



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

SW 96th STREET MONOPINE TOWER MAJOR FINAL SITE PLAN

Applicant/Owner:	Fazlul Ahmed and Zarna Ahmed
Agent for the Applicant:	Vertex Development, LLC
County Project Coordinator:	John Sinnott, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	K049-004
Record Number:	DEV2024040003
Report Number:	2024_0712_K049-004_Staff_Report_Final
Application Received:	04/29/2024
Transmitted:	04/30/2024
Date of Report:	07/12/2024

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B. Project description and analysis

This is a request by Vertex Development, LLC, on behalf of Fazlul and Zarna Ahmed for major final site plan approval to construct a 120' stealth-design monopine wireless telecommunications facility (WTCF) ("tower") and associated infrastructure within a 1,600 square-foot lease area. The tower will be designed to accommodate the colocation of four (4) wireless carriers. The subject site is a portion of an approximately 1.75-acre undeveloped parcel located on the south side of SW 96th street, approximately 230 feet west of the intersection of SW 96th Street and SW Kanner Highway, in Stuart. Included is a request for a Certificate of Public Facilities Exemption.

The project is located inside the Primary Urban Services District with water and wastewater services available from Martin County Utilities. Development of the WTCF must be in conformance with the Land Development Regulations, Comprehensive Growth Management Plan and Martin County Code, including

the requirements of Division 18, Article 4, LDR, governing the site development standards specific to wireless telecommunication facilities. The proposed location is classified as a Priority 3 site under Section 4.795.D, LDR, due to the limited commercial future land use designation of the site. Pursuant to Section 4.798.C, LDR, the tower separations, setbacks, and fall zone criteria of Sections 4.798.A and 7.798.B, LDR, shall not apply to any stealth tower.

The County shall have the right to retain independent technical consultants and experts that it deems necessary to properly evaluate applications for wireless telecommunication facilities and to charge reasonable fees as necessary to offset the cost of such evaluations [Section 4.805, LDR].

Martin County has also received a minor final site plan application for the development of a one-story, 9,800 square-foot building and associated infrastructure on the remainder of the parent parcel. The proposed building consists of a 5,000 square-foot convenience store and three (3) 1,600 square-foot retail suites. This application is currently being reviewed separately under project K049-003.

C. Staff recommendation

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

Section	Division or Department	Reviewer	Phone	Assessment
F	Comp Planning Review	John Sinnott	772-320-3047	Non-Comply
G	Site Design Review	John Sinnott	772-320-3047	Non-Comply
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
H	Commercial Design Review	John Sinnott	772-320-3047	N/A
I	Property Mgmt Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Maddie Gierczak	772-221-1377	Non-Comply
J	Landscaping Review	Karen Sjolholm	772-288-5909	Non-Comply
K	Transportation Review	Lukas Lambert	772-221-2300	Comply
L	County Surveyor Review	Tom Walker	772-288-5928	Non-Comply
M	Engineering Services Review	Matthew Hammond	772-288-5512	Non-Comply
N	Addressing Review	Emily Kohler	772-288-5400	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5400	Comply
O	Wellfield Review	Jorge Vazquez	772-221-1448	N/A
O	Water and Wastewater Review	Jorge Vazquez	772-221-1448	N/A
P	Emergency Mgmt Review	Amy Heimberger	772-285-7220	N/A
		Lopez		
P	Fire Prevention Review	Doug Killane	772-419-5396	Non-Comply
Q	ADA Review	Matthew Hammond	772-288-5512	N/A
R	Health Review	Nick Clifton	772-221-4090	N/A
R	School Board Review	Mark Sechrist	772-219-1200	N/A
S	County Attorney Review	Elysse Elder	772-288-5925	Ongoing

T Adequate Public Facilities Review John Sinnott 772-320-3047 Exempt

D. Review Board action

This application meets the threshold requirements for processing as a major development. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

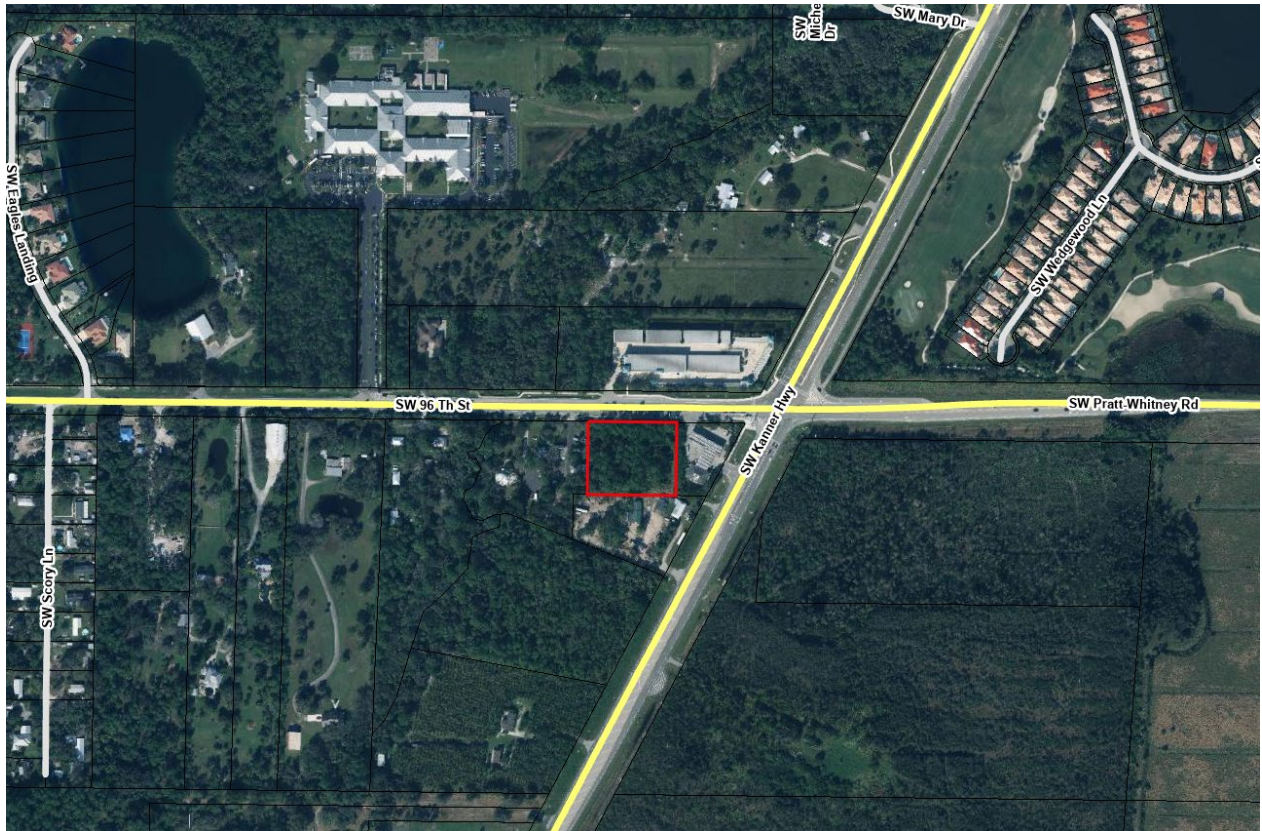
Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, Martin County, Fla. (2019), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

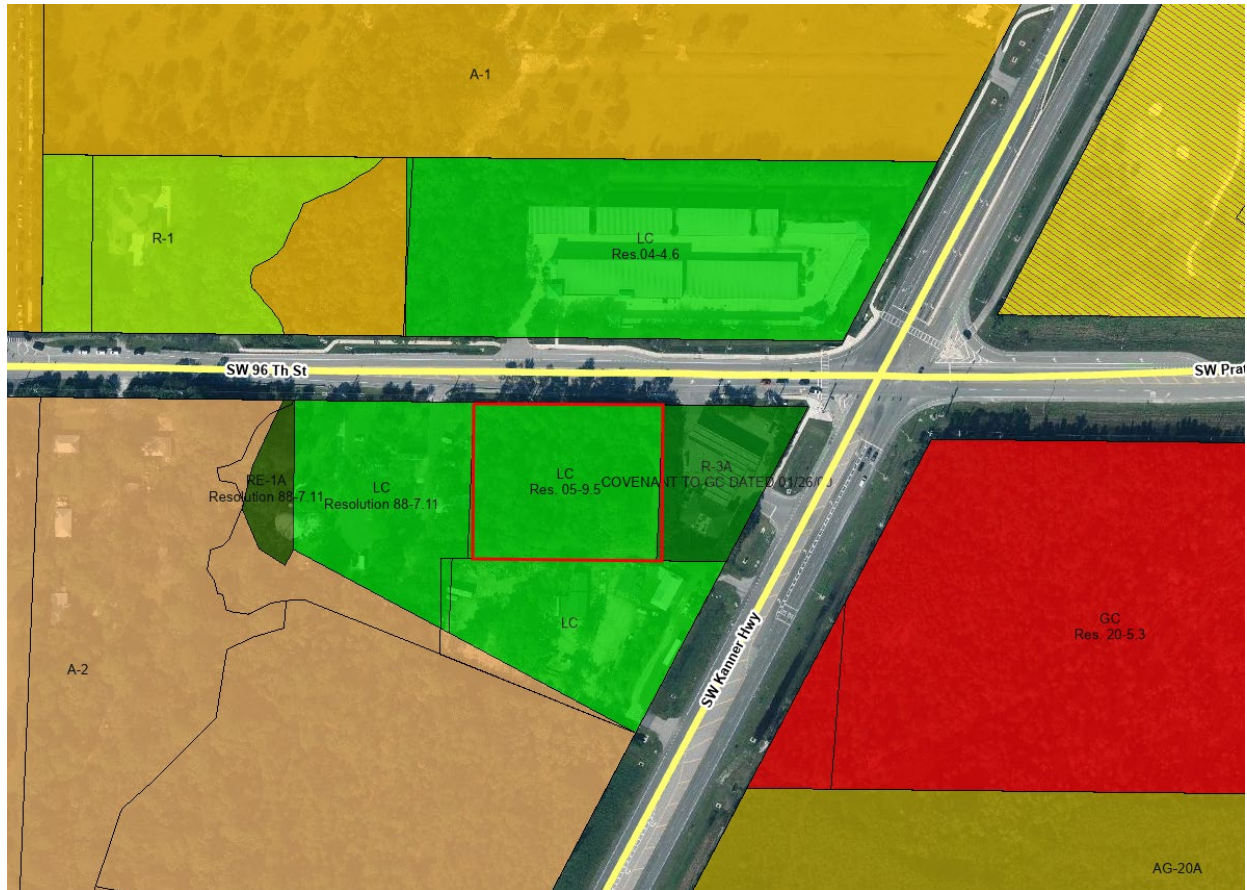
E. Location and site information

Parcel number: 18-39-41-000-003-00010-6
Existing Zoning: Limited Commercial (LC)
Future Land use: Limited Commercial
Gross area of site: 1,600 square-foot lease area
Gross area of parent parcel: 1.75 acres

**Figure I:
Location Map**

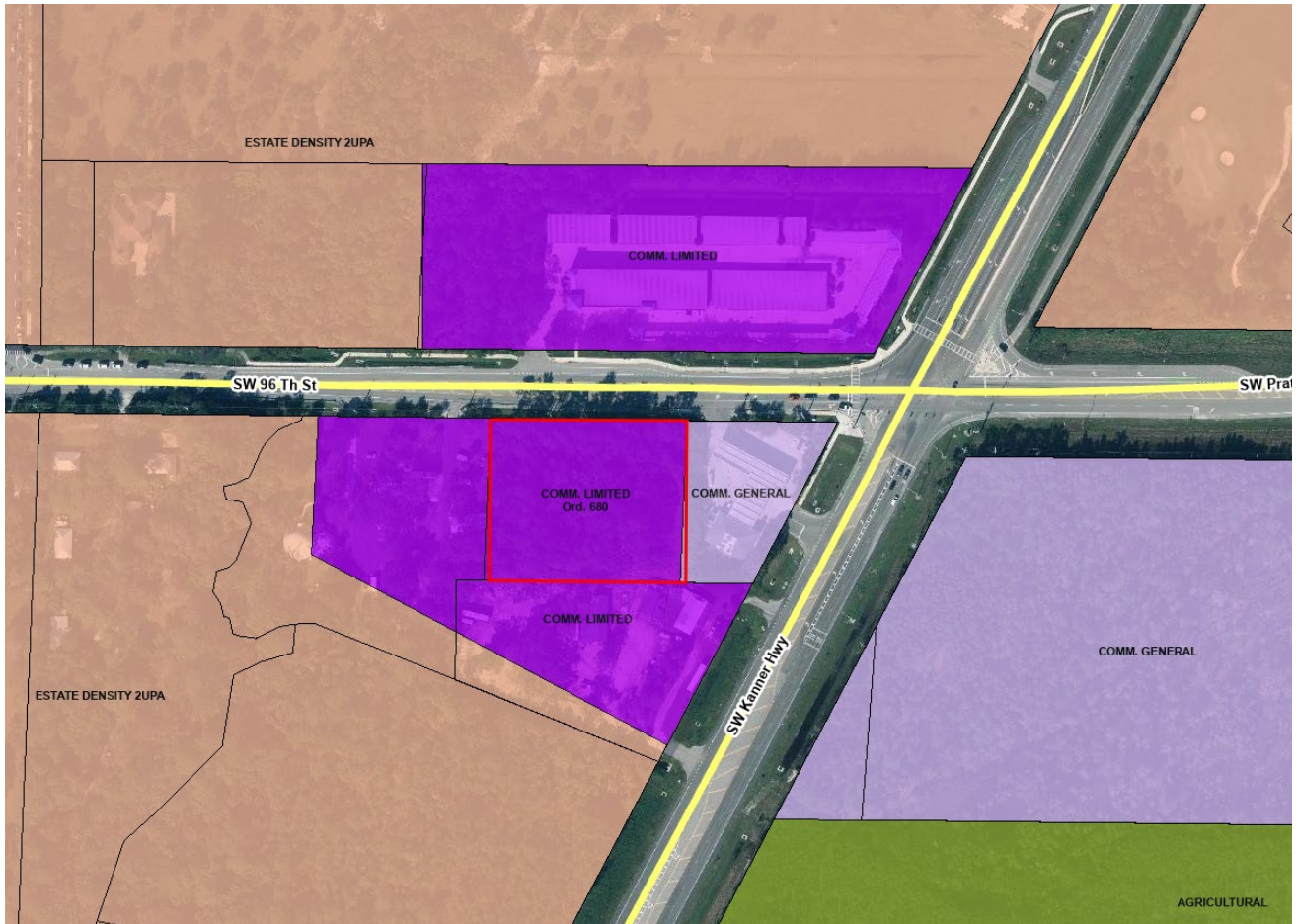


**Figure II:
Zoning Map**



Property to the East: R-3A (Covenant to GC)
Property to the North: SW 96th Street, LC
Property to the West: LC
Property to the South: LC

**Figure III:
Future Land Use Map**



Property to the East: General Commercial
Property to the North: SW 96th Street, Limited Commercial
Property to the West: Limited Commercial
Property to the South: Limited Commercial

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

Unresolved Issues:

Item #1:

Generic Comp Plan Compliance:

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved.
Martin County, Fla., CGMP, § 1.3

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

Unresolved Issues:

Item #1:

General

1. On page 2 of the development review application, the applicant information should be the same as the property owner information.
2. Informational: This application is dependent on the infrastructure for the minor final site plan convenience store project (K049-003) on the parent parcel. The plans must run concurrently.
3. Informational: A unity of title must be executed during the post-approval process for either this project or the convenience store project (K049-003) on the parent parcel, whichever is approved first. The standard unity of title form has been updated and is available at <https://www.martin.fl.us/martin-county-services/development-review-forms-and-alternative-compliance-applications>. Please do not execute the unity of title until advised by staff.

Item #2

Engineering Report (Section 4.794.A, LDR)

A development application for a tower shall include a report from a licensed professional providing:

- Design of the tower height including a cross section view and elevation;
- Design of the tower's structural capacity, including the number and types of antennas that it can accommodate;
- Documentation of the height above grade for all potential mounting positions for all potential co-located antennas and the minimum separation distances between potential antennas;
- An analysis and/or other data documentation that certifies that, in the event of a catastrophic failure or collapse of the tower, it will collapse within the engineered fall zone;

Remedy/Suggestion/Clarification:

The provided tower design specification prepared by GEN3 Engineering does not adequately address this requirement. Please include additional data/documentation of the structural design/capacity. An elevation has been provided but not a cross section. The number of carriers has been addressed, but the number and type of antennas has not been provided. Height above grade for future mounting positions has been provided but please also discuss minimum separation distances between antennas. Provide further analysis certifying collapse within the stated fall zone.

Item #3

FAA Documentation

A development application for a tower shall include written technical documentation of any Federal Aviation Administration ("FAA") approvals and lighting requirements and, if applicable, documentation

of approval or denial of lighting and a statement whether an FAA "Determination of No Hazard to Aviation" is required by 47 C.F.R. part 17 for the tower. If such a determination is required, no building permit for the tower shall be issued until a copy of the determination is filed with the County. [Section 4.794.A.5, LDR]

A development application for a tower shall include a copy of the Federal Aviation Administration response to the submitted "Notice of Proposed Construction or Alteration," or its replacement, or certification from a qualified professional engineer that FAA review and approval is not required. [Section 4.794.E.1, LDR]

Remedy/Suggestion/Clarification:

The provided FAA letter appears to be an extension of a previous determination. Please provide a copy the original determination. Please also address the requirement of Section 4.794.E.1, LDR.

Item #4

Propagation Study

Section 4.794.D., LDR, requires the documentation of the infeasibility of tower co-location to include, "The results of a propagation study demonstrating to the satisfaction of the County that the equipment planned for a proposed tower cannot be accommodated on an existing or approved and unbuilt structure." And, Section 4.792., LDR, states, "Propagation study means a method utilized by radio frequency (RF) engineers for site placement to analyze the coverage area and signal strength. The analysis indicates signal strength at multiple sites to ensure quality transmissions and signal transfers, showing the potential for towers or tall structures within the study area to be utilized for co-location. The study includes actual system measurements in the subject area." Pursuant to Section 4.795.B., LDR, only when it can be demonstrated that there are no suitable existing structures, based on the determination made under section 4.794.D.3., can a lower priority be considered for siting the proposed facility.

Remedy/Suggestion/Clarification:

Please submit a revised propagation study, as a component of the required siting analysis requested in Item #4 below, that demonstrates that there are no feasible higher priority sites, as required by Section 4.795., LDR, Martin County, Fla. (2005). Please include the following in the revised RF Propagation Study:

- a. Please submit a revised study that considers all existing potential antenna support structures, which are designated Priority 1 sites per 4.795.B, LDR.
- b. The study did not specify the frequency band utilized, which is required for verification of the study results. Please include frequency band and carrier bandwidth in the revised study.
- c. RF technical specifications required for validation of the study were not provided. Please provide all technical specifications and assumptions utilized in the study that are necessary to validate the study's conclusions, such as TX power, antenna model, antenna centerline height, antenna azimuth, antenna tilt (mechanical and electrical), PA power (dBm), number of MIMO Tx ports, LTE-A (RSRP) or 5G NR (SS-RSRP), antenna gain, base station

- antenna height, and receiver height.
- d. Please provide quantitative information in dBm of signal strength levels, instead of the qualitatively cited “poor, average, good” in the graphics. Please provide the RSRP or SS-RSRP levels used for the green, yellow, and red bands in the coverage map.

Item #5

Tower Location Requirements

In the event that a proposed WTCF or tower cannot be sited to comply with the conditions of Priority 1, the development application shall demonstrate why a lower priority site is necessary, pursuant to Section 4.795.A., LDR.

Remedy/Suggestion/Clarification:

The submitted RF report does not thoroughly discuss why a lower priority site is necessary.

Please submit additional information that includes the following:

1. A demonstration of why pole-mounted facilities (Priority 1) are infeasible.
2. A demonstration of why other structure-mounted facilities (Priority 1) are infeasible.
3. A demonstration of why locating a new structure within an area designated for an industrial or agricultural future land use (Priority 2) is infeasible.
4. Include other evidence, in addition to the RF study, as required by Section 4.794.D.3., which may include structural limitation, interference, insufficient height, lack of space, and/or other factors.

Item #6

Technical Consultants

Pursuant to Section 4.805, LDR, Martin County will retain the services of an independent technical consultant to evaluate application materials including, but not limited to, tower inventories, propagation studies, and siting analysis. The County shall have the right to charge reasonable fees as necessary to offset the cost of such evaluations. Please be advised that the balance of fees incurred will be required to be paid prior to scheduling any public hearing. Additional information may be required in subsequent rounds of review based on the initial findings of the consultant’s report.

Item #7

Public Safety Communications Requirements

A WTCF or tower shall not create interference with any public safety telecommunication facility. Any application for a WTCF or tower shall include a certification from the sheriff and the emergency management director that the proposed facility is not expected to interfere with or obstruct transmissions to and from existing public safety telecommunications facilities. [Section 4.800, LDR]

Remedy/Suggestion/Clarification:

Martin County staff will coordinate with the sheriff, emergency management director, and the Information Technology Services Department to assess the possibility of interference with public safety

telecommunication facilities.

Item #8

Site Plan Data

1. Site Data:
 - a. Please use a larger font. See also Item #8, comment 4.a below.
 - b. Items 1, 2, 5, 6, 8, 9, 10, 13, 14, 16, 18, and 21 can be removed. Item #22 can just state total lease area.
 - c. Update item #17, future land use, to “Limited Commercial.”
2. Please clarify the method that the applicant proposes to ensure that mounted antennas are not visible due to contrasting color. A note can be added to the site plan and elevations.
3. Please include the following notes on the site plan:
 - a. “Green mesh cover to be installed and maintained on entirety of chain link fence, including access gates.”
 - b. “Contractor to install sound mitigation barrier panels on all ground equipment necessary to comply with Section 67.306, Martin County Code, Martin County, Fla. (2016).

Item #9

Site Plan Graphics

1. Update title block to include “SW 96th Street Monopine Tower Major Final Site Plan.”
2. On digital version, please remove the “issued for informational purposes” watermark from the title bar.
3. Detail 1 – Overall Aerial can be removed from SP-1.
4. SP-1, Detail 2 – Existing Conditions
 - a. This graphic should be enlarged and the name should be updated to “Overall Site Plan” or similar. The compound plan and tower elevation details can be moved to SP-2. Design criteria text can also be moved to SP-2. SP-1 should only contain the overall site plan, inset vicinity map, legal description, site data, contacts, and any notes which may be requested elsewhere in this staff report.
 - b. Please gray out portions of the site plan which are being completed under the separate application and keep the “by others” labels.
 - c. Please remove all landscape/tree graphics and species callouts. The label for the 10’ landscape buffer to east of compound can remain.
 - d. Update “7’ Dedicated Easement” text along SW 96th Street to “7’ ROW Dedication.”
 - e. In the “proposed 40’ X 40’ tower compound...” callout, update “sheet C-2” to “SP-2.” -
 - f. Adjacent property callouts
 - i. Owner names and deed recording information can be removed.
 - ii. Include the zoning, future land use, and current property use for the adjacent properties to the west and south.
 - iii. East adjacent property: update zoning to “R-3A (Covenant to GC)” and land use to

“General Commercial.”

- g. Remove extraneous text/graphics, including existing features along SW 96th Street (overhead wires, storm drain, vaults, telephone pedestal, concrete wall, utility pole); found concrete monument callouts; flood note; site benchmarks; proposed outfall; points of terminus/commencement/beginning.
5. Compound Plan
 - a. Remove landscape/tree graphics. Label for 10’ landscape buffer can remain.
 - b. Label the 9’ X 16’ parking area and the 10’ X 25’ loading area as “proposed by others.” These areas are shown on the site/construction plans for the K049-003 application.
6. The tower elevation detail should be in color to demonstrate compliance with Section 4.797.B.5, LDR.
7. Remove extra “Center of proposed tower information” box.
8. Include the following notes on SP-1. See Section 4.797.B.4 & 5, LDR, for reference.
 - a. “A tower shall not be artificially lighted except as may be required by Federal or state regulation.”
 - b. “Towers shall be painted or have a noncontrasting finish that minimizes the visibility of the facility from public view, except where contrasting color is required by Federal or state regulation.”
 - c. “The exterior of support facilities shall be designed to be compatible with the architectural design prevailing generally among the structures in the surrounding developed area.”
9. Typical compound section detail and silt fence detail can be removed from SP-2.
10. Include revision date on subsequent submittals.

Information #1:

Please note, additional changes may be needed to the site plan in future rounds of review to ensure consistency with the separate site plan application on the parent parcel.

Information #2:

Development Order Conditions

1. The development order shall contain a condition that the County or its designees shall have the right to inspect, upon reasonable notice to the owner and/or permittee, any WTCF or tower for the purpose of determining compliance with this Division 18 Martin County Land Development Regulations. [Section 4.801., LDR].
2. The development order shall contain a condition that every five years, or within 90 days following a catastrophic act of nature or other emergency that may affect the structural integrity of a tower, the tower owner or permittee shall file with the County Administrator a statement, sealed by a qualified professional engineer, licensed in the State of Florida, that an inspection has been completed and that the tower has not been structurally compromised. [Section 4.802., LDR]
3. The development order shall contain a condition that the tower owner or permittee will correct any deficiencies or remove the tower within 90 days of receipt of a Notice from the County Administrator that the tower is abandoned or declared unsafe in accordance with

Section 4.803.B..and Section 4.803.D. [Sections 4.803.A.and C., LDR]

Information #3:

Once the application has been determined to comply by the development review team staff, the project will be scheduled for the next LPA and BCC meetings dependent upon the County's scheduling policy. For the LPA and BCC meetings, additional copies of the site plan will be requested for the distribution packets from the applicant. MARTIN COUNTY, FLA., LDR SECTION 10.10.A.1. (2019)

Information #4:

No land clearing is authorized prior to the pre-construction meeting for the project. 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 by applicable state agency permits may be granted by the Growth Management Department. MARTIN COUNTY, FLA., LDR SECTION 10.14.C. (2019)

Information #5:

Notice of a public hearing:

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, property owners associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR SECTION 10.6.E.1. (2019)

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

Community Redevelopment

N/A – This site is not located within a Community Redevelopment Area; therefore, staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Commercial Design

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

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

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

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

Environmental

Unresolved Issues:

SITE DATA AND HABITAT MAPPING

Please identify the following in the site plan data table, as applicable:

- a. Preserve Area Calculations. Provide upland preserve calculations to demonstrate that at least 25% of the total upland area is preserved as rare native upland habitat. Where there is no rare upland habitat, provide upland preserve calculations to demonstrate that at least 25% of existing common native upland habitats are preserved.

SITE PLAN REVIEW

All applications for development shall delineate all wetlands on-site and identify those wetlands off-site within 100 feet of the property line and within 200 feet of any proposed excavation greater than two feet in depth. MARTIN COUNTY, FLA., LDR Section 2.C.1. (2011)

Please provide for the following Notes on the Final Site Plan:

Preserve Area Setback.

- a. New construction (including fill proposed adjacent to wetland buffer zones and upland preserve areas) shall be set back a minimum of ten feet for primary structures;
- b. Setbacks for accessory structures, such as, but not limited to, pool decks, screen enclosures and driveways, shall be five feet.
- c. Boundary markers will be placed at the corners of residential lots abutting Preserve Areas. Additional preserve signs will be at least 11 x 14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, at a frequency of no less than one (1) sign per 500 feet.

- d. Graded areas adjacent to preserve areas shall not exceed a slope of one foot vertical to four feet horizontal. All slopes shall be properly stabilized upon completion of construction to the satisfaction of the County Engineer.

ADDITIONAL PRESERVE REQUIREMENTS

Additional preservation requirements, MARTIN COUNTY, FLA., LDR Section 4.33.B (2013)

Required preserve areas shall not be located in areas where future road rights-of-way are shown on the Transportation Element of the Comprehensive Plan. Rights-of-way for utilities, stormwater management and other purposes may cross preserve areas where necessary, but no such right-of-way within a preserve area shall be credited toward the upland preservation requirement.

PRESERVE AREA MANAGEMENT PLAN

The PAMP must be completed and recorded with either this application or the K049-003 application on the parent parcel, whichever is approved first.

Pursuant to MARTIN COUNTY, FLA., LDR SECTIONS 4.6 (2011), and 4.36 (2013), the PAMP shall include the following minimum requirements:

- a. Standard PAMP template language for Conditions, Table of Contents, and required exhibits.
- b. Provisions for the initial removal and ongoing management of exotic vegetation, nuisance native vegetation and debris.
- c. Plans for the revegetation of any upland preserve areas with appropriate native plant material, if required by this division.
- d. Provisions for the protection of plant and animal species of regional concern in accordance with recommendations from applicable State and Federal agencies.
- e. Any additional measures deemed necessary to protect and maintain the functions and values of the upland preserve areas. Where sand pine scrub is present in developments where controlled burns will not be possible after full development, alternative methods for maintaining the endangered habitat must be outlined in detail in the PAMP, including an estimate of the frequency of major maintenance projects.
- f. Provision for protective barriers around all trees and vegetation to be saved, prohibiting all activity within these areas during construction.

- g. Provisions for fire management and other alternatives necessary for the longterm viability and habitat value of the preserve area; and provisions for protection against imminent threats to public health and safety including guidelines and maintenance of firewise setbacks, if required by this division.
- h. Specific provisions for County enforcement of the PAMP and a reduced copy of the final development plan or plat clearly indicating preserve area locations shall be attached to the declaration of covenants and restrictions as recorded in the County public records.
- i. Provisions for the perpetual maintenance of preserve areas and procedures for the transfer of responsibilities must be clearly identified for any applicant requesting development approval and all successive owners.
- j. Mitigate previous or potential drainage impacts, to the maximum extent technically feasible and consistent with permitted flood control, in order to restore the natural hydroperiod. The PAMP shall identify on-site drainage which is lowering wet season water tables. Where artificial drainage has lowered the water table, natural water storage shall be restored. When monitoring reports indicate that the surface water management system improvements are lowering the site's water table, predevelopment wetland hydrologic patterns shall be restored. Artificial drainage shall be blocked to the extent possible without flooding existing buildings.
- k. The applicant must demonstrate that the quality and quantity of inflows to the wetlands from natural drainage patterns are maintained by incorporating these areas into the project's surface water management plan. Patterns of flow between wetlands shall remain open. Hydrologic connections between wetlands shall be maintained. Water quality, rate of runoff and volume of runoff shall recreate natural conditions for the benefit of wetlands and receiving waterways.
- l. The applicant must demonstrate that a regulated activity will not cause adverse secondary impacts to a water resource. The PAMP must also provide reasonable assurance that the secondary impacts from construction, alteration, and intended or reasonably expected use of a proposed activity will not cause violations of water quality standards or adverse impacts to the functions of wetlands or other surface waters.
- m. Provide any additional measures deemed necessary to protect and maintain the values and functions of the wetland area including regular monitoring and reports on compliance.
- n. Provide for the protection of plant and animal species that are rare, endangered, threatened or a species of special concern as defined by the Federal government, the State of Florida, including the Florida Fish and Wildlife Conservation Commission (FFWCC), and including any species or native habitat the Treasure Coast Regional Planning Council determines to be regionally rare, endangered or threatened with extinction, in accordance with recommendations from applicable State and Federal agencies; and include all permitting conditions as an attachment to the PAMP. Such recommendations, requirements and conditions for permit shall be made part of the preserve area management plan. The preserve area

management plan shall include the protection provisions for endangered, unique or rare habitat. In the case of aquatic or wetland dependent species for which habitat management guidelines have been developed by the U.S. Fish and Wildlife Service or the FFWCC; the applicant must provide compliance with these guidelines and assurance that the proposed development will not adversely affect the listed species. For those aquatic or wetland dependent animal species that are listed but habitat management guidelines have not been developed the applicant must propose measures to avoid and minimize impacts to habitat function.

o. The applicant must demonstrate that the construction, alteration, and intended or reasonably expected uses of development will not adversely impact the ecological value that uplands provide for aquatic or wetland dependent listed animal species for enabling existing nesting or denning by these species.

p. Provide language that native upland or wetland vegetation within the preserve area can be altered only in accordance with the PAMP. Preserve areas shall not be altered except by way of a PAMP amendment approved by the Board of County Commissioners. The PAMP may also provide for necessary habitat management practices if approved by the Growth Management Director; such necessary management shall be for the purpose of protecting, preserving and enhancing but not altering or removing the existing native vegetation. The PAMP document and guidelines may be modified as needed to fulfill required management obligations that do not conflict with the purposes of the preserve area. These modifications must be approved by the Growth Management Director. The PAMP shall provide for fire management and other alternatives necessary for the long term viability and habitat value of the preserve area and shall also provide for protection against imminent threats to public health and safety.

q. The professional responsible for the PAMP shall certify in writing that the PAMP meets all of the requirements of the Comprehensive Plan and the applicable Martin County regulations and that the PAMP will assure the maintenance of functions and values of upland habitat and wetland systems, and that the natural wetland hydroperiod fluctuations and water tables will not be altered by stormwater improvements or on-site wells. Stormwater management plans shall be carefully coordinated with the PAMP. Weir height must be set to maintain or enhance water tables throughout the site in order to maintain natural storage and natural wetland hydroperiods on the land.

LAND CLEARING PAGE

Construction plans shall include a page specifically dedicated to land clearing to clearly identify the proposed limits of clearing for the project area. This page should be identified in the table of contents.

The following shall be included on the land-clearing page:

- a. Location and limits of areas to be cleared. Identify areas of the site for required exotic removal outside of preserve areas prior to C.O.
- b. Locations of on-site and adjacent preserve areas or wetlands.

- c. Locations of perimeter native vegetation to be retained as un-cleared during construction.
- d. Locations of erosion control devices (silt fence and/or stabilized berms).
- e. Locations of preserve area/construction barricades (orange mesh safety fence).
- f. Erosion control devices located at least 5 feet landward of preserve area boundary.
- g. Location of tree protection barricades (where warranted).
- h. Location of on-site posted land clearing permit and permit box (to retain approved plan).
- i. Locations of any materials to be temporarily stockpiled to include land clearing debris or excavated materials.
- j. Construction details for the installation of erosion control devices and preserve area barricades.
- k. Proposed method for soil stabilization following land clearing.
- l. Include the text: 'Property corners shall be located by a licensed land surveyor and clearly marked in the field prior to the Engineering Department's pre-construction meeting for site development.'
- m. Include the text: 'Authorization to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. This authorization shall be posted on the site, in the permit box, its location shown elsewhere on this page.'
- n. Include the text: 'No additional land clearing shall commence until a satisfactory inspection of the required erosion control barricades has been obtained.'
- o. Include the text: 'All construction barricades and silt fences will remain in place and be monitored for compliance by the permit holder during the permitted development activities.'
- p. Include the text: 'Prior to scheduling a final environmental inspection for the infrastructure, all barricades and erosion control devices shall be removed and disposed of by the contractor.'
- q. Note on construction plans: Contractor must use site stabilization methods, such as, but not limited to, seeding, wetting, and mulching which minimize airborne dust and particulate emissions generated by construction activity. Such methods shall be completed progressively and actively maintained as vegetation removal occurs within a given area of a site. At the pre-construction meeting, the contractor shall inform the county which vegetation removal methods will be conducted and the plan to minimize airborne dust and particulate emissions.

Wildlife Survey Required

At the time of application submittal, a listed species survey shall be provided from a certified environmental professional. Surveys shall be performed and certified as utilizing appropriate referenced survey methodologies established by the listing agencies. In addition to listed fauna, the survey shall locate specific species of rare, endangered, threatened or unique plants of limited range that have been found (e.g. four-petal paw paw in Jensen Beach sand pine scrub). If the gopher tortoise is found on the parcel, the survey shall be no greater than 90 days old at the time of review. A gopher tortoise relocation permit issued by FWC shall be required and submitted to the Growth Management Department for review. No land clearing or construction will be authorized until this information is received and a after-action report is issued by FWC.

Landscaping

Unresolved Issues:

Landscaping for the parent site is currently under review. However, commitment and details for the required tower landscaping must be documented and guaranteed in event overall site plans are not approved, are modified, or because some other event impacts compliance.

Please propose how assurances can be assure in the long term.

K. Determination of compliance with transportation requirements - Engineering Department

Traffic

Findings of Compliance:

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

Compliance with Adequate Public Facilities Ordinance:

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

Unresolved Issues:

The survey does not meet the requirements for the following reasons:

- Date of last field work not within 180 days.
- Does not reference the current title commitment.
- Does not list all easements and encumbrances of record and show all those easements and encumbrances that affect the property and are plottable.
- Is not correct size. Refer to Sufficiency comments.

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

Engineering

Unresolved Issues:

1. As noted in the sufficiency review, provide signed & sealed construction plans, separate from the Final Site Plan, for the tower affected area for review.
2. Provide grading details for the proposed tower affected area demonstrating compatibility with the overall site stormwater plan. Note, the Construction Plans submitted with the Minor Final Site Plan for the convenience store does not provide grading details for the tower site.

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

Electronic Files

Findings of Compliance:

Both the AutoCAD dwg file of the site plan and boundary survey were found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024).

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. (2024).

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater

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

Wellfield Protection

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

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

Fire Rescue

Unresolved Issues:

DEAD ENDS

Dead-end fire department access roads in excess of 150 ft. in length shall be provided with approved provisions for the turning around of fire apparatus (Hammerhead “T” Turn-around, Cul-de-sacs, Alternative (Modified) “T” Turn-around, etc.). [1:18.2.3.4.4]

Access to gated area

Martin County Fire Rescue utilizes the Knox Access system. www.knoxbox.com

Emergency Management

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

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

ADA

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

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

Martin County Health Department

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

Martin County School Board

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

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 review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

U. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. 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.

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
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.
3.	Consultant Fees	The balance of any outstanding consultant fees must be paid prior to post-approval completion.
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.
5.	Warranty Deed	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.
6.	Unity of Title	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.
7.	Construction Plans	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.
8.	Approved Final Site Plan	One (1) copy 24” x 36” of the approved final site plan.

Item	Description	Requirement
9.	Approved Landscape Plan	One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.
10.	Digital Copy of Site Plan	One (1) digital copy of the site plan in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
11.	Engineer's Design Certification	One (1) 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 shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.
12.	Water & Wastewater Service Agreement	Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.
13.	Flash/Thumb Drive	One (1) blank flash/ thumb drive for digital file recording.

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 Martin County 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:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$9,127.00	\$9,127.00	\$0.00
Consultant fees:	\$2,100.00	\$0.00	\$2,100.00
Additional consultant fees:	TO BE DETERMINED		
Inspection fees:	\$4,000.00	\$0.00	\$4,000
Advertising fees*:	\$0.00	\$0.00	\$0.00
Recording fees**:	\$0.00	\$0.00	\$0.00
Impact fees***:	\$0.00	\$0.00	\$0.00

- * Advertising fees will be determined once the ads have been placed and billed to the County.
- ** Recording fees will be identified after the post approval package has been submitted.
- *** Impact fees are required at building permit.

X. General application information

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Engineer of Record: Gen3 Engineering
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Darryl J. Kroeze, P.E.
813-917-2671
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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

N/A