2021

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Compliance Findings

BCC MEETING DATE: September 28, 2021
AGENDA ITEM: PHQJ-1

**MARTIN COUNTY, FLORIDA
SUPPLEMENTAL MEMORANDUM**

TO: Honorable Members of the Board of County Commissioners **DATE:** September 22, 2021

VIA: Taryn Kryzda
County Administrator

FROM: Peter Walden, Principal Planner

REF: 21-1093

**SUBJECT: D.R. HORTON, INC. REQUESTS APPROVAL OF REZONING TO
PLANNED UNIT DEVELOPMENT THROUGH A PUD ZONING
AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN FOR THE
PRESERVE AT PARK TRACE PROJECT (V038-002)**

The following items are attached:

- PUD Zoning Agreement dated September 22, 2021 which replaces the draft dated September 15, 2021
- Draft LPA minutes

TK/pw
Attachments

Reviewed by County Attorney's Office

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This Instrument Prepared By:

Lucido & Associates
701 SE Ocean Boulevard
Stuart, FL 34994
(772) 220-2100

[blank space above line reserved for recording data]

THE PRESERVE AT PARK TRACE

PLANNED UNIT DEVELOPMENT ZONING AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between, VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company hereinafter referred to as OWNER, and MARTIN COUNTY, a political subdivision of the State of Florida, hereinafter referred to as COUNTY.

WITNESSETH:

WHEREAS, OWNER is the fee simple title holder of the property situated in Martin County, Florida, and more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, it is the desire of OWNER to develop a Planned Unit Development (hereinafter sometimes referred to as PUD) to be known as The Preserve at Park Trace consisting of common areas, and a single family residential project not to exceed an aggregate sum of 114 residential lots together with accessory buildings and other related improvements and facilities; and

WHEREAS, The Preserve at Park Trace Homeowners Association, Inc., hereinafter Association, a Florida not-for-profit corporation, will be formed to provide for the maintenance of the roads, streets, rights-of-way, and common areas within The Preserve at Park Trace; and

WHEREAS, this type of consolidated development is permitted in Martin County subject to a PUD Agreement; and

WHEREAS, it is the desire of the COUNTY to encourage this form of development, to prevent and discourage urban sprawl, promote compatible, consistent and effective usage of land, to protect, preserve, and manage natural resources, and to implement the COUNTY's growth management plans.

NOW, THEREFORE, the parties do hereby agree as follows:

1. UNIFIED CONTROL

The OWNER hereby warrants that it has, as a result of fee simple ownership, unified ownership of all real property included in this PUD. Documents certifying title, or the right to acquire title, as applicable, are attached hereto and incorporated herein as Exhibit B. A Covenant of Unified Control by the OWNER is attached hereto and incorporated herein as Exhibit C.

2. DEVELOPMENT

The OWNER agrees that this PUD will be undertaken and carried out in accordance with the following:

- 2.1 The master/final site plan approved by the COUNTY, a copy of which is attached hereto as Exhibit D and by reference made a part hereof. Approval of the master/final site plan by the COUNTY shall constitute approval to build and construct the improvements shown thereon subject to compliance with all post-approval requirements.
- 2.2 The Timetable for Development as shown in Exhibit E, attached hereto and by reference made a part hereof.

2.3 The conditions and requirements agreed to by the COUNTY and the OWNER as set forth in Exhibit F, attached hereto and by reference made a part hereof.

2.4 Permits and authorizations granted in accordance with such laws, ordinances and regulations as may be in effect at the time of such approval.

3. VESTED RIGHTS

The OWNER shall have the right to develop the PUD in accordance with applicable laws, ordinances and regulations, the provisions and requirements of this Agreement, the approved master/final site plan and the subdivision plat.

4. COMMON AREAS, COVENANTS, CONDITIONS AND RESTRICTIONS

4.1 The OWNER shall create a Declaration of Covenants, Conditions and Restrictions for The Preserve at Park Trace (hereinafter the Covenants and Restrictions), which shall be submitted as part of the application for plat approval. A copy of the Covenants and Restrictions shall be recorded with the plat. As part of said Covenants and Restrictions, the Association shall be established for the maintenance, operation and management of the Common Areas as defined therein. The Common Areas of the PUD shall be designated as such and shown on the approved master/final site plan and subdivision plat. The Covenants and Restrictions shall be in conformity with such laws, ordinances and regulations as may be in effect at the time of the approval of the subdivision plat.

4.2 Except for conveyances to governmental entities, it shall be deemed a breach of this Agreement for any land to be conveyed by the OWNER by an instrument which does not contain the Covenants and Restrictions or incorporate them by reference thereto.

- 4.3 The Association shall not be dissolved nor shall it dispose of any common areas, by sale or otherwise, except to an organization conceived and organized to own and maintain the common areas, without first receiving approval of the COUNTY. The COUNTY, as a condition precedent to the dissolution or disposal of common areas, may require dedication of common open areas, utilities or road rights-of-way to the public as are deemed necessary.
- 4.4 In the event that the COUNTY determines that the Association (or any successor organization) has failed at any time to maintain the common areas of the PUD in reasonable order and condition in accordance with the approved master/final site plan and applicable laws, ordinances, and regulations, then the COUNTY shall serve written notice by certified mail, return receipt requested, upon such organization and upon each owner of real property within the PUD, which notice shall set forth the manner in which the organization has failed to maintain the common areas in reasonable order and condition, and shall demand that such failure be remedied within thirty (30) days of the sending of such notice or, in the alternative, that such organization appear before the COUNTY at a specified time [at least ten (10) days but not more than thirty (30) days after the sending of such notice] either to contest the alleged failure to maintain the common areas or to show cause why it cannot remedy such failure within the thirty (30) day period. If such failure has not been remedied within the thirty (30) day period or such longer period as the COUNTY may allow, then the COUNTY, in order to preserve the taxable values of the real property within the Planned Unit Development and to prevent the common areas from becoming a public nuisance, shall hold a public

hearing to consider the advisability of the COUNTY entering upon such common areas and maintaining them for a period of one (1) year. Notice of such hearing shall be sent by certified mail, return receipt requested, to the organization involved and to each owner of real property within the PUD and shall be published in a newspaper of general circulation published in Martin County, Florida, Such notice shall be sent and published at least fifteen (15) days in advance of the hearing. At such hearing, the COUNTY may determine that it is advisable for the COUNTY to enter upon such common areas, take non-exclusive possession of them and maintain them, according to COUNTY standards, for one (1) year. Such entry, possession and maintenance when followed in accordance with the above procedures shall not be deemed a trespass. In no event shall any such entry, possession and maintenance be construed to give the public or the, COUNTY any right to use the common areas.

- 4.5 The COUNTY may, upon public hearing with notice given and published in the same manner as above, return possession and maintenance of such common areas to the organization, or successor organization, abandon such possession and maintenance, or continue such possession and maintenance for an additional one (1) year period. The cost of such maintenance by the COUNTY shall be assessed ratably against the real properties within the PUD, the owners of which have the right to the use and enjoyment of the common areas and shall become a charge or lien on said properties if not paid within thirty (30) days after the receipt of a statement therefor.

5. DESTRUCTION

In the event that all or a portion of the PUD should be destroyed by a storm, fire, or other common disaster, the OWNER, its grantees, successors or assigns and/or the Association, shall have the right to rebuild and/or repair so long as there is strict compliance with the approved master/final site plan and subdivision plat.

6. CHANGE OR AMENDMENT

There shall at all times be a strict adherence to the provisions of the Agreement and the approved master/final site plan. Any change or amendment to the Agreement and/or the approved master/final site plan and subdivision plat shall only be made in accordance with Section 10.15, Amendments to Approved Development Orders, Land Development Regulations, Martin County Code.

7. BREACH OF AGREEMENT

7.1 Development of The Preserve at Park Trace shall at all times be in compliance with the PUD Agreement and the approved master/final site plan and subdivision plat (hereinafter sometimes referred to as development orders). Failure to comply with a development order may result in the suspension of that development order, the cessation of COUNTY processing of all applications for development on the subject property and any associated phases, or termination of the development order pursuant to Section 10.14.G., Failure to Comply with Conditions of Approved Development Order, Land Development Regulations, Martin County Code.

7.2 Any person, including the Board of County Commissioners (hereinafter sometimes referred to as Board) or any member of the Board of County

Commissioners, may file a complaint with the county administrator alleging that a development order has been violated, that unauthorized development has occurred, or that misrepresentation, fraud, deceit, deliberate error or omission, or a material omission that should have been disclosed regarding information required in a development application has occurred. In the event that such a complaint is filed, it shall be addressed as set forth in Section 10.14.G., Failure to Comply with Conditions of an Approved Development Order, Land Development Regulations, Martin County Code.

- 7.3 The above provisions shall not be interpreted to provide an exclusive remedy, and COUNTY may pursue any appropriate remedy at law or equity in the event OWNER or his successors in interest fail to abide by the provisions of this Agreement.

8. JURISDICTION

This Agreement shall be governed by the laws of the State of Florida, and any and all legal action instituted because of this Agreement shall be instituted in Martin County, Florida.

9. SUCCESSORS AND ASSIGNS

This Agreement shall be binding upon the parties hereto, their successors in interest, heirs, assigns and personal representatives.

10. NOTICE

Any notice, request, demand, consent, approval, or other communication required or permitted by this Agreement shall be given or made in writing and shall be served as elected by the party giving the notice by any of the following methods: (i) hand delivery to the other party; (ii) delivery by commercial overnight courier service; (iii) mailed by registered or certified mail

(postage prepaid), return receipt requested; or (iv) mailed by regular U.S. mail. For purposes of notice, the addressees are as follows:

OWNER: Via Claudia Investments, LLC
55 SE Osceola Street, Suite 200
Stuart, FL 34994

with required copy to:

Gunster, Yoakley & Stewart, P.A.
800 SE Monterey Commons Boulevard, Suite 200
Stuart, Florida 34996

COUNTY: County Administrator
Martin County
2401 S.E. Monterey Road
Stuart, Florida 34996

with required copy to:

County Attorney
Martin County
2401 S.E. Monterey Road
Stuart, Florida 34996

Notice given in accordance with the provisions of this Section shall be deemed to be delivered and effective on the date of hand delivery; or on the second day after the date of the deposit with an overnight courier; or on the date upon which the return receipt is signed, or delivery is refused, or the notice is designated by the postal authorities as not delivered if mailed; or on the second business day after the date of mailing by regular U.S. mail. Either party may change its address for the purpose of this Section by written notice to the other party given in accordance with the provisions of this Section.

11. ENTIRE AGREEMENT

This Agreement incorporates and includes all prior and contemporaneous negotiations, correspondence, conversations, agreements, and understanding applicable to the matters

contained herein, and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior or contemporaneous representations or agreements, whether oral or written.

12. SEVERABILITY

If any term or provision of this Agreement, or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable for the remainder of this Agreement, then the application of such term or provision to persons or circumstances other than those as to which its held invalid or unenforceable shall not be affected, and every other term and provision of this Agreement shall be deemed valid and enforceable to the extent permitted by law.

13. STATUTORY REFERENCES

Any references to laws, ordinances, codes or other regulations shall include any future amendments to such laws, ordinances, codes or regulations.

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below. The date of this Agreement shall be the date on which this Agreement was approved by the Board of County Commissioners.

WITNESSES:

Name: _____

Name: _____

OWNER

VIA CLAUDIA INVESTMENTS, LLC, a
Florida limited liability company

By: _____
John E. Maiucci, Managing Member

55 SE Osceola Street, Suite 200
Stuart, FL 34994

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me by means of [] physical presence or [] online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, was acknowledged by JOHN E. MAIUCCI, MANAGING MEMBER of VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company, on behalf of the company, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20__.

(NOTARIAL STAMP)

Notary Public
My commission expires:

ATTEST:

COUNTY
BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

Carolyn Timmann
Clerk of the Circuit Court and Comptroller

By: _____
Stacey Hetherington, Chairman

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

(COMMISSION SEAL)

Krista A. Storey
Senior Assistant County Attorney

EXHIBIT A

[LEGAL DESCRIPTION]

EXHIBIT B
OWNERSHIP CERTIFICATE

I, _____, a member of the Florida Bar, hereby certify that the record title to the property described in Exhibit A to that Planned Unit Development Zoning Agreement dated the _____ day of _____, 20____, by and between Via Claudia Investments, LLC, a Florida limited liability company and Martin County, is in the ownership of Via Claudia Investments, LLC, a Florida limited liability company.

Dated this ____ day of _____, 20____.

By: _____

Name:

Adress:

Florida Bar No.

EXHIBIT C

UNIFIED CONTROL

The undersigned, being the OWNER of the property described in Exhibit A, to the Planned Unit Development Zoning Agreement dated the ____ day of _____, 20____, between VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company and MARTIN COUNTY, does hereby covenant and agree that: (i) the property described in Exhibit A shall be held under single ownership, and shall not be transferred, conveyed, sold or divided in any unit other than in its entirety; provided, however that individual subdivision lots or fully constructed condominium units, if any, may be conveyed to individual purchasers in accordance with and subject to the terms and conditions of the PUD Agreement.

In addition, the following conveyances shall be permitted:

1. Common elements, common open areas and developed recreation areas, if any, may be conveyed to a property owners' association or other legal entity so long as such conveyance shall be subject to the express restriction that the subject property will never be used for any purpose other than as common elements, common open areas or developed recreation areas as applicable.
2. Other portions of the subject property may be conveyed and used or maintained by governmental, environmental, charitable or other organizations or agencies for such purposes as the Board of County Commissioners of Martin County, Florida may deem appropriate.

Nothing herein contained shall limit, in any manner, the undersigned, or their successors or assigns, to mortgage or encumber the property or any part thereof.

The undersigned further agrees that the conditions, restrictions and limitations contained herein shall be deemed a covenant running with the land and shall remain in full force and effect and be binding on the undersigned, its successors and assigns, until such time as the same may be released in writing by the Board of County Commissioners of Martin County, Florida.

The undersigned further agrees that this instrument may be recorded in the public records of Martin County, Florida.

IN WITNESS WHEREOF, the parties hereto have executed these presents on the dates indicated below.

OWNER

WITNESSES:

VIA CLAUDIA INVESTMENTS, LLC, a
Florida limited liability company

Name: _____

By: _____
John E. Maiucci, Managing Member

Name: _____

55 SE Osceola St., Suite 200
Stuart, FL 34994

STATE OF _____
COUNTY OF _____

I HEREBY CERTIFY that on this day, before me by means of [] physical presence or [] online notarization, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, was acknowledged by JOHN E. MAIUCCI, MANAGING MEMBER of VIA CLAUDIA INVESTMENTS, LLC, a Florida limited liability company, on behalf of the company, to me known to be the person described herein and who executed the foregoing instrument and acknowledged before me that he executed same.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20__.

(NOTARIAL STAMP)

Notary Public
My commission expires:

EXHIBIT D

MASTER/FINAL SITE PLAN

Master/final site plan as approved by Martin County Board of County Commissioners to be attached as Exhibit D.

EXHIBIT E

TIMETABLE FOR DEVELOPMENT

- A. The Preserve at Park Trace PUD shall be constructed in accordance with this timetable for development. This development shall be constructed in one phase in accordance with the master/final site plan attached as Exhibit D.
- B. Development must be completed within two (2) years of master/final site plan approval. As used herein, the term “development” shall not mean the construction of single family homes.
- C. The core infrastructure improvements, consisting of the required stormwater management system, the appropriate NPDES components, stabilized roadways, and adequate fire protection must be completed before issuance of building permits. All required improvements, including but not limited to roads, sidewalks, stormwater and drainage facilities, utilities, landscaping, recreational amenities and those identified on the final site plan for the applicable phase, must be substantially completed, as determined by the County Engineer, prior to the issuance of any certificate of occupancy.

EXHIBIT F

SPECIAL CONDITIONS

1. COMPLIANCE REQUIREMENTS

The Preserve at Park Trace PUD shall comply with all requirements of the Martin County Comprehensive Growth Management Plan. In addition, unless specifically provided for within this PUD Agreement, The Preserve at Park Trace PUD shall comply with all requirements of the General Ordinances and Land Development Regulations of the Martin County Code.

2. DRAINAGE/STORMWATER MANAGEMENT

- A. It shall be the OWNER'S sole responsibility to obtain the necessary drainage/stormwater management permits from the South Florida Water Management District (SFWMD). In no event shall COUNTY bear the responsibility for aiding the OWNER in obtaining permits from the SFWMD or funding the improvements necessary to develop the Preserve at Park Trace PUD.
- B. In order to ensure that the PUD's drainage/stormwater management system functions as designed and permitted in perpetuity, OWNER shall maintain the PUD's drainage/stormwater management system according to the Stormwater Management System Maintenance Plan to be submitted with final site plan application. The Maintenance Plan will provide that the OWNER shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Board of County Commissioners at final site plan approval in order to ensure it functions as intended and as approved by COUNTY. Neither COUNTY nor the SFWMD shall have any responsibility in maintaining the system.

3. EFFLUENT IRRIGATION

The OWNER agrees to accept wastewater effluent for irrigation, when available in sufficient quality and quantity in accordance with the South Florida Water Management District and Department of Environmental Protection rules, at such rates and charges as may then be charged by the utility. It shall be the OWNER's sole responsibility to obtain the necessary permits and extend the reclaimed water main to the site for connection of the irrigation system. OWNER shall design the irrigation system within the Preserve at Park Trace PUD to accommodate spray irrigation with wastewater effluent and provide adequate area for storage of such effluent.

4. EMERGENCY /CONSTRUCTION/ DELIVERY ACCESS

Any emergency/construction/delivery access indicated on the master /final site plan and subdivision plat shall be primarily for emergency vehicles and construction and delivery vehicles, but may also be used by residential unit owners. The OWNER shall secure the emergency/construction/delivery access in a manner acceptable to the COUNTY. If gates are featured, knox switches, or locks, are required.

5. ENDANGERED SPECIES

In the event that it is determined that any representative plant or animal species of regional concern is resident on or otherwise is significantly dependent upon the Preserve at Park Trace PUD, the OWNER shall cease all activities which might negatively affect that individual or population and immediately notify Martin County, the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS). Construction may resume when proper protection, to the satisfaction of all agencies, is provided by the OWNER.

Gopher Tortoises – In Florida, gopher tortoises are protected as a Threatened Species. No land clearing or construction shall occur until all tortoises which will be impacted are relocated to upland preservation areas or off-site. A certified environmental professional will supervise clearing in the areas of the gopher tortoise burrows. Tortoises inhabiting burrows in areas to be developed will be captured and relocated using methodology approved by the Florida Fish and Wildlife Conservation Commission and conducted by an environmental professional possessing a valid relocation permit. During clearing and grubbing operations, equipment operators will be notified of the occurrence of gopher tortoises on-site and instructed to observe for roaming and foraging individuals. Should gopher tortoises be seen during the clearing and grubbing, all equipment operations will be stopped and the gopher tortoises will be captured and relocated. Once the tortoise(s) have been safely relocated, equipment operation can resume.

Endemic Species - All gopher tortoise relocation efforts will include trapping of endangered endemic species that may live in the burrow.

Relocation of Tortoises - If the number of tortoises exceeds the carrying capacity of the remaining natural area, the Martin County Environmental Planning Administrator will be notified and will be provided with a copy of the Gopher Tortoise Relocation Permit from the Florida Fish and Wildlife Conservation Commission. Every attempt shall be made to relocate within Martin County.

6. FIRE PROTECTION

- A. Demonstration of compliance with provisions of the National Fire Protection Association (NFPA) is required. Specifically, stabilized roads and fire protection shall be completed before issuance of building permits pursuant to NFPA 241.
- B. The needed fire flow requirements for all buildings and structures shall be identified. Needed fire flow calculations for each proposed building or structure shall be

prepared by a professional engineer currently licensed in the state of Florida pursuant to Section 61G15-32.004, Florida Administrative Code. The needed fire flow requirement must be in accordance with Florida Fire Prevention Code, N.F.P.A. 1, Chapter 18.4.5 and The Guide for Determination of Needed Fire Flow, published by the Insurance Service Office. All calculations must be demonstrated and provided.

7. HAULING OF FILL

The OWNER agrees not to haul any fill off of the site of The Preserve at Park Trace PUD and to coordinate with the County Engineer the routes and timing of any fill to be hauled to the site of this project. The OWNER shall also comply with all COUNTY excavation and fill regulations. Lake littoral zones and upland buffers shall be maintained in accordance with a Lake Management Plan approved by COUNTY.

8. IRRIGATION

Irrigation water for The Preserve at Park Trace PUD will be supplied by Martin County Utilities or as authorized by permit from South Florida Water Management District in accordance with all applicable regulations.

9. LANDSCAPING

Except as specifically provided for within this PUD Agreement, on the master/final site plan or the landscape plan, landscaping within The Preserve at Park Trace PUD shall comply with Article 4, Division 15, Landscaping, Buffering and Tree Protection, Land Development Regulations, Martin County Code.

10. MODELS

Model units with interim septic tanks, necessary access road, parking and utilities will be allowed on-site for purposes of sales presentation. Model units must be consistent with the approved master/final site plan. The location and number, not to exceed ten (10), shall be mutually agreed upon by the OWNER and the Growth Management Department Director. The OWNER agrees that the septic tanks will be removed at the time of completion of the sewer system and a bond satisfactory to the COUNTY will be provided to ensure said removal. Models may be used for the sale of residential units within the PUD until such time as ninety percent (90%) of the residential units have been issued certificates of occupancy.

11. SCHOOL IMPACT

The OWNER has obtained a letter of "No Objection" from the Martin County School Board.

12. SOIL EROSION AND SEDIMENTATION

Site clearing and vegetation removal shall be phased in accordance with the approved master/final site plan. Construction practices such as seeding, wetting, and mulching which minimize airborne dust and particulate emission generated by construction activity shall be undertaken within thirty (30) days of completion of clearing work. The slopes of constructed lakes from the top of the bank to the control water elevation (landward edge of littoral zone) shall be immediately stabilized and/or sodded to the satisfaction of the Public Works Department upon completion of the lake construction.

13. SUSTAINABLE DESIGN STANDARDS

Streetscaping standards for sustainable trees include the planting of shade trees along walkways and access roads to avoid the “sea of asphalt” and “line of cars” effect and to provide a more meaningful balance between green spaces and dwellings.

Trees shall be planted along streets as shown on the approved landscape plans. Where there is a narrow width of available planting area, the trees shall consist of Sabal palms. Where space is available, live oak or other approved large native shade trees shall be established within the common areas to promote the streetscape concept.

The following sustainable standards have been incorporated into the master/final site plan for The Preserve at Park Trace PUD and accordingly, compliance is required.

- A. Street trees are considered part of the essential infrastructure of the development. Therefore, street trees shall be maintained in perpetuity by the Association as a condition of this PUD.
- B. Trees shall be established along roadways in a manner that will maintain their long-term survival and health for perpetuity. Trees shall be protected and maintained to avoid future conflicts with structures and utilities. Practices to be employed include canopy pruning to promote good structure and growth as well as root pruning and buried concrete root barriers. Sidewalks, utilities and other improvements that may be impacted or suffer damage due to street trees shall be replaced or relocated in lieu of street tree removal. Notwithstanding any law, ordinance or regulation to the contrary, the parties to this PUD Agreement have agreed as a condition of approval of this PUD that street tree removal shall only be allowed as a last resort to remove diseased trees or trees critically damaged by weather, storm, fire or other natural causes.

14. TEMPORARY CONSTRUCTION OFFICE

The OWNER may establish and maintain on the property a temporary construction office in a location approved by the Growth Management Department Director during the period that the property is being developed and until three (3) months following the issuance of the last certificate of occupancy for a unit. A bond for the removal of the construction office shall be supplied to the COUNTY.

15. TEMPORARY SALES OFFICE

The OWNER may establish and maintain on the property a temporary sales office in a location approved by the Growth Management Department Director during the period that the property is being developed and until three (3) months following the issuance of the last certificate of occupancy for a unit. A bond for the removal of the sales office shall be supplied to the COUNTY.

16. TIME SHARING OR INTERVAL OWNERSHIP PROHIBITED

The units to be constructed within the Preserve at Park Trace PUD shall not be sold nor shall title be conveyed or transferred on the basis of time sharing or interval ownership.

17. USES AND DEVELOPMENT STANDARDS

The minimum lot size and dimensions shall be 6,000 square feet (50' x 120'). Setbacks are as indicated on the master/final site plan. Except as provided for within this PUD Agreement or as set forth on the master/final plan, the requirements of Article 3, Land Development Regulations, Martin County Code, and specifically the Estate Density (RE-1/2A) zoning district shall apply to the development of the Preserve at Park Trace PUD.

18. WATER/WASTEWATER:

Water and Wastewater services for this project shall be provided by Martin County Utilities. OWNER shall provide an executed copy of an agreement within 60 days of master/final site plan approval of the Preserve at Park Trace PUD. For water conservation OWNER shall individually meter each unit and/or supporting structure.

19. PUBLIC BENEFITS

- A. As depicted on the master/final site plan, OWNER shall provide an additional 4.5 acres of upland preserve area. OWNER shall be responsible in perpetuity for the maintenance of all preserve areas; provided, however, that upon creation of the ASSOCIATION, as required under this PUD, the OWNER shall convey and assign all such ownership and maintenance responsibilities to the ASSOCIATION.
- B. At no cost to the COUNTY, OWNER shall design, permit and construct the extension of the public sidewalk on the south side of the right-of-way of SE Cove Road, approximately 4,000 feet west, from the entrance of The Preserve at Park Trace PUD to the signalized intersection of SE Legacy Cove Circle (entrance to Treasure Coast Classical Academy). Should the Cove Royale PUD commence construction of Phase 1 prior to The Preserve at Park Trace construction commencement, then the terminus of the required sidewalk will be at the entrance of the Cove Royale PUD, approximately, 3,000 feet west of The Preserve at Park Trace entrance.



Martin County

Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Meeting Minutes

Local Planning Agency

Cynthia Hall, District 1, 11/2024
William J. Flanagan, Vice Chair, District 2, 11/2022
Donald Foley III, District 3, 11/2024
James Moir, Chairman, District 4, 11/2022
Ransom Reed Hartman, District 5, 11/2024
Kimberly Everman, School Board Liaison, 12/2021

Thursday, September 16, 2021

7:00 PM

Commission Chambers

CALL TO ORDER

James Moir, Chairman called the meeting to order at 7:01 pm. A quorum was present.

ROLL CALL

Present: James Moir, Chairman
William J. (Joe) Flanagan, Vice Chair
Donald Foley, III

Not Present: Ransom Reed Hartman
Cindy Hall
School Board Liaison – Kimberly Everman

Staff Present:

Senior Assistant County Attorney Elysse Elder
Growth Management Director Paul Schilling
Principal Planner Peter Walden
Comp Planning Administrator Clyde Dulin
Agency Recorder/Notary Denise Johnston

MINU APPROVAL OF MINUTES

MINU-1 AUGUST 19, 2021

The Board was asked to approve the minutes from the August 19, 2021 Local Planning Agency (LPA) meeting.

Agenda Item: 21-1081

MOTION: A Motion was made by Mr. Flanagan; SECONDED by Mr. Foley to approve the minutes of the August 19, 2021 LPA Meeting; The Motion CARRIED 3-0.

QJP-1 QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-Judicial proceedings must be conducted with more formality than a legislative proceeding. In Quasi-Judicial proceedings, parties are entitled – as a matter of due process – to cross-examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 21-1079

All persons wishing to speak on a Quasi-Judicial agenda item(s) will be sworn in.

NEW BUSINESS

NPH-1 THE PRESERVE AT PARK TRACE PUD (V038-002) (QUASI-JUDICIAL)

Request approval for Planned Unit Development, (PUD) zoning district designation including a concurrent approval of a master/final site plan for the development of a 114 lot single family subdivision and the associated infrastructure on an approximate 97 acre parcel located on the south side of SE Cove Road at the Willoughby Boulevard intersection in Stuart. Included in this application is a request for a Certificate of Public Facilities Reservation.

Requested by: Morris A. Crady, AICP, Lucido & Associates

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department

Agenda Item: 21-1079

***For the Record:**

LPA: There were no ex parte communication disclosures: None. No Interveners were present.

All staff and individuals speaking on this matter were sworn in by the Agency Recorder/Notary.

STAFF: Mr. Walden, provided NPH-1, Exhibit 1 a copy of the agenda item, staff report and work history.

Mr. Walden provided staff's presentation for NPH-1 for the proposed project. Mr. Walden noted the proposed public benefits include preserving approximately 2/3 of the site in the PAMP, the extension of a public sidewalk approximately 3000 ft. west to connect to the sidewalk proposed by the neighboring Cove Royal development, and an enhanced wetland monitoring system to ensure previous man made impacts are adequately addressed and remediated. Staff has found the application to be in compliance with the Comprehensive Plan and Land Development Regulations as detailed in the staff report and staff recommends approval.

LPA: Mr. Flanagan asked staff if there was any affordable housing or density bonuses.

STAFF: Mr. Walden stated there were none.

LPA: Mr. Foley asked staff for 11x17 copies of the maps for future meetings.

LPA: Mr. Moir had questions regarding wetland monitoring and if there was any connectivity with the Cove Royale development besides the sidewalk.

STAFF: Mr. Walden addressed his questions.

APPLICANT: Mr. Crady with Lucido & Associates, representing the applicant, provided required notification of surrounding property owners notices for NPH-1, Exhibit-2. Mr. Crady noted that over 500 surrounding property notices were sent out. Mr. Crady presented a slide presentation of the project and went over key elements of the project. Mr. Crady noted that they are meeting all the environmental guidelines and exceeded them. They are consistent with all land development regulations and comprehensive plan policies. They are compatible with the surrounding properties and development trend for the area. Mr. Crady agrees with staff recommendation of approval with the added condition regarding the adjacent property owners by the entrance to the project to plant a hedge of native vegetation along the property line along with a 6 ft. fence or wall to give the neighbors some added protection from the lights from traffic going in and out of the project.

LPA: Mr. Moir asked staff to display a topographical map.

APPLICANT: David Baggett, with EDC, Engineer of Record for the project, displayed topographical maps and discussed waterflow of the wetlands and how they will maintain the wetlands and not impact them.

LPA: Mr. Moir had a question regarding the School Board in regards why not Anderson Middle School or Pinewood Middle School. Mr. Flanagan stated that he made a call to the School Board liaison, Kimberly Everman, and she moved it to the Anderson slot because of current school redirecting.

LPA: Mr. Foley had a question regarding the distance from the property line to the pavement.

APPLICANT: Ms. Susan O'Rourke, PE, traffic engineer for the project, answered questions regarding the signalization on Cove Road. She stated that she has submitted design plans and is working with the County Engineering Department to upgrade the signal, add turn lanes and modify the sidewalks to properly connect so that everything is safe.

PUBLIC: James Manning and Maryanne Manning, adjacent property owners at 2400 SE Cove Rd., spoke regarding concerns about additional traffic and potential flooding on their property and the proposed fence would not hold back flooding if the project was approved.

APPLICANT: Mr. Crady stated the fence has nothing to do with drainage it is just for impact for the lights and referred to David Baggett to answer questions regarding drainage.

APPLICANT: Mr. David Baggett with EDC answered it will curb and gutter at the entrance and anything drained off the new impervious areas gets collected in the gutter dumped into the storm sewer and kicked back to the lakes.

MOTION: A Motion was made by Mr. Flanagan to deny the applicant's request; **SECONDED** by Mr. Foley, who stated that, even though it looks like they have done their due diligence with all the water issues, recommends the motion to deny.

APPLICANT: Mr. Crady asked the LPA Board members to clarify that they are not saying that they are not in compliance with the codes and regulations.

STAFF: Paul Schilling Growth Management Director, stated that the PUD application is in compliance and has been reviewed by the development review team.

COUNTY: Ms. Elder, Senior Assistant County Attorney, stated that we have codes and regulations in place and staff has recommend approval, that all requirements have been met and denial should be based on the codes and regulations. She instructed the LPA members that, if you are going to deny, they need to specify for the record the reasons for denial.

LPA: After further discussion, Mr. Moir tabled the Motion and the second, passed the gavel, and made an alternate motion to approve staff's recommendation of approval to move The Reserve at Park Trace PUD application forward to the BOCC with the following comments, that the LPA Board as it stands now with two members absent is very concerned about developments along Cove Road and has a strong reluctance to approve any developments along Cove Road until the roadway conditions are improved and is extremely uncomfortable with the way the County uses rainfall amounts and storm quantities to approve stormwater treatment areas on developments in the County currently; **SECONDED** by Mr. Foley; the motion **CARRIED 3-0**.

STAFF: Mr. Walden stated that he would convey the comments and concerns of the LPA members to the Commissioners when the item goes to the BOCC meeting on September 28, 2021.

NPH-2 COMPREHENSIVE PLAN AMENDMENT CPA 21-16, PROPERTY RIGHTS ELEMENT

Public hearing to consider amending any chapters of the Comprehensive Growth Management Plan necessary to create a property rights element in compliance with Chapter 2021-195, Laws of Florida and to any other chapters of the Comprehensive Growth Management Plan necessary for consistency.

Requested by: Paul Schilling, Growth Management Director

Presented by: Clyde Dulin, AICP, Comprehensive Planning Administrator, Growth Management Department.

Agenda Item: 21-1082

STAFF: Mr. Dulin provided staff's presentation of Comprehensive Growth Management Plan Chapter 19, Property Rights, NPH-2; Staff recommends approval.

PUBLIC: No public spoke on this item.

LPA: There was a brief discussion on the item.

MOTION: A Motion was made by Mr. Flanagan for approval based on staff's recommendation;
SECONDED by Mr. Foley; The Motion CARRIED 3-0.

COMMENTS:

1. PUBLIC - None
2. STAFF - Paul Schilling noted that there are items for October 7 and October 21, LPA Meetings.
3. LPA – There was no further business.

ADJOURN:

The Local Planning Agency meeting of September 16, 2021 meeting adjourned at 8:23 pm.

Respectfully Submitted:

Approved by:

Denise Johnston, Martin County
Growth Management Department
Agency Recorder/Notary

James Moir, Chairman

Date Signed

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Peter W. Walden, AICP
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2401 SE Monterey Road Stuart, FL 34996

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 9/28/21 Time _____
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By [Signature]

Experience

Public Sector Work History

Principal Planner, AICP Martin County, FL

2018- present

- Project Coordinator- development application and land development regulation review
- Project Coordinator for all County projects for development review.
- Manage and process all zoning variances.
- Provide assistance with building permitting and zoning inquiries.
- Draft Land Development Regulation amendments.

Senior Planner, Martin County, FL.

2015- 2018

- **Development Review:** Project coordinator for development and zoning applications.
- Provide review of development applications for consistency with the Comprehensive Growth Management Plan and the Land Development Regulations.

Development Compliance Planner, City of Palm Beach Gardens, Palm Beach Gardens, FL.

2014- 2015

- **Development Review:** Review development and permit applications for compliance with land development code. Monitor development construction for compliance with development orders and environmental compliance. Provide related documents; draft time extensions, build out determinations, administrative amendments.

Zoning Compliance, Village of North Palm Beach, NPB, FL.

2012- 2014

- **Plan Review:** Member of the DRC, participate in all development review, focus on zoning regulations and land development policy and compliance. Review building permits for code compliance. Prepare and present projects to the Planning Commission, and maintain all corresponding files.

Private Sector Work History

- Over 20 years' experience in community development and home construction including landscape design and construction, infrastructure development and vertical construction.

Education & Certifications

Florida Atlantic University, Boca Raton, FL

B.P.M. Bachelor of Public Management (Administration), minor in Geography, Magna Cum Laude

Course work in; Urban Planning, GIS, Emergency Management, Program Evaluation, Transportation

Indian River State College, Stuart, FL

A.A., Environmental Science, Magna Cum Laude

Government Internship, Town of Jupiter, FL. 2011 Planning and Zoning, Business Development

Member of the American Institute of Certified Planners, AICP