



**NOTIFICATION OF BUILD-OUT DATE AND DEVELOPMENT  
ORDER EXTENSIONS  
Tradition Development of Regional Impact  
City of Port St. Lucie, FLORIDA**

**Date: February 2, 2019**

November 15, 2019 (revised to include Hurricane Dorian EO)

**To: City of Port St. Lucie**

Attention: Patti Tobin  
Planning and Zoning Director  
121 S.W. Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984

**RE:** Tradition Development of Regional Impact Development Order (Tradition DRI DO) - Statutory Time Extension Pursuant to Section 252.363, Florida Statutes

Dear Ms. Tobin,

Section 252.363, Florida Statutes provides in part as follows:

252.363 Tolling and extensions of permits and other authorizations.

(1)(a) The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remains to exercise the rights under a permit or other authorization for 6 months in additions to the tolled period. This paragraph applies to the following:

1. The expiration of development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a building date that was previously granted pursuant to 380.06(19)(C).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization quality for extension.

The Governor has recently executed several Executive Orders for the Opioid Epidemic, Hurricane Maria, Subtropical Storm Alberto, Algae Blooms, and Red Tide. In an effort to reduce

confusion with applying for all five time extensions separately, the Applicant has combined and analyzed all the requests for the multiple Executive Orders as contained herein. It is important to mention that this request also corrects and modifies the previous time extension request for Subtropical Storm Alberto, prepared by Fox McCluskey Bush Robinson, PLLC and dated August 10, 2018. Upon reviewing the project history, this applicant noticed that the August 10, 2018 time extension request did not correctly account for the ongoing Opioid Epidemic, nor did that time extension request comprehensively outline all the extension dates.

#### Opioid Epidemic

On May 3, 2017, the Governor issued Executive Order Number 17-146. Executive Order Number 17-146 declared that the opioid epidemic threatens the State of Florida with an emergency, and that as a consequence of this danger a state of emergency exists in the State of Florida. Executive Order Number 17-146 was approved with an extension date of 57-days. However, Executive Orders 17-177/178, 17-230, 17-285, 17-329, 18-47, 18-110, 18-177, 18-235, 18-279, and 18-362 extended the original Executive Order. Based on these Executive Orders, Section 252.363, F.S. authorizes a time extension of 641 days. Pursuant to Section 252.363(1)(a), F.S. the period remaining to exercise the rights under a permit or other authorization is tolled for the duration of the emergency declaration, plus an additional six months thereafter. The time tolled and extended pursuant to Section 252.363(1) for Executive Order 17-146 (as extended) is 641 days and 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until March 1, 2035; and 2) The Tradition DRI Development Order is extended until February 28, 2045 pursuant to Section 252.363, Florida Statutes and Executive Order Number 17-146, as extended. Please see the table below for more information on the approvals and extension dates.

#### Hurricane Maria

On October 2, 2017, the Governor issued Executive Order Number 17-259. Executive Order Number 17-259 declared a state of emergency in every county in the State due to Hurricane Maria and the catastrophic damage caused to the families in Puerto Rico and whereas Florida must assist the people of Puerto Rico. Executive Order 17-259 was approved with an expiration date of 57 days. However, Executive Orders 17-304, 18-17, 18-80, 18-135, 18-214, and 18-236 extended the original Executive Order for a total of 381 days. However, due to the overlapping of the ongoing Executive Order for the Opioid Epidemic the maximum time extension is limited to 6 months. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until September 1, 2035; and 2) The Tradition DRI Development Order is extended until August 28, 2045 pursuant to Section 252.363, Florida Statutes and Executive Order Number 17-259, as extended. Please see the table below for more information on the approvals and extension dates.

#### Subtropical Storm Alberto

On May 26, 2018, the Governor issued Executive Order 18-150. Executive Order 18-150 declared a state of emergency for the State of Florida due to the threat posed by Subtropical Storm Alberto. On June 8, 2018, the Governor issued Executive Order Number 18-157, terminating Executive Order 18-150 on that date. The state of emergency under Executive Order 18-150 lasted for 14 days. However, due to the overlapping of the ongoing Executive Order for the Opioid Epidemic the maximum time extension is limited to 6 months. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until March 1, 2036; and 2) The Tradition DRI Development Order is extended until February 28, 2046 pursuant to Section 252.363, Florida Statutes and Executive Order Number 18-150. Please see the table below for more information on the approvals and extension dates.

#### Algae Blooms

On July 9, 2018, the Governor issued Executive Order 18-191. Executive Order 18-191 declared a state of emergency in St. Lucie county due to the release of water from Lake Okeechobee and increase in algae blooms, including overwhelming amounts of cyanobacteria which can produce hazardous toxins. Executive Order 18-191 was approved with an expiration date of 60 days. However, Executive Orders 18-249 and 18-311 extended the original Executive Order for a total of 179 days. However, due to the overlapping of the ongoing Executive Order for the Opioid Epidemic the maximum time extension is limited to 6 months. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until September 1, 2036; and 2) The Tradition DRI Development Order is extended until August 28, 2046 pursuant to Section 252.363, Florida Statutes and Executive Order Number 18-191. Please see the table below for more information on the approvals and extension dates.

#### Red Tide

On October 4, 2018, the Governor issued Executive Order 18-275. Executive Order 18-275 declared a state of emergency extending the Red Tide Executive Order to include St. Lucie County due to the presence of algal blooms. Executive Order 18-275 was approved with an expiration date of 60 days. However, Executive Order 18-282 extended the original Executive Order for a total of 73 days. However, due to the overlapping of the ongoing Executive Order for the Opioid Epidemic the maximum time extension is limited to 6 months. Thus, the tolling period for exercising rights pursuant to the specified permits or authorizations is for 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until March 1, 2037; and 2) The Tradition DRI Development Order is extended until February 28, 2047 pursuant to Section 252.363, Florida Statutes and Executive Order Number 18-191. Please see the table below for more information on the approvals and extension dates.

#### Hurricane Dorian

On August 28, 2019, the Governor issued Executive Order 19-189. Executive Order 19-189 declared a state of emergency for St. Lucie County for the threat posed by Hurricane Dorian. Executive Order 19-189 was approved with an expiration date of 60 days. Based on this Executive Order, Section 252.363, F.S. authorizes a time extension of 60 days. Pursuant to Section 252.363(1)(a), F.S. the period remaining to exercise the rights under a permit or other authorization is tolled for the duration of the emergency declaration, plus an additional six months thereafter. The time tolled and extended pursuant to Section 252.363(1) for Executive Order 19-189 is 60 days and 6 months.

This correspondence is sent on behalf of Mattamy Palm Beach, LLC, and serves as the required notice under section 252.363(1)(b) that: 1) the Tradition DRI Build out date is extended until October 31, 2037; and 2) The Tradition DRI Development Order is extended until October 27, 2047 pursuant to Section 252.363, Florida Statutes and Executive Order Number 18-191. Please see the table below for more information on the approvals and extension dates.

The following table also lists the current expiration date for the subject permits, as well as the new expiration date, pursuant to Executive Orders for the Opioid Epidemic, Hurricane Maria, Subtropical Storm Alberto, Algae Blooms, and Red Tide.

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
Opioids Epidemic	17-146	5/3/17	57 days	
	17-177/178	6/29/17	60 days	
	17-230	8/28/17	60 days	
	17-285	10/27/17	56 days	
	17-329	12/22/17	59 days	
	18-47	2/19/18	59 days	
	18-110	4/19/18	62 days	
	18-177	6/20/18	58 days	
	18-235	8/17/18	60 days	
	18-279	10/16/18	50 days	
	18-362	12/5/18	60 days	
	252.363(1)(a)		6 months	641 days (plus 6 months)
Hurricane Maria	17-259	10/02/17	57 days	
	17-304	11/28/17	60 days	
	18-17	1/25/18	57 days	
	18-80	3/23/18	60 days	

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
	18-135	5/22/18	59 days	
	18-214	7/20/18	28 days	
	18-236	8/17/18	60 days	
	252.363(1)(a)		6 months	381 days (only 6 month extension due to overlap with Opioid Epidemic)
Subtropical Storm Alberto	18-150	5/26/18	14 days	
	18-157	6/8/18	N/A	
	252.363(1)(a)		6 months	14 days (only 6 month extension due to overlap with Opioid Epidemic)
Algae Bloom	18-191	7/9/18	59 days	
	18-249	9/6/18	60 days	
	18-311	11/5/18	60 days	
	252.363(1)(a)		6 months	179 days (only 6 month extension due to overlap with Opioid Epidemic)

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
Red Tide	18-272	10/4/18	13 days	
	18-282	10/17/18	60 days	
	252.363(1)(a)		6 months	73 days (only 6 month extension due to overlap with Opioid Epidemic)
Hurricane Dorian	19-189	8/28/19	60 days	
	252.363(1)(a)		6 months	60 days and 6 months
Project Name	Project #	Approval Date	Prior Extensions	Expiration Date
Tradition DRI Build Out Date	Resolution 03-R67	September 22, 2003	Resolution 16-R25	11/29/2032
Tradition Development Order	Resolution 03-R67	September 22, 2003	Resolution 16-R25	11/29/2042
Executive Orders			Statutory Extensions - DRI Build Out Date	Statutory Extensions- DO expiration
Opioids Epidemic		641 days, 6 months	3/1/2035	2/28/2045
Hurricane Maria		6 months	9/1/2035	8/28/2045
Subtropical Storm Alberto		6 months	3/1/2036	2/28/2046
Algae Bloom		6 months	9/1/2036	8/28/2046

Executive Orders (EO)	Reference #	Date EO Issued	Tolling	Total Period
Red Tide		6 months	3/1/2037	2/28/2047
Hurricane Dorian		60 days, 6 months	10/31/2037	10/27/2047
<b>New Expiration Date</b>			<b>10/31/2037</b>	<b>10/27/2047</b>

This letter shall also serve as notice that all such other applicable dates in the Tradition DRI DO covered under Section 252.363(1)(a), Florida Statutes, are also hereby extended.

Mattamy Palm Beach LLC., anticipates that all other terms and conditions of the approvals and permits will be complied with during the term of this extension. Please provide us with written confirmation of the expiration date. If you have any questions or require additional please feel free to contact me. Thank you for your ongoing assistance with this project.

Sincerely,



Ken DeLa Torre for  
Design and Entitlement Consultants LLC.  
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