

MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

MARINER VILLAGE SQUARE PUD 6TH AMENDMENT TO THE PUD AND REVISED MASTER SITE PLAN AND PHASE 2 FINAL SITE PLAN

Applicant: Ribbon Ventures, LLC Property Owner: Ribbon Ventures, LLC

Agent for the Applicant: Morris A. Crady, AICP, Lucido & Associates

County Project Coordinator: Peter Walden, Principal Planner

Growth Management Director: Nicki van Vonno, AICP

Project Number:

M160-011

Application Type and Number: DEV2019030014

Report Number: 2020_0124_M160-011_DRT_Staff_Final

Application Received: 04/05/2019 Transmitted: 04/08/2019 Date of Staff Report: 05/29/2019 Resubmittal Received: 09/05/2019 Transmitted: 09/09/2019 Date of Report: 10/29/2019 Resubmittal: 12/05/2019 Transmittal: 12/05/2019 Date of Report: 02/03/2020

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B. Project description and analysis

Requesting approval of the sixth amendment to the Mariner Village Square PUD and a concurrent revised master and phasing plan and a revised phase 2 final site plan. Mariner Village Square is an existing Commercial PUD situated on approximately 20 acres located on the west side of US Highway 1 across from the Mariner Sands Drive intersection. The property has a future land use designation of General Commercial and has planned Unit Development (PUD) zoning designation.

The project originally received approval in 1986. A final site plan for Phase 1 was obtained in 1988 and Phase 1 was completed with the construction of a two-story bank/office building and infrastructure improvement including left- and right-hand turn lanes from US Highway 1.

The PUD agreement has been amended 5 times but no additional improvements to the property have been constructed.

The proposed 6th amendment intends to revise the phasing plan to incorporate phase 4, the residential storage facility as phase 2 and the current phase 2, the assisted living facility as phase 4. The applicant does not propose changes to the approved preserve areas or stormwater requirements.

The phase 2 final site plan will consist of a 115,000 square foot 3-story residential storage building that incorporates RV and boat storage on the north side of the building. Phase 2 also encompasses the construction of the access drive for the entire site.

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	Pete Walden	219-4923	Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Pete Walden	219-4923	Comply
Н	Urban Design	Santiago Abasolo	288-5485	Comply
Н	Community	Santiago Abasolo	288-5485	N/A
	Redevelopment			
I	Property Management	Colleen Holmes	288-5793	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjoholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Michael Uhazie	288-5416	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	Emergency Management	Michele Jones	219-4941	N/A
Q	ADA	Michael Uhazie	288-5416	Comply
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	219-1200	N/A
S	County Attorney	Krista Storey	288-5923	Review Ongoing
T	Adequate Public Facilities	Pete Walden	219-4923	Comlpy

D. Review Board action

This application is classified as a major development. As such, final action on this request for the 6th PUD amendment and Revised Master Site Plan and Revised phase 2 Final Site Plan approval is required by the Board of County Commissioners at a public meeting.

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., (2016) it shall at all

times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant addressed the non-compliance findings from the staff report dated, October 29, 2019 with its resubmittal dated December 5, 2019. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Location and site information

On the west side of Federal Hwy (US 1) at the intersection of Mariner Sands Dr and Federal Hwy between Port Salerno and Hobe Sound

Parcel number(s) and address:

31-38-42-000-014-00010-6 No Address 31-38-42-000-000-00042-9 No Address

Existing Zoning: PUD-C, Planned Unit Development Commercial

Future land use: Commercial General

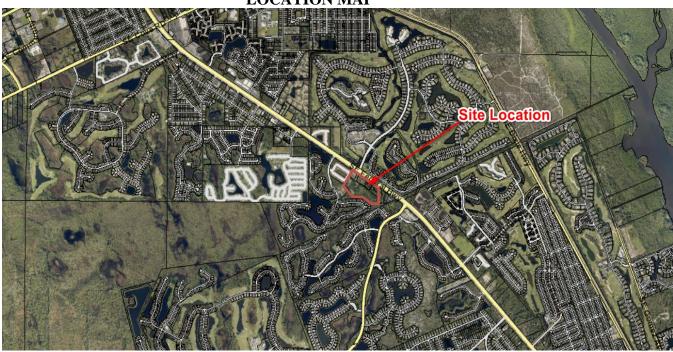
Commission district:

Municipal taxing district: C, South Central MSTU

Planning area: South County

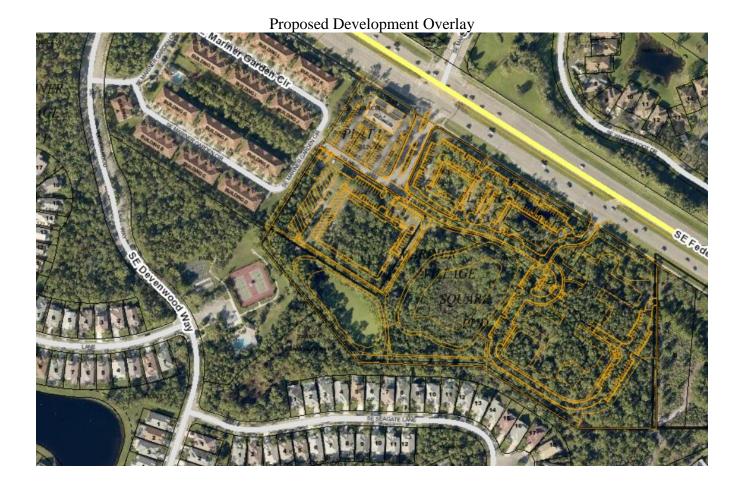
Traffic analysis zone: 57

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

The Martin County Comprehensive Growth Management Plan, Goal 4.1, Objective 4.1A., Policy 4.1.A.1., states: 'The County's existing Land Development Regulations shall be revised to 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 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 Game and Freshwater Fish 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 within 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.

Findings of Compliance:

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

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. There are no unresolved land use, zoning or procedural requirements issues associated with this application.

Item #1: Land Clearing

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

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

Commercial Design

The proposed development complies with the requirements Art. 4, DIV 20 -Commercial Design- of the Martin County, FL, Land Development Regulations.

Community Redevelopment Area

N/A

The property is not located within a Community Redevelopment Area (CRA). Therefore, the Community

Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, Division 6

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

N/A

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla., (2010) which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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

Environmental

Finding of Compliance:

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

Landscaping

Findings of Compliance

The Growth Management Department staff has reviewed the application and finds it in compliance with the applicable Land Development Regulations regarding landscaping. The applicant has proposed construction of a residential storage facility with associated infrastructure.

In association with Lot 2 the applicant has submitted landscape plans that provide .67 acres of landscape area which equates to 22% of the 132,450 s.f Lot 2 development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Section 4.663.A.3.b. Land Development Regulations, Martin County, Fla. (2013) requires that all nonresidential development provide at least one tree per 2,500 sq. ft. of site area; a total of 53 trees for this project on Lot 2. To demonstrate compliance the applicant has proposed the planting of 74 shade trees, equivalent of 9 palms, and preservation of 7 existing trees totaling 18 trees credits.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Surrounding land use to the north is residential and the approved PUD agreement required a 50 foot Type 4 buffer except adjacent to the existing lift station where a 15 foot ½ of Type 1 buffer was required, both have been provided.

Section 4.663.A.4.b.1, 2, , and 3., Land Development Regulations, Martin County, Fla. (2013) requires one 500 s.f. landscape area with 2 trees for each 5000 s.f. of interior vehicular use area. Lot 2 has 64,657

sq.ft. of parking requiring 26 additional trees. To document compliance the applicant is proposing the installation of 31 native trees within the vehicular use area of the site.

Section 4.666.E.Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. The applicant has proposed the protection of 7 existing trees within Lot 2 and also to mitigate for other removal by installation of the equivalent of 114 tree credits.

The Phase 2 Infrastructure Plan includes an access tract and stormwater tract totaling 141,182 sf which requires the installation of 57 trees. To demonstrate compliance the applicant has proposed installation and protection of 89 trees.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. Martin County, Fla Section 4.663.B.1.a, (2013). Surrounding land use to the west is residential and the approved PUD agreement required a 25 foot landscape buffer and wall. The applicant has proposed to install a wall and to protect existing native vegetation along this boundary. Existing prohibited vegetation shall be removed and the preserved vegetation will be supplemented with native trees and shrubs as necessary to meet requirements for opacity.

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

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

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

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

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by MacKenzie Engineering and Planning, Inc., dated November 2019. MacKenzie Engineering and Planning, Inc. stated that the site's maximum impact was assumed to be 70 directional trips during the PM peak hour. Staff finds that SE Federal Highway (SR-5/US-1) is the recipient of a majority of the generated trips. The generalized service capacity of SE Federal Highway (SR-5/US-1) is 3020. The project impact is 1.52% of the maximum volume of that roadway. SE Federal Highway (SR-5/US-1) is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2027).

L. Determination of compliance with county surveyor - Engineering Department

N/A

The applicant has indicated that there are no proposed changes to the approved project boundary as part of the current application. 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 of the Land Development Regulations. MARTIN COUNTY, FLA., LDR § 10.1.F

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

Engineering - Compliance Determination

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

- 1. Division 8- Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that the amount of proposed excavation is less than the amounts of fill needed for the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.
- 2. Division 9- Stormwater Management: The applicant proposes a stormwater management system consisting of an interconnected system of inlets and culverts connected to a series of dry retention/detention areas which will discharge to an existing onsite lake before discharging through a control structure to an existing onsite wetland before discharging through another control structure into the US-1 right-of-way drainage system. The applicant has demonstrated the proposed development will limit the discharge from the project to rates less than predevelopment conditions. The applicant demonstrated the water quality volume is being met in the proposed dry retention/detention and wet detention areas prior to discharging into the existing onsite wetlands; thereby, the required attenuation, flood protection, and water quality treatment is in compliance with Division 9.
- 3. Division 10 Flood Protection: This site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the minimum finished floor elevations 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.
- 4. Division 14 Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 with the proposed design of the parking lot for the project.
- 5. Division 19- Roadway Design: The applicant has demonstrated the proposed development will include the necessary offsite improvements to US-1, including but not limited to an eastbound right turn lane.

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

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

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:

The Information Services Department staff has reviewed the electronic file submittal and finds it in compliance with the applicable county requirements.

Both AutoCAD site plan and boundary survey were received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

Both AutoCAD site plan and boundary survey were in State Plane coordinates and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2018)

Post review: Update CAD files with Post Submittal.

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)]

Information Item

Draft Agreement Submitted

The applicant has submitted a draft water and wastewater service agreement. The applicant must submit

a final, executable draft 'Water and Wastewater Service Agreement' to the Planning and Development Services Department for review by the Legal Department prior to seeking final site plan approval.

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

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

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

Findings of Compliance:

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

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

Martin County Health Department

N/A

There are no onsite potable wells or septic disposal systems, pursuant to Section 10.1.F, LDR, Martin County, Fla. Therefore, the Department of Health was not required to review this application for consistency with the Martin County Codes.

Martin County School Board

N/A

The applicant has indicated that this application is for a residential care facility. Therefore the Martin County School Board was not required to review this application for school concurrency evaluation.

MARTIN COUNTY, FLA., LDR §10.1.F.

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

Review Ongoing

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

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

Potable water facilities (Section 5.32.D.3.a, LDR) Service provider – Martin County Findings – Review pending Source - Utilities and Solid Waste Department Reference - see Section O of this staff report

Sanitary sewer facilities (Section 5.32.D.3.b, LDR) Service provider – Martin County Findings – positive evaluation Source - Utilities and Solid Waste Department Reference - see Section O of this staff report

Solid waste facilities (Section 5.32.D.3.c, LDR) Findings – in place Source - Growth Management Department

Stormwater management facilities (Section 5.32.D.3.d, LDR) Findings – positive evaluation Source - Engineering Department Reference - see Section M of this staff report

Community park facilities (Section 5.32.D.3.e, LDR) Findings – in place

Source - Growth Management Department

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

Mass transit facilities (Section 5.32.D.3.g, LDR) Findings - in place Source - Engineering Department Reference - see Section K of this staff report Public safety facilities (Section 5.32.D.3.h, LDR) Findings - in place Source - Growth Management Department Reference - see Section P of this staff report

Public school facilities (Section 5.32.D.3.i, LDR) Findings - in place Source - Growth Management Department Reference - see Section R of this staff report

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

U. Post-approval requirements

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

Item #1:

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

Item #2:

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

Item #3:

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

Item #4:

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

Item #5:

One (1) 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 #6:

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

Item #7:

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 #8:

One (1) digital copy of site plan in AutoCAD 2010 - 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #9:

Original of the construction schedule.

Item #10:

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 #11:

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

Item #12:

Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.

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

Item #1:

The following permits must be submitted prior to scheduling the Pre-Construction meeting:

1. Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP)

- 2. U.S. Fish and Wildlife Service (USFWS) listed species permit or plan
- 3. Florida Fish and Wildlife Conservation Commission (FWC) listed species permit or plan

Item #2:

- 1. South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) Modification.
- 2. FDEP NPDES Generic Permit for Stormwater Discharge from Large and Small Construction.
- 3. FDOT drainage connection permit.

Item #3:

WATER AND WASTEWATER

The applicant must provide a copy of all required Department of Environmental Protection permits prior to scheduling the Pre-Construction meeting.

Item #4:

SFWMD REQUIRED IRRIG PERMITS

The applicant must provide a copy of all required South Florida Water Management District permits prior to scheduling the Pre-Construction meeting.

W. Fees

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

Fee type:	Fee amount:	Fee payment:	Balance:
Application review fees:	\$13,800.00	\$13,800.00	\$0.00
Site Inspection fees:	\$4,000.00	\$0.00	\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact fees:	TBD		

- * Advertising fees will be determined once the ads have been placed and billed to the County.
- ** Recording fees will be identified on the post approval checklist.

X. General application information

Applicant: Ribbon Ventures, LLC

Rita M. Wilson P. O. Box 418

Boynton Beach, FL 33435

Agent: Lucido & Associates

Morris A. Crady, AICP 701 East Ocean Blvd

Stuart, FL 34994 772-220-2100

Y. Acronyms

ADA	. Americans with Disability Act
AHJ	. Authority Having Jurisdiction
ARDP	. Active Residential Development Preference
BCC	. Board of County Commissioners
CGMP	. Comprehensive Growth Management Plan
CIE	. Capital Improvements Element
CIP	. Capital Improvements Plan
FACBC	. Florida Accessibility Code for Building Construction
FDEP	. Florida Department of Environmental Protection
FDOT	. Florida Department of Transportation
LDR	. Land Development Regulations
LPA	Local Planning Agency
MCC	. Martin County Code
MCHD	. Martin County Health Department
NFPA	. National Fire Protection Association
SFWMD	. South Florida Water Management District
W/WWSA	. Water/Waste Water Service Agreement

Z. Attachments