A. Application Information

BANYAN BAY PUD
Phase 2B PUD Final Site Plan

Applicant: Banyan Bay Macks, LLC
Property Owner: Banyan Bay Macks, LLC
Agent for the Applicant: Lucido & Associates, Morris A. Crady, AICP
County Project Coordinator: Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director: Nicki van Vonno, AICP
Project Number: B082-030
Application Type and Number: D007 201700158
Report Number: 2017_1222_B082-030_DRT_Staff_FINAL.docx
Application Received: 05/17/2017
Transmitted: 05/18/2017
Staff Report Issued: 08/01/2017
Joint Workshop: N/A (Waived by Applicant)
Resubmittal Received: 10/26/2017
Transmitted: 10/30/2017
Staff Report Issued: 12/22/2017
Joint Workshop: 01/04/2018

B. Project description and analysis

This application requests approval of Planned Unit Development (PUD) Phase 2B final site plan, for a residential planned unit development located between South Kanner Highway and the South Fork of the St. Lucie River at the intersection of Kanner Highway and SE Pomeroy Street, within the Primary Urban Services District. The approved PUD Master Site Plan includes a total of 305 dwelling units with associated infrastructure, wetland and upland preserve areas and recreation improvements including waterfront amenities contained within five distinct phases (1, 2A, 2B, 2C, 3) on a 251-acre property for a gross residential density of 1.2 units per acre.

Phase 1 originally received final site plan approval in 2005 and the plat was approved in 2008. Phase 1 improvements include the construction of the project entrance, 74 single family lots, adoption of a Preserve Area Management Plan (PAMP) for the entire project, landscape buffers and a temporary construction access and stockpile area to be located in the area of Phase 2C. Phase 2A is under current review for approval of a final site plan and consists of 111 single family lots with supporting infrastructure. Phase 2B consists of waterfront recreational improvements, Phase 2C consists of 48 duplex units and Phase 3 consists of 72 multi-family units. The construction of Phase 1 is substantially complete. The current timetable for the project, including the recent state time extensions for Lake Okeechobee Discharges, Zika virus and Hurricane Matthew, requires the applicant to obtain final site
plan approvals for Phases 2A, 2B, 2C, and 3, by March 28, 2022, and to complete construction of all phases by March 28, 2024.

This application for the Phase 2B Final Site Plan proposes to eliminate a multi-slip docking facility that was depicted in the previously approved master site plan, reducing the total number of vessel wet slips from 29 to 6. The remaining six wet slips are associated with three single family docks proposed on the shared lot lines for six single-family residential lots (Lots 61-66 in Phase 2A). These are depicted on the current final site plan for conceptual purposes only and shall be subject to the state permitting process for single family waterfront docks. Waterfront amenities within this phase are proposed for the sole use of the residents of Banyan Bay and include a boat ramp, gangway, fishing pier, picnic shelter with deck, ten vehicular parking spaces and six trailer parking spaces. Revision of the approved Master Site Plan for consistency with this Phase 2B final site plan is already proposed in conjunction with a proposed Seventh Amendment to the PUD Zoning Agreement, revised master site plan, revised phasing plan, and final site plan for Phase 2A, which is being processed under Project #B082-029.

The project will be serviced by Martin County Utilities for water, wastewater, and IQ irrigation water sources. Access is provided through the Phase 2A residential roadway known as SW Pennfield Terrace with access to the overall development provided via a single entrance on S. Kanner Highway. This application includes a request for a Certificate of Adequate Public Facilities Reservation.

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:

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<th>Section</th>
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<th>Reviewer</th>
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**D. Review Board action**

This application requests approval of a final site plan for Phase 2B for the Banyan Bay Planned Unit Development (PUD) which has an approved Master Site Plan and Phasing Plan. This application is classified as a major development. As such, final action on this request for approval is required by the Board of County Commissioners at a public meeting pursuant to Section 10.5.A.2., Land Development Regulations, Martin County, Fla., (2016).

Pursuant to Section 10.4.A.1., Land Development Regulations, Martin County, Fla., a review of this application is not required by the Local Planning Agency (LPA).

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: | 41-38-41-000-000-0004.0-00000 | No Address |
| Nearest major road: | S Kanner Highway at SE Pomeroy St |
| Commission district: | Not Available |
| Community redevelopment area: | Not Applicable |
| Municipal service taxing unit: | District 2 |
| Planning area: | Not Available |
| Storm surge zone: | Not Available |
| Taxing district: | Not Available |
| Traffic analysis zone: | Not Available |
| Gross area of site: | 46,047 square feet |

**Figure 1: Location Map**

![Location Map](image-url)
Adjacent existing or proposed development:
To the north:      Preserve area
To the south:     Single Family Residential (approved Master)
To the east:       Single Family Residential (approved Master)
To the west:     N/A, South Fork St Lucie River
Zoning district designations of abutting properties:
To the north: PUD-R, Residential Planned Unit Development
To the south: PUD-R, Residential Planned Unit Development
To the east: PUD-R, Residential Planned Unit Development
To the west: N/A, South Fork St Lucie River
Future land use designations of abutting properties:
To the north: Medium Density Residential
To the south: Low Density Residential
To the east: Low Density Residential
To the west: N/A, South Fork St Lucie River

Figure 6: Future Land Use Map

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

Unresolved Issues:

Item #1: Minimum Open Space
Open space is defined as, "The portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas and sidewalks, whether permeable or impermeable. MARTIN COUNTY, FLA., CGMP SECTION 2.2. (2016)

All Residential development shall maintain a minimum of 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as a minimum of 40 percent of the upland property consists of open space. MARTIN COUNTY, FLA., CGMP POLICY 4.13A.7.(1)(b) (2016)

The Residential open space requirement shall apply on a lot-by-lot basis unless the lot has been approved as part of a final site plan which demonstrates compliance on a project-wide basis, for example, by way of setting aside common areas eligible as open spaces. MARTIN COUNTY, FLA., LDR SECTION 3.15.1.A. (2016)
Remedy/Suggestion/Clarification:
Revised Master Site Plan:
The required minimum open space must be calculated based upon the total project area. Therefore, the site plan is required to demonstrate a minimum of 125 acres of open space. The applicant has provided an open space table that appears to be incomplete and cites an upland area total that staff could not duplicate from the information given. Please revise the open space table to demonstrate that a minimum of 50% of the total site area will be retained as open space by addressing the following on the Revised Master Site Plan and the Revised Phasing Plan:

1. The resubmittal did not include the revised master site plan and instead referenced a separate application (B082-029). Please be advised that any materials required for this application to demonstrate compliance must be submitted as part of this application and referencing a separate application is not sufficient for a demonstration of compliance.

2. On the Revised Master Site Plan, please provide a breakdown of the "provided upland open space" in categories that are consistent with the pervious data table and proposed final conditions. Please also break out the shoreline protection zone upland buffer area and revise the titles of categories as requested in the staff report for B082-029.

3. On the Revised Master Site Plan please include the wetland area proposed to account for the balance of open space to demonstrate provision of the overall required 50% of total site area.

4. Please revise the waterfront area to show the preserve areas consistent with the proposed revised Phase 2B final site plan.

5. The revised phasing plan appears to include portions of wetland buffer (Phases 2A, 2C and 3) or shoreline protection zone (Phase 2A and 2B) or upland preserve areas (Phases 2A and 3) within the phase boundaries. Based upon the calculations provided, it appears that all of the wetland buffers, shoreline protection zone, and upland preserve areas are being counted as common open space separately from the single family lots and duplex and multifamily tracts. On the Revised Master Site Plan please add a notation to the 'residential lots', 'duplex tract', and 'multi-family tract' clarifying that these required open areas exclude any established preserve or buffer areas since these areas have contributed to open space separately from the lots and tracts as set forth in the Pervious, Impervious, and Building Data tables.

6. The pervious data table identifies a set amount of 20% pervious area proposed for phase 2C (duplex tract). Does this include the 2 acres of pervious pavers? Please update the open space table to demonstrate the exclusion of the 2 acres of pervious pavers from the open space calculations pursuant to Section 2.2., CGMP, Martin County.

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

Unresolved Issues:

Item #1:
Site Plan Data
A complete site plan is required as part of the application pursuant to Section 10.2.B.5., LDR, Martin County, Fla. Pursuant to Section 10.2.B.5., LDR, Martin County, Fla. (2016), please provide the following data on the site plan, in square feet and acres, to demonstrate compliance with the Martin County Code requirements. Provide appropriate areal descriptions for all required and proposed total areas within the categorized sections (e.g. Landscaping, Stormwater detention, Stormwater retention, Open water,
Sidewalks, Roadway, Wetland preserve, Upland preserve, etc.).

**Remedy/Suggestion/Clarification:**

**Phase 2B Final Site Plan:**

1. As previously requested, please show locations of required preserve signage.
2. Please explain the proposed addition of a retaining wall and how the water access shared by lots 61 and 62 will remain accessible through the proposed wall.

**Additional Information:**

**Information #1:**

Once everyone has signed off with a comply, the project will be scheduled for the next BCC meeting dependent upon the County’s scheduling policy.

For BCC meeting, additional copies of the site plan will be requested for the distribution packets from the applicant.

**Information #2:**

For any development order resolution, 8-1/2 by 11 copy of the legal description labeled as Exhibit A and 8-1/2 by 11 copy of the site plan labeled as Exhibit B from the applicant will be required.

**Information #3:**

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 #4:**

The applicant has elected Option 2, regarding Agency permit submittal for a consistency review after project approval. Prior to scheduling the mandatory pre-construction meeting for construction commencement authorization, all applicable local, state, and federal approved permits are to be submitted for review by the County Administrator with remittance of a $600.00 review fee. If an application is made to any permitting agency for a modification to a permit that was required to be issued prior to final site plan approval, the application for the permit modification must be submitted concurrently to Martin County. MARTIN COUNTY, FLA., LDR §10.9.A (2016)

**Information #5:**

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.1., 5.32
H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department

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. (2016)

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 (2016)

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

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. (2001) 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 Real Property Management.

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

Environmental

Findings of Compliance:
The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations. This application revises the Master Site Plan and approves a Final Site Plan for the waterfront area, known as phase 2B. The revisions remove the boat ramp and dock facility from within the shoreline protection zone that were approved with the original MSP. They are replaced with a fishing pier and other facilities, such as the open deck and covered shelter, are removed from within the SPZ.

Landscape

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 recreational facility within the Banyan Bay PUD. The applicant has submitted landscape plans that provide .63 acres of landscape area which equates to 61% of the 35,445 s.f 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 14 trees for this project. To demonstrate compliance the applicant has proposed the planting of 42 trees.

Section 4.666.E. Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. Due to necessary grade changes it is not possible to preserve any existing trees within the development area. The applicant is proposing to establish 18 additional 3” diameter at breast height South Florida Slash Pine to mitigate for removal of 12 protected trees.

To implement the condition of the zoning agreement to incorporate sustainable design standards and to document compliance, the recreational elements of Phase 2B have been designed to incorporate a pedestrian connection from Phase 2A to these waterfront recreational facilities in Phase 2B. In addition in accordance with staff recommendation the applicant has proposed to place an outdoor monofilament recycling collection bin at the fishing pier and participate in the FWC monofilament recycling program. 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.

Additional Information:

Information #1:

Landscape Native Tree Protect & Survey

A tree survey is required to identify specific native trees required to be protected from development [Section 4.666, LDR]. Please note that trees in proposed preservation areas, palm trees and non-native species need not be identified on this survey. Existing native vegetation shall be retained to act as buffers between adjacent land uses, and to minimize nuisance dust noise and air pollution during construction. The following information shall be provided for trees in the developed area:

1. As a condition of the issuance of a permit for removal of a protected tree, a satisfactory plan shall be presented by the applicant for the successful replacement of trees to be removed, based on the schedule found in Section 4.666.D., LDRs. Such schedule may be offset by the tree preservation schedule, for protected trees to be retained on site, as found in Section 4.664.F., LDRs.

Trees within a preserve area cannot be utilized for tree mitigation or to meet minimum tree requirement. The Dahoon should not be included in tree calculations.

12.18.17. Dahoon is still being counted as tree mitigation. Trees within preserves cannot be counted as fulfilling required trees quantities. Sufficient quantity of trees have been provided without this tree but
for benefit of accuracy, credit for this Dahoon should be removed from tree mitigation summary table.

K. Determination of compliance with transportation requirements - Engineering Department

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

Compliance with Adequate Public Facilities Ordinance:
This application satisfies the Adequate Public Facilities Standard; it is exempt as it is a development, a development alteration, or an expansion that does not create additional impact on the roadway network (Article 5, Division 2, Section 5.32.D.3.f).

Roadway capacity was reserved September 24, 2013 pursuant to an agreement between the Martin County Board of County Commissioners and SR-76 LLC and the Fifth Amendment to the Banyan Bay Zoning Agreement.

L. Determination of compliance with county surveyor - Engineering Department

Unresolved Issues:

Item #1:
Boundary Survey
A boundary survey, signed and sealed by the surveyor and mapper whose signatures and seals appear on the plat, must be submitted.

Remedy/Suggestion/Clarification:
The current boundary survey only shows an approximate mean high water line. A mean high water line survey must be included and is to be filed in the Department of Environmental Protections (DEP) mean high water line survey (MHW) repository. The resulting geometry of the mean high water line survey shall be reflected on the site plan.

1. The Boundary Survey and site plans for this site and all other applicable phase site plans shall adhere to Florida Statutes Chapter 177 as it relates to establishing the Mean-High-Water and jurisdictional line between private and state sovereign lands.
2. Applicable Boundary Survey geometry shall be reflected on the site plan(s).

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

Unresolved Issues:

Item #1:
Consistency With Other Plans
The following components of the final site plan or construction plans are inconsistent:

1. As previously requested, provide boundary and annotations on Final Site Plan and Construction Plans.
2. Add length of eastern boundary to Final Site Plan.
Item #2:
Stormwater Mgmt Construction Plans

1. The stop bar and crosswalk are proposed to be built in Phase 2A as described in the response to comments. Remove or show as existing on the Final Site Plan (consistent with the construction plans).
2. Proposed stop sign is within proposed sidewalk.
3. The stop bar must be placed a minimum of 4-feet from the pedestrian crosswalk.
4. Sidewalk shown along Pennifield Terrace Cul-de-Sac is inconsistent with the Phase 2A Final Site Plan. Revise plans accordingly.
5. Relocate concrete washout and proposed stockpile area to within Phase 2B limits.
7. The limits of the retaining wall along lot 61 is inconsistent between the Final Site Plan and the Construction Plan (sheet 4 of 10). Revise for consistency.

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. (2017).

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. (2016)

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. (2016)

The AutoCAD boundary survey was received and found to be in compliance with Section 10.2.B.5, Land Development Regulations, Martin County, Fla. (2016)

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

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

Wellfield and Groundwater 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. 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 Preparedness

The proposed project for this phase of the development does not contain habitable residential structures pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016) and is not anticipated to impact Martin County Emergency Management resources. Therefore, the Emergency Management reviewer was not required to review this application.

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

Unresolved Issues:

Item #1:
ADA-Parking, Painted Boundary, Sign
502.6 Identification.
Parking space identification signs shall include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces when required by 502.2 shall contain the designation “van accessible.”

502.6.1
Each such parking space must be striped in a manner that is consistent with the standards of the controlling jurisdiction for other spaces and prominently outlined with blue paint, and must be repainted when necessary, to be clearly distinguishable as a parking space designated for persons who have disabilities. The space must be posted with a permanent above-grade sign of a color and design approved by the Department of Transportation, which is placed on or at least 60 inches (1525 mm) above the finished floor or ground surface measured to the bottom of the sign and which bears the international symbol of accessibility and the caption “PARKING BY DISABLED PERMIT ONLY.” Such a sign, erected after October 1, 1996, must indicate the penalty for illegal use of the space. Any provision of this section to the contrary notwithstanding, in a theme park or an entertainment complex as
defined in Section 509.013 in which accessible parking is located in designated lots or areas, the signage indicating the lot as reserved for accessible parking may be located at the entrances to the lot in lieu of a sign at each parking place.
(2014 FBC, FIFTH EDITION\ACCESSIBILITY 502.6, 502.6.1)

Remedy/Suggestion/Clarification:
11/9/2017 - Show dimensions, markings and signage for handicap parking on Site Plan

Item #2:
ADA-Curb Height And Ramp
406 CURB RAMPS

406.1 General.
Curb ramps on accessible routes shall comply with 406, 405.2 through 405.5, and 405.10.

406.2 Counter Slope.
Counter slopes of adjoining gutters and road surfaces immediately adjacent to the curb ramp shall not be steeper than 1:20. The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level.

406.3 Sides of Curb Ramps.
Where provided, curb ramp flares shall not be steeper than 1:10.

406.4 Landings.
Landings shall be provided at the tops of curb ramps. The landing clear length shall be 36 inches (915 mm) minimum. The landing clear width shall be at least as wide as the curb ramp, excluding flared sides, leading to the landing.

406.5 Location.
Curb ramps and the flared sides of curb ramps shall be located so that they do not project into vehicular traffic lanes, parking spaces, or parking access aisles. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides.

406.6 Diagonal Curb Ramps.
Diagonal or corner type curb ramps with returned curbs or other well-defined edges shall have the edges parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have a clear space 48 inches (1220 mm) minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches (1220 mm) minimum clear space within the markings. Diagonal curb ramps with flared sides shall have a segment of curb 24 inches (610 mm) long minimum located on each side of the curb ramp and within the marked crossing.

406.7 Islands.
Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides. Each curb ramp shall have a level area 48 inches (1220 mm) long minimum by 36 inches (915 mm) wide minimum at the top of the curb ramp in the part of the island intersected by the crossings. Each 48 inch (1220 mm) minimum by 36 inch (915 mm) minimum area shall be oriented so that the 48 inch (1220 mm) minimum length is in the direction of the running slope of the curb ramp it serves. The 48 inch (1220 mm) minimum by 36 inch (915 mm) minimum areas and the accessible route shall be
permitted to overlap.

406.8 Detectable Warnings.
Curb ramps subject to Department of Transportation regulation 49 CFR 37.21 shall have a detectable warning complying with 705. The detectable warning shall extend the full width of the curb ramp (exclusive of flared sides) and shall extend either the full depth of the curb ramp or 24 inches (610 mm) deep minimum measured from the back of the curb on the ramp surface.

502.2.1 On-street parallel parking.
Spaces must comply with sections 208 and 502 of the ADA Standards for Accessible Design. Curbs adjacent to such spaces must be of a height that does not interfere with the opening and closing of motor vehicle doors.

405.10 Wet Conditions.
Landings subject to wet conditions shall be designed to prevent the accumulation of water (2014 FBC, FIFTH EDITION\ACCESSIBILITY 406, 502.2.1, 405.10)

Remedy/Suggestion/Clarification:
11/9/2017 - Show detectable warnings at vehicular crossing.

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 phase. 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 Section 5.32.D., LDR, Martin County, Fla. (2016), for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities
Service provider - Martin County
Findings - Comply
Source - Utilities and Solid Waste Department
Reference - see Section O of this staff report

Sanitary sewer facilities
Service provider - Martin County
Findings - Comply
Source - Utilities and Solid Waste Department
Reference - see Section O of this staff report

Solid waste facilities
Findings – In Place
Source - Growth Management Department

Stormwater management facilities
Findings - Pending
Source - Engineering Department
Reference - see Section M of this staff report

Community park facilities
Findings – In Place
Source - Growth Management Department

Roads facilities
Findings - Comply
Source - Engineering Department
Reference - see Section K of this staff report

Public safety facilities
Findings – N/A
Source - Growth Management Department
Reference - see Section P of this staff report

Public school facilities
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:

Post Approval Impact Fees: Impact fees must be paid after the development order has been approved. Submit a check made payable to Martin County Board of County Commissioners within 60 days of project approval.

Item #4:

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 #5:

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 #6:

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 #7:

Ten (10) 24" x 36" copies of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Fold to 8 by 12 inches.

Item #8:

Ten (10) copies 24" x 36" of the approved site plan and one (1) reduced copy 8 1/2" x 11".

Item #9:

Original approved site plan on Mylar or other plastic, stable material.
Item #10:

Ten (10) 24" x 36" copies of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

Item #11:

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 #12:

Original of the construction schedule.

Item #13:

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 #14:

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 #15:

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.

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 review fee will be required for Martin County to verify that the permits are consistent with the approved development order.

Item #1:

ENVIRONMENTAL PERMITS

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

1. Florida Fish and Wildlife Conservation Commission (FWC) listed species permit or plan

Item #2:

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

1. South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP)
2. South Florida Water Management District (SFWMD) Dewatering Permit
3. Army Corps of Engineers (ACOE) Nationwide

**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:

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<th>Fee payment:</th>
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* 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: Banyan Bay Macks, LLC
4750 Owings Mills Blvd
Owings Mills, MD 21117

Agent: Lucido & Associates
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701 East Ocean Blvd
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772-220-2100

Landscape architect: Lucido & Associates
Morris Crady
701 East Ocean Blvd
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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