

ORDINANCE NO. 2008-097

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, AMENDING AND RESTATING THE DEVELOPMENT ORDER FOR THE DEVELOPMENT OF REGIONAL IMPACT (DRI) KNOWN AS LAKEWOOD RANCH CORPORATE PARK (F.K.A. UNIVERSITY PLACE); ORIGINALLY ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 95-071, AS AMENDED; PROVIDING FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW; PROVIDING FOR INCORPORATION OF THE APPLICATION FOR DEVELOPMENT APPROVAL (ADA), THE NOTICE OF PROPOSED CHANGE, AND ASSOCIATED DOCUMENTS INTO THE DEVELOPMENT ORDER; PROVIDING FOR APPROVAL OF THE AMENDMENT, RESTATEMENT, AND RATIFICATION OF PREVIOUSLY APPROVED LAKEWOOD RANCH CORPORATE PARK DRI WITH AMENDED CONDITIONS; PROVIDING FOR ORDINANCE TO BE DEEMED THE DEVELOPMENT ORDER; PROVIDING FOR BUILDOUT AND DEVELOPMENT ORDER TERMINATION DATES FOR THE LAKEWOOD RANCH CORPORATE PARK DRI; PROVIDING FOR NON-EXEMPTION FROM COUNTY REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SERVICE AND RECORDING; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

SECTION 1. Findings of Fact and Conclusions of Law. The Board of County Commissioners of Sarasota County, Florida, hereinafter referred to as the “Board”, hereby makes the following findings of fact and conclusions of law:

1.1 On September 5, 1985, the Board adopted Resolution No. 95-071 approving a Development of Regional Impact to be known as Lakewood Ranch Corporate Park (f.k.a. University Place), consisting of approximately 1,373.93 acres, for the property located in Sarasota County, Florida, in the southeast quadrant of the I-75/University Parkway interchange, more particularly described in Exhibit A attached hereto and made a part hereto by reference.

1.2 The Lakewood Ranch Corporate Park DRI has been amended three times to date. The previous amendments involved the following:

1) Ordinance No. 98-035, adopted by the Board on April 22, 1998, changed the name of the project from University Place to Lakewood Ranch Corporate park, revised the legal description, revised development order conditions, revised the Master Development Plan, revised the Master Drainage Plan, and added an Ongoing Water Quality Monitoring Plan.

2) Ordinance No. 2001-001, adopted by the Board on February 12, 2001, amended the Development Concept Plan to allow for an additional access on Deer Drive, relocation of a median access on Lakewood Ranch Boulevard, the extension of the buildout date from December 31, 2012 to December 31, 2019, the reduction of the phasing from four to three phases, the reduction of the total approved land uses, revision of the Native Habitat Preservation and Alteration Plan, and the creation of Exhibit M for the Development Order incorporating a Concurrency Agreement.

3) Ordinance No. 2006-025, adopted March 24, 2006, revised development order conditions modifying the submittal timing requirements of Transportation Monitoring report from an annual to a biennial basis.

1.3 On June 4, 2007, Schroeder-Manatee Ranch, Inc. and Lakewood Ranch Corporate Park, Inc., through their authorized agent, Todd Pokrywa, submitted to Sarasota County a Notification of a Proposed Change (NOPC) to the Development of Regional Impact (DRI) for Lakewood Ranch Corporate Park described in Exhibit A. On February 28, 2008, Lakewood Ranch Corporate Park, Inc., converted to Lakewood Ranch Corporate Park, LLC, a Florida limited liability company.

1.4 The proposed changes to the Lakewood Ranch Corporate Park DRI pursuant to Chapter 380.06, Florida Statutes, include 1) the revision of Conditions of Approval (Exhibit B of Ordinance No. 95-071, as amended); 2) Elimination of the requirement for future cumulative analysis between the Lakewood Ranch Corporate Park DRI and the University Lakes DRI in Manatee County (Exhibit C of Ordinance No. 95-071); 3) the modification of the adopted Master Development Plan (Exhibit D of Ordinance No. 95-071, as amended); and that includes an increase in the total maximum square footage, entitlement shifts between phases, and general clean-up to reflect changes.

1.5 Copies of the NOPC have been submitted to the Southwest Florida Regional Planning Council (SWFRPC), and to the Florida Department of Community Affairs (DCA), Division of Resource Planning and Management pursuant to Subsection 380.06(19)(f)(2), Florida Statutes.

1.6 The Report and Recommendation of the SWFRPC has been received and addressed.

1.7 The Sarasota County Planning Commission held a duly noticed public hearing on the NOPC on, June 19, 2008, and received all pertinent evidence and testimony, and recommended approval of the NOPC.

1.8 Pursuant to Section 380.06 (11), Florida Statutes, public notice for a hearing on said NOPC before the Board was duly published in the "Sarasota Herald-Tribune" on August 14, 2008 and was duly provided to the Florida DCA, the SWFRPC, and other persons designated by DCA rules.

1.9 The Board held a duly noticed public hearing on the NOPC on August 26, 2008.

1.10 The Board considered the Report and Recommendation of the SWFRPC.

1.11 The Board considered all matters relevant to the NOPC, including the Recommendations of the Sarasota County Planning Commission, and all pertinent evidence and testimony presented at the public hearing.

1.12 The proceedings herein relating to the Lakewood Ranch Corporate Park DRI NOPC have been conducted in compliance with the provisions of Chapter 380.06, Florida Statutes, and all conditions precedent to the granting of development approval required by Chapter 380.06, Florida Statutes, have occurred.

1.13 The proposed changes do not constitute a substantial deviation and therefore do not cause the development to be subject to further development of regional impact review pursuant to Section 380.06(19), Florida Statutes.

1.14 The proposed changes to the Lakewood Ranch Corporate Park DRI will not interfere with the achievement of the objectives of any adopted State Land Development Plan applicable to this area.

1.15 The proposed changes to the Lakewood Ranch Corporate Park DRI are consistent with the Sarasota County Comprehensive Plan, and are not in conflict with other local land development regulations.

1.16 The Lakewood Ranch Corporate Park DRI is a mix of approximately 978.9 acres ± of MEC (Major Employment Center) uses together with approximately 395 acres ± of OUC (Open Use Conservation) uses. The Lakewood Ranch Corporate Park DRI is proposed for a 27-year buildout in three phases. The Lakewood Ranch Corporate Park DRI includes a total of 6,267,929 square feet ± of Major Employment Center (4,888,637 square feet of office; 1,355,599 square feet of industrial; and 23,638 square feet of accessory retail commercial) uses. The accessory retail commercial uses will be required to provide parking spaces at a ratio of 1 space for each 250 square feet of gross floor area.

SECTION 2. Incorporation of the Application for Development Approval (ADA), the Notice of Proposed Change, and Associated Documents into the Development Order.

2.1 The following documents are hereby incorporated in this Development Order by reference:

- I. The SWFRPC's Official Recommendations - Development of Regional Impact Assessment for Lakewood Ranch Corporate Park

2.2 The following information, commitments and impact mitigating provisions submitted by the Applicant are hereby incorporated in this Development Order by reference. Development permits are subject to the provisions contained in these documents:

- I. University Place Application for Development Approval and Associated Documents – September 30, 1991;
- II. The Notification of Proposed Change (NOPC) Application and Associated Documents for the Lakewood Ranch Corporate Park DRI – October 1, 1997;
- III. The Notification of Proposed Change (NOPC) Application and Associated Documents for the University Lakes DRI – December 22, 1998;
- IV. Concurrency Agreement – April 12, 2000.
- V. The Notification of Proposed Change (NOPC) Application and Associated Documents for the Lakewood Ranch Corporate Park DRI – July 28, 2000
- VI. The Notification of Proposed Change (NOPC) Application and Associated Documents for the Lakewood Ranch Corporate Park DRI – November 28, 2005;

- VI. The Notification of Proposed Change (NOPC) Application and Associated Documents for the Lakewood Ranch Corporate Park DRI – June 4, 2007;
- VII. Sufficiency Responses for the Lakewood Ranch Corporate Park DRI NOPC – September 21, 2007, January 8, 2008;
- VIII. Revised Master Development Plan (Map H) – November 30, 2007; and
- IX. Revocation of Development Review Agreement – July 9, 2008.

2.3 In construing and enforcing the provisions of the documents incorporated in this Development Order by Subsections 2.1 and 2.2 above, the following shall apply:

- a) The most recent response of the Applicant in the above referenced documents shall control over any previous response, wherever there is a conflict, otherwise the responses shall be considered cumulative.
- b) Any information, commitments or impact mitigating provisions in the above referenced documents which are inconsistent with the specific conditions set forth in this Ordinance and the exhibits hereto, shall be deemed superseded and inapplicable.

SECTION 3. Approval of the Amendment, Restatement, and Ratification of Previously Approved Lakewood Ranch Corporate Park DRI with Amended Conditions.

3.1 The Board hereby approves the modifications to the ADA for the Lakewood Ranch Corporate Park DRI subject to the conditions contained in Exhibit B through Exhibit H, which are attached hereto and incorporated herein by reference, subject to the other provisions of this Development Order. The provisions of this Ordinance are intended to constitute an amendment and restatement of all conditions contained in the previous Lakewood Ranch Corporate Park DRI Development Order.

3.2 The Sarasota County Planning Department is hereby designated as the local government department responsible for monitoring the development, enforcing and monitoring the terms of the Incremental Development Order and for receiving the annual report required by Chapter 380.06, Florida Statutes.

3.3 Annual Report Requirements:

The Applicant shall submit the annual report pursuant to the Development Order and the requirements of Chapter 380.06 (18), Florida Statutes, Chapter 9J-2.025 (7), Florida Administrative Code (F.A.C.), and the conditions of this Ordinance. This report shall be submitted with the consolidated Annual Monitoring Report for the DRI until such time as all terms and conditions of this Development Order are satisfied, unless otherwise specified herein. The Applicant shall submit this annual report to the Sarasota County Planning Department, the SWFRPC, the DCA, and all affected permitting agencies required by law on form RPM-BSP-Annual Report-1, as the same may be amended from time to time. The annual report shall contain all information required by Rule 9J-2.025 (7) (a) through (j), F.A.C., as the same may be amended from time to time.

Upon notification that the annual report has not been received by the SWFRPC, or the DCA, or upon non-receipt of the annual report by Sarasota County, Sarasota County shall request in writing that the Applicant submit the report within thirty (30) days. Failure to submit the report after thirty (30) days of such written notice shall result in Sarasota County temporarily

suspending this Development Order, and no new development permit applications shall be granted within the development until the requirements of this subsection are met.

3.4 Monitoring Reports Requirement:

The Applicant shall submit the following monitoring reports to the Sarasota County Planning Department at the same time that the annual report is submitted, unless a different submission time is authorized by the Planning Department in writing. Failure to submit the report after 30 days shall result in Sarasota County temporarily suspending this Development Order, and no new development permit applications shall be granted within the development until the requirements of this section are met.

a) The dates of submission of, and parties who have received, any studies for the Lakewood Ranch Corporate Park Surface Water Management System as described in this Development Order and referenced documents.

b) The dates of submission of, and parties who have received, the results of the Surface Water Quality monitoring program as described in this Development Order and referenced documents.

c) Potable water and wastewater supply system status, which shall include present potable water and wastewater system needs, potable water and wastewater services and an assessment of future potable water and wastewater needs for the entire Lakewood Ranch Corporate Park project.

d) The current status of solid waste and hazardous waste disposal needs.

e) The current status and capacity of police, fire protection and emergency ambulance services.

f) The dates of submission of, and parties who have received, monitoring reports under the Wildlife Management Plan.

g) The Traffic Monitoring Report shall be submitted once every two years as specified in Transportation Condition I.3 of Exhibit B. For Traffic Monitoring Reports that are not submitted as part of an Annual Monitoring Report, Sarasota County may approve extension of the review and approval dates in advance (for periods up to 90 days). The Traffic Monitoring Report shall be reviewed and approved by Sarasota County and the Department of Community Affairs in accordance with the procedures set forth in Condition I.3 of Exhibit B.

h) Stormwater management maintenance program status. This shall include measures instituted regarding "Best Management Practices" for soil erosion and sedimentation controls, lawn maintenance procedures and stormwater management systems maintenance, pursuant to the requirements of appropriate Sarasota County departments.

3.5 The definitions presently contained in Chapter 380.06, Florida Statutes, shall control in the construction of this Development Order.

SECTION 4. Ordinance to be Deemed the Development Order.

4.1 This Ordinance shall be deemed the Development Order for the Lakewood Ranch Corporate Park DRI required pursuant to Chapter 380.06, Florida Statutes.

SECTION 5. Buildout and Development Order Termination Dates for the Lakewood Ranch Corporate Park Development of Regional Impact.

5.1 The buildout date of this DRI Development Order is December 31, 2019, provided however additional analyses may be required in accordance with the provisions contained in Exhibit B.

5.2 The Lakewood Ranch Corporate Park DRI Development Order shall remain in effect until December 31, 2019. Before this date, Sarasota County agrees that the approved Development of Regional Impact shall not be subject to downzoning or intensity reduction, unless Sarasota County can demonstrate that substantial changes in the conditions underlying the approval of the development have occurred or that the development approval was based on substantially inaccurate information provided by the developer or that the change is clearly established by the County to be essential to the public health, safety, and welfare.

SECTION 6. Non-Exemption from County Regulations.

6.1 This Ordinance shall not be construed as an agreement on the part of Sarasota County to exempt the Applicant, its successors and assigns, from the operation of any Ordinance or regulation hereinafter adopted by Sarasota County for the purpose of the protection of the public health, welfare, and safety, which said Ordinance or regulation shall be generally and equally applicable throughout Sarasota County, and which said Ordinance or regulation protects or promotes a vital public interest, and which said Ordinance or regulation does not substantially impair or prevent development as approved herein.

SECTION 7. Enforcement.

7.1 All conditions, restrictions, requirements, commitments and impact mitigating provisions contained or incorporated by reference in this Development Order may be enforced by Sarasota County by action at law or in equity, after notice to the Applicant and a reasonable opportunity to cure, and, in the event Sarasota County prevails in such action at law or in equity, it shall be awarded all its reasonable costs of investigation and enforcement, including County staff time and reasonable attorneys' fees incurred by or on behalf of Sarasota County.

7.2 In the event it is determined by the Board, after notice to the Applicant and a full hearing, that the Applicant has failed to comply with any conditions, restrictions, requirements or impact mitigating provisions contained or incorporated by reference in this Development Order, the Board may temporarily suspend this Development Order during which no development permit applications shall be granted within the development until compliance is achieved. Where such a failure has been finally determined, the Applicant shall be liable for all costs of investigating and enforcement, including County staff time and reasonable attorney's fees incurred by or on behalf of Sarasota County.

7.3 The rights and obligations of this Development Order shall run with the land. The Applicant is bound by the terms of this Development Order so long as it owns such property. This Development Order shall be binding upon and inure to the benefit of the Applicant and its assignees or successors in interest and Sarasota County and its successors. It is

understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designed as successor in interest thereto, or which otherwise possess any of the powers and duties of any referenced governmental agency in existence on the effective date of this Development Order.

7.4 In the event of a Development Order appeal or other legal challenge of this Development Order by DCA, the Applicant shall pay all reasonable costs and fees of County staff and attorneys relating to said appeal or legal challenge. Said costs and fees shall be based upon the Sarasota County Billable Fee System under Ordinance No. 85-91, as amended from time to time. Payment of all billings by the Applicant related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

SECTION 8. Severability.

8.1 If any section, sentence, clause, phrase or word of this Development Order is for any reason held or declared to be invalid, inoperative, or void, such holding of invalidity shall not affect the remaining portions of this Development Order. It shall be construed to have been the intent to pass this Development Order, without such invalid or inoperative part herein, and the remainder, exclusive of such part or parts, shall be deemed and held to be valid as if such parts had not been included herein, unless to do so would frustrate the intent of this Development Order.

8.2 Nothing in Section 7.1 shall override the effect of an appeal pursuant to Section 380.07(2), Florida Statutes.

SECTION 9. Service and Recording.

9.1 The Clerk to the Board of County Commissioners is hereby directed to record this Ordinance in the Official Records of the Clerk of the Circuit Court. All costs associated with the recording of this Ordinance shall be borne by the Applicant. This Ordinance shall be binding upon the Applicant, its successors and assigns and upon Sarasota County.

9.2 Notice of the adoption of this Ordinance shall be recorded by the Applicant in accordance with Chapter 380.06 (15) (f), Florida Statutes.

9.3 The Sarasota County Clerk shall certify the date upon which certified copies of this Ordinance are deposited in the U.S. Mail to DCA, the SWFRPC, and the Applicant.

SECTION 10. Effective Date.

10.1 This Development Order shall take effect upon adoption of this Ordinance and transmittal of the copies of said Development Order to the parties specified in Chapter 380.07 (2), Florida Statutes, the expiration of any applicable appeal period, or the resolution of any appeal, whichever is later.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County, Florida, this _____ of _____, 2008.

**BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA**

By: _____
Chairman

ATTEST:
KAREN E. RUSHING, Clerk of Circuit Court
and ex officio Clerk of the
Board of County Commissioners of

Sarasota County, Florida

By: _____
Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a certified copy of the foregoing Development Order was deposited in the U.S. Mail to the Florida Department of Community Affairs, Southwest Florida Regional Planning Council, Lakewood Ranch Corporate Park, LLC and Schroeder-Manatee Ranch, Inc. this ____ day of _____, 2008.

Deputy Clerk

Brenda Winningham
Growth Management Administrator
Bureau of Local Planning
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100

Daniel L. Trescott
Principal Planner/DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Todd J. Pokrywa, Vice President
Schroeder-Manatee Ranch, Inc.
14400 Covenant Way
Lakewood Ranch, FL 34202

EXHIBIT LIST

Exhibit “A” – Legal Description for Lakewood Ranch Corporate Park DRI

Exhibit “B” – Conditions of Approval for Lakewood Ranch Corporate Park DRI

Exhibit “C” – Master Development Plan for Lakewood Ranch Corporate Park DRI

Exhibit “D” – Biennial Traffic Monitoring Program Methodology

Exhibit “E” – Native Habitat and Preservation Plan

Exhibit “F” – Master Drainage Plan

Exhibit “G” – Water Resources Monitoring Program

Exhibit “H” – Concurrency Agreement

EXHIBIT A - LEGAL DESCRIPTION

A tract of land lying in Sections 4, 5, 6, 7, and 8, Township 36 South, Range 19 East, Sarasota County, Florida, being more particularly described as follows:

Beginning at the northwest corner of said Section 6, being the intersection of the north line of said Sarasota County (also the north line of said Township 36) with the easterly right-of-way line of State Road 93 (I-75) as shown on the State of Florida Road Department Right-of-Way map of said State Road, Section 17075-2410, per Road Plat Book 2, Page 28, Public Records of said County; thence along said north line of Sarasota County, also being the north line of said Sections 6 and 5, S 89°58'32" E, a distance of 9846.68 feet; thence leaving said north line, S 03°34'30" E, 2808.07 feet to the beginning of a tangential curve, concave to the west, having a radius of 575.00 feet and a delta angle of 2°09'46", thence southerly, along the arc of said curve in a clockwise direction, 21.70 feet; thence along a non-tangential line, S 63°21'09" W, 968.33 feet; thence S 21°11'42" W, 1060.17 feet; thence S 46°34'31" W, 435.04 feet; thence S 88°52'22" W, 795.24 feet; thence S 62°39'12" W, 777.58 feet; thence S 03°22'16" W, 472.28 feet; thence S 29°52'49" W, 1143.34 feet; thence S 71°51'36" W, 683.17 feet; thence S 32°45'30" W, 740.70 feet; thence S 45°19'19" W, 651.21 feet; thence S 76°59'35" W, 847.24 feet; thence N 45°19'19" W, 651.21 feet; thence S 76°59'35" W, 549.60 feet; thence N 75°40'48" W, 1074.37 feet; thence N 74°24'56" W, 469.99 feet to the easterly right-of-way line of said State Road 93 (I-75); thence along said easterly right-of-line, the following six (6) courses: N 01°28'37" E, a distance of 2441.76 feet to the beginning of a tangential curve, concave to the west, having a radius of 11,589.16 feet and a delta angle of 15°09'09"; thence northwesterly, along the arc of said curve, in a counterclockwise direction, 3064.88 feet to a point tangency; thence N 13°40'31" W, 478.70 feet; thence N 09°40'31" W, 518.72 feet to the beginning of a tangential curve, concave to the east having a radius of 3725.72 feet and a delta angle of 01°55'43"; thence northerly along the arc of said curve in a clockwise direction, 125.41 feet; thence N 00°36'59", 407.95 feet to the point of beginning and containing 1373.93 acres, more or less.

EXHIBIT B

CONDITIONS FOR DEVELOPMENT APPROVAL FOR THE
LAKEWOOD RANCH CORPORATE PARK
DEVELOPMENT OF REGIONAL IMPACT (DRI)

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A. DEFINITIONS

1. The term "Applicant" shall mean the Developers, Lakewood Ranch Corporate Park, LLC, and Schroeder-Manatee Ranch, Inc.. All reference made in the following conditions for Development Approval pertaining to Applicant also shall include any other successors in interest for the geographic area under this Development Order.
2. The term "Project" shall mean the land uses, phasing, and improvement described in the Application for Development Approval which are attributable to the development on that property described in Exhibit A.
3. The following terms are defined for purposes of implementing the requirements of Transportation Conditions No. 1 through No. 13 and the provisions of the Traffic Monitoring Program Methodology attached hereto as Exhibit "D."
 - a. "Funding Commitments" shall mean to assure the completion of any improvement required by this Development Order and/or by subsequent Traffic Monitoring Reports using, one or any combination of the following:
 - i. binding commitments for the design, engineering, and actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to Sarasota County for construction to be completed when the improvement is identified as being necessary in the approved Traffic Monitoring Report to be submitted once every two years as required in this Development Order; or
 - ii. design, engineering, and actual construction of the improvement(s) before the impacts of the development occur; or
 - iii. the placement of the construction phase for an improvement in:
 - (1) the current, i.e. first year of the adopted Capital Improvements Program, as identified in Table 10-3 of the Capital Improvements Element of the adopted Sarasota County Comprehensive Plan, in Sarasota County for road and intersection improvements on facilities under the jurisdiction of Sarasota County; or
 - (2) the current, i.e. first year of the adopted Five-Year Work Program of the Florida Department of Transportation (FDOT) for road and intersection improvements on facilities within Sarasota County under the jurisdiction of the FDOT, and, where construction of the improvement is subject of a binding executed contract; or
 - (3) the first two years of the adopted Five-Year Work Program of the Florida Department of Transportation (FDOT) for road and intersection improvements on facilities within Manatee County under the jurisdiction of the FDOT; or
 - (4) the current, i.e. first year of the adopted Five-Year Work Program or its equivalent in Manatee County for road and intersection improvements on facilities under the jurisdiction of Manatee County, and, where construction of the improvement is subject of a binding executed contract; or
 - iv. a commitment for construction and completion of the required roadways improvements, pursuant to a Development Agreement which if approved by the parties shall be incorporated in this development Order through an amendment of the Development Order. Said Agreement shall guarantee

that the necessary roadway improvement will be in place when the impacts of the development occur, pursuant to Chapter 380.06(19), Florida Statutes; or

- v. at the discretion of the County, a proportionate fair share agreement for any improvement listed in the Five Year Schedule of Capital Improvements, consistent with the requirements of Section F.1.d of the Concurrency Management Regulations, Article VII, Chapter 94, Sarasota County Code.
- b. "Final Development Order" shall mean a final development order as defined in Sarasota County's Concurrency Management Regulations (Chapter 94, Article VII, Exhibit A, Sarasota County Code). A "Final Development Order" shall include the approval of a construction plan for development requiring subdivision plans or site and development plan approval, or, building permits for development not requiring such construction plan approval.
- c. "Biennial Concurrency Evaluation Period" shall mean a time period not to exceed two (2) years commencing on the required submittal date for traffic monitoring report and continuing through (but not including) the last day before the required submittal date for the next traffic monitoring report. In the event that traffic monitoring report is not approved by Sarasota County Transportation Planning on or before the required submittal date, the biennial concurrency evaluation period shall commence on the date the report is approved and conclude on the last day before the required submittal date for the next traffic monitoring report unless otherwise agreed to by Sarasota County.
- d. "Facility Reservation Period" shall mean the time period commencing on the effective date of this Development Order and expiring at the earlier of:
 - i. December 31, 2014, or
 - ii. at such time as the cumulative amount of Lakewood Ranch Corporate Park development, for which Final Development Orders from Sarasota County for Lakewood Ranch Corporate Park development have been issued, generates the equivalent of 5,011 p.m. peak-hour external vehicle-trips or the equivalent of 3,602 p.m. peak-hour cumulative net new vehicle-trips.

B. GENERAL

1. The Lakewood Ranch Corporate Park DRI shall occur in substantial accordance with all commitments and impact-mitigating actions specified by the Applicant in the Application for Development Approval (and supplementary documents) that are not in conflict with the Development Order.
2. All conditions for Development Approval involving deed restrictions shall be submitted for approval by Sarasota County, and provide for enforcement by, and the award of attorneys' fees to Sarasota County, in addition to enforcement by the Lakewood Ranch Corporate Park Owners Association, Inc. and such other persons as may be appropriate.
3. Where approval by a Sarasota County department is required herein, the Applicant requesting approval shall be entitled to review of the department decision by the Board of County Commissioners. Where existing County, State and Federal regulations do not apply, department decisions shall be based upon the highest standards of accepted

professional practice in the particular field applicable to the requirements of the conditions set forth herein.

4. The Applicant shall comply with the development phasing schedule in Section D Table 2. If Development Order Conditions and Applicant commitments to mitigate regional impacts are not substantially carried out as indicated to the extent or in accord with the Development Order, then this shall be presumed to be a substantial deviation pursuant to Chapter 380.06(19), Florida Statutes.
5. Access to the Lakewood Ranch Corporate Park project site by Sarasota County government agents and employees shall be granted for the purpose of monitoring and implementation of the Development Order.
6. If conditions contained in this Development Order require the Applicant to submit certain information with preliminary plan/site and development plan and construction plans, it shall be understood that such information shall be reviewed and approved by appropriate Sarasota County Development Review Committee Members.
7. If it is demonstrated, during the course of monitoring the development, that substantial changes in the conditions underlying the approval of the Development Order have occurred or that the Development Order was based on substantially inaccurate information provided by the Applicant, resulting in additional substantial regional impacts, these impacts shall be subject to the requirements of Chapter 380.06(19), Florida Statutes.
8. Pursuant to Chapter 380.06(16) Florida Statutes, the Applicant may be subject to credit for contributions, construction, expansion, or acquisition of public facilities, if the Applicant is also subject by local ordinances to impact fees or exactions to meet the same needs. Sarasota County and the Applicant may enter into a capital contribution front-ending agreement to reimburse the developer for voluntary contributions in excess of the proportionate fair share.
9. Any temporary uses shall be applied for and processed as required by the Sarasota County Zoning Ordinances, in effect at the time of submittal of the temporary use.
10. Throughout the Lakewood Ranch Corporate Park development, the Applicant shall comply with the requirements listed in the document entitled "Administrative Guidelines for Monitoring Developments of Regional Impact in Unincorporated Sarasota County" as amended unless otherwise agreed to by Sarasota County.
11. Notwithstanding any term or condition of this Development Order to the contrary, Sarasota County shall have no obligation to construct or improve any facility or capital improvement necessary or desirable to accommodate development of the Project, unless Sarasota County and the Applicant have entered into a written agreement whereby Sarasota County specifically agrees to construct or improve a designated facility for the benefit of the Project. The inclusion of any facility or improvement in the County's Five-Year Capital Improvement Plan or capital budget shall not constitute a guarantee to the Applicant that such facilities or improvement will be constructed.
12. All proposed modifications to Lakewood Ranch Corporate Park will be reviewed cumulative to determine whether the proposed modification will exceed any of the criteria set forth in Chapter 380.06(19), Florida Statutes.

The substantial deviation criteria set forth herein are not applicable to the land use exchanges which are authorized pursuant to Section D.3 and Section D.6 of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in

conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order approval.

C. LAND/SOILS

1. In conjunction with the construction of this project, no commercial extraction of minerals from the subject site shall occur, unless a new borrow pit operation is approved by special exception, with the exception of the existing borrow pit operating on the subject property. Materials excavated for lakes may be utilized as fill material elsewhere on the property as needed, if the material is useable for the proposed use, as approved by Sarasota County Water Resources.

D. LAND USE

1. Lakewood Ranch Corporate Park shall include approximately 979 acres of MEC type uses generally located in those areas designated on Map C-3 of the ADA and attached hereto as Exhibit C. Also incorporated within Lakewood Ranch Corporate Park shall be approximately 395 acres of OUC zoned property, which has been dedicated in perpetuity for open space, conservation and preservation purposes. An additional 230 acres of open space shall be maintained as described in Condition E.1.k. for a total of 625 acres of open space. Commercial General uses shall be limited to a total of three (3) acres for all of Lakewood Ranch Corporate Park for retail commercial uses which shall be located on a parcel or parcels internal to the development and at least 300 feet from the boundaries of the DRI project, and shall be for purposes of serving the Lakewood Ranch Corporate Park development only and not to attract customers from outside of the project.
2. Lakewood Ranch Corporate Park is hereby approved under the provisions of Chapter 380.0651, Florida Statutes, for all Phases. Development approved by this Development Order shall undergo subsequent concurrency reviews in accordance with specific conditions of this Development Order pertaining to stormwater quantity and quality, mass transit, parks and recreation, potable water, wastewater service, and solid waste. Further Chapter 380.06(6) ADA analyses will be required for any future phases beyond Phases I and II of the Project on affordable housing, transportation, and air quality issues.
3. The Applicant, with the approval of the Board of County Commissioners, shall be permitted to exchange, within the Lakewood Ranch Corporate Park DRI, a portion of two or more land uses listed in Tables 1 and 2 and allowed under the Comprehensive Plan and Zoning Ordinance, as from time to time may be amended, provided that any such exchange results in equivalent (or more favorable) external peak hour trips for the Project based upon the most currently accepted ITE trip generation manual. Such exchange shall also be subject to the verification of capacity in other public facilities as provided in specific provisions of this Development Order and the concurrency management system of Sarasota County. In no event shall the exchange mechanism be used to create a single-use project or to change to land uses that are not permitted by the Comprehensive Plan or applicable Zoning Ordinance at the time of such exchange. The Applicant shall not use this provision to decrease the amount of open space in the Project below those amounts described in the ADA, in accordance with the conditions of this Development Order.

**TABLE 1
LAKEWOOD RANCH CORPORATE PARK
DEVELOPMENT COMPONENTS**

COLUMN A Sarasota County Land Use Designation (Section 380.0651 F.S. Designation)	COLUMN B Number Acres	COLUMN C Square Feet	COLUMN D Dwelling Units	COLUMN E Land Use Exchange Maximum Increase
Planned Commercial District (PCD)				
(Office)	449.27	4,888,637		Land area increased by the greater of 5% or 6 acres or gross floor area increased by greater of 5% or 60,000 s.f.
(Industrial)	131	1,355,599		Land area increased by the greater of 5% or 32 acres or gross floor area increased by greater of 5% or 60,000 s.f.
(Commercial)	2.55	23,693		Land area increased by the greater of 5% or 6 acres or gross floor area increased by greater of 5% or 50,000 s.f. or parking increased by the greater of 5% or 300 spaces
Other (Internal Lakes/Road Right-of-way)	166.23			
Open Space	230			
Sub-Total	978.93			
Open Use Conservation	395			
Totals	1,373.93	6,267,929		

**TABLE 2
LAKEWOOD RANCH CORPORATE PARK
PHASING SCHEDULE**

Sarasota County Land Use Designation (Section 380.0651 F.S. Designation)	Phase I 1992 -2014	Phase II 2007- 2014	Phase III 2015-2019	Total Project
Planned Commercial District (PCD)				978.93± acres
(Office)	1,393,600	2,960,997	534,040	4,888,637
(Industrial)	477,792	372,208	505,599	1,355,599
(Retail)	10,000	0	13,693	23,693
OUC				395± acres
Total	1,881,392	3,333,205	1,053,332	6,267,929

4. Any departure from Project buildout from the phasing schedule set forth in this Development Order shall be subject to review to determine if such departure constitutes a substantial deviation pursuant to Chapter 380.06(19)(c), Florida Statutes.
5. Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Sarasota County Comprehensive Plan. The land use exchange provision shall not be exercised more than once in any calendar year.
6. This provision shall not allow the alteration of the size or land use mix of the Project at buildout. It is intended to provide flexibility in the timing of development between phases and the respective Projects, in response to economic development opportunities or development constraints. The applicability of this provision is limited to Phases I and II, pending further Chapter 380 review of additional phases.
7. To foster intergovernmental coordination in the administration of the Lakewood Ranch Corporate Park Development of Regional Impact, the Applicant shall furnish to the Manatee County Planning Department copies of all Lakewood Ranch Corporate Park Annual Reports (together with any documents required to accompany said Biennial Reports).

E. VEGETATION AND WILDLIFE

1. Vegetation and Wildlife Conditions relating to the Planned Commerce District (PCD) within Lakewood Ranch Corporate Park.
 - a. Measures to ensure maintenance of upland habitat preservation areas will include designating these areas as perpetual preserves on plats of record and complying with Best Management Practices during construction. Maintenance of pine flatwoods will be limited to periodic roller chopping and/or burning in accordance with a resource management plan which is subject to review and approval by Sarasota County Environmental Services Resource Protection.
 - b. All on-site mesic hammock areas shall be preserved, except for an approximately 0.4 acre area shown on Map F-2 of the ADA, attached hereto as Exhibit E. Additional slight reductions resulting from unavoidable impacts, however, may be allowed by Sarasota County Environmental Services Resource Protection should

the Applicant demonstrate that no significant loss of function and value would be incurred. However, no more than 25 percent of the mesic hammocks are to be removed from the Lakewood Ranch Corporate Park DRI site and 50 foot wide buffers of mesic hammock adjacent to wetlands and watercourses are to be maintained. Mesic hammock areas will be maintained by allowing the natural mode of forest succession.

- c. All undisturbed mesic hammock areas shall be maintained in perpetuity as preserves and labeled as preserved on all plans and appropriate final plats. The boundaries of each on-site mesic hammock, outside the OUC Area, shall be flagged by the Applicant and field verified by the County Resource Protection Division prior to submittal of appropriate Site and Development Plans or Preliminary Plans. All preserve areas shall be maintained in compliance with a resource management plan which is subject to review and approval by the County Resource Protection Division.
- d. All undisturbed wetlands, mitigation areas and required upland vegetative buffers shall be maintained in perpetuity as preservation areas and labeled as preservation areas on appropriate plans and final plats. All preserve areas shall be maintained in compliance with a resource management plan which is subject to review and approval by Sarasota County Environmental Services Resource Protection.
- e. Wetland alterations shall be as shown on Map F-2 of the ADA and Table II.D. 1-7 of the ADA, attached hereto as Exhibit E, unless otherwise approved by Sarasota County Environmental Services Resource Protection. The total area of wetland habitat preserve may be slightly reduced, resulting from unavoidable impacts necessitated by internal parcel roadway and infrastructure requirements as identified in subsequent Preliminary Plans, Site and Development Plans, or construction plans. All alterations in wetlands which result in a loss of habitat shall be mitigated on a one-to-one basis for wet prairies and sloughs and a three-to-one basis for swamps and heads or must be mitigated in accordance with an approved Ecosystem Management Plan in accordance with environmental principles of the Comprehensive Plan.

The rationale for alteration and the alternatives that were investigated to either limit or eliminate the need for additional wetland alterations shall be provided by the Applicant as part of the appropriate plan submittal. Specific details of any wetland alteration and appropriate mitigation, monitoring and maintenance plans shall be provided at the Preliminary Plan, Site and Development Plan, or construction plan stage. The success of each mitigation area shall be assessed at least once every six (6) months for three (3) years. Said alterations and required mitigation shall be consistent with the Land Development Regulations Environmental Technical Manual, States Uniform Mitigation Assessment Method (Chapter 62-345, F.A.C.), the County-approved mitigation monitoring and maintenance plans, the Applicant's commitment of preserving wetland habitats and mitigation areas, the conceptual mitigation plan provided in Sections II.D.1.j. and II.D.1.k. of the ADA, the conceptual mitigation areas shown on Map F-2 and are subject to review and approval by Sarasota County Environmental Services Resource Protection.

- f. Mitigation areas will be vegetated, utilizing muck soils from impacted wetlands when feasible. Impacts to contiguous wetlands will be mitigated adjacent to contiguous wetland areas unless otherwise approved by Sarasota County

Environmental Services Resource Protection. A 30 foot wide preserved upland or bermed lake buffer will be provided around the perimeter of each created wetland.

- g. A minimum 30 foot wide upland buffer shall be provided for the existing wetlands and mitigation areas found in the PCD districts.
- h. The hydroperiods of all preserved wetlands shall be maintained. The conceptual basis for maintaining and monitoring hydroperiods shall consist of a hydroperiod analysis provided in Map G-2 of the ADA, Sections II.D.1.c., II.D.1.f., and II.D.3.e. of the ADA and Section II.D.1.f.6. of the First Sufficiency Response, and the wetland hydroperiod monitoring plan provided in Section II.D.1.f. of the First Sufficiency Response. Detailed hydroperiod maintenance plans shall be submitted for review and approval by the County Resource Protection Division prior to or concurrent with the Preliminary Plan or Site and Development Plan process. Hydroperiod monitoring shall be initiated by the Applicant for any wetland showing signs of hydroperiod alteration to determine proper remedial actions, subject to review and approval by Sarasota County Environmental Services Resource Protection.
- i. The boundaries and seasonal high water elevations of each on-site wetland outside of the OUC area shall be flagged by the Applicant and field verified by the Southwest Florida Water Management District prior to submittal of appropriate Preliminary Plan or Site and Development Plans.
- j. Map C-3 of the ADA, attached hereto as Exhibit E, shows only the existing wetland areas which will be preserved along with the required buffers around these wetlands. Other open space, which meets the requirements of the PCD zone district, will be provided within each development parcel in order to achieve the required County open space percentages. This additional open space cannot be shown on Map C-3 at this stage of the planning process as its precise location and exact composition will not be known until site plans are developed for individual tracts. The Applicant will meet any remaining open space requirements at the time of individual site plan approval.
- k. Open space areas depicted on Map F-2, attached hereto as Exhibit E, shall be depicted on the appropriate Preliminary Plans or Site and Development Plans to depict which native habitats, mitigation areas and littoral zones are being used to fulfill open space requirements of the PCD zoning district along with other types of open space. A minimum of 230.0 acres of native habitat shall be maintained within the PCD zone district to fulfill, in part, the open space requirement. For those areas within the PCD zone district, a breakdown of open space with an indication of where the proposed open space balance would be allocated in the future shall be submitted with each Site and Development Plan or Preliminary Plan, thereby demonstrating compliance with this requirement. Any proposed reallocation of open space types shall not create a net loss of open space, shall be justified by the Applicant, and shall be subject to review and approval by Sarasota County Environmental Services Resource Protection. Any proposed modifications complying with these criteria shall not be deemed a substantial deviation pursuant to Chapter 380, Florida Statutes.
- l. The approved Best Management Practice Manual shall be referenced on all construction plans and may be periodically reviewed and updated. Any revisions to this manual shall be subject to review and approval by Sarasota County Environmental Services Resource Protection.

- m. All on-site preservation and conservation areas within the PCD area shall be maintained in compliance with the Sarasota County-approved resource management plan, submitted to Sarasota County on November 7, 1995. The County-approved resource management plan shall be referenced on all Preliminary Plans, Site and Development Plans and construction plans. Any changes to this management plan shall be subject to review and approval of Sarasota County Environmental Services Resource Protection.
- n. The Lakewood Ranch Corporate Park Wildlife Management Plan dated November 7, 1995, prepared by Conservation Consultants, Inc., has been incorporated by reference in Section 2.1 of the Development Order. The Applicant shall undertake and be responsible for all of the wetland and upland habitat management activities, preservation and conservation requirements and monitoring studies and reports for the wildlife and vegetation species described and within the time periods specified in said Wildlife Management Plan. This plan may be amended upon approval by Sarasota County Environmental Services Resource Protection.
- o. A final planting scheme for the area between the western end of Wetland Number 40 and the north-south roadway shall be submitted prior to or concurrent with the first Preliminary Plan or Site and Development Plan and shall be subject to review and approval by Sarasota County Environmental Services Resource Protection in consultation with the Florida Fish and Wildlife Conservation Commission (FWC). Prior to, or concurrently with, the submittal of a Preliminary Plan or Site and Development Plan involving the area south of Wetland Number 40, a buffer strategy plan shall be submitted for review and approval of Sarasota County Environmental Services Resource Protection. No buildings shall be located within 120 m (410.12 ft.) of the rookery site existing within Wetland Number 40 and no roadways shall be allowed within 91 m (298.57 ft.) of the rookery site provided that road construction closer than 125 m shall be done outside the nesting season. Prior to, or concurrently with, the submittal of a preliminary plan or site and development plan involving development parcels adjacent to Wetland Number 4 and/or Wetland Number 6, a buffer plan shall be submitted for review and approval by Sarasota County Environmental Services Resource Protection in consultation with the Florida FWC. For Wetland Number 8, no construction shall be located within 106 m (347.79 ft.) of the rookery site. However, if minor temporary intrusions are necessary, these should be done outside the nesting season. For purposes of this Condition, the nesting season is defined to consist of the period February through July and rookery site is that area within the wetland containing trees/shrubs or other vegetation having wading bird nests. As a general guideline for development activities adjacent to Wetland Number 40, Wetland Number 4 and Wetland Number 8, buildings should be of minimal height so as to not offer flyway barriers to birds accessing the rookery sites, i.e., a ten-story building on the edge of a buffer would likely have more impact than a one-story building. Sarasota County Environmental Services Resource Protection shall be permitted to modify the standards set forth in this condition with the consent of the Florida FWC. The respective building setbacks referenced above no longer apply if Wetland 4, 8, or 40 ceases to function as a rookery as determined by the results of a study using methods accepted by the County and the FWC, and as confirmed by the FWC. A qualified biologist will be required to verify prior to Site and Development or Construction Plan approval that the referenced wetland(s) no longer function as a rookery in

cases where new construction is proposed within any of the setbacks that have been eliminated.

- p. Gopher tortoise burrows shall be integrated into designated open space areas containing suitable habitat, whenever possible. Gopher tortoises shall be subject to protection under Florida Fish and Wildlife Conservation Commission Guidelines.
2. Vegetation and Wildlife Conditions relating to the Open Use Conservation Zoning Districts (OUC) within Lakewood Ranch Corporate Park.
- a. All undisturbed mesic hammock areas shall be maintained in perpetuity as preserves and labeled as preserved on all plans and appropriate final plats. All preserve areas shall be maintained in compliance with a resource management plan and shall be consistent with the conservation easement and the revised Wildlife Management Plan, November 7, 1995, as may be amended subject to approval by Sarasota County Environmental Services Resource Protection.
 - b. All undisturbed wetlands, mitigation areas and required upland vegetative buffers shall be maintained in perpetuity as preservation areas and labeled as preservation areas on appropriate plans and final plats. All preserve areas shall be maintained in compliance with a resource management plan which is subject to review and approval by Sarasota County Environmental Services Resource Protection consistent with the conservation easement and the revised Wildlife Management Plan, November 7, 1995.
 - c. The hydroperiods of all preserved wetlands shall be maintained. Hydro period monitoring shall be initiated by the Applicant for any wetland showing signs of hydroperiod alteration to determine proper remedial actions, subject to review and approval by Sarasota County Environmental Services Resource Protection, consistent with the conservation easement and the revised Wildlife Management Plan dated November 7, 1995, as may be amended, subject to approval by Sarasota County Environmental Services Resource Protection.
 - d. Zoning of 395 acres of Open Use Conservation (OUC) will be used to ensure conservation and preservation of native habitat. The preserved OUC areas, consisting of approximately 291.2 acres, shall include wetlands and mesic hammocks. Upland habitats to be conserved within OUC areas include approximately 103.8 acres of pine flatwoods. Idle land within OUC areas will be allowed to progress in a natural mode of succession except for periodic mowing and/or roller chopping to control growth of invasive species, consistent with the conservation easement and the revised Wildlife Management Plan, November 7, 1995. The OUC area shall not be utilized to fulfill the open space provisions of the Planned Commerce Development (PCD) zone district. The OUC may in part, however, be used for purposes of an interpretive nature center facility, associated nature trails, and its educational and research programs, consistent with the conservation easement and the revised Wildlife Management Plan, November 7, 1995.
 - e. The preservation and conservation areas in the OUC zoning district shall be maintained, monitored and improved in compliance with the revised Wildlife Management Plan, November 7, 1995, as may be amended, subject to approval by Sarasota County Environmental Services Resource Protection.
 - f. The revised Wildlife Management Plan November 7, 1995, prepared by Conservation Consultants, Inc. has been incorporated by reference in Section

2.1 of the Development Order. The Applicant shall undertake and be responsible for all of the wetland and upland habitat management activities, preservation and conservation requirements and monitoring studies and reports for the wildlife and vegetative species described and within the time periods specified in said Wildlife Management Plan. Additionally, for purposes of kestrel and fox squirrel management, the Applicant shall seek to retain large pines in the OUC, perform planting of pines in any areas of the OUC where pine density is significantly diminished due to management activities, retain pine snags in the OUC and provide and maintain up to ten (10) kestrel nest boxes interspersed in the OUC.

- g. Specifically, the use of the OUC area for the purposes of a nature and interpretive center is an approved principal permitted use in the OUC Zoning District. Said uses shall include appropriate buildings, parking, nature trails, and other facilities as appropriate. The program, of said nature center, shall be developed as a cooperative effort between the Applicant and the organization formed for the purposes of operating said nature center. A copy of the proposed program will be submitted to Sarasota County Environmental Services Resource Protection and Sarasota County Planning Services for review and comment. The area of the OUC, dedicated to buildings, parking lots and higher intensity uses associated with the Nature Center, shall not exceed five (5) acres in size, shall not be located within a preservation area, and shall be immediately adjacent to the internal collector roadway as shown on Exhibit D. This area shall not count toward wildlife mitigation or preservation goals.
- h. A final planting scheme for the area between the western end of Wetland Number 40 and the north-south roadway shall be submitted prior to or concurrent with the first Preliminary Plan or Site and Development Plan and shall be subject to review and approval by Sarasota County Environmental Services Resource Protection in consultation with the Florida Fish and Wildlife Conservation Commission (FWC). Prior to, or concurrently with, the submittal of a Preliminary Plan or Site and Development Plan involving the area south of Wetland Number 40, a buffer strategy plan shall be submitted for review and approval of Sarasota County Environmental Services Resource Protection. No buildings shall be located within 120 m (410.12 ft.) of the rookery site existing within Wetland Number 40 and no roadways shall be allowed within 91 m (298.57 ft.) of the rookery site provided that road construction closer than 125 m shall be done outside the nesting season. Prior to, or concurrently with, the submittal of a preliminary plan or site and development plan involving development parcels adjacent to Wetland Number 4 and/or Wetland Number 6, a buffer plan shall be submitted for review and approval by Sarasota County Environmental Services Resource Protection in consultation with the Florida FWC. For Wetland Number 8, no construction shall be located within 106 m (347.79 ft.) of the rookery site. However, if minor temporary intrusions are necessary, these should be done outside the nesting season. For purposes of this Condition, the nesting season is defined to consist of the period February through July and rookery site is that area within the wetland containing trees/shrubs or other vegetation having wading bird nests. As a general guideline for development activities adjacent to Wetland Number 40, Wetland Number 4 and Wetland Number 8, buildings should be of minimal height so as to not offer flyway barriers to birds accessing the rookery sites, i.e., a ten-story building on the edge of a buffer would likely have more impact than a one-story building. Sarasota County Environmental Services Resource Protection shall be permitted to modify the standards set forth in this condition with the consent of the Florida FWC. The respective building

setbacks referenced above no longer apply if Wetland 4, 8, or 40 ceases to function as a rookery as determined by the results of a study using methods accepted by the County and the FWC, and as confirmed by the FWC. A qualified biologist will be required to verify prior to Site and Development or Construction Plan approval that the referenced wetland(s) no longer function as a rookery in cases where new construction is proposed within any of the setbacks that have been eliminated.

- i. A minimum 100 foot wide upland vegetative buffer shall be provided for Long Swamp as shown on Map C-3 of the ADA, attached hereto as Exhibit C.

F. DRAINAGE

1. The post-development stormwater management system shall provide for limitation of the post-development peak discharge rate to the outfall at a point approved by Sarasota County and the Southwest Florida Water Management District (SWFWMD) downstream of the regional stormwater facility (the "Approved Outfall") equal to or less than the pre-development rate for the 100-year, 24-hour storm event, and post-development runoff shall not increase the floodplain/floodway in Manatee County.
2. The Applicant shall be responsible for operating and maintaining the off-site regional stormwater facility until the operation and maintenance of said facility is placed under the control and becomes the responsibility of the Lakewood Ranch Corporate Park Owner's Association or other entity by legal document or agreement approved by applicable agencies. As needed for each phase of development, the Applicant of the Lakewood Ranch Corporate Park DRI shall be responsible for construction of the off-site regional stormwater facility located outside of the DRI necessary to meet the pre-development discharge limitation on Long Swamp at the "Approved Outfall ."
3. The stormwater management system may be constructed in phases coinciding with development of the individual Drainage Control Areas (DCA) as shown on the Master Drainage Plan (Map G-2 of the ADA, attached hereto as Exhibit F). In a phased construction approach, the Applicant shall meet the pre-development discharge limitation on Long Swamp at the "Approved Outfall," as required by Condition No. 2 above.
4. Elevations corresponding to a 100 year flood shall be used to set minimum building elevations on the site taking into account backwater elevations along Long Swamp and the various flow paths through the site.
5. A detailed stormwater management plan including drainage calculations and an updated Master Stormwater Treatment Plan and Table shall be submitted to appropriate County Departments concurrent with submittal of each Site and Development Plan or Preliminary Plan for any parcel or phase within the DRI area. Said plans and calculations shall also be submitted to the City of Bradenton for review and comment. The detailed stormwater management plan shall demonstrate consistency with the master stormwater management plan or the master stormwater management plan shall be updated and submitted to the Stormwater Management Division for review and approval 30 days prior to submittal of Site and Development Plan or Preliminary Plan. When a Master Stormwater Plan update or revision is required, said update or revision shall also be submitted to Manatee County and the City of Bradenton for review and comment.

6. All internal stormwater management lakes and ditches shall be set aside as private drainage easements on the recorded final plat. Stormwater lakes shall include adequate maintenance easements around the lakes with access to a paved roadway.
7. The Lakewood Ranch Corporate Park DRI project shall require SWFWMD permits for construction and operation of the surface water management system. At the time of permit application, the Applicant shall provide verification that the proposed system design will meet District criteria.
8. The Applicant shall participate in any ongoing or future efforts by Sarasota and Manatee Counties to establish county-wide stormwater management systems.
9. Unless otherwise provided for herein, the issuance of development orders, including final development orders as defined by Sarasota County Ordinance No. 89-103 for all phases of development shall be subject to the requirements of the Sarasota County Concurrency System Regulations (Ordinance No. 89-103, as may be amended) with respect to the provision of adequate stormwater facilities and levels of service.
10. The Master Surface Water Management Plan shall be consistent with the latest Lakewood Ranch Corporate Park Model.

G. WATER QUALITY

1. The Lakewood Ranch Corporate Park stormwater management system shall meet the design standards applicable to stormwater systems that discharge into Outstanding Florida Waters (OFW), as in effect as of the date of issuance of this Development Order as provided by Chapter 430, Florida Statutes (F.S.), and Chapters 62-25, 62-302, 62-4, 62-40, and other applicable Chapters of the Florida Administrative Code (F.A.C.).

The stormwater management system shall ensure that overall existing ground water hydrology characteristics are not altered, impacted, or changed from the existing predevelopment condition. Stormwater treatment shall utilize a combination of treatment practices so as to ensure that construction, alteration or operation of the system will not discharge, emit, or cause pollution in contravention of applicable state OFW standards, or other applicable water quality standards whichever is more restrictive.

To demonstrate compliance with these standards, the water quality in the receiving water body shall be monitored in the receiving water body in an area adjacent to the point of discharge. Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the developer, site specific, alternative criteria may be established in conjunction with Sarasota County Water Resources and Manatee County.

The final design of the Lakewood Ranch Corporate Park stormwater management system shall be submitted to SWFWMD, SWFRPC, Manatee County, and the City of Bradenton for review and comment, and to Sarasota County for review and approval. Upon completion of the final Lakewood Ranch Corporate Park stormwater design, appropriate revisions shall be made to the ground and surface water monitoring methodologies. Any such revisions shall be submitted to SWFWMD, SWFRPC, Manatee County and the City of Bradenton for review and comment, and to Sarasota County for review and approval.

Any stormwater management system designed in accordance with the above referenced standards shall be presumed to comply with state water quality standards. Said system

shall also be presumed to comply with Sarasota County water quality standards since these design standards also exceed the stormwater system design requirements of Sarasota County.

The Requirements of this Section have been imposed upon the project subsequent to the Applicant's drainage and natural systems analyses and otherwise exceed the requirements of Sarasota County. Accordingly, meeting these higher stormwater design standards may impose obligation upon the project potentially at variance with the requirements of other provisions of this Development Order. In the event that final engineering and design of the stormwater system reveals conflicts between:

- (a) the ability of the Project to be developed in the manner or to the extent contemplated in the ADA and sufficiency responses;
- (b) the foregoing stormwater system design standards; and/or
- (c) other provisions of this Development Order or other applicable regulations (e.g., wetland hydroperiod maintenance).

The Applicant shall be entitled to petition the Board of County Commissioners for the minimum modification to the provision described in (c) above which would relieve the conflicts with (a) and (b) above. If appropriate, the Development Order shall be amended to reflect any such changes and such amendment(s) shall not be deemed to constitute a substantial deviation as long as the thresholds set forth in Chapter 380.06(19) have not been exceeded.

2. The Water Resources Monitoring Program included herein as Exhibit G shall be implemented during those periods that construction activities are underway, with the sampling events occurring on a semi-annual basis, during wet and dry seasons. Sampling and reporting shall continue until at least one year after all construction activity is completed for the DRI site. Reports shall be submitted to the City of Bradenton for review and comment, and to Sarasota County Water Resources for review and approval. If these reports indicate violations of applicable State water quality standards, all construction associated with the suspect violations shall cease and the source of the water quality violation(s) shall be identified and remediated prior to any further construction. The program shall be extended past the one year time limit when laboratory results indicate that water quality standards are in violation of the State and/or County standards during the post-development phase of the project. The program shall not be permanently discontinued however, without approval of Sarasota County Water Resources. Upon request from the Applicant, and after approval by Sarasota County Water Resources, the water resources monitoring program may be temporarily suspended when the construction activities are going to be halted for a period of three months or more. Upon resumption of the construction activity, the water resources monitoring program shall be resumed.
3. Turbidity shall be visually checked by the respective site contractors on a daily basis, preferably during the afternoon, upstream and downstream of the areas undergoing construction activities.

Sarasota County Water Resources may require, at any time during ongoing construction activities, site specific monitoring of turbidity if it is determined that construction activities may be impacting surface waters associated with any particular development site/project within the DRI site. Turbidity shall be monitored with a field Turbidimeter, on a daily or more frequent basis, when construction activities are underway at those locations where impacts may occur at the representative basin drainage stations (surface water stations, referenced in Figure 1 in Exhibit G). The monitoring events shall be reported on a

weekly basis to Sarasota County Water Resources. If a turbidity violation occurs, it shall be reported immediately within 24 hours of the observed condition(s) to the Sarasota County Water Resources.

4. If any proposed changes in water resources monitoring locations, parameters and/or frequency are suggested by either Sarasota County Water Resources, Sarasota County Resource Protection, the Florida Department of Environmental Protection, the Southwest Florida Water Management District, or the Applicant, such changes shall be coordinated with the appropriate County and State agencies prior to approval by Sarasota County.
5. Stormwater treatment for the subject property shall be provided based upon the requirements mandated by the Florida Department of Environmental Protection, the Southwest Florida Water Management District, and/or Sarasota County, whichever is more restrictive. The methods used to provide stormwater treatment shall be consistent with the applicable regulations, rules and design criteria in effect at the time of plan design. Said stormwater treatment shall provide for protection of water quality in the Evers Reservoir watershed. Pursuant to the provisions of the Clean Water Act, construction activities which result in the disturbance of five (5) acres or more are required to obtain a National Pollutant Discharge Elimination System Stormwater Permit.
6. During construction activities, the Applicant shall employ the Best Management Practices for erosion and sedimentation control to maintain air and water quality. These practices shall be included with, or presented on, all construction plans and are subject to the approval by the appropriate County Departments, including, but not limited to, fixed control structures, perforated pipes, and grass swales conveyances. Swales should be used whenever possible rather than closed systems.
7. Utilization of wetlands for treatment of stormwater, to the extent possible, shall be consistent with applicable rules and regulations in effect at the time of plan design.
8. The final design of the stormwater management system shall address to the satisfaction of the SWFWMD and Sarasota County, subject to review and comment by SWFRPC, Manatee County and the City of Bradenton, that adequate steps have been taken to protect water quality in the Cooper Creek drainage basin and the Manatee River watershed.

H. MOSQUITO CONTROL

1. Mosquito Control District personnel and vehicles shall be allowed free access to all stormwater management facilities and to all wetland areas for mosquito surveillance and control purposes.
2. All control structures and junction boxes in the stormwater management system shall have field poured or precast concrete bottoms set at the invert elevations of their outfall pipes.
3. Stormwater management system maintenance requirements shall include removal of mosquito productive nuisance plant species (water lettuce, water hyacinth, cattails, and primrose willows) from all system nodes, reaches, and percolation basins as well as from the lake littoral zones and borrow pits employed in the system.
4. To the extent consistent with applicable surface water management and environmental regulations, any isolated wading bird "pools" constructed in lake littoral zones shall be excavated to a depth providing aquatic habitat for mosquito larvae predators such as *Gambusia affinis*.

I. TRANSPORTATION

1. No Construction Plan approvals shall be issued for any Lakewood Ranch Corporate Park development that exceeds the cumulative Net New PM Peak Hour Trip Thresholds identified in Tables 4 and 5 until such time as Funding Commitments are provided for all improvements required at and below that threshold.

TABLE 4					
Roadway Segments and Freeway Ramp Improvements					
Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of service	Development Traffic as a % of Adopted LOS	Required Improvement To Restore LOS	Cumulative Net New PM Peak Hour Trip Threshold
I-75 SB Off-ramp at Clark Road	F	A	0.35%	Add one lane to ramp Add one SB lane to I-75 between Bee Ridge Rd and Clark Rd	N/A - Project Impact less than 5%
I-75 SB Off-ramp at Bee Ridge	F	C	0.59%	Add one SB lane to I-75 between Fruitville Rd and Clark Rd	N/A - Project Impact less than 5%
I-75 NB On-ramp from EB Fruitville Road	F	C	0.00%	Add one NB lane to I-75 between Bee Ridge Rd and Fruitville Rd	N/A - Project Impact less than 5%
I-75 NB On-ramp from WB Fruitville Road	F	C	0.00%	Add one NB lane to I-75 between Fruitville Rd and University Pkwy	N/A - Project Impact less than 5%
I-75 SB Off-ramp at Fruitville Road	F	D	1.18%	Add one SB lane to I-75 between University Pkwy and Fruitville Rd	N/A - Project Impact less than 5%
I-75 NB Off-ramp to EB SR 70	F	D	0.00%	Add one NB lane to I-75 from University Pkwy to Fruitville Rd	N/A - Project Impact less than 5%
I-75 NB Off-ramp to WB SR 70	F	D	0.00%	Add one NB lane to I-75 from University Pkwy to Fruitville Rd	N/A - Project Impact less than 5%
I-75 NB Off-ramp at University Parkway	F	B	1.53%	Add one lane to ramp Add one NB lane to I-75 between Fruitville Rd and Univ. Pkwy	N/A - Project Impact less than 5%
I-75 NB On-ramp at University Parkway	F	C	14.12%	Add one NB lane to I-75 between University Pkwy and SR 70	2310
I-75 SB On-ramp at University Parkway	F	C	8.12%	Add one SB lane to I-75 between University Pkwy and Fruitville Rd	2625
Freeway Segments					

I-75 NB from Fruitville Road to University Pkwy	F	D	2.64%	Add one NB through lane	N/A Project impact less than 5%
I-75 SB from University Parkway to Fruitville Road	E	D	9.15%	Add one SB through lane	2715
I-75 NB from University Pkwy to SR 70	F	D	5.99%	Add one NB through lane	2895
I-75 SB from Fruitville Rd to Bee Ridge Rd	E	D	7.25%	Add one SB through lane	2895
I-75 SB from Bee Ridge Rd to Clark Road	F	D	6.75%	Add one SB through lane	1409
I-75 SB from Clark Road To SR 681	F	D	4.85%	Add one SB through lane	N/A Project impact less than 5%
Roadway Segments	NB/EB-SB/WB	NB/EB-SB/WB			
Honore Ave. from University Parkway to Fruitville Road	E-E	C-C	16.61%	Add one NB through lane and one SB through lane	1409
Lakewood Ranch Blvd. from SR 64 to SR 70	F-D	B-A	12.92%	Add one NB through lane and one SB through lane	2488
Cattlemen Road from University Parkway to Fruitville Road	E-E	B-C	23.64%	Add one NB through lane and one SB through lane	1884
Fruitville Road from Coburn Rd to East Rd	F-F	A-B	43.49%	Add one EB through lane and one WB through lane	1409
University Parkway from Cooper Creek Rd to Market St	F-F	C-D from I-75 to Market C-C from Cooper to I-75	41.90%	Add one WB through lane	729
SR 70 from Lorraine Rd to CR 675	D-C	B-C	23.67%	Add one EB through lane and one WB through lane	2286

TABLE 5 Required Intersection Improvements					
Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of service	Development Traffic as a % of Adopted LOS	Required Improvement To Restore LOS	Cumulative Net New PM Peak Hour Trip Threshold
Bee Ridge Rd. / Cattlemen Road	F	D	13.15%	Add one NB through lane	1994

				Add one SB through lane Add one EB through lane Add one WB through lane Add one EB left-turn lane (3rd) Extend WB left-turn lane Extend EB left-turn lane	
Bee Ridge Rd. / Honore Ave	F	C	26.07%	Add one EB through lane Add one WB through lane Extend WB left-turn lane	1859
Bee Ridge Rd. / McIntosh Rd.	F	D	4.58%	Add one EB through lane Add one WB through lane Add one EB left-turn lane (2nd) Add one WB left-turn lane (2nd) Add one EB right-turn lane Add one WB right-turn lane Add one NB right-turn lane Extend WB left-turn lane Extend EB left-turn lane	N/A - Project Impact less than 5%
Cattlemen Road / Bahia Vista St	F	D	15.91%	Add one WB left-turn lane (2nd) Add one NB left-turn lane (2nd) Add one SB right-turn lane Add one WB receiving lane Extend NB left-turn lane	1409
Cattlemen Road / Palmer Blvd	F	D	18.11%	Add one NB through lane Add one SB through lane	1409

				Add one EB right-turn lane Add one WB left-turn lane (2nd) Extend NB left-turn lane	
Clark / Honore	F	D	14.50%	Add one EB through lane Add one WB through lane Add one EB left-turn lane (2nd) Add one WB left-turn lane (2nd) Add one NB through lane Add one SB through lane Add one SB right-turn lane Add one SB left-turn lane Extend WB left-turn lane Extend EB left-turn lane	1718
Clark / I-75 NB	E	D	6.75%	Add one NB left-turn lane (2nd)	2760
Fruitville / Beneva	F	D	4.59%	Add one EB through lane Add one WB through lane Add one WB left-turn lane (2nd) Add one EB right-turn lane Add one EB left-turn lane (2nd) Add one WB right-turn lane Add one NB through lane Add one SB through lane Add one SB right-turn lane Add one SB left-turn lane (3rd) Adjust cycle length to 150 seconds	N/A - Project Impact less than 5%
Fruitville / Cattleman	F	D	37.44%	Add one WB through lane Add one NB right-turn lane (2nd) Add one SB left-turn lane (3rd)	2760

				Extend EB left-turn lane Extend WB left-turn lane	
Fruitville / Coburn E	F	C	67.50%	Add one EB through lane	1589
				Add one NB left-turn lane (2nd)	
				Add a WB-only phase to phasing	
Fruitville / East Road	F	C	67.50%	Add one EB through lane Add one WB through lane Extend WB left-turn lane	1634
Fruitville / Honore	F	D	30.00%	Add one EB through lane	1676
				Add one EB left-turn lane (2nd)	
				Add one WB left-turn lane (2nd)	
				Add one WB right-turn lane	
				Add one NB through lane	
				Add one SB right-turn lane	
				Extend WB left-turn lane	
Extend EB left-turn lane					
Fruitville / I-75 NB Ramp	F	C	18.69%	Add one NB left-turn lane (2nd)	2760
Fruitville / McIntosh	F	D	7.12%	Add one EB right-turn lane Add one WB left-turn lane (2nd) Add one NB right-turn lane (2nd) Provide a NB protected phase Extend WB left-turn lane Extend EB left-turn lane	1859
Honore Ave / Bahia Vista Street	F	C	30.00%	Add one WB through lane Add one SB right-turn lane Extend EB left-turn lane	2084
Lakewood Ranch Blvd / River Club Drive	C/F	C	17.04%	Signalize	2850
SR 64 / Lakewood Ranch	F	D	10.00%	Add one EB left-turn lane (2nd) Add two NB left-turn lanes (2nd & 3rd)	2310

				Extend WB left-turn lane Adjust cycle length to 120 seconds	
SR 64 / Lorraine Road	A/B/F/E	D	8.76%	Signalize Add one NB left-turn lane	1409
SR 70 / 33rd ST E	E	D	5.41%	Add one SB left-turn lane (2nd) Extend EB left-turn lane	2535
SR 70 / 37TH ST E	D	D	5.94%	Extend WB left-turn lane Extend EB left-turn lane	1409
SR 70 / 39th ST	C	C	7.29%	Extend WB left-turn lane	1409
SR 70 / 45thST E	F	D	7.29%	Add one WB left-turn lane (2nd) Add one NB left-turn lane (2nd) Extend EB left-turn lane	2535
SR 70 / Caruso	F	D	7.29%	Add one WB through lane Add one NB left-turn lane (2nd)	2445
SR 70 / CR 675	B/B/F/F/B	D	23.67%	Signalize	2174
SR 70 / I-75 SB Ramp	E	B	12.75%	Add one SB left-turn lane	4020
SR 70 Tara Blvd	F	D	10.87%	Add one WB left-turn lane (2nd) Add one WB through lane	2760
University Pkwy / 15th ST E	F	D	6.42%	Add one WB right turn lane	3865
University Pkwy / Cooper Creek Rd	E	C	44.91%	Add one SB left-turn lane Add one WB through lane Add one WB receiving lane	3750
University Pkwy / I-75 NB Ramp	F	D	44.91%	Add one EB left-turn lane Add one WB through lane Add one NB left-turn lane	3210
					3210
					2310
University Pkwy/I-75 SB Ramp	E	C	46.85%	Add one WB left-turn lane Add one SB left-turn lane	2940

University Pkwy / Honore Ave	F	D	44.91%	Add one NB left- turn lane	2535
				Add one EB right- turn lane	2535
				Add one WB left- turn lane	1904
University Pkwy / Market St	F	D	47.13%	Add two NB left- turn lanes (2nd & 3rd) Add one WB through lane	3210
University Pkwy / Tuttle Road	F	D	10.43%	Add one WB right- turn lane Add one NB through lane Add one SB through lane	2835
University Pkwy/ Town Ctr Pkwy	E	D	49.53%	Add one NB left- turn lane (3rd) Add one SB right- turn lane	3210
University Pkwy/ Old Bradenton Rd	D (v/c ratios >1.0)	C	5.74%	Add two NB right- turn lanes Add one EB right- turn lane Extend WB left-turn lane Extend EB left-turn lane	2850
University Pkwy / US 301	E	D	7.93%	Add one EB through lane Add one WB through lane	3391

2. Sarasota County acknowledges that with the construction of the improvements listed in Transportation Condition I.1, a sufficient amount of facility capacity is projected to be available to accommodate development at or above the adopted levels of service for the transportation facilities needed for LRCP Phases I and II development generating the equivalent of 5,011 p.m. peak-hour external vehicle trips or the equivalent of 3,602 p.m. peak hour net new external vehicle-trips (whichever occurs first), through the expiration of the Facility Reservation Period provided that:
- a. If a planned/programmed road or intersection improvement is not constructed in accordance with the timeframe such construction was assumed to occur in the Applicant's traffic impact analysis, the extent of such capacity reservation shall be reassessed and revised, as necessary, as part of the next monitoring program (required pursuant to Condition No. 3 below); and
 - b. If the findings of the biennial monitoring report indicate that the level of service on any road, intersection, or intersection approach in the traffic impact area will fall below Sarasota County's adopted level of service for that facility, no further building permits shall be issued beyond the amount of development projected to result in the roadway or intersection falling below the Sarasota County adopted level of service unless Funding Commitments for the improvement(s) required to maintain the adopted level(s) of service have been provided by the Applicant or

other responsible entity. If the findings of the monitoring program indicate that road capacity is available (consistent with adopted levels of service) in excess of that reserved for LRCP development, Sarasota County may issue final development orders for other development but only to the extent of the excess capacity.

In accordance with the capacity reservation provision above, Sarasota County shall reserve p.m. peak-hour road capacity in the amounts and on the specific road segments set forth below:

Road Segment	Equivalent P.M. Peak-Hour Road Capacity to Be Reserved
Bee Ridge Road	
McIntosh Road to Honore Avenue	65 vehicle trips
Fruitville Road	
Beneva Road to McIntosh Road	97 vehicle trips
McIntosh to Honore Avenue	151 vehicle trips
Honore Avenue to Cattlemen Road	317 vehicle trips
Cattlemen Road to I-75	396 vehicle trips
I-75 to Coburn Road	627 vehicle trips
Coburn Road to East Road	475 vehicle trips
17th Street	
Beneva Road to Longmeadow	50 vehicle trips
Longmeadow to Honore Avenue	97 vehicle trips
University Parkway	
Old Bradenton to 15 th Street	87 vehicle trips
15 th Street to U.S. 301	90 vehicle trips
US 301 to Tuttle Avenue	176 vehicle trips
Tuttle Avenue to Lockwood Ridge Road	180 vehicle trips
Lockwood Ridge Road to Whitfield Avenue	277 vehicle trips
Whitfield Avenue to Longwood Boulevard	306 vehicle trips
Longwood Boulevard to Honore Avenue	465 vehicle trips
Honore Avenue to I-75	915 vehicle trips
Honore Avenue	
University Parkway to Longmeadow	90 vehicle trips
Longmeadow to 17th Street	86 vehicle trips
17 th Street to Richardson Road	47 vehicle trips
Richardson Road to Fruitville Road	40 vehicle trips
Fruitville Road to Bahia Vista Street	180 vehicle trips
Bahia Vista Street to Webber Street	155 vehicle trips
Webber Street to Bee Ridge Road	148 vehicle trips
Bee Ridge Road to Wilkinson Road	76 vehicle trips
Wilkinson Road to Proctor Road	61 vehicle trips
Proctor Road to Ashton Road	58 vehicle trips
Ashton Road to Clark Road	54 vehicle trips

Cattlemen Road

Fruitville Road to Palmer Boulevard	212 vehicle trips
Palmer Boulevard to Bahia Vista Street	187 vehicle trips
Bahia Vista Street to Bee Ridge Road	155 vehicle trips
Bee Ridge Road to Proctor Road	115 vehicle trips

Interstate I-75

University Parkway to Fruitville Road	469 vehicle trips
Fruitville Road to Bee Ridge Road	371 vehicle trips
Bee Ridge Rd. to Clarke Road	346 vehicle trips
Clark Road to S.R. 681	249 vehicle trips

In order to ensure that the adopted levels of service are maintained on these and the other roads and intersections in the traffic impact area during buildout of the remaining LRCP development, the review of all development order applications for LRCP Phases I and II development submitted after expiration of the Facility Reservation Period shall be subjected to the provisions and concurrency standards contained in the County's Concurrency Management Regulations (Article VII, Chapter 94, Sarasota County Code), as modified in Condition No. 3 below.

3. The Applicant shall establish a traffic monitoring program pursuant to and consistent with the provisions and standards contained in the Traffic Monitoring Program Methodology attached to this development order as Exhibit D. Monitoring shall be provided once every two years.

The traffic monitoring program will be used to monitor the cumulative impacts of Lakewood Ranch Corporate Park development, as well as other development in both Sarasota and Manatee County, on the roadways and intersections in the traffic impact area. The findings of the monitoring program shall be submitted in an annual report, as required pursuant to Section 3.4.g, consistent with the provisions of the Traffic Monitoring Program Methodology. The traffic monitoring report shall also include the findings of the TSM assessment required in Condition No. 8 below.

The traffic impact assessment conducted once every two years (or on a biennial basis) as part of each traffic monitoring report shall address the cumulative impacts from those portions of the Lakewood Ranch Corporate Park development, as well as other development in both Sarasota and Manatee County, that has been issued final development orders (from Sarasota County) and Certificates of Level of Service (from Manatee County). When used for biennial concurrency evaluation purposes, development impacts shall include those portions of each development for which final development order and Certificate of Level of Service applications will be (or are expected to be) submitted for review during the ensuing biennial concurrency evaluation period.

The traffic monitoring report will also be used for traffic impact and concurrency evaluation purposes for any phases of Lakewood Ranch Corporate Park development submitted to the County for review after expiration of the Facility Reservation Period once every two years, in lieu of preparing separate traffic impact and concurrency evaluations for each development order application submitted to Sarasota County for review. The purpose of the biennial concurrency evaluation process is to provide the Applicant the opportunity to undergo a single "biennial" concurrency evaluation for that amount of development for which development orders are expected to be submitted

during the next two years in lieu of having to undergo separate evaluations for each development order application submitted during that period.

When required, the concurrency evaluation included in each traffic monitoring report shall be prepared consistent with the provisions of the County's Concurrency Management Regulations (Article VII, Chapter 94, Sarasota County Code), as modified herein, and the provisions and requirements of the Traffic Monitoring Methodology attached hereto as Exhibit D. The concurrency evaluation contained in each traffic monitoring report shall be used as the basis for approving/denying any Lakewood Ranch Corporate Park development order applications submitted for review during the biennial concurrency evaluation period in effect for that biennial report. Pursuant to the provisions of Section 3.4 of this development order, development order approvals for any development order submitted for review on or after the required submittal date for a biennial traffic monitoring report shall not be granted unless and until the required traffic monitoring report has been approved pursuant to the provisions of this condition.

The traffic monitoring reports shall be submitted to the Sarasota County Transportation Planning, Planning Services, FDOT, and DCA for approval no later than the anniversary of the effective date of this development order. Sarasota County Transportation Planning, FDOT, and DCA shall have forty-five (45) days after receipt of a traffic monitoring report to review and either approve or reject the findings of that report. In the event that a traffic monitoring report is rejected, Sarasota County Transportation Planning, FDOT, or DCA shall identify the specific modifications or measures necessary to deem the report acceptable at the time said report is rejected. If, after the initial review, additional information and/or modifications to the report findings are requested, Sarasota County Transportation Planning, FDOT, and DCA shall have up to twenty (20) days after receipt of such additional information and modifications (per occurrence) to review and either approve or reject such information/modifications. Sarasota County may, in consultation with FDOT, DCA and the Applicant, prepare the necessary modifications and issue a revised report within an additional 20 days. FDOT, DCA and the Applicant shall have 10 working days from the receipt of this revised report or any revisions thereto for review, comment, and/or approval. The Applicant shall coordinate the initial preparation of each traffic monitoring report with the Sarasota County Transportation Planning, FDOT, and the DCA, in a timeframe deemed appropriate by the Applicant in order to meet the prescribed review approval timeframes set forth herein. All correspondence to and from FDOT and DCA concerning the traffic monitoring report shall also be submitted to Sarasota County. Any failure on the part of FDOT and DCA to respond within the review deadlines set forth, herein shall be taken to mean that the information submitted as part of the traffic monitoring report is acceptable to the Department.

4. Development Order applications, including a final development order application, for any portion of Lakewood Ranch Corporate Park development submitted during the biennial concurrency evaluation period in effect for a given monitoring report, shall not be approved if the biennial concurrency evaluation contained in that report indicates that traffic resulting from the approval of said development order will impact any road or intersection in the traffic impact area that is operating (or projected to operate) below the adopted level of service for that facility. Notwithstanding the above, a development order application may be approved if one of the following mitigative actions, or both in combination, are committed to by the Applicant (as a condition of approval for that development order), or, by another responsible entity:

- a. Funding Commitments, as defined in Condition A.3.a.i-v, are provided for the improvement(s) necessary to eliminate the level of service deficiency on the road(s) and/or intersections(s) by the LRCP DRI development; and/or
 - b. Other traffic impact mitigating measures, including but not limited to transportation system management (TSM) improvements and strategies, acceptable to Sarasota County, that are intended to eliminate the impact from Lakewood Ranch Corporate Park development on the deficiently operating facility(ies). The Development Order shall be amended to incorporate such other traffic mitigation measures, pursuant to Chapter 380.06 (19), Florida Statutes.
5. In order to ensure that the amount of actual Phase I and II development for which final development order applications have been approved in any given concurrency evaluation period does not exceed that which was assessed as part of the traffic monitoring report, each final development order application shall be accompanied by a development summary certificate. Each certificate shall summarize in a tabular format the type and amount of Lakewood Ranch Corporate Park development (including the quantification of specific land uses and associated trip generation estimates) subject to the final development order application being submitted for review, plus, all other Lakewood Ranch Corporate Park development for which final development order applications have been approved during the concurrency evaluation period currently in effect. A comparison between that which was initially assessed and that approved/proposed to date shall be made and briefly presented in the certificate. The Applicant shall indicate in the certificate whether or not the amount of actual Lakewood Ranch Corporate Park Phase I and II development for which final development order applications have been approved to date, including the incremental amount subject to the final development application under review, exceeds that which was assessed as part of the biennial traffic monitoring report. If this amount is exceeded, no further final development orders shall be approved unless, and until, a revised concurrency evaluation is prepared consistent with the provisions of the Traffic Monitoring Program Methodology (attached hereto as Exhibit D).
6. Prior to the approval of any development beyond Phase II of the Lakewood Ranch Corporate Park development, the Applicant shall be responsible for preparing a revised traffic analysis for the remaining Lakewood Ranch Corporate Park development. The revised traffic analysis shall be used to identify the potential traffic impacts associated with existing and subsequent phases of Lakewood Ranch Corporate Park development and the extent and timing of improvements required to maintain the adopted levels of service on those roads and intersections in the impact area for subsequent phases of development. The revised traffic analysis shall also be used as the basis for approving additional and/or revised conditions and traffic monitoring requirements associated with subsequent phases of development.

The revised traffic analysis shall be submitted to the review agencies in accordance with the procedures outline in Chapter 380.06(6), Florida Statutes.

Development order applications for Lakewood Ranch Corporate Park Phases I and II development that are submitted after the expiration of the Facility Reservation Period shall not be approved unless or until the development for which said development orders have been submitted is the subject of, or included in, a revised traffic analysis as required in this condition.

7. The Applicant shall work jointly with the Sarasota County Area Transit system and the Manatee County Area Transit system to establish mass transit service for the Lakewood Ranch Corporate Park project during Phase II of development.

A Master Multi-Modal Plan shall be submitted to Sarasota County as part of the next scheduled Biennial Transportation Monitoring report (September 9, 2009). The Master Multi-Modal Plan shall address the provision of future transit-related facilities, such as:

- Bus stops and ADA-compliant bus shelters with trash receptacles and bicycle racks;
- A transfer station; and
- The establishment of a circulation route throughout the Lakewood Ranch Corporate Park.

These future transit-related facilities shall be coordinated with Sarasota County Area Transit (SCAT) and Manatee County Area Transit (MCAT) as multi-modal service is made available from those entities to Lakewood Ranch Corporate Park. The Master Multi-Modal Plan shall be updated through subsequent biennial transportation monitoring reports; through the designation of possible transit-related facilities on future site and development plans; or as the provisions of the Master Multi-Modal Plan are completed and/or revised.

8. The initial traffic impact assessment for Lakewood Ranch Corporate Park development as documented in the Lakewood Ranch Corporate Park DRI Application was performed without consideration of the effects of a Transportation Systems Management ("TSM") program. Accordingly, the roadway improvements described in Condition 1 above may reflect a "worst case" scenario in terms of potential impact from Lakewood Ranch Corporate Park development on the adjacent road network. The Applicant shall prepare and subsequently implement an appropriate TSM program which shall endeavor to divert and/or reduce p.m. peak-hour traffic generation from Lakewood Ranch Corporate Park development. The TSM program shall be reviewed and approved by the Sarasota County Planning, the Metropolitan Planning Organization (MPO) and the FDOT. The TSM program shall be submitted as part of the next traffic monitoring report, after a amount of Lakewood Ranch Corporate Park development generating 1,000 or more p.m. peak-hour external vehicle trips, has been issued final development orders.

The TSM program shall include an assessment of the success and achievement of the p.m. peak hour vehicle diversion/reduction strategies. Findings of the assessment shall be included as part of the traffic monitoring report. The findings of the TSM assessment may serve as the basis for the Applicant and/or review agencies requesting amendments to this Development Order. The TSM Program shall seek to further the TSM objectives and policies set forth in the Florida Transportation Plan and shall include, but not be limited to, the following strategies:

- a. promote ride sharing by public and private sector employees;
 - b. increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;
 - c. increase peak hour occupancy rates for transit and other high occupancy vehicles;
 - d. other appropriate trip diversion measures.
9. The Applicant has reserved and committed to donate sufficient property for the right-of-way required to facilitate the construction of the interchange improvements on the eastside of Interstate 75, as agreed upon by FDOT and the Applicant.

10. Unless otherwise provided for herein, the issuance of development orders, including Final Development Orders, for any phase of Lakewood Ranch Corporate Park development shall be subject to the requirements of the Sarasota County Concurrency Management Regulations (Article VII, Chapter 94, Sarasota County Code) with respect to the provision of mass transit and transportation, i.e. road facilities and levels of service.
11. The Applicant shall be fully responsible for all costs associated with site-related road and intersection improvements necessitated by and within the Lakewood Ranch Corporate Park development.
12. Access and Drainage Permits shall be obtained from Manatee County, by the developer, for any site access from University Parkway. Access points shall not be approved unless the location is consistent with the Manatee County Comprehensive Plan, or other regulations which may be in effect at the time of permitting.
13. In exchange for concurrency approvals for 1,800,000 square feet of Phase I development, the Applicant committed to donate sufficient property for the right-of-way to facilitate the construction of Lorraine Road, East West Road, and Lakewood Ranch Boulevard, as depicted in Exhibit H.

The Applicant shall be required to comply with all DRI non-concurrency requirements contained herein including but not limited to: monitoring once every two years of external trips, improvement requirements identified in Condition I.1 with the associated trip thresholds, and Funding Commitments with respect thereto.

J. WATER SUPPLY

1. The Applicant shall construct a centralized potable water distribution system within the DRI development area that is compatible with Sarasota County's central potable water distribution system. When construction is complete, all potable water distribution lines, valves, hydrants, and appurtenances shall be deeded at no cost to Sarasota County to be operated and maintained by the County.
2. The DRI development shall participate with Sarasota County in the construction of potable water distribution system improvements which shall include the installation of a 24" connection to the Manatee County water distribution system (along the north side of University Parkway), a 24" transmission main from this connection to an existing 16" waterline along Palmer Boulevard, a pump station, storage facilities, and metering facilities as specified by Sarasota County Environmental Services Utilities Division. These improvements will be designed and installed through development of a cost-sharing agreement between Sarasota County and the owner/developer. Any connection to the Manatee County potable water distribution system shall comply with the Sarasota County Water Supply Agreement and shall be approved by Manatee County. Connections downstream of any master meter for Sarasota County are the responsibility of Sarasota County to permit.
3. At the time of any construction plan submittal, the Applicant shall provide a quantitative analysis of the project's impacts upon off-site potable water distribution facilities. If it is determined that off-site improvements are needed to provide adequate potable water service to the project, the owner/developer shall be responsible for the costs of installing all such improvements.
4. Construction of the DRI development's landscape irrigation system shall include piping, storage ponds, and appurtenances as necessary to enable these systems to accommodate reclaimed water at a future date. All applicable federal, state, and local

permits shall be obtained before construction commences. Future landscape irrigation sites shall be categorized into reclaimed water and well water spray irrigation sites.

5. Design of the development's potable water and landscape irrigation systems shall be in accordance with Sarasota County's Comprehensive Plan, the Land Development Regulations, the Water and Sewer Utilities Code Book(s), and all other applicable Federal, State, and County regulations. Future construction drawing and permit application submittals shall be designed in accordance with the most current rules and requirements at the time of submittal.
6. The Sarasota County Environmental Services Utilities Division shall have access to potable water distribution systems within the proposed development at all times.

Utility easements with a minimum width of 20 ft. shall be provided in accordance with all applicable County and State Regulations. Easements in excess of 20 feet may be required for larger sized pipelines and those in close proximity to proposed structures.

Potable water facilities shall be installed outside of paved areas wherever possible. Sarasota County will not be financially responsible for damages to private roadways if it is necessary to repair or replace county-owned lines which are beneath them.
7. The off-site connection between the water distribution systems of Manatee County and Sarasota County shall be approved by all appropriate County officials and regulatory agencies before installation.
8. Negotiations with the Sarasota County Environmental Services Utilities Division concerning cost-sharing agreements to design and construct potable water, and non-potable water facilities to serve the development shall be completed before approval of construction plan submittals.
9. Potable water shall not be utilized for non-potable water uses, such as cooling water and irrigation. Non-potable water uses shall not be construed to include fire protection, toilet flushing water or laundry water.
10. For the purpose of potable water conservation, installation of high-efficiency (low volume) plumbing fixtures, and other water conserving devices shall be required. These requirements shall include the use of toilets requiring no more than 1.6 gallons per flush, and installation of self-closing and/or metered faucets in public restroom facilities.
11. The Applicant shall utilize drought-resistant native plant species and water-conserving landscape techniques (Xeriscape) as integral components of the proposed project's landscape design.
12. The Applicant shall not install any potable water supply wells. Also, the existing on-site wells shall not be used as a potable water source. If previously permitted on-site wells are used to supply portions of the development's increased potable and non-potable water needs, the Applicant shall re-evaluate the impacts that on-site wells may have upon Sarasota County's potable water wells along University Parkway at the time of construction plan review.
13. The Applicant shall provide assurance of adequate potable and non-potable water supply capacity to Sarasota County prior to the initiation of construction for each phase of the development.
14. The Lakewood Ranch Corporate Park DRI will obtain potable water service from the Sarasota County Environmental Services Utilities Division which currently has adequate capacity permitted or programmed to serve future phases of the development.

K. WASTEWATER MANAGEMENT

1. The Applicant shall construct a centralized wastewater collection system that is compatible with Sarasota County's central wastewater collection system. When construction is complete, all wastewater collection lines, pump stations, valves, and appurtenances shall be deeded at no cost to Sarasota County to be operated and maintained by Sarasota County.
2. Design of the proposed wastewater collection system shall be in accordance with Sarasota County's Comprehensive Plan, the Land Development Regulations, the Water and Sewer Utilities Code Book(s), and all other applicable Federal, State, and County regulations. Future construction drawing and permit application submittals shall be designed in accordance with the most current rules and requirements at the time of submittal.
3. At the time of construction plan submittal, the Applicant shall provide a quantitative analysis of the project's impacts upon offsite wastewater collection facilities. If it is determined that offsite improvements to the collection system are needed to provide adequate wastewater service to the project, the Applicant shall be responsible for the costs of installing all such improvements.
4. The Sarasota County Environmental Services Utilities Division shall have access to wastewater collection systems within the proposed development at all times. Utility easements with a minimum width of 20 ft. shall be provided in accordance with all applicable County and State Regulations. Easements in excess of 20 feet may be required for larger sized pipelines and those in close proximity to proposed structures.
5. Negotiations with the Sarasota County Environmental Services Utilities Division concerning cost-sharing agreements to design and construct wastewater facilities to serve the development shall be completed prior to approval of construction plan submittals.
6. No permanent septic tanks shall be allowed onsite. Temporary septic tanks may be allowed for construction offices. All temporary septic tanks shall be removed by a licensed septic system firm at the time the permanent wastewater collection system comes on-line.
7. The Applicant shall investigate and actively pursue the use of multiple water supply sources for irrigation purposes. The Applicant shall submit any proposed wastewater reuse plan or system prior to the initiation of the system. The plan or information on any proposed system shall be submitted to the City of Bradenton and the Southwest Florida Water Management District prior to approval of said plan or system by Sarasota County.
8. Pretreatment of industrial wastewater shall be the responsibility of individual site owners.
9. No uses that are generators of hazardous wastewater effluent shall be permitted in this project.
10. The Lakewood Ranch Corporate Park DRI shall obtain wastewater treatment from or through Sarasota County Environmental Services Utilities Division which currently has wastewater treatment capacity permitted or programmed to serve all future phases of development.

L. SOLID WASTE MANAGEMENT

1. The Applicant shall separate all hazardous waste from general solid waste to ensure proper disposal in accordance with applicable laws and regulations regarding hazardous

and solid waste management. Additionally, pursuant to applicable laws and regulations, hazardous materials shall not be released into a sewer, storm drain, ditch, drainage canal, creek, stream, river, upon a sidewalk, or into the atmosphere.

2. All construction plans shall have a provision that loading, off-loading, and storage areas for regulated substances shall be curbed and consist of an impervious base, free of cracks and gaps to contain spills/leaks, and accumulated precipitation until the collected substance is neutralized or removed.
3. Visible hazard identification signs shall be placed at entrances where hazardous materials are stored, dispensed, used or handled. Individual containers, cartons or packages shall be conspicuously marked or labeled in accordance with nationally recognized standards. Material Safety Data Sheets (MSDS) shall be readily available on the premises for all hazardous materials.
4. Within the Lakewood Ranch Corporate Park DRI, facilities qualifying under the Superfund Amendments Reauthorization Act (SARA) Title III and the Florida Hazardous Materials Emergency Response and Community Right To Know Act of 1988, shall file hazardous materials reporting applications in accordance with Sections 302, 303, 304, 311-312, or 313.

Appropriate reports shall be updated annually by each reporting facility and included in the Annual Monitoring Report.

5. The Lakewood Ranch Corporate Park DRI shall dispose of its general solid waste at the Central County Solid Waste Complex. The Central County Solid Waste Complex currently has capacity to serve all future phases of development. The issuance of development orders, including final development orders as defined by Ordinance No. 89-103, for Phase I and all subsequent phases of Lakewood Ranch Corporate Park development, shall be subject to the requirements of the Sarasota County Concurrency System Regulations (Ordinance No. 89-103, as may be amended) with respect to the provision of adequate solid waste facility capacity and collection levels of service.

M. FIRE PROTECTION

1. The Applicant shall meet all applicable regulations and building codes regarding sprinklers, alarm devices and fire hydrant placement.
2. No building shall exceed the fire service flow application capability of 1,000 gallons per minute (GPM). Built-in fire extinguishing systems may be used if needed to meet this requirement.
3. The Applicant and the Sarasota County Fire Department shall meet during the preliminary plan and/or site and development plan review process to discuss and incorporate safety, security and access features for the project, and to discuss the need for a Fire/EMS site to service the development site.
4. Combustible rubbish or waste material when kept within a building, shall be stored in approved containers or in rooms or vaults constructed of noncombustible materials. Metal, metal-lined or other approved containers equipped with tight-fitting covers shall be provided for oily rags and similar materials.
5. All flammable liquids, compounds or manufactures packaged or offered for sale in all warehouse or manufacturing operations shall be conspicuously marked or labeled in easily type, which is in contrast by typography, layout or color with any other printed matter on the label. Warning labels shall conform with the Federal Hazardous Substance Labeling Act, 16 CFR Part 1500.12.1.

6. An approved fire alarm system shall be provided in all warehouses and manufacturing operations, and all fire protection equipment shall be adequately maintained, periodically inspected and tested.
7. Persons responsible for the operation of areas in which hazardous materials are stored, dispensed, handled or used shall be familiar with the chemical nature of the materials and the appropriate mitigating actions necessary in the event of fire, leak or spill. Responsible persons shall be designated and trained to be liaison personnel for the Fire Department. These persons shall aid the Fire Department in pre-planning emergency responses and identification of the locations where hazardous materials are located, and shall have access to Material Safety Data Sheets and be knowledgeable in site emergency response procedures.

N. POLICE PROTECTION

1. The Applicant shall provide funding for a total of four (4) fully equipped patrol vehicles to the Sheriff's Department, based on the then current market value. The Applicant shall meet with representatives of the Sheriff's Department and the Planning Services prior to completion of Phase 1 development to determine the timing for the delivery of funding for the four patrol vehicles.
2. During the Site and Development Plan and Construction Plan approval process, the Applicant shall consult with the Sheriff's Department to ensure that security features are incorporated within the project design.

O. ENERGY CONSERVATION

1. The Applicant shall implement the conservation measures as committed in the ADA and specifically including the following measures:
 - a. Provisions for bicycle and/or pedestrian systems connecting land uses, to be placed along arterial and collector roads or in other appropriate locations within the project;
 - b. Provision of bicycle racks or storage facilities in recreational and commercial areas;
 - c. Cooperation with the Sarasota County Area Transit Authority in the location of bus stops, shelters and other passenger and system accommodations for a transit system to serve the project area;
 - d. Installation of energy efficient lighting for streets, parking areas, recreational areas, and other interior and exterior public places;
 - e. Planting of native shade trees and other vegetation to provide reasonable shade for all residential and recreational areas, streets, and parking areas. Selection of all native trees and other vegetation should be those that reduce requirements for water, fertilizer, maintenance and other needs;
 - f. Installation of energy efficient lighting for streets, parking areas, recreational areas and other interior and exterior public places;
 - g. Installation of energy efficient appliances and equipment;
 - h. Use of energy efficient features in window design (e.g. tinting and exterior shading);

- i. Provisions for structural shading (e.g. trellises, awnings and roof overhangs) wherever possible when natural shading cannot be used effectively;
- j. Use of operable windows and ceiling fans;
- k. Orientation of structures, as much as possible, to reduce solar heat gain by walls and to utilize the natural cooling effects of the wind;
- l. Reduces coverage by asphalt, concrete, rock and similar substances in streets, parking lots and other areas to reduce local air temperatures and reflect light and heat;
- m. Use of water closets with a maximum flush of 3.5 gallons and shower heads and faucets with a maximum flow rate of 3.0 gallons per minute (at 60 pounds of pressure per square inch);
- n. Irrigation hours limited to between the hours of 5:00 p.m. and 9:00 a.m. or other appropriate time periods as required locally or by SWFWMD, after establishment of landscaping;
- o. Establishment of a project architectural review committee(s) of energy conservation measures to assist builders in their efforts to achieve greater energy efficiency in the development.

P. RECREATION

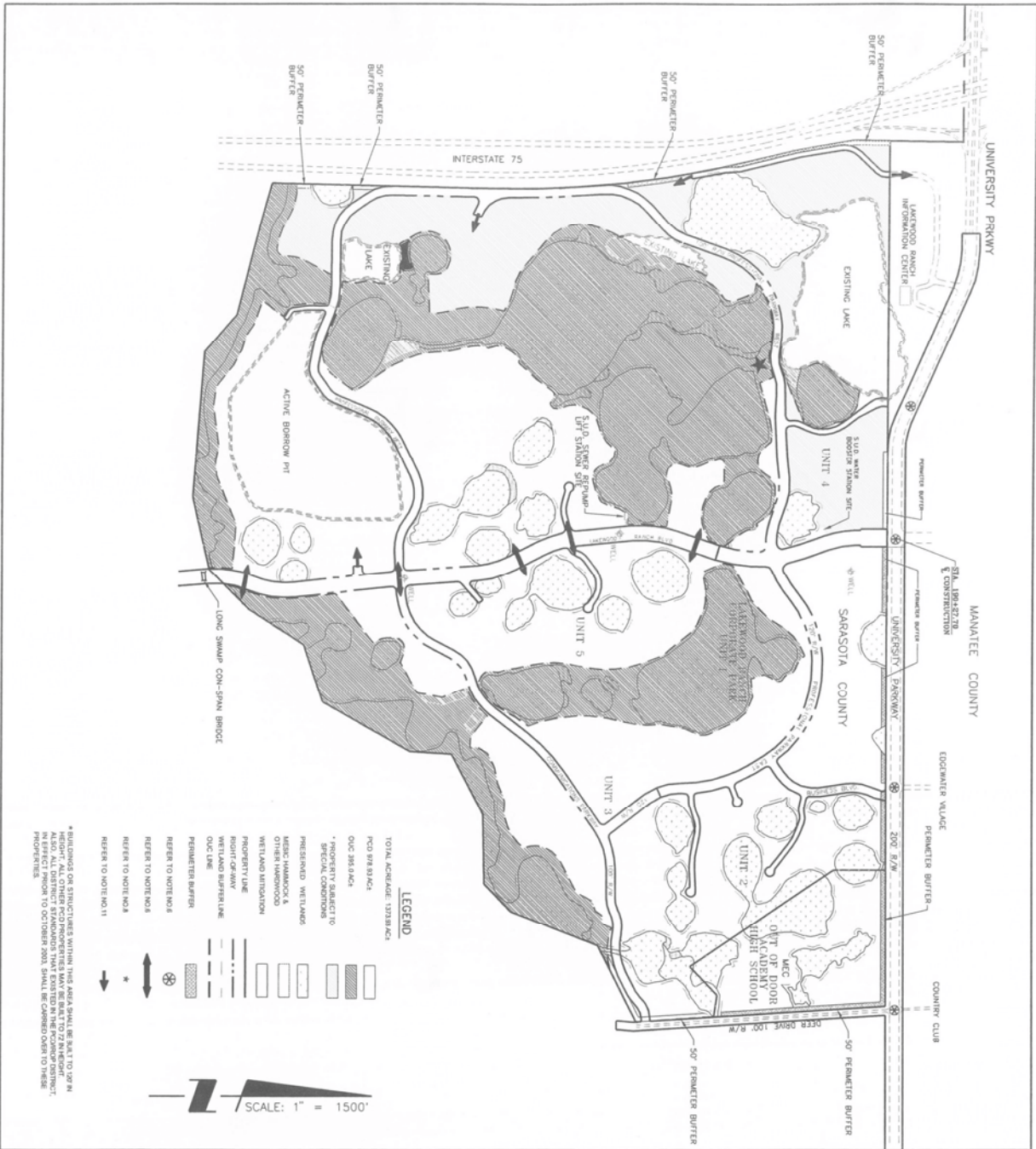
- 1. All pedestrian and bicycle paths shall be identified on preliminary plans and site and development plans for the DRI project.
- 2. The issuance of development orders, including final development orders as defined by Sarasota County Ordinance No. 89-103, for all phases of Lakewood Ranch Corporate Park development, shall be subject to the requirements of the Sarasota County Concurrency System Regulations (Ordinance No. 89-103, as may be amended) with respect to the provision of adequate park and recreation facilities and levels of service.

Q. HOUSING

- 1. At the time of the commencement of any vertical construction within Phase III of Lakewood Ranch Corporate Park, or by January 1, 2015, whichever comes first, five hundred (500)* “Community Housing” units will be provided as part of the Villages of Lakewood Ranch South, in accordance with Section 11.2.13.e.5. of the Sarasota County Zoning Regulations which allows for an increase in “Community Housing” units based upon proximity of the proposed Villages of Lakewood Ranch South to a Major Employment Center (Lakewood Ranch Corporate Park).
- 2. These “Community Housing” units will be in addition to the requirement of Section 11.2.3.c.4.v. of the Sarasota County Zoning Regulations that 15% of the dwelling units in a Village be affordable (10% of which shall be made affordable to families earning at or below 80% of the median income for Sarasota County and 5% shall be made affordable to families earning up to 100% of the median income for Sarasota County). If Villages of Lakewood Ranch South has not been granted a development order by January 1, 2015, the Applicant agrees to then re-assess the community housing mitigation needs through other means (i.e., on other property owned by Schroeder-Manatee Ranch, Inc., or an affiliated entity under its control, and located in either Sarasota or Manatee County) and they shall not be used to satisfy community housing requirements for any other development under such ownership).

*This number of "Community Housing" units is based upon the total number of units that the Applicant estimates will be built within the Villages of Lakewood Ranch South and equals approximately 10% of those units.

EXHIBIT C - MASTER DEVELOPMENT PLAN



PROJECT: LAKEWOOD RANCH CORPORATE PARK
 CLIENT: SMR

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

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MASTER DEVELOPMENT PLAN

SCALE: 1" = 1500'	DATE: NOV 30 2007
SEC: TWP: RCE:	REV NO:
PROJECT NO: S2670-419-000	INDEX NO:
DRAWN BY/EMP NO: RGH/857	SHEET NO: OF

Jan 09, 2008 - 13:12:59 RHAYES\X-PLA\2670\032-CorpPark_Rev01_s2670-032R10.dwg

EXHIBIT D - BIENNIAL TRAFFIC MONITORING PROGRAM METHODOLOGY

I. Purpose of the Biennial Traffic Monitoring Program

Exhibit "D" sets forth the methodology required for use in conducting the biennial traffic monitoring program (and in preparing the biennial monitoring reports) pursuant to the provisions of the Transportation Conditions in Exhibit "B" of the Lakewood Ranch Corporate Park DRI Development Order (Sarasota County Ordinance No. 92-057).

The purpose of the Biennial Traffic Monitoring Program is to monitor the impacts of the Lakewood Ranch Corporate Park development on the significant (i.e., collectors and arterials) roadways and intersections in the traffic impact area (as defined in Section III.B. of this exhibit). The findings of the Biennial Traffic Monitoring Program, to be submitted in Biennial Monitoring Report, will be used, in part, for traffic impact and concurrency evaluation purposes for Lakewood Ranch Corporate Park Phases I and II development. The periodic concurrency evaluation will be used by Sarasota County in determining the adequacy and availability of transportation facilities to support Lakewood Ranch Corporate Park development in lieu of requiring separate traffic impact and concurrency evaluations for each development order application submitted to Sarasota County for review. Further, the findings of the Biennial Traffic Monitoring Program will assist Sarasota County and other responsible agencies, e.g. the Florida Department of Transportation (FDOT) and Manatee County, in determining, the extent and timing of improvements necessary to maintain the adopted levels of service on those significant road and intersections serving Lakewood Ranch Corporate Park and other neighboring development; including site access related improvements.

II. Biennial Traffic Monitoring Program Activities

The following activities shall be conducted by the Applicant as part of the Biennial Traffic Monitoring Program:

A. Data Collection

1. Traffic Volume Counts

Collect current 4 to 6 p.m. peak-hour traffic counts along the road segments ("roads") and turning-movement counts at the intersections in the traffic impact area. Additional peak periods (i.e., a.m. peak-hour on selected segments and/or intersections) may be identified which will require counting and analysis. Continuous 24-hour directional counts shall be provided at boundary roadway locations of the combined Lakewood Ranch Corporate Park development. "Current" traffic counts include those previously taken within a time period not to exceed twelve (12) months from the date for the biennial traffic monitoring report. IN the event that current traffic counts for a given road or intersection location are not available from Sarasota County, Manatee County, FDOT, or other responsible entity, the Applicant shall conduct the necessary traffic volume counts. All counts shall be tabulated in fifteen (15) minute increments with hourly totals for

each hour during the entire period the traffic counts are conducted.

At a minimum, 4 to 6 p.m. turning-movement directional counts shall be conducted by the Applicant at the following locations:

- a. all intersections serving Lakewood Ranch Corporate Park development along University Parkway; and
- b. the ramp terminal intersections (east and west) of the I-75 and University Parkway interchange.

All traffic counts shall be adjusted (as necessary) using appropriate peak-hour, peak-season adjustment factors provided by a responsible agency and approved in advance by the Sarasota County Transportation Department.

2. Land Use Development and Traffic Generation

In order to prepare the analyses required to conduct biennial concurrency evaluation pursuant to the requirements of Transportation Condition No.2 in the Lakewood Ranch Corporate Park DRI Development Order, the Applicant shall provide a summary of the type and amount (including traffic generation estimates) of all Lakewood Ranch Corporate Park development for which final development order applications have been approved to date and for that which will (or is projected to be) subject of final development order applications submitted during the ensuing concurrency evaluation period. In addition to existing development traffic reflected in the count information collected pursuant to Section II.A.1 above and Lakewood Ranch Corporate Park development traffic estimated as required herein, the Applicant shall include estimates of other traffic expected to be generated by vested development and other development for which final development orders and Certificates of Level of Service have been issued as defined in Section III.E. below.

B. Data Tabulation

All traffic count information shall be tabulated and presented in a tabular format similar to that used in the transportation section of the original DRI Application. Land use and traffic generation information for Lakewood Ranch Corporate Park, and all other development as required in 2.A.2. above shall be identified separately and in cumulative totals.

C. Data Analysis

Prior to commencing this activity, the Applicant shall submit a technical memorandum summarizing the information gathered in Activities II.A. and II.B. to Sarasota County Transportation Department for review and approval.

The Applicant shall perform p.m. peak-hour capacity and level of service analyses for all significant roads and intersections in the traffic impact area. Additional peak period (i.e., a.m. peak-hour on selected segments and/or intersections) conditions

may be identified which will require analysis. Separate capacity and level of service analyses shall be prepared for each of the following scenarios (using existing road and intersection geometry plus any committed improvements pursuant to the provisions of Section III.D. herein):

1. current traffic only;
2. current traffic plus traffic expected to be generated by vested and other “committed” development having approved final development orders and/or Certificates of Level of Service as defined in Section III.E. below (including those portions of Lakewood Ranch Corporate Park development for which final development orders have been issued);
3. traffic analyzed in Section II.C.2. above plus traffic expected to be generated by those portions of Lakewood Ranch Corporate Park development for which final development order applications will (or are projected to be) submitted during the ensuing concurrency evaluation period.

D. Analysis Findings and Recommendations

Based on the results of the capacity and level of service analyses required in Section II.C. above, the Applicant shall identify all significant roads and/or intersections that do not operate at the adopted level of service for those facilities under each of the three (3) scenarios. The Applicant shall identify the extent and timing of the improvement(s) necessary to maintain the adopted levels of service on those facilities. The Applicant shall identify the proportion of Lakewood Ranch Corporate Park development traffic contributing to the level of service deficiency(ies) on the facility(ies).

E. Biennial Traffic Monitoring Report Documentation

The Applicant shall prepare biennial traffic monitoring report pursuant to the requirements of Transportation Condition No. 2 in the Lakewood Ranch Corporate Park DRI Development Order. The biennial traffic monitoring report shall document the information collected, tabulated, and analyzed pursuant to Section II. herein. As part of the report, the Applicant shall discuss the findings of the capacity and level of service analyses with respect to maintaining the adopted level of service on the significant roads and intersections in the traffic impact area, the type, extent, and timing of improvements (if any) that would be necessary to maintain the adopted levels of service on any deficiently operating roads and/or intersections, the availability of funding commitments for such improvements, and whether or not the amount of Lakewood Ranch Corporate Park Phases I and II development for which final development order applications will (are projected to) be submitted in the ensuing concurrency evaluation period, is expected to meet the concurrency requirements set forth in Sarasota County's Concurrency Management Regulations (Article VII, Chapter 94, Sarasota County Code).

The biennial traffic monitoring report shall be submitted pursuant to the submission requirements, and to the appropriate review agencies, as required in Section 3.4 and in Section I of Exhibit “B” to the Lakewood Ranch Corporate Park DRI Development Order.

III. Specifics Parameters for Conducting the Biennial Monitoring Program Activities

The following requirements concern certain parameters to be used by the Applicant when conducting the various activities required as part of the biennial traffic monitoring program. Unless specifically addressed below, the conduct of all data collection, capacity, and level of service analyses shall be in accordance with current traffic impact assessment practices and methodologies approved by the Sarasota County Transportation Department.

A. Traffic Generation and Assignment

1. Trip Generation Rates

Estimates of Lakewood Ranch Corporate Park, University Lakes, and other unconstructed development shall be based on the use of the most current edition of the Institute of Transportation Engineers (ITE) Trip Generation manual. The use of traffic generation information other than the most current edition of the ITE Trip Generation manual must be supported by technical and or other documentation justifying its use which has been reviewed and approved by the review agencies prior to submitting any traffic impact analyses within which such information is to be used.

2. Internal Trip Capture/Passer-By Trip Capture

The reduction of potential traffic generation from Lakewood Ranch Corporate Park development shall be in accordance with the methodology approved as part of the initial traffic impact study summarized in the Lakewood Ranch Corporate Park DRI Application.

3. Modal Split

No reduction in potential traffic generation from Lakewood Ranch Corporate Park development shall be allowed based upon modal split unless and until the Transportation System Management (TSM) program required in Transportation Condition No. 8 of Exhibit "B" to the Lakewood Ranch Corporate Park development order has been implemented and the results deemed acceptable by the appropriate review agencies.

4. Traffic Distribution/Assignment Procedures

Traffic distribution and assignment procedures shall be in accordance with the methodology approved as part of the initial impact study summarized in the Lakewood Ranch Corporate Park DRI Application. Traffic generation estimates based on the most recent FSUTMS transportation planning model validated for the Sarasota-Manatee MPO Area may be used in the determination of trip distribution.

B. Traffic Impact Area

The traffic impact area used for traffic impact and concurrency evaluation purposes in the biennial traffic monitoring program shall be determined using the same five (5) percent threshold (rounded to the nearest tenth of a percent) as was used in the initial traffic impact study summarized in the Lakewood Ranch Corporate Park DRI Application. The traffic impact area for each biennial assessment shall be determined to be all collector, arterial and interstate roads that are expected to serve Lakewood Ranch Corporate Park development where the amount of Lakewood Ranch

Corporate Park development traffic consumes five (5) percent or more of that roads existing Level of Service "C" (LOS "D" in Manatee County) p.m. peak hour service volume. Intersections located along and at the terminus of each "significant" road segment meeting or exceeding these criteria shall be included in the traffic impact area.

This requirement is intended to define the extent of the traffic impact area used in each biennial traffic monitoring program based on the amount of Lakewood Ranch Corporate Park development for which final development orders and/or Certificates of Level of Service have been issued, plus, the additional amount of development for which applications for final development orders and Certificates of Level of Service will be submitted during the ensuing concurrency evaluation period. Consequently, the traffic impact area, and associated roads and intersections, upon which each increment of Lakewood Ranch Corporate Park Phase I and II development will be evaluated for concurrency purposes will continue to expand as development progresses. The maximum extent of the traffic impact area for Lakewood Ranch Corporate Park development using the five (5) percent criteria included an area generally bounded by SR 70 (53rd Street) to the north, US 301 to the west, SR 72 (Clark Road) to the south, and I-75 to the east extending southerly to Jacaranda Boulevard. Although the maximum extent of the traffic impact area is not expected to change, it may be reduced or expanded based on the findings of subsequent traffic impact analyses conducted as part of the biennial traffic monitoring program.

At a minimum, the traffic impact area used in the biennial traffic monitoring program shall include the following roads and associated segments:

1. all internal roads service Lakewood Ranch Corporate Park and University Lakes development;
2. University Parkway
Honore Avenue to main North/South Access Road; and
3. I-75
SR 70 to SR 789 (Fruitville Road).

All significant intersections along these roads, including those required in Section II.A.1. herein shall be included at a minimum in the, traffic impact area for each biennial traffic monitoring program.

C. Level of Service Standards

For the purposes of implementing the biennial traffic monitoring requirements, the determination of levels of service shall be in accordance with the procedures identified in the Highway Capacity Manual, latest edition, for all peak-hour road intersection analyses, and the most current Sarasota County, FOOT, and/or Manatee County level of service volume tables (as appropriate).

The adopted level of service standards against which the calculated service levels are to be measured and maintained shall be in accordance with the most current standards and/or policies adopted by the appropriate jurisdictional agency, i.e., Sarasota County, FDOT, TBRPC and/or Manatee County.

D. Committed Road and Intersection Improvements

Consistent with the requirements of Sarasota County's Concurrency Management Regulations Article VII, Chapter 94, Sarasota County Code, road and intersection improvements that can be recognized as having adequate funding commitments to the extent consistent with the Definitions in Exhibit B, and in turn that can be reflected in biennial monitoring analysis, shall include the following:

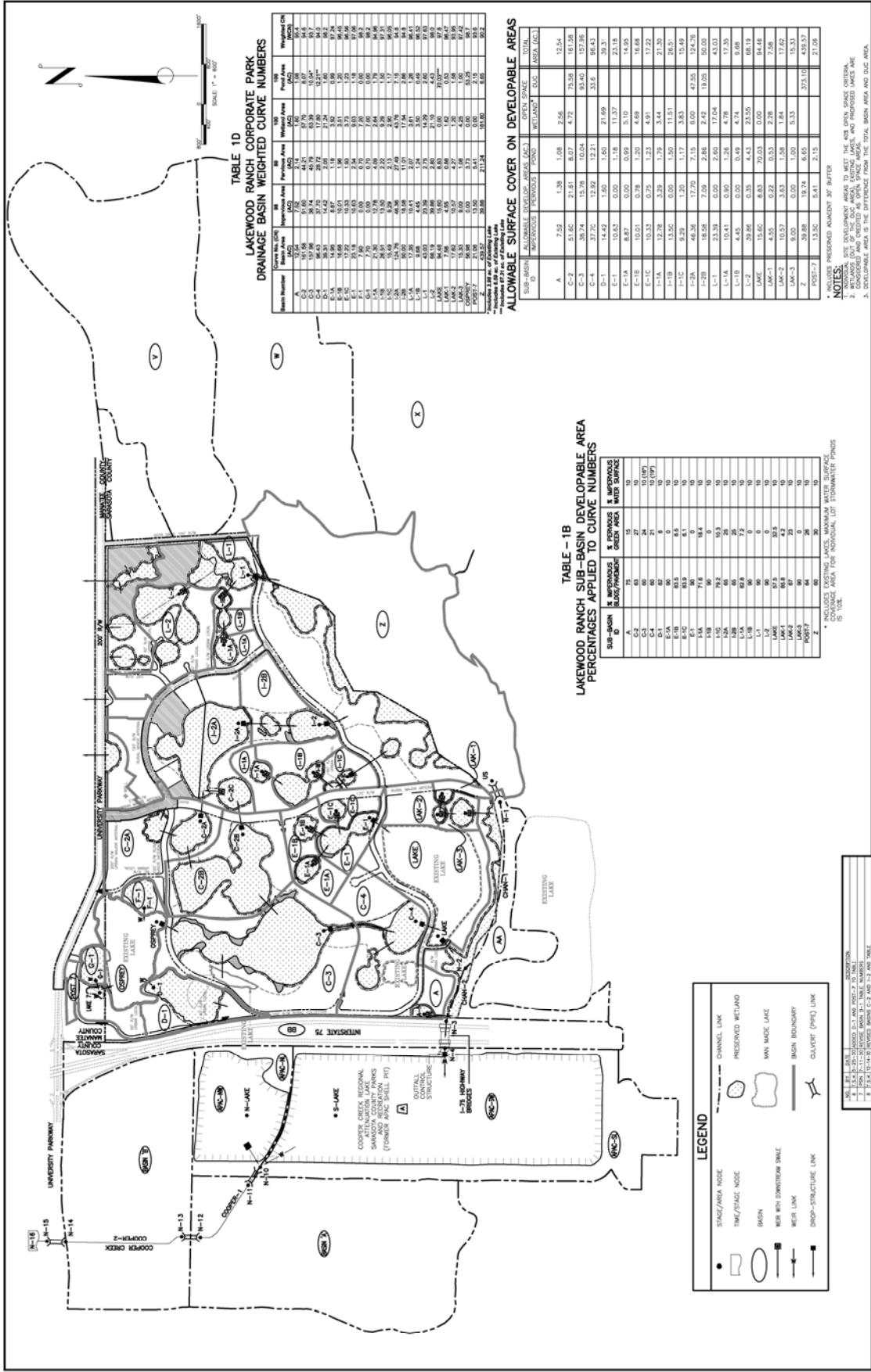
1. improvements currently under construction by Sarasota County and/or other responsible entity;
2. improvements included in Sarasota County's adopted budget where the construction of said improvements are scheduled to commence within one (1) year after the date the biennial traffic monitoring report is required to be submitted;
3. improvements subject of a binding executed contract where construction of said improvements are scheduled to commence within one (1) year after the date the biennial traffic monitoring report is required to be submitted; and
4. improvements included in an enforceable development agreement where construction of said improvements are scheduled to commence within one (1) year after the date the biennial traffic monitoring report is required to be submitted.

DCA recommended revisions incorporated into this Exhibit

E. Non-Project ("Background") Traffic From Committed Development

Traffic impacts expected to be generated by development other than Lakewood Ranch Corporate Park shall be considered in the traffic impact assessment conducted as part of the biennial traffic monitoring program. All development expected to generate traffic on the roads and intersections in the traffic impact area, where said development has been vested under the provisions of Sarasota and Manatee

1. traffic expected to be generated by unbuilt vested and other "committed" development having final development orders under Sarasota County's Concurrency Management Program; and
2. traffic expected to be generated during the following year by unbuilt vested and other "committed" development having Certificates of Level of Service under Manatee County's Concurrency Program.



**TABLE 1D
LAKEWOOD RANCH CORPORATE PARK
DRAINAGE BASIN WEIGHTED CURVE NUMBERS**

Basin Number	Curve No. (CN)	Area (AC)	Weighted Area (AC)	Weighted Curve No. (WCN)	Area (AC)	Weighted Curve No. (WCN)
A	10.62	1.00	1.00	10.62	1.00	10.62
B	10.62	1.00	1.00	10.62	1.00	10.62
C-1	10.62	1.00	1.00	10.62	1.00	10.62
C-2	10.62	1.00	1.00	10.62	1.00	10.62
C-3	10.62	1.00	1.00	10.62	1.00	10.62
C-4	10.62	1.00	1.00	10.62	1.00	10.62
D-1	10.62	1.00	1.00	10.62	1.00	10.62
D-2	10.62	1.00	1.00	10.62	1.00	10.62
D-3	10.62	1.00	1.00	10.62	1.00	10.62
D-4	10.62	1.00	1.00	10.62	1.00	10.62
E-1	10.62	1.00	1.00	10.62	1.00	10.62
E-2	10.62	1.00	1.00	10.62	1.00	10.62
E-3	10.62	1.00	1.00	10.62	1.00	10.62
E-4	10.62	1.00	1.00	10.62	1.00	10.62
E-5	10.62	1.00	1.00	10.62	1.00	10.62
E-6	10.62	1.00	1.00	10.62	1.00	10.62
E-7	10.62	1.00	1.00	10.62	1.00	10.62
E-8	10.62	1.00	1.00	10.62	1.00	10.62
E-9	10.62	1.00	1.00	10.62	1.00	10.62
E-10	10.62	1.00	1.00	10.62	1.00	10.62
E-11	10.62	1.00	1.00	10.62	1.00	10.62
E-12	10.62	1.00	1.00	10.62	1.00	10.62
E-13	10.62	1.00	1.00	10.62	1.00	10.62
E-14	10.62	1.00	1.00	10.62	1.00	10.62
E-15	10.62	1.00	1.00	10.62	1.00	10.62
E-16	10.62	1.00	1.00	10.62	1.00	10.62
E-17	10.62	1.00	1.00	10.62	1.00	10.62
E-18	10.62	1.00	1.00	10.62	1.00	10.62
E-19	10.62	1.00	1.00	10.62	1.00	10.62
E-20	10.62	1.00	1.00	10.62	1.00	10.62
E-21	10.62	1.00	1.00	10.62	1.00	10.62
E-22	10.62	1.00	1.00	10.62	1.00	10.62
E-23	10.62	1.00	1.00	10.62	1.00	10.62
E-24	10.62	1.00	1.00	10.62	1.00	10.62
E-25	10.62	1.00	1.00	10.62	1.00	10.62
E-26	10.62	1.00	1.00	10.62	1.00	10.62
E-27	10.62	1.00	1.00	10.62	1.00	10.62
E-28	10.62	1.00	1.00	10.62	1.00	10.62
E-29	10.62	1.00	1.00	10.62	1.00	10.62
E-30	10.62	1.00	1.00	10.62	1.00	10.62
E-31	10.62	1.00	1.00	10.62	1.00	10.62
E-32	10.62	1.00	1.00	10.62	1.00	10.62
E-33	10.62	1.00	1.00	10.62	1.00	10.62
E-34	10.62	1.00	1.00	10.62	1.00	10.62
E-35	10.62	1.00	1.00	10.62	1.00	10.62
E-36	10.62	1.00	1.00	10.62	1.00	10.62
E-37	10.62	1.00	1.00	10.62	1.00	10.62
E-38	10.62	1.00	1.00	10.62	1.00	10.62
E-39	10.62	1.00	1.00	10.62	1.00	10.62
E-40	10.62	1.00	1.00	10.62	1.00	10.62
E-41	10.62	1.00	1.00	10.62	1.00	10.62
E-42	10.62	1.00	1.00	10.62	1.00	10.62
E-43	10.62	1.00	1.00	10.62	1.00	10.62
E-44	10.62	1.00	1.00	10.62	1.00	10.62
E-45	10.62	1.00	1.00	10.62	1.00	10.62
E-46	10.62	1.00	1.00	10.62	1.00	10.62
E-47	10.62	1.00	1.00	10.62	1.00	10.62
E-48	10.62	1.00	1.00	10.62	1.00	10.62
E-49	10.62	1.00	1.00	10.62	1.00	10.62
E-50	10.62	1.00	1.00	10.62	1.00	10.62
E-51	10.62	1.00	1.00	10.62	1.00	10.62
E-52	10.62	1.00	1.00	10.62	1.00	10.62
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E-61	10.62	1.00	1.00	10.62	1.00	10.62
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E-63	10.62	1.00	1.00	10.62	1.00	10.62
E-64	10.62	1.00	1.00	10.62	1.00	10.62
E-65	10.62	1.00	1.00	10.62	1.00	10.62
E-66	10.62	1.00	1.00	10.62	1.00	10.62
E-67	10.62	1.00	1.00	10.62	1.00	10.62
E-68	10.62	1.00	1.00	10.62	1.00	10.62
E-69	10.62	1.00	1.00	10.62	1.00	10.62
E-70	10.62	1.00	1.00	10.62	1.00	10.62
E-71	10.62	1.00	1.00	10.62	1.00	10.62
E-72	10.62	1.00	1.00	10.62	1.00	10.62
E-73	10.62	1.00	1.00	10.62	1.00	10.62
E-74	10.62	1.00	1.00	10.62	1.00	10.62
E-75	10.62	1.00	1.00	10.62	1.00	10.62
E-76	10.62	1.00	1.00	10.62	1.00	10.62
E-77	10.62	1.00	1.00	10.62	1.00	10.62
E-78	10.62	1.00	1.00	10.62	1.00	10.62
E-79	10.62	1.00	1.00	10.62	1.00	10.62
E-80	10.62	1.00	1.00	10.62	1.00	10.62
E-81	10.62	1.00	1.00	10.62	1.00	10.62
E-82	10.62	1.00	1.00	10.62	1.00	10.62
E-83	10.62	1.00	1.00	10.62	1.00	10.62
E-84	10.62	1.00	1.00	10.62	1.00	10.62
E-85	10.62	1.00	1.00	10.62	1.00	10.62
E-86	10.62	1.00	1.00	10.62	1.00	10.62
E-87	10.62	1.00	1.00	10.62	1.00	10.62
E-88	10.62	1.00	1.00	10.62	1.00	10.62
E-89	10.62	1.00	1.00	10.62	1.00	10.62
E-90	10.62	1.00	1.00	10.62	1.00	10.62
E-91	10.62	1.00	1.00	10.62	1.00	10.62
E-92	10.62	1.00	1.00	10.62	1.00	10.62
E-93	10.62	1.00	1.00	10.62	1.00	10.62
E-94	10.62	1.00	1.00	10.62	1.00	10.62
E-95	10.62	1.00	1.00	10.62	1.00	10.62
E-96	10.62	1.00	1.00	10.62	1.00	10.62
E-97	10.62	1.00	1.00	10.62	1.00	10.62
E-98	10.62	1.00	1.00	10.62	1.00	10.62
E-99	10.62	1.00	1.00	10.62	1.00	10.62
E-100	10.62	1.00	1.00	10.62	1.00	10.62

**TABLE 1B
LAKEWOOD RANCH SUB-BASIN DEVELOPABLE AREA
PERCENTAGES APPLIED TO CURVE NUMBERS**

Sub-Basin	Developable Area (%)	Curve Number
A	75	10
B	80	27
C-1	80	21
C-2	80	21
C-3	80	21
C-4	80	21
D-1	80	21
D-2	80	21
D-3	80	21
D-4	80	21
E-1	80	21
E-2	80	21
E-3	80	21
E-4	80	21
E-5	80	21
E-6	80	21
E-7	80	21
E-8	80	21
E-9	80	21
E-10	80	21
E-11	80	21
E-12	80	21
E-13	80	21
E-14	80	21
E-15	80	21
E-16	80	21
E-17	80	21
E-18	80	21
E-19	80	21
E-20	80	21
E-21	80	21
E-22	80	21
E-23	80	21
E-24	80	21
E-25	80	21
E-26	80	21
E-27	80	21
E-28	80	21
E-29	80	21
E-30	80	21
E-31	80	21
E-32	80	21
E-33	80	21
E-34	80	21
E-35	80	21
E-36	80	21
E-37	80	21
E-38	80	21
E-39	80	21
E-40	80	21
E-41	80	21
E-42	80	21
E-43	80	21
E-44	80	21
E-45	80	21
E-46	80	21
E-47	80	21
E-48	80	21
E-49	80	21
E-50	80	21
E-51	80	21
E-52	80	21
E-53	80	21
E-54	80	21
E-55	80	21
E-56	80	21
E-57	80	21
E-58	80	21
E-59	80	21
E-60	80	21
E-61	80	21
E-62	80	21
E-63	80	21
E-64	80	21
E-65	80	21
E-66	80	21
E-67	80	21
E-68	80	21
E-69	80	21
E-70	80	21
E-71	80	21
E-72	80	21
E-73	80	21
E-74	80	21
E-75	80	21
E-76	80	21
E-77	80	21
E-78	80	21
E-79	80	21
E-80	80	21
E-81	80	21
E-82	80	21
E-83	80	21
E-84	80	21
E-85	80	21
E-86	80	21
E-87	80	21
E-88	80	21
E-89	80	21
E-90	80	21
E-91	80	21
E-92	80	21
E-93	80	21
E-94	80	21
E-95	80	21
E-96	80	21
E-97	80	21
E-98	80	21
E-99	80	21
E-100	80	21

ALLOWABLE SURFACE COVER ON DEVELOPABLE AREAS

Sub-Basin	Allowable Surface Cover (%)	Developable Area (AC)	Open Space (AC)	Wetland (AC)	Area (AC)
A	75	1.00	1.00	2.56	12.34
B	80	21.51	8.07	4.72	18.38
C-1	80	12.78	3.29	1.79	3.44
C-2	80	12.78	3.29	1.79	3.44
C-3	80	12.78	3.29	1.79	3.44
C-4	80	12.78	3.29	1.79	3.44
D-1	80	12.78	3.29	1.79	3.44
D-2	80	12.78	3.29	1.79	3.44
D-3	80	12.78	3.29	1.79	3.44
D-4	80	12.78	3.29	1.79	3.44
E-1	80	12.78	3.29	1.79	3.44
E-2	80	12.78	3.29	1.79	3.44
E-3	80	12.78	3.29	1.79	3.44
E-4	80	12.78	3.29	1.79	3.44
E-5	80	12.78	3.29	1.79	3.44
E-6	80	12.78	3.29	1.79	3.44
E-7	80	12.78	3.29	1.79	3.44
E-8	80	12.78	3.29	1.79	3.44
E-9	80	12.78	3.29	1.79	3.44
E-10	80	12.78			

EXHIBIT G – WATER RESOURCES MONITORING PROGRAM

1.0 Surface Water Monitoring

1.1 Duration of Sampling

Surface water monitoring will extend throughout construction, terminating one (1) year after build-out (build-out being defined as the completion of construction of eighty percent of the habitable structures). Sampling events will occur semi-annually during the wet season (June – September), and the dry season (October – May).

1.2 Surface Water Quality

1.2.a Sampling Collection and Analysis

- 1.2.a.i Surface water sampling shall be consistent with Florida Department of Environmental Protection Standard Operating Procedures for Field activities, DEP-SOP-001/01.
- 1.2.a.ii For each sampling event samples shall be collected at the seven surface water monitoring stations depicted on the attached Water Resources Sampling Location Map.
- 1.2.a.iii Field measurements shall be made at each sampling location for: turbidity, pH, conductivity, dissolved oxygen, and temperature. In addition to date, time, and sampling location field data sheets shall also include general observations such as wind speed and direction, percent cloud cover, precipitation

A grab sample shall be obtained and transported to a certified laboratory for analysis of the following:

Total Hardness
Total Suspended Solids
Biochemical Oxygen Demand (BOD), 5 day
Nitrate + Nitrite
Ammonia
Total Kjeldahl Nitrogen
Orthophosphate
Total Phosphorus
Total Nitrogen (calculated)
Copper
Zinc
Oils and Grease
Fecal Coliform
Total Coliform

- 1.2.a.iv Laboratory analyses shall be performed by a facility with a DEP-approved CompQAP. The laboratory shall maintain certification by the Florida Department of Health (DOH), Bureau of Laboratories, Environmental Laboratory Certification Program. Certification is recognized by the National Environmental Laboratory Accreditation Program (NELAP), and extends to all required parameters.

1.3 Surface Water Quantity

13.a Recording

- 1.3.a.i Water level measurements shall be recorded at the seven staff gauges located at the surface water monitoring stations.
- 1.3.a.ii Instantaneous velocity and flow measurements shall be recorded at surface water monitoring stations SW-1 through SW-6.

2.0 Groundwater Monitoring

2.1 Duration of Sampling

Groundwater monitoring will extend throughout construction, terminating one (1) year after build-out (build-out being defined as the completion of construction of eighty percent of the habitable structures). Sampling events will occur semi-annually during the wet season (June – September), and the dry season (October – May).

2.2 Groundwater Quality

2.2.a Sampling Collection and Analysis

- 2.2.a.i Groundwater sampling shall be consistent with Florida Department of Environmental Protection Standard Operating Procedures for Field activities, DEP-SOP-001/01.
- 2.2.a.ii For each sampling event samples shall be collected at the six surface water monitoring stations depicted on the attached Water Quality Sampling Location Map.
- 2.2.a.iii Field measurements shall be made at each sampling location for: turbidity, pH, conductivity, dissolved oxygen, and temperature. In addition to date, time, and sampling location field data sheets shall also include general observations such as wind speed and direction, percent cloud cover, precipitation

A grab sample shall be obtained and transported to a certified laboratory for analysis of the following:

- Total Dissolved Solids
- Nitrate + Nitrite
- Ammonia
- Total Kjeldahl Nitrogen
- Orthophosphate
- Total Phosphorus
- Total Nitrogen (calculated)
- Arsenic
- Chromium
- Lead
- Oils and Grease

- 2.2.a.iv Laboratory analyses shall be performed by a facility with a DEP-approved CompQAP. The laboratory shall maintain certification by the Florida Department of Health (DOH), Bureau of Laboratories, Environmental Laboratory Certification Program. Certification is recognized by the National Environmental Laboratory Accreditation Program (NELAP), and extends to all required parameters.

2.3 Groundwater Quantity

2.3.a Recording

- 2.3.a.i Water level measurements shall be recorded at each of the six monitoring well locations in conjunction with the water quality samples collected.

3.0 Reporting

- 3.1** Within thirty (30) days of completion of laboratory analyses, a copy of the field sheets, chain of custody sheets, and analytical results shall be submitted to Water Resources in hard copy and electronic (Excel) formats.
- 3.2** In addition to the above, the DRI annual monitoring report shall also contain a summary including, a discussion of the analytical results relative to Florida surface water and groundwater quality standards per Chapter 62-550 F.A.C., and a summary of trends observed.

4.0 Modification of the Water Resources Monitoring Program

Revisions may be made upon mutual consent of the Owner and Sarasota County Water Resources (or its successor) to reflect unforeseen changes to on site and off site conditions.

FIGURE 1 – LAKEWOOD RANCH CORPORATE PARK



EXHIBIT H – CONCURRENCY AGREEMENT

CONTRACT NO. 2000-189
BCC APPROVED 4/12/2000

AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2000, by and between Schroeder-Manatee Ranch, Inc., a Delaware corporation, whose address is 6215 Lorraine Road, Bradenton, Florida 34202 ("SMR") and Sarasota County, a political subdivision of the State of Florida, whose address is 1660 Ringling Boulevard, Sarasota, Florida 34236 (the "County").

Recitals

WHEREAS, SMR, through certain of its affiliates, is the developer of developments of regional impact ("DRI's") known respectively as University Lakes and Lakewood Ranch Corporate Park. The former is located wholly within Manatee County while the latter is located wholly within Sarasota County.

WHEREAS, SMR had caused to be filed a notice of proposed change ("NOPC") for the University Lakes DRI which entailed the approval of Phase II of the University Lakes development.

WHEREAS, the transportation analysis in connection with said NOPC examined the cumulative transportation impacts of Lakewood Ranch Corporate Park (Phase I) and University Lakes (Phases I and II).

WHEREAS, during the course of the review of the aforementioned University Lakes NOPC, the parties disagreed as to the extent transportation mitigation measures would be required of the University Lakes (Phases I and II) /Lakewood Ranch Corporate Park (Phase I) DRI's pursuant to applicable law.

WHEREAS, the parties desire to settle this disagreement in a fashion which will address the impact of Lakewood Ranch Corporate Park (Phase I) and University Lakes (Phases I and II) in Sarasota County.

WHEREAS, the parties desire to address the method in which the traffic impacts of Lakewood Ranch Corporate Park are addressed.

NOW THEREFORE, in consideration of the mutual covenants set forth herein and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1.0 Notice of Proposed Change.

SMR agrees to file or cause to be filed no later than April 20, 2000, a Notice of Proposed Change ("NOPC") with Sarasota County with respect to the Lakewood Ranch Corporate Park Development of Regional Impact. One purpose of said NOPC will be to provide a procedural forum for the implementation of this Agreement. In light of the haste with which said NOPC must be prepared to meet the above reference deadline, the County agrees to allow SMR to amend without penalty said NOPC subsequent to filing in the event that one or more elements of said document need to be corrected or modified to contain accurate information or otherwise achieve the intent of this Agreement.

BOARD RECORDS
FILED
APR 11 2000
SARASOTA COUNTY, FL
CLERK OF COUNTY COURT

0-2001-021
Ord. 2008-097

2.0 Agreement Not to Appeal or Cause an Appeal.

The County agrees to forego seeking an injunction against Manatee County or the Department of Community Affairs ("DCA") seeking a prohibition against the issuance of a development order for the University Lakes Development of Regional Impact or in any way to seek to cause DCA to file an appeal of the recently issued University Lakes development order as approved by Manatee County.

3.0 Lakewood Ranch Corporate Park Subphase IA.

In light of the magnitude of the Lakewood Ranch Corporate Park DRI and the difficulty in projecting traffic impacts into the extended future, the parties desire to divide Lakewood Ranch Corporate Park Phase I into Subphases IA and IB. Subphase IA shall consist of a total of 1,800,000 square feet, with Subphase IB consisting of the remainder of Phase I.

4.0 Mitigation of Traffic Impacts.

As mitigation for the University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Subphase IA) DRI transportation impacts in Sarasota County, the County agrees to accept the donation of the rights-of-way depicted in Exhibit A (the "Designated Rights of Way") which is attached hereto and incorporated herein by reference. Such donation will occur upon written request by the County.

The traffic impact which was in dispute between the parties was the degree to which University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Phase I) caused an impact upon the Bee Ridge/Cattlemen Road intersection to the extent that mitigative measures are required. On the basis of the University Lakes DRI NOPC Application for Development Approval filed in Manatee County, County staff has concluded that the University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Phase I) DRIs will consume 6.75 percent of the capacity of the Bee Ridge/Cattlemen Road intersection, and that said intersection will fall below the acceptable level of service standard. In settlement of their differences of opinion, the parties agree that the traffic impact to be used as the basis of the University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Subphase IA) transportation mitigation under the NOPC referenced in Section 1.0 above shall not exceed 6.75 percent of the capacity of the Bee Ridge/Cattlemen Road intersection.

5.0 Development Order Amendment and Developer Agreement

The results of the NOPC process shall be embodied in a development order amendment and developer agreement. These documents will embody the following provisions:

1. SMR will agree to donate one or more of the Designated Rights of Way (as shown in Attachment 1) to County upon the written request for such donation by Sarasota County.

2. By complying with the terms of this Agreement and the Amended Development Order and the Developer Agreement, SMR has mitigated the transportation impacts of the University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Subphase IA) DRIs in Sarasota County for both Chapter 380.06, F.S. and Ordinance No. 89-103, as amended.

3. Neither this Agreement nor the measures provided herein shall exempt any development within Sarasota County from compliance with any applicable Sarasota County ordinances, including, but not limited to, the Concurrency Management system (Ordinance No. 89-103, as amended) as applied to development levels beyond Lakewood Ranch Corporate Park Subphase IA.

6.0 Additional Mitigative Measures.

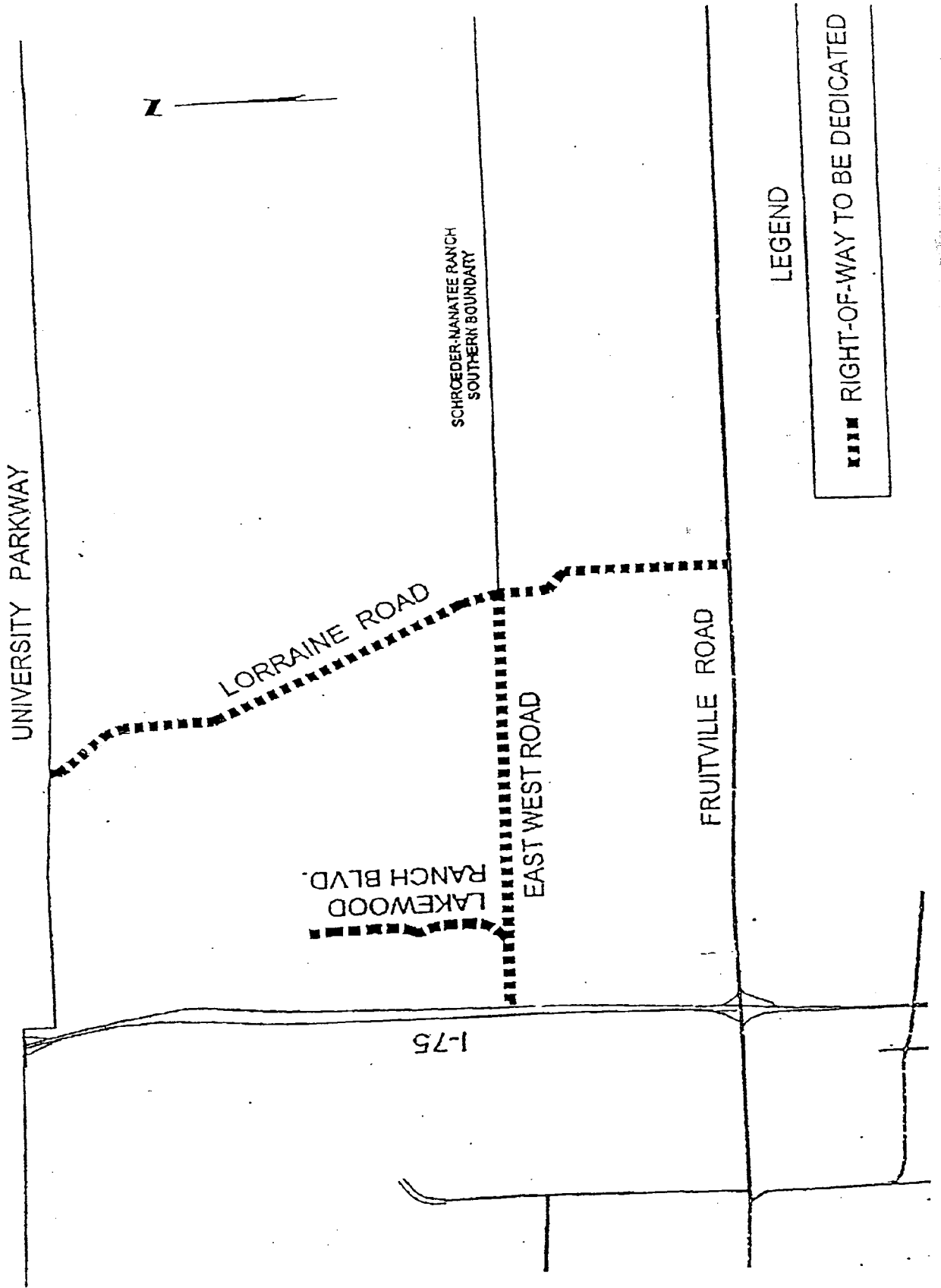
In addition to the donation of the Designated Rights of Way as described above, SMR agrees to financially participate in the transportation improvement projects that have been determined by the County to mitigate traffic impacts by the University Lakes (Phase I and II) and Lakewood Ranch Corporate Park (Subphase IA) DRIs at the Bee Ridge/Cattlemen Road Intersection (the "Mitigation Improvement(s)"), provided that the Mitigation Improvement(s) have been placed in the County's Capital Improvement Program.

The extent of SMR's participation in the Mitigation Improvement(s) described above shall be limited to the amount calculated to offset the impact of a 6.75 percent consumption of the capacity of the Bee Ridge/Cattlemen Road intersection. Such financial participation shall not exceed the lesser of \$500,000.00 or 6.75 percent of construction cost of the Mitigation Improvement(s).

SMR shall make payment under this Section 6.0 within one hundred eighty (180) days of the date of execution of this Agreement. Any impact fee credits resulting from payments hereunder shall be paid to SMR at the time impact fees are collected by the County from tenants who locate in Lakewood Ranch Corporate Park DRI.

7.0 Additional Project Phases.

This Agreement is limited in terms of its applicability only to Phase I and Phase II of the University Lakes DRI and to Subphase IA of the Lakewood Ranch Corporate Park DRI. Subsequent Phases or Subphases of the University Lakes DRI and the Lakewood Ranch Corporate Park DRI shall be governed by then current laws and ordinances in effect at the time such Phases(s) are permitted. It is expressly understood that the traffic mitigation provisions of this Agreement apply only to University Lakes Phases I and II and to Lakewood Ranch Corporate Park Subphase IA.



8.0 Entire Agreement; Successors and Assigns

This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. This Agreement shall become effective upon the execution of both parties hereto and shall be binding upon and shall inure to the benefit of both parties and their respective successors and assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth opposite their respective signatures.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

BY: *[Signature]*
Chairman

ATTEST: KAREN E. RUSHING, Clerk
Of the Circuit Court and Ex-Officio Clerk
Of the Board of County Commissioners of
Sarasota County, Florida

[Signature]
APPROVED AS TO FORM AND
CORRECTNESS

[Signature]
COUNTY ATTORNEY

SCHROEDER-MANATEE RANCH, INC.,
a Delaware corporation

By: *[Signature]*
Its: PRESIDENT

[Signature]
martha F. Swift

[Signature]
Laura S. Mandulic

STATE OF FLORIDA
COUNTY OF SARASOTA
I HEREBY CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL FILED
IN THIS OFFICE, WITNESS MY HAND AND OFFICIAL
SEAL THIS DATE 2/28/2001
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT
EX-OFFICIO CLERK TO THE BOARD OF COUNTY
COMMISSIONERS, SARASOTA COUNTY, FLORIDA
[Signature]
DEPUTY CLERK

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 19th day of April,
2000, by C. John A. Clarke, as President of Schroeder-
Manatee Ranch, Inc., a Delaware corporation, on behalf of the corporation. He is
personally known to me or has produced _____ as identification.

Martha F. Swift
Notary Public, State of Florida

My Commission Expires: _____



25001-001