

**ORDINANCE 17-36
PARRISH LAKES DRI #28 (TBRPC DRI #269)**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL* (ADA*), FILED BY FLM, INC.; ALSO KNOWN AS TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #269; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 9, 2010, FLM, Inc. submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,300 residential units; 400,000 square feet of retail; 50,000 square feet of office; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Parrish Lakes DRI, or the Project*; and

WHEREAS, the Project* is proposed in two phases: Phase 1 with a buildout date of 2026; Phase 2 with a buildout date of 2036;

WHEREAS, Specific approval is requested for both Phase 1 and Phase 2 and;

WHEREAS, on October 12, 2010 the Board of County Commissioners approved an amendment to the Future Land Use Map of the Future Land Use Element of the Manatee County Comprehensive Plan for the project from the Urban Fringe-3 (UF-3) and Public/Semi-Public-1 (P/SP-1) Future Land Use Classifications to the Mixed Use (MU) Future Land Use Classification for approximately 1,132 ± acres and retaining the P/SP-1 Future Land Use Classification for an FPL easement for 23± acres, by adoption of Ordinance 10-11;

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Development Order for a DRI; and

WHEREAS, the public notice requirements of Manatee County and Section 380.06, Florida Statutes, have been adhered to and satisfied; and

WHEREAS, the Manatee County Planning Commission after due public notice, held a public hearing on 08/10/2017, to consider the Parrish Lakes DRI and found the Parrish Lakes DRI to be consistent with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, Section 380.06, Florida Statutes, and Rule 73C-40, FAC, subject to the conditions of approval established in this development order and recommend Specific Approval of Phase 1 and Phase 2 of DRI #28 (TBRPC DRI #269); and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council (TBRPC); the Planning Commission, and the Planning Staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on 09/07/2017 on Ordinance 17-36 and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, ADA* (with sufficiency responses), the recommendation and findings of the Planning Commission, and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this ADA* to rezone the parcel from A (General Agriculture), A-1 (Suburban Agriculture), A/NCO (General Agriculture/North Central Overlay District) to PDMU (Planned Development Mixed Use) zoning district, and to approve a General Development Plan for the entire ±1,155 acre Project* by consideration of proposed Ordinance No. PDMU 16-16(Z)(G).
- C. The Board of County Commissioners has received and considered the recommendation of the Manatee County Planning Commission concerning the DRI and as it relates to the real property described in Section 7 of this Ordinance, pursuant to Section 380.06, Florida Statutes. The report of the Planning Commission was rendered on 8/10/2017, following a public hearing.

- D. The Board of County Commissioners held public hearings on 09/07/2017 regarding Ordinance No. 17-36, in accordance with the requirements of the Manatee County Land Development Code (Ordinance 15-17, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.
- E. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- F. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, schools and drainage in compliance with state requirements and the Land Development Code.
- G. This Development Order is issued based on information provided by the Developer* in the ADA* (with sufficiency responses); public hearing testimony; data, information, and recommendations provided by the Planning Commission and Planning Department, and ensures continued compliance with the Manatee County Comprehensive Plan.
- H. The real property which is the subject of this ADA* and Development Order is legally described in Section 7 of this Ordinance.
- I. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.
- J. The authorized agent and address for the Project* is Mr. Claude Melli, FLM, Inc. 4602 Dogwood Hills Ct. Brandon, FL 33511.
- K. The owner of the property is FLM, Inc. and intends to develop as FLM, Inc.
- L. A comprehensive review of the impacts generated by the development has been conducted by the departments of Manatee County, the Planning Commission, Board of County Commissioners, TBRPC, and the State Planning Agency in conjunction with the ADA*, sufficiency responses, and this Development Order.
- M. The TBRPC declared the ADA* application sufficient on April 20, 2017.

SECTION 2. CONCLUSIONS OF LAW.

- A. Based upon the previous findings of fact and the following conditions of this Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region: A Strategic Regional Policy Plan (SRPP), (as amended).
3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the TBRPC approved on June 12, 2017 regarding this ADA*.
4. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.
5. The review by the County*, the TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

SECTION 3. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the ADA* subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phase 1 and Phase 2 of the Development are Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer and schools, which has been issued for the land uses listed in Phase 1 and Phase 2 as defined herein and in Zoning Ordinance PDMU-16-16(Z)(G). Potable water and sewer and school concurrency (if applicable) will be reviewed at time of each Final Site Plan submittal.
- C. Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.

D. The build-out date for this Development Order is December 31, 2036.

E. The expiration date for this Development Order is December 31, 2037.

TABLE 1: DEVELOPMENT TOTALS

		Residential (units)		Retail (sq. ft.)	Office (sq. ft.)
		Single Family	Multifamily		
Phase (2026)	1	900	600	250,000	0
Phase (2036)	2	1,300	500	150,000	50,000
Total		2,200	1,100	400,000	50,000

F. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on net p.m. peak hour trip generation factors.
2. In seeking approval of a specific Land Use Exchange, any changes in the number and/or type of dwelling units that cause an increase in the projected number of students shall be subject to review and approval of a School concurrency Analysis and issuance of a CLOS.
3. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the Certificate of Level of Service Compliance (CLOS) issued for that phase. Additionally, the Developer* shall provide a minimum of 10% of the residential units as affordable or workforce housing or pay the fees as required in Section M of this Development Order. In seeking approval, the Developer shall not exceed the potable water and wastewater treatment projected for that phase without approval from Manatee County. The Developer* must apply for a modification to the CLOS and if the proposed Land Use Exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if, and when, capacity is available. However, reapplication shall not cause the Developer* to lose the capacity

already approved for the Project*. If the request for a Land Use Exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved, pursuant to the CLOS. At the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be analyzed and a CLOS will be issued for those concurrency components.

4. An application for a Land Use Exchange must be reviewed for consistency with the General Development Plan and staff shall be provided a revised Land Use and Phasing Schedule and a reallocation of square footage or residential units on the GDP as necessary. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan.
5. In the event the Land Use Exchange provision is utilized, the project shall still consist of a mix of at least two (2) land uses (residential, commercial, office).
6. A copy of each exchange request shall be provided to the Tampa Bay Regional Planning Council upon approval by Manatee County.
7. The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

G. Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

		CHANGE TO:								
		210: Single-Family Detached Housing	220: Apartment	230: Condominium/Townhome	254: Assisted Living	710: General Office	720: Medical Office	255: Continuing Care Retirement Community	620: Nursing Home	820: Shopping Center
CHANGE FROM:	210: Single-Family Detached Housing		1.613 d.u./d.u.	1.923 d.u./d.u.	4.545 bed/d.u.	0.671 ksf/d.u.	0.28 ksf/d.u.	6.25 unit/d.u.	4.545 bed/d.u.	0.27 ksf/d.u.
	220: Apartment	0.62 d.u./d.u.		1.192 d.u./d.u.	2.818 bed/d.u.	0.416 ksf/d.u.	0.174 ksf/d.u.	3.875 unit/d.u.	2.818 bed/d.u.	0.167 ksf/d.u.
	230: Condominium/Townhome	0.52 d.u./d.u.	0.839 d.u./d.u.		2.364 bed/d.u.	0.349 ksf/d.u.	0.146 ksf/d.u.	3.25 unit/d.u.	2.364 bed/d.u.	0.14 ksf/d.u.
	710: General Office	1.49 d.u./ksf	2.403 d.u./ksf	2.865 d.u./ksf	6.773 bed/ksf		0.417 ksf/ksf	9.313 unit/ksf	6.773 bed/ksf	0.402 ksf/ksf
	820: Shopping Center	3.71 d.u./ksf	5.984 d.u./ksf	7.135 d.u./ksf	16.864 bed/ksf	2.49 ksf/ksf	1.039 ksf/ksf	23.188 unit/ksf	16.864 bed/ksf	

1. Land use changes are based on the peak-hour of adjacent street traffic, one hour between 4 and 6 PM.
 2. Equivalency factors are based on the ITE Trip Generation Manual 9th Edition average rate for each land use.

Land Use	Minimum	Maximum
Residential (d.u.)	2,145	4,455
Office (s.f.)	32,500	67,500
Commercial (s.f.)	260,000	540,000
Assisted Living (beds)	-	250
Continuing Care Retirement Community (units)	-	500
Nursing Home (beds)	-	250
Medical Office (s.f.)	-	67,500

SECTION 4. DEFINITIONS.

The definitions contained in Chapter 380.06, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Parrish Lakes Development of Regional Impact Application for Development Approval* (February 10, 2010), and the sufficiency responses submitted by the Developer* on August 12, 2010 and January 10, 2011, and Revised Map H, submitted on September 2, 2016, and February 7, 2017.
- B. "Best Management Practices" shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of this Code (BMP list of approved practices by Board resolution for Special Overlay Districts—Evers Reservoir and Lake Manatee Watershed Areas).
- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Developer*" shall mean FLM, Inc., its heirs, assigns, designees, agents, transferees, and successors in interest as to the Project* and all conditions of approval.
- E. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.
- F. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by a community development or stewardship district or private sources which can include the Developer*, for construction with funding provided within three years.
- G. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
 - 1. Existing topography;
 - 2. Existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;

3. Proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 4. Off-site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.
- H. "Project*" shall mean the land uses by area, square footage, density, and phase described in the ADA* to be constructed on the real property described in Section 7 herein.
- I. "Specific Approval*" shall mean ADA approval for Phase 1 and Phase 2. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- J. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential structures or the reconstruction or addition to any structure. "Vertical Development" shall not mean nor be deemed to include the construction of any new structure or the reconstruction or addition to any structure specifically for the use of the existing or future agricultural operations.

The definitions contained in Chapter 380.06, Florida Statutes, shall apply to this Development Order.

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 5. DEVELOPMENT CONDITIONS:

THE PARRISH LAKES DRI IS SPECIFICALLY APPROVED FOR PHASE 1 AND PHASE 2 DEVELOPMENT, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) Parrish Lakes DRI development traffic will have significant and adverse impacts on the regionally significant transportation facilities listed in Table A(1). Transportation Improvements. In accordance with Section 163.3180(5)(h)(1), Florida Statutes, and as necessary to mitigate the Project* impacts, the Developer* shall construct or pay the Proportionate Share of each required Improvement prior to Project Development Approval generating trips equal to or greater than the corresponding Project Trip Threshold. The contribution or construction of the proportionate share of the following roads or facilities shall be deemed sufficient to accomplish one or more mobility improvements that benefit a

regionally significant transportation facility, and shall fully satisfy the transportation concurrency requirements of the Comprehensive Plan and the requirements for mitigation of the Project* transportation impacts. Except for the Developer* proportionate share as set forth herein, the Developer* shall not be held responsible for the additional cost of reducing or eliminating deficiencies.

In accordance with Section 360 of the Land Development Code, the applicant has applied for a Certificate of Level of Service compliance (CLOS) in conjunction with this DRI DO. The term of the CLOS shall be determined based on the amount of development to occur within the CLOS, and the schedule of required improvements set forth in Table A(1), to provide the applicant with a reasonable time to complete the anticipated required improvements. The applicant may satisfy concurrency pursuant to and in accordance with Section 163.3180, Florida Statutes.

Intersections:	Improvement	Threshold (PM Peak Hour Trips)
Erie Road and 69th St E	<ul style="list-style-type: none"> • Signalize - Semi-Actuated (60 seconds cycle length) or Roundabout 	779
Erie Road and Harrison Ranch Boulevard/Carter Road	<ul style="list-style-type: none"> • Change pavement markings on Northbound right-turn lane to allow through movements • Add Eastbound exclusive left-turn lane (1 total) • Add Southbound exclusive left-turn lane (1 total) • Add Westbound exclusive right-turn lane (1 total) • Optimize signal timing 	<p>To be constructed concurrent with construction of Carter Road connection to Erie Road</p> <p>1,567 (Westbound exclusive right-turn lane to be constructed concurrent with construction of Carter Road connection to Erie Road)</p>
Erie Road and Sawgrass Road	<ul style="list-style-type: none"> • Add Eastbound exclusive left-turn lane (1 total) • Add Westbound exclusive right-turn lane (1 total) 	<p>To be constructed concurrent with construction of Sawgrass Road connection to Erie Road</p>
Moccasin Wallow Road and Carter Road	<ul style="list-style-type: none"> • Signalize - Semi-actuated (120 seconds cycle length) • Change Southbound pavement markings to allow through movements • Add Eastbound exclusive right-turn lane (1 total) • Add Westbound exclusive left-turn lane (1 total) • Add Northbound exclusive left-turn lane (1 total) 	<p>To be constructed concurrent with construction of Carter Road connection to Moccasin Wallow Road</p>

	<ul style="list-style-type: none"> • Change pavement markings on Southbound left-through lane to through-only lane • Add Southbound exclusive left-turn lane (1 total) • Optimize signal timing • Add Northbound exclusive left-turn lane (2 total) 	2,110
Moccasin Wallow Road and Sawgrass Road	<ul style="list-style-type: none"> • Add Westbound exclusive left-turn lane (1 total) • Add Eastbound exclusive right-turn lane (1 total) • Signalize 	<p>To be constructed concurrent with construction of Sawgrass Road connection to Moccasin Wallow Road</p> <p>1,752 (Eastbound right-turn lane to be constructed concurrent with construction of Sawgrass Road connection to Moccasin Wallow Road)</p>
Ft. Hamer Road and Golf Course Road	<ul style="list-style-type: none"> • Add Northbound exclusive right-turn lane (1 total) 	1,411
Buckeye Road and Carter Road	<ul style="list-style-type: none"> • Change Northbound pavement markings to right-turn only lane • Add Northbound exclusive left-turn lane (1 total) 	2,888
US 301 and Erie Road (Parrish)	<ul style="list-style-type: none"> • Change Eastbound pavement markings to right-turn only lane • Add Eastbound exclusive left-turn lane (1 total) 	2,431

Access

The project’s main external access points are located on Erie Road and Moccasin Wallow Road, east of I-75. The four access points are as follows:

- Erie Road and Carter Road
- Erie Road and Sawgrass Road
- Moccasin Wallow Road and Carter Road
- Moccasin Wallow Road and Sawgrass Road

The following table indicates location and length of site’s main access improvements:

Intersection	Movement	Required Total Length (feet)
Erie Road at Carter Road	Eastbound Left	485

	Westbound Right	185
Erie Road at Sawgrass Road	Eastbound Left	435
	Westbound Right	185
Moccasin Wallow Road at Carter Road	Westbound Left	805
	Eastbound Right	405
Moccasin Wallow Road at Sawgrass Road	Westbound Left	455
	Eastbound Right	405

The development is traversed by future thoroughfare segments of Carter Road, Sawgrass Road, and 'EE' Road. In addition to the primary thoroughfare connections along the boundary, minor access locations are proposed along the external and internal thoroughfares. Each of these additional access locations and internal intersections shall be designed based on appropriate operational analysis undertaken prior to approval of the associated construction plans.

A.(2) With each Final Site Plan application, the Developer shall submit to the County a permitting summary which addresses the following:

1. The total land use quantities proposed by the submitted final site plan, plus all land uses previously approved with prior final site plans, to demonstrate consistency with the Development Order; and,
2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the Project covered by the Final Site Plan application.

A.(3) At the time of submittal of a proposed Final Site Plan for fifty percent (50%) of the approved density and intensity of the Project*, the Developer* shall complete a transit analysis to determine whether public transit is required at that time. In the event that the transit analysis establishes the need for public transit at that time, the Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within or along the perimeter of the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.

A.(4) The Developer shall provide roadway, bicycle and pedestrian connections between internal and adjacent thoroughfare roadways, adjacent trail facilities, and community open space/park sites.

A.(5) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or arterial roadway in the adopted Future Traffic Circulation Plan of the Manatee County Comprehensive Plan. All transportation facilities shall be constructed in accordance with Manatee County's Public Works Standards Manual.

A.(6) The Developer* shall provide adequate sidewalks along both sides of all local streets and roadways throughout the Project*, unless otherwise approved by the County.

A.(7) Solely to the extent required by law, a biennial monitoring program will be started upon the issuance of the first building permit for uses which exceed fifty percent (50%) of the earliest Project* Trip Threshold set forth in Table A (1). This biennial monitoring report will continue until buildout. The biennial reports shall provide information for the Project* regarding the total development which has been permitted and its equivalent in trips, and shall project the development/trips anticipated for the next two years.

Prior to commencing the biennial monitoring, the Developer* shall submit a monitoring methodology and plan showing the proposed locations of the counts to Manatee County for review and approval. The monitoring program at a minimum shall consist of one 2-hour pm peak hour (4 pm to 6 pm) directional counts, with subtotals at 15-minute increments at all Project* entrance driveways with public roadway connections. The sum of the Project* driveway trips will be totaled in 15-minute increments and the highest four consecutive 15 minute totals will be summed to determine the project's total PM peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips of the Project*. The biennial monitoring shall be conducted during the peak season (February to April) and a maximum of 60-90 days prior to the Biennial Report submittal date unless otherwise approved by Manatee County.

A.(8) The Developer shall be entitled to Impact Fee Credits in accordance with applicable law and the County Land Development Code and practices.

Vegetation, Wildlife, and Wetlands

B.(1) Impacts to Natural Resources of Regional Significance, as delineated on Map 3 in [TBRPC's DRI Final] report, shall only occur if justified pursuant to the Tampa Bay Regional Planning Council's Future of the Region: A Strategic Regional Policy Plan (SRPP) Policy 4.44. Mitigation for justifiable impacts to Natural Resources of Regional Significance should meet the ratios set forth in that policy and Policy 4.45; i.e. 2 created: 1 impacted for Dry Habitats (Live Oak Hammock and Mixed Hardwood- Conifer Forest) and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.

- B.(2) The Developer* shall provide an updated gopher tortoise study, consistent with Policy 3.3.2.1 of the Manatee County Comprehensive Plan, prior to each Final Site Plan approval. Management Plans, permits or other authorizations from the appropriate State or federal agency, shall be provided to Manatee County for any state- or federally-listed species found on-site, prior to Final Site Plan approval.
- B.(3) Pursuant to the Tampa Bay Regional Planning Council's Future of the Region: A Strategic Regional Policy Plan (SRPP), Policy 4.50, the applicant shall create and maintain a naturally vegetated buffer sufficient to preserve the value and function of the regionally-significant natural resources on and abutting the Parrish Lakes site. These areas, including the buffers, should be set aside in conservation easements.
- B.(4) In the event that any state-or federally-listed species are discovered breeding on-site during project development, the developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(5) A Nuisance, Exotic Plant Species Management Plan, as required by LDC Section 701.4 E, shall be submitted to Manatee County prior to each Final Site Plan approval that may include nuisance or exotic plant species. Initial removal of nuisance, exotic plant material shall be completed prior to Final Plat approval or Certificate of Occupancy issuance for that final site plan.
- B.(6) The Developer* shall seek to preserve and protect all wetland areas as generally depicted on Map H, and defined as wetlands in the Comprehensive Plan, and shall provide an upland vegetated buffer, consistent with the Comprehensive Plan and Land Development Code and applicable law. Prior to Preliminary Site Plan approval, the applicant shall demonstrate avoidance and minimization of any proposed wetland impacts in accordance with Comprehensive Plan Policy 3.3.1.1. Such determination will require completion of impact avoidance and minimization analyses consistent with the Land Development Code which clearly demonstrate the necessity of the proposed impact. Mitigation for approved wetland impacts shall be in accordance with Policy 3.3.1.3 of the Manatee County Comprehensive Plan, as amended from time to time. The demonstration of avoidance and minimization and the required analysis shall not be required for any wetland impact required for Moccasin-Wallow road, Carter Road or Sawgrass Road.
- B.(7) Conservation Easements for the following areas, generally depicted on Map H, shall be dedicated to the County prior to or concurrent with issuance of the first Certificate of Occupancy or Final Plat for those conservation easements within or contiguous to the proposed phase of development:

- Post-development jurisdictional wetlands and associated wetland buffers,
- Upland preservation area,

- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No silvicultural or agricultural activities shall be initiated on land not currently under such use. As committed, the Applicant shall maintain a prudent fencing program to separate the agricultural business operations from the development areas through buildout.
- B.(9) The entire site shall be evaluated for potential hazardous material locations (i.e.,) historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.
- B.(10) All proposed nature trails, boardwalks, picnic tables, interpretive signage and shade structures and other passive recreation facilities in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 701 of the Manatee County Land Development Code. All proposed nature trails, boardwalks, shade structures and other passive recreation facilities shall be creditable toward the proposed parks dedication and requirement.
- B.(11) The Developer* shall provide 5.6+ acres of upland preservation along the eastern project boundary, FLUCCS Code _434 (Hardwood-Conifer Mixed Forest), consistent with the upland preservation area identified on Map H (Attached as Exhibit A). The 5.6+ acres of upland preservation shall be fully creditable toward the Project's parkland dedication requirements. The upland preservation area shall fully satisfy the project's landscape buffer requirements along the upland preservation frontage for the perimeter of the project.
- B.(12) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan inclusive of or immediately contiguous to the upland preservation area, as shown on Map H.

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Buffalo Canal Drainage Basin. The adopted Buffalo Canal Watershed Model may be utilized to demonstrate no adverse offsite impacts will result from the development.
- E.(2) Development practices shall incorporate Best Management Practices*, including those which prevent construction-related turbidity.
- E.(3) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the project.
- E.(4) Existing native vegetation shall be preserved, to the greatest extent practicable, to meet screening requirements, unless otherwise approved by Manatee County.
- E.(5) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(6) Stormwater management ponds shall not be constructed within wetland buffers or natural resources of regional significance, unless otherwise approved by Manatee County and SWFWMD.
- E.(7) Applicant shall implement resident education programs advocating surface water protection. An example of this is information on the proper use of fertilizers and pesticides.
- E.(8) A separate storage facility, from the surface water management system, is encouraged for reclaimed water use.
- E.(9) Low impact development techniques are encouraged to be used throughout the development. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;

- Shallow vegetated swales in areas where practical, including parking;
- Appropriate Florida friendly plant selections;
- Small, recessed garden areas throughout landscaped areas;
- Porous pavement and other pervious pavement technologies;
- Stabilized grass areas for overflow parking (i.e. in excess of minimum LDC requirements); and
- Stormwater reuse.

E.(10) Prior to construction, the Developer* must provide a plan detailing the operation and maintenance of the stormwater management system for the portion of the Project for which Development Approval is then sought. The plan shall, at a minimum, identify the responsible entity, establish a long term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system. The plan must be approved by Manatee County prior to the first PSP or FSP approval and implemented at construction. Failure to implement the approved plan shall prevent Manatee County from issuing any further site plan approvals.

E.(11) The Developer* or other responsible entities shall hire a licensed engineer to conduct inspections of the stormwater management systems on the project site to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of stormwater storage and treatment for which it was designed and permitted. Inspection results shall be included in each Biennial DRI Report through project buildout.

E.(12) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.

E.(13) Compensation for the loss of 100-year flood storage capacity shall be provided. This may be demonstrated by use of the Buffalo Canal Watershed Model.

E.(14) The Developer* shall submit a Surface and Groundwater Quality Monitoring Plan for the Parrish Lakes DRI for review and approval by the County prior to approval of the first Preliminary Site Plan. Approval of the Surface and Groundwater Quality Monitoring Plan will be subject to the following conditions:

- Protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.

- Baseline monitoring shall be completed prior to the commencement of any construction activities with the exception of those construction activities that may be required to implement the monitoring plan.
- Manatee County may require the monitoring plan to be modified should the land use change significantly or should the baseline monitoring reveal exceedances that would merit additional monitoring measures.
- If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.
- All surface and groundwater monitoring results shall be included with the respective Biennial Report to be submitted for the project.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water Supply

- G.(1) The Developer* shall be required by Manatee County ordinances, to extend potable water service or utilize the existing potable water infrastructure constructed onsite for each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.
- G.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.
- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots.
- G.(4) The Developer shall coordinate with the County Utility Department for the use of reclaimed water within the project to the extent reclaimed water is a reliable quality, quantity and is a financially feasible water source. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(5) The Developer* has committed to the following:
- Installation of water conserving fixtures;

- Adherence to water conserving maintenance practices;
 - Use of xeriscaping principles; and
 - Providing water conservation educational materials to all developers within the project.
- G.(5) Water saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(6) Water conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- G.(7) Irrigation time clocks shall be reset after new landscaping has been established.
- G.(8) Florida friendly landscaping principles shall be used throughout the development.
- G.(9) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.
- G.(10) Conservation education shall be made available to residents and other users of the development.
- G.(11) The use and potential future use of reclaimed water, stormwater or other alternative water supplies shall be maximized. Dual water lines shall be installed to facilitate this.

Wastewater Management

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service or utilize the existing wastewater infrastructure constructed onsite for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No permanent septic tanks are permitted for new development.
- H.(3) Approval of the project shall include assurance of adequate wastewater treatment capacity as well as any developer provision(s) of any improvements to the internal wastewater collection system. Future biennial reports shall contain an updated summary of utility service commitments.

Solid Waste/Hazardous Waste/Medical Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, nature trails, parks, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, stewardship district, other legal entity and/or as directed by the permitting agencies, unless otherwise approved by the County.
- J.(2) As committed, the Developer* shall provide +26-acres of parks on-site. Parks may include passive recreation area (within upland preservation areas and outside of wetland buffers), nature trails (including the Ellenton-Willow Trail along Erie Road), boardwalks, interpretive trails, active recreation areas, pocket parks, ponds and water bodies that may include trails, fishing access, canoe or boating facilities, or other similar water sports facilities that will be provided on the site, at locations to be determined during future development review processes.
- J.(3) Prior to the approval of the initial residential final site plan, the Developer shall provide a Master Parks Plan for review and approval by Manatee County. The Master Parks Plan shall identify the proposed location of all +26 acres of parks and the nature and type of all recreation facilities.
- J.(4) All open space and recreation facilities within the Project shall be maintained by an appropriate entity such as a Community Development District, Stewardship District, or Homeowners Association.

Health Care, Police, and Fire

- K(1) Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) In lieu of any analysis required by 73C-40.048, Florida Administrative Code, the Developer shall enter into a voluntary housing mitigation program as set forth in the conditions below.
- M.(2) The Developer may provide up to 330 units within the project that satisfies the requirements of the “affordable” or “workforce/essential worker” housing as defined by the Manatee County Land Development Code. The final number of combined affordable or workforce/essential worker units to be equal to 10% of the total number of residential units constructed within the Project (not to exceed 330 based on the original 3,300 approved dwelling units).
- M.(3) The 330 units shall qualify for “affordable” or “workforce/essential worker” housing, as defined by the Manatee County Land Development Code, with the first sale or rental of an individual unit to an end user. The maximum sales price or monthly rental rates for the affordable/workforce housing units shall be based upon current workforce sales price as established by the methodology in the Manatee County Land Development Code and may be modified each year as determined by Manatee County.
- M.(4) The proposed units may be provided as either for sale units or for rent multi-family units provided the rental rates meet the requirements within the Manatee County Local Housing Assistance Plan.
- M.(5) As an alternative to the construction of units, the Developer may elect to contribute to the Voluntary Affordable Housing Mitigation Program payment no greater than \$660,000 (330 units x \$2,000 each), in terms of 2011 dollars, to the Manatee County Redevelopment and Economic Opportunity Department or its designated Housing Assistance Program to fully satisfy any affordable or workforce housing requirements for the Parrish Lakes DRI.
- M.(6) The Voluntary Affordable Housing Mitigation Program payment shall be made at time of building permit for each residential unit on the project and payable at the rate of \$200 per residential unit in terms of 2011 dollars. (3,300 units x \$200 per unit = \$660,000).

- M.(7) Residential units sold within the Parrish Lakes DRI that meet the Maximum Income Limits for qualifying individual(s) or Maximum Sales Price requirements for affordable or workforce housing as identified by the Manatee County Maximum Income Limits Table shall not require the voluntary cash mitigation payment described in Stipulation M.(6) above. These units shall also receive all applicable incentives described in Section 545 of the Manatee County Land Development Code for affordable and workforce housing. These maximum income limits and maximum sales prices are updated periodically by Manatee County and shall be utilized accordingly. The maximum sale price and income limits in effect at the time a contract for purchase of an affordable or workforce housing unit is executed shall apply.
- M.(8) Residential units rented within the Parrish Lakes DRI that qualify as affordable housing or are equal to or less than a monthly mortgage payment for a workforce housing unit as identified by the Manatee County Maximum Income Limits Table shall not require the voluntary cash mitigation payment described in Stipulation M.(6) above. These units shall also receive all applicable incentives described in Section 545 of the Manatee County Land Development Code for affordable and workforce housing. These maximum income limits and maximum sales prices are updated periodically by Manatee County and shall be utilized accordingly. The maximum sale price (and rental equivalent) and income limits as well as the proposed price range of rental units in effect at the time a certificate of occupancy is issued for a multi-family residential building containing affordable and/or workforce housing units shall apply. The workforce housing unit rental rate shall have a monthly lease rate which shall be consistent with the average monthly mortgage payment for a for sale workforce housing unit, as approved by Manatee County.
- M.(9) In lieu of the cash mitigation payments required above, either in whole or in part, Parrish Lakes DRI may propose for TBRPC, The State Land Planning Agency, and Manatee County approval, one (1) or more "on-site" affordable or workforce/essential worker housing programs to satisfy such obligation by one (1) or more of the following types of programs; provision of land for other affordable housing programs; provision of affordable rental or purchase subsidy assistance; provision of down payment, closing cost or other acquisition cost assistance; provision of financial assistance; or other affordable housing assistance deemed appropriate and suitable, in whole or in part, by TBRPC, The State Land Planning Agency, and Manatee County. If one or more such "on-site" programs are approved, then the funds in the mitigation special revenue fund above, shall be utilized for such program(s).

- M.(10) The Developer shall include in its Biennial Report data showing the number and sale prices of affordable and/or workforce housing units sold or rented within the reporting period. The Biennial Report shall identify the sale of any unit via the property appraiser data for sales date. Rental shall include documentation on the number of units, rental rate and duration of initial contract. The Developer shall also report the amount of voluntary cash mitigation payments made for residential units that do not qualify as affordable or workforce housing units.
- M.(11) The Developer retains the right to perform an affordable housing analysis consistent with 73C-40.048, Florida Administrative Code, at any time during development of the DRI to determine the affordable housing need created by the project and appropriate mitigation, if necessary, to be applied to the remainder of the project, subject to the concurrence of Manatee County TBRPC, and The State Land Planning Agency.
- M.(12) The Developer shall attempt to maintain the 10% ratio of workforce affordable units or make the necessary mitigation payments throughout the development schedule. Should the project develop mitigation units in excess of 10% at any time, any exceedance of mitigation units shall be credited towards future development of the project. If during any biennial reporting period, it is determined the project had developed or paid the cash mitigation for less than 10% ratio, the mitigation payments or units may be requested by the County.

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) The developer shall work with TECO/Peoples Gas to provide natural gas within the project provided the cost to deliver natural gas is financially feasible.

General Conditions

- O.(1) Should development of Phase 1 and Phase 2 depart from the parameters set forth in the ADA*, the Project* will be subject to Substantial Deviation review pursuant to Section 380.06, F.S., or the requirements of then applicable law
- O.(2) Physical development shall commence within seven years of Development Order adoption. For the purpose of the Development Order, this term means construction of infrastructure, roadways or other vertical development.

- O.(3) Any approval of Parrish Lakes shall, at minimum, satisfy the provisions of Subsection 380.06(15), F.S., and the following provisions of the Florida Administrative Code (F.A.C.): Rule 73C-40.041 (Listed Plant and Wildlife Resources Uniform Standard Rule); Rule 73C-40.043 (Archaeological and Historical Resources Uniform Standard Rule); Rule 73C-40.044 (Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities Uniform Standard Rule); Rule 73C-40.045 (Transportation Uniform Standard Rule); and 73C-40.048 (Adequate Housing Uniform Standard Rule).
- O.(4) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 6 of this Development Order.
- O.(5) Payment for any future activities of the TBRPC with regard to this development including, but not limited to monitoring or enforcement actions, shall be paid to the TBRPC by the Developer* in accordance with Rule 73C-40.0252, FAC.
- O.(6) Approval of Parrish Lakes DRI shall be contingent upon the project's consistency with the Manatee County Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning Act, Chapter 163, F.S., and the state and regional plans.
- O.(7) The Development Order should take into account any applicable concerns set forth in the attached letters of the Southwest Florida Water Management District, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission and the Florida Department of Transportation.
- O.(8) The Developer*, its successors, assigns or transferees, shall submit Biennial DRI Reports in accordance with Section 380.06(18), Florida Statutes* to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on odd number years commencing two years after the Development Order becomes effective. until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to Manatee County, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the County decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or

any terms or conditions of this Development Order. The Biennial Report shall contain the following:

- a. Any change in the plan of development, or in the representation contained in the ADA, or in the phasing or land uses for the reporting year and for the next year;
- b. A summary comparison of development activity proposed and actually conducted for the year;
- c. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer*;
- d. Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the land encompassed by the Development Order for the Project*;
- e. An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or the State Land Planning Agency, as being significant;
- f. Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;
- g. An indication of a change, if any, in local government jurisdiction for any portion of the Development* since the Development Order was issued;
- h. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
- i. A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(14)(d), Florida Statutes;
- j. A statement that all persons have been sent copies of the Biennial Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;
- k. Information required per the Development Order in regard to the voluntary housing mitigation;
- l. Biennial traffic monitoring data, to the extent required by law.
- m. An updated map showing the locations and acreage of upland and wetland preservation; and
- n. Any other information required pursuant to general law.

SECTION 6. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the

Developer*, except as they may be superseded by specific terms of the Development Order.

GENERAL

1. The owner will maintain a prudent fencing program to segregate and control the agricultural business operations from the development areas.(ADA/Page 10-5)
2. Any development that may be proposed within the [330'] FPL easement will be consistent with the property owner's easement rights. Such development is typically for ponds, or mitigation areas, park land and roadway crossings. (SR1/Page 9-1)

VEGETATION AND WILDLIFE

1. Until such time that the site is actually developed, it is anticipated that the site will remain in agricultural use with continuously active agricultural operations. (ADA/Page 12-2)
2. The property owners have a business plan regarding the continued maintenance of pasturelands that will remain in effect throughout the DRI process and the future sale of specific parcels to independent development entities. This plan provides that the available pastureland use areas must be maintained in order to sustain a viable cattle herd, and consequently, a viable agribusiness. The maintenance that is proposed to occur will include periodic disking of pastures followed by reseeding with various pasture grass species. (ADA/Page 12-2)
3. The upland listed species and other transects that have been completed on the property have verified the potential presence of this species [i.e. Gopher Tortoise] on the property, and therefore, future burrow surveys will have to be completed prior to future development of individual parcels within the overall DRI. Those surveys will be required as part of the normal development review of the site... The Applicant is amenable to a development order condition stipulating that pre-construction tortoise burrow surveys be required, and if tortoises are verified to be present, a permit sought from FWC. (ADA/Page 12-16)
4. The applicant intends to coordinate with the FWC as necessary during the construction design and permitting phase of the project, to determine appropriate off-site mitigation, if required, for impacts to those listed species (e.g. gopher tortoise) that cannot be accommodated entirely on-site. (ADA/Page 12-18)

5. The Applicant has “confirmed” that “Buffalo Creek will be retained during and after development and therefore will maintain the ‘corridor’ for use by wildlife.” (SR2/Page 10-7)
6. The Applicant agrees to set aside a preservation area, the 5.6± acre Hardwood Conifer Mixed Forested upland area located in the northeast portion of the property. (SR2/Page 12-2)
7. To provide some assurance that additional environmental degradation does not occur on the property after the DRI approval and D.O. have been issued, the Applicant will agree to utilize the property for similar or no more intense agricultural uses than are currently in operation. (SR1/Page 12-1)
8. The Applicant “understood” the need to complete the “updated wood stork and eastern indigo snake keys (i.e. US Fish and Wildlife Service Effect Determination Keys) dated January 25, 2010.” as well as “provide an endangered species assessment for the project site” at the time of Corps permit application. (SR1/Page 13-8)

WETLANDS

1. The wetlands that are to remain onsite post development are intended to be set aside as preservation areas, and these wetlands are depicted on the revised Map H. (SR1/Page 12-5). But, wetland use shall be as described in Stipulation B.(6) above.
2. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas that serve as wetland mitigation, shall be dedicated to Manatee County prior to or concurrent with Final Plat approval.
3. The project is found to be consistent with the elements of the Manatee County Comprehensive Plan as set forth in... Objective 3.3.1 - Wetland Protection: Preserve and protect existing, viable wetland systems to: maintain control of flooding and erosion through storage of agricultural and urban runoff in wetland areas; achieve biological filtration of pollutants associated with urban and agricultural runoff by wetlands; maintain protection of coastal areas from tidal storm surges through maintaining wetlands as a natural buffer; achieve water recharge of surficial aquifers through wetland areas; maintain unique habitat functions of wetland areas as homes and critical breeding areas for many animals and plant species; maintain essential chemical and energy cycles facilitated by wetlands; and maintain educational and recreational opportunities provided by wetlands. (ADA/Page 10-21)
4. In order to obtain more accurate/real elevations for these field-established hydroperiod elevations, it will be necessary in the future (prior to the construction

permitting process) for a registered professional surveyor to perform a vertical survey of such elevations prior to field review/approval by regulatory (SWFWMD) staff. These surveyed and agency-approved elevations in conjunction with a wetland jurisdiction delineation will then be utilized during the design process for determining stormwater system control elevations, floodplain compensation elevations and for the design of any proposed wetland mitigation areas. (ADA/Page 13-2)

5. Opportunities to enhance or restore wetlands and their hydroperiods (e.g. via capture of stormwater runoff) will be evaluated as construction plans are developed for each development phase. (ADA/Page 13-3)
6. The relatively higher quality or larger size onsite wetlands will be avoided to the greatest extent possible, with the intent to incorporate these wetlands into the post-development landscape, and potentially target the wetlands to receive pre-treated stormwater runoff as a means of improving or stabilizing the wetland hydrology while achieving additional stormwater treatment or “polishing” effects. Natural wetland areas on the property that will remain in the post-development condition will include an upland buffer/setback as required by law, which will serve as a transition zone from the development to the wetland boundary, will provide potential habitat for wildlife utilization and will provide some uptake and treatment of stormwater runoff entering wetlands via overland flow or through designated drainage swales. (ADA/Page 13-3)
7. Upland buffers/setbacks will be provided around all wetlands to remain in the post-development condition, as appropriate and in accordance with SWFWMD and Manatee County standards, and applicable law. (ADA/Page 13-5).

WATER QUALITY

1. The requirements of Chapter 62-330 F.A.C. for stormwater treatment will be met using accepted methods including: (1) construction of littoral zones to be vegetated by native aquatic species; and (2) utilization of existing isolated wetland systems to provide biological treatment to maintain water quality. The stormwater management plan will place particular emphasis on these methods to enhance water quality by using natural biological mechanisms for the breakdown of pollutants and nutrient uptake. (ADA/Page 14-3)
2. The surface water management system proposed for the site will be designed to protect water quality through the use of grass swales, surface water detention ponds, and stormwater attenuation ponds. Water quality treatment ponds will attenuate and treat stormwater runoff before discharging to the existing wetlands/waterways internal and adjacent to the proposed development areas. Drainage swales will also provide for filtration of pollutants prior to discharge into stormwater management ponds. (ADA/Page 14-3)

3. On-site surface waters within the Parrish Lakes DRI will be protected from construction impacts by various measures, including the use of staked hay bales and silt screen fences, reducing both erosion and sediment transport into wetland areas. The preparation and implementation of a NPDES Stormwater Pollution Prevention Plan will further insure that the site will minimize impacts during construction. (ADA/Page 14-4)
4. Removal of the agricultural drainage system will also increase the residence time of the water entering isolated wetlands and the surface waters within the site, resulting in an increase in the ability of the systems to biologically filter pollutants and nutrients before the water is discharged to ultimate drainage outfall locations. (ADA/Page 14-4)
5. The Applicant has committed to develop a pre and post development environmental monitoring plan for the property... The monitoring plan will propose a methodology by which water quality parameters and monitoring will be established... It is reasonable to expect that the Development Order can be conditioned to include a requirement for development and implementation of a Ground and Surface Water Monitoring Plan prior to site development. (SR2/Page 14-1)

SOILS

1. Any soil limitations that may impact development of the site will be specifically identified and addressed by the Registered Geotechnical Engineer at the time of permitting. (ADA/Page 15-1)
2. Buildings will be constructed on compacted fill material, with habitable structures sufficiently elevated to be at least one foot above the determined 100-year flood elevation. (ADA/Page 15-1)

FLOODPLAINS

1. A more detailed floodplain analysis will be performed during the design and permitting phase of this project. (ADA/Page 16-1)
2. The storage of the water will be provided within the proposed compensation ponds between the seasonal high groundwater elevation and the design high elevation of the pond, as is typical. (SR1/Page 16-1)

WATER SUPPLY

1. The Applicant will continue to work with SWFWMD and Manatee County to develop a long-term plan to optimize potable and non-potable water resource use

in the development through methods such as designation of potable water well site(s) within the development and decreasing the amount of well withdrawals as reclaimed water becomes increasingly available to the site. (ADA/Pages 17-3 - 17-4)

2. All existing wells onsite that are not to be used to provide water to the development will be plugged and abandoned as required by SWFWMD regulations. (SR1/Page 14-3)
3. All potable water is to be provided by Manatee County Utilities. (SR1/Page 17-2)
4. The Applicant will commit to provide all developers in the project a copy of SWFWMD's Florida Friendly Landscaping brochures and booklets, "Fertilizer Facts", "Florida Friendly Landscaping Principles" and "Micro-Irrigation, a Guide to the Basics." (SR1/Page 17-2)
5. Parrish Lakes will also encourage Florida friendly landscape materials so long as it is not inconsistent with other land development codes. (SR2/Page 17-6)
6. Xeriscaping within the project... will likely result in reduced non-potable water demands for irrigation within the project. (ADA/Page 17-2)
7. The new residential units shall be energy efficient homes that use low flow toilets and water conserving faucets. (SR2/Page 10-3)
8. The Parrish Lakes DRI will obtain potable water from the Manatee County public water system and will comply with their requirements for installation of water conservation fixtures and adherence to water-conserving maintenance practices. (ADA/Page 10-27)
9. The project will utilize reclaimed water that currently transects the property and is provided immediately adjacent to the property and phase out the current agricultural pumping operation. (SR2/Page 10-3). But, irrigation use shall be as described in Stipulation G.(2) above.

WASTEWATER MANAGEMENT

1. Permanent septic tanks will not be used in the Parrish Lakes DRI. (ADA/Page 18-2)

STORMWATER MANAGEMENT

1. The project's stormwater management system and reuse of reclaimed water for irrigation will be integrated into the project in a way that furthers SWFWMD's goal of maintaining minimum flows and levels for natural wetlands, as well as ensuring

that surface and ground water quality during the after-development will meet or exceed all State and local water quality standards. (ADA/Page 10-26)

2. Control structures will be baffled to preclude the discharge of floatables and be provided with bleed down orifices or V-notches sized to the appropriate SWFWMD criteria. (ADA/Page 19-2)
3. Legal entities will be charged with the operation and maintenance of the stormwater system(s). The developer and/or his assigns, including possible purchasers of individual tracts, a community development or stewardship district, or lawfully created homeowners association(s), will assume the responsibility to manage the system at full development. (ADA/Page 19-3)
4. The Applicant will schedule a pre-application meeting with SWFWMD prior to initiating the stormwater design for the development, within which all of these regulatory requirements can be addressed. (SR1/Page 19-2 & SR2/Page 19-3)

TRANSPORTATION

1. No age restricted units are [/were] assumed in the project or in the transportation analysis. (SR1/Page 10-8)
2. The Applicant will commit to coordinate with MCAT [Manatee County Area Transit] at the time of development on the location and needs for bus stops and shelters along Moccasin Wallow and Erie Roads. (SR1/Page 10-13)

AIR QUALITY

1. The project will either be improving these (intersection) facilities to an acceptable level of service or paying for its proportionate share to mitigate these facilities as part of the project mitigation, therefore eliminating or mitigating any air quality impacts. (SR2/Page 22-1)

AFFORDABLE HOUSING

1. The Applicant has proposed a “Voluntary Affordable Housing/Workforce Housing” mitigation program. (SR2/Exhibit 24-1)

POLICE & FIRE PROTECTION

The Applicant will cooperate with Manatee County officials in locating facilities to serve Parrish Lakes, should fire or police facilities be required in the future. (ADA/Page 25-1)

RECREATION AND OPEN SPACE

1. The project's extensive recreation opportunities, including pedestrian nature trails/paths, sidewalks, and bike paths, will provide alternatives to the utilization of motor vehicles. (ADA/Page 10-27)
2. On-site parks and open space facilities will be maintained by an appropriate entity, such as a Community Development or Stewardship District or Homeowners Association. (ADA/Page 26-1)
3. The quantity of parks and the requirements to prepare a Parks Master Plan shall be specifically addressed within the Development Order. (SR2/Page 9-4)
4. The Applicant commits to up to 26 acres of parks to be contained within the project. Parrish Lakes will develop parks at a rate of 0.8 acres of park per 100 units. (SR2/Pages 26-1 & 26-2)
5. The Applicant will provide the frontage [along Erie Road for the Ellenton-Willow Trail]. The trail to be provided shall be consistent in width, and configuration as other projects along Erie Road. (SR2/Page 26-2)

HEALTH CARE

1. The Applicant will work with the County on any suitable cost sharing that may be required. This commitment was in association with the "cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services." Currently, the nearest EMS facility is approximately 4.5 miles away along US 301, at 12132 US 301 North, in Parrish. (SR1/Page 28-1/updated pursuant to new facility information)
2. The Applicant has acknowledged that "any approved gates or emergency access points within or to the project should be accessible to emergency service providers by a remote control, in accordance with Manatee County Ordinance No. 09-22." (SR2/Page 28-2)

ENERGY

1. Energy conservation methods to be used in the site planning process include provision of interconnected streets and sidewalks to promote walking and biking throughout the project to decrease vehicle dependency. Retail and office development will utilize energy efficient appliances, building insulation and technologies to increase energy efficiency. Energy efficient landscape design

principles to maximize the shading of structures, minimize evapotranspiration and microclimate control will be considered while meeting the required landscape code. (ADA/Page 29-3)

SECTION 7. LEGAL DESCRIPTION:

SECTION 22:

- A. BEGIN AT THE NE CORNER OF SECTION 22, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S 89° 14' 16" W, ALONG THE NORTH LINE OF SAID SECTION 22 A DISTANCE OF 2662.42 FEET TO THE NW CORNER OF THE NE 1/4 OF SAID SECTION 22; THENCE S 1° 12' 58" W ALONG THE WEST LINE OF THE E 1/2 OF SAID SECTION 22, 2550.79 FEET TO ITS INTERSECTION WITH A FENCE LINE; THENCE N 87° 57' 37" E, ALONG SAID FENCE LINE, 2449.22 FEET TO A FENCE CORNER; THENCE CONTINUE N 87° 57' 37" E, 166.08 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 22; THENCE N 2° 32' 17" E, 2495.01 FEET TO THE P.O.B. LESS THE NORTH 40 FEET FOR ROAD R/W. CONTAINING 150.63 ACRES MORE OR LESS.
- B. COMMENCE AT THE NE CORNER OF SECTION 22, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S 2° 32' 17" W, ALONG EAST LINE OF SAID SECTION 22 A DISTANCE OF 2495.01 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 2° 32' 17" W, ALONG SAID SECTION LINE, 1491.85 FEET; THENCE WEST, ALONG CENTERLINE OF A CANAL 63.30 FEET; THENCE N 1° 24' 46" W, 1484.92 FEET; THENCE N 87° 57' 37" E, 166.08 FEET TO THE P.O.B. CONTAINING 3.91 ACRES MORE OR LESS.

SECTION 23:

THE NW-1/4 LESS PORTION THEREOF CONVEYED TO TAMPA SOUTHERN RAILROAD COMPANY, UNDER INSTRUMENTS RECORDED IN DEED BOOK 67, PAGE 91, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND LESS PORTION THEREOF CONVEYED TO TAMPA SOUTHERN RAILROAD COMPANY, UNDER INSTRUMENTS RECORDED IN DEED BOOK 54, PAGE 330, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND THE S- 1/2 OF THE NE1/4 LESS THE NORTH 600 FEET THEREOF, AND THE N- 1/2 OF SW-1/4, AND THE SE-1/4 OF THE SW-1/4, AND THE SE-1/4.

SECTION 24:

- A. THE S-1/2 OF SW-1/4.

- B. THAT PART OF THE SE-1/4 LYING SOUTH OF THE CENTERLINE OF BUFFALO CANAL, LESS THAT PART THEREFORE CONVEYED TO ROBERT L. BURDICK AND WIFE UNDER DEED DATED MAY 22, 1963, RECORDED IN OFFICIAL RECORDS BOOK 162, PAGE 47, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. (NOTE: SUBJECT TO P/L EASEMENT OVER THE EAST 330 FEET OF S-1/2 OF SW-1/4.)

SECTION 25:

- A. THAT PART OF THE SW-1/4 LYING NORTH AND WEST OF STATE ROAD 680, SUBJECT TO THE SEABOARD COAST LINE RAILROAD COMPANY RIGHT-OF-WAY, AND THE S-1/2 OF NW-1/4, AND THE NW-1/4 OF NW- 1/4.
- B. THAT PART OF LOTS 247 AND 248 LYING NORTH OF THE SEABOARD COAST LINE RAILROAD COMPANY RIGHT-OF-WAY, IN MECCA PARK COLONY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 192-A, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING THAT PART OF THE W-1/2 OF THE SW-1/4 OF NE-1/4 OF SAID SECTION 25 LYING NORTH OF SAID RAILROAD RIGHT-OF-WAY.
- C. THAT PART OF THE NE-1/4 OF NW-1/4 LYING WESTERLY OF THE SAWGRASS ROAD CENTERLINE. THAT PART OF LOTS 263 THROUGH
- D. THAT PART OF LOTS 263 THROUGH 268, MECCA PARK COLONY, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 192-A, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING NORTH OF THE GRADED ROAD.
- E. THAT PART OF THE NE-1/4 OF NW-1/4 LYING BOTH NORTH OF THE GRADED ROAD AND EAST OF THE SAWGRASS ROAD, LESS THAT PART, IF ANY, CONVEYED TO J-C GROVES, INC. UNDER DEED DATED JANUARY 9, 1964, RECORDED IN OFFICIAL RECORDS BOOK 187, PAGE 632, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

SECTION 26:

THAT PART OF THE SE-1/4 LYING NORTH AND WEST OF STATE ROAD 680, SUBJECT TO SEABOARD COAST LINE RAILROAD COMPANY RIGHT- OF-WAY, AND THE NE-1/4.

TOGETHER WITH: (O.R.B. 1847, PG. 2245) (O.R.B. 1886, PG. 5491)

A PORTION OF THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 18 EAST AND OF THE SOUTH 1/2 OF THE S.E. 1/4 OF SECTION

22, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE S.W. 1/4 OF THE S.W. 1/4 OF SAID SECTION 23, THENCE S 02°28'17" W, ALONG THE EAST LINE OF SAID S.W. 1/4 OF THE S.W. 1/4, A DISTANCE OF 488.57 FEET; THENCE N 89°29'46" W, A DISTANCE OF 274.69 FEET; THENCE N 81°12'29" W, A DISTANCE OF 128.29 FEET; THENCE N 70°07'11" W, A DISTANCE OF 1098.34 FEET; THENCE N 69°54'37" W, A DISTANCE OF 298.49 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE S.E. 1/4 OF SAID SECTION 22; THENCE S 89°35'55" E, ALONG SAID NORTH LINE, A DISTANCE OF 425.96 FEET TO THE NORTHWEST CORNER OF SAID S.W. 1/4 OF THE S.W. 1/4; THENCE S 89°45'50" E, A DISTANCE OF 1309.88 FEET TO THE POINT OF BEGINNING.

LESS: (O.R.B. 1847, PG. 2245) (O.R.B. 1886, PG. 7726)

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 02°28'17" EAST, ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 328.00 FEET; THENCE ALONG THE SOUTH TOP OF BANK OF AN EXISTING DITCH THE FOLLOWING THREE (3) COURSES: (1) SOUTH 75°00'14" EAST, A DISTANCE OF 800.76 FEET; (2) SOUTH 71°00'12" EAST, A DISTANCE OF 316.02 FEET; (3) SOUTH 82°43'52" EAST, A DISTANCE OF 244.97 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, THENCE NORTH 89°25'26" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1329.50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH SITE 3: (OFFICIAL RECORDS BOOK 2146, PAGE 1205)

DESCRIPTION FROM DEED BOOK 54, PAGE 330 AS PROVIDED BY SIVYER BARLOW & WATSON, P.A.;

ALSO A STRIP OF LAND FIFTY (50) FEET WIDE BEING TWENTY-FIVE (25) FEET ON EACH SIDE OF THE CENTRE LINE OF THE TAMPA SOUTHERN RAILROAD AS LOCATED AND CONSTRUCTED THROUGH THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE-1/4 OF NE-1/4) OF SECTION 22, TOWNSHIP 33 SOUTH, RANGE 18 EAST, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW-1/4 OF NW-1/4) OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 18 EAST, EXTENDING FROM STATION 43 PLUS 44 TO STATION 70 PLUS 43, A DISTANCE OF TWENTY-SIX HUNDRED AND NINETY- NINE (2699) FEET, MORE OR LESS, CONTAINING THREE AND TEN HUNDREDTHS (3.10) ACRES, MORE OR LESS.

ALSO A STRIP OF LAND FIFTY (50) FEET WIDE BEING TWENTY-FIVE (25) FEET ON EACH SIDE OF THE CENTRE LINE OF THE TAMPA SOUTHERN RAILROAD AS LOCATED AND CONSTRUCTED THROUGH THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (S1/2 OF NE-1/4 OF NW-1/4) OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 18 EAST, EXTENDING FROM STATION 79 PLUS 75 TO STATION 83 PLUS 00, A DISTANCE OF THREE HUNDRED AND TWENTY-FIVE (325) FEET, MORE OR LESS, CONTAINING THIRTY-SEVEN HUNDREDTHS (0.37) ACRES, MORE OR LESS.

DESCRIPTION FROM DEED BOOK 67, PAGE 91 AS PROVIDED BY SIVYER BARLOW & WATSON, P.A.;

BEGINNING AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 33 SOUTH, RANGE 18 EAST AND RUNNING THENCE SOUTH ALONG THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4 OF SECTION 23, 248 FEET, MORE OR LESS, TO AN IRON MONUMENT LOCATED IN THE SAID WEST BOUNDARY LINE, WHICH IS 25 FEET, MEASURED AT RIGHT ANGLES SOUTHERLY FROM THE CENTER LINE OF THE TAMPA SOUTHERN RAILROAD AS THE SAME IS LOCATED; THENCE NORTH 73 DEGREES AND 6 MINUTES EAST, PARALLEL TO AND MAINTAINING A DISTANCE OF 25 FEET FROM THE CENTER LINE OF THE TAMPA SOUTHERN RAILROAD, A DISTANCE OF 1043 FEET, MORE OR LESS, TO AN IRON MONUMENT IN THE NORTH BOUNDARY LINE OF THE SAID SE 1/4 OF THE NW 1/4 OF SAID SECTION 23; THENCE WEST ALONG THE NORTH BOUNDARY LINE OF SAID SE 1/4 OF THE NW 1/4 OF SAID SECTION 23, TO THE POINT OF BEGINNING.

LESS: (OFFICIAL RECORDS BOOK 2074, PAGE 480)

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 33 SOUTH, RANGE 18 EAST; THENCE S 00°28'00" W, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 26, A DISTANCE OF 2906.94 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 00°28'00" W, A DISTANCE OF 1999.99 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF THE OLD "SEABOARD RAILROAD"; THENCE N 63°23'03" E, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1862.61 FEET; THENCE N 00°28'00" E, PARALLEL WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 26, A DISTANCE OF 1151.99 FEET; THENCE N 89°32'00" W, A DISTANCE OF 1658.38 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 26, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

ALSO LESS:

SUB STATION SITE (OFFICIAL RECORDS BOOK 2045, PAGE 2597)

A PARCEL OF LAND LYING AND BEING IN SECTION 25, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

COMMENCE AT A NORTHWEST CORNER OF LOT 11, ERIE RANCHES, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 150 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N 00°06'36" W, A DISTANCE OF 947.22 FEET TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF THE FLORIDA POWER AND LIGHT RAILROAD; THENCE N 73°37'25" E, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 104.17 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE EAST LINE OF THAT CERTAIN FLORIDA POWER AND LIGHT EASEMENT RECORDED IN O.R. BOOK 485, PAGE 244 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA FOR A POINT OF BEGINNING; THENCE CONTINUE N 73°37'25" E ALONG SAID LINE, A DISTANCE OF 500.00 FEET; THENCE N 00°06'36" W, A DISTANCE OF 384.65 FEET; THENCE S 89°53'24" W, A DISTANCE OF 479.98 FEET TO THE INTERSECTION WITH SAID NORTHERLY EXTENSION OF THE EAST RIGHT OF WAY LINE OF EASEMENT RECORDED IN O.R. BOOK 485, PAGE 244; THENCE S 00°06'36" E ALONG SAID NORTHERLY EXTENSION LINE, A DISTANCE OF 524.70 FEET TO THE POINT OF BEGINNING.

SECTION 8. RESTRICTIONS ON DOWN-ZONING:

Prior to the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition underlying the approval of the Order have occurred; or
- B. The Order was based upon substantially inaccurate information provided by the Developer*; or
- C. The change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to

prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order. The inclusion of this section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 9. ORDER BINDING UPON DEVELOPER*:

This Order shall be binding upon the Developer*.

SECTION 10. RENDITION:

Manatee County is hereby directed to send certified copies of this Order within thirty days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the State Planning Agency and TBRPC.

SECTION 11. NOTICE OF RECORDING:

The Developer* shall record a notice of adoption of this Order, as required pursuant to Chapter 380, Florida Statutes, and shall furnish Manatee County with a copy of the recorded notice.

SECTION 12. SEVERABILITY:

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 13. EFFECTIVE DATE:

This Ordinance, Ordinance 17-36, shall become effective upon the filing of a certified copy of the executed Ordinance with the Department of State; and provided, however, that (a) the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal.

ADOPTED AND APPROVED WITH A QUORUM PRESENT AND VOTING THIS 5th
DAY OF OCTOBER, 2017.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

BY: 
Betsy Benac, Chairman

**ATTEST: Angelina "Angel Colonnese
Clerk of the Circuit Court**

BY: 
Deputy Clerk



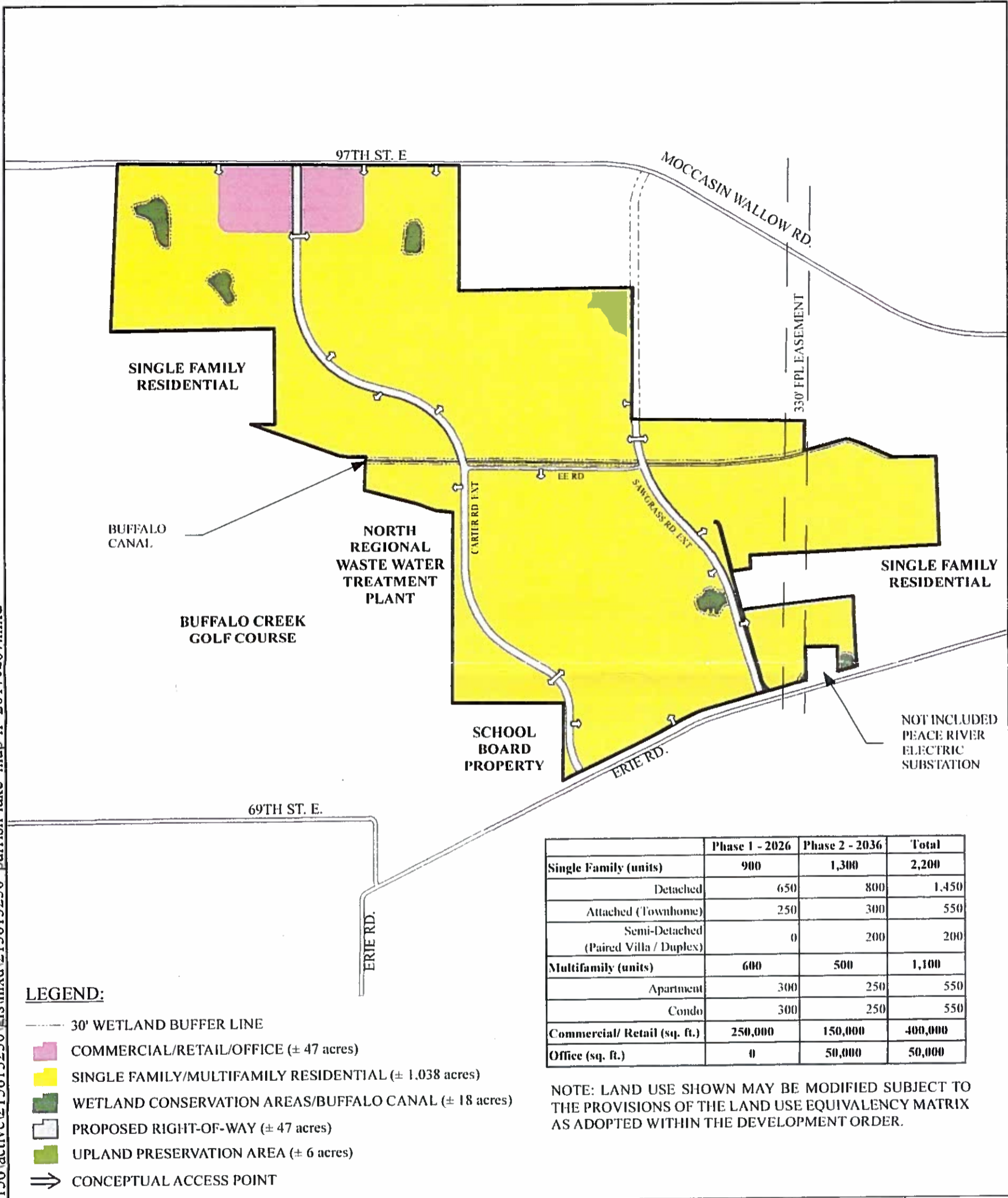
Attachments to Ordinance 17-36

Exhibit A – Map H

Exhibit B – Map #3 – Parrish Lakes – Natural Resources of Regional Significance

Exhibit A

File Location: V:\2156\active\215613250\gis\mxd\215613250_parrish-lake_map-h_20170207.mxd



	Phase 1 - 2026	Phase 2 - 2036	Total
Single Family (units)	900	1,300	2,200
Detached	650	800	1,450
Attached (Townhome)	250	300	550
Semi-Detached (Paired Villa / Duplex)	0	200	200
Multifamily (units)	600	500	1,100
Apartment	300	250	550
Condo	300	250	550
Commercial/ Retail (sq. ft.)	250,000	150,000	400,000
Office (sq. ft.)	0	50,000	50,000

NOTE: LAND USE SHOWN MAY BE MODIFIED SUBJECT TO THE PROVISIONS OF THE LAND USE EQUIVALENCY MATRIX AS ADOPTED WITHIN THE DEVELOPMENT ORDER.



777 S. HARBOUR BLVD - TAMPA, FL 33602
PHONE: 813.223.9500 FAX: 813.223.0009

DOCUMENT TITLE:
MAP H
PROJECT:
PARRISH LAKES

PROJECT NUMBER: 215613250
SCALE: 1" = 2,000'
REVISED: 02/07/2017

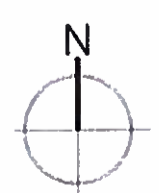
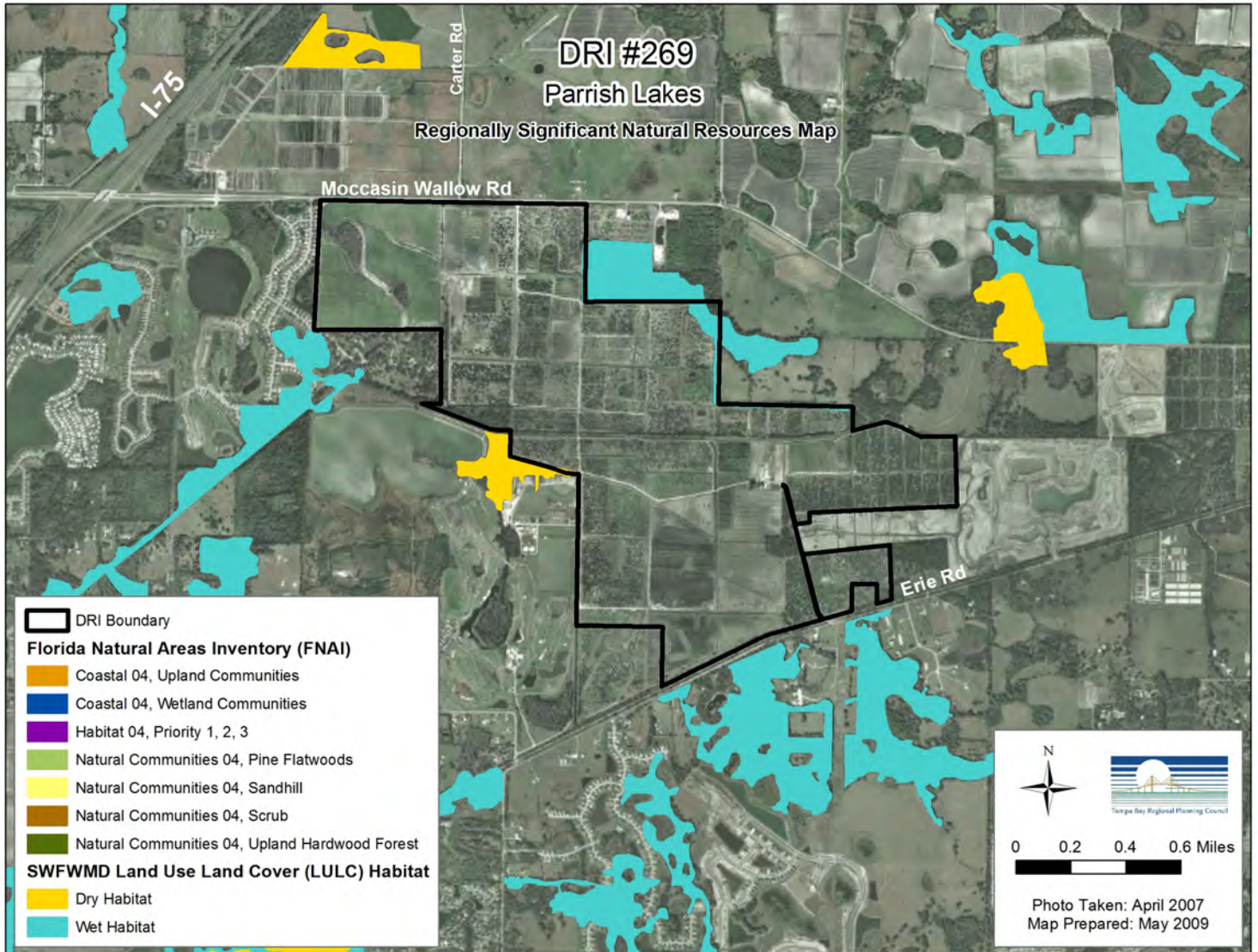


Exhibit B
MAP #3
PARRISH LAKES
NATURAL RESOURCES OF REGIONAL SIGNIFICANCE





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 6, 2017

Honorable Angelina Coloneso
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Mr. Quantana Acevedo, Deputy Clerk

Dear Ms. Coloneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance 17-36, which was filed in this office on October 6, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb