

**MANATEE COUNTY ZONING ORDINANCE**  
**PDMU-92-01(G)(R15) SCHROEDER-MANATEE RANCH, INC.**  
(AKA SMR Communities Joint Venture, a Florida general partnership)  
(UNIVERSITY LAKES)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RELATING TO LAND DEVELOPMENT, APPROVING AN AMENDED ZONING ORDINANCE AND A REVISED GENERAL DEVELOPMENT PLAN INCLUDING THE FOLLOWING REVISIONS: DIMENSIONAL TABLE FOOTNOTES ON THE GENERAL DEVELOPMENT PLAN AND IN CONDITION Q.(1) RELATIVE TO MAXIMUM BUILDING HEIGHT ON PARCEL 21; MODIFY DIMENSIONAL STANDARDS FOR SINGLE-FAMILY ATTACHED UNITS; REVISE CORRESPONDING STIPULATIONS TO BE CONSISTENT WITH THE NEW DIMENSIONAL STANDARDS; MODIFY AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES; UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN; UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS; OTHER MINOR AMENDMENTS AND AMENDMENTS FOR INTERNAL CONSISTENCY. AMENDING THE GENERAL DEVELOPMENT PLAN AND ZONING ORDINANCE TO SHOW THESE CHANGES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

**Section 1. AMENDMENT AND RESTATEMENT OF ORDINANCE PDMU-92-01(G)(R14).** Ordinance PDMU-92-01(G)(R14), is hereby amended and restated in its entirety. All prior zoning ordinances shall be superseded by this Ordinance.

**Section 1. FINDINGS OF FACT.** The Board of County Commissioners of Manatee County, after considering the testimony, evidence, documentation, application for amendment of the Zoning Ordinance and the General Development Plan for University Lakes, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Planning Commission has held duly noticed public hearing on September 11, 2014 and the vote taken on the motion to find the application and the revised General Development Plan consistent with the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and to recommend approval of the application and General Development Plan resulted in a tie vote, which is deemed to be a recommendation to deny the application pursuant to the Rules of Procedure of the Planning Commission; and
- B. The Board of County Commissioners held duly noticed public hearings on October 2, 2014 and November 6, 2014, regarding the proposed the Zoning Ordinance and the revised General Development Plan dated June 2014 described herein in accordance with the requirements of the Manatee County Land Development Code, and further considered the information received at the public hearing.

the revised General Development Plan dated June 2014 described herein in accordance with the requirements of the Manatee County Land Development Code, and further considered the information received at the public hearing.

- C. The proposed revised General Development Plan regarding the property described in Section 4 herein and Zoning Ordinance PDMU-92-01(G)(R15) is found to be consistent with the requirements of the Manatee County Comprehensive Plan.
- D. The Board of County Commissioners hereby finds: the revised general development plan designated PDMU-97-01(G) (R15) is on-balance compatible with and furthers the objectives, policies, land uses, and densities in the Comprehensive Plan and meets all of the criteria in the Land Development Code for approval of a general development plan. ,
- E. On November 6, 2014, the BOCC found that, based upon a review of surrounding uses and the criteria listed in LDC Section 603.7.4.9, that as conditioned herein, multi-family structures on Parcel 21 of up to 7 stories are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas, or entranceways.
- F. The University Lakes Zoning Ordinance was originally approved on June 1, 1992 and amended on October 28, 1993. The approved project consisted of a mixture of land uses, including residential, commercial, business (industrial and offices), and recreation on 2,352.7 acres.

On January 25, 1996, the Zoning Ordinance was amended to add 69.8 acres without increasing development totals.

On October 22, 1997, the Zoning Ordinance was amended to extend the buildout and expiration dates, modify the site plan, employ the land use tradeoff, and make other various changes.

On December 11, 1997, the Zoning Ordinance was amended to allow a hospital use in Phase II.

On October 27, 1998, the Zoning Ordinance was amended to allow a land use exchange to increase the amount of single- family residential and office uses in Phase I and decrease the amount of multifamily and industrial uses in Phase I.

On February 22, 2000, the Zoning Ordinance was amended to add an access point, modify land use entitlements and other relevant changes.

On October 23, 2001, the Zoning Ordinance was amended to approve a land use exchange that decreased industrial and commercial square footage and increased office entitlements.

On December 18, 2001, the Zoning Ordinance was amended to modify land use entitlements to allow the addition of 300 hotel rooms.

On August 26, 2003, the Zoning Ordinance was amended to extend phasing dates, swap land with the Cypress Banks DRI, and other modifications.

On October 19, 2004, the Zoning Ordinance was amended 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 units, decreased 450 hotel rooms, and other changes to acreages and entitlements.

On October 16, 2007, the Zoning Ordinance and General Development Plan were amended to increase hotel rooms by 450, amend locations and sizes of various development areas and other changes as needed.

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.

On August 7, 2008, the Zoning Ordinance and General Development Plan were amended to approve a land use exchange to add 105,928 square feet of General Commercial by: decreasing single-family detached dwellings by 32 in Phase IV; decreasing multi-family units by 70 in Phase IV; decreasing Neighborhood Commercial by 39,803 square feet in Phase IV, decreasing Business Office by 226,908 square feet; amended Tables C and D to reflect these changes and other minor changes as needed.

On October 25, 2011, the Zoning Ordinance and the General Development Plan were amended to modify dimensional criteria conditions related to Business Parcel 15 and to reallocate 100 multi-family units from Parcel 53 to 15, reallocate 16,791 square feet of non-residential square footage from Parcel 15 to Parcel 4/5.

On December 6, 2012, the Zoning Ordinance and General Development Plan were amended to eliminate maximum increases in land use exchanges, recognize the revocation of the Development Review Agreement that required the combined review of University Lakes and Lakewood Ranch Corporate Park for certain purposes and modified transportation conditions based upon such revocation, modified affordable housing conditions consistent with current practices, updated

conditions to reflect compliance with requirements contained therein, provided for flexibility in unit allocation among parcels, updated the phasing and buildout dates to reflect legislatively approved extensions, and other amendments for internal consistency.

## **Section 2. DEFINITIONS**

Note: An asterisk (\*) denotes that the word is defined.

- A. "Application for Development Approval\*" (or ADA\*) shall mean University Lakes Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer\* on October 25, 1991, and Appendix E Cumulative Affordable Housing Analysis, the NOPC submitted on July 10, 1995, the second NOPC submitted on March 26, 1997 and amended on July 17, 1997, the NOPC submitted on August 28, 1997, and the NOPC submitted on December 31, 1998, on January 24, 2000 regarding the fifth NOPC; on September 21, 2001 regarding the sixth NOPC, on October 8, 2002 regarding the seventh NOPC; on October 22, 2003 regarding the eighth NOPC; and on October 19, 2004 regarding the ninth NOPC; and on October 16, 2007 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. "Cluster Villas\*" shall mean a dwelling which is joined to another such unit in groups of at least two (2) or no more than nine (9) units by a common party wall, floor and ceiling, or connecting permanent structure such as breezeway, carport, or garage, where the dwellings are located on adjoining lots, such as townhouses, or on commonly owned lots.
- D. "County\*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).
- E. "Development Plans\*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County.
- F. "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.
- G. "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.

- H. "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 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 of shall not be deemed or construed to constitute the discharge of any obligation of the Developer\*.
- I. "Dwelling, Single-Family Semi-Detached" shall mean a one (1) family dwelling which is joined to no more than one (1) other such unit by a common party, wall, a common floor/ceiling or connecting permanent structure such as breezeways, carports, garages, screening fences, or walls, where such two (2) dwelling units are also located on adjoining individual lots such as duplex dwellings which have been divided into two (2) dwelling units on separate lots.
- J. " SRPP\*" shall mean the TBRPC's Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.
- K. "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.
- L. "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 Tables A and B 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 year plus the first 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 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 Tables A and B.
- M. "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\*.
- N. "Project\*" shall mean the land uses, phasing, and improvements described in the ADA\* which are attributable to development on that property described in Section 4 herein and set forth on Revised General Development Plan attached hereto as Attachment #3.
- O. "Residential Resort Units\*" shall mean residential dwelling units which are leased for less than 28 consecutive days.
- P. "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 (attached hereto as Attachment #4) which was based on data submitted with the ADA\*.
- Q. "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 3. GENERAL DEVELOPMENT PLAN STIPULATIONS**

Subject to the stipulations below, the revised General Development Plan, dated, June, 2014 entitled UNIVERSITY LAKES, is hereby APPROVED to update conditions to reflect compliance with the requirements contained herein.

**Transportation**

A.(1) The revised and updated Phase I, II, III, and IV University Lakes transportation analysis determined the need for the improvements described in Table A below.

**Table A  
Improvements**

Improvement Number	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	Improved 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	D	3681

\*This column represents the cumulative number of peak hour external trips for the Project\* before the need of the identified improvements for the respective phase. Land Uses as depicted in Table 2 for 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 the improvements shall be determined in Construction Plan permitting phase.

A.(2) The improvements listed in Table A include critical improvements for the development of Phase I, II, III and IV of the Project\*.

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 subphase for the Project\* has been identified in Table A 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 improvements 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 A for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer\* 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.

The Developer\* shall be bound by the subphase external trip threshold and schedules set forth in Table A, unless the Developer\* files an amendment to this Development Order pursuant to § 380.06 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 A) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table A 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 A 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) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(6) Within three years of the effective date of the original Development Order or at the request of the County\*, a biennial 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 an 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.
- A. (11) As shown in the revised and updated traffic analysis for Phase I, II, III and IV of the Project\*, net external P.M. peak hour vehicle trips shall be limited to 5,161 which includes net new external trips, pass-by trips, and Lakewood Ranch Corporate Park captured trips (2,329 enter trips/2,832 exit trips) for the Project\*. The Developer\* shall not be entitled to a Final Site Plan approval which would result in the number of external p.m. peak hour trips for the Project\* to exceed this limit, and no further Final Site Plan approvals shall be granted unless the Developer\* uses the statutory procedure to revise the traffic analysis and provide mitigation for any additional impacts.
- A.(12) The applicant shall be responsible for the costs of all traffic lights attributable to the development.
- A. (13) A road dedicated to Manatee County (that is non-CDD road) shall be constructed between University Parkway and Masters Avenue at a location approved by the Public Works Department. The location of the road shall be shown with the first Final Site Plan approved after October 19, 2004. The roadway shall be constructed with Phase IV of the development. Timing of construction within Phase IV will be determined by the Board of County Commissioners during approval of said phase.
- A. (14) The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in the sales contract or a separate addendum to the sales contract, and in the Final Site Plan and shall include language informing prospective homeowners of the construction of a future north-south roadway described in Stipulation A.13 above.
- A. (15) At the time of Preliminary Site Plan, Final Site Plan and Construction Plan approval for each phase of the project the developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this project, as determined by the Public Works

Department, and in accordance with LDC Section 722.1.3.4., as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

## **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 General Development Plan.
- (a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised General Development Plan 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 General Development Plan.
- 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 General Development Plan. 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 General Development Plan, 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.

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/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 and 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 General Development Plan. 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 Wildlife Conservation Commission (FWCC) 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 eliminated, 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 FWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FWCC rules and the Developer\* must obtain a gopher tortoise incidental take permit from the FWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the FWCC 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 Lakewood Ranch Boulevard and The Masters Avenue 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\*.
- C.(7) Prior to each Final Site Plan approval, the site shall be reevaluated for the presence of listed species. Where applicable, Wildlife Management Plans shall be approved by the Florida Fish and Wildlife Conservation Commissions or U.S. Fish and Wildlife Service prior to Final Site Plan approval. Relocation or Take Permits shall be obtained from the appropriate State or Federal Agency prior to commencement of construction.

## **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 DER, 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 requirements of Chapter 62-25 and 40D-4, 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 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. 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, 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 NRD. 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 biennialannual 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)**
  
- F.(11)The developer shall provide a drainage easement to Manatee County to accept stormwater for that portion of the following planned thoroughfare roadways that are located immediately adjacent to the project to accommodate the following planned build-out conditions. The developer shall design and construct the stormwater capacity for that portion of the following planned thoroughfare roadways within the project area and such design and construction shall be included in the SWFWMD permit documentation.

Lakewood Ranch Boulevard	4 lanes
Masters Avenue	4 lanes
University Parkway	
I-75 to Lakewood Ranch Boulevard	6 lanes
Lakewood Ranch Blvd. to east boundary	4 lanes
Lorraine Road	4 lanes
Bourneside Boulevard (Dam Road)	4 lanes

### **.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 of Condition H.(5) 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 No. 98-28, as amended).
- 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 Original 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 clean up 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 acre 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 (19), 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.
- K.(5) Regardless of the ownership of the golf course facility(ies) within the project boundaries, the use of those lands for anything other than recreation shall be subject to a Substantial Deviation Determination if required by Subsection 380.06 (19), Florida Statutes.

### **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 firefighting 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, SCRPP\*, 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.

### **General Conditions**

- P. (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.

- P. (2) The Developer's\* commitments set forth in the ADA\* shall be honored, except as they may be superseded by specific terms of the Development Order.
- P. (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\*.
- P. (4) All Development Approvals\* shall be obtained prior to December 4, 2028. 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.
- P. (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, safety precautions, and evacuation plans.
- P. (7) The Developer\*, its successors, assigns, or transferees, shall submit Biennial DRI Reports in accordance with Subsection 380.06(18), Florida Statutes to the County\*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on February 22nd 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 Building and Development Services 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 Building and Development Services 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

years;

- b. A summary comparison of development activity proposed and actually conducted for the years;
- 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 years;
- 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. Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;
- l. Reports or information pursuant to pertinent conditions herein requiring copies of information to be provided in the Biennial Report. .

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 the

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.

- P.(8) Unless otherwise expressly stated in this Ordinance or the Development Order of the DRI, the Project\* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.
- P.(9) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Economic Opportunity , 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.
- P. (10) Wherever in this Development Order or the University Lakes DRI Development Order the Developer is required to file a Notice of Proposed Change, the Developer shall send a copy of said Notice to Sarasota County and SWFRPC with said Notice.

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**Land Conditions**

Q. (1) The setbacks and height for land uses shall be as follows:

USES	HEIGHT MAXIMUM ****	LOT WIDTH *	FRONT	SIDE	REAR
Single Family Detached	35 ft.	45 - 79 ft.	20/15ft.***/ 5 ft	6 ft.	15 ft./ 5 ft
Single Family Detached	35 ft.	80 or greater ft.	25/20 ft. ***/ 5 ft	8 ft.	15 ft./5 ft.
Zero Lot Line (SFD)	35 ft.	45 ft.	20/15 ft.***	0 ft./10 ft.**	15 ft.
Single Family Attached	35 ft.	24 ft.	20/15 ft. ***/ 5 ft.	0/8 ft.+	15 ft./ 5 ft.
Single Family Semi-Detached	35 ft.	35 ft.	20/15 ft. ***	0/8 ft.+	15 ft.
Duplex	35 ft.	80 ft.	20/15 ft.***	8 ft.	15 ft.
Multi-Family	4 stories++		20 ft.	10 ft.	25 ft.
Commercial	35 ft.		40 ft.	15 ft.	20 ft.
Office/Hotel	10 stories		40 ft.	15 ft.	20 ft.
Industrial	6 stories		30 ft.	15 ft.	20 ft.
School, Park Recreation Center	35 ft.		25 ft.	15 ft.	15 ft.

- \* Minimum lot width is measured at setback line.
- \*\* Applies to one side (when one yard is measured at 0 feet the other yard must be ten feet), or end unit.
- \*\*\* Front setback for units with side entry garages.
- \*\*\*\* Section 702.5 of the Manatee County Land Development Code shall not apply to the maximum height of buildings within the University Lakes Project. In instances where structures are proposed adjacent to I-75, for each 1 foot of height over 35 feet, the setback from the I-75 right-of-way shall be increased by 1 foot. Structures which are proposed to be located within 200 feet from the Project\* boundary on sites which are adjacent to off-site residential zoning or uses shall be limited to four stories. Structures which are proposed to be located within 400 feet of I-75 cannot exceed six stories.
- + Applies to end unit.
- ++ Seven (7) stories allowed in Town Center parcel and Nine (9) stories allowed in Business Parcel 15. The structures on Business Parcel 15 shall be in substantial compliance with the graphics provided at the public hearing on October 16, 2007 or October 25, 2011. At time of Preliminary/Final Site Plan, if the applicant proposes elevations less than nine stories for Business Parcel 15 that are not in substantial compliance with the elevations entered into the Record, staff may review and administratively approve the new elevations, provided they are consistent with LDC Section 603.7.4.9, Building Height. The applicant may appeal staff's decision regarding the proposed elevations to the Board of County Commissioners at an advertised public hearing.

Q. (2) Buildings in said Project\* which are adjacent to Interstate 75 or University Parkway shall be finished so that the facades which face said roads are either the front facades or finished in the same materials as the front facades.

Q. (3) Dumpsters or compactors to be used for the temporary storage of solid waste shall not be located in front of any buildings, and these units shall meet all minimum setback requirements. These units shall be screened from view of any collector or arterial roadway. Specific locational approval for these units is required during Preliminary and Final Site Plan

review.

- Q. (4) Access to and from the site shall be in accordance with state and local access regulations and with the number and general location as shown on Attachment #1.
- Q. (5) A pre-design conference between the Developer\* and County\* staff shall be held prior to submittal of Construction Drawings for the Project\* to discuss the points of connection for potable water and wastewater service and the configuration of the potable water and sanitary sewer systems.
- Q. (6) The Developer\* shall submit a Master Plan for potable water, wastewater, and fire protection prior to construction plan submittal. The Developer\* shall also be responsible for determining if upgrading of off-site potable water and wastewater facilities is necessary prior to construction plan submittal to provide adequate potable water, sanitary sewer or fire protection service to the portion of the development for which such service is being requested. Oversizing of potable water and wastewater facilities may be necessary to provide for future development in or adjacent to the Project\* and the Developer\* shall participate in such oversizing in accordance with applicable County\* ordinances or policies.
- Q. (7) The Developer\* will investigate appropriate recycling efforts both during and after construction.
- Q. (8) It is strongly suggested that the Developer\* investigate the possibilities associated with the mulching of the trees and brush that will be removed as land clearing operations commence. The mulch could then be retained on site to meet the Developer's\* needs for landscaping and cover material during construction.
- Q. (9) The commercially designated sites adjacent to Lakewood Ranch Boulevard shall not be developed in excess of .23 floor area ratio or 150,000 square feet, which ever is less.
- Q. (10) Prior to the development of any commercial land uses on Lakewood Ranch Boulevard, the Developer\* shall dedicate the necessary right-of-way and construct and complete the referenced roadways providing a continuous connection between University Parkway and State Road 70.
- Q. (11) No adult entertainment establishments shall be permitted within this Project\*.
- Q. (12) The land uses approved on this site are limited as described on the General Development Plan.
- Q. (13) Individual driveways for individual residences shall not be allowed direct access to the major internal roadway as shown on the General Development Plan and reverse frontage lots shall be required adjacent to said roadways.
- Q.(14) The Developer\* shall dedicate or make available for public use at the option of the County\*, a minimum of 14.5 acres of the designated parks (as shown on the General Development Plan). These parks must be available in conformance with Level of Service requirements but in no event shall this be postponed later than completion of Phase II. (Completed)

- Q. (15) The Development\* consists of the area and land uses described in Table C and the area and land uses by phase as described in Table D. Phases I, II, III, and IV of the Development\* are approved subject to the conditions found within this Development Order. Certificates of Level of Service shall be issued for Phase IV for land uses and acreage, subject to the performance by Developer of the stipulations contained in this ordinance. The Certificate of Level of Service shall be limited to, roadway capacity, mass transit, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code. The Certificate of Level of Service for potable water and sanitary sewer must be obtained with each Final Site Plan.
- Q. (16) The setback for the secondary front yard of residential corner lots shall be a minimum of fifteen (15) feet.
- Q. (17) Where side yards are adjacent to rear yards of corner lots, the driveway on the adjacent lot (non-corner lot) shall be located on the opposite side of the lot from the corner lot.
- Q. (18) Where residential uses abut Lorraine Road, the Developer\* shall provide a twenty (20) foot landscaped buffer immediately adjacent to the right-of-way. This buffer shall consist of a 3' high berm measured from the proposed finish grade of the road right-of-way, with trees and shrubs planted on the berm to create a 6-8' high hedge. The hedge will consist of suitable plant material (e.g. Wax Myrtle, Viburnum ordora, Ligustrum jap) installed from 15 gallon containers, measuring 5-6' overall height, placed on alternating 5-7' centers.

All landscape buffers will be adequately irrigated by an automatic irrigation system and maintained by SMR Communities, the Community Development District, or the appropriate homeowner association.

In those cases where there is existing vegetation that effectively meet this criteria, no additional planting will be required.

This landscaped buffer shall be installed prior to the issuance of the first Certificate of Occupancy for a residential structure within the adjacent development area.

- Q. (19) Residential resort units may be permitted in any residential tract which permits multi-family or cluster villa units provided:
- a. they are not accessed (except for emergency vehicles) through non-transient residential neighborhoods; and
  - b. they are separated from adjacent non-transient residential uses by a minimum buffer of 50 feet.
  - c. Each residential resort unit shall contain a minimum gross floor area of 600 square feet.
  - d. Setbacks shall be consistent with Condition Q.(1), depending on the specific unit type proposed.
- Q. (20) Subject to Building and Development Services Director approval, the number of replacement trees may be computed on the basis of the tree canopy of mature replacement trees compared to the canopy of the trees being replaced or other acceptable alternative.

- Q. (21) Since the Town Center is proposed to be a mixed use neighborhood, perimeter greenbelt buffering, landscaping, and open space may upon approval by the Building and Development Services Director, be established around and for the Town Center as a whole, rather than around individual land uses.
- Q. (22) A hospital use may not be located within the same parcel, as shown on the General Development Plan, as any industrial use. In addition, the hospital use shall maintain a 200 foot separation from any industrial use located within an adjacent parcel.
- Q.(23) A Public Use Facility meeting the needs of Condition M.(2) may be located in areas where that use is permitted. The square footage necessary for this building may be added to the total project square footage, and not counted against approved square footage for other uses.
- Q.(24) All lots contiguous to active agricultural operations shall have yards at least 35' greater than required in Q (1). If an adjoining agricultural operation is permanently discontinued at the time of submittal of the Final Subdivision Plat, then the requirements of Section 702.6.7 shall no longer apply, and the increased yard may be eliminated from the Final Subdivision Plat.
- Q.(25) The applicant shall submit an individual Master Preliminary Site Plan for each phase of the expansion area prior to each submittal of the first Preliminary or Final Site Plan within each phase. Each such Master Preliminary Site Plan shall include complete wetland information, preliminary street and lot layouts, and a preliminary landscape plan showing all perimeter, greenbelt and roadway buffers on University Parkway, Lorraine Road, and Masters Avenue (Completed).
- Q.(26) The applicant shall complete the sidewalks on the west side of Lorraine Road between Miramar and University Parkway, and those on the north side of University Parkway between Boca Grove and Lorraine Road prior to the opening of Elementary School J in August, 2005. **(Completed)**
- Q (27) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- Q. (28) Notwithstanding limitations contained within this Ordinance governing land use exchanges, the maximum number of units for each residential parcel may be increased provided there is a simultaneous decrease on another residential parcel and all dimensional standards (i.e. setbacks, open space, parking, etc., pursuant to the LDC) can be met. This shall not authorize an overall increase in residential units for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan. However, this shall not allow the introduction of multi-family units on a parcel where only single family has been authorized without review and approval of a revised general development plan at an advertised public hearing. Such preliminary or final site plan shall include a tracking chart and exhibit giving locations or additions and deletions to assure Manatee County that there has been no increase in units. Any such changes shall be noted in each biennial report.



- Q. (29) Notwithstanding limitations contained within this Ordinance governing land use exchanges, the maximum square footage for each non- residential parcel may be increased provided there is a simultaneous decrease on another non- residential parcel and all dimensional standards (i.e. setbacks, open space, parking, etc. pursuant to the LDC) can be met. This shall not authorize an overall increase in square footage for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan. Such preliminary or final site plan shall include a tracking chart and exhibit giving locations of additions and deletions to assure Manatee County that there has been no increase in units and noted in each biennial report. However, this shall not allow the introduction of a non-residential use which is not currently identified on the general development plan for such parcel without review and approval of a revised general development plan at an advertised public hearing.
- Q.(30) The buildings for residential uses on Parcel 21 exceeding 5 stories in height shall be designed in substantial conformance with the renderings entered into the record by the Applicant at the November 6, 2104 Board of County Commissioners public hearing.

## **R. Affordable Housing**

- R.(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 previously 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.
- R.(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 R(4) below. The developer intends, but is not required, to locate the units within the Lakewood Centre DRI. 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.
- R.(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 of sale of a workforce housing unit is executed shall apply.
- R.(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 unit is constructed and available for lease shall apply.
- R.(5) The Developer shall include in its biennial report data showing the number and sale prices of workforce housing units sold and the number and rental rate of qualifying rental units

constructed 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 R.(3) and R(4), shall be counted toward the required mitigation.

- R.(6) With each biennial report, the overall ratio of workforce units provided to the number of residential units constructed in University Lakes, Phase IV, shall be determined.

**TABLE C  
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 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 General Development Plan.

**TABLE D  
UNIVERSITY LAKES PHASING SCHEDULE**

Map H. Land Use Designation ('380.0651, F.S., Designation)	Phase I 1992-2011+	Phase II 2000- 2020+	Phase III 2002-2020+	Phase IV 2006 –2028+	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	1,670
<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	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 December 4<sup>th</sup> of each year indicated.

Exchanges in approved land uses may be made within the Project\* or each phase in accordance with the approved Development Order for University Lakes DRI (Ordinance 12-34, as amended) if said development order allows exchanges in land uses in phases. Any exchanges in land use must comply with the Comprehensive Plan, including the limitations of each Future Land Use Category. Any such exchange shall require an amendment to the General Development Plan and a public hearing by the County\* to determine if the modification is in compliance with the planned development criteria unless the modification is of such type that administrative approval by the Director of Building and Development Services is authorized by the Land Development Code. The amended General Development Plan shall describe the proposed exchange, as well as provide a history of all previous exchanges in addition to any other required information. The Developer\* must also apply for a modification to the Certificate of Level of Service and will be granted approval, only if and when capacity is available.

#### **SECTION 4. LEGAL DESCRIPTION.**

##### **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 of 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 5320.24 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.

**Section 5. SEVERABILITY.** If any section, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, clause, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses or provisions of this ordinance.

**Section 6. CODIFICATION.** Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

**Section 7. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of Sta

**PASSED AND DULY ADOPTED,** by the Board of County Commissioners of Manatee County, Florida on this 6<sup>th</sup> day of November, 2014.

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

BY:   
Larry Bustle, Chairman

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

By:   
Deputy Clerk





**ATTACHMENT #1**

**IS NOT ATTACHED BUT IS ON FILE AT THE CLERK'S OFFICE  
AS AN ATTACHMENT TO THE PREVIOUSLY APPROVED PDMU-92-01(Z)(G)(R1)**

1. Local Access Regulations

**ATTACHMENT #2**

2. Revise General Development Plan



**LAND USE SCHEDULE**

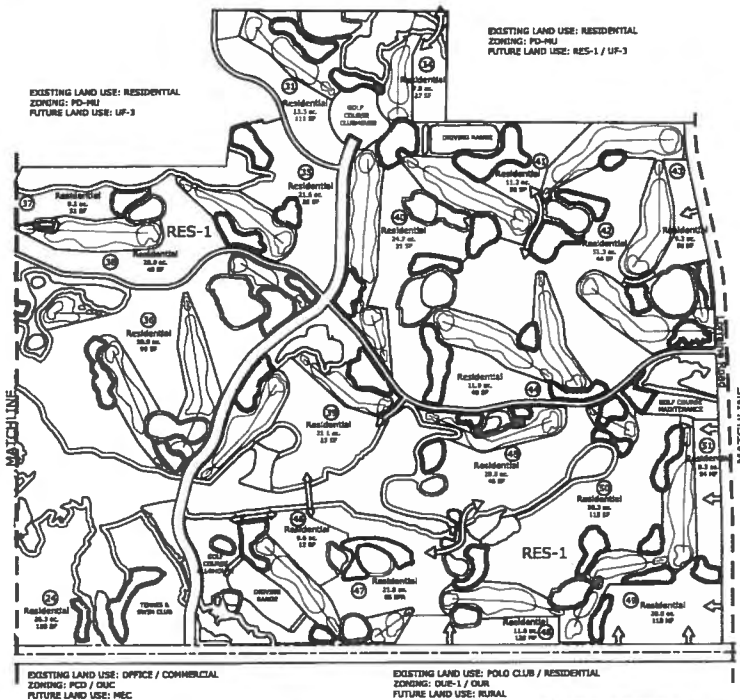
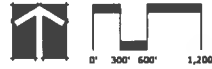
USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
<b>TOTAL</b>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

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



Adopted June 1, 1992 (Ord. PDMU-92-01(Z)(G))  
 Amended October 28, 1993 (Ord. PDMU-92-01(Z)(G)(R1))  
 Amended December 21, 1995 (Ord. PDMU-92-01(Z)(G)(R2))  
 Amended October 28, 1997 (Ord. PDMU-92-01(Z)(G)(R3))  
 Amended December 16, 1997 (Ord. PDMU-92-01(Z)(G)(R4))  
 Amended October 27, 1998 (Ord. PDMU-92-01(Z)(G)(R5))  
 Amended February 22, 2000 (Ord. PDMU-92-01(Z)(G)(R6))  
 Amended October 23, 2001 (Ord. PDMU-92-01(Z)(G)(R7))  
 Amended December 18, 2001 (Ord. PDMU-92-01(Z)(G)(R8))  
 Amended August 26, 2003 (Ord. PDMU-92-01(Z)(G)(R9))  
 Amendment October 19, 2004 (Ord. PMDU-92-01(Z)(G)(R10))  
 Amendment October 16, 2007 (Ord. PDMU-92-01(Z)(G)(R11))  
 Amendment August 20, 2008 (Ord. PDMU-92-01(Z)(G)(R12))  
 Amendment October 25, 2011 (Ord. PDMU-92-01(Z)(G)(R13))  
 Amended December 6, 2012 (Ord. PDMU-92-01(G)(R14))  
 Proposed Amendment Submitted June 2014

EXISTING LAND USE: OFFICE / COMMERCIAL ZONING: PCO / OUC FUTURE LAND USE: MEC		EXISTING LAND USE: POLO CLUB / RESIDENTIAL ZONING: OUC-1 / OUN FUTURE LAND USE: RURAL		Wilson Miller Planning • Design • Survey • Landscape Architecture • Transportation Consulting Wilson Miller, Inc. 200 South 20th Street • Tampa, Florida 33616 • Phone: 813-252-0550 • Fax: 813-252-0551 • E-Mail: wmi@wilsonmiller.com	CLIENT: SCHROEDER-MANATEE RANCH, INC	TITLE: GENERAL DEVELOPMENT PLAN
PROJECT: UNIVERSITY LAKES		SHEET NO.: 100	SHEET TOTAL: 100			

**LAND USE SCHEDULE**

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,505 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
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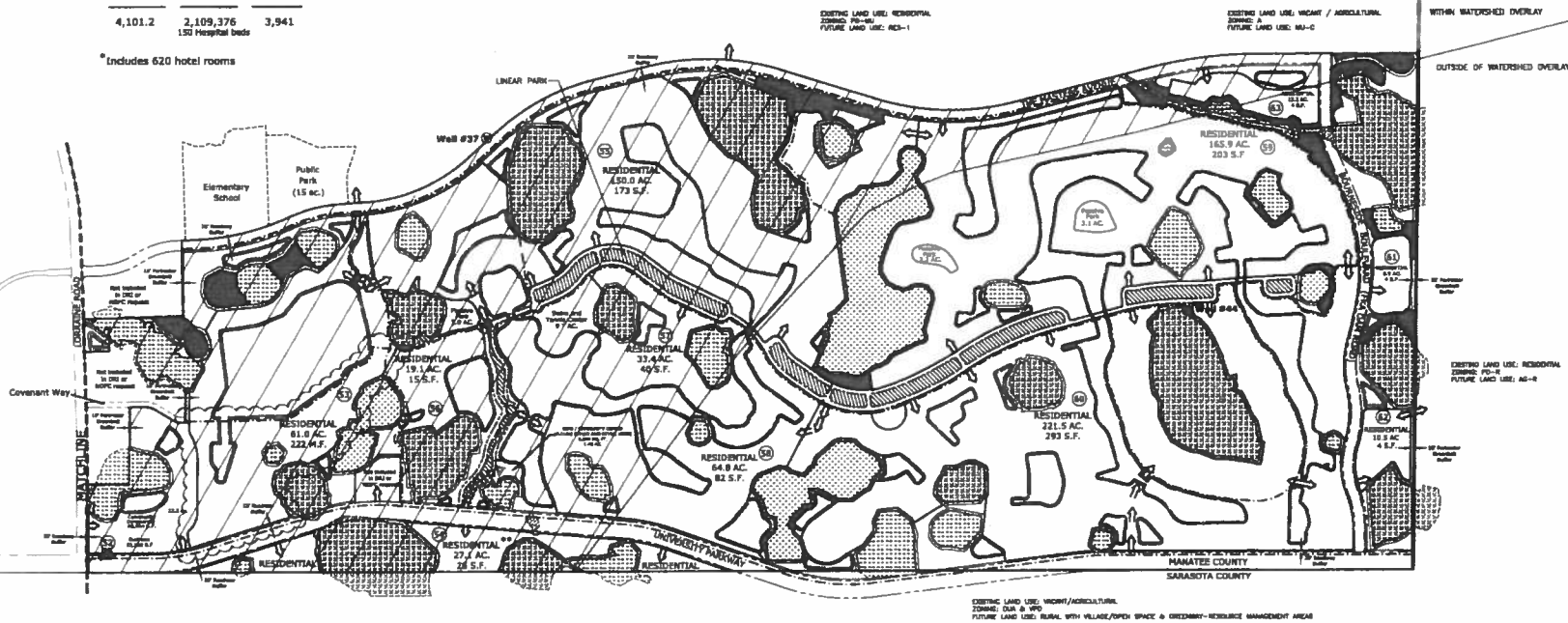
\*Includes 620 hotel rooms

**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-FORRESTED WETLANDS
- UPLAND PRESERVATION AREA
- PALMETTO PRAIRIE AREAS
- IMPROVED PASTURE
- LINEAR PARK
- WATERSHED OVERLAY
- FRESHWATER MARSHES TO BE IMPACTED BY DEVELOPMENT
- VEGETATED NON-FORRESTED WETLANDS TO BE IMPACTED BY DEVELOPMENT
- LAKES
- EXISTING WATER WELLS
- CELL TOWER TO BE RELOCATED OUTSIDE THE PROJECT BOUNDARY
- RECREATIONAL TRAIL

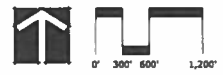
(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

\*\* SEE SHEET 1 OF 3 FOR DIMENSIONAL CRITERIA SPECIFIC TO THIS PARCEL. GREENBELT BUFFERS AND ROADWAY BUFFERS SHALL APPLY TO THIS PARCEL.



EXISTING LAND USE: WCM/AGRICULTURE ZONING: OAR & WPO FUTURE LAND USE: RURAL WITH VILLAGE/OPEN SPACE & GREENWAY-RESOURCE MANAGEMENT AREA

NOTE: ALL ROADS WILL BE TWO-WAY



		CLIENT: SCHROEDER-MANATEE RANCH, INC PROJECT: UNIVERSITY LAKES	DATE: 03/09/2014 PROJECT NO: 215612136 SHEET NO: 3 OF 3	TITLE: GENERAL DEVELOPMENT PLAN
ACTIVITY: GENERAL DEV. DRAWN BY: [Name] CHECKED BY: [Name] CONTRACT ADMIN BY: [Name] DATE APPROVED BY: [Name]	REVISION NO. [ ] DATE [ ]	6000 6th Street • Tampa, Florida 33607 • Phone: (813) 434-0000 • Fax: (813) 434-0001 • Website: www.wilsonmiller.com	215612136	3 OF 3



BUILDINGS 1 & 2 COURT ELEVATION





PARKING COURT ELEVATION



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

November 10, 2014

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

Attention: Robin Liberty, Board Records Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of **Manatee County Ordinance No. PDMU-92-01(G)(R15)**, which was filed in this office on November 10, 2014.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb