



### **Board of County Commissioners**

### Agenda Item Summary

File ID: 22-1038 PHQJ-3 Meeting Date: 8/9/2022

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

REQUEST BY FLORIDA POWER AND LIGHT COMPANY FOR MAJOR SITE PLAN APPROVAL FOR THE WHITE TAIL SOLAR ENERGY CENTER (F110-002)

#### EXECUTIVE SUMMARY:

This is a request by Florida Power and Light Company (FPL) for major final site plan approval for the development of a solar energy center (solar farm) and the associated infrastructure on an approximate 601 acre site which is the north half of a larger 1261 acre tract previously utilized for agricultural production. The parcel is located on the north side of SW Citrus Boulevard approximately 5 1/2 miles west of SW 96th Street and 3 miles east of the Village of Indiantown.

**DEPARTMENT:** Growth Management

PREPARED BY: Name: Peter Walden, AICP

Title: Deputy Growth Management Director

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

PRESET:

PROCEDURES: Quasi-Judicial

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date LUL Time
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
BY D.C.

#### BACKGROUND/RELATED STRATEGIC GOAL:

This is an application for a major development site plan. FPL is proposing the construction of an unmanned 74.5-megawatt photovoltaic solar farm. The subject site consists of approximately 600 acres which is the north half of a larger 1,261-acre tract. The property has been actively farmed for several decades and contains no natural wetlands or native upland habitat.

The subject property and parent tract have a land use designation of agricultural and a zoning district designation of A-2. The surrounding properties are also designated agricultural and zoned A-2. The property is bordered to the west by the SFWMD C-44 stormwater treatment area and there are no residential uses or public roads adjacent to the development site. The access for the property will be via an improved service path through the front +-600 acres. The front parcel will remain in agricultural production.

The site is outside of the urban services boundary and no water or sewer service is planned with the development.

The application was heard before the Local Planning Agency on April 2, 2020, the LPA voted

unanimously to recommend approval.

The application was originally scheduled for a public hearing at the April 21, 2020 Board meeting, but was continued to the June 16, 2020 Board meeting, and then continued again to the August 25, 2020 Board meeting, at which time it was withdrawn from the Agenda.

The site exhibited signs of wetland characteristics from being left fallow for several years. This issue has been resolved and all local and state review of the site have found it to be in compliance with the proposed solar farm development.

The following supporting documents are attached:
Staff Report
Final Site Plan
Resolution to approve
Application Materials
Legal Ads
Notices to Surrounding Properties
Sign Posting Affidavit
Resolution to Deny

#### **ISSUES**:

None

#### **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 all its attachments as Exhibit 1.
- Move that the Board approve the Major Final Site Plan for the White Tail Solar Energy Center.

#### **ALTERNATIVE RECOMMENDATIONS**

None

#### **FISCAL IMPACT**:

#### RECOMMENDATION

The applicant has paid the \$9,127.00 dollar application fee and the \$290.00 completeness fee.

#### **ALTERNATIVE RECOMMENDATIONS**

None

DOCUMENT(S) REQUIRING ACTION:						
Budget Transfer		<u> </u>	r	П	Contract / Agr	eement
☐ Grant / Applicatio		□Notice	□Ordinan		Resolution	Comone
□Other:						
This document may be a 320-3131, the County A feedback form at www.n	dministration Off	fice (772) 288-540	0, Florida Rela	ay 711, or by	completing our a	ccessibility
						<i>a</i> .



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

#### STAFF REPORT

#### A. Application Information

### FPL White Tail Solar Energy Center Major Final Site Plan

Applicant:

Florida Power and Light Co., Krista Hendricks

Property Owner:

Florida Power and Light Co.

Agent for the Applicant:

Lucido and Associates, Morris A. Crady, AICP

County Project Coordinator:

Peter Walden, Deputy Growth Management Director

Growth Management Director:

Paul Schilling, AICP

Project Number:

F110-002

Record Number:

DEV2019120008

Report Number:

2020 0714 F110-002 Staff Report Final

Application Received:

01/21/2020

Transmitted:

01/21/2020

Staff Report:

02/10/2020

Revised report:

07/14/2022

#### B. Project description and analysis

This is an application for a major development final site plan. Florida Power & Light Company (FPL) is proposing the construction of an unmanned 74.5 Megewatt photovoltaic solar energy facility (Solar Farm) on approximately 600 acres located on the north side of Citrus Boulevard about 8 miles southwest of Florida's Turnpike. Included is a request for a Certificate of Public Facilities Reservation.

The subject site consists of approximately 600 acres which is the north half of a larger 1,261-acre tract. The property has been actively farmed for several decades and contains no natural wetlands or upland native habitat.

The subject property and parent tract have a land use designation of agricultural and a zoning district designation of A-2. The surrounding properties are also designated agricultural and zoned A-2. The property is bordered to the west by the SFWMD C-44 stormwater treatment area and there are no residential uses or public roads adjacent to the development site. The access for the property will be via an improved service path through the front +-600 acres. The front parcel will remain in agricultural production.

The site is outside of the urban services boundary and no water or sewer service is planned with the development.

This application was continued from the April 21, 2020 BCC public hearing. The site exhibited signs of wetland characteristics from being left fallow for several years. This issue has been resolved and all local

and state review of the site have found it to be in compliance with the proposed solar farm development.

#### C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Peter Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Peter Walden	219-4923	Comply
Н	Urban Design	Santiago Abasolo	288-5485	N/A
Н	Community	Santiago Abasolo	288-5485	N/A
	Redevelopment			
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Todd Warren	288-5414	Comply
J	Landscaping	Karen Sjoholm	288-5909	N/A
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Stephanie Piche	223-4858	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	<b>Emergency Management</b>	Michele Jones	219-4942	N/A
Q	ADA	David Moore	320-3057	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Peter Walden	219-4923	Comply

Staff has reviewed this application for a final site plan of a major development, for compliance with the applicable goals, objectives and policies of the Martin County Comprehensive Growth Management Plan, the Martin County Land Development Regulations and the code. The staff determination is that this application is in compliance with these laws, ordinances and policies, standards and criteria. Staff recommends approval of this application for this major development order, final site plan, subject to any conditions as identified in this report.

#### D. Review Board action

This application meets the threshold criteria for a major development, pursuant to Section 10.11.B., LDR, Martin County, Fla. (2016), and requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency on April 2, 2020, who will make a recommendation on the request, pursuant to Section 10.4., LDR, Martin County, Fla. (2016).

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The second public hearing shall be before the Board of County Commissioners on April 21, 2020, who will take final action on the request, pursuant to Section 10.5., LDR, Martin County, Fla. (2016).

Pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), LDR, and the Code.

#### E. Location and site information

Parcel number(s) and address:

18-39-40-000-000-00020-2, 19-39-40-000-00020-0, 30-39-40-000-00020-7

31-39-40-000-000-00020-5

Unaddressed

Existing Zoning:

A-2, Agricultural

Existing Zoning:

AG-20A, Agricultural

Future land use:

FLU-AG, Future Land Use Agricultural

Gross area of site:

600 acres

Commission District:

5

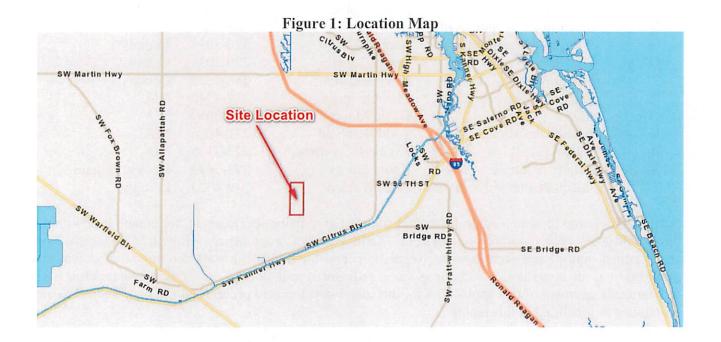
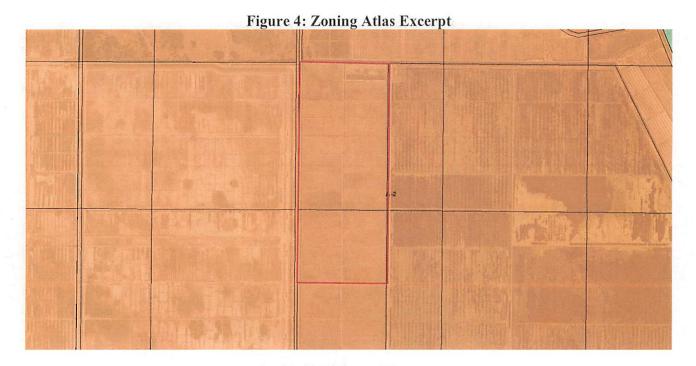


Figure 2: Subject Site 2018 Aerial

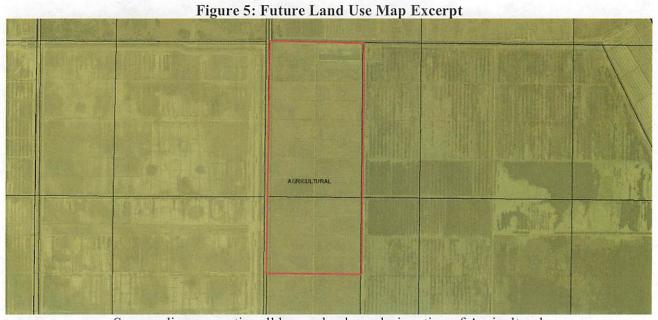




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Surrounding properties are all zoned A-2, Agricultural



Surrounding properties all have a land use designation of Agricultural

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

#### Findings of Compliance:

The Martin County Comprehensive Growth Management Plan, Goal 4.1, Objective 4.1A., Policy 4.1A.1., states: 'The County's existing Land Development Regulations shall conform to all guidelines and standards contained in this Plan and will:

- (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.

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:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations of Article 3 and Article 10 of the Martin County Land Development Regulations. There are no unresolved land use, zoning, or procedural requirements issues associated with this application.

#### **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,

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

#### Commercial Design

The proposed project is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. [Martin County, Fla., LDR, Section 4.871.B.]

#### Community Redevelopment Area

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. [Martin County, Fla., LDR, Article 3, Division 6]

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 application as currently proposed, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016)

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

#### Environmental

#### **Informational Comments:**

#### **Item #1: Gopher Tortoise**

The documents for environmental are found to be in compliance. However, you will need to supply the county with a 100% gopher tortoise survey of the property prior to scheduling the pre-construction meeting. If the survey shows that tortoises exist onsite, then you will need to get a gopher tortoise relocation permit from the Florida Fish and Wildlife Conservation Commission (FWC) before the county will authorize land clearing. This requirement for a survey is standard for all development sites in the county. Please contact your environmental consultant to assist you with this survey.

#### Item#2: Wildlife Agency Consultation

Your assessment states...Please be aware any additional permits required for listed species will be required prior to scheduling the pre-construction meeting.

#### **Item#3: Exotic Vegetation Removal**

All exotic vegetation to be removed from site prior to the issuance of a Certificate of Occupancy.

#### Landscape

#### Landscaping

This project is a NA for landscaping. Section 3.100.1.D exempts Solar Farms from landscapes unless adjacent to residential land use and for administration buildings and associated vehicular use areas. This parcel is surrounded by land designated as agricultural so residential buffers are not required.

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

#### Findings of Compliance:

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

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility). [Martin County, Fla., LDR Article 5, Division 1, Section 5.3 (2009)]

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

The applicant has provided a certified boundary and topographic survey for the proposed development, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016). Therefore, the Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4, LDR, Martin County, Fla.

#### 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:

Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that the excavation of 1,000 cubic yards is proposed; therefore, a hauling fee of \$0.21 per cubic yard of material being hauled from the site in the amount of \$210.00 shall be paid within sixty (60) calendar days of the project approval. The applicant demonstrated compliance with Division 8.

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Division 9- Stormwater Management: The stormwater management system primarily functions by means of overland sheet flow to an interconnected system of existing conveyance swales and ditches, ultimately discharging into the C-44 Canal at a discharge rate that is less than the previously permitted discharge rate. The applicant has demonstrated that the required water quality volume is being met in the ditches prior to discharge. The applicant has demonstrated that the stormwater from the improvements are being collected and captured in accordance with Martin County Requirements; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10 - Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant demonstrated that all electrical equipment will be constructed at or above the maximum predicted stage of the 100-year 3-day storm event; therefore, the applicant demonstrated compliance with Division 10.

Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 for the proposed use.

Division 19- Roadway Design: The applicant is not proposing to make modifications to the existing road SW Citrus Boulevard; therefore, the applicant has demonstrated compliance with Division 19.

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

1. The applicant is proposing to haul 1,000 cubic yards from the site. A hauling fee of \$0.21 per cubic yard of material being hauled from the site in the amount of \$210.00 shall be paid within sixty (60) calendar days of the project approval.

Compliance with Adequate Public Facilities Ordinance:

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

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

#### Addressing

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

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2018).

#### **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)

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

#### 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)]

This project's proposed solar panels and equipment building are unmanned, there are no utilities issues, therefore concurrency is not an issue. [ref. Code, LDR, s.5.32.B.3.f. Code, LDR, Art.5, Div.2]

#### Wellfield and Groundwater Protection

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

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

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

#### **Fire Prevention**

#### Findings of Compliance:

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

#### **Emergency Management**

The applicant has indicated that the project is for a non-residential use pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016). Therefore, this project is not anticipated to impact Martin County Emergency Management resources and Emergency Management was not required to review this application.

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

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

The applicant has indicated that this project is for an unmanned facility that will not be open to the public. This project is not subject to accessibility requirements of the American Disability Act (ADA) and therefore the General Services Department staff did not review this application for compliance with the applicable Americans with Disability Act requirements. [Martin County, Fla., LDR, Section 10.1.F. (2016)]

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

#### Martin County Health Department

The applicant has indicated that the proposed final site plan contains no onsite potable wells or septic disposal systems. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Code requirements within the Land Development Regulations or Comprehensive Growth Management Plan. MARTIN COUNTY, FLA., LDR SECTION 10.1.F. (2016)

#### Martin County School Board

The applicant has indicated that the proposed final site plan is for a non-residential use. Therefore, the Martin County School Board was not required to review this application for consistency with the Martin County Code requirements for school concurrency purposes. [Martin County, Fla., LDR, Section 10.1.F. (2016)]

#### 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 – not proposed Findings – N/A 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 – not proposed
Findings – N/A
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

Stormwater management facilities (Section 5.32.D.3.d, LDR) Findings - Comply

Source - Engineering Department Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR) Findings – N/A Source - Growth Management Department

Roads facilities (Section 5.32.D.3.f, LDR) Findings – Comply Source - Engineering Department Reference - see Section K of this staff report

Public safety facilities (Section 5.32.D.3.h, LDR) Findings – N/A Source - Growth Management Department Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR) Findings – N/A 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:

Original and one (1) copy of the current Unity of Title in standard County format 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 so that no transfer has occurred.

#### Item #6:

Two (2) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled

#### Item #7:

One (1) copy 24" x 36" of the approved site plan and one (1) reduced copy 8 1/2" x 11".

#### Item #8:

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

#### **Item 91:**

One (1) digital copy of site plan in AutoCAD 2006 or 2007 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

#### Item #10:

Original of the construction schedule.

#### Item #11:

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 #12:

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 #13:

One (1) blank USB 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

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits, to the Growth Management Department (GMD), prior to the commencement of any construction. An additional \$600 review fee will be required for Martin County to verify that the permits are consistent with the approved development order.

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#### Item #1:

#### **ENVIRONMENTAL PERMITS**

The following permits must be obtained prior to scheduling a Pre-Construction meeting:

1. An FWC gopher tortoise relocation permit prior to the county issuance of the site preparation permit for land clearing.

#### 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:

Fee type:	Fee amount:	Fee payment:	Balance:
Application review fees:	\$9,417.00	\$9,417.00	\$0.00
Inspection fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

<sup>\*</sup> Advertising fees will be determined once the ads have been placed and billed to the County.

#### X. General application information

Applicant: Florida Power and Light Company

Krista Hendricks 700 Universe Blvd. Juno Beach, FL 33408

561-304-6161

Agent: Lucido and Associates

Morris A. Crady, AICP 701 SE Ocean Boulevard

Stuart, FL 34994 772-220-2100

Engineer: Culpepper & Terpening, Inc

Butch. Terpening, PE 2980 South 25th Street Ft. Pierce, FL 34981 772-464-3537

#### 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

<sup>\*\*</sup> Recording fees will be identified on the post approval checklist.

#### Development Review Staff Report

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

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

[blank space above reserved for recording information]

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

#### **RESOLUTION NUMBER 22-**

# [REGARDING A MAJOR DEVELOPMENT FINAL SITE PLAN APPROVAL FOR FPL WHITE TAIL SOLAR ENERGY FACILITY WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION]

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

- 1. Florida Power and Light Company submitted an application for a final site plan approval for the FPL White Tail Solar Energy Facility project (F110-002), located on lands legally described in Exhibit A, attached hereto.
- 2. The Local Planning Agency considered the application at a public hearing on April 2, 2020. The LPA's recommendations were forwarded to the Board of County Commissioners for consideration.
- 3. This Board has considered such recommendations.
- 4. Upon proper notice of hearing this Board held a public hearing on the application on April 21, 2020. The application was continued to June 16, 2020 and then continued again to August 25, 2020 at which time it was withdrawn from the agenda.
- 5. Upon proper notice of hearing the Board held a public hearing on the application on August 9, 2022.
- 5. At the public hearing, all interested parties were given an opportunity to be heard.
- 6. The final site plan for the FPL White Tail Solar Energy Facility project is consistent with the Comprehensive Plan and the Land Development Regulations.

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

A. The final site plan, attached hereto as Exhibit B, for the FPL White Tail Solar Energy Facility project is approved. Development of the FPL White Tail Solar Energy Facility project shall be in accordance with the approved final site plan attached hereto as Exhibit B.

- B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.
- C. No permits for construction or development activity shall be issued until all required documents, plans and fees are received and approved as required by Section 10.11, Land Development Regulations Martin County Code.
- D. Failure to submit the required documents, plans and fees as required by Section 10.11, Land Development Regulations, Martin County Code, shall render approval of the revised final site plan for the FPL Sweetbay Solar Energy Facility project null and void.
- E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.32.D, LDR, Martin County Code. Payment of appropriate fees shall be paid at the time of building permit issuance pursuant to Section 5.32.D.4.c.(3) LDR, Martin County Code.
- F. All permits for the FPL Sweetbay Solar Energy Facility project must be obtained within one year of final site plan approval, by August 9, 2023. Development of the entire project must be completed within two (2) years of final site plan approval, by August 9, 2024. No rights to obtain development orders are herein conveyed beyond the two (2) year reservation period except as permitted in Section 5.32.D.8., LDR, Martin County Code. All remaining impact fees and capital facility charges shall be paid in full within sixty (60) days of an approval of a requested extension pursuant to Section 5.32.D.4.c.(3), LDR, Martin County Code.
- G. The Owner is not authorized to haul fill off of the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.
- H. 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.
- I. 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 9TH DAY OF AUGUST, 2022.

ATTEST:	BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA
BY:CAROLYN TIMMANN CLERK OF THE CIRCUIT COURT	BY: DOUG SMITH, CHAIRMAN
AND COMPTROLLER	APPROVED AS TO FORM & LEGAL SUFFICIENCY:
	BY: ELYSSE A. ELDER SENIOR ASSISTANT COUNTY ATTORNEY
ATTACHMENTS:	

Exhibit A, Legal Description Exhibit B, Final Site Plan

#### **EXHIBIT A**

FPL WHITE TAIL SOLAR ENERGEY CENTER PCN #18-39-40-000-000-00020-2 PCN #19-39-40-000-000-00020-0

#### LEGAL DESCRIPTION:

FOR A POINT OF COMMENCEMENT START AT THE INTERSECTION OF THE WEST LINE OF SECTION 31, TOWNSHIP 39 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND THE NORTH RIGHT OF WAY LINE OF OKEECHOBEE WATERWAY; THENCE N00°10'22"E ALONG SAID WEST LINE OF SECTION 31, A DISTANCE OF 2000.04 FEET TO THE NORTHWEST CORNER OF SECTION 31, CERTIFIED CORNER RECORD #086825; THENCE N00°19'13"E ALONG SAID WEST LINE OF SECTION 30. A DISTANCE OF 2655.67 FEET TO THE WEST ONE QUARTER CORNER OF **SECTION** 30 (CERTIFIED CORNER RECORD #086824): THENCE N00°18'49"E ALONG SAID WEST LINE OF SECTION 30, A DISTANCE OF 2655.84 FEET TO THE NORTHWEST CORNER OF SECTION 30 (CERTIFIED CORNER RECORD #086822); THENCE N00°04'04"E ALONG SAID WEST LINE OF SECTION 19, A DISTANCE OF 2616.66 FEET TO THE POINT OF **BEGINNING:** 

THENCE CONTINUE N00°04'04"E ALONG SAID WEST LINE OF SECTION 19, A DISTANCE OF 44.40 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 19 (CERTIFIED CORNER RECORD #086821); THENCE N00°03'36"E, ALONG THE WEST LINE OF SECTION 19, A DISTANCE OF 2660.60 FEET TO THE NORTHWEST CORNER OF SECTION 19 (CERTIFIED CORNER RECORD #086820);

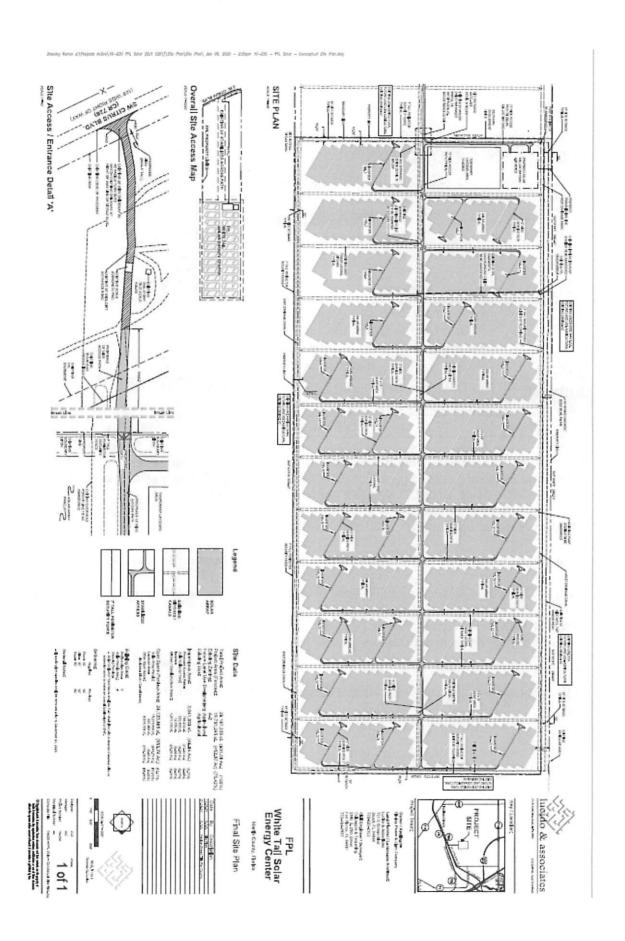
THENCE N00°15'58"E, ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 2662.10 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 18 (CERTIFIED CORNER RECORD #086805);

THENCE N00°15'25"E, ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 2660.90 FEET TO THE NORTHWEST CORNER OF SECTION 18 (CERTIFIED CORNER RECORD #086803);

THENCE S89°41'22"E, ALONG THE NORTH LINE OF SECTION 18, A DISTANCE OF 3260.09 FEET; THENCE S00°12'37"W, A DISTANCE OF 8028.00 FEET; THENCE N89°41'21"W, A DISTANCE OF 3257.74 FEET TO THE POINT OF BEGINNING.

### CONTAINING 26,187,223 SF (+/-) OR 601 ACRES (+/-)

### EXHIBIT B



Page 6 of 6

### lucido&associates

### TRANSMITTAL (VIA HAND DELIVERY)

Date:	January 9, 2020	
То:	Catherine Riiska Martin County Growth Management Dept.	
From:	Morris A. Crady, AICP	
Subject:	FPL White Tail Solar - Major Final Site Plan (F110-002)	No. 19-230

In response to the attached completeness letter dated January 3, 2020, please find enclosed the application fee check in the amount of \$9,127.00, 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 – Agree. Please find 2 sets of original signed and sealed boundary survey.

Item #2: Survey - Agree. Please find 2 sets of original signed and sealed topographic survey.

Item #3: Site Plan – Agree. The enclosed site plans have been re-titled "Final Site Plan". The enclosed application form has also been revised for consistency.

If you have any questions or need additional information, please feel free to contact me.



### 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 SARAH W. WOODS

County Administrator County Attorney

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

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January 3, 2020

Mr. Morris Crady Lucido & Associates 701 SE Ocean Blvd. Stuart, FL 34994 Record No: DEV2019120008 Project Number: F110-002

RE: Completeness Review

FPL WHITE TAIL SOLAR ENERGY CENTER MAJOR FINAL SITE PLAN

Dear Mr. Crady,

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

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

Item #1: SURVEY: A boundary survey of the entire site including the legal description, parcel control number(s) and acreage, certified within 180 days of the date of this application, signed and sealed by a licensed Florida professional surveyor and mapper.

Comments: The original signed and sealed document is required.

Item #2: 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: The original signed and sealed document is required.

Crady January 3, 2020 Page 2 of 2

Item #3: SITE PLAN: The master and/or final site plan.

Comments: Please revise the title as "Final Site Plan", no master is required unless the project is proposed to be phased.

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 \$9,127.00 (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.

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

In the meantime, it is required that a sign be erected on the subject property. The project number **F110-002** 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,

Nicki van Vonno, AICP

Growth Management Director

nichi van Vonno

NvV:CR:kk

cc: Ms. Krista Hendricks, Florida Power & Light Company, 700 Universe Blvd., Juno Beach, FL 33408

### lucido & associates

December 9, 2019 Hand Delivery

Nicki van Vonno, Director Martin County Growth Management Department 2401 SE Monterey Road Stuart, Florida 34996

Re: FPL White Tail Solar Energy Center - Request for Major Master/Final Site Plan

Approval with a Certificate of Public Facilities Reservation

(Our Reference: #19-230)

Dear Nicki,

On behalf of the property owner, Florida Power & Light Company, (FPL) we are pleased to submit the above referenced application. As discussed at the pre-application workshop on October 17, 2019, the FPL White Tail Solar Energy Center is proposed on a 600-acre (+/-) parcel located in unincorporated Martin County approximately 2 miles north of SW Citrus Boulevard, approximately 8 miles west of the Florida Turnpike, and 3 miles east of the Village of Indiantown. The proposed project will consist of solar arrays and a solar collector yard capable of generating up to 74.5 megawatts.

As more specifically described in the enclosed project narrative, the Subject Property is the north half of a larger 1,261-acre tract that was purchased by FPL in March 2019. The parent tract consists of 3 parcels of approximately 398 acres each and an approximately 68-acre parcel that fronts on SW Citrus Boulevard. The Subject Property and parent tract have been actively farmed for several decades and contain no natural wetlands or native upland habitat. Existing improvements include stabilized access paths and actively maintained ditches and canals in support of previous and on-going agricultural activities.

The Subject Property, parent tract, and surrounding properties are designated by the Martin County Comprehensive Growth Management Plan for Agricultural future land use and zoned A-2. The design parameters are very similar to the recently approved Sweetbay Solar Energy Center located north of the Village of Indiantown, except the proposed project is <u>not</u> located adjacent to any residential uses or public roads, and contains no proposed lakes or required preservation areas.

In support of the application, 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 additional copy of the 24x36 plans will be submitted upon a completeness determination):

- 1. The completed application form;
- 2. The digital submittal affidavit;
- 3. Project narrative;
- 4. The owners' authorization for representation by Lucido & Associates;
- 5. The recorded deed;
- 6. The no property transfer statement;
- 7. The legal description;
- 8. The proposed Unity of Title;

Nicki van Vonno December 9, 2019 Page 2 of 2

- 9. Maps (aerial, parcel location, land use and zoning);
- 10. The signed & sealed engineer's opinion of excavation, fill and hauling form;
- 11. The signed & sealed Stormwater Report;
- 12. The signed & sealed Stormwater Maintenance Plan;
- 13. The signed & sealed Traffic Impact Statement
- 14. The Environmental Assessment;
- 15. The signed & sealed topographic survey, and electronic copy of same;
- 16. The signed & sealed boundary survey, and electronic copy of same;
- 17. The proposed master/final site plan, and electronic copy of same;
- 18. The land clearing and erosion control plan; and
- 19. The signed & sealed construction plans.

The following application materials are **not applicable** for the reasons indicated:

- The **Disclosure of Interest Affidavit** FPL is a subsidiary of NextEra Energy, Inc., which is a publicly traded company (NYSE).
- The Wildfire Risk Assessment Scoresheet the subject property and surrounding properties have been cleared of forested areas and utilized for agricultural production for several decades.
- The School Impact Worksheet no residential development is proposed.
- Preserve Area Management Plan no preserve areas are required or proposed.
- Utility service letters no utility services (other than FPL) are required or proposed.
- Proposed water sources no potable water or irrigation water is required or proposed.
- Utilities information worksheet no wastewater treatment services are required or proposed.
- Landscape plan no landscape areas are required or proposed.
- Protected tree survey no protected trees are within the area to be developed.
- Land dedication documents No land dedications are required or proposed.
- Environmental waiver No environmental waivers are required or proposed.
- Landscape alternative compliance No landscaping is required or proposed.
- CRA alternative compliance The property is not located within a CRA.
- Groundwater model no water withdrawals are required or proposed.
- Hurricane Evacuation Plan -- The project will not harbor any residents or employees.
- Architectural plans and floor plan No structures are required or proposed.
- Lighting plan No lighting is required or proposed.

Surrounding property owners list - The list of surrounding property owners within 1,000 feet of the project will be provided prior to scheduling for the first public hearing.

Upon confirmation that the application materials are sufficient to commence review of the Major Master/Final Site Plan, we will submit the additional set of 24x36 plans and the application fee of \$12,000. Please feel free to contact me if you have any questions or need additional information.

Sincerely

Senior Vice President

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:	Major Final Site Plan	
	Trajor I mar one I mir	
Name or Title of Proposed Project	: FPL White Tail Solar Energy Cen	ter
Brief Project Description:		
See project narrative		
Was a Pre-Application Held? ✓	YES/NO Pre-Application Meeti	ing Date: 10-17-2019
Is there Previous Project Informa	tion? YES/NO	
Previous Project Number if applic	eable: N/A	
Previous Project Name if applicab	le: N/A	
Parcel Control Number(s)		
18-39-40-000-000-00020-2		
19-39-40-000-000-00020-0		
		<u> </u>
B. PROPERTY OWNER INFOR	MATION	
Owner (Name or Company): FLO		NY
Company Representative: Krista He	Hurrers	
Address: 700 Universe Blvd	~ EI	22400
City: Juno Beach	, State: FL	Zip: 33408
Phone: 561 304-6161	Email: Krista.H	lendricks@fpl.com

#### C. PROJECT PROFESSIONALS

Applicant (Name or Company): Same as Owner	r(s)	
Company Representative:		
Address:		
City:	, State: <u>FL</u>	Zip:
Phone:	Email:	
Agent (Name or Company): Lucido & Associate	es	
Company Representative: Morris A. Crady		
Address: 701 SE Ocean Blvd.		
City: Stuart	, State: FL	Zip: 34994
Phone: 772-220-2100	Caralla Merady	@lucidodesign.com
Contract Purchaser (Name or Company): N/A		
Company Representative:		
Address:		
City:	, State:	Zip:
Phone:		
Company Representative:Address:		
Phone:		
Landscape Architect (Name or Company): N/A		
Company Representative:		
Address:		7in:
City:		
Phone:	Eman.	
Surveyor (Name or Company): Christian Fenex	and Associates, LLC	2
Company Representative: Christian Fenex		
Address: PO Box 2533		
City: Palm City	, State: <u>FL</u>	Zip: 34991
Phone: 772 283-2977	Email: fenexo	@bellsouth.net
Civil Engineer (Name or Company): Culpepper	r & Terpening	
Company Representative: Butch Terpening, P.E.		
Address: 2980 S 25th Street		
City: Fort Pierce	, State: FL	Zip: 34981
Phone: 772 464-3537		ning@ct-eng.com

Revised March 2019] Page 2 of 4

301

#### PROJECT PROFESSIONALS CONTINUED

Traffic Engineer (Name or Company): Sam	e a Civil Engineer	
Company Representative:		
Address:		
City:	, State: FL	Zip:
Phone:		
Architect (Name or Company): N/A		
Company Representative:		
Address:		
City:	, State:	Zip:
Phone:	Email:	
Attorney (Name or Company): N/A		
Company Representative:		
Address:		
City:	, State:	Zip:
Phone:	Email:	
Environmental Planner (Name or Company	): Same as owner	
Company Representative:		
Address:		
City:	, State: FL	Zip:
Phone:		_
Other Professional (Name or Company): N	/A	
Company Representative:		
Address:		
City:	, State:	Zip:
Phone:		

#### 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 check if the applicant waives the limitations.

Revised March 2019] Page **3** of **4** 

#### 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.

1-9-2020 Date

Morris A - Crady Printed Name

#### NOTARY ACKNOWLEDGMENT

STATE OF: Hoxida COUNTY OF: Marten	· 
I hereby certify that the foregoing instrument was acknowledged before me this _	day
of January, 2020, by MORRES A CREAK	·
He or She is personally known to me or has produced	as
identification.	

Sharran Donness
Notary Public Signature

STATE OF: Horida

at-large \*

D. Garrett



# 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

<sub>I,</sub> Morris A. Crady	, attest that the electronic version included for the
project FPL White Tail Solar Energy	_, attest that the electronic version included for the  Centeris an exact copy of the
	ency, excluding any requested modifications made by
the sufficiency review team. All requested	d modifications, if any, have been completed and are
included with the packet.	
Applicant Signature	1-9-2020 Date
NOTARY ACK	NOWLEDGMENT
STATE OF: Florida	COUNTY OF: Martin
I hereby certify that the foregoing instru	ment was acknowledged before me thisday
of January , 20 20	, byMorris A. Crady
He $X$ is personally known to me oridentification.	has producedas
Notary Public Signature	Ray Constitution D Garrett
STATE OF: Florida	at-large ** FF 951803 FF 951803

## lucido associates Land Planning / Landscape Architecture

#### PROJECT NARRATIVE

FPL White Tail Solar Energy Center
74.5 MWac Photovoltaic Solar Facility ("Project")
Final Site Plan Application
December 4, 2019

#### **Existing Property Characteristics**

The 600-acre (+/-) Subject Property is located approximately 2 miles north of SW Citrus Boulevard, approximately 8 miles west of the Florida Turnpike and 3 miles east of the Village of Indiantown in unincorporated Martin County. The Subject Property is the north half of a larger 1,261-acre tract that was purchased by FPL in March 2019. The parent tract consists of 3 parcels of approximately 398 acres each and an approximately 68-acre parcel that fronts on SW Citrus Boulevard. The Subject Property and parent tract have been actively farmed for several decades and contain no natural wetlands or native upland habitat. Existing improvements include stabilized access roads and actively maintained ditches and canals in support of previous and on-going agricultural activities.

The Subject Property and parent tract are designated by the Martin County Comprehensive Growth Management Plan for Agricultural future land use and zoned A-2.

#### **Surrounding Property Characteristics**

The properties surrounding the Subject Property are also designated for Agricultural future land use and zoned A-2. Existing uses include active farmland and the SFWMD C-44 Stormwater Treatment Area (STA), which borders the entire western property limits. There are no residential uses, public roads, forested areas or designated preserve areas surrounding the subject property.

#### **Proposed Major Final Site Plan**

The proposed project will consist of solar arrays and a solar collector yard capable of generating up to 74.5 megawatts. No buildings or other structures are required or proposed. The design parameters will be very similar to the recently approved Sweetbay Solar Energy Center located north of the Village of Indiantown, except the proposed project is not located adjacent to any residential uses or public roads and contains no proposed lakes or required preservation areas.

The proposed final site plan application will be limited to the northern 600 acres of the 1,261-acre parent tract except for an existing 20' wide service access path from SW Citrus Boulevard through the center of the parent tract to the Subject Property (+/- 2 miles). The proposed service path from Citrus Boulevard will be upgraded to meet emergency access requirements and made a part of the final site plan by way of a separate recorded easement agreement or legally described and included as part of the final site plan development area. The common boundary line for the existing parcels of record will be adjusted in accordance with Section 4.911. C.3. of the Land Development Code to accommodate the 600-acre (+/-) project area. The balance of the parent tract (+/- 661 acres) will be retained in agricultural use by way of agricultural leases.

The proposed final site plan for the project area will be designed in accordance with the following Martin County Comprehensive Growth Management Plan policies and Land Development Regulations, where applicable:

Policy 4.8C.3. Solar Farms. Solar panels producing renewable energy may be counted toward open space requirements in the Agricultural future land use designation when the solar panels are mounted above ground and a permeable surface is maintained under the panels. Wetlands and landlocked water bodies may be used in calculating open space. Accessory structures, such as transformers, substations and energy storage equipment shall not be counted toward open space requirements.

### Section 3.3. Glossary of Terms.

Solar Energy Facilities (Solar Farm). A production facility for electric power that utilizes photovoltaic modules (panels) to convert solar energy to electricity whereby the electricity that is produced is delivered to the transmission system and consumed off-site. Solar farms consist principally of photovoltaic modules, a mounting/racking system, power inverters, transformers, and associated components. Solar generation is generally the principal use of the property, but solar farms may also include administration/maintenance buildings, transmission lines, substations, energy storage equipment and related accessory uses and structures.

## Section 3.100.1. Solar Energy Facilities (Solar Farms)

Sec. 3.100.1.A. Solar energy facilities (Solar farms) shall be considered a permitted use within the AG-20A and A-2 zoning districts.

Sec. 3.100.1.B. Minimum parcel size shall be 20 acres.

Sec. 3.100.1.C. Except for security fencing, project signs and access paths, no solar farm structure, equipment or building shall be located within 50 feet of the property line.

Sec. 3.100.1.D. Except for required landscaping adjacent to residential uses, administrative buildings and associated paved parking and vehicular use areas, solar farms shall be exempt from all other landscape requirements.

Sec. 3.100.1.E. Within the first 25 feet of the 50' setback adjacent to residential uses, native shrubs and grasses shall be retained to provide a minimum 6' high, 50% opaque screen of vegetation. If existing native vegetation is not sufficient to meet this requirement, then supplemental native shrubs may be utilized to meet this requirement.

Sec. 3.100.1.F. Retention of existing vegetation and/or temporary fencing and screening may be required where appropriate to minimize impacts during construction.

Sec. 3.100.1.G. Security fencing are exempt from the requirements of Section 3.16 and 3.204.

Sec. 3.100.1.H. The following maximum height provisions shall apply:

1. Project signs: 9 feet

2. Solar panels or modules: 15 feet

3. Buildings: 25 feet

Sec. 3.100.1.1. The maximum height provisions do not apply to transmission lines or substations, which are regulated under Section 3.104.E.

Sec. 3.100.1.J. For purposes of calculating the 50% open space requirement for agricultural land uses, the area of the solar panels and transmission lines shall be considered open space.

Sec. 3.100.1.K. A minimum 20' wide, clear access way with a 12' wide, stabilized access path shall be permitted for access, maintenance and operation of solar facilities and transmission lines.

Sec. 3.100.1.L. A minimum 20' wide, stabilized access path shall be permitted for access, maintenance and operation of administration buildings, accessory buildings and substations.

#### Section 3.104. Utilities

- Sec. 3.104.B. Setbacks. Electric utility substations, excluding any associated distribution or transmission lines, shall be set back at least:
- 1. One hundred feet from any lot line where the adjoining lot is zoned for residential use.
- 2. Fifty feet from any lot line where the adjoining lot is zoned for any nonresidential other than another public utility use.
- 3. Five hundred feet from any PC zoning district or any designated public conservation area.

## Sec. 3.104.C. Bufferyards.

1. In addition to any other bufferyard requirements set forth in Article 4, electrical utility substations shall provide a bufferyard along any street. The bufferyard type shall be determined based on the use or zoning of the property on the opposite side of the right-of-way as if there were no intervening right-of-way.



November 19, 2019

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

Re:

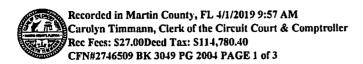
FPL White Tail Solar Energy Center (Project)
16364 SW Citrus Blvd., Indiantown, FL 33408
PCN #18-39-40-000-000-00020-2 & Portion of PCN 19-39-40-000-00020-0

Dear Ms. van Vonno:

As owner of the above-referenced property, please consider this correspondence as formal authorization for Lucido & Associates to represent Florida Power & Light Company during the governmental review process of the project application.

Sincerely,

FLORIDA POWER & LIGHT COMPANY



This instrument prepared by or under the supervision of (and after recording should be returned to):

Seth S Sheitelman, Esq. Florida Power & Light Company 700 Universe Boulevard (Law/JB) Juno Beach, Florida 33408

Parcel I D. Nos.: 18-39-40-000-000-00020-2; 19-39-40-000-000-00020-0 30-39-40-000-000-00020-7, and

30-39-40-000-000-00020-7, an 31-39-40-000-000-00020-5

(Space Reserved for Clerk of Court)

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and entered into as of the 29th day of March, 2019, by St. Lucie River Farm LLC, a Delaware limited liability company ("Grantor"), whose mailing address is 1291 U.S. Highway 258 N., Kinston, NC 28594, to Florida Power & Light Company, a Florida corporation ("Grantee"), whose mailing address is 700 Universe Boulevard, Juno Beach, Florida 33408, Attention: Corporate Real Estate Department. Wherever used herein, the terms "Grantor" and "Grantee" shall include all of the parties to this instrument and their heirs, personal representatives, and assigns.

#### WITNESSETH:

GRANTOR, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is freinby acknowledged, has granted, bargained and sold, and by these presents does hereby grant, bargain and sell to Grantee and Grantee's successors and/or assigns forever, the following described land situate and being in Martin County, Florida ("Property"), to wit:

#### SEE ATTACHED EXHIBIT "A".

TOGETHER WITH all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

THIS CONVEYANCE is subject to: (a) taxes and assessments for the year of closing and subsequent years which are not yet due and payable; (b) zoning, restrictions, prohibitions and other requirements imposed by governmental authority, (c) restrictions and matters appearing on the plat or otherwise common to the subdivision, and (d) all covenants, conditions, restrictions, reservations, rights of way, limitations, easements and similar matters of record, if any, but this reference shall not operate to reimpose same.

TO HAVE and to hold the same in fee simple forever.

GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property to Grantee; that Grantor will warrant and defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

4848-5038-4013 Gerdinier Farm IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

sign: Kendra Warren

Sign: / CARCO

GRANTOR:

St. Lucie River Farm LLC, a Delaware limited liability company

By: U.S. Farming Realty Trust II, LP, a Delaware limited partnership, its sole member

By: International Farming Corporation GP2 LLC, a Delaware limited liability company, as general partner

Name: John O. McNairy
Title: Manager

STATE OF NORTH CAROLINA

COUNTY OF LENGY

I certify that John O. McNairy personally appeared before me this day, acknowledging to me that he is a Manager of International Farming Corporation GP2, LLC, a Delaware limited liability company, being the general partner of U.S. Farming Realty Trust II, LP, a Delaware limited partnership, being the sole member of St. Lucie River Farm LLC, a Delaware limited liability company, and that he signed the foregoing document for the purposes stated therein and in the capacity indicated.

WITNESS my hand and notarial seal, this the 27th day of March, 2019.

Notary Public

Printed Name: Jennifer

My Commission expires: 03 29-2021

4848-5038-4013 Gardinier Fann

#### Exhibit A

For a point of commencement start at the intersection of the West line of Section 31, Township 39 South, Range 40 East, Martin County, Florida and the North right of way line of Okeechobee Waterway; thence N 00°10'22" E along said West line of Section 31, a distance of 475.28 feet to a point on the North right of way line of State Road #726 (Citrus Boulevard), said point also being the Point of Beginning; thence N 00°10'22" E along the West line of Section 31, a distance of 1524.76 feet to the Northwest corner of Section 31 (Certified corner record #086825); thence N 00°19'13" E, along the West line of Section 30, a distance of 2655.67 feet to the West one quarter corner of Section 30 (Certified corner record #086824); thence N 00°18'49" E, along the West line of Section 30, a distance of 2655.84 feet to the Northwest corner of Section 30 (Certified corner record #086822); thence N 00°04'04" E, along the West line of Section 19, a distance of 2661.06 feet to the West one quarter corner of Section 19 (Certified corner record #086821); thence N 00°03'36" E, along the West line of Section 19, a distance of 2660.60 feet to the Northwest corner of Section 19 (Certified corner record #086820); thence N 00°15'58" E, along the West line of Section 18, a distance of 2662.10 feet to the West one quarter corner of Section 18 (Certified corner record #086805); thence N 0081525" E, along the West line of Section 18, a distance 2660.90 to the Northwest corner of Section 18 (Ceftified corner record #086803); thence S 89°41'22" E, along the North line of Section 18 a distance of 3260,09 (feet; thence S 00°12'36" W, a distance of 16,085.65 feet to a point on the Northerly right of way line of said State Road 726 (Citrus Boulevard); thence S 64°21'27" W, along said Northerly right of way line, a distance of 2573.26 feet to a non-tangent curve concave to the Northwest, having a radius of 2914.79 feet; thence Southwesterly along the arc of said curve, a distance of 1031.64 feet; through a central angle of 20°16'44" having a chord bearing of S 74°23'54" W, and chord distance of 981.51 feet, to the Point of Beginning.

Together with the following easements:

- (A) Perpetual right, power, and privilege to construct, maintain, and operate a drainage and irrigation canal, spoil banks, access roads, culverts, spillways, and pumping stations with all appurtenant works, upon a strip of land 150 feet in width, lying 75 feet on either side of a center-line described as follows; begin at the intersection of the North United States right-of-way line of the St. Lucie Canal with the West line of Section 31, Township 39 South, Range 40 East, Martin County, Florida, run thence North 68°18'13" East along said North right-of-way line a distance of 3517.63 feet to a point; run thence North 0°21'59" East a distance of 905.22 feet to the POINT OF BEGINNING, run thence North 90° East from the point of beginning a distance of 576.75 feet into an existing channel which runs Northwest and Southeast, and which connects with the waters of the St. Lucie Canal;
- (B) Perpetual right, power and privilege to discharge drainage waters into or remove irrigation waters from, by gravity or by pumping, a strip of land 150 feet in width, lying 75 feet on either side of a centerline described as follows: begin at the Easterly end of the centerline described in Easement "A" above, run thence South 18°01'54" East a distance of 700 feet, more or less, to a point in the channel of the St. Lucie Canal;
- (C) Easement for roadway, access, ingress and egress over the North 60 feet of Sections 19 (less West 3260.00 feet), 20, and 21 (less East 1659.0 feet) Township 39 South, Range 40 East, Martin County, Florida; and
- (D) Easement for roadway, access, ingress and egress over the North 50 feet of the East 1659.0 feet of Section 21, Township 39 South, Range 40 East, Martin County, Florida.

To the best of my knowledge and belief, there has been no transfer of the subject property since the Warranty Deeds for Florida Power & Light Company were recorded in the Martin County Public Records.

DATED THIS _	1 DAY OF December, 2019.
	-Near Ca-
	Morris A. Crady

STATE OF FLORIDA **COUNTY OF MARTIN** 

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_, 2019 BY MORRIS A. CRADY, WHO [\*] IS PERSONALLY KNOWN TO ME OR [\*] HAS PRODUCED \_\_\_\_\_\_\_ AS IDENTIFICATION.

MY COMMISSION EXPIRE

FPL WHITE TAIL SOLAR ENERGEY CENTER PCN #18-39-40-000-000-00020-2 PCN #19-39-40-000-000-00020-0

## LEGAL DESCRIPTION:

FOR A POINT OF COMMENCEMENT START AT THE INTERSECTION OF THE WEST LINE OF SECTION 31, TOWNSHIP 39 SOUTH, RANGE 40 EAST, MARTIN COUNTY, FLORIDA AND THE NORTH RIGHT OF WAY LINE OF OKEECHOBEE WATERWAY; THENCE N00°10'22"E ALONG SAID WEST LINE OF SECTION 31, A DISTANCE OF 2000.04 FEET TO THE NORTHWEST CORNER OF SECTION 31, CERTIFIED CORNER RECORD #086825; THENCE N00°19'13"E ALONG SAID WEST LINE OF SECTION 30, A DISTANCE OF 2655.67 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 30 (CERTIFIED CORNER RECORD #086824); THENCE N00°18'49"E ALONG SAID WEST LINE OF SECTION 30, A DISTANCE OF 2655.84 FEET TO THE NORTHWEST CORNER OF SECTION 30 (CERTIFIED CORNER RECORD #086822); THENCE N00°04'04"E ALONG SAID WEST LINE OF SECTION 19, A DISTANCE OF 2616.66 FEET TO THE POINT OF BEGINNING:

THENCE CONTINUE N00°04'04"E ALONG SAID WEST LINE OF SECTION 19, A DISTANCE OF 44.40 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 19 (CERTIFIED CORNER RECORD #086821); THENCE N00°03'36"E, ALONG THE WEST LINE OF SECTION 19, A DISTANCE OF 2660.60 FEET TO THE NORTHWEST CORNER OF SECTION 19 (CERTIFIED CORNER RECORD #086820):

THENCE N00°15'58"E, ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 2662.10 FEET TO THE WEST ONE QUARTER CORNER OF SECTION 18 (CERTIFIED CORNER RECORD #086805);

THENCE N00°15'25"E, ALONG THE WEST LINE OF SECTION 18, A DISTANCE OF 2660.90 FEET TO THE NORTHWEST CORNER OF SECTION 18 (CERTIFIED CORNER RECORD #086803);

THENCE S89°41'22"E, ALONG THE NORTH LINE OF SECTION 18, A DISTANCE OF 3260.09 FEET; THENCE S00°12'37"W, A DISTANCE OF 8028.00 FEET; THENCE N89°41'21"W, A DISTANCE OF 3257.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 26,187,223 SF (+/-) OR 601 ACRES (+/-)

# **UNITY OF TITLE**

In consideration of the issuance of a Permit to **Florida Power & Light Company**, as "Owner", for the construction of a solar facility known as White

Tail Solar in Martin County, Florida, and for other good and valuable

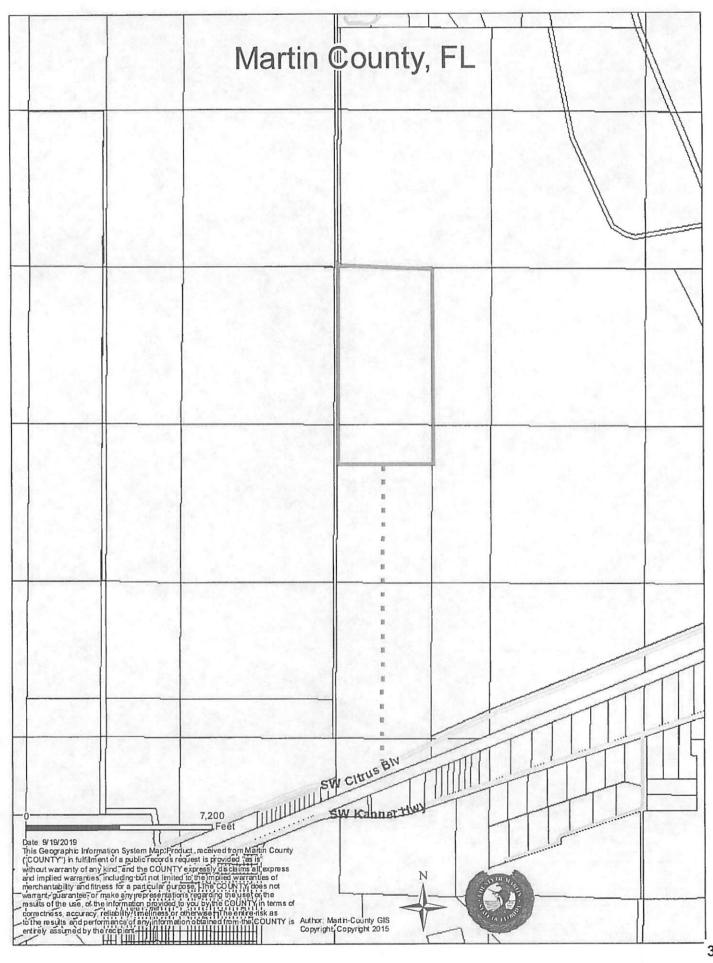
considerations, the undersigned hereby agrees to restrict the use of lands

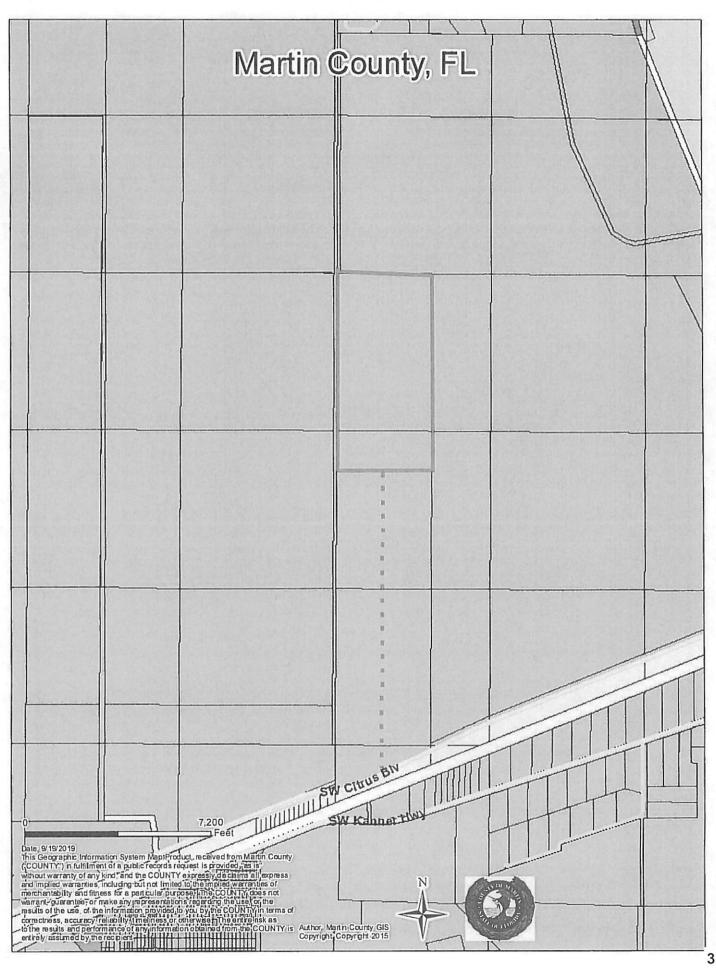
described in Exhibit "A" attached hereto in the following manner:

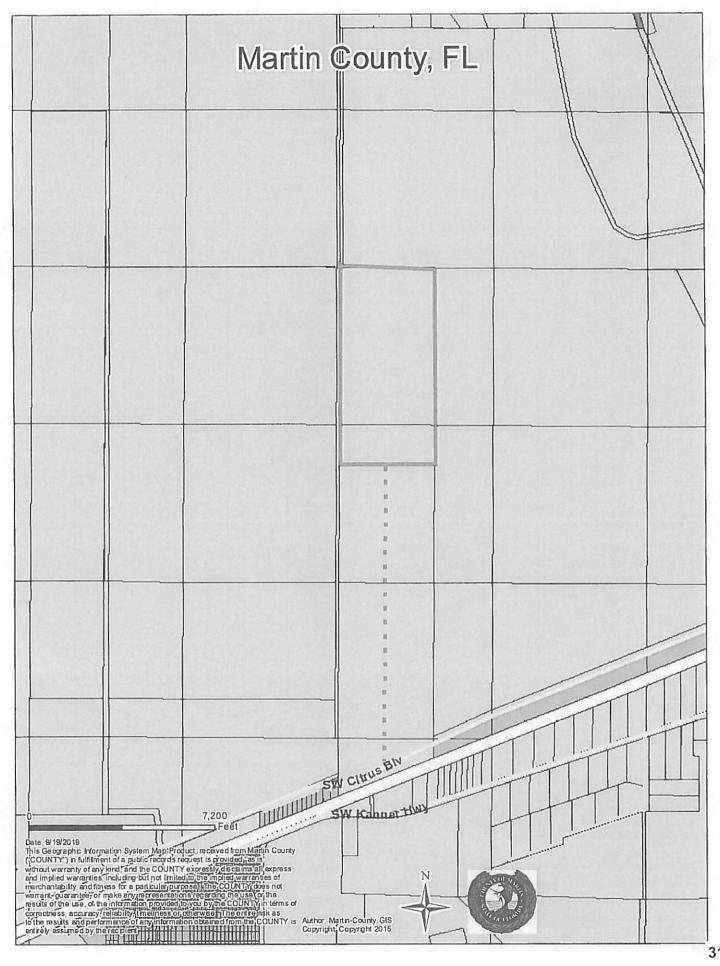
- 1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot and parcel of land; however that (a) individual subdivision lots may be conveyed upon approval and recordation of the plat of Sabal Pointe, (b) phases or portions of phases that comply with the requirements contained within the development orders may be conveyed separately upon final site plan approval of that phase or portion of a phase, (c) common elements, common open areas and developed recreation areas may be conveyed to a property owners' association or other similar entity as deemed appropriate by the Board of County Commissioners, so long as such conveyance shall be subject to the express restriction that use of the subject property shall only be for the use described on the final site plan and plat, and (d) 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 may deem appropriate, with the sole exception being that a portion of said property may be sold, transferred, devised or assigned to any governmental entity.
- 2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs and assigns until such time as the same may be released in writing by the Martin County Board of County Commissioners.
- 3. The undersigned further agrees that this instrument shall be recorded in the Public Records of Martin County.

4.	Nothing herein containe successors or assigns, to thereof.			
Signe	d, acknowledged and no	tarized on this	day of	, 2020.
		OWNER		
WITN	IESSES:	FLORIDA POW	ER & LIGHT COMPA	NY
Sign: _ Print:				
		Address:	700 Universe Blvd. Juno Beach, FL 3340	
Sign: Print:		<del></del>		
	E OF FLORIDA NTY OF			
before Powe:	HEREBY CERTIFY that teme this day  r & Light Company, what is a single for the company as in the company and are also as in the company are also as in the company are also ar	of, as no [ ] is personally	, 2019, by sauthorized agent for I	Florida
		NOTARY		
(Nota	rial Seal)	My Comr	nission Expires:	
Lucid 701 S.	nstrument prepared by: o & Associates E. Ocean Boulevard :, FL 34994			











# MARTIN COUNTY ENGINEERING DEPARTMENT ENGINEER'S OPINION OF PROBABLE EXCAVATION, FILL, AND HAULING

(To be submitted with applications for Master Site Plan or Final Site Plan approval or Excavation and Fill Permits)

## NAME OF FINAL SITE PLAN: White Tail Solar Energy Center

### TYPE OF APPLICATION

If more than 10,000 cubic yards are hauled to or from the site, the application must be filed as a Major Developmen.

- 1) Net cubic yards to be excavated:
- 2) Net cubic yards to be filled:
- 3) Cubic yards to be hauled from site:

26,700	
25,700	
1.000	

(subtract line 2 from line 1)

TYPE OF APPLICATION:

HAULING FEE:

MINOR

\$210.00

## HAULING FEE CALCULATION

The hauling fee for fill hauled *from* the site is calculated at \$0.21 per cubic yard and is due upon approval of the Final Site Plan application or issuance of the Excavation and Fill Permit

Prepared by:

Professional Engineer's Signature-/ Seal

24276

P.E. No.

Date

Culpepper & Terpening Inc.

Firm's Name and Certificate of Authorization No. (if applicable)

2980 South 25th Street Ft. Pierce, FL 34981

Address

772-464-3537

Phone No.

County Engineer's (or designee) Acceptance

Page 1 , 320

# Classifieds

To Advertise visit: classifieds.tcpalm.com



Your Source

INVITATION TO NEGOTIATE
FOR
AN ENTERPRISE DATABASE MANAGEMENT SYSTEM

NOTICE TO CREDITORS

NOTICE TO Characteristics of the estate of John C, Collins, deceased, whose date of death was January 14, 2020, is pending in the Circuit Court for ST. LUCE County, Horida, Probate Division, the address of which is P.O. Box 700, For

Personal Representative: Nancy Marjorie Canizares 290 Anderson Street Unit 4l. Hackensack, New Jersey 07601

Attorney for Personal Repre-sentative: Attorney for resonal repre-sertative: Stephanie M. LeBlanc Stephanie M. LeBlanc Florida Bar Number: 117759 Lawn & LeBlanc, PLLC 2070 bey A. 1, 3953 Telephone: (772) 231-1212 Fax: (722) 404-6011 E-Mall: stephanie@verobeachl awproup.com

chlawgroup.com Pub: Mar 18, 25, 2020 TCN4112072

### Notice To Creditors Notice To Creditors

IN THE CIRCUIT COURT FOR ST. LUCIE COUNTY, FLORIDA PROBATE DIVISION

File No. 2020CP000124 Division Probate

#### NOTICE TO CREDITORS

# Public Notices

Public hearing: LOCAL PLAN-NING AGENCY Time and Date: 7:00 P.M. or as soon as it can be heard on Thursday, April 2, 2020

Pub: Mar TCN4114565

Case No. 2020 CA 000122

Unknown Spouse of Carol J. Maricich a/K/a Carol Maricich f/k/a Carol Jeanne Farley, Last Known Address: 97 Springlake Drive #106, Vero Beach, FL 32962

MARK THOMAS MARICICH Last Known Address: 97 Springlake Drive #106, Vero Beach, FL 32962

Unknown Spouse of Mark Thomas Maricich Last Known Address: 97 Springlake Drive #106, Vero Beach, FL 32962

YOU ARE HEREBY NOTIFIED that an action to foredose a mortgage on the following property in Indian River Countifications

petition. DATED on March 12, 2020.

By /s/ Deputy Clerk Pub: March 18, 25, 2020 TCN 4115827

ATTSEZ7

IN THE CIRCUIT COURT OF THE 19th JUDICIAL CIRCUIT, IN AND FOR SAINT LUCIE COUNTY, FLORIDA Case No.: \$520190R00297e Family Division: Judge Griffin, Pettitioner, IVAN JESUS PEREZ ALBUERNES. INDRIVANI SUKARDI, Re-

DIO CHILD OR FINANCIAL
TO NURFAMI SUKOD

IN THE COUNTY COURT IN AND FOR ST. LUCIE COUNTY, FLORIDA

DATED this 16th day of March, 2020.

KRAVIT LAW, P.A. 2101 NW Corporate Blvd., Suite 410 Boca Raton, FL 33431 Tel: (561) 922-8536 Fax: (561) 405-3155

#### CASE NO.: 562019CA002047AXXXHC

TRADITION COMMUNITY AS-SOCIATION, INC., a Florida not-for-profit corpo-

DATED on , March 6, 2020,

# Having A Garage Sale?

Let your community know by advertising in your local newspaper.

Don't wait, call today!



Text of Ad:

07/08/2022

#### NOTICE OF PUBLIC HEARING

Subject: FPL White Tail Solar Energy Center Major Final Site Plan (F110-002). Florida Power & Light Co. Request for Major Final Site Plan approval for the construction of an unmanned 74.5-Megawatt photovoltaic solar energy facility (Solar Farm) on approximately 600 acres which is the north half of a larger 1,261-acre tract. Included with this application is a request for a Certificate of Public Facilities Reservation. This request is continued from the April 2, 2020 BCC Hearing.

Location: The subject property is located on the north side of Citrus Boulevard about 8 miles southwest of Florida's Turn-

Public hearing: BOARD OF COUNTY COMMISSIONERS Time and Date 9:00 A.M. or as soon as it can be heard on Tuesday, August 9, 2022

Place: Martin County Administrative Center, Commission Meeting Room, First Floor 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 rersons with disabilities who need an accommodation in order to participate in these proceedings 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 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting 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. 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 yeld of or yiden cassette tapes intended to be profered as evidvd, 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 meetinas.

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 testi mony and evidence upon which the appeal is to be based.

For further information, including copies of the agenda item materials, please call the Growth Management Department at (772) 288-5495. Prior to the public hearings, written comments should be sent to Peter Walden, AICP, Deputy Growth Management Director, pwalden@martin.fl.us or 2401 SE Monterey Road, Stuart, FL 34996.
THIS NOTICE DATED THIS 8TH DAY OF JULY 2022.

Pub: July 22, 2022 TCN5331481

Doug Fitzwater † 220 Hibiscus Avenue Stuart, FL 34996

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

Notice Development Application FPL White Tail Solar Energy Center Major Final Site Plan File Number F110-002

Dear Mr. Crady:

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

Doug Fitzwater

State of Florida County of Martin

Doug Fitzwater, who is personally known to not be deduced the forgoing

instrument before me on fana

Notary Public, State of Fforida



Sign Location





March 17, 2020

Subject and Location: FPL White Tail Solar Solar Energy Center (F110-002) Request for a major

final site plan for the development of a solar energy center on approximately 600 acres located approximately 2 miles north of SW Citrus Blvd. and 8 miles west of the Florida Turnpike. Included with this application is a request for a

Certificate of Public Facilities Reservation.

**Dear Property Owner:** 

As a landowner within 1,000 feet of the property identified in the above description and shown on the enclosed location map 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, April 2, 2020

Time and Date: **BOARD OF COUNTY COMMISSIONERS** 

9:00 A.M., or as soon after as the matter may be heard, on

Tuesday, April 21, 2020

Place: 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 County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject 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 not less than 7 business days prior to the meeting. No fee will be assessed on Intervenor. 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 <a href="https://www.martin.fl.us">www.martin.fl.us</a>.

If any person 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 insure 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 Nicki van Vonno, Growth Management Department Director, (e-mail: nikkiv@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.

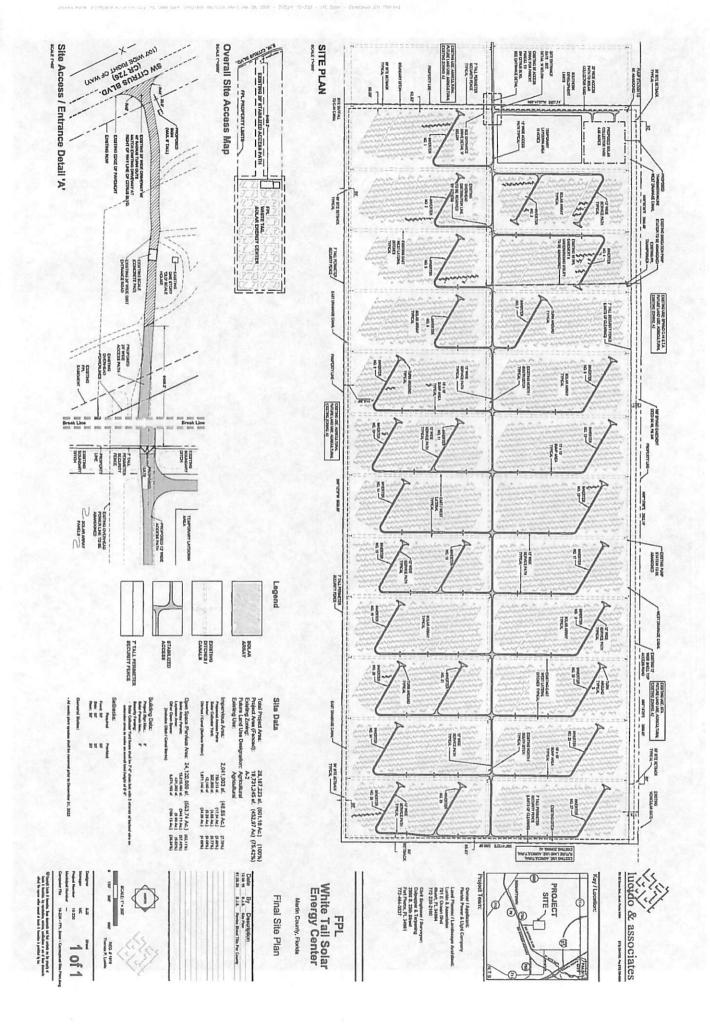
Sincerely

Senior Vice President

Attachment: Location Map

Final Site Plan







July 20, 2022

Subject and Location: FPL White Tail Solar Energy Center (F110-002) Request for a major final site

plan for the development of a solar energy center on approximately 600 acres located approximately 2 miles north of SW Citrus Blvd. and 8 miles west of the Florida Turnpike. Included with this application is a request for a Certificate of

Public Facilities Reservation.

### Dear Property Owner:

As a landowner within 1,000 feet of the property identified in the above description and shown on the enclosed location map please be advised that the Board of County Commissioners will conduct a public hearing on the subject listed above.

The date, time and place of the scheduled hearing is as follows:

Time and Date: **BOARD OF COUNTY COMMISSIONERS** 

9:00 A.M., or as soon after as the matter may be heard, on

Tuesday, August 9, 2022

Place: 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 County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject 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 not less than 7 business days prior to the meeting. No fee will be assessed on Intervenor. 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 <a href="https://www.martin.fl.us">www.martin.fl.us</a>.

If any person 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 July 20, 2022 Page 2 of 2

proceedings and, for such purpose, may need to insure 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 Paul Schilling, Growth Management Department Director, (e-mail: <a href="mailto:pschilli@martin.fl.us">pschilli@martin.fl.us</a>) 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 Partner

Attachment: I

Location Map Final Site Plan Prepared By: Martin County Growth Management Department 2401 S.E. Monterey Road Stuart, FL 34996

[blank space above reserved for recording information]

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

RESOLUTION NUMBER

# [REGARDING DENIAL OF FINAL SITE PLAN APPROVAL FOR FPL WHITE TAIL SOLAR ENERGY FACILITY

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

- 1. Florida Power and Light submitted an application for a Final site plan for the FPL White Tail Solar Energy Facility project, located on lands legally described in Exhibit A, attached hereto.
- 2. This Board held a public meeting on the application on August 9, 2022.
- 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 a Final Site Plan for the FPL White Tail Solar Energy Facility project is denied because XXXXX.
- 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 9TH DAY OF AUGUST, 2022.

ATTEST:	BOARD OF COUNTY COMMISSIONERS MARTIN COUNTY, FLORIDA
BY:	BY:
CAROLYN TIMMANN	DOUG SMITH, CHAIRMAN
CLERK OF THE CIRCUIT COURT	
AND COMPTROLLER	

APPROVED AS	TO FORM	AND	LEGAL
SUFFICIENCY:			

BY:	
ELYSSE A. ELDER	
SENIOR ASSISTANT	<b>COUNTY ATTORNEY</b>

ATTACHMENTS:

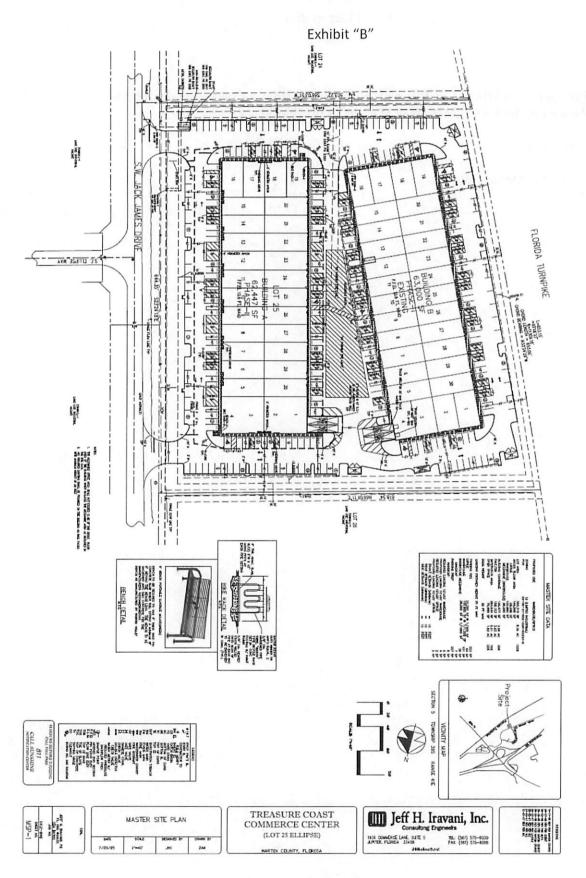
Exhibit A, Legal Description

# Exhibit "A" Legal Description

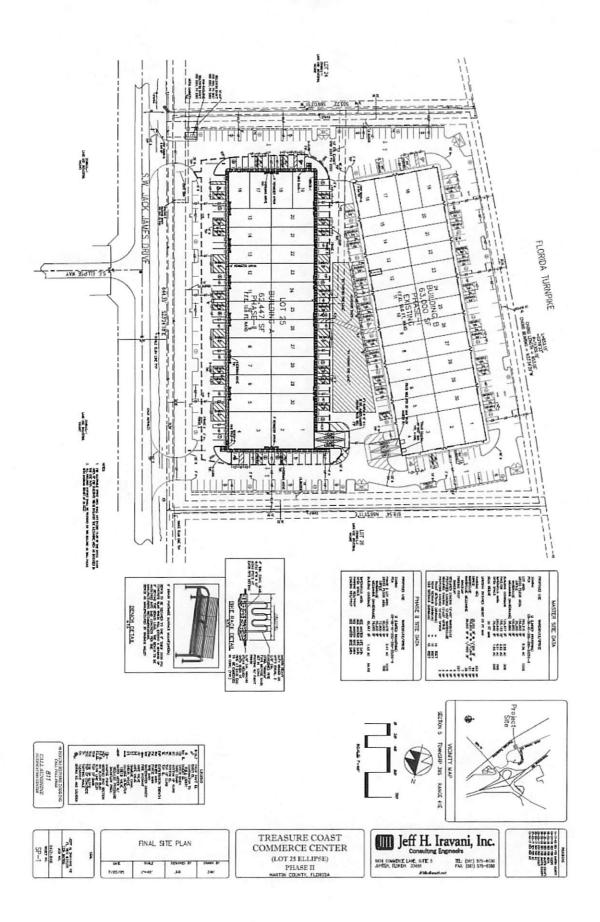
Lot 25 of the Plat of THE ELLIPSE, according to the Plat thereof as recorded in Plat Book 11 at Page 84 of the Public Records of Martin County, Florida.

Total Acreage: 8.34

PCN: 05-39-41-002-000-00250-6



Page 4 of 7



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# Peter W. Walden, AICP **Deputy Growth Management Director** Martin County Growth Management Department

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FILED FOR RECORD COMMISSION RECORDS MARTIN COUNTY, FL.

CAROLYN TIMMANN

2021-Present

# Experience

## Public Sector Work History

## Deputy Growth Management Director

Oversee the review of all development projects and building permits.

- Assist the Growth Management Director with all aspects of the department.

# Principal Planner, AICP Martin County, FL

2018-2021

- 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 inquires.
- 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.

# 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.

### 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 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