

**ORDINANCE 12-34  
SCHROEDER-MANATEE RANCH, INC.  
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)  
(UNIVERSITY LAKES)**

DEPARTMENT OF COMMUNITY AFFAIRS  
TALLAHASSEE, FLORIDA

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**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380 FLORIDA STATUTES FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR RECOGNITION OF THE REVOCATION OF THE DEVELOPMENT REVIEW AGREEMENT THAT REQUIRED THE COMBINED REVIEW OF UNIVERSITY LAKES AND LAKEWOOD RANCH CORPORATE PARK FOR CERTAIN PURPOSES, TO MODIFY TRANSPORTATION CONDITIONS BASED UPON SUCH REVOCATION; MODIFICATION OF AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES; TO UPDATE TABLE 1 AND TABLE 2 FOR CONSISTENCY WITH PREVIOUSLY APPROVED LAND USE EXCHANGES; UPDATING CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN; PROVIDE FOR FLEXIBILITY IN UNIT ALLOCATION AMONG PARCELS; UPDATING THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS; ELIMINATE MAXIMUM INCREASE IN LAND USE EXCHANGES (TABLE 1 – COLUMN E), MODIFY MAP H TO REFLECT PREVIOUSLY APPROVED LAND USE EXCHANGES, OTHER MINOR AMENDMENTS AND AMENDMENTS FOR INTERNAL CONSISTENCY. CODIFYING AND RESTATING THE EXISTING DEVELOPMENT ORDER FOR DRI #22; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval\* (ADA\*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County\*) pursuant to the provisions of Section 380.06, Florida Statutes; and

**WHEREAS**, said ADA\* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project\*; and

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

**WHEREAS**, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22; and

**WHEREAS**, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

**WHEREAS**, the Developer\* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

**WHEREAS**, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

**WHEREAS**, on January 25, 1996, the Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

**WHEREAS**, on October 28, 1997, the Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; and approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

**WHEREAS**, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

**WHEREAS**, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; relocate the Town Center to the east side of Lakewood Ranch Blvd.; relocate an access point onto University Parkway; shift square footage amounts between different Regional Commercial and Business parcels; make changes to tables 1, 5 and 6 of the Development Order; and amend Transportation and Affordable Housing Conditions; and

**WHEREAS**, on December 18, 2001, the Board of County Commissioners adopted Ordinance 01-60 to decrease Retail uses by 74742 sq. ft.; increase Hotel uses by 300 rooms; increase Office uses by 93,000 sq. ft; relocate 75,258 sq. ft. of Retail from the NW quadrant of Lorraine Road and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes; and

**WHEREAS**, on August 26, 2003, the Board of County Commissioners adopted Ordinance 03-35 to extend the phase date of Phase I by seven (7) years; extend the phase date of Phase II by two (2) years; accelerate the Phase III start date by eight (8) years; accelerate the Phase IV start date by four (4) years; increase Business Office acreage by 4.2 acres; decrease Wetland/Mitigation acreage by 4.2 acres; change the quantifying reference for hospital use from square footage to bed count; move 425,600 square feet of General Commercial Retail from Phase II to Phase IV; move 4,300 square feet of General Commercial Retail from Phase III to Phase IV; move 327,508 square feet of Business Industrial from Phase III to Phase IV; move 88,328 square feet of Business Office from Phase IV to Phase III; move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV; move 151 single-family dwelling units from Phase IV to Phase III and reduce the entitlements for single-family dwelling units by 294; move 105 single-family attached dwelling units from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93; increase Multi-Family Dwelling Units in Phase III by 387; move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI; amend the name of the authorized agent from Rex Jensen to Tim Martin; replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI; amend Tables 3 and 4 to update the entitlements for Lakewood Ranch

Corporate Park; establish February 22 as the annual reporting date; amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates; amend Tables 1 and 2 to reflect these changes; amend Section 5, Transportation and Affordable Housing to reflect updated analysis; and, amend Map H and the Development Order to reflect the above changes; and

**WHEREAS**, on October 19, 2004, the Board of County Commissioners adopted Ordinance 04-59 to add 1,804.7 acres (east of Lorraine road); add ten access points for new internal roadways; increase single-family detached dwelling units by 350 in Phase III; decrease single-family attached dwelling units by 135 in Phase III; decrease multi-family dwelling units by 292 in Phase III; increase general commercial (regional) retail by 251,578 square feet in Phase III; decrease neighborhood commercial (community) by 34,236 square feet in Phase I; decrease neighborhood commercial (community) by 31,143 square feet in Phase II; decrease business office by 58,323 square feet in Phase III; decrease general commercial (highway) retail by 150,000 square feet in Phase II; decrease general commercial (highway) hotel and motel by 85 rooms in Phase I; decrease general commercial (highway) hotel and motel by 405 rooms in Phase IV; increase residential acreage by 811.4 acres; increase community commercial acreage by 31.0 acres; increase open space acreage by 129.3 acres; increase recreational acreage by 9.9 acres; increase wetland acreage by 343.2 acres; increase lake acreage by 277.4 acres; increase road right-of-way acreage by 202.5 acres; changed the labeling of cluster villa (cv) residential units to multi-family (mf); amending the name of the authorized agent from Tim Martin to Todd Pokrywa; amending Tables 1 and 2 to reflect these changes; amending Map H and the Development Order to reflect the above changes; amending Map H to allow Community, Highway, and Regional Commercial uses on a Community Commercial parcel located west of the town center; amending Map H to allow commercial uses in certain Business parcels; amending the legal description to reflect the above referenced changes, and; various other changes to the Development Order and terminology and formatting changes; and

**WHEREAS**, the Developer\* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phases I, II, III, and IV pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer\* further responded to questions and comments raised by said parties in the form of sufficiency responses; and

**WHEREAS**, on October 16, 2007 the Board of County Commissioners adopted Ordinance 07-72 to implement the following changes to the Development:

- (1) Revising the project boundary to delete 73.0 acres (east of Lorraine Road) in favor of the Cypress Banks DRI;
- (2) Revising the project boundary to add 53.8 acres (east of Lorraine Road);
- (3) Increasing single family detached dwelling units by 434 in Phase IV;
- (4) Increasing multifamily dwelling units by 578 in Phase IV;
- (5) Decreasing General Commercial (Regional) Retail by 70,100 square feet in Phase III;
- (6) Decreasing General Commercial (Regional) Retail by 429,900 square feet in Phase IV;
- (7) Increasing (Business) Office by 120,000 square feet in Phase IV;
- (8) Decreasing Industrial by 11,397 sq. ft. in Phase III.
- (9) Decreasing Industrial (Business) by 778,088 square feet in Phase IV;
- (10) Decreasing Community Commercial by 59,778 sq. ft. in Phase IV.
- (11) Increasing General Commercial (Highway) Hotel and Motel by 405 rooms in Phase

- IV;
- (12) A decrease in residential acreage by 37.0 acres;
  - (13) A decrease in Community Commercial acreage by 8.8 acres;
  - (14) An decrease in open space acreage by 41.3 acres;
  - (15) An increase in recreational acreage by 8.1 acres;
  - (16) An decrease in wetland acreage by 8.8 acres;
  - (17) An increase in lake acreage by 54.8 acres;
  - (18) An increase in right-of-way acreage by 13.8 acres;
  - (19) An extension of The Masters Avenue to the proposed Dam Road in close proximity to the eastern boundary of the project;
  - (20) Initiate Phase IV;
  - (21) Accelerate the start date of Phase IV by five (5) years from 2011 to 2006;
  - (22) Amending Tables 1 and 2 to reflect these changes;
  - (23) Amending Map H and the Development Order to reflect these changes;
  - (24) Amending the legal description to reflect the above referenced changes, and
  - (25) Various other changes to the Development Order including terminology and formatting changes;
  - (26) Extending the buildout date of Phases II, III, and IV to 2014, 2014, and 2022, respectively; and
  - (27) Extend the project buildout date to 2022 and extend the Development Order expiration date to 2027.

**WHEREAS**, Schroeder-Manatee Ranch, Inc. filed a request to amend the Development Order pursuant to Section 380.06(19)(e)2, Florida Statutes, which does not require the filing of a notice of proposed change, but, requires an application to the local government to amend the development order in accordance with the local government's procedures; and

**WHEREAS**, on or about July 9, 2008, the Development Review Agreement entered into by and between DCA, TBRPC, SWFRPC and SMR related to the University Lakes DRI, among other matters, was revoked by mutual agreement and is of no future force or effect.

**WHEREAS**, the public notice requirements of Manatee County and Chapter 380, Florida Statutes, have been satisfied; and

**WHEREAS**, the Planning Commission has held duly noticed public hearings on November 8, 2012 and found the development order and Map H consistent with the Manatee County Comprehensive Plan (Ordinance 89-01, as amended).

**WHEREAS**, the Board of County Commissioners has received and considered the recommendation of the Planning Commission; and

**WHEREAS**, the County\* on December 6, 2012, held a duly noticed public hearing on the application and the language proposed by the Developer\* to amend and replace Ordinance 07-72 as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Building and Development Services 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, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses Preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. The Developer\* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, 03-35, 04-59 and 07-72).
- C. The Board of County Commissioners of Manatee County has received and considered the recommendation of the Manatee County Planning Commission concerning the application to amend the Development Order and Zoning Ordinance as it relates to the real property described in Section 7 of this Ordinance, in accordance with the requirements of Manatee County Ordinance 90-01, as amended (the Manatee County Land Development Code) and Ordinance 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.
- D. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5 and the Developer\* Commitments specified in Section 6 of this Development Order.
- E. The Developer\* of the Project\* submitted to Manatee County, Florida, an ADA\* for the original project and the above described Notices of Proposed Change, which are incorporated herein by reference.
- F. The Developer\* submitted an Affordable Housing Impact Analysis for Phases I, II, and III to Manatee County which describes the housing demand for low, very low and median income households and the existing housing supply (see Attachment #1 to Ordinance 07-72). As mitigation for the impact of Phase IV on affordable housing, the developer has committed to provide, within 10 miles of the project, a number of workforce housing units equal to 10% of the number of housing units constructed within University Lakes Phase IV.
- G. The real property which is the subject of this Development Order is legally described as set forth in Section 7.
- H. The Project\* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.
- I. The authorized agent for the Project\* is Todd Pokrywa, and his address is SMR Communities Joint Venture, a Florida general partnership, 14400 Covenant Way, Lakewood Ranch, Florida 34202.
- J. The owner of the property is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

## SECTION 2. CONCLUSIONS OF LAW

- A. Based upon the previous findings of fact and the development conditions, in Section 5 below, the Board of County Commissioners of Manatee County concludes 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), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).
  3. The Project\* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; on September 21, 2001 regarding the sixth NOPC; on April 14, 2003 regarding the seventh NOPC; on October 22, 2003 regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC; and on August 13, 2007 regarding the tenth NOPC.
- B. 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.
- C. This Ordinance replaces Ordinance 07-72, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, 03-35 and 04-59 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

## SECTION 3. DEFINITIONS

Note: An asterisk (\*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

- A. "Application for Development Approval\*" (or ADA\*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer\* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC; on March 26, 2002 regarding the seventh NOPC; on October 22, 2003, regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC, and on January 27, 2006 regarding the 10<sup>th</sup> NOPC and on July 17, 2012 regarding the amendment to the Development Order.

- B. "Best Management Practices\*" (BMP) 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 the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).
- C. "County\*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).
- D. "Developer\*" shall mean SMR Communities Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project\* and all its 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. "Development Plans\*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County.
- G. "District\*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District\* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer\*.
- H. "SRPP" shall mean the TBRPC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, December 11, 1995.
- I. "Fair Market Rent Documentation System" shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.
- J. "Funding Commitments\*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County\* for construction to be completed when the improvement is required as referenced in Table 5 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years (or current plus first four years for FIHS

facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Table 5.

- K. "Post-Development Wetlands\*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-340, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project\*.
- L. "Project\*" shall mean the land uses, phasing, and improvements described in the ADA\* which are attributable to development on that property described in Section 7 herein and set forth on Revised Map H, December, 2012 and attached hereto.
- M. "Transportation Impact Area\*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Project\* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DEO, TBRPC, or the County\*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Figure 21-2 dated July 2012 (which was attached as Attachment #4 to Ordinance 12-34) which was based on data submitted with the ADA\*.
- N. "Vertical Development\*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.



## SECTION 4. APPROVALS AND DEVELOPMENT COMPONENTS

A.

**TABLE 1**  
**UNIVERSITY LAKES DEVELOPMENT COMPONENTS**

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units
<b>Residential</b>	1,444.2	n/a	<b>3,941</b>
<b>General Commercial*</b>			
Retail	56.6	677,506	n/a
Hospital	32.0	150 beds	n/a
<b>Total General Commercial</b>	<b>88.6</b>	<b>677,506/ 150 beds</b>	<b>n/a</b>
<b>Neighborhood Commercial**</b>	<b>39.7</b>	<b>141,298</b>	<b>n/a</b>
<b>General Commercial***</b>			
Retail	21.0	0	n/a
Hotel and Motel	7.0	250,000/ 620 rooms	n/a
<b>Total General Commercial</b>	<b>28.0</b>	<b>250,000 / 620 rooms</b>	<b>n/a</b>
<b>Business</b>			
Office	59.3	1,021,969	n/a
Industrial	55.0	18,603	n/a
<b>Total Business</b>	<b>114.3</b>	<b>1,040,572</b>	<b>n/a</b>
Right of Way	393.5		
Recreation	348.4		
Wetlands/Mitigation	674.3		
Lakes****	688.2		
Open Space	282.0		
<b>TOTAL</b>	<b>4,101.2</b>	<b>2,109,376 150 hospital beds / 620 hotel rooms</b>	<b>3,941</b>

\* Acreage and square footage are referred to as Regional Commercial in the ADA\*.

\*\* Acreage and square footage are referred to as Community Commercial in the ADA\*.

\*\*\* Acreage and square footage are referred to as Highway Commercial in the ADA\*.

\*\*\*\* Additional lakes will be constructed within the Project\* as required by the stormwater management system.

\*\*\*\*\* Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

**TABLE 2  
UNIVERSITY LAKES PHASING SCHEDULE**

Map H. Land Use Designation ('380.0651, F.S., Designation)	Phase I 1992-2011 ♦	Phase II 2000- 2019 ♦	Phase III 2002-2019 ♦	Phase IV 2006 – 2027 ♦	Total
<b>Residential Dwelling Units</b>					
Single Family	970	361	450	402	2,183
Single Family Attached	88	0	0	0	88
Multi-Family	449	412	301	508	1,671
<b>Total Residential</b>	<b>1,507</b>	<b>773</b>	<b>751</b>	<b>910</b>	<b>3,941</b>
<b>General Commercial* s.f. (Regional)</b>					
Retail	275,557	114,543	287,406	0	677,506
Hospital	0	150 beds	0	0	150 beds
<b>Total General Commercial</b>	<b>275,557</b>	<b>114,543</b>	<b>287,406</b>	<b>0</b>	<b>677,506</b> <b>150 BEDS</b>
<b>Neighborhood Commercial** s.f. (Community)</b>					
Retail	52,764	0	0	88,534	141,298
<b>Total Neighborhood Commercial</b>	<b>52,764</b>	<b>0</b>	<b>0</b>	<b>88,534</b>	<b>141,298</b>
<b>Business s.f.</b>					
Office	323,318	381,700	191,677	125,274	1,021,969
Industrial	0	0	18,603	0	18,603
<b>Total Business</b>	<b>323,318</b>	<b>381,700</b>	<b>210,280</b>	<b>125,274</b>	<b>1,040,572</b>
<b>General Commercial*** s.f. (Highway)</b>					
Retail	0	0	0	0	0
Hotel and Motel	250,000/ 215 rooms	0	0	0 405 rooms	250,000/ 620 rooms
<b>Total General Commercial</b>	<b>250,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>250,000</b>
<b>Recreational Facilities****</b>	Tennis & Boat Club+, Park, Golf Course & Park				

\* Acreage and square footage are referred to as Regional Commercial in the ADA\*.

\*\* Acreage and square footage are referred to as Community Commercial in the ADA\*.

\*\*\* Acreage and square footage are referred to as Highway Commercial in the ADA\*.

\*\*\*\* Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.

+ The Boat Club shall be located on the 160 ± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

◆ Buildout date is August 5th of each year indicated.

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project\* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2. The following uses designated in Table 1, shall not be reduced by the Developer\* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

B. In seeking approval of a specific Land Use Exchange, the Developer\* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer\* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section P.(1) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, 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 and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer\* to lose capacity already approved in the Certificate of Level of Service for that 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.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units.

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.

With the submittal of any application to amend this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not

constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County\* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County\* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer\* shall verify the appropriate factors with County\* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County\* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County\*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County\*.

Attached hereto as Attachment #5 (updated February 2003) is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer\* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County\* for review and approval, pursuant to Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project\* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan.

- C. The list of required transportation improvements described in Table 5 are triggered by the construction of Phases I, II, III, and IV of University Lakes.
- D. To foster intergovernmental coordination in the administration of University Lakes, the Developer\* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Biennial Reports (together with any documents required to accompany said Biennial Reports), any applications or submissions by the Developer\* under this Section 4, and any revisions to University Lakes resulting from determinations by the County\* under this Section 4.
- E. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

**SECTION 5. DEVELOPMENT CONDITIONS**

**Transportation**

A.(1) The revised and updated transportation analysis for Phases I, II, III, and IV for University Lakes determined the need for the roadway intersection improvement described in Table 5 below

**Note: Tables 3 and 4 were deleted with Ordinance 12-34 revisions.**

**Table 5  
Improvements**

	Location	PM Peak Hour LOS Prior to Improvement LOS	Applicable Peak Hour LOS Standard	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips Before Need*
1	I-75 SB off-ramp at Fruitville Rd.	E	D	7.6	Extend ramp lane 200 feet	3681

\*This column represents the cumulative number of peak hour external trips for the Project\* before the need of the identified improvement for the respective phase Land Uses as depicted in Table 2 University Lakes which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Note: Design details of improvements shall be determined in construction plan permitting phase.

A.(2) The improvements listed in Table 5 include critical link and intersection improvements for the development of Phase I II, III, and IV of University Lakes.

In the event that Funding Commitments\* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area\*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Project\* have been identified in Table 5 together with subphase time frames that were used in the subphase study. An initial subphase of 3,681 external p.m. peak hour trips for the Project\* has been identified as requiring no additional transportation improvements. The Developer\* shall, at the time of each application for Final Site Plan approval, furnish to the County\* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Project\*. The Developer\* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Project\* to exceed the applicable subphase threshold unless Funding Commitments\* have been obtained for the improvement required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Project\* has exceeded the levels described in Table 5 for the appropriate uncommitted

improvement, no further Final Site Plan approvals shall be granted unless the Developer\* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer\* shall be bound by the subphase external trip thresholds and schedules set forth in Table 5, unless the Developer\* files an amendment to this Ordinance and provides the County\* an updated subphase traffic analysis for the Transportation Impact Area\* that will result from the completion of construction of all of the previously permitted development in the Project\* plus that to be generated by the next subphase for which the Developer\* is seeking approval, and such proposed change is approved. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Table 5) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer\* shall submit to the County\* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 will be required; 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 Preliminary Site Plan application.

Any revised transportation analysis for the Project\* shall utilize the adopted Manatee County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Manatee County. If deficiencies exist on said roadways, then Funding Commitments\* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

- A.(3) The Developer\* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project\*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.
- A.(4) The Developer\* shall provide adequate sidewalks along all streets and roadways throughout the Project\* as required by the Manatee County Land Development Code.
- A.(5) As the Project\* lies within the future Manatee County transit service area, the Developer\* will work with the County\* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.
- A.(6) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project\* entrances shall be instituted to verify that the projected number of external trips for the Project\* are not exceeded. Counts will continue on a biennial basis through Project\*

buildout, and the information shall be supplied in the required Biennial Report. If a Biennial Report is not submitted within thirty (30) days of its due date, or if the Biennial Report indicates that the total external trips exceed projected counts for the Project\* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer\* or reviewing agencies to request Development Order amendments.

- A. (7) The Developer shall seek to further the Transportation Systems Management ("TSM") objectives and Policies set forth in the Florida Transportation Plan by

promoting ride sharing by public and private sector employees with the goal of

increasing urban area peak hour automobile occupancy rates through expanded ride sharing efforts and by promoting the use of

Transit and other high occupancy vehicles with the goal of increasing peak hour occupancy rates.

A summary of TSM implementation measures and results shall be included as a part of each Biennial Report.

- A.(8) The Developer\* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

- A.(9) The schedules of listed improvements may be adjusted at the Developer's\* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project\* is determined by the County\* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

- A. (10) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

### **Wetlands**

- B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted (SRPP\*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation

Areas as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

- (b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.
- B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project\* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.
- B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP\* Policies.
- B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer\* shall submit a wetland management and mitigation plan for the area to be developed to the County\* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County\*) wetlands. **(Completed)**.

The Developer\* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County\*:

- (a) Identification of existing dry and wet season site conditions;
- (b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;
- (c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);
- (d) Narrative descriptions of any proposed wetland restoration activities and related issues;
- (e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and
- (f) Mitigation plans shall also include:



- (1) Area and location of plantings;
  - (2) Species to be planted and spacing;
  - (3) Elevations for plantings;
  - (4) Source of plants or mulch;
  - (5) Source of wetland soil and depth proposed; and
  - (6) Monitoring and maintenance plans.
- B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP\* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.
- B.(6) The Developer\* shall provide buffering around all Post-Development Wetlands\* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

### **Vegetation and Wildlife**

- C.(1) A cumulative assessment of the impacts of University Lakes and Lakewood Ranch Corporate Park on listed plant and animal species has been performed. The Developer\* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer\* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer\* is planning a large wildlife management area on Lakewood Ranch Corporate Park, the Developer\* has prepared a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within Lakewood Ranch Corporate Park which provides additional protection of any listed species found on University Lakes and Lakewood Ranch Corporate Park. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that Lakewood Ranch Corporate Park is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer\* shall prepare a wildlife management plan to address the impacts of the Project\* on any listed species found on University Lakes, except for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University

Lakes. However, any taking must comply with FFWCC rules and the Developer\* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County\* for review and approval. **(Completed)**.

- C.(2) The Developer\* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed)**.
- C.(3) In accordance with applicable law, the Developer\* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County\* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.
- C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.
- C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County\* consistent with the provisions of the Manatee County Comprehensive Plan.
- C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County\*.

#### **Land**

- D.(1) The Developer\* shall initiate the following procedures to ensure erosion control during development of the Project\*:
  - (a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;
  - (b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;
  - (c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;
  - (d) Develop asphalt roads as soon as possible;
  - (e) Initiate landscaping before development work is completed on a site;
  - (f) Construct sediment basins at the start of each drainage system phase;
  - (g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;
  - (h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

- (i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

### **Air Quality**

E.(1) The Developer\* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project\*:

- (a) Implement a watering program during excavation and dredge and fill operations;
- (b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;
- (c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;
- (d) Keep soil stockpiles moist, or treat with soil binders or cover;
- (e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;
- (f) Remove dust producing materials as soon as possible;
- (g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;
- (h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;
- (i) Limit site work and construction to areas needed for immediate development;
- (j) Develop asphalt roads as soon as possible;
- (k) Initiate landscaping before development work is completed on-site; and
- (l) Utilize water spray trucks to control dust generation in heavy construction areas.

E. (2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phase IV. This Development Order\* must be amended prior to granting specific approval to Phase IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Project\*. **(Completed).**

### **Water Quality and Drainage**

F.(1) Prior to any site alteration associated with the Project\*, the Master Drainage Plan for the Project\* shall be submitted to DEP, SWFWMD, and EMD for review and to the County\* for approval. **(The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer\* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project\* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

- F.(2) Best Management Practices\* (BMP) for reducing water quality impacts, as recommended by the County\* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project\*.
- F. (3) The Developer\* shall be the entity responsible for maintaining the stormwater management system. The Developers\* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County\* for approval, prior to site alteration activities associated with the Project\*.
- F. (4) 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 the County\*.
- F. (5) Prior to any site alteration activities associated with the Project\*, the Developer\* shall implement a surface water quality and quantity monitoring program approved by the County\* (**Completed**). This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.
- F. (6) Prior to any site alteration activities associated with the Project\*, the Developer\* shall implement a groundwater monitoring program approved by the County\* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to

approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. **(Completed)**

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County\* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County\* for review and approval. **(Completed)**.

- F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County\*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.
- F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer\* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.
- F.(9) The Developer\* shall conduct biennial inspections of the environmental swale systems on the Project\* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Biennial Report.
- F.(10) Prior to any site alteration, the Developer\* shall develop and submit for approval by the County\* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

#### **Historical and Archaeological Sites**

- G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project\* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project\* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

## Water

- H.(1) The Developer\* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project\* to assure that adequate potable water capacity exists to accommodate the Project\*.
- H.(2) The Developer\* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the 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-3.041(1), Florida Administrative Code.
- H.(3) The Developer\* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.
- H.(4) The Developer\* shall maintain all water lines and fire hydrants not dedicated to the County\*.
- H.(5) The Developer\* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer\* shall submit an acceptable plan to the County\* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(The last two sentences have been completed)**
- H.(6) Adequate fire flow and water pressure shall be maintained within the Project's\* water supply system.
- H.(7) The Developer\* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.
- H.(8) The Developer\* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer\* and submitted with the first Biennial Report to TBRPC, SWFWMD, the County\* for review and further action if warranted. **(Completed)**

- H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

## **Wastewater**

- I.(1) The Developer\* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project\* to assure that adequate wastewater capacity exists to accommodate the Project\*.
- I.(2) No additional permanent septic system shall be permitted within the Project\*.
- I.(3) Sewer lift stations shall be designed and equipped in accordance with County\* regulations.
- I.(4) The Developer\* shall submit to the County\*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer\*. This plan must be approved by the County\* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Biennial Report.
- I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance 98-28).
- I.(6) The Developer\* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

## **Solid Waste**

- J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals\* for any non-residential land use within the Project\*, whichever occurs later, the Developer\* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County\*, and then distributed by the Developer\* to non-residential land users within the Project\*.

At a minimum, the plan shall:

- (a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;
- (b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;
- (c) Provide a list of agencies which can describe generally appropriate disposal methods;
- (d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

- (e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;
- (f) Describe a program to inform owners and tenants of the information contained in the Plan;
- (g) Provide a list of agencies which can describe typical spill cleanup methods; and
- (h) Be updated and distributed to each non-residential land user annually.

**(Said Plan has been approved)**

- J.(2) All Project\* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Biennial Report.
- J.(3) The Developer\* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project\* to assure that adequate solid waste capacity exists to accommodate the Project\*.
- J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.
- J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permissible temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.
- J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

**Recreation and Open Space**

- K.(1) The Project\* shall contain, at a minimum, 1,992.9 acres of open space. This acreage consists of 348.4 acres of recreational areas including golf courses, a 16.1 tennis/boat club, a 9.7 acre swim/tennis center and a 22.6 acre park. The open space also includes 674.3 acres of wetlands, 688.2 acres of lakes and 282.0 acres of common space consisting of wetland buffers, upland habitat, greenbelt and perimeter buffering.

Notwithstanding the above, if the County\* should decide the 22.6 acres of park is not needed, then the Developer\* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

- K.(2) All recreation and open space areas not deeded to the County\* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property



owners' association for the Project\* or neighborhood within the Project\*, as may be appropriate in accordance with the Land Development Code.

- K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA\*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.
- K.(4) The Project's\* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County\* and the Developer\* limiting the use as a park facility and times of operation.

### Education

- L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project\* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer\* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant\*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres. (Completed)
- L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer\* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project\* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County\* may require dedication of up to five acres of the designated school site parcel for active recreation. (No longer applicable. See Condition L (1) )

### Health Care, Police, and Fire

- M.(1) The Developer\* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer\* may, with the concurrence of the County\*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County\* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County\* and the Developer\*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Completed).

- M.(2) The Developer\* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer\* may, with the concurrence of the County\*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County\* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County\* and the Developer\*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development\* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**
- M.(3) The Project\* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.
- M.(4) The height of buildings allowed in the Project\* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.
- M.(5) Prior to approval of each Final Site Plan, the Developer\* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer\* shall provide calculations by a Florida registered engineer to the County\* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project\* by the County\*.
- M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project\*. The Developer\* shall participate, in accordance with applicable County\* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project\* or any phase or subphase thereof.

### **Economics**

- N.(1) Excess infrastructure capacity constructed by the Developer\* shall be at the Developer's\* risk and shall not vest latter development rights not addressed in this approval.
- N.(2) The Project\* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.
- N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

### **Energy**

- O.(1) Issuance of Development Approvals\* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

- O.(2) All Project\* tenants, businesses, residents, etc. shall be notified in writing by the Developer\* prior to occupancy that the following energy related practices are encouraged:
- (a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;
  - (b) Obtain energy audits provided by energy companies or other qualified agencies;
  - (c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;
  - (d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project\* construction;
  - (e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;
  - (f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;
  - (g) Institute and utilize recycling programs;
  - (h) Utilize energy efficient packaging or recyclable materials;
  - (i) Install total energy systems on large facilities when cost effective; and
  - (j) Elimination of advertising requiring lighting after business hours where feasible.
- O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA\* shall be required. A progress report on the energy conservation measures shall be included as a part of each Biennial Report.

### **Affordable Housing**

- P. (1) A cumulative assessment of the affordable housing needs of Phases I, II, III of the University Lakes DRI and Phase I of Lakewood Ranch Corporate Park has been performed. This assessment utilized the 2000 US Census as its source for rental vacancy data. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 390 affordable units. This analysis utilized the East Central Florida Regional Planning Council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.
- P. (2) The Developer shall provide, within 10 miles of the project boundary, a number of residential units equal to 10% of the total number of residential units constructed in University Lakes, Phase IV, that qualify as workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation P(4) below. The developer intends, but is not required, to locate the units within the Lakewood Centre DRI. Failure to construct such units shall result in the Developer making a fee-in-lieu payment in accordance with Condition P.(7). The workforce housing required herein is generally

designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.

- P. (3) Maximum home sale prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sale price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.
- P. (4) Maximum rental rates shall correspond to values as provided for in the Fair Market Rent Documentation System. These rates are updated periodically by Manatee County and shall be utilized accordingly. The rental rate in effect at the time a lease is executed shall apply.
- P (5) The Developer shall include in its biennial report data showing the number and sale prices of workforce sold or rented within the development during the reporting period. The biennial report shall also include the current Manatee County Maximum Income Limits Table and the current Fair Market Rent Documentation System. Only those units that have a sale price equal to or less than the maximum allowable home sales price or a rental rate equal to or less than the maximum allowable rental rate, as provided in P.(3) and P.(4), shall be counted toward the required mitigation.
- P (6) Should the Developer be unable to provide the required number of workforce housing units, the Developer shall be required to pay a fee of \$2,500 per workforce housing unit not provided. With each biennial report, the overall ratio of workforce housing units provided to the number of residential units constructed in University Lakes, Phase IV shall be determined. For each workforce housing unit under 10% the Developer shall make the payment of \$2,500 into an escrow account for the benefit of the Manatee County Housing Trust Fund. In the event the Developer constructs any such workforce housing unit in the next reporting period, the applicable \$2,500 payment shall be returned to Developer. In the event the developer fails to construct any such workforce housing unit by the next reporting period, the \$2,500 payment for each workforce housing unit not provided shall be turned over to the Manatee County Housing Trust Fund. At build out any fees for workforce housing units not provided that remain in the escrow account shall be returned to the developer if the workforce housing units are then provided as required here.

### **General Conditions**

- Q.(1) Should the Project\* significantly depart from the parameters set forth in this Development Order and the ADA\*, the Project\* will be subject to a Substantial Deviation Review, if required under the provisions of Section 380.06, Florida Statutes. Any change to the Project\* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.
- Q.(2) The Developer's\* commitments set forth in the ADA\*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.
- Q.(3) Should the Developer\* divest itself of all interest in the Project\* prior to the expiration of the Development Order, the Developer\* shall designate the successor entity to be responsible for preparation of the Biennial Report, subject to approval by the County\*.

- Q.(4) All Development Approvals\* shall be obtained prior to August 5, 2027. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.
- Q.(5) If required by the Land Development Code provisions in effect at the time of submittal, a Preliminary Site Plan for each phase shall be required.
- Q.(6) The Developer\* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.
- Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.
- Q.(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 February 22<sup>nd</sup> of every other year until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, 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 Planning Director 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 changes in the plan of development, or in the representations 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 original DRI site since the Development Order was issued;
  - (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 DEO, 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 Project\* 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(15)(f), 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) Reports or information pursuant to pertinent conditions herein requiring copies of information to be provided in the Biennial Report.
- Q.(9) The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. 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.
- Q.(10) Unless otherwise expressly stated in this Ordinance , the Project\* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.
- Q.(11) Wherever in this Development Order the Developer\* is required to file a Notice of Proposed Change, the Developer\* shall send a copy of said NOPC to Sarasota County and SWFRPC.
- Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer\* shall pay all reasonable costs and fees of County\* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer\* related to such fees and costs shall be paid within forty-five (45) days of submittal of an invoice.

## **Section 6. DEVELOPER\* COMMITMENTS**

The following are Developer\* commitments set forth in the ADA\* which shall be honored by the Developer\*, except as they may be superseded by specific terms of the Development Order or applicable law.

**A. GENERAL PROJECT\* DESCRIPTION**

- A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)
- A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project\*. (ADA\*, 16)
- A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)
- A.(4) The Project\* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

**B. WETLANDS**

- B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA\*, 16)
- B.(2) A total of approximately 674.3 Acres of native wetland habitats on-site will be preserved. (ADA\*, 65)
- B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA\*, 21)

**C. WATER**

- C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)
- C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)
- C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

**D. SOILS**

- D.(1) All of the methods described on pages 140 and 143 of the ADA\* will be utilized to overcome the soil limitations on-site. (ADA\*, 140 & 143)
- D.(2) The wind and soil erosion abatement methods listed in the ADA\* will be followed. (ADA\*, 143)

**E. FLOODPLAINS**

- E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA\*, 147)

**F. WATER SUPPLY**

- F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA\*, 155)
- F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA\*, 157)

**G. STORMWATER MANAGEMENT**

- G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA\*, 167)
- G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)
- G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA\*, 172)
- G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA\*, 174)
- G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA\*, 176)
- G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA\*, 183)
- G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's\* open space areas and pond system. (SR, 104)

**H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE**

- H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)



**I. TRANSPORTATION RESOURCES**

- I.(1) The Project\* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA\*, 23)
- I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)
- I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project\* as shown on Revised Map H. (SR, 132)

**J. AIR**

- J.(1) The Project\* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA\*, 21)
- J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA\*, 226)

**K. POLICE AND FIRE PROTECTION**

- K.(1) The Applicant/Developer\* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project\* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA\*, 25)
- K.(2) The Developer\* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project\*. (ADA\*, 259)

**L. RECREATION AND OPEN SPACE**

- L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)
- L.(2) The Project\* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA\*, 9; SR, 207)
- L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project\* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA\*, 9)
- L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA\*, 252-253)

**M. EDUCATION**

- M.(1) The Project\* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project\*, facilitating educational opportunities within close proximity for the school age children of the Project\*. (ADA\*, 24)

**N. ENERGY**

- N.(1) The Project\* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA\*, 27)
- N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)
- N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:
- (a) increased insulation;
  - (b) high efficiency-type mechanical appliances;
  - (c) cross ventilation;
  - (d) window orientation;
  - (e) solar heating and cooling systems; and
  - (f) low pressure sodium lamps for exterior lighting. (ADA\*, 265-266)
- N.(4) The Developer\* will implement, where feasible, the energy conservation measures described in the ADA\*. (ADA\*, p.263)

**O. AIR**

- O.(1) The Developer\* will implement the steps described in the ADA\* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA\*, 226)
- O.(2) The level of service of all roadways in the Transportation Impact Area\* will be maintained at LOS D or better, thereby maintaining air quality. (ADA\*, 228)

**P. WATER SUPPLY**

- P.(1) The Developer\* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA\*, 154)
- P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer\* would also consider the use of treated effluent from the County's\* regional wastewater treatment facilities. (ADA\*, 157)

**Q. WATER QUALITY AND DRAINAGE**

- Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA\*, 128)
- Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA\*, 168)
- Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA\*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA\*, 171)
- Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA\*, 172)
- Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA\*, 176)

**SECTION 7. LEGAL DESCRIPTION**

Development of University Lakes shall be restricted to the 4,101.2 acres owned by the Developer\* and described by the legal description included as Attachment # 4 attached to, and made a part of, this Development Order.

**SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION**

Physical development of the Project\* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

## **SECTION 9. RESTRICTIONS ON DOWN-ZONING**

Prior to August 5, 2027, the County\* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County\* can demonstrate that:

- (a) substantial changes in the conditions 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 of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes 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 or intensity of the Project\*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

## **SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES**

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

## **SECTION 11. BINDING ORDER UPON DEVELOPER\***

This Development Order shall be binding upon the Developer\*.

## **SECTION 12. RENDITION**

The Building and Development Services Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer\*, the Florida Department of Economic Opportunity (DEO), and TBRPC.

## **SECTION 13. 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 the Planning Department a copy of the recorded notice.

**SECTION 14. 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, and to this end the provisions of this Ordinance are declared severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

**SECTION 15. EFFECTIVE DATE**

Ordinance 12-34 shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

**SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.**

The previous Development Order for University Lakes which was adopted on October 16, 2007, and all subsequent amendments are hereby replaced in their entirety.

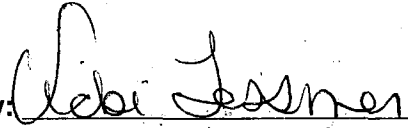
**ADOPTED AND APPROVED** with a quorum present and voting the 6<sup>th</sup> Day of December, 2012.

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

BY:   
John R. Chappie, Chairman



**ATTEST: R. B. SHORE  
Clerk of the Circuit Court**

By:   
Deputy Clerk

## **ATTACHMENTS**

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)
5. Equivalency Matrix (As attached herein)

ATTACHMENTS #1 AND 2, ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

**ATTACHMENT #4**

UNIVERSITY LAKES DRI

UNIVERSITY LAKES DRI

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 36, Township 35 South, Range 18 East, and Sections 25, 26, 28, 29, 31, 32, 33, 34, 35 and 36, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Begin at the southwest corner of said Section 29; thence N.00°22'41"E. along the west line of said Section 29, a distance of 2,656.56 feet; thence S.89°30'30"E., a distance of 211.38 feet; thence N.26°03'03"E., a distance of 41.16 feet; thence S.61°21'58"E., a distance of 186.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.61°21'58"E., a radial distance of 295.00 feet; thence northeasterly along the arc of said curve, through a central angle of 15°08'34", an arc length of 77.97 feet to the end of said curve; thence S.46°13'24"E. radial to the last described curve, a distance of 141.12 feet; thence N.33°11'55"E., a distance of 59.75 feet; thence N.85°03'09"E., a distance of 131.05 feet; thence S.61°13'40"E., a distance of 51.46 feet; thence S.89°30'48"E., a distance of 469.77 feet; thence N.00°29'12"E., a distance of 48.63 feet; thence S.89°30'30"E., a distance of 120.00 feet to the northeast corner of the West 1/2 of the Southwest 1/4 of the aforementioned Section 29; thence S.00°29'12"W. along the east line of the West 1/2 of the Southwest 1/4 of said Section 29, a distance of 2,658.57 feet to the north line of Section 32; thence S.89°30'25"E. along said north line, a distance of 1,269.55 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1-A, recorded in Plat Book 30, Page 189 of the Public Records of Manatee County; the following 3 calls are along said east line; thence S.00°29'35"W., a distance of 166.41 feet; thence S.58°34'00"E., a distance of 423.22 feet; thence S.01°20'47"W., a distance of 240.50 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126 of the aforementioned Public Records; the following 2 calls are along said north line; thence S.36°55'37"E., a distance of 85.33 feet; thence S.60°40'54"E., a distance of 184.30 feet to the west line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113; thence N.23°47'43"E. along said west line, a distance of 277.38 feet to the north line of said Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass; thence N.90°00'00"E. along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 33 of the aforementioned Public Records, a distance of 2,269.90 feet to a point on the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 3B & 4 a/k/a Gleneagles, recorded on Plat Book 34, Page 181 of the aforementioned Public Records; the following 7 calls are along said north line; thence N.07°30'16"E., a distance of 437.56 feet; thence N.72°30'29"E., a distance of 190.11 feet; thence S.17°29'31"E., a distance of 20.40 feet; thence N.72°30'29"E., a distance of 161.83 feet; thence S.26°06'53"E., a distance of 49.82 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°06'53"E., a radial distance of 58.00 feet; thence easterly along the arc of said curve, through a central angle of 24°50'29", an arc length of 25.15 feet to the end of said curve; thence N.72°30'29"E. non-tangent to the last described curve, a distance of 181.80 feet; thence N.76°17'54"E., a distance of 33.84 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.76°17'54"W., a radial distance of 550.00 feet; thence northerly along the arc of said curve, through a central angle of

59°36'16", an arc length of 572.16 feet to the point of reverse curvature of a curve to the right having a radius of 600.00 feet and a central angle of 73°58'28"; thence northwesterly along the arc of said curve, a distance of 774.66 feet to the point of tangency of said curve; thence N.00°40'06"E., a distance of 221.36 feet; thence S.89°31'24"E. parallel with the north line of the aforementioned Section 28 and 4077.34 feet southerly therefrom, a distance of 2,614.09 feet to the west line of the East 1/2 of said Section 28; thence S.00°45'47"W. along said west line, a distance of 1,236.76 feet to the South 1/4 corner of said Section 28; thence S.89°30'25"E. along the south line of said Section 28, a distance of 2,662.03 feet to the northwest corner of the aforementioned Section 34; thence N.89°57'56"E. along the north line of said Section 34, a distance of 120.02 feet; thence S.00°51'27"W., a distance of 1.87 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.89°08'34"E., a radial distance of 2,190.00 feet; thence southerly along the arc of said curve, through a central angle of 13°14'44", an arc length of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3,060.00 feet and a central angle of 10°28'18"; thence southerly along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 1076.32 feet to the southwest corner of premises described in Official Record Book 1532, Page 5848, of said public records; the following 2 calls are along the lines of said premises described in Official Record Book 1532, Page 5848; thence N.88°07'20"E., a distance of 1,147.54 feet; thence N.00°45'04"W., a distance of 877.03 feet; thence N.88°05'00"E., a distance of 155.33 feet to the point of curvature of a curve to the left having a radius of 2,723.82 feet and a central angle of 23°07'59"; thence easterly along the arc of said curve, an arc length of 1,099.74 feet to the point of reverse curvature of a curve to the right having a radius of 1,690.00 feet and a central angle of 21°24'41"; thence easterly along the arc of said curve, a distance of 631.55 feet to the point of tangency of said curve; thence N.86°21'42"E., a distance of 275.42 feet to the point of curvature of a curve to the left having a radius of 1,940.00 feet and a central angle of 38°34'52"; thence northeasterly along the arc of said curve, an arc length of 1,306.33 feet to the point of tangency of said curve; thence N.47°46'50"E., a distance of 466.55 feet to the point of curvature of a curve to the right having a radius of 2,610.00 feet and a central angle of 28°29'57"; thence northeasterly along the arc of said curve, an arc length of 1,298.23 feet to the point of tangency of said curve; thence N.76°16'47"E., a distance of 615.98 feet to the point of curvature of a curve to the right having a radius of 2,920.00 feet and a central angle of 30°55'19"; thence easterly along the arc of said curve, an arc length of 1,575.89 feet to the point of tangency of said curve; thence S.72°47'54"E., a distance of 1,139.89 feet to the point of curvature of a curve to the left having a radius of 2,940.00 feet and a central angle of 31°21'44"; thence easterly along the arc of said curve, an arc length of 1,609.28 feet to the point of tangency of said curve; thence N.75°50'22"E., a distance of 1,640.22 feet to the point of curvature of a curve to the right having a radius of 5,060.00 feet and a central angle of 14°11'52"; thence easterly along the arc of said curve, an arc length of 1,253.85 feet to the point of tangency of said curve; thence S.89°57'46"E., a distance of 1,827.12 feet to the east line of said Section 25; thence S.00°30'59"W. along said east line, a distance of 62.61 feet to the northeast corner of said Section 36; thence S.00°35'33"W. along the east line of said Section 36, a distance of 5,904.94 feet to the southeast corner of said Section 36; thence N.89°58'32"W. along the south line of said Section 36, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 35; thence continue N.89°58'32"W. along the south line of said Section 35, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 34; thence N.89°58'32"W. along the southerly line of Section 34, a distance of 5,320.24 feet to the southwest corner of said Section 34; thence N.89°58'32"W. along the southerly line of the aforementioned Section 33, a distance of 5,320.24 feet to the southwest corner of said Section 33; thence N.89°58'32"W. along the southerly line of the aforementioned Section 32, a distance of 5,320.24 feet to the southwest corner of said Section 32; thence N.89°58'32"W. along the southerly line of the aforementioned Section 31, a distance of 4,602.00 feet to the southwest corner of said Section 31, also being a point on the easterly Limited Access Right-of-way of State Road 93



(Interstate 75); the following 15 calls are along the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); thence N.00°37'10"E. along the west line of said Section 31, a distance of 615.67 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°06'12"E., a radial distance of 216.00 feet; thence northeasterly along the arc of said curve, through a central angle of 66°23'34", an arc length of 250.29 feet to the point of tangency of said curve; thence N.88°17'22"E., a distance of 628.58 feet; thence S.89°25'46"E., a distance of 298.15 feet; thence continue S.89°25'46"E., a distance of 133.30 feet; thence N.00°34'14"E., a distance of 336.00 feet; thence N.89°25'46"W., a distance of 606.88 feet; thence N.85°36'55"W., a distance of 460.53 feet to the point of curvature of a curve to the right having a radius of 396.00 feet and a central angle of 27°45'53"; thence westerly along the arc of said curve, an arc length of 191.90 feet to the end of said curve; thence S.01°15'38"W., a distance of 68.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.27°44'12"E., a radial distance of 456.00 feet; thence northwesterly along the arc of said curve, through a central angle of 34°29'47", an arc length of 274.55 feet to the point of tangency of said curve; thence N.27°46'01"W., a distance of 566.48 feet to the point of curvature of a curve to the right having a radius of 4,489.66 feet and a central angle of 12°57'00"; thence northerly along the arc of said curve, an arc length of 1,014.75 feet to the point of tangency of said curve; thence N.14°49'01"W., a distance of 899.55 feet; thence N.13°40'16"W., a distance of 1,016.33 feet; thence S.88°43'35"E., a distance of 1,369.65 feet; thence S.89°40'28"E., a distance of 1,438.64 feet; thence N.01°15'38"E., a distance of 1,532.73 feet to the north line of the aforementioned Section 31; thence S.89°40'28"E., a distance of 3,164.99 feet to the POINT OF BEGINNING.

Said tract contains 4131.64 acres, more or less.

LESS AND EXCEPT

THE TRACT KNOWN AS PARCELS NO.1, NO. 4, NO. 5 AND A PORTION OF COVENANT WAY

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 34, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the southwest corner of Said Section 34; thence S.89°58'32"E. along the south line of said Section 34, a distance of 678.97 feet to a point on the easterly line of premises described in Official Records Book 1532, Page 5845 of the Public Records of Manatee County, Florida; thence N.00°01'28"E. along said easterly line and the east line of Lorraine Road also described in said Official Records Book 1532, Page 5845, a distance of 1,020.28 feet to the southwest corner of premises described in Official Record Book 1555, Page 4954 of the Public Records of Manatee County, Florida; thence S.89°58'32"E., along the south line of said premises, a distance of 488.93 feet; thence N.00°01'28"E., along the east line of said premises and the northerly extension thereof, a distance of 891.04 feet to a point on the north line of Covenant Way (84-foot wide private roadway) as shown on Covenant Way, A Roadway Plat and recorded in Plat Book 37, Page 148 of the Public Records of Manatee County, Florida, also being a point on the southerly line of premises described in Official Record Book 1571, Page 4068 of said public records; the following 28 calls are along line of said premises described in Official Record Book 1571, Page 4068; thence N.88°05'00"E. a distance of 151.89 feet to the point of curvature of a curve to the right having a radius of 292.00 feet and a central angle of 33°21'59"; thence easterly along the arc of said curve, an arc length of 170.05 feet to the point of tangency of said curve; thence S.58°33'01"E., a distance of 208.77 feet to the point of curvature of a curve to the left having a radius of 211.00 feet and a central angle of 31°25'31"; thence easterly along the arc of said curve, an arc length of 115.73 feet to the point of tangency of said curve; thence S.89°58'32"E., a distance of 38.37 feet; thence

N.00°01'28"E., a distance of 391.85 feet; thence N.53°08'42"W., a distance of 108.39 feet; thence N.64°51'52"W., a distance of 72.10 feet; thence N.51°15'29"W., a distance of 71.24 feet; thence N.88°53'01"W., a distance of 64.72 feet; thence S.42°31'45"W., a distance of 48.99 feet; thence S.57°15'03"W., a distance of 43.67 feet; thence N.75°08'44"W., a distance of 93.01 feet; thence N.36°23'58"W., a distance of 51.93 feet; thence N.30°15'09"W., a distance of 120.41 feet; thence N.26°03'26"W., a distance of 83.03 feet; thence N.11°24'03"E., a distance of 191.05 feet; thence N.77°32'10"W., a distance of 49.33 feet; thence N.54°48'49"W., a distance of 53.50 feet; thence S.83°25'42"W., a distance of 39.97 feet; thence N.77°03'04"W., a distance of 27.57 feet; thence N.76°42'11"W., a distance of 51.49 feet; thence S.09°58'45"W., a distance of 46.64 feet; thence S.17°32'46"W., a distance of 26.17 feet; thence N.55°40'30"W., a distance of 120.52 feet; thence S.34°19'30"W., a distance of 52.27 feet; thence S00°00'00"W., a distance of 86.03 feet; thence S.88°05'00"W., a distance of 286.50 feet to the aforementioned east line of Lorraine Road; the following 3 calls are along said east line of Lorraine Road; thence S.01°55'00"E., a distance of 791.84 feet to the point of curvature of a curve to the right having a radius of 10,560.00 feet and a central angle of 01°56'28"; thence southerly along the arc of said curve, an arc length of 357.76 feet to the point of tangency of said curve; thence S.00°01'28"W., a distance of 382.49 feet to the POINT OF BEGINNING.

Said tract contains 24.95 acres, more or less.

THE TRACT KNOWN AS THE CRICKET CLUB:

DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S89°58'32"E, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 3762.59 FT.; THENCE N00°01'28"E, PERPENDICULAR WITH SAID SOUTH LINE, A DISTANCE OF 801.79 FT. FOR A POINT OF BEGINNING; THENCE N00°00'00"E (NORTH), A DISTANCE OF 358.16 FT.; THENCE N85°08'24"E, 58.79 FT.; THENCE N54°54'36"E, 292.35 FT.; THENCE N90°00'00"E (EAST), 221.92 FT.; THENCE S00°00'00"E (SOUTH), 528.25 FT.; THENCE N85°00'17"W, A DISTANCE OF 48.76 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2303.68 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°44'23", A DISTANCE OF 472.02 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 5.52 ACRES MORE OR LESS.

The above tract contains in total 4,101.17 acres, more or less.

**LAND USE EQUIVALENCY  
UNIVERSITY LAKES, PHASE III  
ATTACHMENT 5  
DECEMBER 2005**

"A"	"B"									
LAND USES THAT ARE TO BE TRADED	EQUIVALENT USES									
	# OF SINGLE-FAMILY DWELLING UNITS	# OF SINGLE-FAMILY ATTACHED UNITS	# OF MULTI-FAMILY APARTMENTS	# OF SQ. FT. NEIGHBORHOOD COMMERCIAL	# OF SQ. FT. COMMUNITY COMMERCIAL	# OF SQ. FT. OFFICE	# OF SQ. FT. LIGHT INDUSTRIAL	# OF SQ. FT. MANUFACTURING	# OF SQ. FT. WAREHOUSING	# OF HOTEL ROOMS
ONE SINGLE FAMILY DETACHED DWELLING UNIT	(1.00)	(1.85)	(1.50)	(255.00)	(270.00)	(310.00)	(835.00)	(880.00)	(860.00)	(1.41)
SINGLE FAMILY ATTACHED	(0.48)	(1.00)	(0.83)	(120.00)	(127.00)	(147.00)	(392.00)	(410.00)	(405.00)	(0.65)
MULTI FAMILY APARTMENT	(0.58)	(1.20)	(1.00)	(146.00)	(155.00)	(180.00)	(475.00)	(500.00)	(490.00)	(0.80)
1000 SQ. FT.OF COMMUNITY RETAIL	(1.96)	(3.60)	(3.00)	(945.00)	(1000.00)	(1165.00)	(3050.00)	(3225.00)	(3175.00)	(5.00)
1000 SQ. FT.OF NEIGHBORHOOD RETAIL	(2.00)	(3.85)	(3.20)	(1000.00)	(1060.00)	(1225.00)	(3250.00)	(3425.00)	(3375.00)	(5.50)
1000 SQ. FT. OF OFFICE	(0.38)	(0.70)	(0.58)	(185.00)	(195.00)	(1000.00)	(1780.00)	(1050.00)	(1825.00)	(0.98)
1000 SQ. FT. OF MANUFACTURING	(0.37)	(0.65)	(0.55)	(175.00)	(190.00)	(365.00)	(950.00)	(1000.00)	(995.00)	(0.95)
1000 SQ. FT. WAREHOUSING	(0.21)	(0.39)	(0.32)	(100.00)	(105.00)	(370.00)	(950.00)	(575.00)	(1000.00)	(0.54)
1000 SQ. FT. OF LIGHT INDUSTRIAL	(0.22)	(0.40)	(0.34)	(105.00)	(115.00)	(575.00)	(1000.00)	(600.00)	(1050.00)	(0.55)
ONE HOTEL ROOM	(0.40)	(0.70)	(0.61)	(185.00)	(195.00)	(225.00)	(635.00)	(620.00)	(620.00)	(1.00)

\* The calculations must always start in Column "A" and end in Column "B". Start in Column "A" at appropriate row, proceed horizontally, then vertically to the equivalent use in Column "B". The equivalent Column "B" land use is noted in the ( ) at the intersection of the "traded land use" horizontal row, and the "equivalent uses" vertical column. For example, one Single Family Attached unit (Column "A", second row) can be traded into 127 sq. feet of Community Commercial. The intersection of the Single Family Attached unit row, and the Community Commercial column is 127 Sq. Feet.

**LAND USE SCHEDULE**

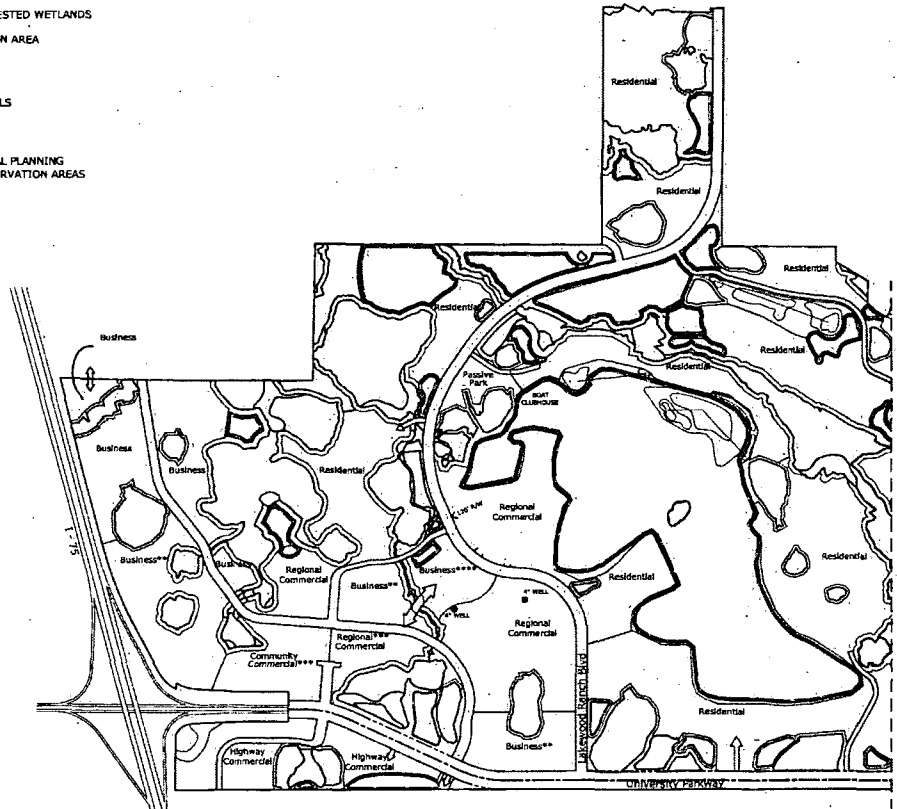
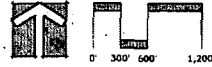
USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
<b>TOTAL</b>	<b>4,101.2</b>	<b>2,109,376</b> 150 Hospital beds	<b>3,941</b>

\*Includes 620 hotel rooms

**LEGEND**

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS
- CELL TOWER

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



- \*\* Permitted Commercial square footage may be allowed in these Business Parcels.
- \*\*\* Permitted Community, Highway and Regional Commercial square footage may be allowed in these Community Commercial Parcels.
- \*\*\*\* Permitted Commercial square footage and Multifamily Residential may be allowed in this Business Parcel.

**DRI#22/ORD-12-34**  
 20120255(1)  
 University Lakes DRI  
 Development Order and Map H  
 Application

ACTIVITY: DESIGN DESIGNED BY: CWS/1995 CHECKED BY: CONTRACT ADMIN. BY: DATE: 02/21/05		<b>WilsonMiller</b> <small>Planners • Engineers • Designers • Architects • Landscape Architects • Program/Policy Consultants</small> WilsonMiller, Inc. <small>228 North 20th Street • Tampa, Florida 33602 • Phone: 813-289-0000 • Fax: 813-289-0000 • www.wilsonmiller.com</small>		CLIENT: SCHROEDER-MANATEE RANCH, INC PROJECT: UNIVERSITY LAKES		DATE: 02/21/05 SCALE: 1" = 400' SHEET NUMBER: 1 OF 3 PROJECT NUMBER: 215610613		TITLE: MASTER DEVELOPMENT PLAN MAP H	
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### LAND USE SCHEDULE

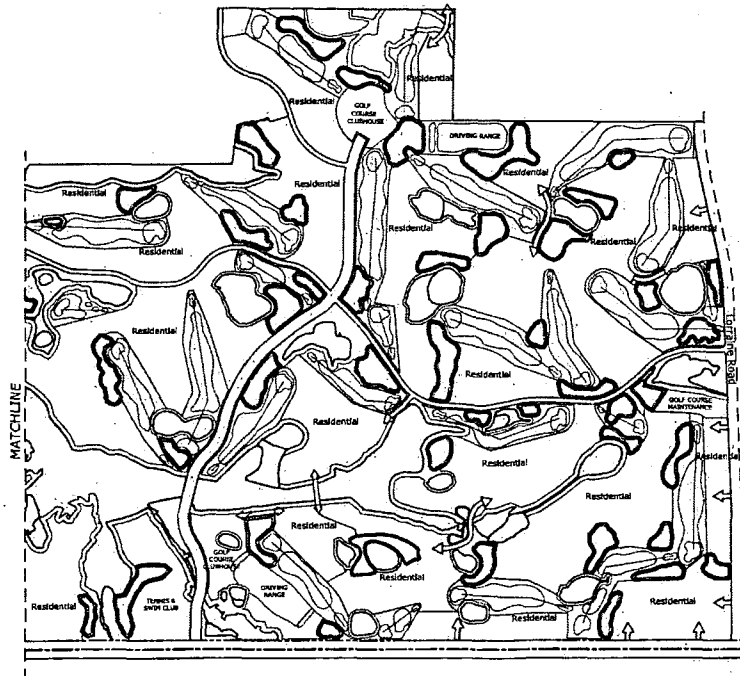
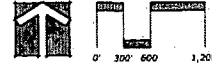
USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	577,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
<b>TOTAL</b>	<b>4,101.2</b>	<b>2,109,376</b> 150 Hospital beds	<b>3,941</b>

\*Includes 620 hotel rooms

### LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



Adopted June 1, 1992 (Ord. 92-32)  
 Amended October 28, 1993 (Ord. 93-25)  
 Amended January 25, 1996 (Ord. 95-44)  
 Amended October 28, 1997 (Ord. 97-61)  
 Amended December 16, 1997 (Ord. 97-81)  
 Amended February 22, 2000 (Ord. 00-45)  
 Amended December 18, 2001 (Ord. 00-60)  
 Amendment August 26, 2003 (Ord. 03-35)  
 Amendment October 19, 2004 (Ord. 04-59)  
 Amendment October 16, 2007 (Ord. 07-72)  
 Proposed Amendment Submitted July 2012

<b>Wilson Miller</b> Architects - Engineers - Planners - Surveyors - Landscape Architects - Transportation Consultants 222 8th Street - Tampa, Florida 33602 - Phone 813-251-0001 - Fax 813-251-0002 - Web Site www.wilsonmiller.com		CLIENT: SCHROEDER-MANATEE RANCH, INC PROJECT: UNIVERSITY LAKES	DATE: 08/12/12 PROJECT NO.: 715610613 SHEET NO.: 2 of 3	TITLE: MASTER DEVELOPMENT PLAN MAP H
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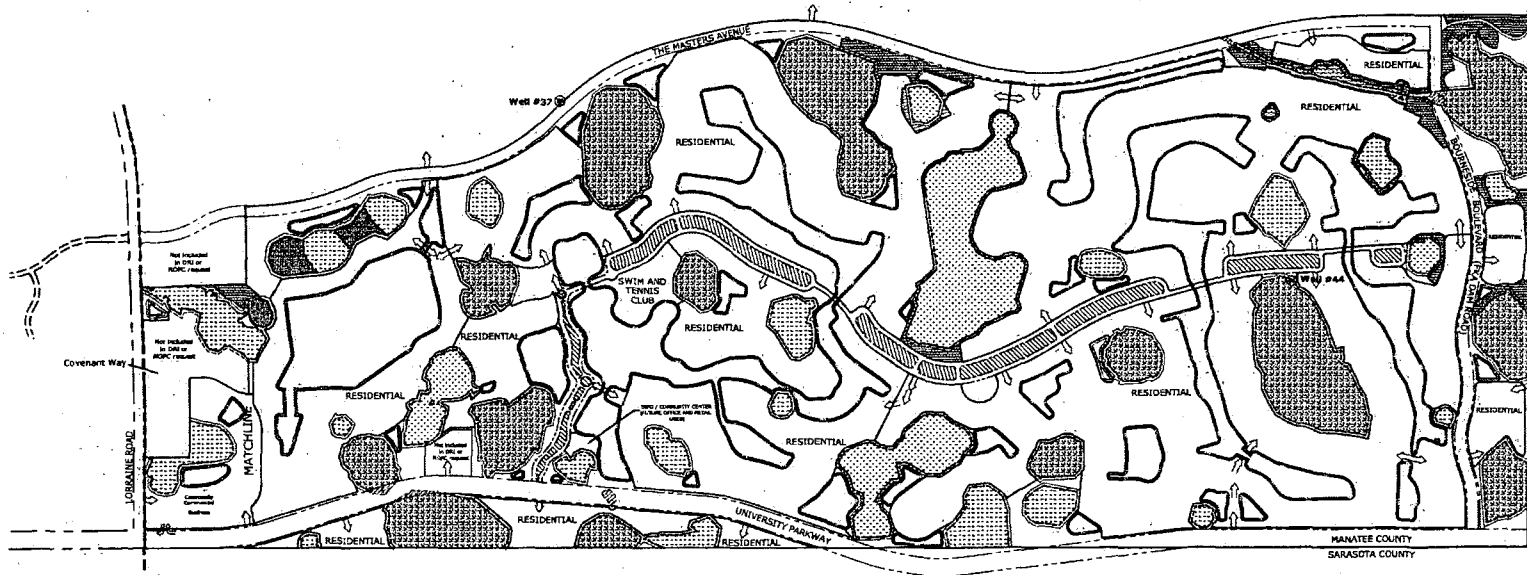
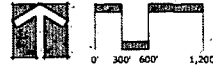
**LAND USE SCHEDULE**

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
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WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
<b>TOTAL</b>	<b>4,101.2</b>	<b>2,109,376</b> 150 Hospital beds	<b>3,941</b>

\* Includes 620 hotel rooms

**LEGEND**

- TEMPERATE HARDWOODS
  - LIVE OAKS
  - STREAM & LAKE SWAMPS (T.B.R.P.C.)
  - INLAND PONDS & SLOUGHS (T.B.R.P.C.)
  - MIXED WETLAND HARDWOODS (T.B.R.P.C.)
  - FRESHWATER MARSHES
  - WET PRAIRIES
  - WETLAND MITIGATION AREAS
  - VEGETATED NON-FORESTED WETLANDS
  - UPLAND PRESERVATION AREA
  - PALMETTO PRAIRIE AREAS
  - LINEAR PARK
  - LAKES
  - EXISTING WATER WELLS
  - CELL TOWER TO BE RELOCATED OUTSIDE THE PROJECT BOUNDARY
- (T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



NOTE: ALL ROADS WILL BE TWO-WAY

<b>Wilson Miller</b> <small>Planners • Engineers • Architects • Surveyors • Landscape Architects • Transportation Consultants</small> Wilson Miller, P.C. <small>2825 North 28th Street • Tampa, Florida 33629 • Phone: (813) 987-0222 • Fax: (813) 987-0223 • Web: www.wilsonmiller.com</small>		CLIENT: SCHROEDER-MANATEE RANCH, INC PROJECT: UNIVERSITY LAKES	DATE: JULY 2012 DRAWING NO.: 215610613 PROJECT NO.: 215610613	TITLE: MASTER DEVELOPMENT PLAN MAP H	SHEET NUMBER: 3 of 3
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STATE OF FLORIDA, COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 12th day of December, 2012

R.B. SHORE  
Clerk of Circuit Court

[Signature] D.C.





## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

RECEIVED

DEC 18 2012

BOARD RECORDS

December 14, 2012

Honorable R. B. "Chips" Shore  
Clerk of the Circuit Court  
Manatee County  
Post Office Box 25400  
Bradenton, Florida 34206

Attention: Quantana Acevedo, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 12, 2012 and certified copies of Manatee County Ordinance Nos. PDMU-92-01(G)(R14), PDR-89-05(G)(R10), 12-20, and 12-34, which were filed in this office on **December 13, 2012**.

As requested, one date stamped copy of each ordinance is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr

Enclosure