

**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 The application was continued to June 16, 2020 and then continued again to August 25, 2020 at which time it was withdrawn from the agenda.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
AND COMPTROLLER

BY: _____
DOUG SMITH, CHAIRMAN

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 ENERGY 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

