

P.O. Box 60933, Fort Myers, FL 33906



P: 844.988.8244 | www.swfrpc.org

COUNCIL MEETING AGENDA

June 15, 2023

9:00am – 11:00am

In Person and Virtual Meeting

Join Zoom Meeting:

<https://us06web.zoom.us/j/91588729954?pwd=OVERTVNQVVpRZjQrY1Jab1dpMDBPUT09>

Join by phone: 1-929-205-6099

Meeting ID: 915 8872 9954

Passcode: 082520

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1	INVOCATION	
2	PLEDGE OF ALLEGIANCE	
3	ROLL CALL	
4	PUBLIC COMMENTS	
5	AGENDA	Page 1
6	MINUTES	
	a) May 11, 2023 Executive Meeting Minutes	Page 11
7	FINANCIALS	
	a) January – March 2023 Financials	Page 17
	b) Draft Budget FY 2023 – 2024	Page 36
8	CONSENT AGENDA	
	a) Charlotte County Development Orders Review of Babcock Ranch Community Increment 3 along with amendments to the Master Development Order and Increments 1 and 2	Page 51
9	<u>DIRECTORS REPORT</u>	Page 397
	a) Meeting of the Economic & Political Delegation of the Embassy of the Kingdom of the Netherlands to the United States and the SWFRPC	Page 405
	b) Federal Agency's for Southwest Florida in Partnership with the SWFRPC for Projects Ready for Execution and Implementation	Page 407
	c) Grant Activity Sheet (Information Only)	Page 409
10	COMMITTEE REPORTS	

Two or more members of the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program may be in attendance and may discuss matters that could come before the Peace River Basin Management Advisory Committee and Charlotte Harbor National Estuary Program, respectively, for consideration.

In accordance with the Americans with Disabilities Act (ADA), any person requiring special accommodations to participate in this meeting should contact the Southwest Florida Regional Planning Council 48 hours prior to the meeting by calling (844) 988-8244; if you are hearing or speech impaired call (800) 955-8770 Voice/(800) 955-8771 TDD.

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- a) Executive Committee – **Chair Don McCormick**
- b) Quality of Life & Safety Committee – **Chair Don McCormick**

11	NEW BUSINESS
12	STATE AGENCIES COMMENTS/REPORTS
13	COUNCIL MEMBERS' COMMENTS
14	ADJOURN

UPCOMING SWFRPC MEETING DATES:
September 21, 2023

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SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL MEMBERSHIP

OFFICERS

Mr. Donald McCormick, Chair	Councilman Fred Burson, Vice-Chair
Commissioner Bill McDaniel, Secretary	(Vacant), Treasurer

CHARLOTTE COUNTY

Commissioner Joe Tiseo, Charlotte BCC

Commissioner Ken Doherty, Charlotte BCC

Councilman William Dryburgh, City of Punta Gorda

Mr. Donald McCormick, Governor Appointee

Ms. Suzanne Graham, Governor Appointee

COLLIER COUNTY

Commissioner Bill McDaniel, Collier BCC

Commissioner Rick LoCastro, Collier BCC

Councilman Raymond Christman, City of Naples

(City of Marco Island Vacancy)

(Governor Appointee Vacancy)

(Governor Appointee Vacancy)

GLADES COUNTY

Commissioner Donna Storter-Long, Glades BCC

Commissioner Tim Stanley, Glades BCC

(City of Moore Haven Vacancy)

Mr. Thomas Perry, Governor Appointee

HENDRY COUNTY

Commissioner Emma Byrd, Hendry BCC

Commissioner Mitchell Wills, Hendry BCC

Vice-Mayor Greg Thompson, City of Clewiston

(City of LaBelle Vacancy)

Mr. Mel Karau, Governor Appointee

LEE COUNTY

Commissioner Ray Sandelli, Lee BCC

Commissioner Cecil Pendergrass, Lee BCC

Councilman Fred Burson, City of Fort Myers

Mayor Dan Allers, Town of Fort Myers Beach

Councilman Jesse Purdon, City of Bonita Springs

(Governor Appointee Vacancy)

(Governor Appointee Vacancy)

SARASOTA COUNTY

Commissioner Ron Cutsinger, Sarasota BCC

(Sarasota BCC Vacancy)

Mayor Erik Arroyo, City of Sarasota

Jim Boldt, City of Venice

(Governor Appointee Vacancy)

(Governor Appointee Vacancy)

EX-OFFICIO MEMBERS

(Vacant), FDEP	Keith Robbins, FDOT
Phil Flood, SFWMD	(Vacant) SWFWMD

STAFF

Margaret Wuerstle, Executive Director

Rebekah Harp

Amelia Williams

Jim Burch

Asmaa Odeh

Charity Franks – Vista

Julie Bankston – Vista

Catherine Peralta - Vista



Apalachee • Central Florida
 East Central Florida • North Central Florida
 Northeast Florida • South Florida • Southwest Florida
 Tampa Bay • Treasure Coast • West Florida • Withlacoochee

104 West Jefferson Street, Tallahassee, FL 32301-1713 • 850.224.3427

Regional Planning Council Functions and Programs

March 4, 2011

- **Economic Development Districts:** Regional planning councils are designated as Economic Development Districts by the U. S. Economic Development Administration. From January 2003 to August 2010, the U. S. Economic Development Administration invested \$66 million in 60 projects in the State of Florida to create/retain 13,700 jobs and leverage \$1 billion in private capital investment. Regional planning councils provide technical support to businesses and economic developers to promote regional job creation strategies.
- **Emergency Preparedness and Statewide Regional Evacuation:** Regional planning councils have special expertise in emergency planning and were the first in the nation to prepare a Statewide Regional Evacuation Study using a uniform report format and transportation evacuation modeling program. Regional planning councils have been preparing regional evacuation plans since 1981. Products in addition to evacuation studies include Post Disaster Redevelopment Plans, Hazard Mitigation Plans, Continuity of Operations Plans and Business Disaster Planning Kits.
- **Local Emergency Planning:** Local Emergency Planning Committees are staffed by regional planning councils and provide a direct relationship between the State and local businesses. Regional planning councils provide thousands of hours of training to local first responders annually. Local businesses have developed a trusted working relationship with regional planning council staff.
- **Homeland Security:** Regional planning council staff is a source of low cost, high quality planning and training experts that support counties and State agencies when developing a training course or exercise. Regional planning councils provide cost effective training to first responders, both public and private, in the areas of Hazardous Materials, Hazardous Waste, Incident Command, Disaster Response, Pre- and Post-Disaster Planning, Continuity of Operations and Governance. Several regional planning councils house Regional Domestic Security Task Force planners.
- **Multipurpose Regional Organizations:** Regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments.
- **Problem Solving Forum:** Issues of major importance are often the subject of regional planning council-sponsored workshops. Regional planning councils have convened regional summits and workshops on issues such as workforce housing, response to hurricanes, visioning and job creation.
- **Implementation of Community Planning:** Regional planning councils develop and maintain Strategic Regional Policy Plans to guide growth and development focusing on economic development, emergency preparedness, transportation, affordable housing and resources of regional significance. In addition, regional planning councils provide coordination and review of various programs such as Local Government Comprehensive Plans, Developments of Regional Impact and Power Plant Ten-year Siting Plans. Regional planning council reviewers have the local knowledge to conduct reviews efficiently and provide State agencies reliable local insight.

- **Local Government Assistance:** Regional planning councils are also a significant source of cost effective, high quality planning experts for communities, providing technical assistance in areas such as: grant writing, mapping, community planning, plan review, procurement, dispute resolution, economic development, marketing, statistical analysis, and information technology. Several regional planning councils provide staff for transportation planning organizations, natural resource planning and emergency preparedness planning.
- **Return on Investment:** Every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.
- **Quality Communities Generate Economic Development:** Businesses and individuals choose locations based on the quality of life they offer. Regional planning councils help regions compete nationally and globally for investment and skilled personnel.
- **Multidisciplinary Viewpoint:** Regional planning councils provide a comprehensive, multidisciplinary view of issues and a forum to address regional issues cooperatively. Potential impacts on the community from development activities are vetted to achieve win-win solutions as council members represent business, government and citizen interests.
- **Coordinators and Conveners:** Regional planning councils provide a forum for regional collaboration to solve problems and reduce costly inter-jurisdictional disputes.
- **Federal Consistency Review:** Regional planning councils provide required Federal Consistency Review, ensuring access to hundreds of millions of federal infrastructure and economic development investment dollars annually.
- **Economies of Scale:** Regional planning councils provide a cost-effective source of technical assistance to local governments, small businesses and non-profits.
- **Regional Approach:** Cost savings are realized in transportation, land use and infrastructure when addressed regionally. A regional approach promotes vibrant economies while reducing unproductive competition among local communities.
- **Sustainable Communities:** Federal funding is targeted to regions that can demonstrate they have a strong framework for regional cooperation.
- **Economic Data and Analysis:** Regional planning councils are equipped with state of the art econometric software and have the ability to provide objective economic analysis on policy and investment decisions.
- **Small Quantity Hazardous Waste Generators:** The Small Quantity Generator program ensures the proper handling and disposal of hazardous waste generated at the county level. Often smaller counties cannot afford to maintain a program without imposing large fees on local businesses. Many counties have lowered or eliminated fees, because regional planning council programs realize economies of scale, provide businesses a local contact regarding compliance questions and assistance and provide training and information regarding management of hazardous waste.
- **Regional Visioning and Strategic Planning:** Regional planning councils are conveners of regional visions that link economic development, infrastructure, environment, land use and transportation into long term investment plans. Strategic planning for communities and organizations defines actions critical to successful change and resource investments.
- **Geographic Information Systems and Data Clearinghouse:** Regional planning councils are leaders in geographic information systems mapping and data support systems. Many local governments rely on regional planning councils for these services.

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL (SWFRPC) ACRONYMS

ABM - Agency for Bay Management - Estero Bay Agency on Bay Management

ADA - Application for Development Approval

ADA - Americans with Disabilities Act

AMDA -Application for Master Development Approval

BEBR - Bureau of Economic Business and Research at the University of Florida

BLID - Binding Letter of DRI Status

BLIM - Binding Letter of Modification to a DRI with Vested Rights

BLIVR -Binding Letter of Vested Rights Status

BPCC -Bicycle/Pedestrian Coordinating Committee

CAC - Citizens Advisory Committee

CAO - City/County Administrator Officers

CDBG - Community Development Block Grant

CDC - Certified Development Corporation (a.k.a. RDC)

CEDS - Comprehensive Economic Development Strategy (a.k.a. OEDP)

CHNEP - Charlotte Harbor National Estuary Program

CTC - Community Transportation Coordinator

CTD - Commission for the Transportation Disadvantaged

CUTR - Center for Urban Transportation Research

DEO - Department of Economic Opportunity

DEP - Department of Environmental Protection

DO - Development Order

DOPA - Designated Official Planning Agency (i.e. MPO, RPC, County, etc.)

EDA - Economic Development Administration

EDC - Economic Development Coalition

EDD - Economic Development District

EPA – Environmental Protection Agency

FAC - Florida Association of Counties

FACTS - Florida Association of CTCs

FAR - Florida Administrative Register (formerly Florida Administrative Weekly)

FCTS - Florida Coordinated Transportation System

FDC&F -Florida Department of Children and Families (a.k.a. HRS)

FDEA - Florida Department of Elder Affairs

FDLES - Florida Department of Labor and Employment Security

FDOT - Florida Department of Transportation

FHREDI - Florida Heartland Rural Economic Development Initiative

FIAM – Fiscal Impact Analysis Model

FLC - Florida League of Cities

FQD - Florida Quality Development

FRCA -Florida Regional Planning Councils Association

FTA - Florida Transit Association

IC&R - Intergovernmental Coordination and Review

IFAS - Institute of Food and Agricultural Sciences at the University of Florida

JLCB - Joint Local Coordinating Boards of Glades & Hendry Counties

JPA - Joint Participation Agreement

JSA - Joint Service Area of Glades & Hendry Counties

LCB - Local Coordinating Board for the Transportation Disadvantaged

LEPC - Local Emergency Planning Committee

MOA - Memorandum of Agreement

MPO - Metropolitan Planning Organization

MPOAC - Metropolitan Planning Organization Advisory Council

MPOCAC - Metropolitan Planning Organization Citizens Advisory Committee

MPOTAC - Metropolitan Planning Organization Technical Advisory Committee

NADO – National Association of Development Organizations

NARC -National Association of Regional Councils

NOPC -Notice of Proposed Change

OEDP - Overall Economic Development Program

PDA - Preliminary Development Agreement

REMI – Regional Economic Modeling Incorporated

RFB - Request for Bids

RFI – Request for Invitation

RFP - Request for Proposals

RPC - Regional Planning Council

SHIP -State Housing Initiatives Partnership

SRPP – Strategic Regional Policy Plan

TAC - Technical Advisory Committee

TDC - Transportation Disadvantaged Commission (a.k.a. CTD)

TDPN - Transportation Disadvantaged Planners Network

TDSP - Transportation Disadvantaged Service Plan

USDA - US Department of Agriculture

WMD - Water Management District (SFWMD and SWFWMD)

Agenda Item

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Minutes

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Agenda Item

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Minutes of the October 13, 2025
Executive Board Meeting

6a

**MINUTES OF THE
SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL
MAY 11, 2023, MEETING**

The virtual zoom meeting of the Southwest Florida Regional Planning Council's Executive Board was held on May 11, 2022. Governor Appointee and Council Chair, Mr. Don McCormick called the meeting to order at 9:00 a.m. There was a quorum of the Executive Committee present.

BOARD MEMBERS PRESENT

Charlotte County: Mr. Don McCormick – Chair

Collier County: Commissioner Bill McDaniel

Glades County: Mr. Thomas Perry

Hendry County: None

Lee County: Councilman Fred Burson

Sarasota County: None

Ex-Officio Members: None

OTHERS PRESENT

Ms. Margaret Wuerstle - Executive Director, SWFRPC

Ms. Rebekah Harp – SWFRPC

Ms. Charity Franks – SWFRPC

Ms. Asmaa Odeh – SWFRPC

Ms. Catherine Peralta – SWFRPC Vista

Ms. Lisa McKenzie – Tuscan & Company, PA

Mr. Ryan Schuster – Tuscan & Company, PA

Mr. Jim Paulmann - Stantec

Mr. Daniel Trescott – Trescott Planning Solutions

Ms. Erica Woods – Stantec

Mr. Stephen Leung

Ms. Lisa Chiblow - Stantec

Full zoom meeting video: May 11, 2023

AGENDA ITEM #6(a)
MINUTES OF THE DECEMBER 15, 2022, COUNCIL/EXECUTIVE MEETING AND THE JANUARY 20, 2023 WORKSHOP

Councilman Fred Burson offered a motion to approve the minutes of the December 15, 2022, Council/Executive Committee meeting and the January 20, 2023, Workshop. Mr. Thomas Perry seconded the motion to approve the minutes of the December 15, 2022, Council/Executive Committee meeting and the January 20, 2023, Workshop. The motion was approved unanimously.

AGENDA ITEM #7(a)
FINANCIALS: OCTOBER – DECEMBER 2022 FINANCIALS

Mr. Thomas Perry offered a motion to approve the October, November, and December financials. Councilman Fred Burson seconded the motion to approve the October, November, and December financials. The motion was approved unanimously.

AGENDA ITEM #7(b)
FINANCIALS: AUDIT REPORT FY 2021 - 2022

Mr. Thomas Perry offered a motion to approve the audit report for the fiscal year 2021 – 2022. Commissioner Bill McDaniel seconded the motion to approve the audit report for fiscal year 2021 – 2022. The motion was approved unanimously.

AGENDA ITEM #8(a)
CONSENT AGENDA: FINAL BABCOCK RANCH INCREMENT III AND CHANGES TO MDO INCREMENT I AND II STAFF ASSESSMENT

Councilman Fred Burson offered a motion to approve the Final Babcock Ranch Increment III and Changes to MDO Increment I and II Staff Assessment. Commissioner Bill McDaniel seconded the motion to approve the Final Babcock Ranch Increment III and Changes to MDO Increment I and II Staff Assessment. The motion was approved unanimously.

AGENDA ITEM #8(b)
CONSENT AGENDA: PALMER RANCH INCREMENT XXX DEVELOPMENT ORDER REVIEW

Mr. Thomas Perry offered a motion to approve the Palmer Ranch Increment XXX Development Order Review. Councilman Fred Burson seconded the motion to approve the Palmer Ranch Increment XXX Development Order Review. The motion was approved unanimously.

**AGENDA ITEM #9
DIRECTORS REPORT**

Ms. Margaret Wuerstle explained that the SWFRPC received a meeting request with the Embassy of the Netherlands, which has been scheduled for Thursday, June 1, 2023. Also, \$160 million of the disaster supplemental from the Economic Development Administration was allocated to this region. The process is a little different this year. They started out with listening sessions early in the year. We had a workshop on March 14th with all the federal agencies in attendance to discuss projects. They are looking to do big transformative projects and EDA has set up bi-weekly meetings to discuss these projects.

In response to reaching out to our members regarding meetings, 6 preferred quarterly meetings, 3 said they would do what the majority wanted, and 1 said monthly.

**AGENDA ITEM #9(a-iii)
DIRECTORS REPORT: DEO SWFRPC RESOLUTION #2023-01**

Councilman Fred Burson offered a motion to approve the DEO SWFRPC resolution #2023-01. Mr. Thomas Perry seconded the motion to approve the DEO SWFRPC resolution #2023-01. The motion was approved unanimously.

**AGENDA ITEM #9(b)
DIRECTORS REPORT: GRANT ACTIVITY SHEET (INFORMATION ONLY)**

**AGENDA ITEM #10
COMMITTEE REPORTS**

No Committee Reports were given.

**AGENDA ITEM #10(a)
EXECUTIVE COMMITTEE**

There was no update given.

**AGENDA ITEM #10(b)
QUALITY OF LIFE & SAFETY COMMITTEE**

There was no update given.

AGENDA ITEM #11

NEW BUSINESS

There was no new business.

**AGENDA ITEM #12
STATE AGENCIES COMMENTS/REPORTS**

No comments were provided.

**AGENDA ITEM #13
COUNCIL MEMBERS' COMMENTS**

No comments were provided.

**AGENDA ITEM #14
ADJOURN**

The meeting adjourned at 9:45 a.m.

Don McCormick, Chairman

The meeting was duly advertised in the May 3, 2023, issue of the FLORIDA ADMINISTRATIVE REGISTER, Volume 49, Number 86.

Agenda Item

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Financials

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Agenda

Item

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Financials

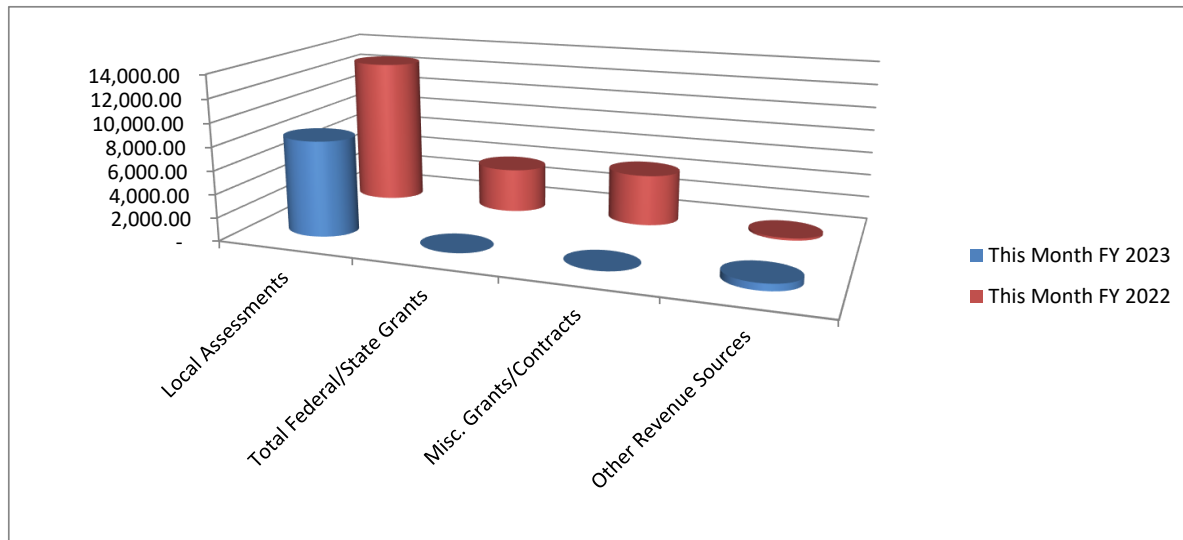
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2022 - 2023 Workplan & Budget Financial Snapshot Jan-23

Revenues

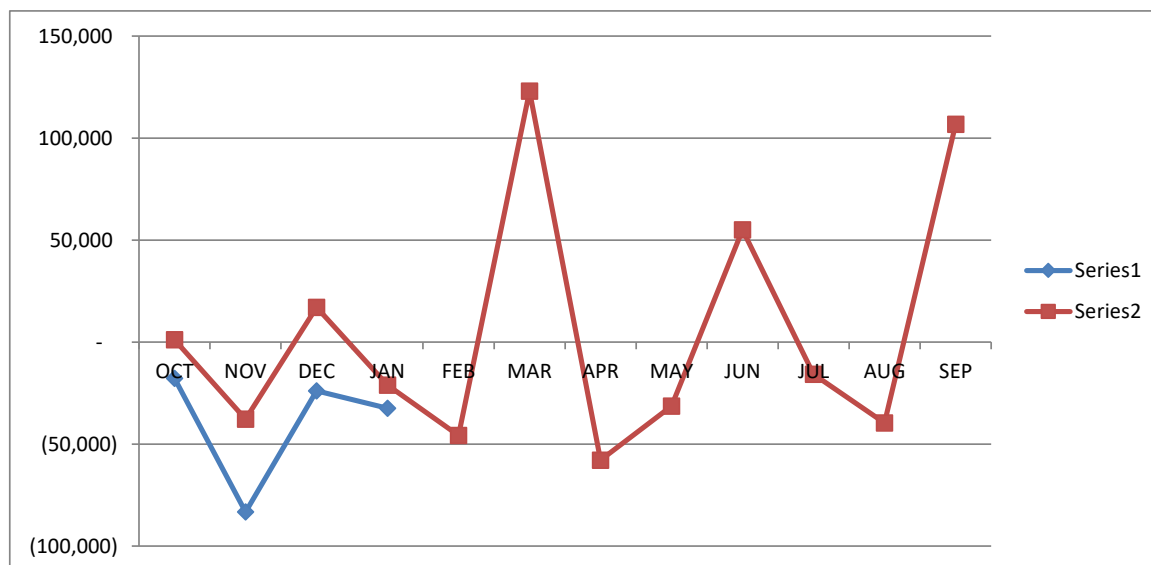
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
 State/Federal Grants billed quarterly: LEPC, HMEP
 Federal Grants billed Semi Annually: Economic Development
 Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
 Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$157,418) Unaudited

SWFRPC

Detail of Reserve

As of January 31, 2023

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	<u>36,767</u>
<i>Total Cash and Cash Equivalents</i>	\$ 36,967

Investments:

FineMark Money Market	\$ 81,201
Local government Surplus Trust Fund Investment Pool (Fund A)	<u>149,173</u>
<i>Total Investments</i>	\$ 230,374

Total Reserves	<u><u>\$ 267,341</u></u>
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**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING JANUARY 31, 2023**

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
GLADES COUNTY	910	1,820	3,639	50%	\$ 1,820
CITY OF FORT MYERS	6,866	13,732	27,463	50%	\$ 13,732
TOWN OF FORT MYERS BEACH INC	419	838	1,675	50%	\$ 838
BONITA SPRINGS - WITHDREW 12/21/22	-	4,106	16,424	25%	\$ 12,318
TOTAL LOCAL ASSESSMENTS	\$ 8,194	\$ 20,495	\$ 49,201	42%	\$ 28,707
FEDERAL / STATE GRANTS					
DEM - LEPC 22/23	-	-	70,000	0%	\$ 70,000
DEM - LEPC 21/22	-	-	-	N/A	\$ -
DEM - HMEP 22/23	-	-	61,006	0%	\$ 61,006
DEM - Lee/Collier Hazard Analysis 22/23	-	-	9,510	0%	\$ 9,510
Economic Development Planning 20/22	-	-	70,000	0%	\$ 70,000
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
FWC - Clewiston Lakefront MasterPlan	-	-	-	N/A	\$ -
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	-	17,720	250,809	N/A	\$ -
Vista Supervisor	-	18,847	20,000	94%	\$ 1,153
Promise Zone	-	-	-	N/A	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ -	\$ 36,567	\$ 822,992	4%	\$ 553,336
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
CHNEP Calendar 2022	-	-	-	N/A	\$ -
CHNEP Calendar 2023	-	-	-	N/A	\$ -
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
TOTAL MISC. GRANTS/CONTRACTS	\$ -	\$ -	\$ 11,500	0%	\$ 11,500
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	5,940	\$ -	N/A	\$ -
TOTAL	\$ -	\$ 5,940	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	-	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ -	\$ -	-	\$ -
OTHER REVENUE SOURCES					
Misc. Income	-	876	400	219%	\$ (476)

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
INTEREST INCOME - Money Market	14	77	800	10%	\$ 723
Fund A Investment Income	575	1,987	800	248%	\$ (1,187)
TOTAL OTHER REVENUE SOURCES	\$ 589	\$ 2,940	\$ 2,000	147%	\$ (940)

Fund Balance \$ - \$ -

TOTAL REVENUES \$ **8,783** \$ **65,942** \$ **885,693** **7%** \$ **592,603**

EXPENSES

PERSONNEL EXPENSES

SALARIES EXPENSE	\$ 19,200	\$ 73,920	\$ 249,600	30%	\$ 175,680
FICA EXPENSE	1,459	5,617	19,094	29%	\$ 13,477
RETIREMENT EXPENSE	5,392	16,717	60,459	28%	\$ 43,742
HEALTH INSURANCE EXPENSE	2,971	11,750	40,848	29%	\$ 29,098
WORKERS COMP. EXPENSE	109	436	1,344	32%	\$ 908
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
TOTAL PERSONNEL EXPENSES	\$ 29,130	\$ 108,439	\$ 371,345	29%	\$ 262,906

OPERATIONAL EXPENSES

CONSULTANTS	\$ 650	\$ 2,975	\$ 65,700	5%	\$ 62,725
GRANT/CONSULTING EXPENSE	9,016	91,018	457,513	20%	\$ 366,495
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	-	2,154	1,000	215%	\$ (1,154)
TELEPHONE EXPENSE	1	438	1,488	29%	\$ 1,050
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	264	791	3,631	22%	\$ 2,840
INSURANCE EXPENSE	82	6,123	6,220	98%	\$ 97
PRINTING/REPRODUCTION EXPENSE	-	118	1,000	12%	\$ 882
ADVERTISING/LEGAL NOTICES EXP	140	146	1,600	9%	\$ 1,454
OTHER MISC. EXPENSE	(64)	(100)	500	-20%	\$ 600
BANK SERVICE CHARGES	89	179	-	N/A	\$ (179)
OFFICE SUPPLIES EXPENSE	146	281	600	47%	\$ 319
COMPUTER RELATED EXPENSE	1,830	7,297	22,388	33%	\$ 15,091
DUES AND MEMBERSHIP	-	2,500	3,059	82%	\$ 559
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -

FUND BALANCE \$ 428,877

OPERATIONAL EXP. \$ **12,155** \$ **114,920** \$ **1,020,576** **11%** **476,779**

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,020,576		
TOTAL CASH OUTLAY	\$ 41,285	\$ 223,360	\$ 1,391,921		\$ 739,684
NET INCOME (LOSS)	<u>\$ (32,502)</u>	<u>\$ (157,418)</u>			

SWFRPC
Balance Sheet
January 31, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	149,173.19
Cash - FineMark Oper.		36,766.76
Cash - FineMark MM		81,200.66
Petty Cash		200.00
Accounts Receivable		40,726.84
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		308,036.20
Property and Equipment		
Property, Furniture & Equip		43,026.31
Accumulated Depreciation		(43,025.57)
		<hr/>
Total Property and Equipment		0.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		41,305.44
FSA Deposit		0.29
Amt t.b.p. for L.T.Debt-OPEB		8,232.00
		<hr/>
Total Other Assets		49,537.73
		<hr/>
Total Assets	\$	<u><u>357,574.67</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Babcock Ranch 5360		9,174.06
Deferred Palmer Ranch 5361		3,490.46
FICA Taxes Payable		1,855.06
Federal W/H Tax Payable		(2,125.83)
United way Payable		322.00
Deferred Compensation Payable		75.00
FSA Payable		(1,797.53)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		11,912.93
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		61,450.37
Capital		
Fund Balance-Unassigned		(60,457.66)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(157,417.78)
		<hr/>
Total Capital		296,124.30
		<hr/>
Total Liabilities & Capital	\$	<u><u>357,574.67</u></u>

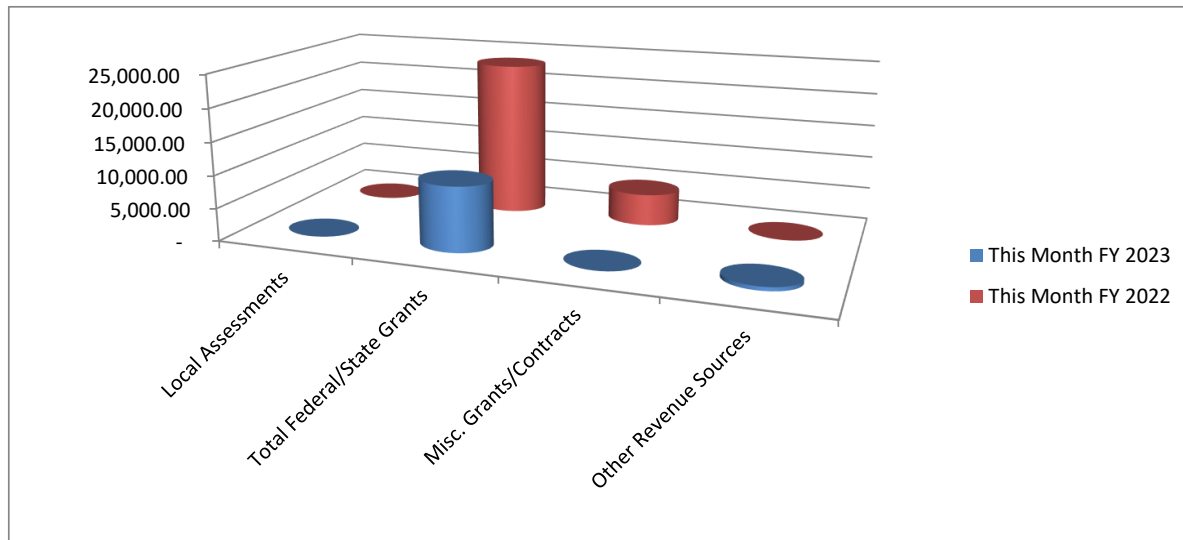
Unaudited - For Management Purposes Only

2022 - 2023 Workplan & Budget Financial Snapshot Feb-23

Revenues

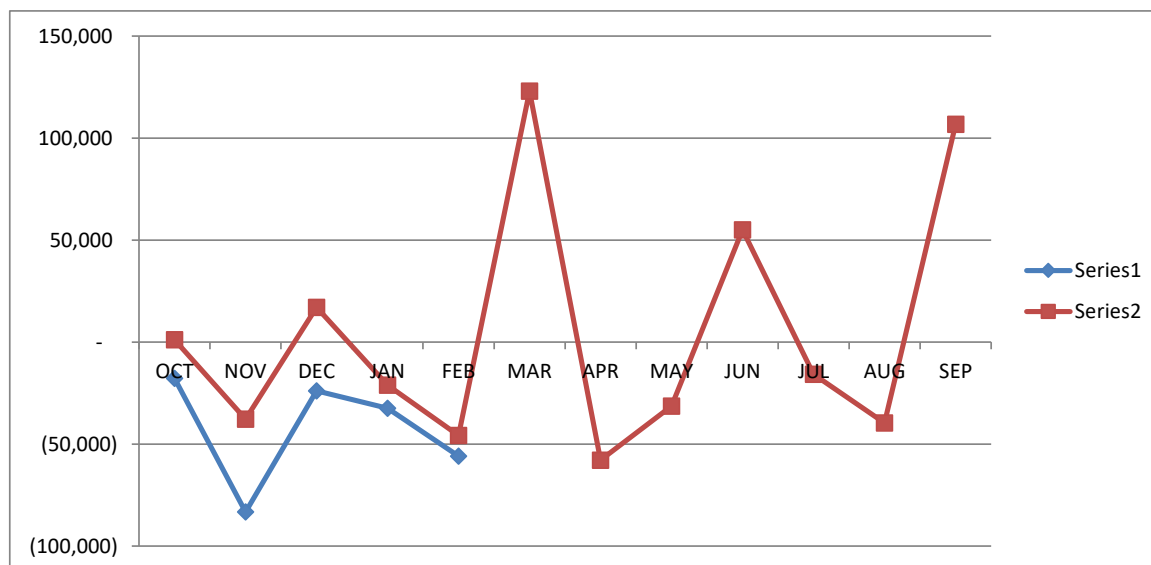
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
 State/Federal Grants billed quarterly: LEPC, HMEP
 Federal Grants billed Semi Annually: Economic Development
 Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
 Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$213,378) Unaudited

SWFRPC

Detail of Reserve

As of February 28, 2023

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	19,420
	<hr/>
<i>Total Cash and Cash Equivalents</i>	\$ 19,620

Investments:

FineMark Money Market	\$ 81,213
Local government Surplus Trust Fund Investment Pool (Fund A)	149,719
	<hr/>
<i>Total Investments</i>	\$ 230,932

Total Reserves	<hr/>
	\$ 250,552
	<hr/> <hr/>

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING FEBRUARY 28, 2023**

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
GLADES COUNTY	-	1,820	3,639	50%	\$ 1,820
CITY OF FORT MYERS	-	13,732	27,463	50%	\$ 13,732
TOWN OF FORT MYERS BEACH INC	-	838	1,675	50%	\$ 838
BONITA SPRINGS - WITHDREW 12/21/22	-	4,106	16,424	25%	\$ 12,318
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 20,495	\$ 49,201	42%	\$ 28,707
FEDERAL / STATE GRANTS					
DEM - LEPC 22/23	9,300	9,300	70,000	13%	\$ 60,700
DEM - LEPC 21/22	-	-	-	N/A	\$ -
DEM - HMEP 22/25	598	598	61,006	1%	\$ 60,408
DEM - Lee/Collier Hazard Analysis 22/23	-	-	9,510	0%	\$ 9,510
Economic Development Planning 20/22	-	-	70,000	0%	\$ 70,000
DEO - CDBG-MIT Food Insecurity	-	-	175,000	0%	\$ 175,000
FWC - Clewiston Lakefront MasterPlan	-	-	-	N/A	\$ -
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	-	17,720	250,809	N/A	\$ -
Vista Supervisor	-	18,847	20,000	94%	\$ 1,153
Promise Zone	-	-	-	N/A	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ 9,898	\$ 46,465	\$ 822,992	6%	\$ 543,438
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
CHNEP Calendar 2022	-	-	-	N/A	\$ -
CHNEP Calendar 2023	-	-	-	N/A	\$ -
HERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
TOTAL MISC. GRANTS/CONTRACTS	\$ -	\$ -	\$ 11,500	0%	\$ 11,500
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	5,940	\$ -	N/A	\$ -
TOTAL	\$ -	\$ 5,940	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	-	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ -	\$ -	-	\$ -
OTHER REVENUE SOURCES					
Misc. Income	14	891	400	223%	\$ (491)

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
INTEREST INCOME - Money Market	12	89	800	11%	\$ 711
Fund A Investment Income	546	2,532	800	317%	\$ (1,732)
TOTAL OTHER REVENUE SOURCES	\$ 572	\$ 3,512	\$ 2,000	176%	\$ (1,512)

Fund Balance \$ - \$ -

TOTAL REVENUES \$ **10,470** \$ **76,412** \$ **885,693** **9%** \$ **582,132**

EXPENSES

PERSONNEL EXPENSES

SALARIES EXPENSE	\$ 19,200	\$ 93,120	\$ 249,600	37%	\$ 156,480
FICA EXPENSE	1,459	7,076	19,094	37%	\$ 12,018
RETIREMENT EXPENSE	5,392	22,108	60,459	37%	\$ 38,351
HEALTH INSURANCE EXPENSE	2,971	14,721	40,848	36%	\$ 26,127
WORKERS COMP. EXPENSE	109	545	1,344	41%	\$ 799
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
TOTAL PERSONNEL EXPENSES	\$ 29,130	\$ 137,570	\$ 371,345	37%	233,775

OPERATIONAL EXPENSES

CONSULTANTS	\$ -	\$ 2,975	\$ 65,700	5%	\$ 62,725
GRANT/CONSULTING EXPENSE	35,376	126,394	457,513	28%	\$ 331,119
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	312	2,466	1,000	247%	\$ (1,466)
TELEPHONE EXPENSE	295	733	1,488	49%	\$ 755
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	264	1,055	3,631	29%	\$ 2,576
INSURANCE EXPENSE	82	6,205	6,220	100%	\$ 15
PRINTING/REPRODUCTION EXPENSE	39	157	1,000	16%	\$ 843
ADVERTISING/LEGAL NOTICES EXP	-	146	1,600	9%	\$ 1,454
OTHER MISC. EXPENSE	(382)	(482)	500	-96%	\$ 982
BANK SERVICE CHARGES	89	268	-	N/A	\$ (268)
OFFICE SUPPLIES EXPENSE	271	553	600	92%	\$ 47
COMPUTER RELATED EXPENSE	953	8,250	22,388	37%	\$ 14,138
DUES AND MEMBERSHIP	-	2,500	3,059	82%	\$ 559
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -

FUND BALANCE \$ 428,877

OPERATIONAL EXP. \$ **37,300** \$ **152,220** \$ **1,020,576** **15%** **439,479**

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,020,576		
TOTAL CASH OUTLAY	\$ 66,430	\$ 289,790	\$ 1,391,921		\$ 673,254
NET INCOME (LOSS)	<u>\$ (55,960)</u>	<u>\$ (213,377)</u>			

SWFRPC
Balance Sheet
February 28, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	149,718.78
Cash - FineMark Oper.		19,419.79
Cash - FineMark MM		81,213.12
Petty Cash		200.00
Accounts Receivable		362.95
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		250,883.39
Property and Equipment		
Property, Furniture & Equip		43,026.31
Accumulated Depreciation		(43,025.57)
		<hr/>
Total Property and Equipment		0.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		41,305.44
FSA Deposit		0.29
Amt t.b.p. for L.T.Debt-OPEB		8,232.00
		<hr/>
Total Other Assets		49,537.73
		<hr/>
Total Assets	\$	<u><u>300,421.86</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Babcock Ranch 5360		9,174.06
Deferred Palmer Ranch 5361		3,490.46
FICA Taxes Payable		1,125.77
Federal W/H Tax Payable		(2,728.24)
United way Payable		322.00
Deferred Compensation Payable		175.00
FSA Payable		(1,759.05)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		10,719.71
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		60,257.15
Capital		
Fund Balance-Unassigned		(60,457.66)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(213,377.37)
		<hr/>
Total Capital		240,164.71
		<hr/>
Total Liabilities & Capital	\$	<u><u>300,421.86</u></u>

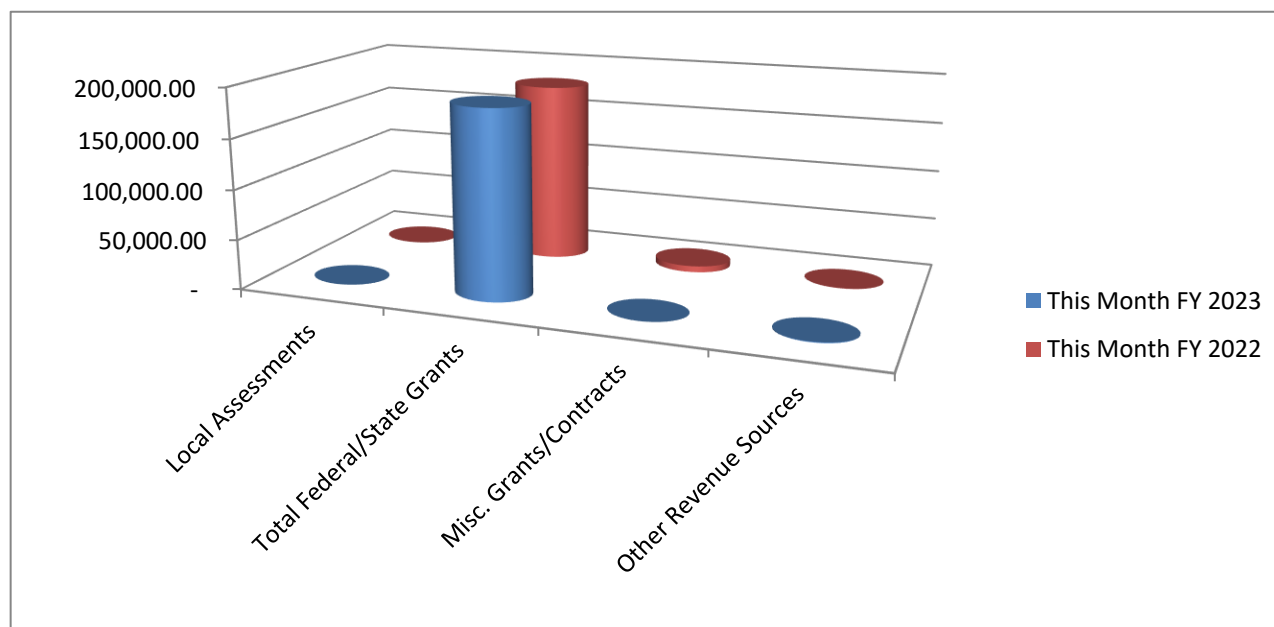
Unaudited - For Management Purposes Only

2022 - 2023 Workplan & Budget Financial Snapshot Mar-23

Revenues

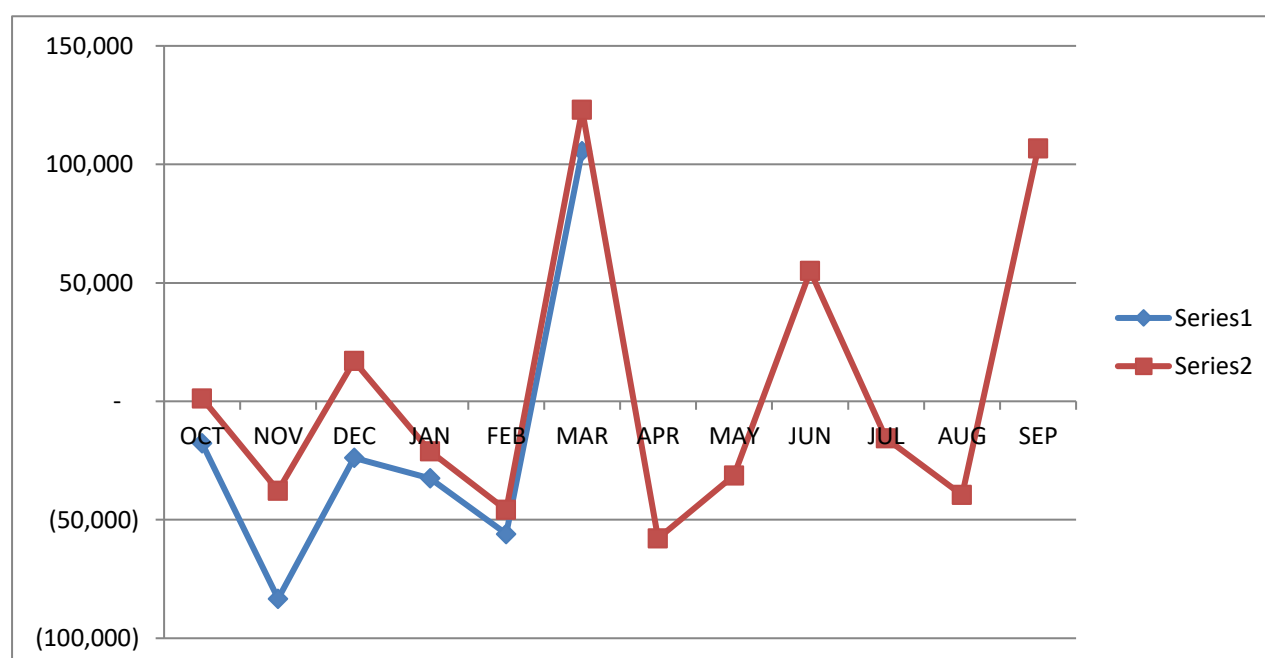
Local Assessments
Total Federal/State Grants
Misc. Grants/Contracts
Other Revenue Sources

Monthly Revenues



Notes: Local Assessments billed at the beginning of each quarter: October, January, April and July
State/Federal Grants billed quarterly: LEPC, HMEP
Federal Grants billed Semi Annually: Economic Development
Misc. Grants/Contracts billed by deliverable: SQG, Interagency PO'S
Other(DRI) billed /recorded monthly as cost reimbursement

Monthly Net Income (Loss)



YTD: Net Income (\$107,818) Unaudited

SWFRPC

Detail of Reserve

As of March 31, 2023

Cash and Cash Equivalents:

Petty Cash	\$ 200
FineMark Operating Funds	22,580
	<hr/>
<i>Total Cash and Cash Equivalents</i>	\$ 22,780

Investments:

FineMark Money Market	\$ 56,223
Local government Surplus Trust Fund Investment Pool (Fund A)	150,334
	<hr/>
<i>Total Investments</i>	\$ 206,557

Total Reserves	<hr/>
	\$ 229,337
	<hr/> <hr/>

**SWFRPC INCOME STATEMENT
COMPARED WITH BUDGET
FOR THE ONE MONTH ENDING MARCH 31, 2023**

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
REVENUES					
LOCAL ASSESSMENTS					
GLADES COUNTY	-	1,820	3,639	50%	\$ 1,820
CITY OF FORT MYERS	-	13,732	27,463	50%	\$ 13,732
TOWN OF FORT MYERS BEACH INC	-	838	1,675	50%	\$ 838
BONITA SPRINGS - WITHDREW 12/21/22	-	4,106	16,424	25%	\$ 12,318
TOTAL LOCAL ASSESSMENTS	\$ -	\$ 20,495	\$ 49,201	42%	\$ 28,707
FEDERAL / STATE GRANTS					
DEM - LEPC 22/23	16,300	25,600	70,000	37%	\$ 44,400
DEM - LEPC 21/22	-	-	-	N/A	\$ -
DEM - HMEP 22/25	24,797	25,395	61,006	42%	\$ 35,611
DEM - Lee/Collier Hazard Analysis 22/23	3,840	3,840	9,510	40%	\$ 5,670
Economic Development Planning 20/22	17,500	17,500	70,000	25%	\$ 52,500
EDA - Disaster Recovery Coordinator Ian	31,006	31,007	-	N/A	\$ -
DEO - CDBG-MIT Food Insecurity	54,912	54,912	175,000	31%	\$ 120,088
FWC - Clewiston Lakefront MasterPlan	-	-	-	N/A	\$ -
EPA - Brownfields	-	-	166,667	0%	\$ 166,667
USDA - Regional Food Systems - USDA	28,050	45,770	250,809	N/A	\$ -
Vista Supervisor	11,043	29,890	20,000	149%	\$ (9,890)
Promise Zone	-	-	-	N/A	\$ -
TOTAL FEDERAL / STATE GRANTS	\$ 187,448	\$ 233,913	\$ 822,992	28%	\$ 415,047
MISC. GRANTS / CONTRACTS/CONTRACTUAL					
CHNEP Calendar 2022	-	-	-	N/A	\$ -
CHNEP Calendar 2023	-	-	-	N/A	\$ -
FHERO	-	-	7,000	0%	\$ 7,000
Glades SQG	-	-	4,500	0%	\$ 4,500
TOTAL MISC. GRANTS/CONTRACTS	\$ -	\$ -	\$ 11,500	0%	\$ 11,500
DRIS/NOPCS/MONITORING					
DRI MONITORING FEES	-	\$ -	\$ -	N/A	\$ -
DRIS/NOPCS INCOME	-	5,940	\$ -	N/A	\$ -
TOTAL	\$ -	\$ 5,940	\$ -		\$ -
Program Development (Unsecured Grants/Contract)					
*Program Development (Unsecured)	-	-	-	100%	\$ -
TOTAL PROGRAM DEVELOPMENT	\$ -	\$ -	\$ -	-	\$ -
OTHER REVENUE SOURCES					

	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
Misc. Income	-	891	400	223%	\$ (491)
INTEREST INCOME - Money Market	10	100	800	12%	\$ 700
Fund A Investment Income	615	3,148	800	393%	\$ (2,348)
TOTAL OTHER REVENUE SOURCES	\$ 626	\$ 4,138	\$ 2,000	207%	\$ (2,138)

Fund Balance \$ - \$ -

TOTAL REVENUES	\$ 188,073	\$ 264,486	\$ 885,693	30%	\$ 453,115
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EXPENSES

PERSONNEL EXPENSES

SALARIES EXPENSE	\$ 24,852	\$ 117,972	\$ 249,600	47%	\$ 131,628
FICA EXPENSE	1,889	8,964	19,094	47%	\$ 10,130
RETIREMENT EXPENSE	5,222	27,330	60,459	45%	\$ 33,129
HEALTH INSURANCE EXPENSE	2,948	17,668	40,848	43%	\$ 23,180
WORKERS COMP. EXPENSE	109	654	1,344	49%	\$ 690
UNEMPLOYMENT COMP. EXPENSE	-	-	-	N/A	-
TOTAL PERSONNEL EXPENSES	\$ 35,019	\$ 172,589	\$ 371,345	46%	\$ 198,756

OPERATIONAL EXPENSES

CONSULTANTS	\$ -	\$ 2,975	\$ 65,700	5%	\$ 62,725
GRANT/CONSULTING EXPENSE	44,682	171,076	457,513	37%	\$ 286,437
AUDIT SERVICES EXPENSE	-	1,000	25,000	4%	\$ 24,000
TRAVEL EXPENSE	1,204	3,670	1,000	367%	\$ (2,670)
TELEPHONE EXPENSE	157	890	1,488	60%	\$ 598
POSTAGE / SHIPPING EXPENSE	-	-	-	N/A	\$ -
EQUIPMENT RENTAL EXPENSE	264	1,319	3,631	36%	\$ 2,312
INSURANCE EXPENSE	82	6,287	6,220	101%	\$ (67)
PRINTING/REPRODUCTION EXPENSE	39	197	1,000	20%	\$ 803
ADVERTISING/LEGAL NOTICES EXP	116	261	1,600	16%	\$ 1,339
OTHER MISC. EXPENSE	-	(482)	500	-96%	\$ 982
BANK SERVICE CHARGES	135	403	-	N/A	\$ (403)
OFFICE SUPPLIES EXPENSE	-	553	600	92%	\$ 47
COMPUTER RELATED EXPENSE	817	9,067	22,388	40%	\$ 13,321
DUES AND MEMBERSHIP	-	2,500	3,059	82%	\$ 559
MEETINGS/EVENTS EXPENSE	-	-	2,000	0%	\$ 2,000
CAPITAL OUTLAY - OPERATIONS	-	-	-	N/A	\$ -
UNCOLLECTABLE RECEIVABLES	-	-	-	N/A	\$ -

FUND BALANCE \$ 428,877

OPERATIONAL EXP.	\$ 47,496	\$ 199,716	\$ 1,020,576	20%	\$ 391,983
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	Current Month	Year to Date A	FY 22-23 Approved Budget B	% Of Budget Year to Date	Budget Remaining
TOTAL OPERATIONAL EXP.			\$ 1,020,576		
TOTAL CASH OUTLAY	\$ 82,515	\$ 372,304	\$ 1,391,921		\$ 590,740
NET INCOME (LOSS)	<u>\$ 105,559</u>	<u>\$ (107,818)</u>			

SWFRPC
Balance Sheet
March 31, 2023

ASSETS

Current Assets		
Cash - Florida Prime	\$	150,333.98
Cash - FineMark Oper.		22,579.68
Cash - FineMark MM		56,223.49
Petty Cash		200.00
Accounts Receivable		127,377.46
Accounts Receivable-RC&D		(61.25)
Transfer of Funds		30.00
		<hr/>
Total Current Assets		356,683.36
Property and Equipment		
Property, Furniture & Equip		43,026.31
Accumulated Depreciation		(43,025.57)
		<hr/>
Total Property and Equipment		0.74
Other Assets		
Amount t.b.p. for L.T.L.-Leave		41,305.44
FSA Deposit		0.29
Amt t.b.p. for L.T.Debt-OPEB		8,232.00
		<hr/>
Total Other Assets		49,537.73
		<hr/>
Total Assets	\$	<u><u>406,221.83</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable	\$	614.46
Deferred Babcock Ranch 5360		9,174.06
Deferred Palmer Ranch 5361		3,490.46
FICA Taxes Payable		1,256.12
Federal W/H Tax Payable		(2,565.31)
United way Payable		322.00
Deferred Compensation Payable		75.00
FSA Payable		(1,710.95)
LEPC Contingency Fund		305.25
		<hr/>
Total Current Liabilities		10,961.09
Long-Term Liabilities		
Accrued Annual Leave		41,305.44
Long Term Debt - OPEB		8,232.00
		<hr/>
Total Long-Term Liabilities		49,537.44
		<hr/>
Total Liabilities		60,498.53
Capital		
Fund Balance-Unassigned		(60,457.66)
Fund Balance-Assigned		514,000.00
FB-Non-Spendable/Fixed Assets		(0.26)
Net Income		(107,818.78)
		<hr/>
Total Capital		345,723.30
		<hr/>
Total Liabilities & Capital	\$	<u><u>406,221.83</u></u>

Unaudited - For Management Purposes Only

_____Agenda

_____Item

7b

7b

F tchv'Dwf i gv'FY 2025-2026

7b



FISCAL YEAR 2024

BUDGET

OF THE SOUTHWEST FLORIDA
REGIONAL PLANNING COUNCIL

PROPOSED: June 15, 2023

SWFRPC.ORG

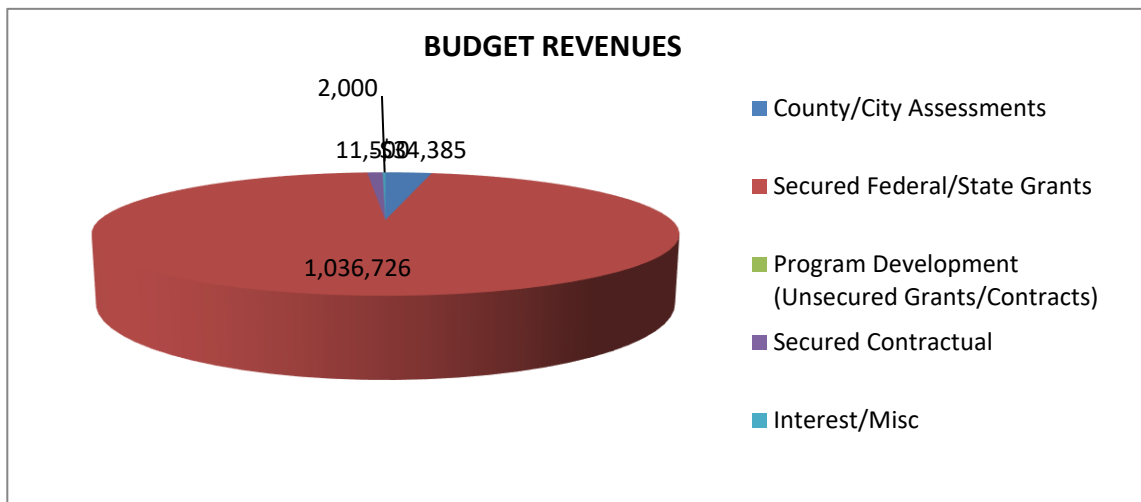
FY 24 PROPOSED BUDGET

OCTOBER 1, 2023 TO SEPTEMBER 30, 2024

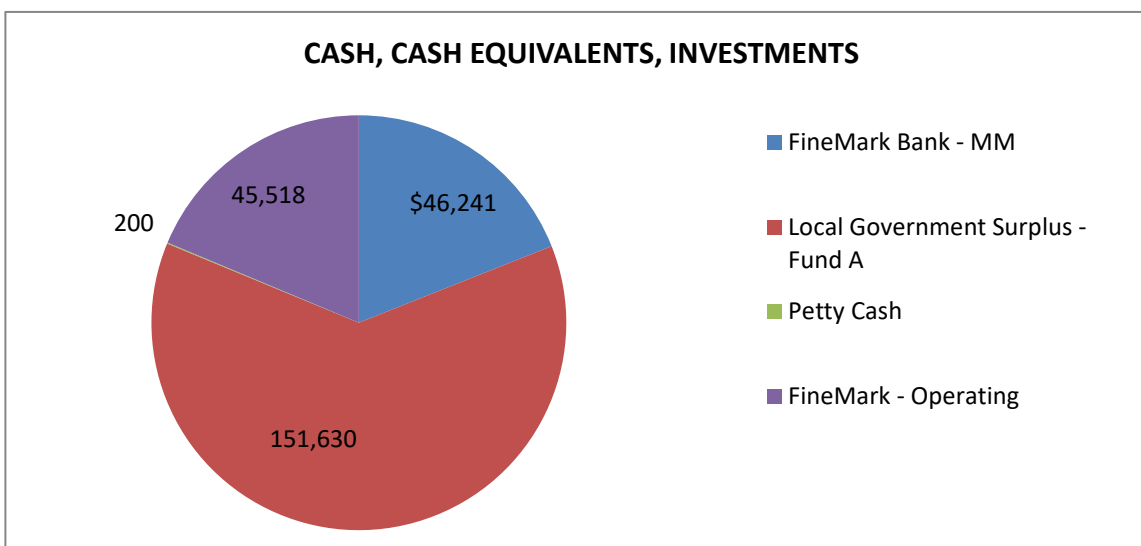
Revenues		General Fund Budget Totals
Assessments	\$	34,385
Secured Federal/State Grants		1,036,726
Secured Contractual		11,500
Interest/Misc		2,000
Reserves		
Total Income (Revenue)	\$	1,084,611
Expenditures (Expenses)		
<u>Direct:</u>		
Salaries (A)	\$	249,600
FICA		19,094
Unemployment		-
Workers Compensation		1,064
Retirement		76,987
Health Insurance (B)		37,511
Total Personnel Expenses	\$	384,256
Expenses		
Consultants (C)	\$	143,700
Grant/Consulting - Contractual (D)		537,229
Audit Fees		25,000
Travel		1,000
Telephone		1,488
Postage		-
Equipment Rental (E)		-
Insurance (F)		6,580
Repair/Maint. (Equip/Vehicle) (N/A)		-
Printing/Reproduction		1,000
Utilities (N/A)		-
Advertising		1,600
Other Miscellaneous		500
Bank Service Charges		800
Office Supplies		1,000
Computer Related Expenses (G)		22,671
Dues and Memberships (H)		3,059
Publications (N/A)		-
Professional Development (N/A)		-
Meetings/Events		2,000
Capital Outlay-Operations		-
Lease Long Term (N/A)		-
Operational Expense	\$	747,627
Total Cash Outlays	\$	1,131,884
Net Income/Loss	\$	(47,273)
Reserves Estimate (as of 6/7/2023)	\$	243,588
Total Net Income with Reserves	\$	196,315

REVENUE SOURCES

BUDGET REVENUES	AMOUNT
County/City Assessments	\$ 34,385
Secured Federal/State Grants	1,036,726
Program Development (Unsecured Grants/Contracts)	-
Secured Contractual	11,500
Interest/Misc	2,000
Total Revenue	\$ 1,084,611



CASH, CASH EQUIVALENTS, INVESTMENTS (as of 12/31/2022):	AMOUNT
FineMark Bank - MM	\$ 46,241
Local Government Surplus - Fund A	151,630
Petty Cash	200
FineMark - Operating	45,518
Total Cash, Cash Equivalents, Investments	\$ 243,588



FY 23 REVENUE SOURCES

OCTOBER 1, 2023 - SEPTEMBER 30, 2024

GENERAL REVENUES		SPECIAL REVENUES	
Interest/Misc.	\$ 2,000	Federal/State Grant	\$ 1,036,727
Assessments	\$ 34,385	Contractual	\$ 11,500
	\$ 36,385		\$ 1,048,227
		Total Revenues	\$ 1,084,612
Program Development Unsecured/Reserves		\$	-
		Total Budget	\$ 1,084,612

MEMBER	POPULATION (BEBR Estimates 2020)	ASSESSMENT
Glades County	12,273	3,682
City of Fort Myers	96,755	29,027
Town of Fort Myers Beach	5,589	1,677

Total Assessments	114,617	\$ 34,385
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Additional Revenue		TOTAL
Interest/Misc.	\$ -	\$ 2,000
Total General Revenues		\$ 36,385

SPECIAL REVENUES	FEDERAL/STATE GRANTS	CONTRACTUAL	TOTAL
DEM - Title III - LEPC	\$ 77,000		77,000
DEM - HMEP Planning & Training	61,006		61,006
Lee/Collier Hazard Analysis	9,510		9,510
FDEP: Marco Island Vulnerability	78,000		78,000
DEO - CDBG-MIT Food Insecurity	175,000		175,000
Brownfields	166,667		166,667
Economic Development CEDS	70,000		70,000
Economic Development IAN	128,735		128,735
USDA - Regional Food Systems	250,809		250,809
National Community Service VISTA	20,000		20,000
SQG-Glades		4,500	4,500
FHERO		7,000	7,000
Total RPC Special Revenues	\$ 1,036,727	\$ 11,500	\$ 1,048,227

SWFRPC 5 YEAR BUDGET COMPARISON

Fiscal Year 2020 - Fiscal Year 2024

	Adopted Budget FY 2020	Adopted Budget FY 2021	Adopted Budget FY 2022	Adopted Budget FY 2023	Proposed Budget FY 2024
Revenues					
Assessments	\$57,613	\$51,593	\$50,523	\$49,201	\$ 34,385
Federal/State/Local Funds/Contract.	720,012	599,958	798,955	822,991	1,036,726
Unsecured Grants/Contracts	174,070				
Contractual	20,478	158,508	64,983	11,500	11,500
DRIs/NOPCs/Monitoring	-	-			
Interest/Misc	23,412	2,009	15,606	2,000	2,000
Reserves (Estimated for Use)				77,352	47,272
Fund Balance	631,414	428,877	428,877	419,591	453,577
Total Income	\$ 1,626,999	\$ 1,240,945	\$ 1,358,944	\$ 1,382,635	\$ 1,585,460
Expenditures					
<u>Direct:</u>					
Salaries - Total	\$ 280,149	\$ 254,290	\$ 251,169	\$ 249,600	\$ 249,600
FICA/Workers Comp/Unemployment	23,149	21,865	20,054	20,438	20,158
Retirement	40,114	61,682	66,099	60,459	76,987
Health Insurance	54,934	39,826	30,708	40,848	37,511
Total Personnel Services	\$ 398,346	\$ 377,663	\$ 368,030	\$ 371,345	\$ 384,256
Consultant Fees	65,682	11,361	15,691	65,700	143,700
Grant/Consulting Expense	364,681	336,386	423,097	457,513	537,229
Audit Fees	29,650	26,500	26,500	25,000	25,000
Travel	22,141	93	4,236	1,000	1,000
Telephone	3,645	2,563	2,472	1,488	1,488
Postage	719	43	0	0	0
Equipment Rental	5,319	4,792	3,990	3,631	0
Insurance	7,267	6,175	6,511	6,220	6,580
Repair/Maint. (Grounds/Bldg/Equip)	133	0	0	0	0
Printing/Reproduction	1,000	1,795	526	1,000	1,000
Utilities (Elec, water, garb)	6,631	0	0	0	0
Advertising	1,232	-478	984	1,600	1,600
Other Miscellaneous	1,051	565	61	500	500
Bank Service Charge	17	204	650	0	800
Office Supplies	2,504	754	1,807	600	1,000
Computer Related Expenses	20,984	18,057	19,187	22,388	22,671
Publications	0	0	0	0	
Bad debt					
Dues and Memberships	10,871	259	2,560	3,059	3,059
Professional Development	0	0	0	0	
Meetings/Events	4,562	170	123	2,000	2,000
Moving					
Capital Outlay-Operations	0	0	0	0	0
Moving Expense	2,757	0	0	0	0
Lease Long Term	46,392	0	0	0	0
Reserve for Operations Expense	631,414	428,877	428,877	419,591	453,577
Total Cash Outlays	\$ 1,626,998	\$ 1,215,781	\$ 1,305,304	\$ 1,382,635	\$ 1,585,460
Net Income/(Loss)	\$ -	\$ 25,164	\$ 53,640	\$ -	\$ 0

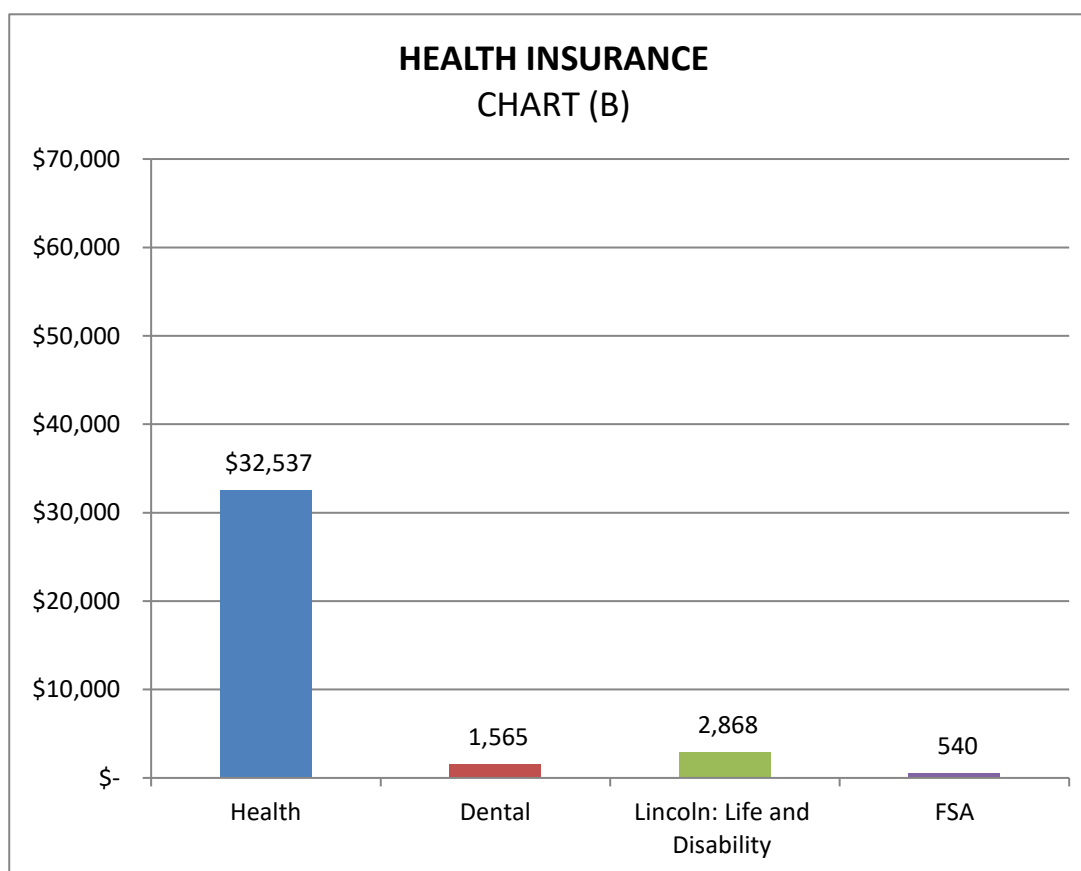
SALARY EXPENSES

TABLE (A)

POSITION TITLE CLASSIFICATION	CLASSIFICATION LEVEL	SALARY RANGE	HOURLY RATE	ANNUAL SALARY
Executive Director	Exempt	As determined by Council	57.13	\$ 118,830
Business Operations Manager	Exempt	25.96 - 47.75	41.58	86,486
Program Manager/Vista Sup	Exempt	20.07 - 31.74	21.29	44,283
Total				\$ 249,600

HEALTH INSURANCE**TABLE (B)**

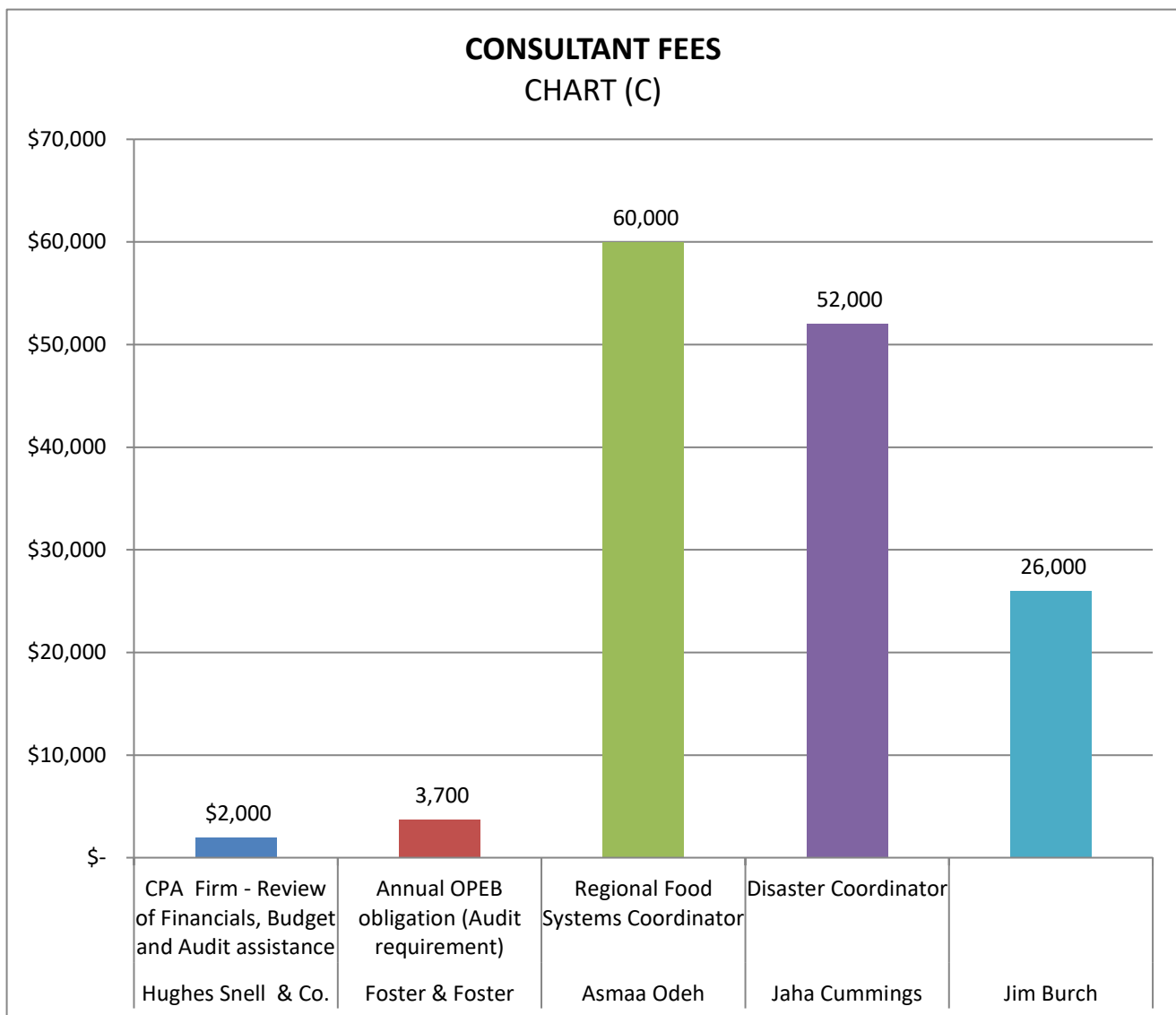
INSURANCE TYPE	COVERAGE	AMOUNT
Health	Employee Only	\$ 32,537
Dental	Employee Only	1,565
Lincoln: Life and Disability	Employee Only	2,868
FSA	Employee Only	540
Total		\$ 37,511



NOTE Coverage - Employee Only

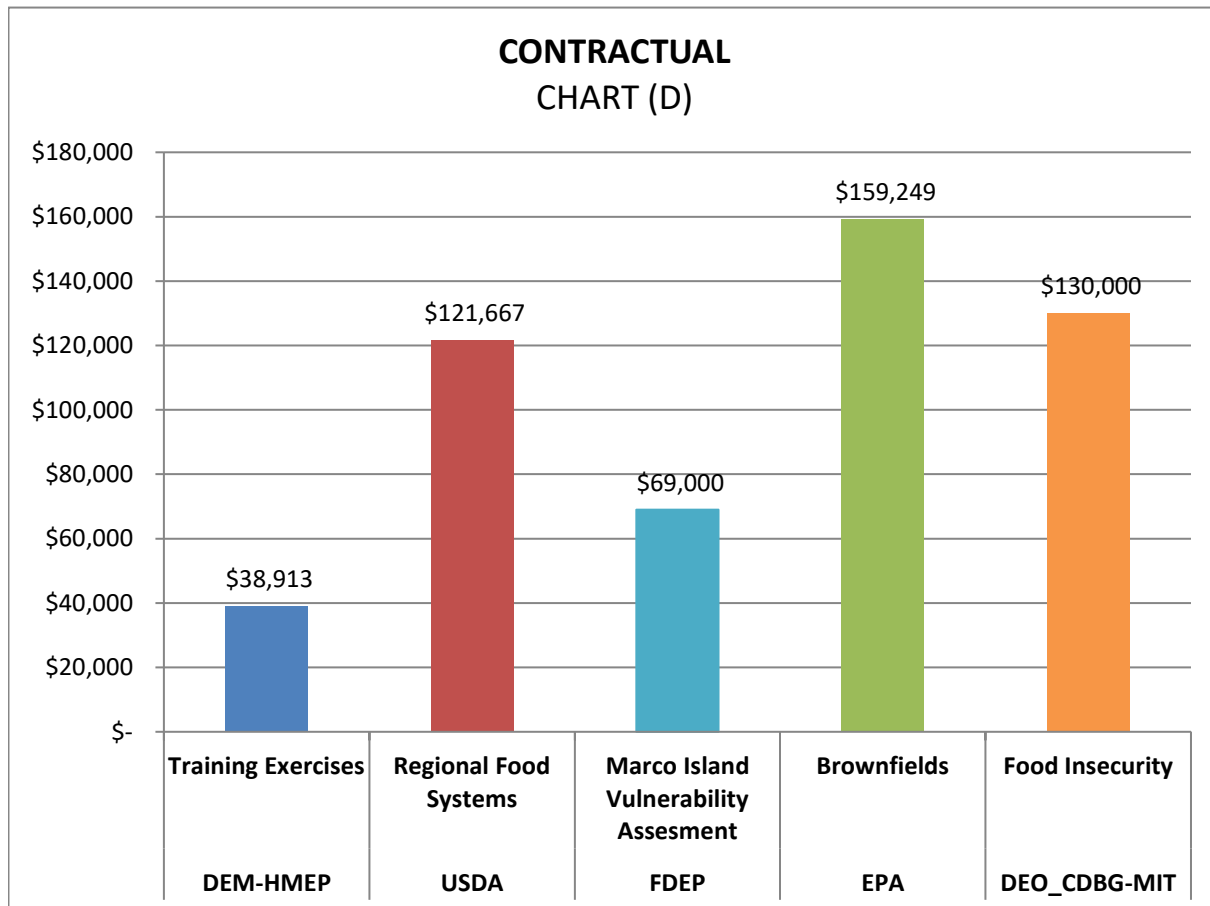
CONSULTANT FEES
TABLE (C)

CONSULTANT	DESCRIPTION	AMOUNT
Hughes Snell & Co.	CPA Firm - Review of Financials, Budget and Audit assistance	\$ 2,000
Foster & Foster	Annual OPEB obligation (Audit requirement)	3,700
Asmaa Odeh	Regional Food Systems Coordinator	60,000
Jaha Cummings	Disaster Coordinator	52,000
Jim Burch		26,000
Total		\$ 143,700



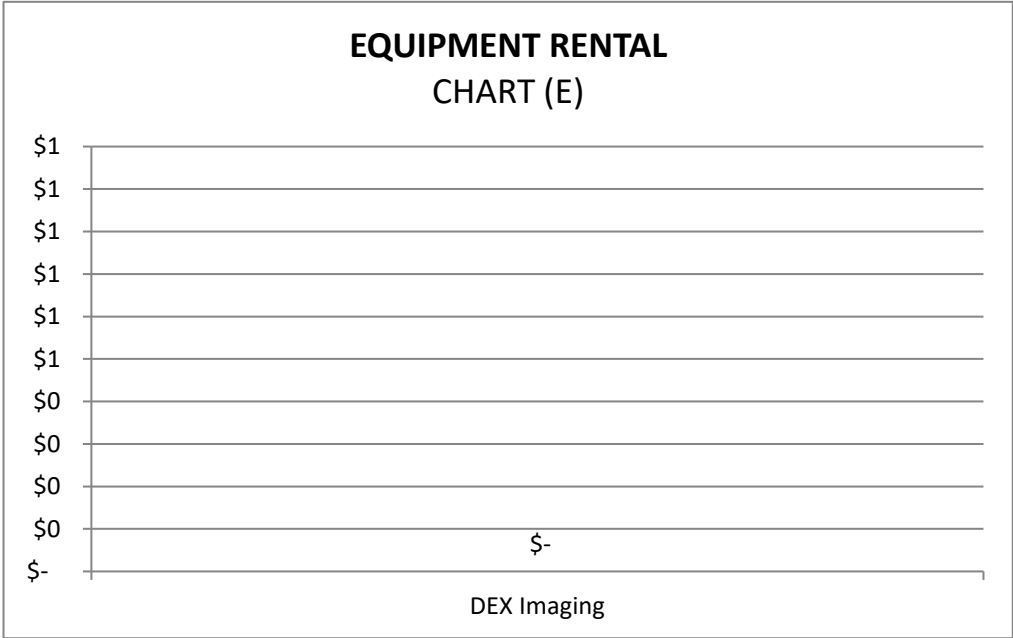
**CONTRACTUAL
TABLE (D)**

GRANT	DESCRIPTION	AMOUNT
DEM-LEPC	HazMat Exercise	\$ 18,400
DEM-HMEP	Training Exercises	\$ 38,913
USDA	Regional Food Systems	\$ 121,667
FDEP	Marco Island Vulnerability Assesm	\$ 69,000
EPA	Brownfields	\$ 159,249
DEO_CDBG-MIT	Food Insecurity	\$ 130,000
Total		\$ 537,229



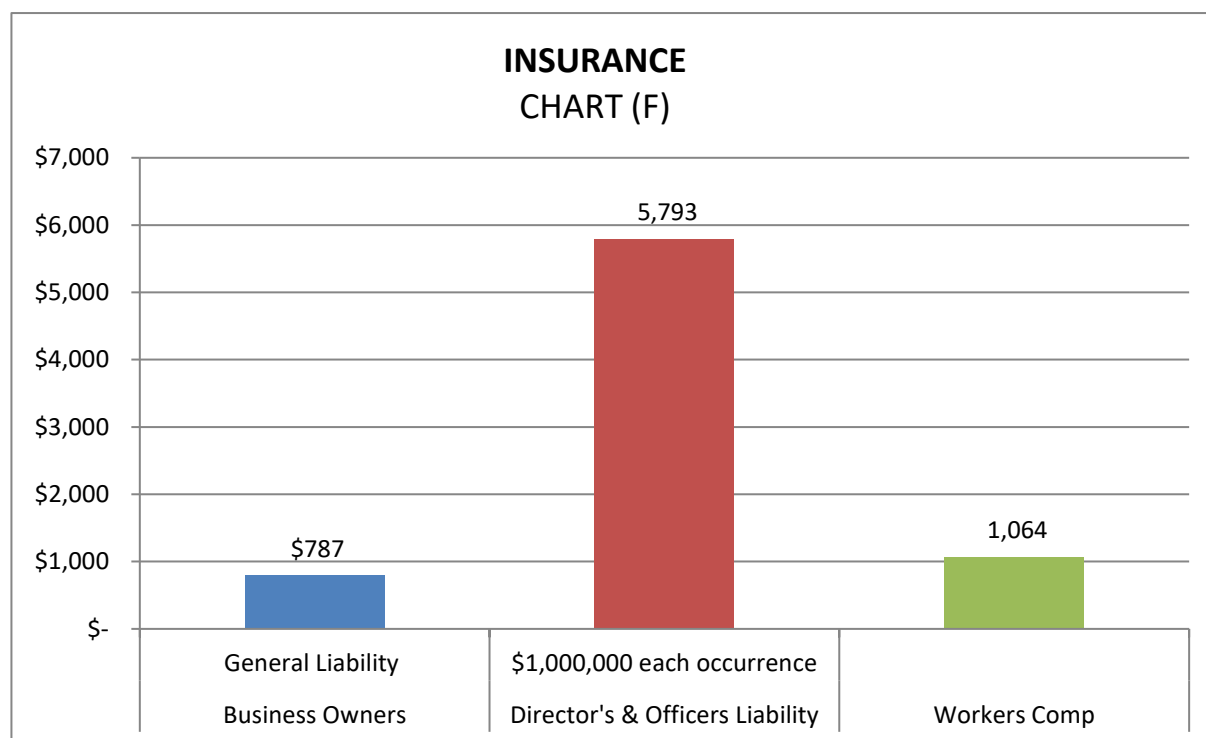
EQUIPMENT RENTAL
TABLE (E)

	DESCRIPTION	
DEX Imaging	Coper/Printer Lease End Sep 2023	\$ -
Copier Lease Ends 2023		Total \$ -



INSURANCE
TABLE (F)

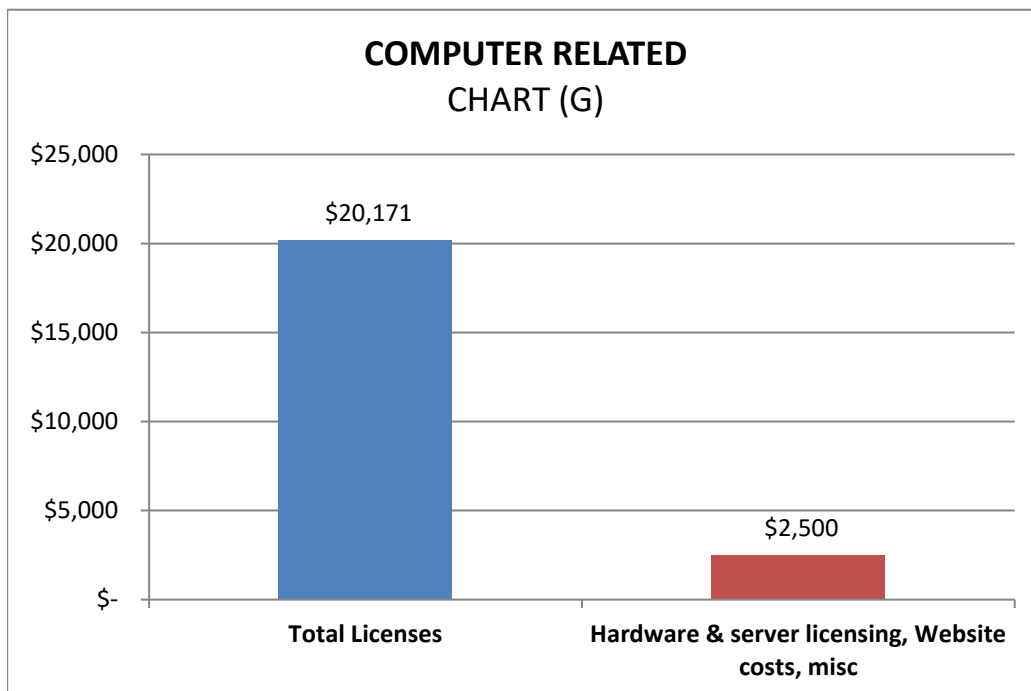
POLICY	DESCRIPTION	PREMIUM
Business Owners	General Liability	\$ 787
Director's & Officers Liability	\$1,000,000 each occurrence	5,793
Workers Comp		1,064
Total		\$ 6,580



**COMPUTER RELATED
TABLE (G)**

LICENSES	AMOUNT
Sage Peachtree (Accounting Software)	\$ 3,368
BillQuick (Timecard Software)	\$ 1,001
REMI (Modeling Software)	4,500
ArcView (GIS)	3,525
MS Office 365 (Applications & file hosting)	4,200
Summit Hosting (Peachtree & Billquick)	3,367
Webroot	210
Total Licenses	\$ 20,171

OTHER	AMOUNT
Hardware & server licensing, Website costs, misc	\$ 2,500
Total Expenses	\$ 22,671

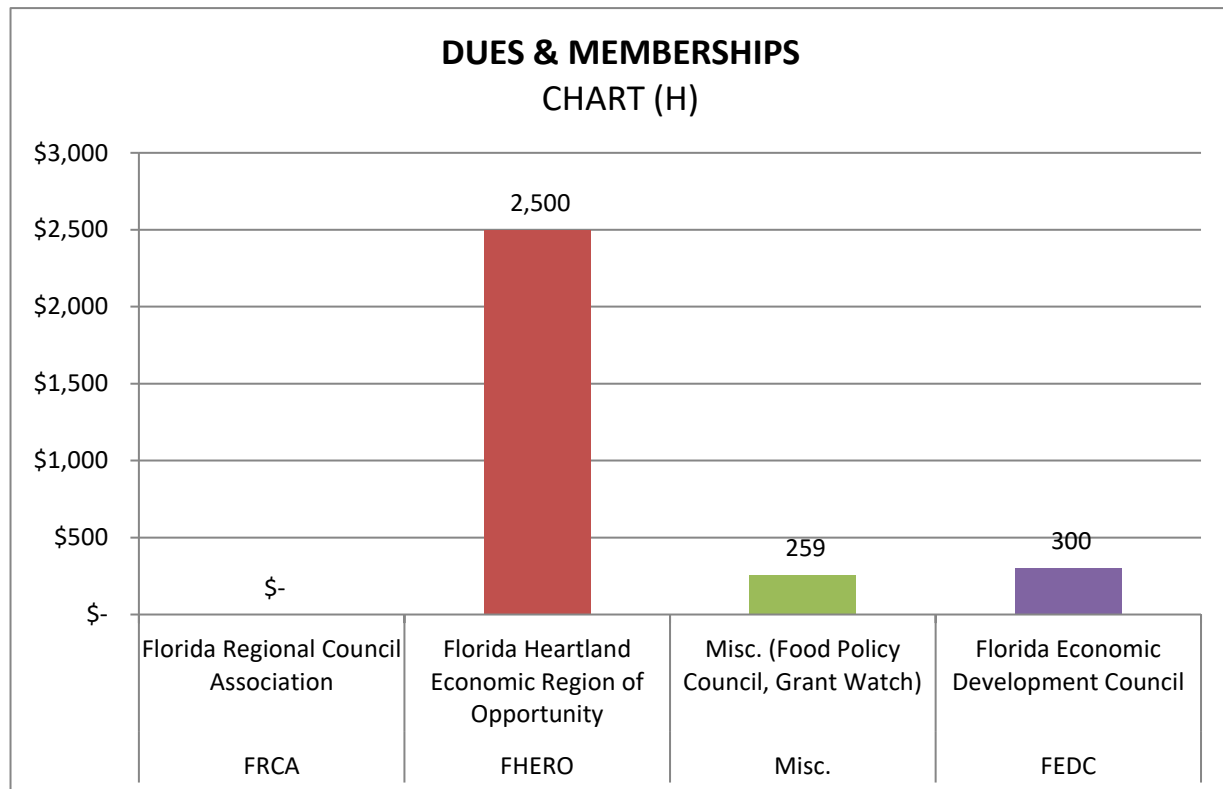


DUES & MEMBERSHIPS
TABLE (H)

ORGANIZATION	DESCRIPTION	AMOUNT
FRCA	Florida Regional Council Association	\$ -
FHERO	Florida Heartland Economic Region of Opportunity	2,500
Misc.	Misc. (Food Policy Council, Grant Watch)	259
Total		\$ 2,759

GRANT RELATED SUBSCRIPTIONS	DESCRIPTION	AMOUNT
FEDC	Florida Economic Development Council	300
Total Grant Related		\$ 300

Total		\$ 3,059
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_____	Agenda	
_____	Item	8

		8
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Consent Agenda		8
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Agenda Item

8a

8a

Babcock Ranch Increment III

8a

CHARLOTTE COUNTY DEVELOPMENT ORDERS REVIEW OF BABCOCK RANCH COMMUNITY INCREMENT 3 ALONG WITH AMENDMENTS TO THE MASTER DEVELOPMENT ORDER AND INCREMENTS 1 AND 2

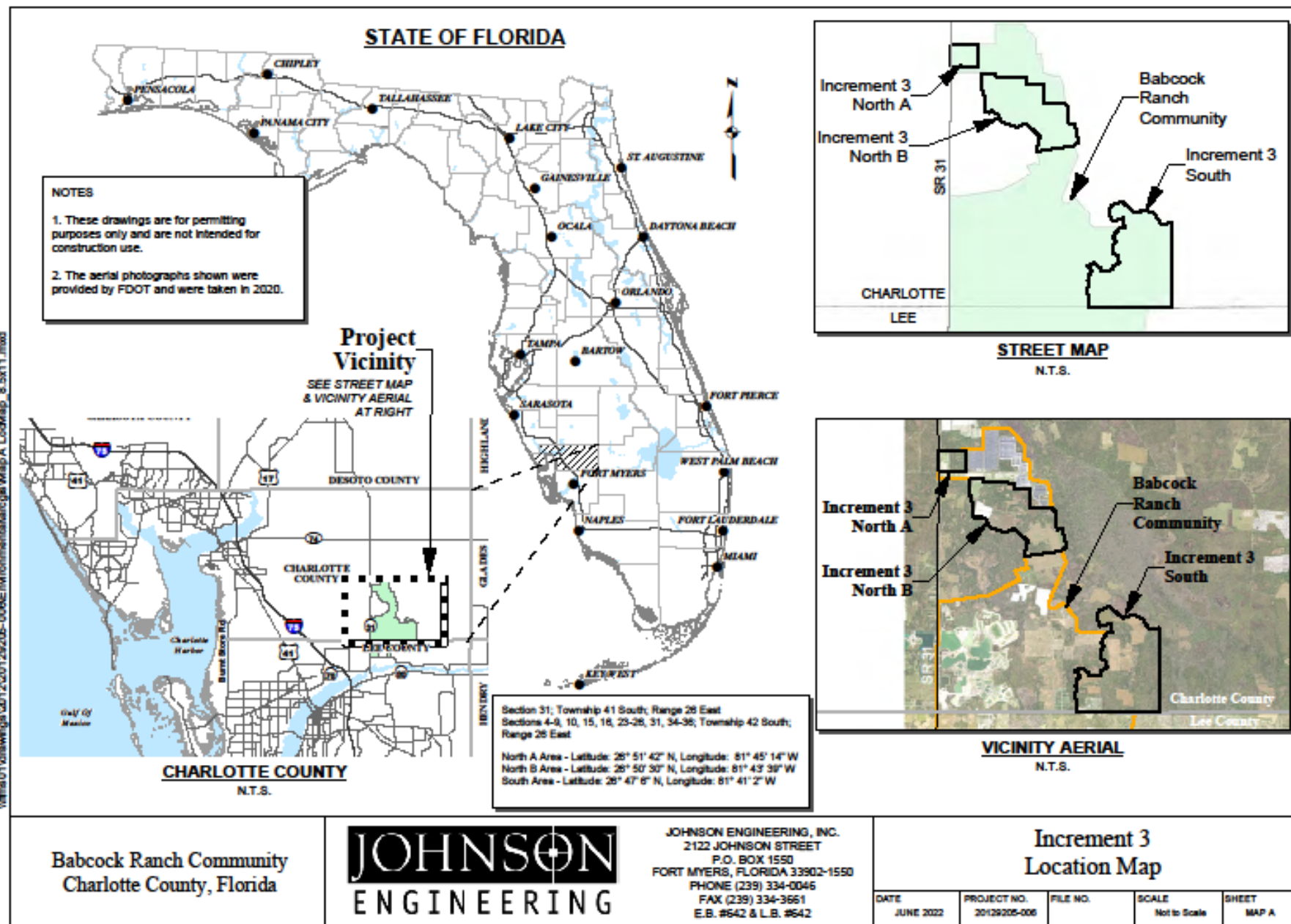
Council Recommendations (Attachment I)

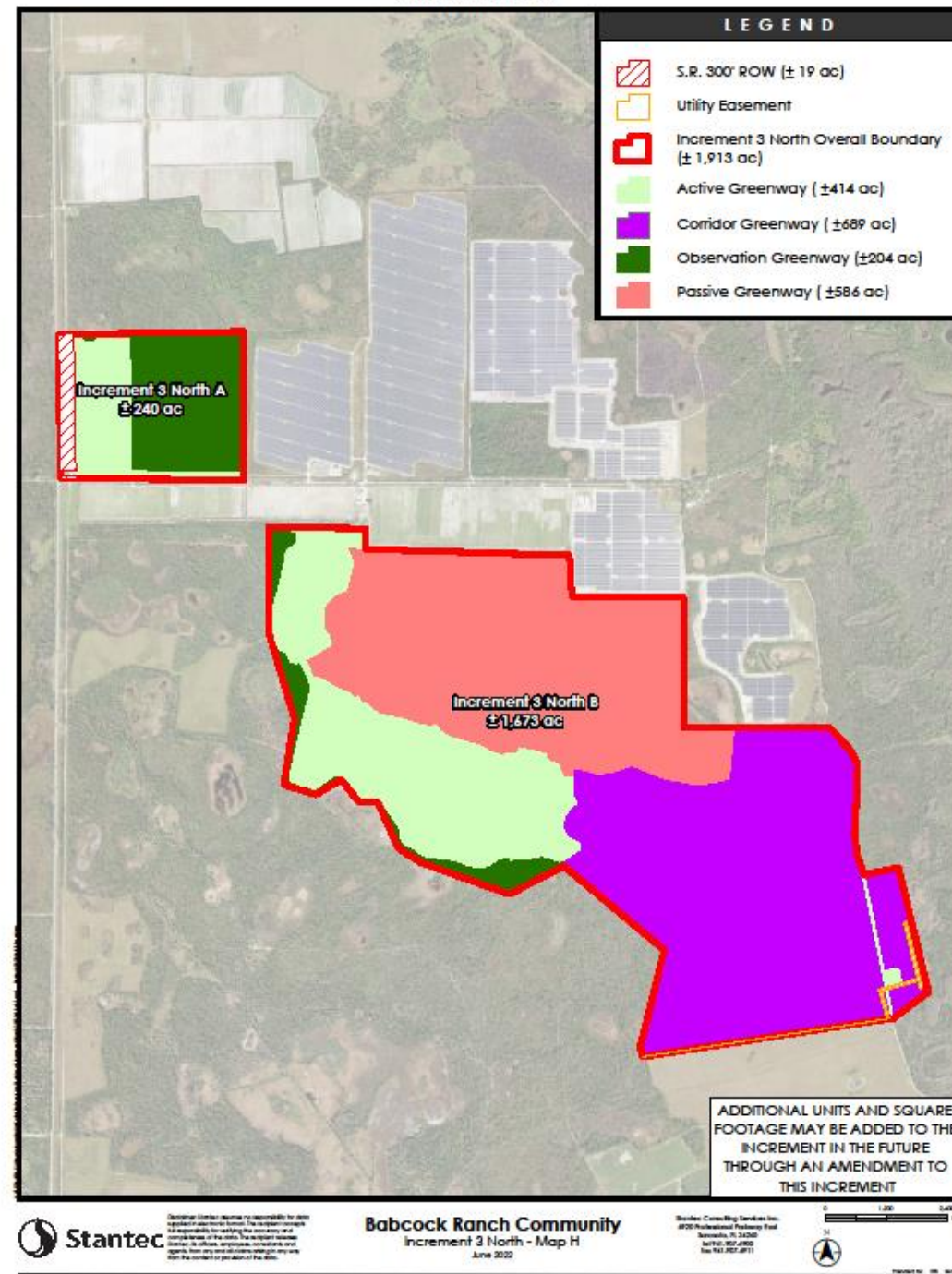
On May 11, 2023, the Council recommended conditional approval of the Babcock Ranch Community Assessment Report for Increment III along with amendments to the Master Development Order and Increments 1 and 2. The regional issues are affordable housing, wildlife mitigation, wetland impact mitigation, stormwater management and floodplains and transportation mitigation. A copy of the Council recommendations can be found as Attachment I.

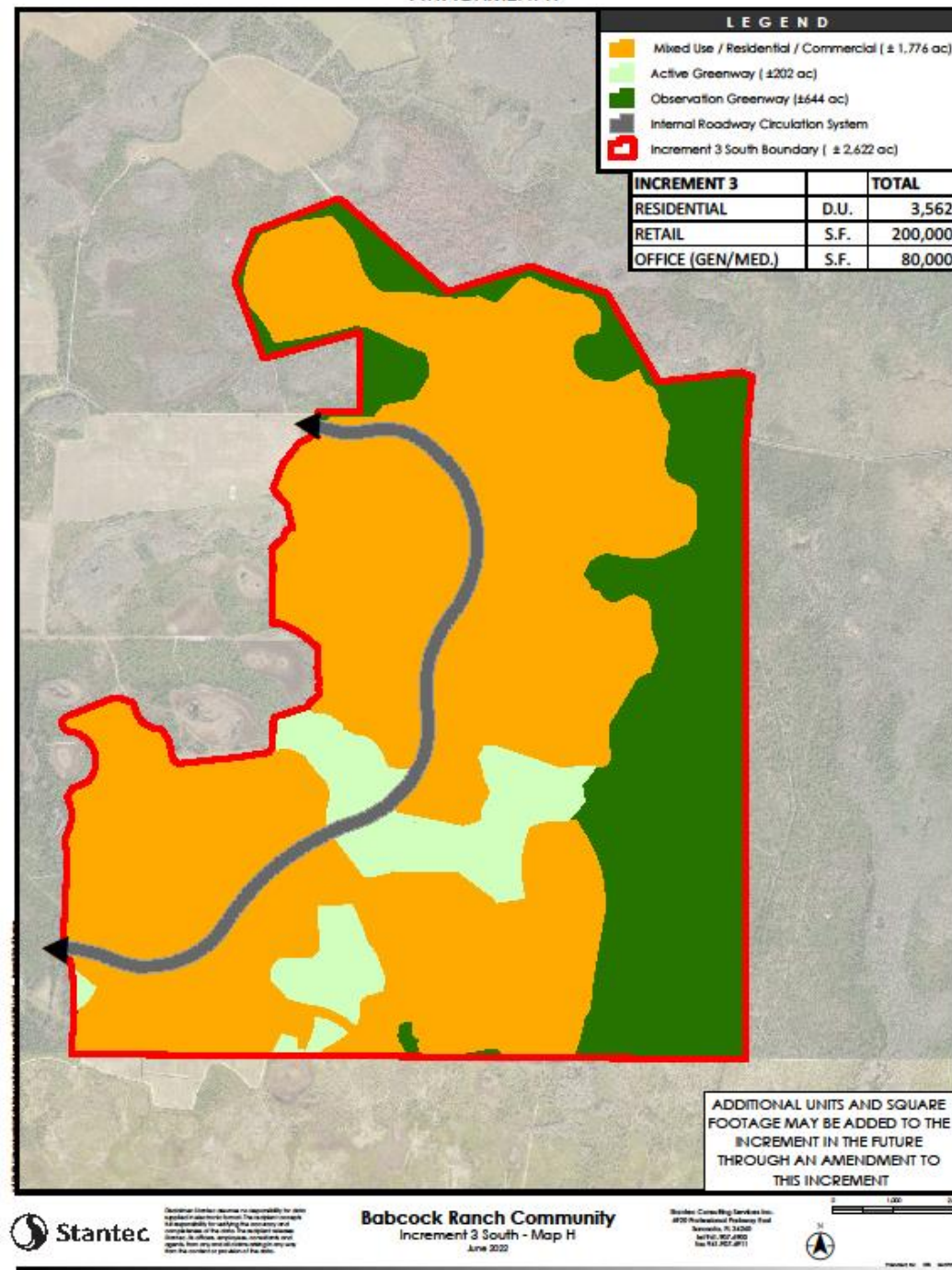
Charlotte County Development Order Amendment (Attachment II)

On May 23, 2023, the Board of Charlotte County Commissioners approved the Babcock Ranch Increment III Development Order (Resolution #2023-081) along with amendments to the Master Development Order (#2023-078) and Increments 1 (#2023-079) and 2 (#2023-080). Copies of the development orders (see Attachment II) were rendered to the SWFRPC on June 9, 2023. Staff review of the attached development orders finds that they are consistent with all regional issues and recommendations identified within the Council's Official Recommendations.

RECOMMENDED ACTION: Accept the Increment 3 Development Order along with amendments to the Master Development Order and Increments 1 and 2 as rendered.







**CHARLOTTE COUNTY DEVELOPMENT ORDER REVIEW OF BABCOCK RANCH
COMMUNITY INCREMENT 3 ALONG WITH AMENDMENTS TO THE MASTER
DEVELOPMENT ORDER AND INCREMENTS 1 AND 2**

Council Recommendations (Attachment I)

On May 11, 2023, the Council recommended conditional approval of the Babcock Ranch Community Assessment Report for Increment 3 along with amendments to the Master Development Order and Increments 1 and 2. The regional issues are affordable housing, wildlife mitigation, wetland impact mitigation, stormwater management and floodplains and transportation mitigation. A copy of the Council recommendations can be found as Attachment I.

Charlotte County Development Order Amendment (Attachment II)

On May 23, 2023, the Board of Charlotte County Commissioners approved the Babcock Ranch Increment 3 Development Order (Resolution #2023-081) along with amendments to the Master Development Order (#2023-078) and Increments 1 (#2023-079) and 2 (#2023-080). Copies of the development orders (see Attachment II) were rendered to the SWFRPC on June 9, 2023. Staff review of the attached development orders finds that they are consistent with all regional issues and recommendations identified within the Council's Official Recommendations.

RECOMMENDED ACTION: Accept the Increment 3 Development Order along with amendments to the Master Development Order and Increments 1 and 2 as rendered.

June 15, 2023

ATTACHMENT I

**DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT FOR BABCOCK RANCH
INCREMENT 3 AND AMENDMENTS TO THE MASTER DEVELOPMENT ORDER
AND INCREMENTS 1 AND 2 DEVELOPMENT ORDERS****BACKGROUND**

The Babcock Ranch Increment 3 Development of Regional Impact (DRI) is the third and the last increment of the Babcock Ranch Community Master Development Plan. The Babcock Ranch Community Master (BRC) DRI is an approved mixed-use development located in southeastern Charlotte County, north of the Lee County Line, south of CR 74, east of SR 31, and contains approximately 13,630 acres (see Attachment I Location Map). The Babcock Ranch Community is envisioned as a sustainable, environmentally friendly self-sustained new town community that provides diverse natural and recreational experiences for its residents. The community will encourage a high-tech, energy efficient and environmentally friendly mix of residential, retail and office commercial, light industrial, civic and educational facilities, open space, parks and recreational, and institutional uses. Regulations and development standards for the Babcock Ranch Community have been established with the goal of creating an integrated community that fosters civic life, walkability, human interaction, economic health, sustainability, and preservation of the natural environment.

A three-party agreement between Charlotte County, Babcock Ranch Community Developer and the SWFRPC requires the SWFRPC to coordinate the review of the Master Babcock Ranch Community DRI. The Babcock Ranch Community Master Development Order (MDO) was approved on December 13, 2007 (last amended July 27, 2021). Total land area for the Babcock Ranch Community is 17,843 acres (Charlotte Co. 13,686 Acres, Lee Co. 4,157 Acres). The MDO approval is for 17,870 residential units, 1,400,000 SF retail, 3,500,000 SF office (general office, medical office and civic), 650,000 SF industrial, 600 hotel rooms, 177 hospital beds, 418 units of assisted living facilities, RV Parks, and 54 golf holes. Additional development includes ancillary facilities such as the educational service center, schools and university research facilities, libraries, places of worship, regional and community park sites, fire, EMS and sheriff facilities and the necessary utility infrastructure (see Attachment II). Projected buildout is 2053 with an expiration date of 2055.

The MDO requires Applications for Incremental Developmental Approval (AIDA) and questions are limited to issues identified in MDO Exhibit C and the “C” conditions in the Incremental Development Orders (IDOs) that guide development. The MDO specified that updates to the Master DRI Traffic Study (MTSU) must be undertaken no later than every five years and as such a Master Traffic Study Update was completed in 2021 during the review of Increment 2. Purpose of the MTSU is to assist the long-term planning of the DRI based on the current master development plan in Charlotte County and includes development proposed in Lee County. The portion of Babcock Ranch in Lee County (Babcock MPD) is not part of the BRC DRI in Charlotte County. The approved Babcock MPD is being developed independently and is reflected in the master planning of Babcock Ranch in both counties that will total 19,500 residential units and 6 million square feet of nonresidential uses (see Attachment III).

Increment 1 was originally approved December 15, 2009, and amended May 26, 2020, to include 5,000 residential dwelling units (3,000 single family units and 2,000 multi-family units), non-residential 1,220,000 S.F. (870,000 SF retail and 350,000 SF office), 600 hotel rooms, 18 golf holes, and assisted living 100 units (see Attachment IV). All approved uses are subject to use of equivalency matrix and Increment 1 is almost built out. Buildout is 2037 with an expiration date of 2044.

Increment 2 was originally approved July 27, 2021, to include 6,457 residential dwelling units (4,434 single family units and 2,023 multi-family units), 1,225,000 S.F non-residential (297,250 SF retail and 727,750 SF office), 200,000 SF industrial, 100 assisted living units, parks, golf course, and ancillary (see Attachment V). All approved uses are subject to use of equivalency matrix. Increment 2 buildout is 2035 with an expiration date of 2042. Increment 1 and 2 transportation proportionate share mitigation of \$50,761,263 includes expanding existing 2-Lane SR31 to a 4-Lane divided highway from SR78 to Horseshoe Road/Lake Babcock Drive with infrastructure and grading provided for 6-Lane expansion.

The current development status is completion of FPL Solar Array- Two 74.5 MW facilities, trails/parks, Founder's Square Businesses, Crescent B Commons, Babcock Neighborhood School, Babcock Ranch Community Independent Special District and SR 31 expansion (See Attachment VI). Environmental mitigation for Babcock Ranch is to connect on-site preservation to off-site conservation lands and completion of Comprehensive Mitigation Plan and Mitigation Phasing Plan as defined by South Florida Water Management District (SFWMD) Environmental Resource Permits (ERP). Mitigation comprised of Phases A through K with mitigation to be implemented prior to or concurrent with development. Total mitigation implemented as of the application date was 7,370.13 acres (3,237.89 acres onsite 4,132.24 acres offsite) with recorded conservation easements over 4,145.71 acres (See Attachment VII).

INCREMENT 3 APPLICATION FOR INCREMENTAL DEVELOPMENT APPROVAL (AIDA)

Project Description

Increment 3 area is approximately 4,535 acres and generally east of Increment 2. Proposed Increment 3 encompasses three separate areas within BRC. Increment 3 North A is located at the northwest property boundary west of Increment 1 North. Proposed Increment 3 North B is located south of Increment 1 North and directly north of Increment 2. Proposed Increment 3 South is located east of Increment 2 and directly north of the Lee County line. (See Attachments VIII, IX and X).

Increment 3 will include extensive open space, will preserve, and enhance critical environmental areas including extended contiguous wetland corridors that contribute to the natural beauty of this area, and will positively improve the quality of life for the residents. Increment 3 will include 3,562 single family residential units; 280,000 square feet of nonresidential development (200,000 retail and 80,000 office); 10,000 square feet for a church; and 57-acres of park. Construction is anticipated to begin in 2023. The anticipated buildout is 2038.

This AIDA is supported by an Equivalency Matrix (Exhibit H in MDO), which proposes a set of alternate land uses, density and intensity levels for Increment 3. The methodology for the BRC Increment 3 Equivalency Matrix is consistent with the methodology used for the Increment 1 and 2 Equivalency Matrix. The purpose of the BRC Increment 3 Equivalency Matrix is to provide a framework for simultaneously increasing/decreasing development levels to meet market demand. The Equivalency Matrix provides for an exchange between these uses, densities and intensities while ensuring that the level of service (LOS) standards for traffic, potable water, wastewater, and solid waste are not exceeded. The exchange rate is based on the ITE peak PM two-way traffic count for each of the proposed land uses. The traffic counts are used to construct threshold limits for the LOS standards of the other infrastructure elements.

REGIONAL STAFF ANALYSIS

On June 16, 2022, the SWFRPC approved the AIDA questionnaire checklist for Increment 3 which is consistent with Exhibit “C” of the MDO that dictates the questions to be addressed in the AIDA. The SWFRPC staff submitted the AIDA for sufficiency review to the South Florida Water Management District (SFWMD), Florida Department of Environmental Regulation (FDEP), Florida Department of Transportation (FDOT), Florida Fish and Wildlife Conservation Commission (FWC), United State Fish and Wildlife Service (FWS) and the Army Corps of Engineers (ACOE). Charlotte County development review staff reviewed all information provided in the review process. Final comments were received from review agencies and their concerns were addressed adequately during the sufficiency review rounds. The Council staff assessment only addresses the following regional issues and is based on information provided in the AIDA. The local issues will be addressed by Charlotte County.

Affordable Housing

The Applicant and Master Development Order commit to providing affordable housing which are ongoing efforts within BRC. Based on recent discussions with Charlotte County, the Applicant proposes specific changes to address the needs of the community consistent with local affordable housing County objectives. The conditions stipulate that BRC is committed to providing workforce housing to people whose annual household incomes does not exceed 140 percent of the area median income, adjusted for family size. The condition changed from providing affordable housing to providing workforce housing.

Excerpt from Charlotte County Staff Report:

The applicant is proposing to amend Conditions 3.A.(1) through (4), and Conditions 3.A.(6) through (9), to replace “affordable housing” with “workforce housing”. This DRI is approved for a mixture of residential and non-residential development and is required to provide various housing options including workforce housing for the existing and future residents within this development. This development is located in the East County area. The applicant would like to ensure that workforce housing will be provided within the Babcock Ranch Community, and at the same time the requirement of a “Determination of Adequate Need” analysis for housing in the Babcock Ranch Community remains the same, due to the following:

- *The unique location which is in the East County area and surrounded by State-owned preserved land and development in Lee County to the south.*
- *Lack of a public transportation system in Charlotte County.*
- *The intent and vision of this development is to create a well-planned new community in the County to provide various housing options, jobs, and protect and preserve the environment.*

Staff has no objections to the proposed amendments.

This next section may be deleted or included (excerpt from MDO Affordable Housing Condition)

- The Developer may choose to provide affordable/workforce housing through a variety of options including, but not limited to: 1) incentivizing or building adequate housing onsite, or reasonably accessible to the site; 2) payment to an affordable housing trust fund sufficient to meet the cost of rehabilitating existing units or construction of new units; or 3) dedicated rent or payment subsidies to the BRC's moderate income and workforce employees sufficient to satisfy the adequate housing need identified for that salary range. The BRC developer commits to "Determination of Adequate Housing Need" analysis to assess the demand, supply and need for workforce rentals and home based on a market housing analysis. The threshold is when building permits have been issued for 1.5 millionth square foot of non-residential construction.

Wildlife Management

The Threatened and Endangered Species Management Plan (T&E) for the BRC was originally approved with SFWMD Environmental Resource Permit (ERP) issued in 2010. As part of modifications to the referenced permits (2020 Babcock Modification), the T&E plans were modified to (i) address changes in the listing status of several wading bird species, (ii) include the Florida bonneted bat (FBB) which was listed as federally endangered in November 2013, (iii) address the presence of nesting caracara within approved development pods that were not present at time of original review, and (iv) include a component to address human-wildlife coexistence (see Attachments XI and XII, Wildlife and Plant Map for Increment 3 North and South). The BRC Listed Species Management Plans & Human-Wildlife Coexistence Plan (most recently updated February 2022 to identify new permit numbers) ("February 2022 T&E Plan") was included as Appendix 12-1 of the AIDA. This plan addresses the following listed species and management issues: American Alligator, Gopher Tortoise, Eastern Indigo Snake, Sandhill Crane, colonial nesting wading birds, Burrowing Owl, Crested Caracara, Florida Scrub Jay, Red-cockaded Woodpecker, Florida Bonneted Bat, Florida Black Bear, Florida Panther, Beautiful Pawpaw, prescribed fire, wildlife crossings and fencing, human-wildlife coexistence plan, community signage and education plan. The February 2022 T&E Plan is otherwise consistent with the previously approved plan for the MDO and discusses the associated management plans for each species, including their upland habitats. Increment 3 will comply with the February 2022 T&E Plan, as approved through the referenced SFWMD ERP and State 404 Permit obtained in late 2021 for the 2020 Babcock Plan.

Within Increment 3 there are four (4) proposed small mammal crossings where future spine roads bisect internal preserve corridors. They are located within the Increment 3 South polygon, where proposed spine roads will pass from the eastern side of Increment 2 into Increment 3. These

crossings were contemplated during prior reviews. The small mammal crossings in Increment 3 will be constructed with their associated spine roads following construction level approvals. Details of the surface material, lighting, signage, and access for the road crossings will be finalized as part of the construct/operate permit for each roadway segment. However, the cross sections as shown in June 2021 BRC Mitigation Plan in the AIDA provide a typical section for this type of roadway/preserve crossing. The speed limit within the wildlife corridors within Increment 3 during the nighttime hours (sunset to sunrise) will be decreased by 10 miles per hour below the posted speed limit, but in no event will the nighttime speed limit be less than 25 miles per hour.

Wetlands Impact Mitigation

The BRC Mitigation Plan approved with the 2010 ERP and ACOE permit was previously determined to protect on-site wetlands and compensate for unavoidable wetland impacts associated with the development of the BRC. The 2010 Mitigation Plan consisted of 12,700± acres comprising a combination of off-site and on-site mitigation and included wetland creation, wetland enhancement and preservation, and upland enhancement, restoration, and preservation. The BRC Mitigation Plan, which includes the Increment 3 area, was designed and approved to be phased concurrent with the mitigation requirements for phased development. As permits for each phase of construction are approved by the SFWMD, an appropriate phase of mitigation is implemented.

With the site plan modifications that occurred with the 2020 Babcock Modification, the entire BRC will necessitate approximately 530 acres of direct wetland impacts (±19%) and approximately 17 acres (±18%) of direct surface water impacts. The ±530 acres of direct wetland impacts associated with the updated BRC site design necessitate ±334 UMAM (Uniform Mitigation Assessment Method) functional units of mitigation (100 forested credits and 234 herbaceous credits). Of these impacts, approximately 322 acres of direct wetland impacts (±214 UMAM functional loss) have already been implemented/mitigated through December 2021 with a specific SFWMD construct/operate permit associated with Increment 1. There are additional construct and operate ERP applications currently in process with the SFWMD for development within Increment 2.

There have been no wetland impacts within the Increment 3 boundary to date. The Increment 3 boundary contains a total of 951± acres of wetlands, of which 142± acres are proposed for impact and 809± acres are part of the BRC mitigation plan which will be placed under conservation easement (see Attachments XIII and XIV, Increment 3 Greenways & Trails Maps North and South). Conservation easements have been placed over approximately 4,146 acres of onsite BRC mitigation areas, of which 2,637± acres are located in Charlotte County and 1,509± acres are located in Lee County. Mitigation activities which occur offsite in the Babcock Ranch Preserve are not placed under conservation easement, as it is State-owned land.

The June 2021 BRC Mitigation Plan includes approximately 12,981 acres, with ±7,141 acres located in the on-site mitigation areas and ±5,840 acres located in the off-site mitigation lands. Table 12-1 provides an overview of acreage changes between the 2010 and June 2021 BRC Mitigation Plans, with details of the current plan contained within the June 2021 BRC Mitigation Plan and associated June 2021 Mitigation Plan Set included as Appendix 12-2 in the AIDA. The UMAM analysis demonstrates that the ±12,981 acres of mitigation generate ± 3,248 UMAM

functional units upon meeting full mitigation success (2,391 forested credits and 857 herbaceous credits), which far exceeds wetland mitigation needs.

Table 12-1. Overview of Acreage Changes between the 2010 and the June 2021 BRC Mitigation Plans

Mitigation Area	2010 Acreage	June 2021 Acreage	Acreage Difference
A	879.38	848.16	-31.22
B	1,783.45	1,783.45	0.00
C	2,808.30	2,807.96	-0.34*
D	1,248.38	1,248.38	0.00
E	1,346.18	1,687.80	+341.62
F	1,065.35	983.72	-81.63
G	906.79	671.98	-234.81
H	410.13	442.48	+32.35
I	240.32	210.39	-29.93
J	1,202.14	1,196.31	-5.83
K	814.27	1,100.77	+286.50
Total	12,704.69	12,981.40	+276.71

* Represents the acreage of the FWC hunt camp in Mitigation Area C (Curry Preserve) that is being removed with the September 2020 BRC Mitigation Plan.

Stormwater Management and Floodplains

The design of the Increment 3 surface water management system will comply with the “Stormwater Plan” outlined in Subsection A and B in Condition 4 of the MDO. The FEMA floodplain maps for Babcock Ranch for lands within Increment 3 do not have an established FEMA Base Flood Elevations. Previously modified and FEMA-accepted revisions do not include Increment 3. A proposed floodplain map revision is currently under review at FEMA. A draft of the FEMA floodplain map revision is found in Exhibit 16-1 of the AIDA. Should future floodplain map amendments be proposed, updated FEMA maps will be provided to the County with the applicable biennial report to the MDO.

Transportation Mitigation

A comparison summary of the Master and Incremental (to-date) DRI development parameters, as well as the Lee County Babcock MPD parameters, is presented below in Table 21-2. A draft development order for the transportation section of Increment 3 has been provided and it indicates that the cumulative (with Increment 1, 2 and 3) proportionate share of the improvements, as shown on Exhibit K, has been calculated consistent with F.S. 163.3180. The proportionate share calculation was based on **5,869 pm peak hour two-way net new trips** assigned to the external road network established by the AIDA traffic analysis. The calculated cumulative proportionate share for the Incremental DRI with all Increments 1, 2 and 3 is **\$50,937,226** based upon the proportionate share percentages as calculated per mile for each roadway improvement and intersection improvements as shown on Exhibit K. The proportionate share percentages and dollar

amounts have been accepted by Charlotte County and FDOT for Increments 1, 2 and 3, recognizing that the actual costs may increase, or decrease based upon the final actual costs of the agreed upon improvements.

Table 21-2 BRC Increment 3 (2022) Babcock Ranch Proposed Development Parameters Summary							
Land Use Type	Unit	Master DRI ⁽⁶⁾	BRC DRI				Babcock MPD ⁽²⁾
			Incremental DRI				
			Increment 1	Increment 2	Increment 3	Cumulative Increments	
Total Residential ⁽¹⁾	d.u.	17,870	5,056	9,252	3,562	17,870	1,630
Single-Family	d.u.	-	3,056	5,817	3,562	12,435	980
Multifamily	d.u.	-	2,000	3,435	0	5,435	650
Total Non-Residential ⁽¹⁾	sq. ft.	6,000,000	1,199,000	1,864,000	280,000	3,343,000	1,530,000
Total Commercial (Retail + Gen./Med. Office) ⁽²⁾	sq. ft.	4,900,000	840,000	1,380,000	280,000	2,500,000	1,170,000
Retail ^(1,2)	sq. ft.	1,400,000	470,000	730,000	200,000	1,400,000	870,000
Office (Gen./Med.) ^(1,2)	sq. ft.	3,500,000	370,000	650,000	80,000	1,100,000	300,000
General	sq. ft.	-	330,000	500,000	40,000	870,000	257,000
Medical	sq. ft.	-	40,000	150,000	40,000	230,000	43,000
Government Office ⁽¹⁾	sq. ft.	-	50,000	24,000	0	74,000	0
Hotel ^(1,3)	rooms	600	0	600	0	600	600
	sq. ft.	360,000	0	360,000	0	360,000	360,000
Industrial ⁽¹⁾	sq. ft.	650,000	200,000	0	0	200,000	0
Hospital ^(1,4)	beds	177	0	0	0	0	0
	sq. ft.	265,500	0	0	0	0	0
ALF ^(1,5)	beds	418	218	200	0	418	0
	sq. ft.	209,000	109,000	100,000	0	209,000	0
Golf Course	holes	54	18	18	0	36	0
Elementary School	students	-	536	500	500	1,536	0
Middle School	students	-	330	0	0	330	0
High School	students	-	600	0	0	600	0
Church	sq. ft.	-	15,000	15,000	10,000	40,000	0
Library	sq. ft.	-	0	12,000	0	12,000	0
Park	acres	-	58	110	57	225	48
Recreation Center	sq. ft.	-	40,600	0	0	40,600	0

Footnotes:

- (1) Subject to BRC Master DRI Development Order (MDO) – The total development within the BROD shall not exceed 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including the educational service center, schools, university facilities, libraries, places of worship, regional and community park sites, clubhouses and similar neighborhood amenities, which square footage will be additional.
- (2) Per Lee County Zoning Resolution Z-17-026, commercial uses permitted in the Babcock MPD in Lee County may not exceed 1,170,000 square feet. When combined with the DRI, commercial uses (retail + general/medical office) shall not exceed 4.9 million sq. ft.
- (3) Assumes 600 sq. ft. per hotel room.
- (4) Assumes 1,500 sq. ft. per hospital bed.
- (5) Assumes 500 sq. ft. per ALF bed.
- (6) Approved BRC MDO entitlements. Ancillary land uses not limited by MDO include schools, church, library, park, and recreation center.

The findings and conclusions of Increment 3 (2022) AIDA transportation assessment are as follows.

1. The proposed Increment 3 includes 3,562 residential units and 280,000 square feet of non-residential uses with buildout anticipated in year 2038. The proposed amendments for Increments 1 and 2 will provide a net increase of 2,851 residential units, 50,470 square feet of commercial office and retail uses, and 218 ALF units.
2. Roadway improvements attributed to the cumulative Increments coincident with buildout at year 2038 include the following road segments.
 - SR 31 from SR 78 to Cypress Parkway
 - SR 31 From Lake Babcock Drive to Greenway Boulevard

- SR 78 from Pritchett Parkway to SR 31
3. Off-site intersection improvements attributed to the cumulative Increments coincident with buildout at year 2038 include the following intersections.
 - SR 78/ I-75
 - SR 80/ Orange River Boulevard
 - SR 80/ SR 31
 - SR 31/ SR 78
 - SR 31/ North River Road
 4. The widening of SR 31 from the committed interim build alternative to the ultimate build alternative is attributed to the DRI. Intersection improvements of the ultimate build alternative are also attributed to the DRI.
 5. Consistent with the previous DRI traffic assessments, the modeling methodology used for this traffic assessment does not utilize the “With and Without” (AKA “Net Impact”) modeling method described in the FDOT 2019 Transportation Site Impact Handbook. Instead, the special generator and link volume factor methods are used for the “without BRC DRI” and “with BRC DRI” scenarios.
 6. Completed and on-going roadway improvement efforts of the MPO LRTP and the FDOT include the following.
 - SR 31 SEIR/PD&E Study (SR 78 to Cook Brown Road)
 - SR 31 widening from SR 78 to Lake Babcock Drive
 - SR 78 PD&E Study (I-75 to SR 31)
 - SR 31 PD&E Study (SR 80 to SR 78)
 7. BRC will continue to mitigate its off-site impacts through the payment of proportionate share as outlined in the DRI Master Development Order (MDO) and Incremental Development Order (IDO). The incremental DRI’s proportionate share for impacted roadways and intersections will be calculated after the final transportation review comments have been addressed.
 8. Babcock Ranch will continue to work with FDOT, Charlotte County and Lee County to pipeline mitigation monies towards the improvement of SR 31.
 9. BRC will continue to provide for site-related improvements at the Project’s planned access points on SR 31.

PROPOSED CHANGES TO INCREMENT 1

An amendment to this Increment 1 IDO is proposed, primarily, to update entitlements, revise conditions to be consistent with Increment 2 and Increment 3, and update Exhibit D to be consistent with the MDO. The proposed amendments to the IDO are presented in this narrative.

Amendments to Increment 1 include the following:

- Update entitlements as follows:
 - Increase residential units from 5,000 to 5,056
 - Move 600 Hotel Rooms from Increment 1 to Increment 2
 - Amend retail floor area from 870,000 to 470,000 square feet
 - Increase office from 350,000 to 370,000 square feet
 - Add 200,000 square feet of industrial floor area
 - Increase assisted living facility beds from 100 to 218
 - Updating supporting community facilities to include clubhouses and similar neighborhood amenities
 - Remove reference to maximum density requirement as it is already established in the Master Development Order
- Revise Stormwater Management conditions to delete stipulations 3 and 4, in order to maintain consistency across increments, and update stipulation 6 to add the SFWMD permit number
- Amend the Transportation section, Condition 4, to remove specific site-related improvements, Exhibit J and K and instead refer to Exhibit G of the Master Development Order for the Cumulative Incremental Transportation Conditions
- Update Vegetation, Wildlife and Wetlands stipulations 2, 3, 5 and 7 to recognize FDEP assumption of federal wetland permitting and update permit numbers, accordingly.
- Revise the Wastewater Management and Water Supply section by updating Condition 6 to be consistent with SFWMD approved permits
- Revise the Education section, Condition 7, to reflect compliance with Babcock Ranch School Site Dedication Agreement
- Update Police and Fire stipulation 1 to reflect what has been provided and constructed.
- Update Open Space and Parks stipulation 7 to remove the mini parks requirement, to be consistent with recent amendments to Exhibit D and Increments 2 and 3.
- Update Mining Operations to revise Condition 21.A to eliminate the condition, because all mining operations have ceased.
- Update Project Buildout, based on recent legislative extensions.
- Update Expiration Date, based on recent legislative extensions.
- Update Exhibits B-1, B-2, B-4, B-5, F, G, H1, H2, and I to reflect updated entitlements (B-1) and be consistent with permitted Conservation Easements and Greenway configurations, and updates to roadway alignments.
- Update Exhibit C – Babcock Ranch Community Increment 1 Equivalency Matrix [to be provided under separate cover]
- Update Exhibit D – Updated Summary of Land Dedications and Facilities Construction, in order to ensure consistency with the MDO.
- Update Exhibit E – Babcock Ranch Community Increment 1 Parameters to be consistent with revised development parameters.
- Other changes for internal consistency and updates to statutory references.

PROPOSED CHANGES TO INCREMENT 2

Amendments to Increment 2 include the following:

- Update entitlements to reflect the following:
 - Increase of residential units from 6,457 to 9,252

- Transfer of 600 Hotel Rooms from Increment 1 to Increment 2
- Increase retail from 297,250 to 730,000 square feet
- Reduce office from 727,750 to 650,000 square feet
- Increase Assisted Living Facility Beds from 100 to 200
- Amend the Stormwater Management, Water Quality, and Flood Plains section by revising Condition 3 to reflect the current permit information
- Amend the Transportation section, Condition 4 to remove specific site-related improvements, Exhibit J, Exhibit K and instead refer to Exhibit G of the Master Development Order for the Cumulative Incremental Transportation Conditions
- Update Vegetation, Wildlife, and Wetlands to reflect new permits, to remove stipulation 2 and renumber the stipulations.
- Revise the Education section, Condition 7, to reflect compliance with Babcock Ranch School Site Dedication Agreement
- Amend Projected Buildout to reflect new date.
- Amend Expiration Date to reflect new date.
- To update Exhibits B, E, F, G, H, and I to reflect permitted conservation areas and updated roadway alignments.
- Other changes for internal consistency and updates to statutory references.

PROPOSED CHANGES TO MASTER DEVELOPMENT ORDER

With this amendment, the Master Development Plan (Map H) is being amended to reflect Increment 3. The internal roadways have also been updated to be consistent with proposed development. Conservation Easements that have been recorded are now shown on Map H. Other amendments to the greenways are also reflected with this amended map, consistent with a concurrent Environmental Resource Permit (ERP) Modification and FDEP 404 Permit Modification. The amendments will connect on-site preservation to off-site conservation lands. These modifications will also provide contiguous wetland corridors enhancing the environmental features within the community.

Amendments to the MDO include the following:

- Update Whereas clauses to reflect current status
- Update Finding of Facts and Conclusions of Law to acknowledge use of a Land Use Equivalency Matrix and increased density that is allowed, consistent with the Comprehensive Plan.
- Update Affordable Housing Conditions to modify housing provided to be at the workforce housing Annual Median Income (AMI) of 140% or lower.
- Update Stormwater Management and Flood Plains section by revising Conditions B.1 to acknowledge platted easements and/or tracts, consistent with development practices; update B.14 to reflect current permit approvals; Condition B.15 to describe State assumption of Section 404 permitting by the Florida Department of Environmental Protection; and B.16 to recognize that the Condition is now completed.
- Update the Transportation section and Exhibits "F", "J" and "K"; and add Exhibit "G": Babcock Ranch DRI Cumulative Incremental Transportation Conditions to reflect the cumulative Babcock Ranch Traffic Conditions

- Update Vegetation, Wildlife, and Wetlands stipulations to reflect updated permit numbers; and update B.5 to describe State assumption of section 404 permitting by the Florida Department of Environmental Protection.
- Update Education to reflect compliance with Babcock Ranch School Site Dedication Agreement.
- Update Police and Fire to reflect what has been completed and constructed.
- Update Hurricane Preparedness to remove reference to American Red Cross publication.
- To update Hospitals and Healthcare to delete Condition C – requirement to provide a certificate of need, as State Statutes have been amended to eliminate such a requirement.
- Update Exhibit “B”: Master Concept Plan (Map H) to be consistent with approved entitlements and to include new Increment 3 area, overall greenway and conservation easements amended to be consistent with FDEP and South Florida Water Management (SFWMD) permitted plans, and roadway configurations that have been updated to reflect built condition.
- Update Exhibit “D”: Updated Summary of Land Dedications and Facilities Construction by amending Note# 5 to allow the co-location of the helicopter landing site and the mosquito control pre-fab building, reflecting the completion of the EMS vehicle, and removing the school requirements as those are set forth in the School Site Dedication Agreement.
- To update Projected Buildout to reflect new date.
- To update Expiration Date to reflect new date.
- To add new Exhibit “H”: MDO Land Use Equivalency Matrix (LUEM) (to be provided under separate cover).
- Other changes for internal consistency and updates to statutory references.

ACCEPTANCE OF THE PROPOSED MDO, INCREMENTS 1, 2 & 3 DEVELOPMENT ORDERS

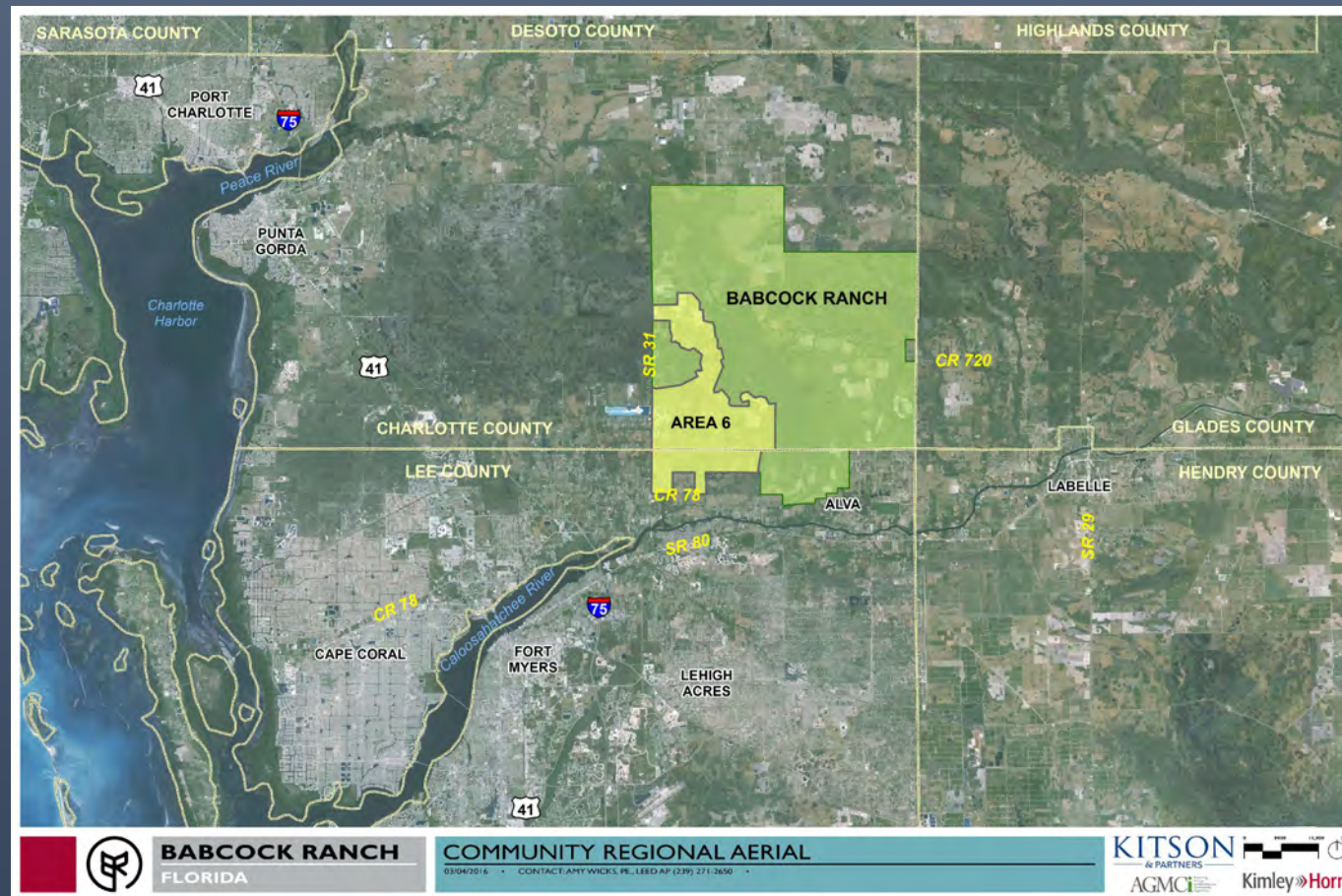
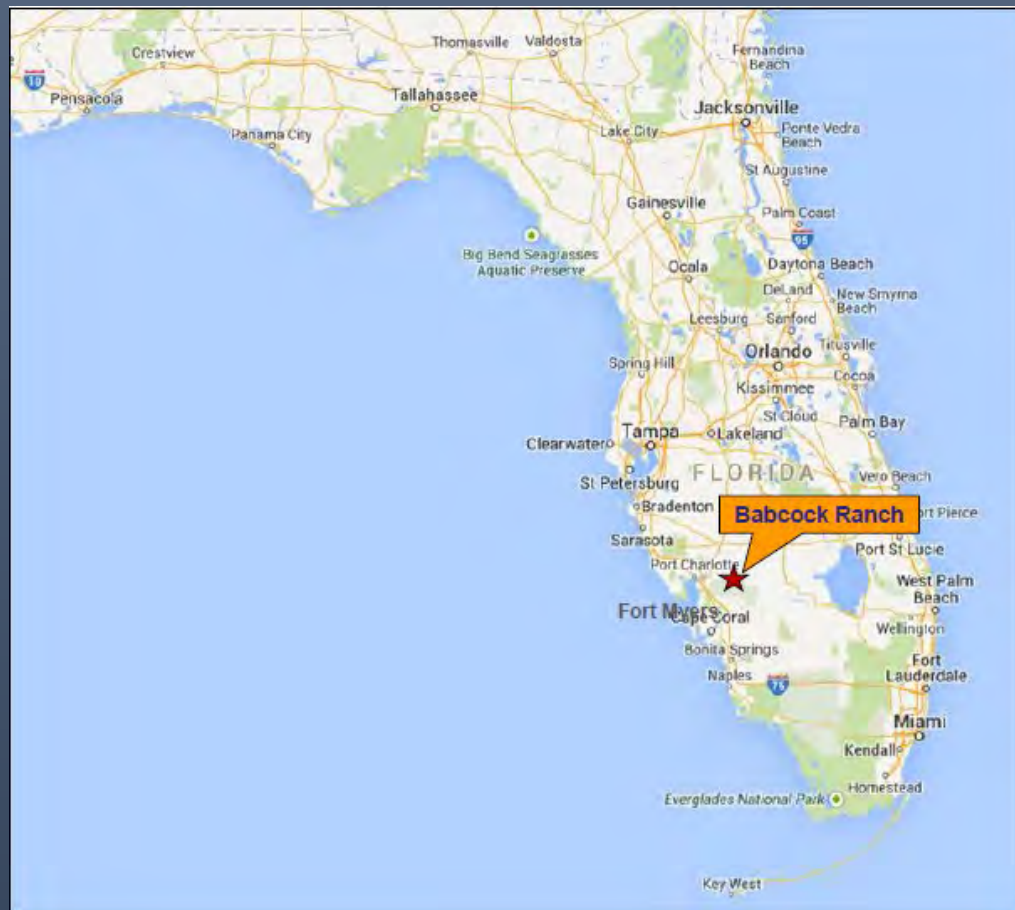
The applicant has provided acceptable drafts for the MDO and IDOs for Increments 1, 2 to address the proposed changes and Increment 3 development impact on regional resources and facilities consistent with the requirements of the MDO.

- RECOMMENDED ACTIONS:**
1. Notify Charlotte County and the applicant that the proposed changes to the MDO, Increments 1, 2 and new Increment 3 IDOs are acceptable to address impacts on regional resources and facilities.
 2. Request that Charlotte County provide SWFRPC staff with copies of the final MDO, Increments 1, 2 and 3 IDOs.

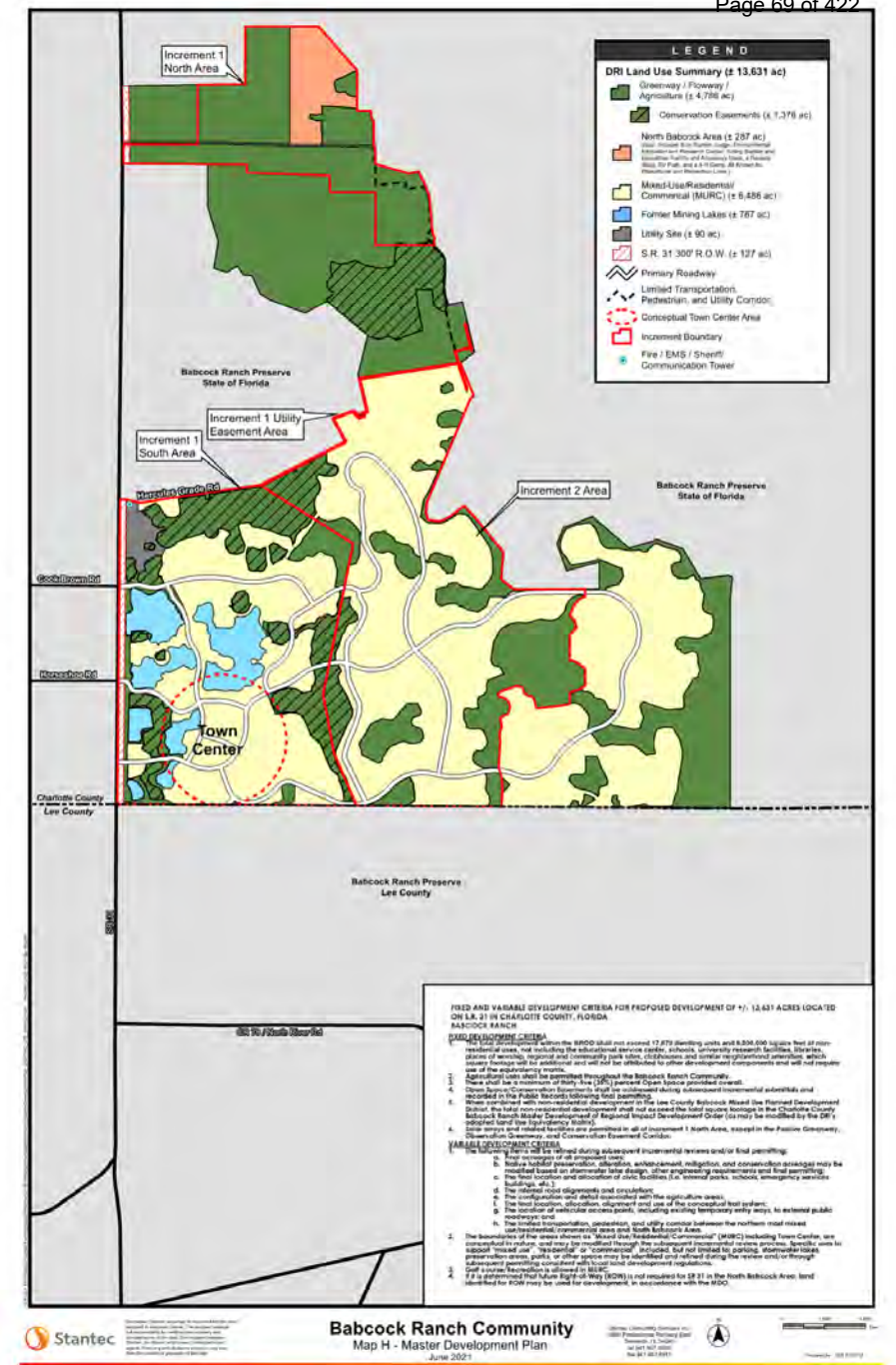
April 6, 2023

ATTACHMENT I

Overview



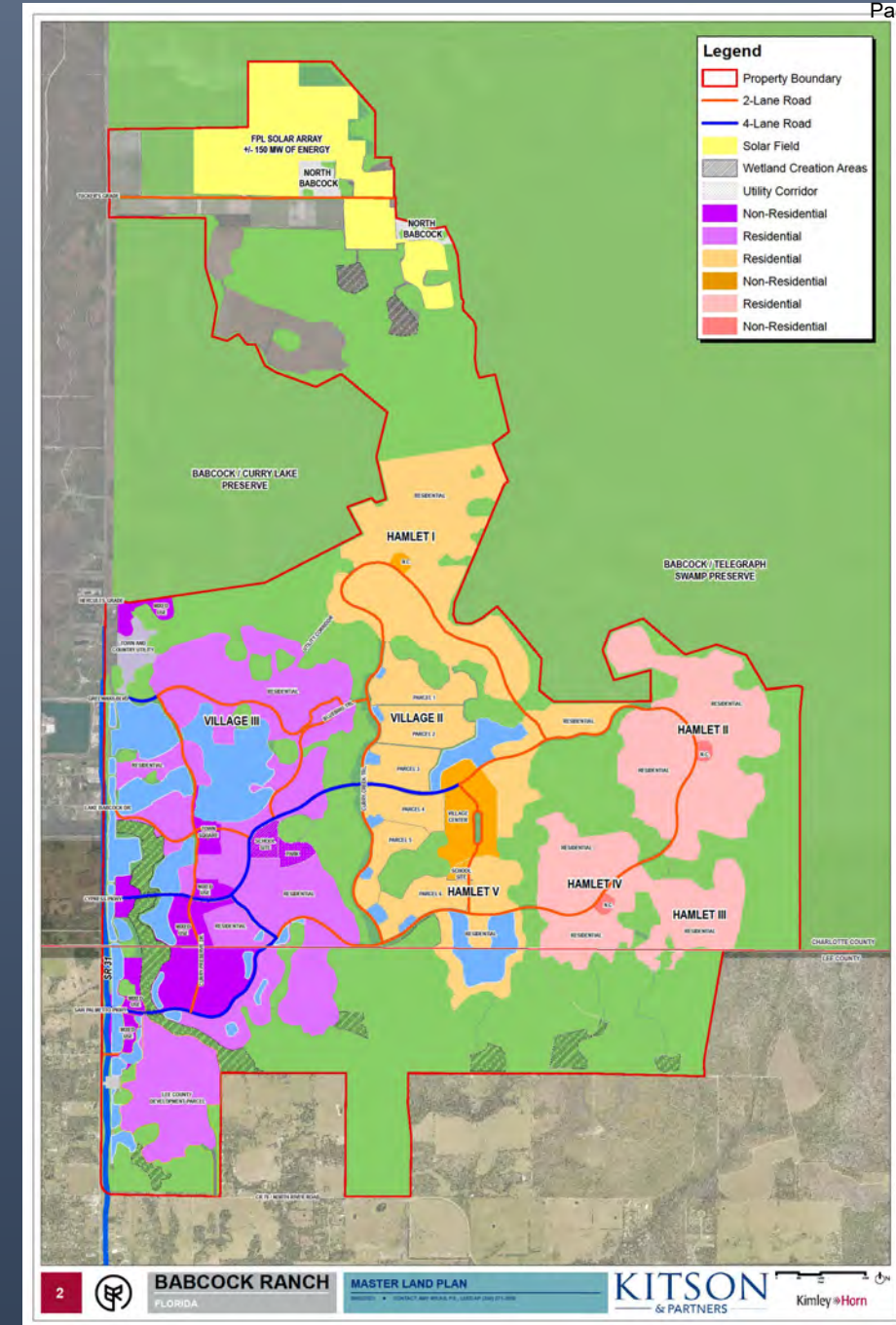
Ancillary facilities



Total Entitlements

*Charlotte and Lee Counties

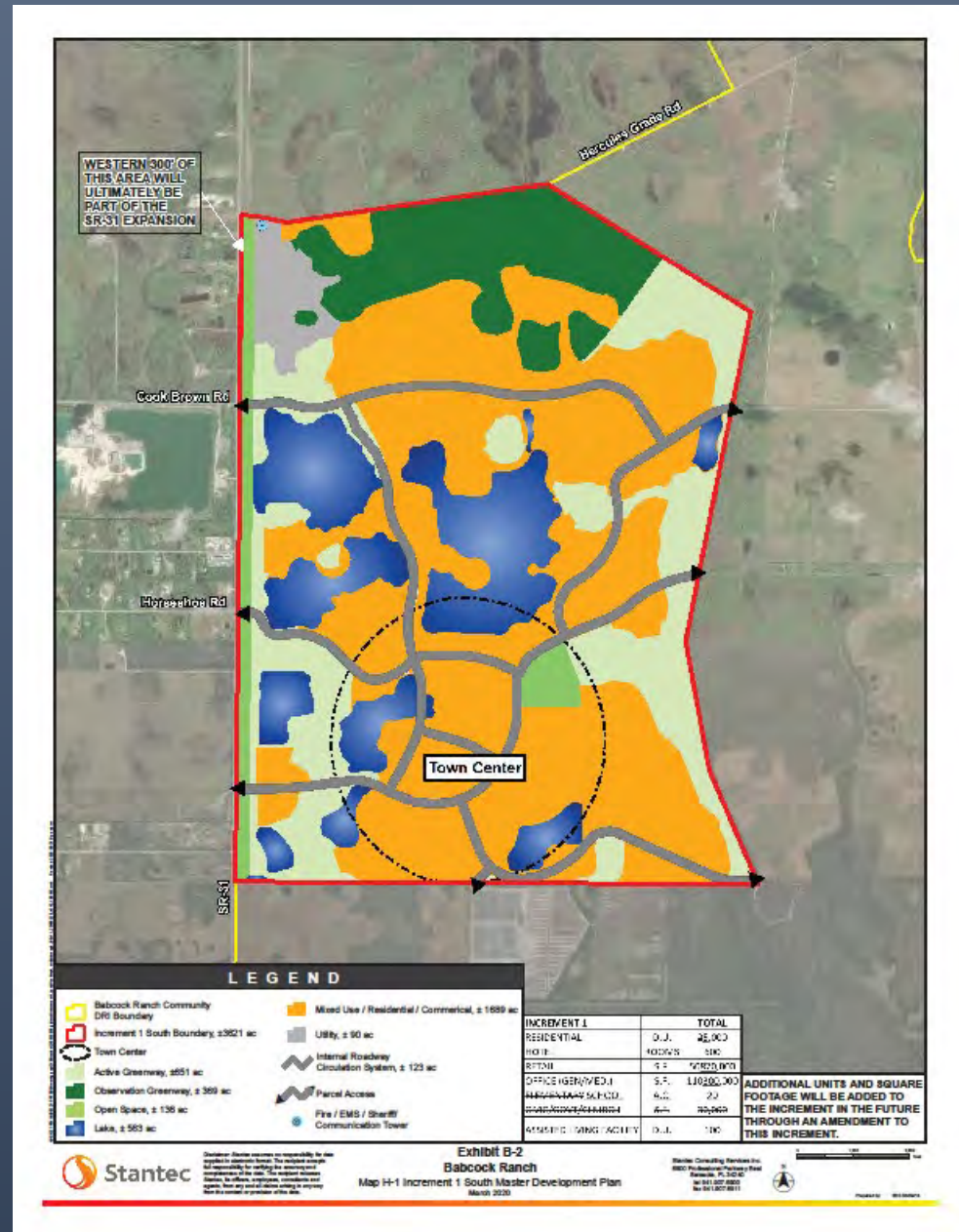
- Residential Dwelling Units – 19,500
- Non-Residential Uses – 6M S.F.



Increment 1 (IDO-1)

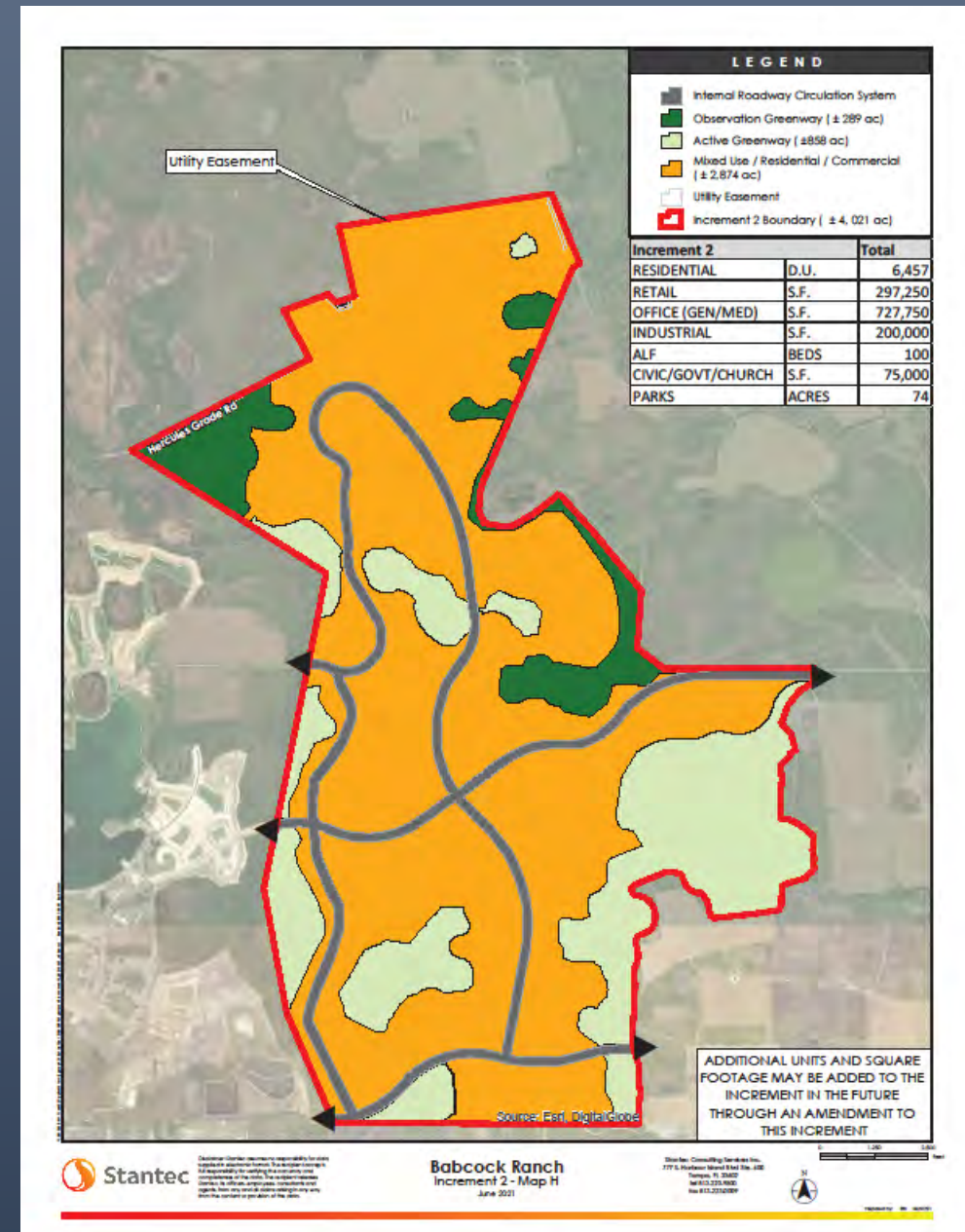
- Originally approved December 15, 2009
- Amended May 26, 2020
- Residential Dwelling Units – 5,000 *
 - 3,000 single family units
 - 2,000 multi-family units
- Non-Residential – 1,220,000 S.F.*
 - 870,000 SF Retail
 - 350,000 SF Office
- 600 Hotel Rooms*
- 18 Golf Holes*
- Assisted Living – 100 Units*
- Buildout- 2037
- Expiration Date- 2044

* Subject to use of equivalency matrix



Increment 2 (IDO-2)

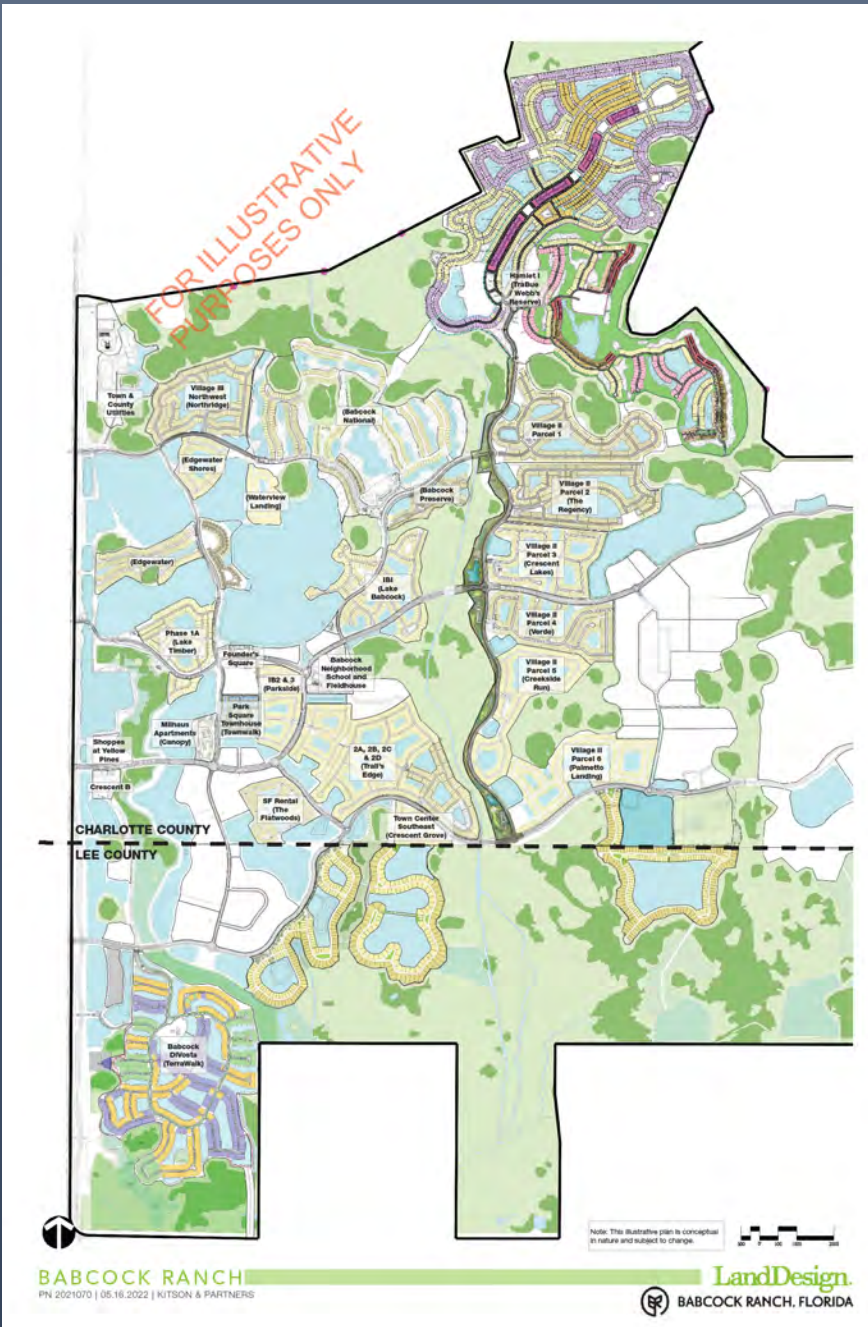
- Originally approved July 27, 2021
- Residential Dwelling Units – 6,457 *
 - 4,434 single family units
 - 2,023 multi-family units
- Non-Residential – 1,225,000 S.F.*
 - 297,250 SF Retail
 - 727,750 SF Office
 - 200,000 SF Industrial
- Assisted Living – 100 Units*
- Parks, golf course, ancillary
- Buildout- 2034
- Expiration Date- 2041



* Subject to use of equivalency matrix

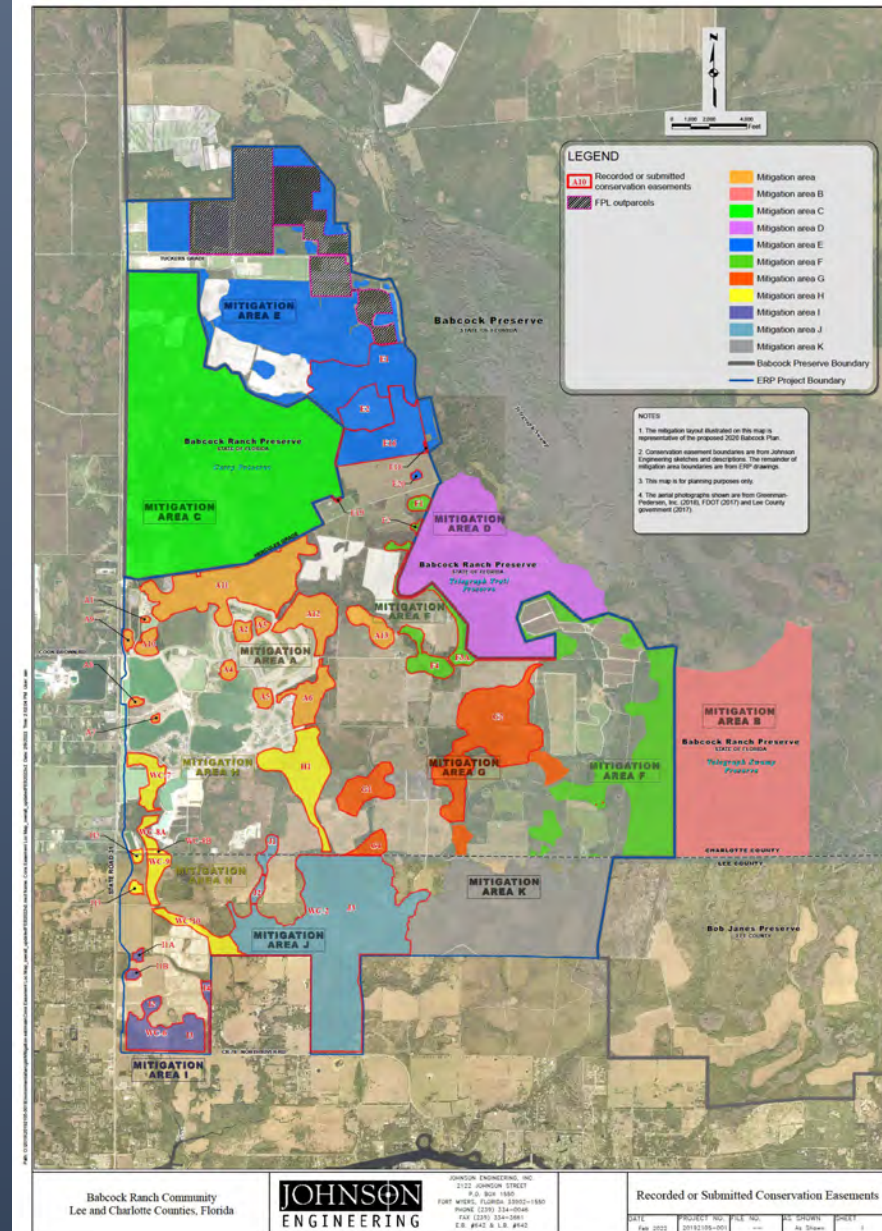
Current Status of Development

- FPL Solar Array- Two 74.5 MW facilities
- Trails/parks
- Founder's Square Businesses
- Crescent B Commons
- Babcock Neighborhood School
- Babcock Ranch Community Independent Special District
- SR 31 Expansion



Mitigation Implemented to Date

- 7,370.13 acres TOTAL mitigation implemented to date
 - 3,237.89 acres ONSITE
 - 4,132.24 acres OFFSITE
- Recorded conservation easements over 4,145.71 acres



ATTACHMENT VIII

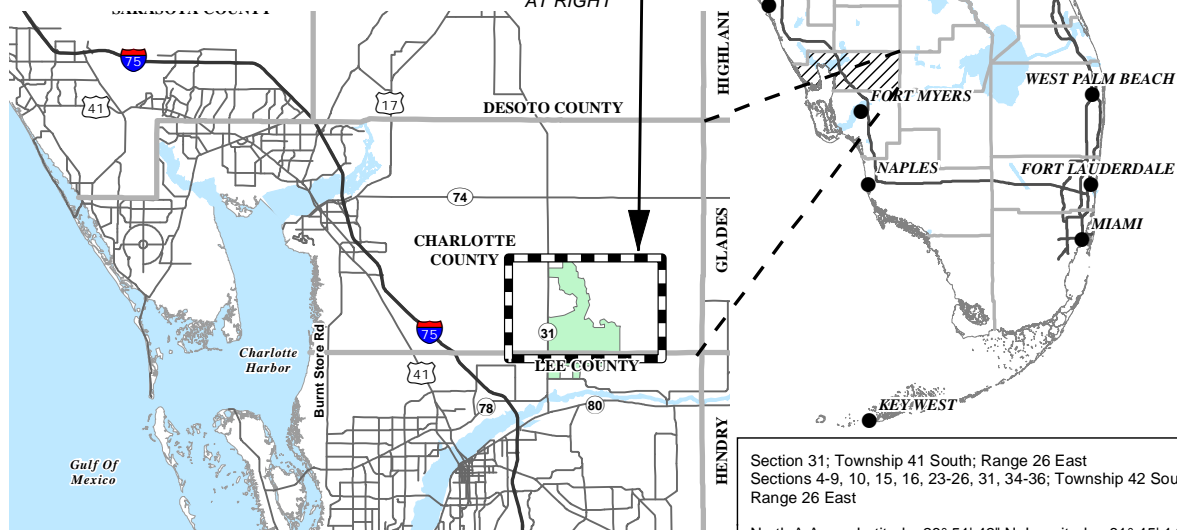
STATE OF FLORIDA

NOTES

1. These drawings are for permitting purposes only and are not intended for construction use.
2. The aerial photographs shown were provided by FDOT and were taken in 2020.

Project Vicinity

SEE STREET MAP & VICINITY AERIAL AT RIGHT

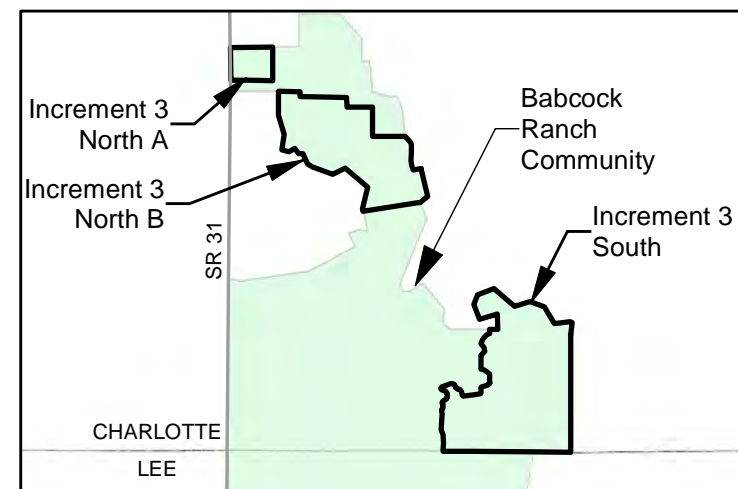


CHARLOTTE COUNTY

N.T.S.

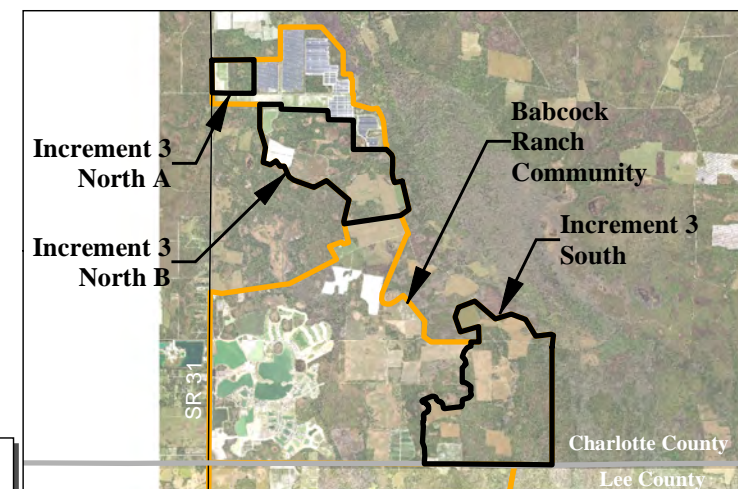
Section 31; Township 41 South; Range 26 East
Sections 4-9, 10, 15, 16, 23-26, 31, 34-36; Township 42 South;
Range 26 East

North A Area - Latitude: 26° 51' 42" N, Longitude: 81° 45' 14" W
North B Area - Latitude: 26° 50' 30" N, Longitude: 81° 43' 39" W
South Area - Latitude: 26° 47' 6" N, Longitude: 81° 41' 2" W



STREET MAP

N.T.S.



VICINITY AERIAL

N.T.S.

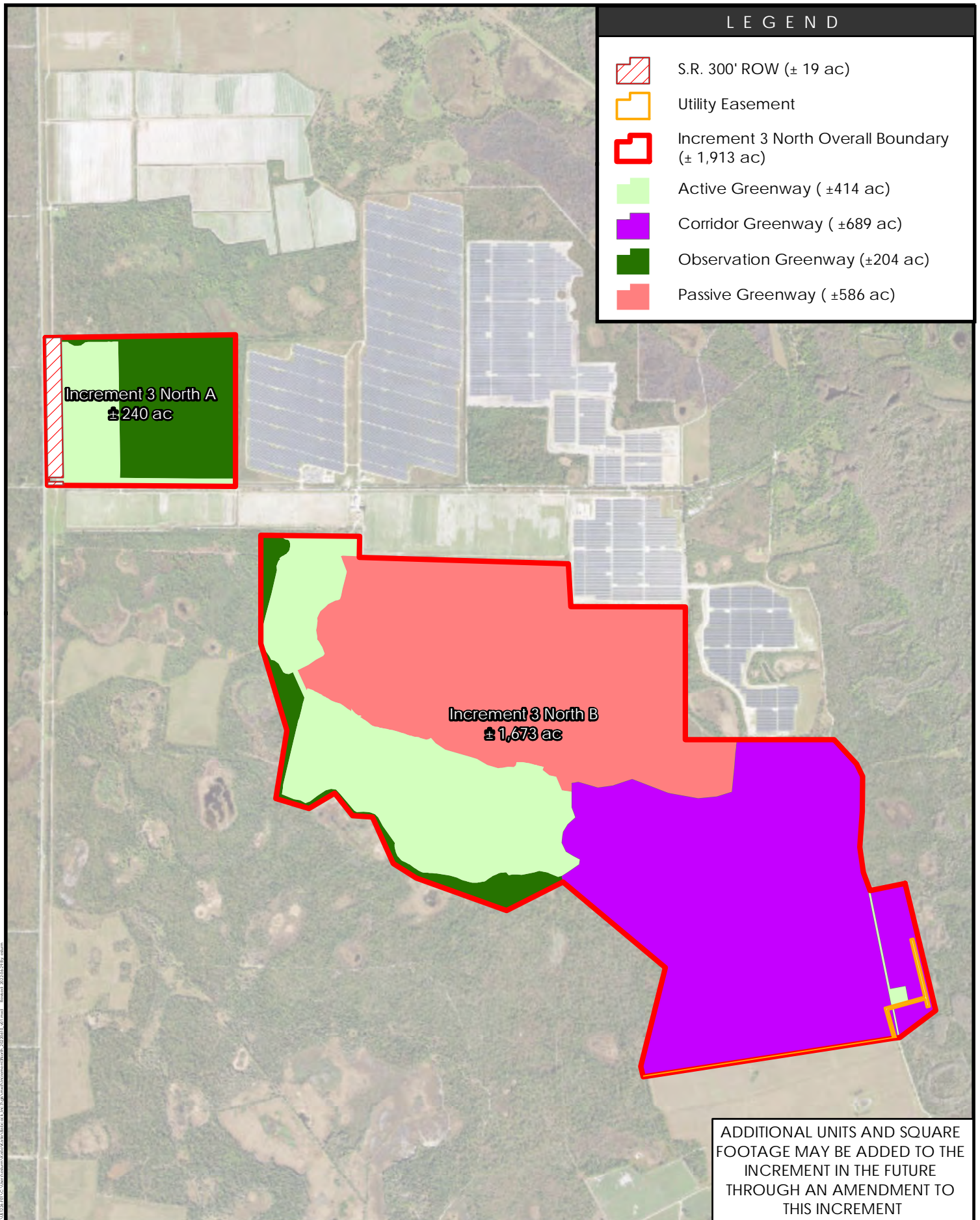
Babcock Ranch Community
Charlotte County, Florida

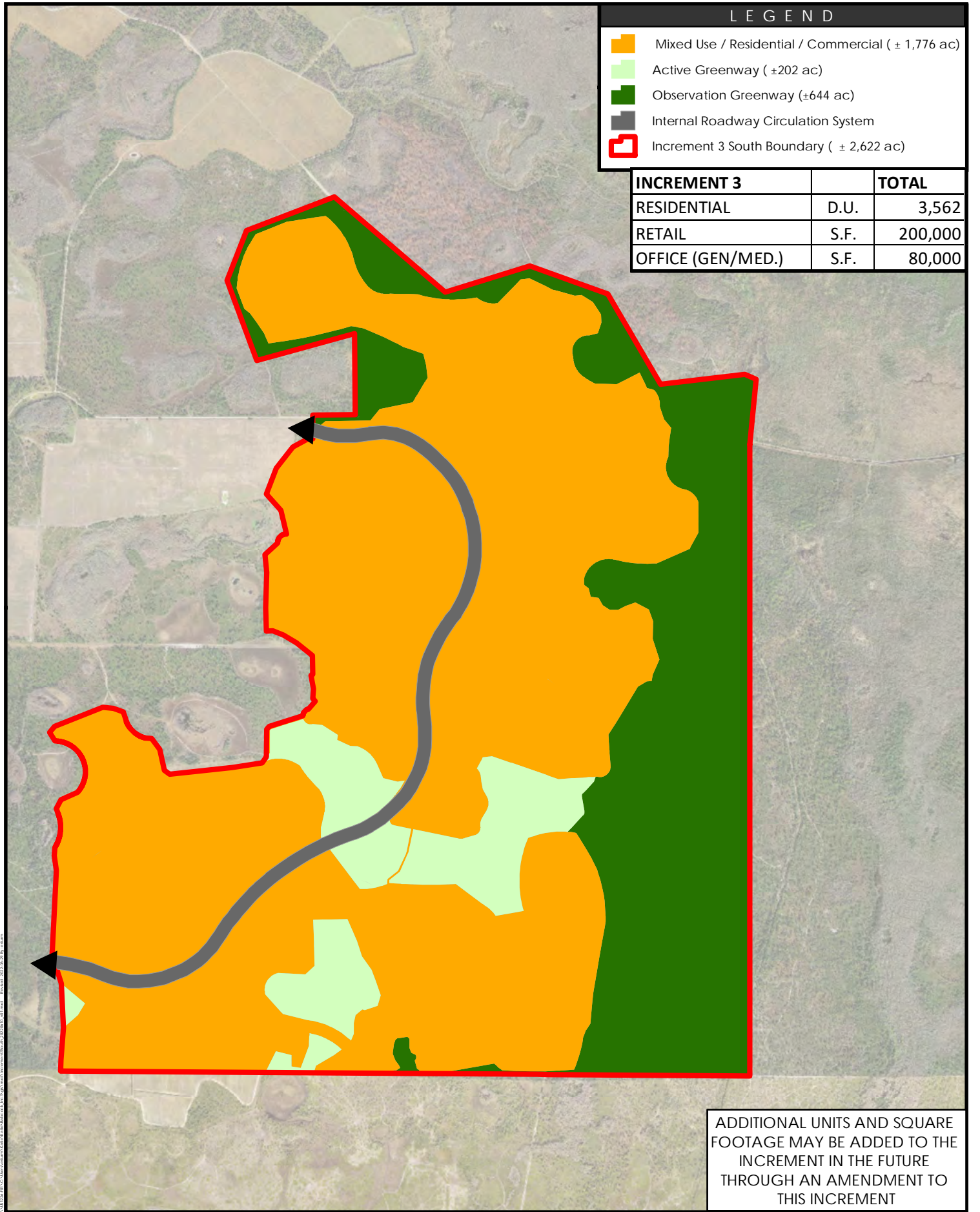
JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 3
Location Map

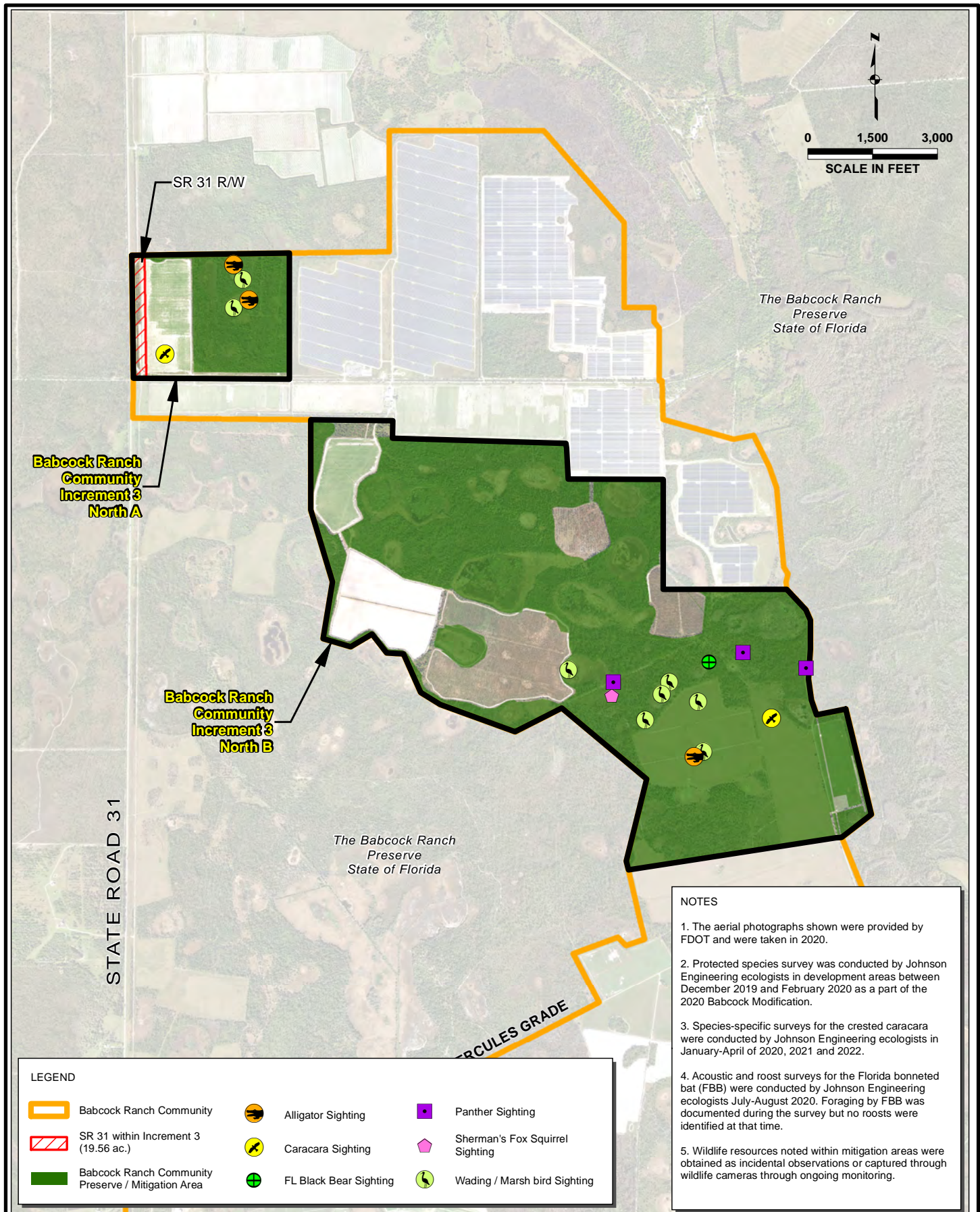
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006		Not to Scale	MAP A





ADDITIONAL UNITS AND SQUARE FOOTAGE MAY BE ADDED TO THE INCREMENT IN THE FUTURE THROUGH AN AMENDMENT TO THIS INCREMENT

\\fms01\drawings\2012\20129205-006\Environmental\arcgis\Map G1 wildlife plant resources.mxd



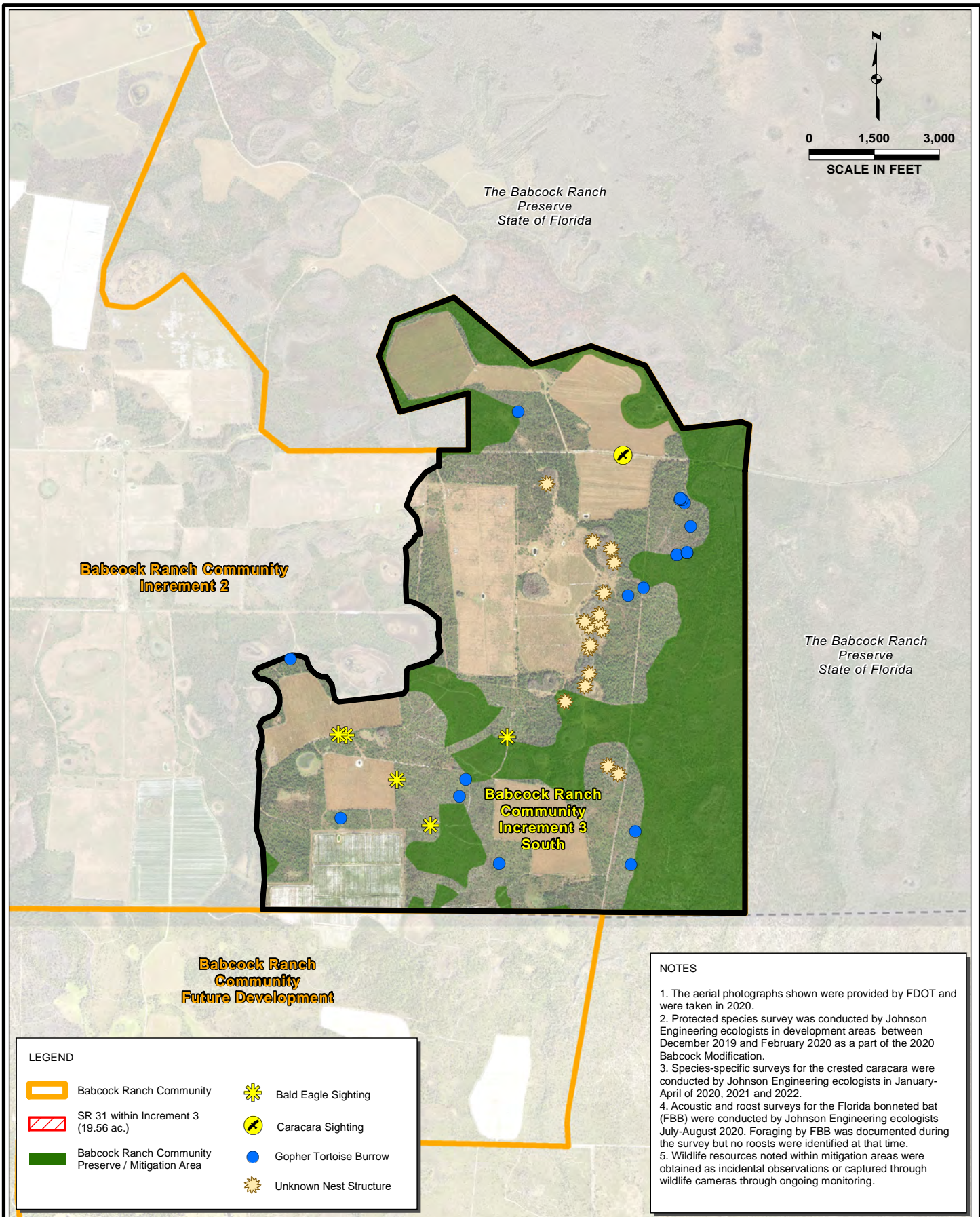
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Increment 3 North Babcock Ranch Community Wildlife & Plant Resources

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	As Shown	MAP G1

\\fms01\drawings\2012\20129205-006\Environmental\arcgis\Map G2 wildlife plant resources.mxd

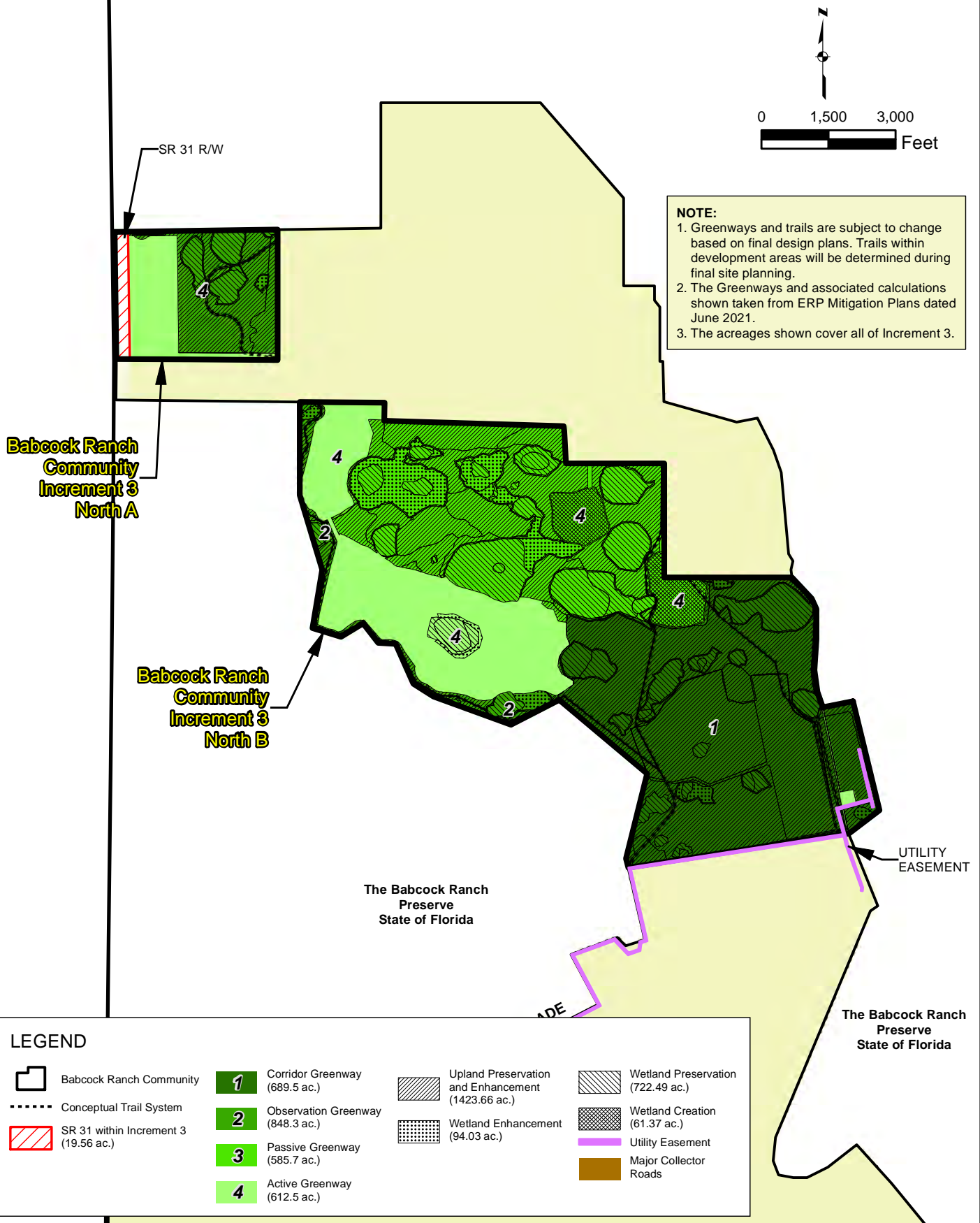


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FAX (239) 334-3661
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Increment 3 South Babcock Ranch Community Wildlife & Plant Resources

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	As Shown	MAP G2

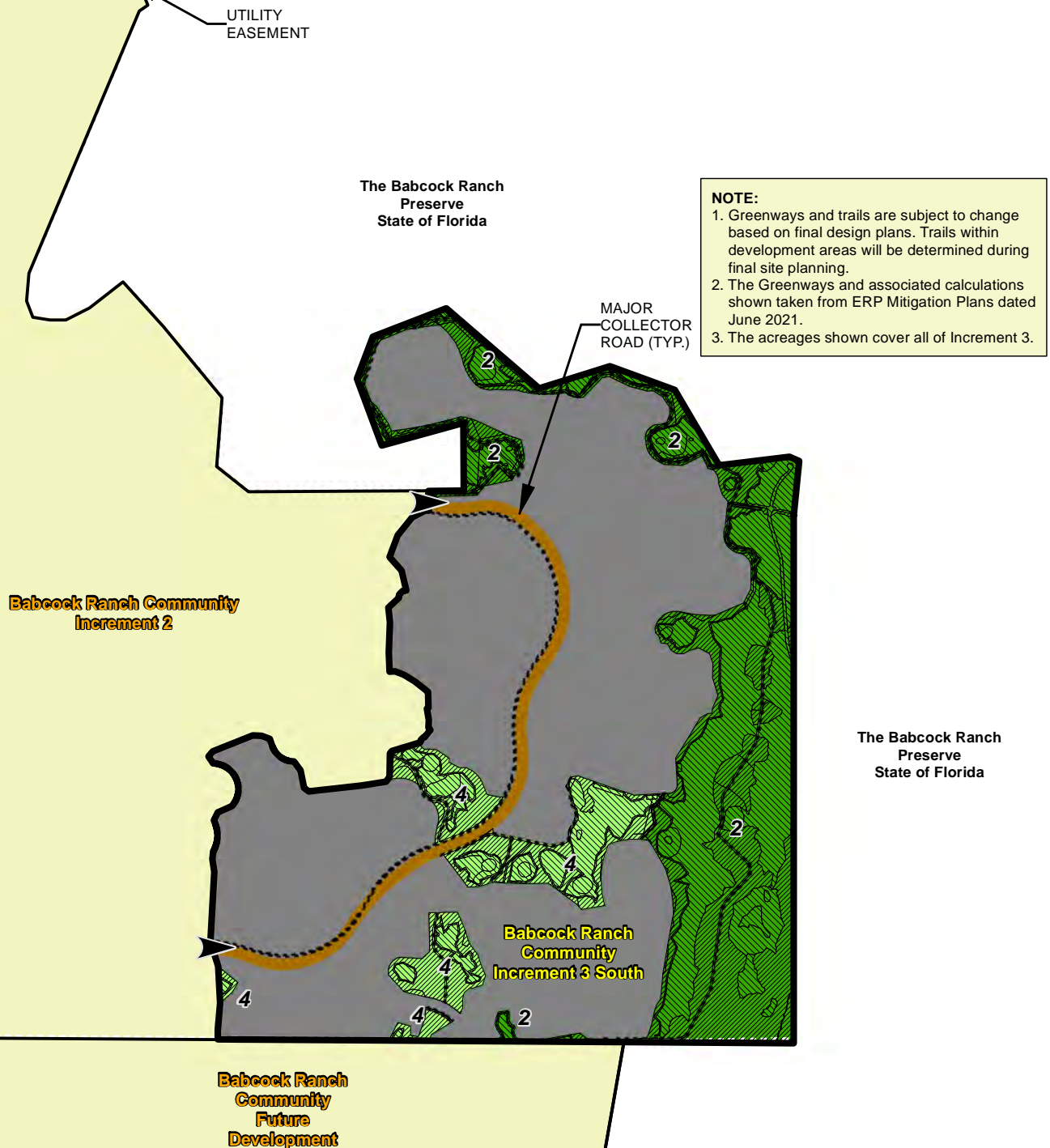


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FAX (239) 334-3661
E.B. #642 & L.B. #642

**Increment 3 North
Babcock Ranch Community
Primary Greenways & Trails**

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	As Shown	EXH. H1

**NOTE:**

1. Greenways and trails are subject to change based on final design plans. Trails within development areas will be determined during final site planning.
2. The Greenways and associated calculations shown taken from ERP Mitigation Plans dated June 2021.
3. The acreages shown cover all of Increment 3.

LEGEND

	Babcock Ranch Community		1 Corridor Greenway (689.5 ac.)		Upland Preservation and Enhancement (1423.66 ac.)		Wetland Preservation (722.48 ac.)
	Conceptual Trail System		2 Observation Greenway (848.3 ac.)		Wetland Enhancement (94.03 ac.)		Wetland Creation (61.37 ac.)
	SR 31 within Increment 3 (19.56 ac.)		3 Passive Greenway (585.7 ac.)		Utility Easement		Major Collector Roads
			4 Active Greenway (612.5 ac.)				

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FAX (239) 334-3661
E.B. #642 & L.B. #642

**Increment 3 South
Babcock Ranch Community
Primary Greenways & Trails**

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	As Shown	EXH. H2

CHG
BCC

ATTACHMENT II

**BABCOCK RANCH COMMUNITY
INCREMENT 3**

DRI INCREMENTAL DEVELOPMENT ORDER

**BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

ADOPTED MAY 23, 2023

MIN

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RESOLUTION NO. 2023-081

**AN INCREMENTAL DEVELOPMENT ORDER OF THE BOARD OF COUNTY
COMMISSIONERS OF CHARLOTTE COUNTY FLORIDA FOR INCREMENT 3 OF
THE BABCOCK RANCH COMMUNITY (CHARLOTTE COUNTY), A MASTER
DEVELOPMENT OF REGIONAL IMPACT**

WHEREAS, on June 30, 2022 Babcock Property Holdings, LLC ("Developer"), in accordance with Subsections 380.06(6) and (21), Florida Statutes, filed an Application for Incremental Development Approval ("AIDA") known as the Babcock Ranch Community, Increment 3 (hereinafter "BRC Increment 3" "Increment 3" or "Project") with Charlotte County, Florida ("County") and the Southwest Florida Regional Planning Council ("SWFRPC"); and

WHEREAS, Developer, County, and the SWFRPC entered into a Master DRI Agreement on March 13, 2007 (fully executed March 16, 2007), as required by Section 380.06(21)(b), Florida Statutes ("AMDA Agreement"); and

WHEREAS, in February, 2007, Developer, in accordance with Subsection 380.06(6) and (21), Florida Statutes, filed an Application for Master Development Approval ("AMDA") of a Development of Regional Impact known as the Babcock Ranch Community ("BRC") with Charlotte County and SWFRPC; and

WHEREAS, on December 13, 2007, the Board approved and adopted the BRC Master Development of Regional Impact Master DRI Development Order under Resolution 2007-196, as subsequently amended on June 17, 2008 by Resolution 2008-063; on December 15, 2009 by Resolution 2009-283; on December 13, 2011 by Resolution 2011-485; on April 24, 2012 by Resolution 2012-024; on July 25, 2017 by Resolution 2017-187; on June 12, 2018 by Resolution 2018-077; and on July 27, 2021 by Resolution 2021- 108 ("MDO"); and

WHEREAS, all of the agreements, studies, reports and other documents referenced in this BRC Increment 3 Incremental Development Order ("IDO") shall be kept on file with Charlotte County; and

WHEREAS, the Board, as the governing body of the unincorporated area of Charlotte County having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider the requested AIDA for the BRC Increment 3; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, and the Charlotte County Land Development Regulations ("LDR"), which includes the County's Zoning Ordinance, have been satisfied for the AIDA; and

WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and considered the County's staff report and held a public hearing to consider the AIDA on April 10, 2023; and

WHEREAS, the issuance of a development order pursuant to Section 380.06, Florida Statutes, does not constitute a waiver of any powers or rights of County regarding the issuance of other development permits consistent herewith; and

WHEREAS, on May 23, 2023, the Board, at a public hearing in accordance with Section 380.06, Florida Statutes, having considered the AIDA submitted by Developer, the AIDA sufficiency questions from reviewing agencies and Developer's responses thereto, the documentary and oral evidence presented at the hearing before the Board, the report and recommendations of the Charlotte County Planning and Zoning Board, and the recommendations of County staff, makes the Findings of Fact and Conclusions of Law set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA THAT:

RECITALS

The recitals set forth above are true and correct and are incorporated herein and made a part hereof.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The real property constituting Increment 3 which is the subject of the AIDA, consists of approximately 4,535.00 acres, and is legally described as set forth in Exhibit A attached hereto and made a part hereof ("Property" or "Community").
2. The AIDA is consistent with Section 380.06, Florida Statutes.
3. The AIDA is consistent with the MDO, which is incorporated herein by reference.
4. The Developer submitted to the County an AIDA on June 30, 2022. The representations and commitments of Developer made in the AIDA which are made conditions of this IDO are identified and set forth herein.
5. The Developer proposes to develop Increment 3 in accordance with the Babcock Master Concept Plan (Map H) attached hereto as Exhibit B and made a part hereof. Map H constitutes a portion of the revised Master Plan for the Babcock Ranch Overlay District in the Charlotte 2050 Comprehensive Plan ("Comprehensive Plan"). The development program for Increment 3 authorized by this IDO, consisting of one phase, is as follows ("Development Program"), subject to the limitations contained herein:
 - (i) 3,562 residential dwelling units (3,562 single family units);
 - (ii) 200,000 square feet of retail;
 - (iii) 80,000 square feet of office;

- (iv) Supporting community facilities such as educational service centers, schools, university facilities, libraries, places of worship, fire, EMS and sheriff facilities, regional and community park facilities, clubhouses and similar neighborhood amenities, and the necessary utility infrastructure including, but not limited to, water, wastewater and reuse water systems, electric, telephone and cable systems, will not be attributed to the development components set forth above, and will not count towards the maximum thresholds of development as established in this IDO;
 - (v) All other ancillary facilities, together with the development components set forth above [excluding (iv)] shall not exceed the maximum thresholds established in this IDO, subject to the use of the Land Use Equivalency Matrix contained in the MDO; and
 - (vi) Temporary housing for construction workers and their families will not count against the residential dwelling units allowed herein.
6. The Increment 3 development is not in an area designated as an Area of Critical State Concern pursuant to the Provisions of Section 380.05, Florida Statutes, as amended.
7. The Increment 3 development is consistent with the current land development regulations and the Comprehensive Plan, adopted pursuant to Chapter 163, Part II, Florida Statutes. Further, it is orderly, maximizes efficiency of infrastructure, and provides for specific infrastructure improvements needed to meet prescribed levels of service.
8. Increment 3 development as approved herein is consistent with the State Comprehensive Plan.

9. The mitigation provided for Increment 3 development is consistent with the requirements of Section 163.3180(5), F.S.

10. The AIDA for Increment 3 of the BRC DRI is hereby approved, subject to compliance with the conditions contained in this IDO and the MDO.

CONDITIONS

1. GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT PROGRAM

A. Representations and Commitments as Conditions.

(1) The Development Program is approved and may be adjusted by Developer in accordance with the Land Use Equivalency Matrix attached as Exhibit H to the MDO.

(2) The Updated Summary of Land Dedication & Facilities Construction for Increment 3 is attached hereto as Exhibit D.

(3) The minimum amount of non-residential development which may be constructed by the end of Increment 3 relative to the cumulative number of residential units which have been, or are projected to be, developed in Increment 3 shall be 10,000 square feet. The intent is that non-residential uses be allowed to serve the occupancy of dwelling units.

(4) Development within Increment 3 shall be in accordance with Exhibit E.

(5) Current uses within Increment 3 may continue to operate until such time said use is permanently replaced with a use approved herein. Current uses within Increment 3 include, but are not limited to, cattle grazing, agricultural uses, and ecotourism uses. Permits for existing uses can be renewed or modified as an allowed use until said use is permanently replaced by a use approved herein.

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2. AFFORDABLE HOUSING

A. Representations and Commitments as Conditions. – None.

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3. STORMWATER MANAGEMENT, WATER QUALITY, AND FLOOD PLAINS

A. Representations and Commitments as Conditions.

(1) The Master Drainage Plan for Increment 3 is attached hereto as Exhibit F.

(2) The design of the Increment 3 surface water management system will comply with the MDO Stormwater Plan.

(3) Development of Increment 3 includes conveyance features located outside the Increment 3 boundaries that convey stormwater runoff. Examples of conveyance features include, but are not limited to, swales, ditches, canals and overland flow. Some improvements to these conveyance features will be made as part of Increment 3.

(4) The stormwater management system shall be that system as permitted by the South Florida Water Management District ("SFWMD") Individual Environmental Resource Permit No. 08-00004-S-05, as supplemented by Permit No. 08-105624-P (Application No. 200526-3536) ("Conceptual ERP").

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4. **TRANSPORTATION**

A. Representations and Commitments as Conditions.

(1) Refer to Exhibit G of the Master Development Order for the Cumulative Incremental Transportation Conditions.

(2) The Master Internal Circulation Plan for Increment 3 is attached hereto as Exhibit G

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5. VEGETATION, WILDLIFE, AND WETLANDS

A. Representations and Commitments as Conditions.

(1) FDEP State 404 Permit No. 396574-001 issued November 19, 2021 ("State 404 Permit"), provides specific conditions to address both State and federally listed species. These permit conditions incorporate by reference the Biological Opinion for the BRC.

(2) Development within Increment 3 shall comply with the threatened and endangered management plan ("T&E Plan") provided for in the Conceptual ERP and State 404 Permit, as may be modified.

(3) Development within Increment 3 shall comply with the mitigation requirements provided for in the ERP and State 404 Permit, as may be modified.

(4) Mitigation for wetlands and listed species within the Increment 3 boundary may occur outside the Increment 3 boundary in accordance with the MDO, and the approved T&E Plan and Mitigation Plan referenced in the MDO, and included in the state and federal permits.

(5) Any amendments to the T&E Plan and Mitigation Plan shall be provided to the County as part of the applicable Biennial Report for Increment 3.

(6) Copies of any conservation easements that have been recorded relative to Increment 3 that were not provided in a previously submitted Biennial Report shall be provided to the County as part of the applicable Biennial Report for Increment 3.

(7) A Greenway Map for Increment 3 is attached hereto as Exhibit H.

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6. WASTEWATER MANAGEMENT AND WATER SUPPLY

A. Representations and Commitments as Conditions.

(1) The Primary Utility Corridor map for Increment 3 is attached hereto as Exhibit I.

(2) The source of raw water for potable service within Increment 3 will be groundwater. MSKP Town and Country Utility, LLC or its successors and assigns will provide water service for Increment 3.

(3) MSKP Town and Country Utility, LLC or its successors and assigns will provide wastewater service for Increment 3.

(4) Wastewater treatment options in the Increment 3 North A and B areas may include decentralized facilities.

(5) On-site wastewater treatment systems may be used permanently within the Increment 3 North A and B areas.

(6) Agricultural activities within the Increment 3 North A and B areas will continue to use agricultural wells, consistent with approved SFWMD permits. An agricultural well may be converted or a new potable supply well may be established for non-agricultural activities within the Increment 3 North A and B areas, as needs arise.

(7) All effluent suitable for Public Access Reuse will be stored and distributed as needed into an irrigation system which will include residential, commercial, median and other green areas. After storage has been maximized, excess effluent will be disposed of consistent with Florida Department of Environmental Protection permitting. Irrigation systems will use best management practices to minimize overspray onto impervious systems that could lead to the stormwater management system.

(8) Babcock Ranch Irrigation, LLC, or its successors and assigns, will provide reclaimed water service for Increment 3.

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7. EDUCATION

A. Representations and Commitments as Conditions.

(1) The Developer shall comply with the School Site Dedication Agreement.

(2) The Developer, District, County and the School Board of Charlotte County entered into an Addendum to the School Site Dedication Agreement on January 8, 2018 ("Agreement") addressing school concurrency for development. If the Agreement is not implemented to address school concurrency, the Developer and Charlotte County School Board shall amend the Agreement accordingly.

(3) Age-restricted communities will not be subject to school concurrency requirements.

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8. POLICE AND FIRE

A. Representations and Commitments as Conditions.

(1) All law enforcement, fire, and EMS impact fees collected from the Development (not including any interest earned by County) shall be provided to Developer or District in the form of reimbursements as set forth in the Impact Fee Agreement.

(2) Fire protection may be served by appropriately pressurized irrigation water.

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9. **SOLID/HAZARDOUS/MEDICAL WASTE**

A. Representations and Commitments as Conditions.

(1) Solid waste in Increment 3 will be collected by the District. Increment 3 is not intended to be part of the County's Sanitation District; however, solid waste will be sent to the Charlotte County Landfill.

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10. OPEN SPACE AND PARKS

A. Representations and Commitments as Conditions.

(1) Renewable energy and energy storage resource facilities and systems shall be allowed throughout Increment 3. If constructed within Active Greenways, such facilities shall not count as open space.

(2) Park sites shall be conveyed to the District or a property owner's association (POA) with exotic plants removed and infrastructure provided.

(3) District or Developer shall prepare the master plan(s) for the permanent park site(s) required within Increment 3. The Developer, District or POA shall develop and operate the parks within Increment 3.

(4) General agricultural operations may be conducted throughout Increment 3 in accordance with the Comprehensive Plan and the LDR.

(5) All parks and library impact fees collected from the Development within Increment 3 shall be provided to the Developer or District in accordance with the Impact Fee Agreement.

(6) Common recreational areas and common open spaces within Increment 3, if any, will be maintained by a POA or the District.

(7) Some recreation and parks may be provided as temporary uses in Increment 3 that might be replaced by future development as other facilities are provided.

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11. **ENERGY**

A. Representations and Commitments as Conditions - None.

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12. **MINING OPERATIONS**

A. Representations and Commitments as Conditions – None.

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13. CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN

County has determined that the Increment 3 project is consistent with the Comprehensive Plan.

14. BIENNIAL REPORTS

The Developer of Increment 3, or its successor(s)-in-title to the undeveloped portions of Increment 3, must submit a biennial report to the County. The Developer of Increment 3 must inform successors-in-title to any undeveloped portion of the real property covered by this IDO of this reporting requirement.

15. COMPLIANCE MONITORING

The County Administrator, or his or her designee, shall be the local official responsible for assuring compliance with the IDO. Monitoring procedures will include County's site plan review and code enforcement procedures, and the Biennial Reports.

16. EXEMPTION FROM DOWNZONING AND DENSITY/INTENSITY REDUCTION

Pursuant to Subsection 380.06(4)(a), Florida Statutes, this Increment 3 project is exempt from down zoning, intensity reduction, or unit density reduction until December 31, 2038, unless County can demonstrate that substantial changes in the conditions underlying the approval of this IDO have occurred or this IDO was based on substantially inaccurate information provided by the Developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

17. COMMENCEMENT OF DEVELOPMENT

Development shall commence in accordance with the deadline(s) established in this IDO.

18. PROJECTED BUILDOUT

Buildout of Increment 3 is projected to occur on or about December 31, 2038 ("Buildout Date").

19. EXPIRATION DATE

The expiration date for this IDO is December 31, 2045.

20. DEVELOPMENT PERMITS

Subsequent requests for development permits within Increment 3 shall not require further review pursuant to Section 380.06, Florida Statutes. Amendments to this IDO shall be processed in accordance with Charlotte County Code 3-9-10.1, as may be amended.

21. GENERAL PROVISIONS

The approval granted by this IDO is limited. Such approval shall not be construed to relieve the Developer of the duty to comply with all other applicable local, state, or federal permitting regulations.

A. Developer and County shall work together in a cooperative manner to ensure that the necessary applications to County, the issuance of permits and the conduct of inspections occur expeditiously and that development is not impeded by unnecessary delays associated with such applications, permit issuances, and inspections.

B. It is understood that any reference herein to any governmental agency shall be construed to mean any future entity which may be created or be designated or succeed in interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this IDO.

C. Appropriate conditions and commitments contained herein may be assigned to or assumed by the District.

D. If there is a conflict between a provision in this IDO and a provision in the MDO, the provision in this IDO shall prevail for Increment 3, except that this IDO must comply with the Land Use Equivalency Matrix In Exhibit H of the MDO. Exhibit D, attached hereto and made a part hereof by reference, is an updated version of Exhibit D to the MDO entitled "Summary of Land Dedication and Facilities Construction" as to the Increment 3 property.

E. Appropriate conditions and commitments contained herein may be assigned to or assumed by the District.

F. If there is a conflict between a provision in this IDO and a provision in an ERP, a Consumptive Use Permit ("CUP"), FDEP 404 Permit or ACOEP, the provision in the ERP, CUP, FDEP 404 Permit or ACOEP shall prevail.

G. In the event that any portion or section of this IDO is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions of this development order which shall remain in full force and effect.

H. This IDO shall be binding upon the County and the Developer, its assignees or successors-in-interest.

I. This IDO shall become effective as provided by law.

J. The County may provide certified copies of this IDO to DEO and the SWFRPC.

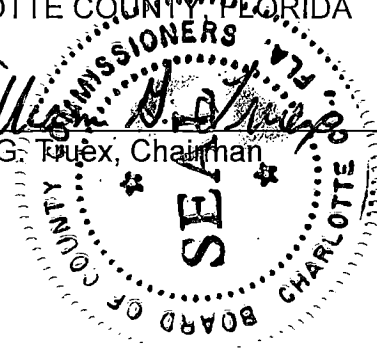
K. This Resolution shall be recorded in the Public Records of Charlotte County, Florida. Notice of the adoption of this IDO shall be recorded by the Developer, in accordance with F.S. 28.222 with the Clerk of the Circuit Court for Charlotte County.

PASSED AND DULY ADOPTED this 23rd day of May 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____

William G. Truex, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk to the
Board of County Commissioners

By: _____

Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____

Janette S. Knowlton, County Attorney

LR#2023-0109

EXHIBITS

Exhibit A	Increment 3 Babcock Ranch Community Legal Description
Exhibit B	Babcock Ranch Community Map H Increment 3 Master Development Plan and Fixed and Variable Development Criteria
Exhibit C	Reserved
Exhibit D	Updated Summary of Land Dedications and Facilities Construction
Exhibit E	Babcock Ranch Community Increment 3 Parameters
Exhibit F	Increment 3 Master Drainage Plan
Exhibit G	Increment 3 Master Internal Circulation Plan
Exhibit H	Increment 3 Primary Greenway Map and Trails Plan
Exhibit I	Increment 3 Primary Utility Corridor Map

EXHIBIT A

INCREMENT 3 BABCOCK RANCH COMMUNITY LEGAL DESCRIPTION



DESCRIPTION
 BABCOCK RANCH COMMUNITY
 INCREMENT 3
 LYING IN
 SECTIONS,
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

AREA 6, CHARLOTTE COUNTY PARCEL
 (AS RECORDED IN CHARLOTTE COUNTY OFFICIAL RECORDS BOOK 4818, PAGE 1818)

A PARCEL OF LAND LYING WITHIN SECTIONS 29, 31 THROUGH 33, TOWNSHIP 41 SOUTH, RANGE 26 EAST AND SECTIONS 4 THROUGH 10, SECTIONS 15 THROUGH 17 AND SECTIONS 19 THROUGH 36, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST AND RUN S89°41'45"E, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 31, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE S89°41'45"E A DISTANCE OF 5,189.75 FEET TO THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE S89°41'45"E A DISTANCE OF 5,306.08 FEET TO THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE S89°37'16"E A DISTANCE OF 5,289.11 FEET TO THE NORTHEAST CORNER OF SECTION 4, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE S89°35'44"E A DISTANCE OF 5,294.60 FEET TO THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE S89°35'44"E A DISTANCE OF 5,294.60 FEET TO THE NORTHEAST CORNER OF SECTION 2, TOWNSHIP 43 SOUTH, RANGE 26 EAST; THENCE S89°35'44"E, ALONG THE NORTH LINE OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 26 EAST, A DISTANCE OF 3,430.66 FEET; THENCE N00°00'40"W A DISTANCE OF 10,185.53 FEET; THENCE N05°46'23"E A DISTANCE OF 1,058.56 FEET; THENCE N66°40'38"W A DISTANCE OF 200.62 FEET; THENCE S83°12'47"W A DISTANCE OF 1,373.33 FEET; THENCE N30°17'33"W A DISTANCE OF 1,686.63 FEET; THENCE N70°02'41"W A DISTANCE OF 1,332.41 FEET; THENCE S72°42'44"W A DISTANCE OF 1,430.81 FEET; THENCE N49°18'31"W A DISTANCE OF 2,362.25 FEET; THENCE S69°00'57"W A DISTANCE OF 1,518.19 FEET; THENCE S21°08'17"W A DISTANCE OF 865.44 FEET; THENCE S20°29'11"E A DISTANCE OF 1,376.91 FEET; THENCE N74°38'25"E A DISTANCE OF 1,635.69 FEET; THENCE S00°18'50"E A DISTANCE OF 1,309.92 FEET; THENCE S89°45'02"W A DISTANCE OF 4,154.48 FEET; THENCE N51°39'36"W A DISTANCE OF 782.53 FEET; THENCE N04°14'12"E A DISTANCE OF 1,329.59 FEET; THENCE N39°20'59"W A DISTANCE OF 1,779.16 FEET; THENCE N42°01'35"W A DISTANCE OF 1,162.94 FEET; THENCE S52°01'16"W A DISTANCE OF 818.34 FEET; THENCE S62°56'46"W A DISTANCE OF 516.42 FEET; THENCE S89°59'33"W A DISTANCE OF 307.20 FEET; THENCE N80°06'18"W A DISTANCE OF 334.84 FEET; THENCE N20°54'51"W A DISTANCE OF 336.86 FEET; THENCE N05°03'05"E A DISTANCE OF 533.35 FEET; THENCE N22°47'49"E A DISTANCE OF 5,490.82 FEET; THENCE N55°42'26"E A DISTANCE OF 195.73 FEET; THENCE N21°59'06"W A DISTANCE OF 1,739.17 FEET; THENCE N52°37'55"E A DISTANCE OF 867.75 FEET; THENCE N13°36'57"W A DISTANCE OF 2,507.33 FEET; THENCE S78°50'16"W A DISTANCE OF 687.95 FEET; THENCE N19°48'25"W A DISTANCE OF 366.25 FEET; THENCE N08°01'21"W A DISTANCE OF 493.32 FEET; THENCE N03°43'40"E A DISTANCE OF 687.22 FEET; THENCE N00°28'20"E A DISTANCE OF 674.51 FEET; THENCE N25°12'33"W A DISTANCE OF 261.13 FEET; THENCE N42°54'55"W A DISTANCE OF 643.19 FEET; THENCE N07°19'37"W A DISTANCE OF 171.40 FEET; THENCE N13°05'30"E A DISTANCE OF 201.96 FEET; THENCE N32°40'01"W A DISTANCE OF 186.12 FEET; THENCE N05°04'15"W A DISTANCE OF 1,832.77 FEET; THENCE N19°47'08"W A DISTANCE OF 527.20 FEET; THENCE N26°13'22"W A DISTANCE OF 802.13 FEET; THENCE S79°06'55"W A DISTANCE OF 475.20 FEET; THENCE N74°19'19"W A DISTANCE OF 1,689.05 FEET; THENCE N01°26'06"W A DISTANCE OF 897.42 FEET; THENCE N89°51'42"W A DISTANCE OF 67.91 FEET; THENCE N00°00'03"W A DISTANCE OF

1,218.37 FEET; THENCE N39°50'11"W A DISTANCE OF 190.86 FEET; THENCE N00°00'29"W A DISTANCE OF 324.62 FEET; THENCE N89°59'52"W A DISTANCE OF 688.20 FEET; THENCE N00°00'00"E A DISTANCE OF 1,967.22 FEET; THENCE N41°13'25"W A DISTANCE OF 2,825.17 FEET; THENCE S89°59'57"W A DISTANCE OF 3,566.80 FEET; THENCE S00°00'03"E A DISTANCE OF 2,799.34 FEET; THENCE S89°11'17"W A DISTANCE OF 5,960.98 FEET TO A POINT LYING 50.00 FEET EAST OF THE EAST RIGHT-OF-WAY LINE FOR STATE ROAD NO. 31; THENCE ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY LINE FOR STATE ROAD NO. 31, THE FOLLOWING COURSES AND DISTANCES: S00°48'43"E A DISTANCE OF 2,976.13 FEET AND S00°34'01"W A DISTANCE OF 786.25 FEET; THENCE S89°25'59"E A DISTANCE OF 4,104.32 FEET; THENCE S00°01'22"E A DISTANCE OF 2,084.04 FEET; THENCE S16°46'15"E A DISTANCE OF 1,740.24 FEET; THENCE S09°11'59"W A DISTANCE OF 1,325.85 FEET; THENCE S73°15'18"E A DISTANCE OF 661.15 FEET; THENCE N59°20'29"E A DISTANCE OF 577.75 FEET; THENCE S38°10'48"E A DISTANCE OF 551.46 FEET; THENCE S86°25'58"E A DISTANCE OF 385.80 FEET; THENCE S24°01'11"E A DISTANCE OF 975.12 FEET; THENCE S57°46'34"E A DISTANCE OF 530.20 FEET; THENCE S70°04'12"E A DISTANCE OF 1,843.47 FEET; THENCE N63°01'21"E A DISTANCE OF 1,214.99 FEET; THENCE S50°03'22"E A DISTANCE OF 2,565.56 FEET; THENCE S13°56'09"W A DISTANCE OF 1,953.90 FEET; THENCE S12°51'59"E A DISTANCE OF 1,862.33 FEET; THENCE S71°59'01"W A DISTANCE OF 448.53 FEET; THENCE N45°00'57"W A DISTANCE OF 266.60 FEET; THENCE S69°50'23"W A DISTANCE OF 1,104.27 FEET; THENCE S28°10'55"E A DISTANCE OF 1,272.60 FEET; THENCE S62°45'03"W A DISTANCE OF 4,638.30 FEET; THENCE S82°12'01"W A DISTANCE OF 711.48 FEET; THENCE S81°38'00"W A DISTANCE OF 5,167.82 FEET; THENCE N77°54'41"W A DISTANCE OF 707.32 FEET; THENCE N89°28'15"W A DISTANCE OF 299.98 FEET TO A POINT LYING 50.00 FEET EAST OF THE EAST RIGHT-OF-WAY LINE FOR STATE ROAD NO. 31; THENCE ALONG A LINE 50.00 FEET EAST OF, AND PARALLEL WITH, THE EAST RIGHT-OF-WAY LINE FOR STATE ROAD NO. 31, THE FOLLOWING COURSES AND DISTANCES: S00°31'45"W A DISTANCE OF 4,197.71 FEET, S00°26'10"W A DISTANCE OF 5,282.33 FEET AND S00°36'46"W A DISTANCE OF 5,337.00 FEET TO THE POINT OF BEGINNING. CONTAINING 13,630.60 ACRES, MORE OR LESS.

BEARINGS AND DISTANCES HEREON ARE IN GRID FEET AND ARE PROJECTED ONTO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1999 ADJUSTMENT WHEREIN THE NORTH LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 26 EAST TO BEAR S89°41'45"E.

LESS AND EXCEPT "INCREMENT 1 NORTH AREA"

(AS RECORDED IN CHARLOTTE COUNTY OFFICIAL RECORDS BOOK 4580, PAGE 46)

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 29, 31, 32 & 33, TOWNSHIP 41 SOUTH, RANGE 26 EAST, AND SECTIONS 4, 5 & 6, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, THENCE N.00°48'43"W., ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 134.08 FEET; THENCE S.89°43'51"E., DEPARTING SAID WEST LINE, A DISTANCE OF 50.01 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 31 (100' WIDE), AND A POINT ON THE NORTH LINE OF A 100 FOOT WIDE ACCESS EASEMENT (TUCKER'S GRADE) AS RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS, CHARLOTTE COUNTY FLORIDA, AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID 100' WIDE ACCESS EASEMENT (TUCKER'S GRADE) FOR THE FOLLOWING TWO (2) COURSES:

S.89°43'51"E., A DISTANCE OF 1,658.51 FEET,
S.89°35'41"E., A DISTANCE OF 1,950.89 FEET;

THENCE N.00°00'03"W., DEPARTING SAID NORTH LINE, A DISTANCE OF 2,915.42 FEET, TO AN INTERSECTION WITH THE BOUNDARY OF PARCEL 1 AS DESCRIBED IN OFFICIAL RECORDS BOOK 3010, PAGE 105, OF SAID PUBLIC RECORDS;

THENCE ALONG THE BOUNDARY OF SAID PARCEL 1 FOR THE FOLLOWING NINETEEN (19) COURSES:

1. N.89°11'17"E., A DISTANCE OF 2,311.04 FEET,
2. N.00°00'03"W., A DISTANCE OF 2,799.34 FEET,
3. N.89°59'57"E., A DISTANCE OF 3,566.80 FEET,
4. S.41°13'25"E., A DISTANCE OF 2,825.17 FEET,
5. S.00°00'00"W., A DISTANCE OF 1,967.22 FEET,
6. S.89°59'52"E., A DISTANCE OF 688.20 FEET,
7. S.00°00'29"E., A DISTANCE OF 324.62 FEET,
8. S.39°50'11"E., A DISTANCE OF 190.86 FEET,
9. S.00°00'03"E., A DISTANCE OF 1,218.37 FEET,
10. S.89°51'42"E., A DISTANCE OF 67.91 FEET,
11. S.01°26'06"E., A DISTANCE OF 897.42 FEET,
12. S.74°19'19"E., A DISTANCE OF 1,689.05 FEET,
13. N.79°06'55"E., A DISTANCE OF 475.20 FEET,
14. S.26°13'22"E., A DISTANCE OF 802.13 FEET,
15. S.19°47'08"E., A DISTANCE OF 527.20 FEET,
16. S.05°04'15"E., A DISTANCE OF 1,832.77 FEET,
17. S.32°40'01"E., A DISTANCE OF 186.12 FEET,
18. S.13°05'30"W., A DISTANCE OF 201.96 FEET,
19. S.07°19'37"E., A DISTANCE OF 171.40 FEET;

THENCE N.89°59'59"W., DEPARTING SAID BOUNDARY OF PARCEL 1, A DISTANCE OF 2,859.31 FEET; THENCE N.00°00'00"E., A DISTANCE OF 2,547.19 FEET; THENCE N.89°50'41"W., A DISTANCE OF 2,200.73 FEET; THENCE N.02°54'21"W., A DISTANCE OF 715.56 FEET; THENCE N.05°35'32"W., A DISTANCE OF 111.99 FEET; THENCE N.88°17'16"W., A DISTANCE OF 4,015.67 FEET; THENCE N.00°34'01"E., A DISTANCE OF 405.83 FEET; THENCE N.89°25'59"W., A DISTANCE OF 6,002.94 FEET TO AN INTERSECTION WITH SAID STATE ROAD 31 EAST RIGHT-OF-WAY (100' WIDE); THENCE ALONG SAID EAST RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

1. N.00°34'01"E., A DISTANCE OF 786.25 FEET,
2. N.00°48'43"W., A DISTANCE OF 133.74 FEET TO A THE POINT OF BEGINNING.

CONTAINING 1,452.71 ACRES, MORE OR LESS.

BEARINGS AND DISTANCES HEREON ARE IN GRID FEET AND ARE PROJECTED ONTO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1999 ADJUSTMENT WHEREIN THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26, WHERE SAID LINE BEARS N00°48'41"W.

LESS AND EXCEPT "INCREMENT 1 SOUTH AREA"

(AS RECORDED IN CHARLOTTE COUNTY OFFICIAL RECORDS BOOK 4580, PAGE 48)

A PARCEL OF LAND LYING IN SECTIONS 19, 20, 21, 28, 29, 30, 31, 32 AND 33, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31 THENCE SOUTH 89°41'45" EAST ALONG THE SOUTH LINE OF SAID SECTION 31 FOR 50.00 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31 AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING THENCE THE FOLLOWING THREE (3) BEARINGS AND DISTANCES ON SAID EASTERLY RIGHT-OF-WAY LINE: NORTH 00°36'46" EAST FOR 5,337.00 FEET; NORTH 00°26'10" EAST FOR 5,282.33 FEET; NORTH 00°31'45" EAST FOR 4,197.71 FEET; THENCE SOUTH 89°28'15" EAST DEPARTING SAID RIGHT-OF-WAY LINE FOR 299.98 FEET; THENCE SOUTH 77°54'41" EAST FOR 169.77 FEET; THENCE SOUTH 00°04'08" WEST FOR 599.02 FEET; THENCE NORTH 90°00'00" EAST FOR 658.00 FEET; THENCE NORTH 62°36'45" EAST FOR 186.95 FEET; THENCE SOUTH 66°06'55" EAST FOR 1,147.74 FEET; THENCE SOUTH 89°39'57" EAST FOR 711.01 FEET; THENCE NORTH 01°03'27" WEST FOR 1,169.03 FEET; THENCE NORTH 81°38'00" EAST FOR 3,109.39 FEET; THENCE NORTH 82°12'01" EAST FOR 711.48 FEET; THENCE SOUTH 57°49'39" EAST FOR 5,335.90 FEET; THENCE SOUTH 11°12'07" WEST FOR 7,458.70 FEET; THENCE SOUTH 10°23'41" EAST FOR 2,923.88 FEET; THENCE SOUTH 23°14'51" EAST FOR 2,768.33 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 33, TOWNSHIP 42 SOUTH, RANGE 26 EAST; THENCE THE FOLLOWING BEARINGS AND DISTANCE ON THE SOUTH LINE OF SAID TOWNSHIP 42 SOUTH: NORTH 89°37'16" WEST FOR 1,137.52 FEET; NORTH 89°41'45" WEST FOR 5,306.08 FEET; NORTH 89°41'45" WEST ALONG SAID LINE FOR 5,189.75 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,575.47 ACRES, MORE OR LESS.

BEARINGS AND DISTANCES HEREON ARE IN GRID FEET AND ARE PROJECTED ONTO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1999 ADJUSTMENT WHEREIN THE SOUTH LINE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.

LESS AND EXCEPT "INCREMENT 1, 45.98 ACRE PARCEL"

(AS RECORDED IN CHARLOTTE COUNTY OFFICIAL RECORDS BOOK 4580, PAGE 60).

A PARCEL OF LAND LYING IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH RANGE 26 EAST; THENCE SOUTH 00°31'45" WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 1,123.18'; THENCE SOUTH 89°28'15" EAST FOR 50.00 FEET, DEPARTING SAID SECTION LINE, TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE SOUTH 89°28'15" EAST DEPARTING SAID RIGHT-OF-WAY LINE FOR 299.98 FEET; THENCE SOUTH 77°54'41" EAST FOR 169.77 FEET AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING THENCE THE FOLLOWING EIGHT (8) BEARINGS AND DISTANCES:

1. SOUTH 00°04'08" WEST FOR 599.02 FEET;
 2. NORTH 90°00'00" EAST FOR 658.00 FEET;
 3. THENCE NORTH 62°36'45" EAST FOR 186.95 FEET;
 4. THENCE SOUTH 66°06'55" EAST FOR 1,147.74 FEET;
 5. THENCE SOUTH 89°39'57" EAST FOR 711.01 FEET;
 6. THENCE NORTH 01°03'27" WEST FOR 1,169.03 FEET;
 7. THENCE SOUTH 81°38'00" WEST FOR 2058.44 FEET;
 8. THENCE NORTH 77°54'41" WEST FOR 537.54 FEET TO THE POINT OF BEGINNING.
- PARCEL CONTAINS 45.98 ACRES, MORE OR LESS.

BEARINGS AND DISTANCES HEREON ARE IN GRID FEET AND ARE PROJECTED ONTO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1999 ADJUSTMENT WHEREIN THE SOUTH LINE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.

LESS AND EXCEPT "INCREMENT 2"

A PARCEL OF LAND LYING IN SECTIONS 15, 16, 17, 20, 21, 22, 26, 27, 28, 29, 32, 33, 34 AND 35, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

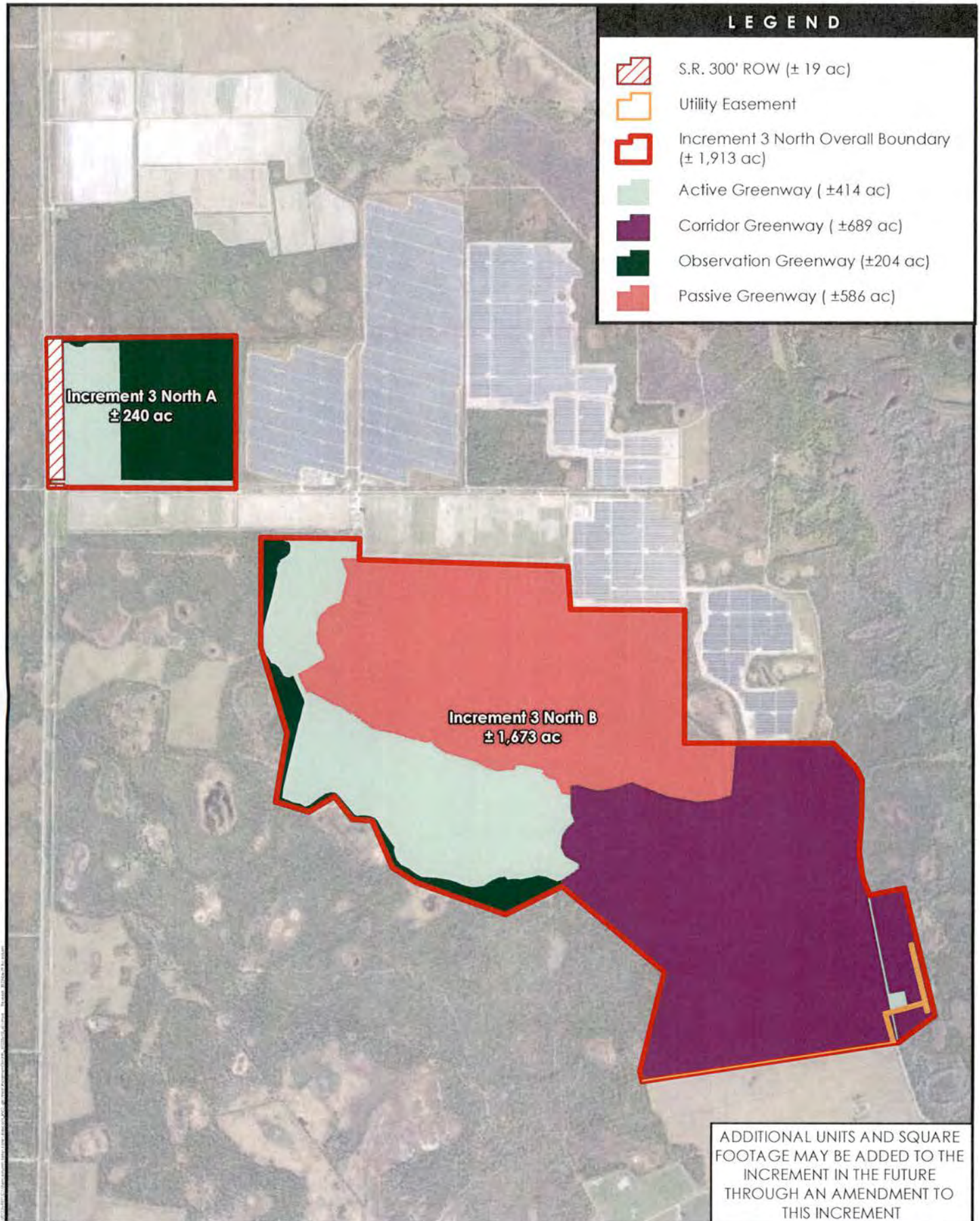
COMMENCING AT A POINT OF INTERSECTION WITH THE NORTHWESTERLY CORNER OF PARCEL 1 (AREA 6) AND THE EAST LINE OF PARCEL 2 (300' STRIP), AS RECORDED IN OFFICIAL RECORDS BOOK 3010, PAGE 105, PUBLIC RECORDS, CHARLOTTE COUNTY, FLORIDA; THENCE ON THE NORTHERLY LINE OF SAID PARCEL 1, FOR THE FOLLOWING THREE (3) COURSES; (1) S.77°54'41"E., FOR 707.32 FEET; (2) N.81°38'00"E., FOR 5,167.82 FEET; (3) N.82°12'01"E., FOR 711.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON SAID NORTHERLY LINE FOR THE FOLLOWING SIX (6) COURSES; (1) N.62°45'03"E., FOR 4,638.30 FEET; (2) N.28°10'55"W., FOR 1,272.60 FEET; (3) N.69°50'23"E., FOR 1,104.27 FEET; (4) S.45°00'57"E., FOR 266.60 FEET; (5) N.71°59'01"E., FOR 448.53 FEET; (6) N.12°51'59"W., FOR 1,654.85 FEET; THENCE N.81°12'25"E., DEPARTING SAID LINE, FOR 4,859.91 FEET; THENCE N.85°04'00"E., FOR 129.81 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE ON SAID EASTERLY LINE FOR THE FOLLOWING FOURTEEN (14) COURSES: (1) S.21°59'06"E., FOR 1,739.17 FEET; (2) S.55°42'26"W., FOR 195.73 FEET; (3) S.22°47'49"W., FOR 5,490.82 FEET; (4) S.05°03'05"W., FOR 533.35 FEET; (5) S.20°54'51"E., FOR 336.86 FEET; (6) S.80°06'18"E., FOR 334.84 FEET; (7) N.89°59'33"E., FOR 307.20 FEET; (8) N.62°56'46"E., FOR 516.42 FEET; (9)

N.52°01'16"E., FOR 818.34 FEET; (10) S.42°01'35"E., FOR 1,162.94 FEET; (11) S.39°20'59"E., FOR 1,779.16 FEET; (12) S.04°14'12"W., FOR 1,329.59 FEET; (13) S.51°39'36"E., FOR 782.53 FEET; (14) N.89°45'02"E., FOR 3,471.81 FEET; THENCE S.00°00'00"E., DEPARTING SAID EASTERLY LINE, FOR 346.72 FEET; THENCE S.29°19'24"W., FOR 26.86 FEET; THENCE S.04°37'49"W., FOR 7.78 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 661.19 FEET, (DELTA 03°10'41") (CHORD BEARING N.71°49'45"W.), (CHORD 36.67 FEET) FOR 36.68 FEET; THENCE S.61°23'22"W., FOR 308.04 FEET; THENCE S.38°34'17"W., FOR 438.56 FEET; THENCE S.20°30'08"W., FOR 454.57 FEET; THENCE N.85°45'27"E., FOR 6.50 FEET; THENCE S.41°20'52"E., FOR 344.79 FEET; THENCE S.13°34'11"E., FOR 393.26 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 134.61 FEET, (DELTA 95°45'46") (CHORD BEARING S.45°42'26"W.), (CHORD 199.70 FEET) FOR 224.98 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 9,808.43 FEET, (DELTA 01°37'53") (CHORD BEARING S.46°35'13"W.), (CHORD 279.26 FEET) FOR 279.26 FEET; THENCE S.05°18'09"E., FOR 283.91 FEET; THENCE S.01°55'28"W., FOR 574.50 FEET; THENCE S.02°15'23"E., FOR 376.41 FEET; THENCE N.87°56'27"E., FOR 102.23 FEET; THENCE S.68°32'26"E., FOR 184.58 FEET; THENCE S.59°33'15"E., FOR 245.11 FEET; THENCE S.50°54'05"E., FOR 309.70 FEET; THENCE S.18°36'38"E., FOR 49.44 FEET; THENCE S.01°22'46"E., FOR 266.68 FEET; THENCE S.56°14'45"W., FOR 32.59 FEET; THENCE S.10°10'32"E., FOR 217.99 FEET; THENCE S.04°12'55"W., FOR 154.81 FEET; THENCE S.39°06'34"E., FOR 58.79 FEET; THENCE S.39°30'30"W., FOR 164.97 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 124.06 FEET, (DELTA 69°32'40") (CHORD BEARING S.40°13'32"W.), (CHORD 141.51 FEET) FOR 150.59 FEET; THENCE S.72°40'47"W., FOR 567.54 FEET; THENCE S.42°10'27"W., FOR 62.63 FEET; THENCE S.00°28'50"W., FOR 448.95 FEET; THENCE S.38°02'18"W., FOR 118.40 FEET; THENCE S.80°58'57"W., FOR 481.97 FEET; THENCE S.83°40'09"W., FOR 1,019.45 FEET; THENCE N.54°07'16"W., FOR 108.20 FEET; THENCE N.11°38'08"W., FOR 344.38 FEET; THENCE N.36°31'29"W., FOR 221.80 FEET; THENCE N.87°23'51"W., FOR 91.28 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 443.18 FEET, (DELTA 58°51'33") (CHORD BEARING N.48°10'08"W.), (CHORD 435.51 FEET) FOR 455.27 FEET; THENCE N.18°03'07"W., FOR 140.72 FEET; THENCE N.69°29'26"W., FOR 172.06 FEET; THENCE N.85°07'59"W., FOR 168.82 FEET; THENCE S.68°18'22"W., FOR 836.36 FEET; THENCE S.39°51'17"W., FOR 125.06 FEET; THENCE S.32°37'17"E., FOR 161.39 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 497.26 FEET, (DELTA 131°11'40") (CHORD BEARING S.23°32'53"E.), (CHORD 905.67 FEET) FOR 1,138.61 FEET; THENCE S.65°57'47"W., FOR 294.69 FEET; THENCE S.26°55'45"W., FOR 161.56 FEET; THENCE S.19°22'16"E., FOR 128.56 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 623.05 FEET, (DELTA 45°12'57") (CHORD BEARING S.06°00'15"W.), (CHORD 479.03 FEET) FOR 491.69 FEET; THENCE S.61°08'43"W., FOR 12.30 FEET; THENCE S.05°47'00"W., FOR 153.29 FEET; THENCE S.08°22'36"E., FOR 246.42 FEET; THENCE S.03°02'02"W., FOR 1,355.26 FEET; THENCE S.17°58'48"E., FOR 5.20 FEET; THENCE S.17°58'42"E., FOR 485.85 FEET; THENCE S.02°35'12"E., FOR 717.60 FEET; THENCE S.04°41'29"W., FOR 513.66 FEET; THENCE S.00°11'48"W., FOR 182.44 FEET; TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SECTION 34, THENCE N.89°35'44"W., ON SAID SOUTH LINE, FOR 2,902.61 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.89°37'16"W., ALONG THE SOUTH LINE OF SECTION 33, FOR 4,151.59 FEET; THENCE N.23°14'51"W., DEPARTING SAID SOUTH LINE, FOR 2,768.33 FEET; THENCE N.10°23'41"W., FOR 2,923.88 FEET; THENCE N.11°12'07"E., FOR 7,458.70 FEET; THENCE N.57°49'39"W., FOR 5,335.90 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 4,021.45 ACRES, MORE OR LESS.

BEARINGS AND DISTANCES HEREON ARE IN GRID FEET AND ARE PROJECTED ONTO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 1999 ADJUSTMENT WHEREIN THE NORTHERLY LINE OF PARCEL 1 (AREA 6), AS RECORDED IN CHARLOTTE COUNTY OFFICIAL RECORDS BOOK 3010, PAGE 105, BEARS N81°38'00"E.

EXHIBIT B

**BABCOCK RANCH COMMUNITY MAP H - INCREMENT 3 MASTER DEVELOPMENT
PLAN AND FIXED AND VARIABLE DEVELOPMENT CRITERIA**



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Babcock Ranch Community
Increment 3 North - Map H
June 2022

Stantec Consulting Services Inc.
6920 Professional Parkway East
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6911



Prepared by: EEL 06/29/22

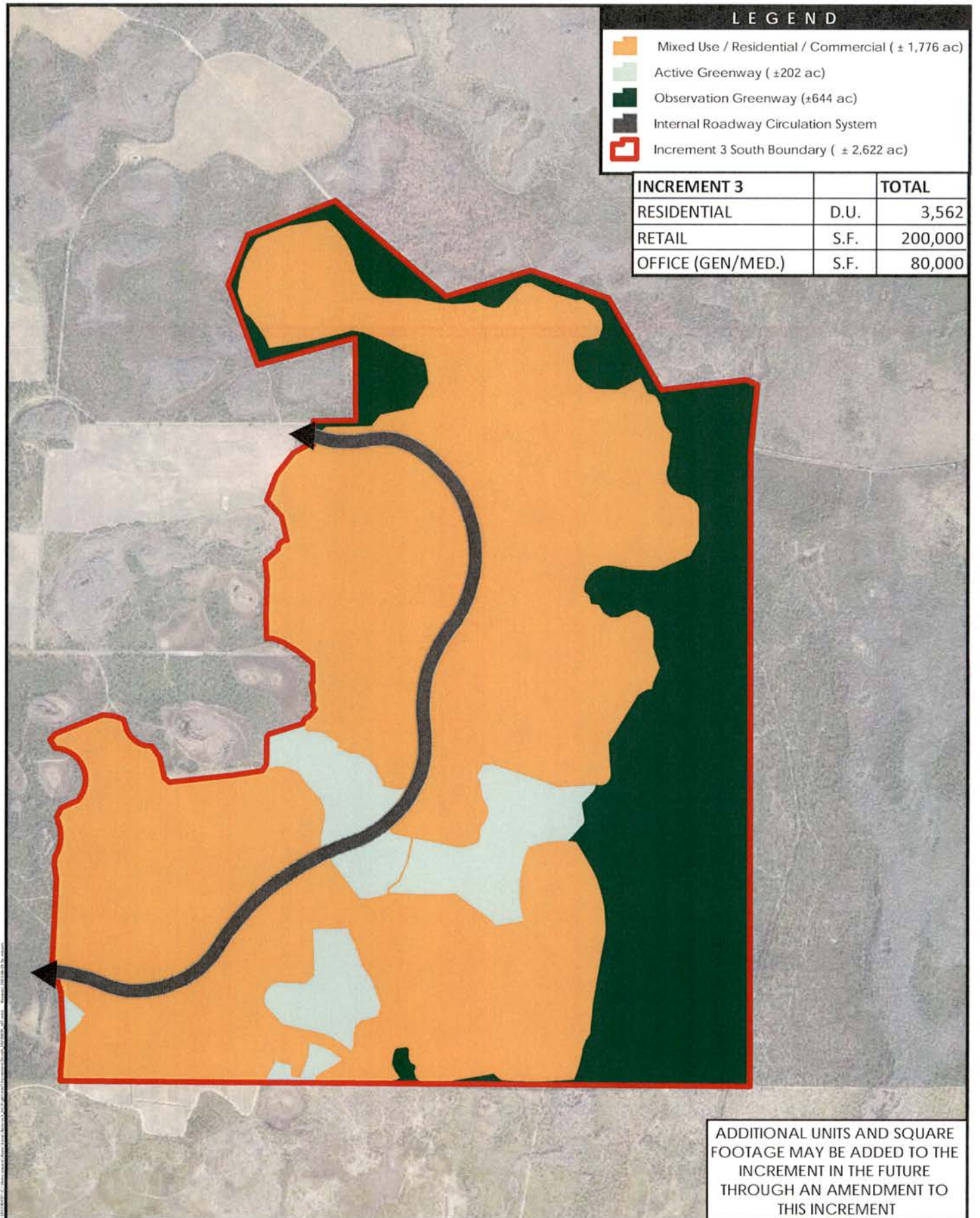


EXHIBIT C
RESERVED

EXHIBIT D
UPDATED SUMMARY OF LAND DEDICATIONS AND FACILITIES CONSTRUCTION

Exhibit D

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

SITE & BUILDING DEDICATION/CONSTRUCTION TIME LINE

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
Fire/Rescue/Law Enforcement Site #3 Fire	2	1	8,500	3rd Fire Station by 12,500 persons or 400,000 square feet of non-residential within Increment 3, whichever will be achieved first.

The criteria for determining public facility shell completion and/or land dedication shall be by population or residential certificate of occupancy ("C/O") referenced below.

*2

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

SITE & BUILDING DEDICATION TIME LINE

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
----------------------------	----------------------------------	---------------------	--------------------------------	----------------------------

The criteria for determining public facility shell completion and/or land dedication shall be by residential certificate of occupancy ("C/O")

Schools *1

Notes to Exhibit 'D'

*1 School Board criteria for land dedication per the School Site Dedication Agreement.

*2 County and Developer shall meet bi-annually to discuss the next five (5) years of development projections, such projections shall include the projected population and square footage for non-residential development, including but not limited to retail, office, industrial, ancillary facilities, etc. The population projection shall be based on 2.5 persons per unit. The development projections shall also be coordinated with the emergency response zones to meet the service requirements. The site and building dedication/construction timing for each public facility will be agreed upon in writing as part of the bi-annual meetings.

General Notes:

- 1) All dedications and construction, required under this schedule, shall be completed and turned over based on a population or residential dwelling unit certificate of occupancy use threshold required above or as otherwise agreed to by the parties.
- 2) The shell building construction required above shall be completed by the Developer one (1) year prior to the trigger referenced in the column entitled 'Commencement of Operations'.
- 3) Subject to agreement with the County and Developer, public facilities may be located in other increments without the requirement to amend Exhibit D. Biennial Report monitoring and subsequent amendments to the DRI will incorporate such changes, as appropriate.

EXHIBIT E
BABCOCK RANCH COMMUNITY INCREMENT 3 PARAMETERS

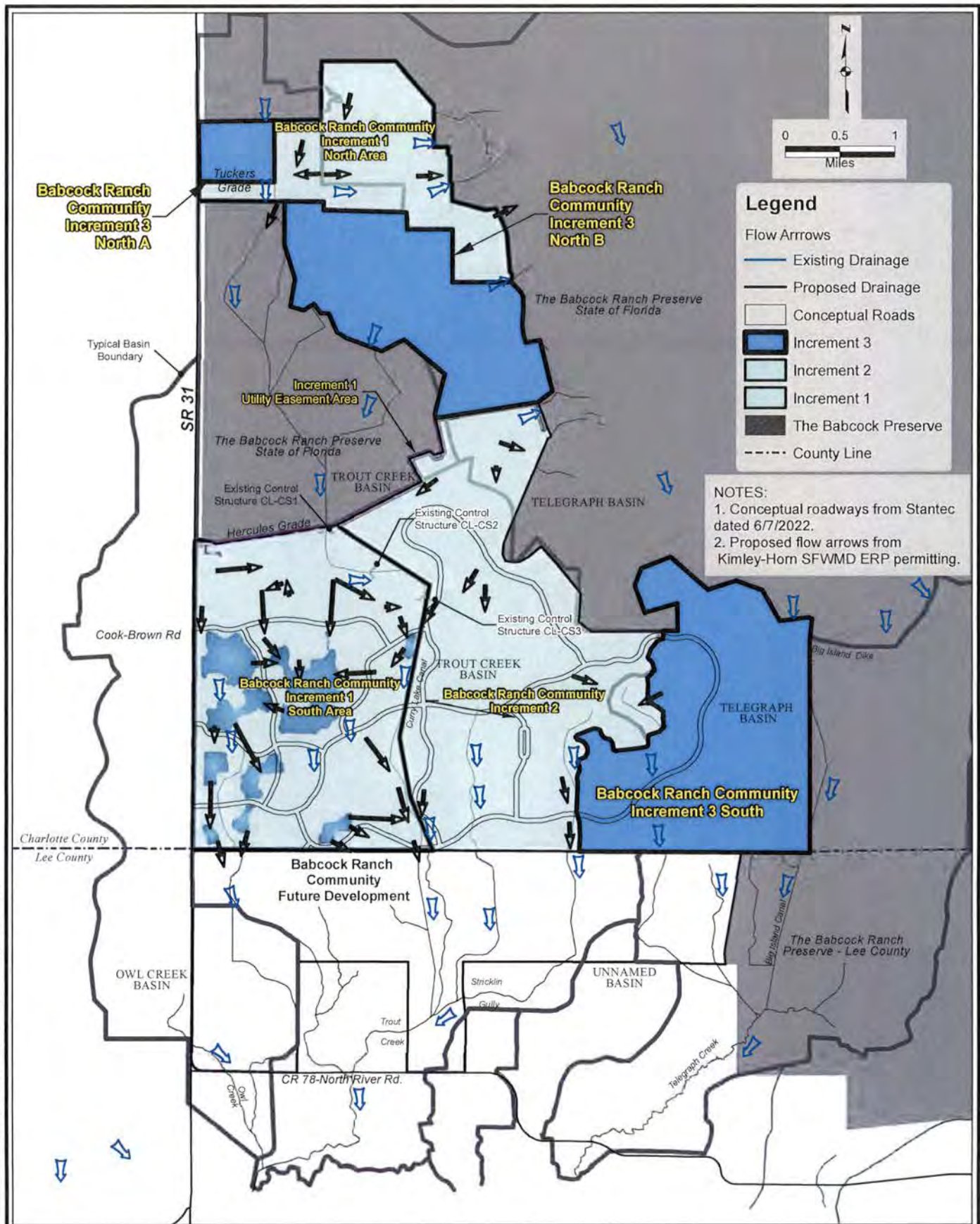
EXHIBIT E**Table 1. INCREMENT 3 PARAMETERS**

Increment 2		Total
RESIDENTIAL	D.U.	3,562
RETAIL	S.F.	200,000
OFFICE (GEN/MED)	S.F.	80,000

Note:

- 1) Utilities, agriculture, and ecotourism are permitted throughout Increment 2.
- 2) Table 1 can be adjusted and interchanged in accordance with the equivalency matrix set forth in Exhibit H of the MDO, subject to the external vehicle trip limitations set forth in Exhibit G of the MDO.
- 3) Supporting community and other facilities are subject to Findings of Fact and Conclusions of Law Sections 5 (iv) and (v).

EXHIBIT F
INCREMENT 3 MASTER DRAINAGE PLAN



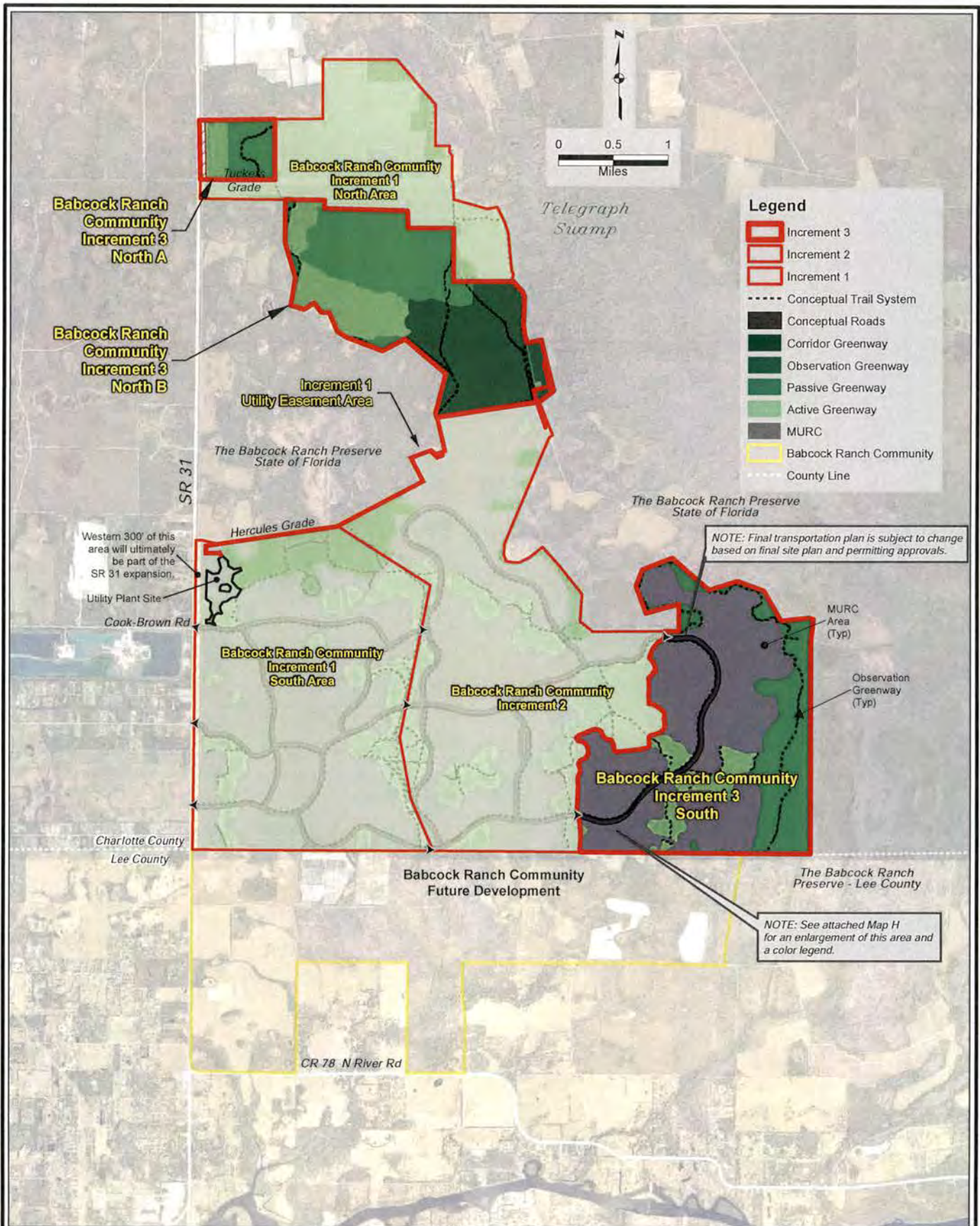
JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 3 Babcock Ranch Community Master Drainage Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	---	AS SHOWN	MAP 1

EXHIBIT G
INCREMENT 3 MASTER INTERNAL CIRCULATION PLAN



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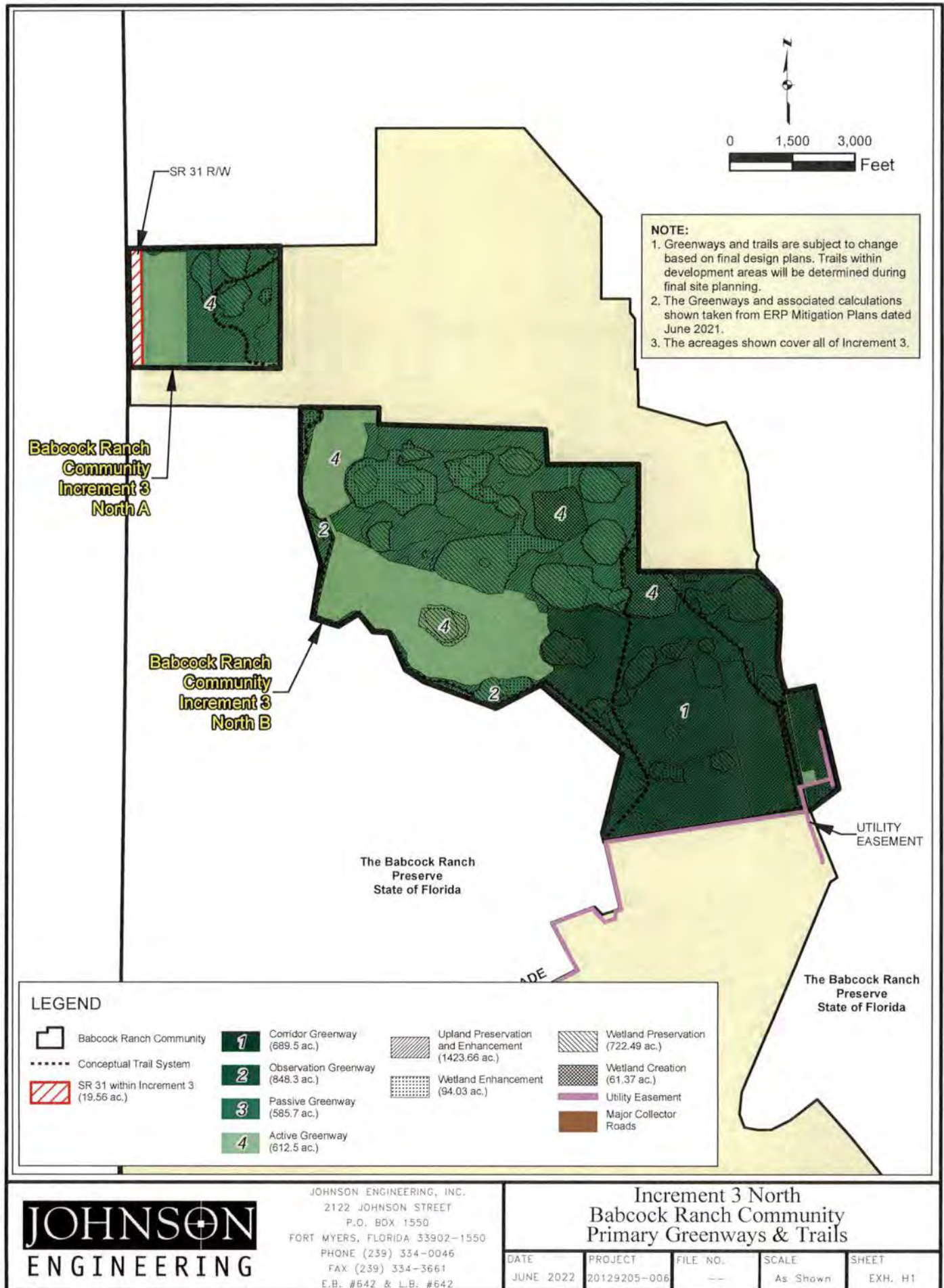
JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 3 Babcock Ranch Community Master Internal Circulation Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	AS SHOWN	Exh G

EXHIBIT H
INCREMENT 3 PRIMARY GREENWAYS MAP AND TRAILS PLAN



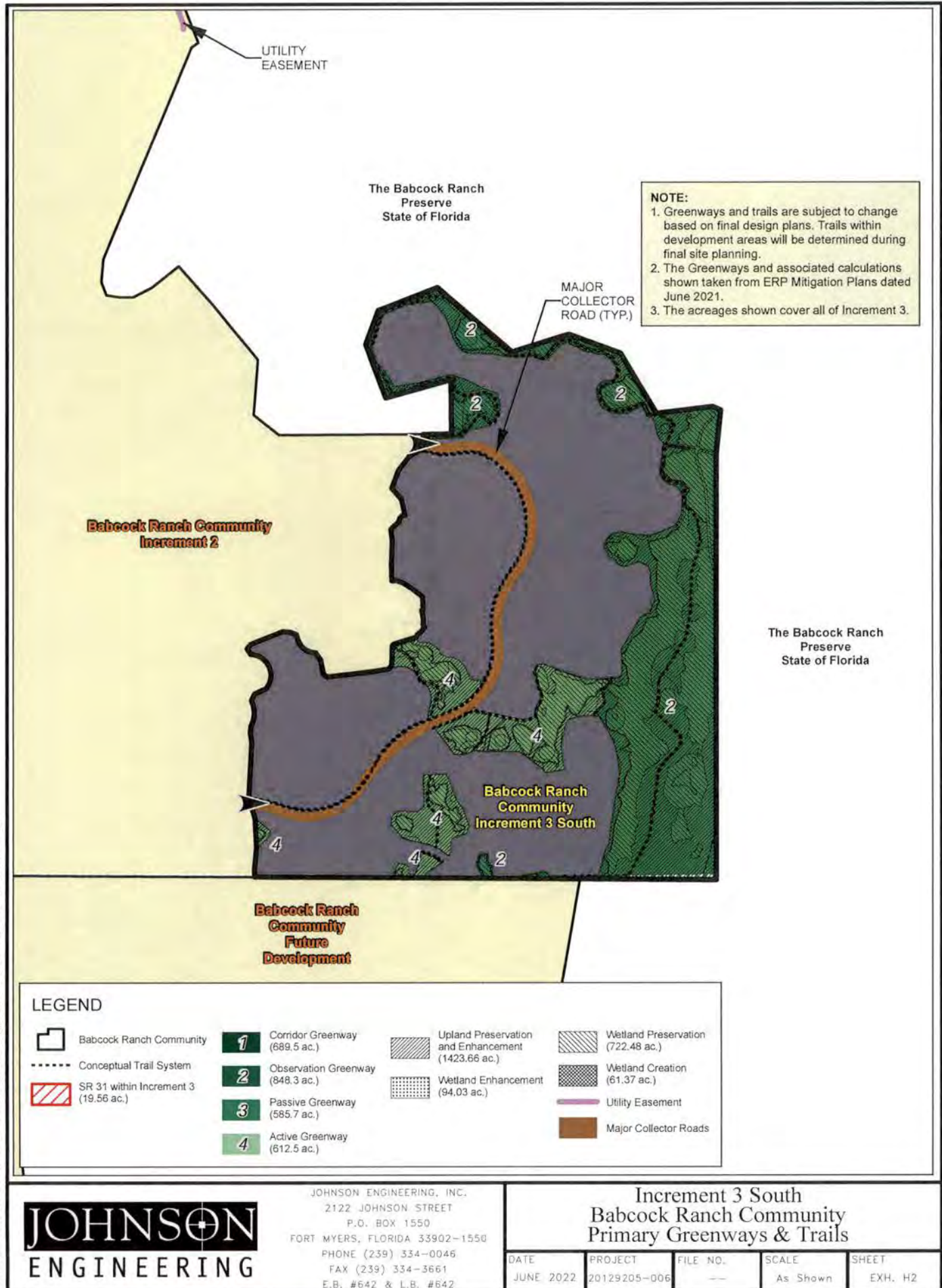
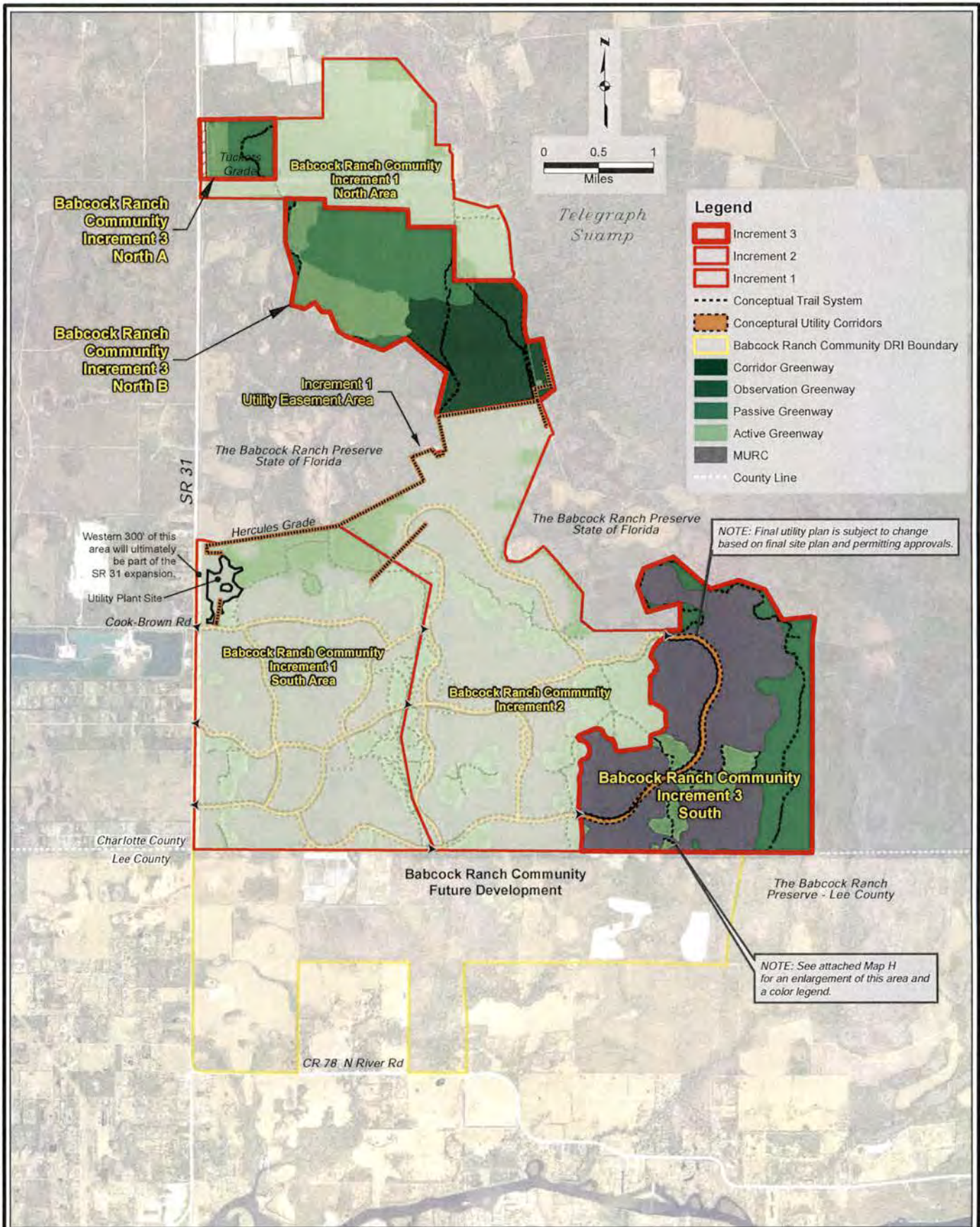


EXHIBIT I
INCREMENT 3 PRIMARY UTILITY CORRIDOR MAP



JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 3 Babcock Ranch Community Primary Utility Corridor Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	---	AS SHOWN	EXH 17-1

CHG
BCC

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 127
INSTR #: 3270177 Doc Type: GOV
Recorded: 05/25/2023 at 03:39 PM
Rec. Fee: RECORDING \$1081.00

BABCOCK RANCH COMMUNITY

**MASTER DEVELOPMENT
OF
REGIONAL IMPACT**

MASTER DRI DEVELOPMENT ORDER

**BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

AMENDED MAY 23, 2023

MIN

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RESOLUTION NO. 2023- 078**AN AMENDMENT AND RECODIFICATION OF THE MASTER DEVELOPMENT
ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE
COUNTY, FLORIDA FOR THE BABCOCK RANCH COMMUNITY (CHARLOTTE
COUNTY), A MASTER DEVELOPMENT OF REGIONAL IMPACT.**

WHEREAS, on February 23, 2007, Babcock Property Holdings, LLC ("Developer"), by and through its authorized agent, WilsonMiller, Inc. (now known as Stantec Consulting Services Inc.), in accordance with Subsections 380.06(6) and (21), Florida Statutes (F.S.), filed an Application for Master Development Approval ("AMDA") of a Development of Regional Impact (DRI) known as the Babcock Ranch Community (hereinafter "BRC") with Charlotte County, Florida ("County") and the Southwest Florida Regional Planning Council ("SWFRPC"); and

WHEREAS, Developer, County, and the SWFRPC entered into a Master DRI Agreement on March 13, 2007 (fully executed March 16, 2007), as required by Section 380.06(21)(b), F.S. ("AMDA Agreement"); and

WHEREAS, the Babcock Ranch Community Independent Special District ("District") was established by the 2007 Session of the Florida Legislature to design, finance, construct, operate, and maintain various infrastructure elements within BRC; and

WHEREAS, on December 13, 2007, the Board of County Commissioners of Charlotte County, Florida ("Board") approved and adopted the Babcock Ranch Community Master Development of Regional Impact Master DRI Development Order ("MDO") under Resolution 2007-196; and

WHEREAS, the MDO was amended on June 17, 2008 under Resolution 2008-063 thereby giving the MDO an effective date of September 1, 2008; and subsequently amended on December 15, 2009 by Resolution 2009-283; on December 13, 2011 by Resolution 2011-485; on April 24, 2012 by Resolution 2012-024; on June 11, 2013 by Resolution 2013-033; on January 28, 2014 by Resolution 2014-047; on March 22, 2016 by Resolution 2016-034; on July 25, 2017 by Resolution 2017-187; ~~and on June 12, 2018 by Resolution 2018-077;~~ and on July 27, 2021 by Resolution 2021- 108; and

WHEREAS, the Developer has timely notified the County of the extension of the phase, expiration and buildout dates for the MDO, as well as the associated mitigation requirements, under Section 73, Chapter 2011-139 Laws of Florida, and in accordance with Section 252.363, F.S., so that all phase, expiration and buildout dates, as well as associated mitigation dates contained within the MDO were cumulatively extended as hereinafter provided; and

WHEREAS, the Developer has filed an application to amend the MDO; and

~~WHEREAS, the parties expressly acknowledge that recent amendments to the Florida Impact Fee Act, Section 163.31801 F.S., passed by the Florida State Legislature under House Bill 337 and signed into law on June 4, 2021, conflict with provisions within the MDO relating to impact fee reimbursements for dedication of sites for parks, libraries, fire/rescue/law enforcement and other facilities, as well as other agreements of record such as the Impact Fee Credit and Reimbursement Agreement for Babcock Ranch Community dated November 12, 2008 (County AGR-2008-054); and~~

~~WHEREAS, the parties have intentionally left unchanged those sections within the MDO related to impact fee reimbursements for sites and agree, prior to any conveyance~~

~~of a site to be dedicated for library, fire/rescue/law enforcement, extension services, or public facilities described in Exhibit "D," to negotiate and, unless otherwise agreed to by the Parties, within six months but no later than one year of date of recording of the amended MDO, execute any necessary amendments to the MDO or other agreements of record relating to impact fee credits provided by Section 163.31801 F.S.; and~~

WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and considered the report and recommendations of the SWFRPC and held a public hearing to consider the amendments to the MDO on ~~July 12, 2024~~April 10, 2023; and WHEREAS, on ~~July 27, 2024~~May 23, 2023, the Board, at a public hearing in accordance with Section 380.06, F.S., considered the application for amendment to the MDO submitted by Developer, the report and recommendations of the SWFRPC, the documentary and oral evidence presented at the hearing before the Board, the report and recommendations of the Charlotte County Planning and Zoning Board, and the recommendations of County staff.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA THAT:

RECITALS

The recitals set forth above are true and correct and are incorporated herein and made a part hereof and the MDO is amended to provide as follows.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The real property constituting the BRC in Charlotte County consists of approximately 13,630 acres and is legally described as set forth in Exhibit "A" attached hereto and made a part hereof ("Property" or "Community").

2. The AMDA is consistent with Subsections 380.06(6) and (21), F.S..
3. The Developer submitted to the County an AMDA in February, 2007 and responses to sufficiency questions in June, 2007 and in July, 2007. The representations and commitments of Developer which are made conditions of this development order are identified and set forth in the relevant provisions of this development order ("Representations and Commitments as Conditions").
4. According to Map #64, Landfalling Storm Surge Zones, included in the Supporting Policy and Analysis Map Series (SPAM) of the Charlotte 2050 Comprehensive Plan, portions of BRC are located within the Category 4/5 Storm Surge Zone, and the balance of the BRC is located outside of any listed storm surge zone.
5. The Developer proposes to develop BRC in accordance with the Babcock Master Concept Plan (Map "H") attached hereto as Exhibit "B" attached hereto and made a part hereof. Map "H" will be further revised as part of each Incremental development order. The development program authorized by this development order is as follows ("Development Program" or "Project" subject to utilizing the Land Use Equivalency Matrix):
 - (i) 17,870 residential dwelling units (recreational vehicle park uses shall count as dwelling units, i.e., each on a one vehicle rental or owned vehicle equals one dwelling unit);
 - (ii) RV Parks, per the Land Use Equivalency Matrix;
 - (iii) 1,400,000 square feet of retail;
 - (iv) 3,500,000 square feet of office (general office; medical office; and civic);
 - (v) 600 hotel rooms (assumes 360,000 square feet of building);

- (vi) 650,000 square feet of industrial;
- (vii) 177 hospital beds;
- (viii) 418 units of assisted living facilities;
- (ix) 54 golf holes;
- (x) ~~Ancillary~~Supporting community facilities such as the educational service center, schools, university facilities, libraries, places of worship, fire, EMS and Sheriff facilities, regional and community park ~~sites~~facilities, clubhouses and similar neighborhood amenities, and the necessary utility infrastructure including, but not limited to, water, wastewater and reuse water systems, electric, telephone and cable systems, will not be attributed to ~~either~~the development components set forth above, and will not count towards the maximum thresholds of development as established in this Development Order and the Babcock Ranch Overlay District ("BROD") policies of the Charlotte 2050 Comprehensive Plan;
- (xi) All other ancillary facilities, together with the development components set forth above (excluding ~~ix~~) shall not exceed the maximum thresholds established in this Development Order and the BROD policies of the Charlotte 2050 Comprehensive Plan;
- (xii) Temporary housing for construction workers and their families will not count against the residential dwelling units allowed by subsection (i) above; and
- (xiii) The total development within the BROD shall not exceed 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including the educational service center, schools, university facilities, libraries, places of

worship, regional and community park sites, clubhouses and similar neighborhood amenities, which square footage will be additional. Notwithstanding the foregoing, the development within the DRI may exceed the development category thresholds listed above in accordance with the Land Use Equivalency Matrix attached as Exhibit "H".

6. The development is not in an area designated as an Area of Critical State Concern pursuant to the Provisions of Section 380.05, F.S., as amended.
7. The development of BRC is consistent with the current land development regulations and the Comprehensive Plan of County, as amended, adopted pursuant to Chapter 163, Part II, F.S..
8. The BRC development is consistent with the State Comprehensive Plan.
9. BRC is expected to be developed in increments pursuant to applications for incremental development approval ("AIDA's"). The DRI questions which must be addressed by those applications and the scopes of review of those applications are set forth in the pertinent provisions of this MDO development order and are repeated in Exhibit "C" attached hereto and made a part hereof.

CONDITIONS

1. APPLICATIONS FOR INCREMENTAL DEVELOPMENT APPROVAL.

AIDA's shall be required to address only those application questions identified for increments or to provide the documentation described in Exhibit "C" attached hereto and made a part hereof.

2. GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT PROGRAM.

C.A. Representations and Commitments as Conditions.

The gross residential density for the 13,630.6 acres is anticipated to be approximately 1.31 dwelling units per acre. The net density of the development areas is anticipated to be approximately 4.05 dwelling units per acre. The calculation for net density is based on the area of the development pods. The net densities within the development pods will increase consistent with the planning approach to cluster development. At buildout, densities will be permitted up to 16 units per acre in Villages and Hamlets, and up to 24 units per acre in the Town Center.

B. Other Conditions.

The Development Program is approved and may be adjusted by Developer in accordance with ~~an~~the Land Use Equivalency Matrix ~~to be adopted in an Incremental development order attached as Exhibit "H".~~

C. Incremental Review.

- (1) The BROD Summary Phasing Plan is subject to adjustment through the DRI, State and Federal permitting processes. Incremental Development Orders shall establish the phasing of development within an increment by determining the amount of residential and non-residential development within the Mixed Use/Residential/Commercial (MURC) development areas.

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3. **AFFORDABLE HOUSING**

A. Representations and Commitments as Conditions.

- (1) Provide a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within the BRC. This would include the provision of affordable/workforce housing at a level of ten percent (10%) of the total number of residential housing units built within the BRC. Affordable housing is defined where monthly rents or mortgage payments for housing, including taxes, insurance and utilities do not exceed thirty (30%) percent of the gross annual income of the development's very low, low, and moderate income households as defined in Rule 73-C40.048(e), F.A.C. Workforce housing is defined as housing affordable to natural persons or families whose total annual household income does not exceed 140 percent of the area median income, adjusted for household size.
- (2) The County recognizes that adequate housing should be provided only when a demonstrated need for housing among various income groups is clearly identified that can be directly attributed to the development and buildout of the BRC.
- (3) A "Determination of Adequate Need" for housing in the BRC shall be assessed through the completion of a reliable affordable housing market analysis which evaluates the housing demand within the BRC and researches the available adequate housing supply reasonably accessible to the BRC, which is defined as a 10-mile radius or 20-

minute drive during peak hour, whichever is less, from the BRC, but may be adjusted with the agreement of the County.

- (4) The Developer commits to undertaking the “Determination of Adequate Housing Need” analysis to assess the demand, supply, and need for affordable rentals and homes based on a market housing analysis at a point in time when the BRC has reached a significant non-residential buildout stage. That threshold is defined as the time when building permits have been issued for the 1.5 millionth square foot of non-residential construction.
- (5) The Developer would be required to initiate the first housing needs analysis within 6 months from the time that the analysis is triggered.
- (6) The housing needs analysis would evaluate the housing demand of the BRC employee households at very low, low, and moderate household income levels, and at the option of the Developer, could evaluate the housing demand for workforce income levels, the available supply of housing that is reasonably accessible for the very low, low, and moderate household income levels and determine if there is a significant need for housing for these defined income levels. At the option of the Developer, the analysis could evaluate the available housing supply for workforce income levels that is reasonably accessible to the BRC.
- (7) The Developer, SWFRPC, and the County must agree upon the methodology utilized to conduct the Determination of Adequate

Housing Need analysis. The methodology may utilize a private affordable housing market study appraiser approved by the Florida Housing Finance Corporation. The market area assessed would conform to ECFRPC model, or another methodology as agreed upon by Developer, the SWFRPC and the County, which examines whether or not there is a significant housing demand for the very low, low, and moderate income groups and whether there is available adequate housing that is reasonably accessible to the BRC. At the option of the Developer, the analysis could evaluate the available housing demand and supply for workforce income levels that is reasonably accessible to the BRC.

- (8) If the Determination of Adequate Housing Need analysis documents that there is a significant impact, defined as evidence that the BRC's cumulative adequate housing need for the very low, low, and moderate household income levels, at the time of the analysis, is projected to exceed five (5%) percent of the County's residential threshold calculation, or 50 units, whichever is larger, then the Developer shall be required to submit an amendment to the MDO to incorporate the findings of the analysis and the agreed upon mitigation.
- (9) The Developer may choose to mitigate any significant impact identified by the analysis through a variety of options including, but not limited to: 1) incentivizing or building adequate housing onsite, or reasonably accessible to the site; 2) payment to an affordable housing trust fund

sufficient to meet the cost of rehabilitating existing units or construction of new units; or 3) dedicated rent or payment subsidies to the BRC's very low, low, and moderate income employees sufficient to satisfy the adequate housing need identified for each salary range. At the option of the Developer, workforce housing may be included at no more than twenty-five (25%) percent of the required mitigation unless the housing study determines there is not a significant need for the very-low, low and moderate income households.

- (10) The mitigation strategy recommended by the BRC must be approved by the County and must be initiated within 6 months of approval as an amendment to the MDO.
- (11) Requirements to undertake further housing needs assessments through methods described above shall occur at each additional 1.5 million sq. feet of permitted non-residential through buildout.
- (12) Developer shall not be required to provide affordable and/or workforce housing mitigation in excess of ten (10%) percent of the total number of residential units constructed within the BRC.
- (13) The County commits that affordable housing units shall be eligible for whatever incentives and/or programs that it may establish after the actual date of offering of said unit to the public by the Developer. The County shall use its best efforts to continue to develop and maintain incentives and programs specifically targeted at affordable units within the BRC. In accordance with Section 125.01055, F.S., incentives from

the County must fully offset all costs to the developer of its affordable housing contribution.

(14) The County shall include the needs of the BRC in its annual Local Housing Action Plan and, to the extent available, shall provide impact fee waivers, credits, deferrals, or other regulatory and financial incentives for affordable rental and home ownership programs to all qualified buyers, builders or developers within the BRC that may qualify for such credits or deferrals.

- B. Other Conditions. – None.
- C. Incremental Review. – None.

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4. **STORMWATER MANAGEMENT AND FLOOD PLAINS**

C.A. Representations and Commitments as Conditions.

- (1) Silt fences or silt screens will be installed prior to land clearing to protect water quality and to identify areas to be protected from clearing activities and maintained for the duration of the project until all soil is stabilized.
- (2) Floating turbidity barriers or other devices will be in place on flowing systems or in open water lake edges prior to initiation of earthwork and maintained for the duration of the project until all soil is stabilized.
- (3) The installation of temporary erosion control barriers will be coordinated with the construction of the permanent erosion control features to the extent necessary to assure effective and continuous control of erosion and water pollution throughout the life of the construction phase.
- (4) Turbidity resulting from construction dewatering will be managed using structural best management practices (BMPs) prior to discharge to receiving waters. Structural BMPs may include, but are not limited to, vegetated systems, detention systems (e.g., sedimentation basins), geotextiles, and other methods. Turbidity and other pollutants from construction dewatering on the Property will be reduced to meet the levels required by applicable State Water Quality Standards and as required by the National Pollutant Discharge Elimination System ("NPDES") general permit for

construction. Copies of any reports required by the NPDES permit will be maintained at the appropriate construction site.

- (5) Clearing and grubbing will be so scheduled and performed such that grading operations can follow thereafter. Grading operations will be so scheduled and performed that permanent erosion control features can follow thereafter if conditions on the project permit, and not beyond the time limits established in the NPDES general construction permit.
- (6) Exposed soils will be stabilized as soon as possible, especially slopes leading to wetlands. Stabilization methods include solid sod, seeding and mulching or hydromulching to provide a temporary or permanent grass cover.
- (7) Energy dissipaters (such as rip rap, gravel beds, hay bales) shall be installed at the discharge point of pipes or swales if scouring is observed.
- (8) Implementation of storm drain inlet protection (such as hay bales or gravel) to limit sedimentation within the stormwater system.
- (9) The allowable discharge in a 25 year 3-day design event will be limited to the South Florida Water Management District ("SFWMD") permit for the site.
- (10) The development within the FEMA floodplain will have finished floor elevations in each development pod which exceeds the 100 year 3-day design event for the adjacent water course as calculated by the

backwater profile for the respective conveyance. Compensating storage will be provided to replace lost storage as part of the SFWMD permit requirements. The SFWMD standard of head loss in a 25-year 3-day design event will be met at each water crossing.

- (11) The proposed development will be designed such that the potential for offsite flooding of other private property will be mitigated. This will primarily be accomplished by maintaining the existing conveyances without additional control structures except for restoration efforts. Water management control will be accomplished primarily by structures off-line from these conveyances. Off-site discharges onto the property will be properly routed around and through the property to maintain or lessen off-site flooding.
- (12) Open stormwater ponds will be used for the primary volume attenuation and wet detention of water quality in accordance with Best Management Practices as outlined in the current Southwest Florida Basin Rule criteria of the SFWMD for water quality improvement.
- (13) On-site wetlands within the project may be incorporated into the stormwater management system. Those wetlands outside that system will continue to store and transmit water as they do today except where modifications are made to facilitate hydrologic restoration.

- (14) The stormwater treatment will include a backbone system consisting of wet detention areas and dry detention areas. Dry detention areas will not be used as the primary detention/retention component, but may be utilized in combination with wet detention/retention facilities. The stormwater treatment system will be designed in accordance with the then current Southwest Florida Basin Rule Criteria of the SFWMD and will provide 50% more retention/detention water quality treatment above that required by Section 5.2.1(a) of the SFWMD Basis of Review. Best Management Practices will include reduced turf coverage, native landscaping, created wetlands, filter marshes, phyto-zones, extended hydraulic residence times and increased flow paths.
- (15) The low edge of pavement for local roads is to be at or above the peak stage for the 5 year-1 day event. The arterials and collectors will have one lane above the 25 year-3-day event peak stage. Parking lots will be at or above the 5 year-1 day event. Minimum swale grades in urban and suburban areas will have a minimum longitudinal slope of 0.2%. Ditches may have flatter longitudinal slopes. The minimum longitudinal slope on roads with curb and gutter will be 0.3%.
- (16) The perimeter berm elevation will be 0.3 feet above the peak stage for the 25 year-3-day event and the 100 year-1 day event.

- (17) The treatment system will provide equal or greater post development storage volume for the 100 year-3-day event than provided by predevelopment conditions.
- (18) There will be no increase in stream stage elevation offsite, except as permitted by the SFWMD.
- (19) Finished floor elevations will be at least the 100 year-3-day event peak stage plus 0.5 feet.
- (20) An Urban Water Management Plan will be developed for the site as part of the construction Environmental Resource Permit ("ERP") process and will address the handling of waste from equestrian facilities on the site. Water quality monitoring will be conducted pursuant to the SFWMD Conceptual ERP-.

D.B. Other Conditions.

- ~~(7)~~(1) All internal stormwater management lakes and ditches, and any on-site preserved/enhanced wetland areas, shall be set aside as platted and/or recorded drainage and/or conservation easements and/or tracts granted to the SFWMD, District, or other appropriate governmental entity with a compliance monitoring staff. Stormwater lakes shall include adequate maintenance easements around the lakes, with access to a paved roadway, as required by the appropriate governmental entity.
- ~~(8)~~(2) Any silt barriers and any anchor soil, as well as accumulated silt, shall be removed upon completion of construction. Either the

Developer or the entities responsible for the specific construction activities requiring these measures shall assume responsibility for having them removed upon completion of construction.

~~(9)~~(3) Any shoreline banks created along the on-site stormwater management system shall include littoral zones constructed on slopes consistent with SFWMD, Florida Department of Environmental Protection ("FDEP"), and County requirements and shall be planted in native emergent or submergent aquatic vegetation. The District shall ensure, by supplemental replanting as necessary, that at least 80% cover by native aquatic vegetation is established within the littoral zone planting areas for the duration of the project.

~~(10)~~(4) _____ The District shall conduct annual inspections in accordance with the conditions of the approved SFWMD ERP, of the BRC Master Stormwater Management System and any preserved/enhanced wetland areas on the project site so as to ensure that these areas are maintained in keeping with the final approved designs, and that the water management system is capable of accomplishing the level of stormwater storage and treatment for which it was intended.

~~(11)~~(5) _____ The District or a master or neighborhood property owner's association (POA) shall undertake a regularly scheduled vacuum sweeping, as may be required by permit, of all common District or POA owned streets and District or POA owned parking areas within

the MURC. The Developer, District and POA shall encourage private parcel owners within the MURC to institute regularly scheduled vacuum sweeping of their respective streets and parking areas.

~~(12)~~(6)_____Design considerations will be given to ditch and swale slopes, where practicable, so that these facilities provide some additional water quality treatment prior to discharge. Treatment swales shall be planted with vegetation as reviewed and approved during the ERP approval process, and where practicable, landscape islands shall accommodate the detention of runoff. Design consideration will be given to the use of pervious construction materials for the surfaces of trails, walkways, and non-vehicular travel ways.

~~(13)~~(7)_____Any debris that may accumulate in project lakes, ditches or swales, or which may interfere with the normal flow of water through discharge structures and under drain systems, shall be cleaned from the detention/retention areas on a regular basis. Any erosion to banks shall be repaired.

~~(14)~~(8)_____Grease baffles shall be inspected and cleaned and/or repaired on a regular basis. In no instance shall the period between such inspections exceed eighteen months.

~~(15)~~(9)_____Isolated wading bird "pools" shall be constructed to provide aquatic habitat for mosquito larvae predators, such as *Gambusia affinis*, and foraging areas for wading bird species, such as wood stork, consistent with SFWMD, FDEP, and County requirements.

~~(16)~~(10) ____ The open drainage system will be designed to provide additional water quality treatment prior to discharge. Design elements may include rainwater gardens, treatment swales planted with native vegetation, and entrainment systems. These will be reviewed and approved during the ERP approval process.

~~(17)~~(11) ____ Stormwater runoff should be minimized through a variety of techniques that may include rainwater gardens, bottomless planter boxes, green roofs and pervious surfaces, as well as rainwater harvesting techniques that may include cisterns and rain barrels.

~~(18)~~(12) ____ Landscape irrigation will be provided first through the use of reuse water, where reasonably available, and surface water from lakes.

~~(19)~~(13) ____ The master stormwater management system will be maintained by District or a POA established by covenants and restrictions on the Property.

~~(20)~~(14) ____ The SFWMD has issued Permit No. 08-00004-S-05 (Application No. ~~070330-5~~070330-5), as supplemented by Permit No. 08-105624-P (Application No. 200526-3536) to Developer for a conceptual ERP in accordance with its jurisdiction over such matters and the Property. Developer will follow the authorizations and permit conditions, as- may be amended from time to time, which will be a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time

to time, will address mitigation of certain impacts of the BRC development. The permit is issued under the authority of an agency other than County and, therefore, is subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its application to development which they may propose to undertake within BRC.

~~(24)~~(15)_____The United States Army Corps of Engineers ("USACOE") has issued Permit No. SAJ-2006-6656 (IP-MJD) in 2010 to Developer in accordance with its jurisdiction over such matters and the Property. Due to State assumption of Section 404 permitting by the Florida Department of Environmental Protection (FDEP) from the USACOE on December 23, 2020, FDEP State 404 Permit No. 396574-001 was obtained in November 2021 for a modified site plan east of the Curry Canal and an updated BRC Mitigation Plan. Development west of the Curry Canal remains consistent with impacts authorized by the referenced USACOE permit. Developer will follow the authorizations and permit conditions of each permit, as -may be applicable, although through the referenced FDEP State 404 Permit, the FDEP now has Section 404 regulatory oversight of the entire BRC development and associated mitigation. Developer will follow the FDEP authorizations and permit conditions, as be amended from time to time, which is a

separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, will address mitigation of certain impacts of the BRC development. The permit is issued under the authority of an agency other than County and, therefore, is subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its application to development which they may propose to undertake within BRC.

~~(22)~~(16) As part of any AIDA phase that will discharge to Owl Creek, Trout Creek, and /or Telegraph Creek, 100-year three-day storm event calculations will be provided for the setting of finished floor elevation and the determination that the peak volume stored in the pre-development condition is equal or exceeded by that stored in the post development condition. (Complete)

~~(23)~~(17) The Developer shall reduce the introduction of fill material outside approved development pods into the 100-year flood plain where practical. Structures outside approved development pods, but built in the 100-year flood plain, should be built as elevated structures and not as monolithic slabs on fill soil.

E.C. Incremental Review.

~~(7)~~(1) Subsection A and B above in this provision 4 (Stormwater Management) constitute the "Stormwater Plan" for BRC.

~~(8)~~(2) The Incremental review will address compliance of the Increment with the Stormwater Plan and any changes to the adopted floodplain maps.

~~(9)~~(3) The Incremental review will include an assessment of any pertinent information developed pursuant to a condition of the MDO development order which has been developed since the MDO development order was issued in order to determine if that new information shows that a change in the Stormwater Plan is needed in order to provide the same level of protection, remediation, or mitigation that is contemplated in the MDO Development order.

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5. TRANSPORTATION

- A. Representations and Commitments as Conditions. – None.
- B. Conditions for Development Approval.

(7)(1) Master Traffic Study

- (a) The Master Traffic Study is the analysis of the buildout of the Development Program and the horizon year traffic conditions in year 2040. It is a guide to the roadway network and improvements anticipated to be needed to support all area development including the BRC Development Program by the year 2040 and it is intended for use only with the BRC Development Program. As a long range “snapshot” of horizon year conditions, it is anticipated that the mobility network and area growth will change and be revised as the BRC develops. By way of background, the initial Master Traffic Study was prepared by the Developer (“Developer’s Initial Master Traffic Study”), which was adequate for the “snapshot” purpose of the Master Development Order, recognizing that additional validation adjustments would be needed for use in Incremental Development Orders. At the time of initial approval of the Master Development Order, the Florida Department of Transportation (“FDOT”) was working on a district-wide travel demand model, but it was not yet completed. On August 27, 2008, FDOT informed the

Developer, County and Lee County that the FDOT district-wide travel demand model ("FDOT D1 District-wide Model") was available for use for Babcock Ranch. FDOT, County, Lee County and the SWFRPC accepted the use of the FDOT D1 District-wide Model for Babcock Ranch, without sub-area or corridor model refinements for Increment 1-Phase 1. Recognizing that the FDOT D1 District-wide Model may require sub-area and/or corridor model refinements to be made within the transportation impact area of the BRC for future increments, refinements, if any, will be made consistent with the procedures outlined in Chapter 4 of the FDOT Project Traffic Forecasting Handbook.

- (b) The Charlotte County Babcock Ranch Overlay District (the BROD), FLU Policy 6.4.2019, recognizes that the BROD is a mixed-use community with a compact urban form that contemplates commercial, office, industrial and institutional uses, and specifies that the community capture rate ("CCR") for the BRC shall be maximized, with a targeted internalization of between 50% - 70%. The Developer's Master Traffic Study Update reflects the mixed-use character of the Community and consequently maximizes the "community capture" elements, resulting in a trip capture rate for the buildout of the BRC of 66% on a peak hour basis. The 2040 roadway

network and candidate roadway improvements resulting from the Developer's Master Traffic Study Update based on that trip capture rate for the development components are set forth in Exhibit "F" attached hereto and made a part hereof by reference. Exhibit "F" also identifies, under 2040 conditions and the 66% CCR, those regionally and locally significant road segments that are projected to be significantly impacted by the BRC and for which a service deficiency is also projected ("Impacted Segments"). The Developer's Master Traffic Study Update also identifies the improvements which may be anticipated by 2040 under the 66% CCR to the Impacted Segments and may be subject to mitigation for Babcock's traffic impacts in order to maintain the adopted level of service (LOS) targets at the time of an incremental traffic assessment.

- (c) A supplemental traffic assessment was also prepared for the Master Development Order by the Developer at the request of review agencies to identify the potential 2040 roadway conditions and candidate roadway improvements resulting from the MDO Traffic Study Update based on the initial internal capture rate ("ICR") of 22%, as mandated in the initial Master Traffic Study. The roadway network and candidate roadway improvements based on that 22% ICR also are set

forth in Exhibit “F” attached hereto and made a part hereof by reference. Exhibit “F” also identifies, under those 2040 conditions, the same information for the 22% ICR scenario as for the 66% CCR scenario, including those regionally and locally significant road segments that are projected to be significantly impacted by the BRC and for which a service deficiency is also projected (“Impacted Segments”) and the improvements which may be anticipated by 2040 to the Impacted Segments under a 22% ICR in order to maintain the adopted level of service (LOS) targets. The road network presented in Exhibit “F” is a 2040 horizon year projection that will be updated periodically as set forth below in Condition 5.B.(2) to reflect changing conditions in the area. This 22% ICR is to be applied only for the First Increment and will not be used with future increments or Master Traffic Study Updates.

- (d) The significant impacts, roadway network, and roadway improvements identified in Exhibit “F” hereto are provided for comparison purposes between the ICR and CCR scenarios described above. As specified under Conditions 5.B.(2)(a), (2)(b), (2)(c), and (2)(d) below, as data from the traffic monitoring program becomes available, as specified under Conditions 5.B.(3)(a) and 5.B.(3)(b) below, this data will be

incorporated into the Master Traffic Study Updates as described in Condition 5.B.(2) below. Exhibit “F” will then be re-evaluated and revised as specified in Condition 5.B.(2) below.

- (e) For purposes of the First Increment, the 22% ICR portions of Exhibit “F” controlled the measurement of significant impact for the Incremental DRI traffic study. Future Increments shall use the revised Exhibit “F” as re-evaluated either under Condition 5.B.(2)(a) or B.(2)(b), as applicable.

~~(8)~~(2) Master Traffic Study Updates

- (a) (1) The first update of the Master Traffic Study was approved– by Resolution 2011-485 on December 13, 2011 (“Initial Master Traffic Study Update”).

The 2020 Master Traffic Study Update is hereby approved through this Master Development Order Amendment.

- (2) a. Each update of the Master Traffic Study will include a reassessment of the internal capture and external trips consistent with paragraph 5.B.(2)(a)(1) above, Trip Generation, the ITE Trip Generation Handbook, and the FDOT Site Impact Handbook, the FDOT D1 District-wide Model, as it may be adjusted pursuant to professionally accepted techniques applicable to communities of the size, location, mix of uses, and design of Babcock or other travel

demand modeling techniques and data that reflect the size, location, mix of uses, and “smart growth” design of the project, and with consideration of the cumulative impacts of previously evaluated increments and monitoring data up to the point of commencement of that particular Master Traffic Study Update.

b. Due to its size and mix of uses, the BRC will be divided into a number of traffic analysis zones (TAZs) and tracts, which are combinations of TAZs. The size, location and number of TAZs will be determined by the Developer. There shall be no minimum or maximum number of TAZs or tracts.

c. Adjustments to the FDOT D1 District-wide Model in accordance with 5.B.(2)(a)(2)(a) for estimating trip capture within a large-scale community like the BRC, the community capture and external trips for the BRC will be estimated using the following procedures.

- (i) The total new trips generated by the BRC development as identified in the Master Traffic Study Update and based on accepted standard methods of calculation will be reduced as identified in the sections below.

- (ii) There are standard mixed land uses (residential, office, retail) for the mixed-use development concepts of the ITE Trip Generation Handbook "Mixed Use Development". For those standard land uses, and using the tract as a single TAZ, calculate, using the methods of the ITE Trip Generation Handbook "Mixed Use Development", the internal capture within the tract.
- (iii) For each non-standard land use (those land uses not included in the ITE Trip Generation Handbook methodology) within each tract, the trip capture for those non-standard land uses will be discussed at the methodology meeting.
- (iv) Using the FDOT D1 District-wide Model, applicable at that time, determine the trip capture between the individual tracts within the BRC.
- (v) Estimate the number of pass-by trips consistent with the then most recent editions of the ITE Trip Generation Handbook, and the FDOT Site Impact Handbook. Only those retail uses which are adjacent to the primary public roadways will

be eligible for external pass-by trips. Retail that is not adjacent, whether contained internally or substantially set back without direct access to the major public roadways will be discussed at the methodology meeting.

- (vi) The remaining net new trips are external to the BRC and will be assigned to the regional roadway network by the FDOT D1 District-wide Model, applicable at that time.
 - (vii) In the alternative, Developer may use an alternative methodology for estimating community capture rate if reviewed and approved by FDOT, County, Lee County, and SWFRPC.
- (b) (1) Due to the long-term buildout of the Project (over 20 years) and potentially changing conditions in the study area, periodic updates of the Master Traffic Study are required and will use the most current, validated FDOT D1 District-wide Model in effect at the time of the commencement of the Master Traffic Study Update. After the Initial Master Traffic Study Update specified in Condition 5.B.(2)(a)(1), additional updates shall be conducted and submitted no later than five (5) years after the effective date of the most recent previous update.

The Developer may update the Master Traffic Study at any time during that five (5) year period. Each updated Master Traffic Study will be a complete update similar to the original Master Traffic Study and will result in a Revised Exhibit-“F.”. The Master Traffic Study Update shall consider the possibility of a new east-west transportation corridor between SR 31 and I-75, and may consider related corridor studies and interchange justification reports, as determined appropriate in the transportation methodology meeting. A transportation methodology meeting will be held with County, Lee County, the SWFRPC and FDOT prior to the conduct of each Master Traffic Study Update.

- (2) Each update of the Master Traffic Study will include a reassessment of the community capture and external trips consistent with paragraph 5.B.(2)(a)(1) above.
- (c) Subsequent Increments, including phases, if applicable, will use the FDOT D1 District-wide Model or the most current, validated FDOT D1 District-wide Model in effect at the time. Two different model runs (without DRI and with DRI) will be used for each Master Traffic Study Update.
- (d) The methodology for Master Traffic Study Updates will be coordinated through the SWFRPC and include County, Lee County and FDOT. Any amendments to the Master

Development Order resulting from a Master Traffic Study Update shall be processed as an amendment. The Master Traffic Study Update process will consist of the following steps and timeframes:

- (i) Initial informal coordination meeting to discuss and establish the appropriate methodology, between the Developer and SWFRPC, County, Lee County and FDOT.
- (ii) Submittal of proposed methodology by the Developer to the SWFRPC not less than 14 days in advance of the formal methodology meeting for distribution to the State and Regional review agencies.
- (iii) Formal methodology meeting between the Developer and the State and Regional review agencies coordinated by the SWFRPC.
- (iv) SWFRPC, within 35 days of the conclusion of the formal methodology meeting(s), will document the findings and agreements made by the participants including a summary of all assumptions agreed upon at the meeting.
- (v) SWFRPC shall allow State and Regional review agencies not less than 14 days to agree or disagree in writing with the meeting summary.

- (vi) If agreement cannot be reached with all the State and Regional Review agencies, the SWFRPC will designate a methodology in writing to be used by the Developer.
- (vii) The Developer shall submit for approval the Master Traffic Study Update and revised MDO Exhibit "F" to the SWFRPC through the development order amendment process, for distribution to County, FDOT, and Lee County.
- (viii) Public hearings will be conducted in accordance with the County's procedures for processing development order amendments in coordination with the SWFRPC.

(9)(3) Biennial Monitoring Program

On a biennial basis, the Developer shall submit a DRI traffic monitoring report to the following entities: County, FDOT, Lee County, and the SWFRPC. The first monitoring report shall be submitted two (2) years after the recorded date of the approval of the first AIDA Development Order, unless no buildings have been physically occupied by a permanent user. Once a building in Babcock is occupied by a permanent user the biennial traffic monitoring requirement will commence. For the purposes of growth management, the Biennial Monitoring will monitor the external trips

generated by occupied uses in Babcock. The traffic monitoring program must include the following.

- (a) 2-hour AM peak hour and 4-hour PM peak hour turning movement counts and 72-hour machine traffic counts at the BRC's access points onto the external public road network external to the Property; the 72-hour traffic counts will be derived from the permanent traffic counters installed at Babcock's ingress/egress points as described in Condition 5.B.(76) below.
- (b) A comparison of the field-measured Project external trips to the Project's external trips estimated in the MDO –and the Incremental traffic studies.
- (c) The level of service of all access points between the Project and the external road network.
- (d) A summary of construction and development activities to date, using the categories of the Master Development Program.
- (e) An estimate of the level of development expected to be added by the Project for the forthcoming year.
- (f) The status of the mobility improvements required by any prior Incremental development program.
- (g) The status of mobility improvements identified as committed in the Master Traffic Study or Incremental traffic studies.

- (h) An estimate of the construction traffic at the Project's access points onto the public roadway network external to the Property.

~~(10)~~(4)_____The Developer shall promote efficient pedestrian and bicycle movement within and between the development's components and to adjacent properties. The Developer shall link the uses and subdivisions, hamlets, town centers and free-standing facilities through a series of sidewalks, bike paths, walking trails and internal roadways of various functional classifications. The Developer shall promote transit service through the inclusion of bus stops or other appropriate transit access points in site design, consistent with the County and Lee County Comprehensive Plans and transit plans, if any. The location of bus stops and transit access points shall be planned and integrated with the BRC bicycle and pedestrian plan.

~~(11)~~(5)_____The Developer shall prepare a transit feasibility study of providing public transportation to and from Babcock at the request of County. The transit feasibility study will evaluate, among other things, the feasibility of providing public transportation, timing of the implementation of the system, system routing, vehicle type, headways, funding sources, and capital and operating costs. In an effort to ensure sufficient population to support this type of transit service, the Developer shall coordinate the initiation of this study with transit representatives from County, Lee County, and the FDOT. The

Babcock development will be credited with an appropriate reduction in net external trips for the implementation of such a public transit component. The cost of the study may be credited against Developer's proportionate share mitigation.

~~(12)~~(6)_____ The Developer installed permanent traffic count stations at the BRC ingress/egress points on the external road network at Greenway Boulevard, Lake Babcock Drive, and Cypress Parkway. Developer will work with FDOT and County to determine the location for relocating the existing FDOT traffic count station located south of the Charlotte/Lee County line on SR31 as part of the SR31 widening. The equipment located at Greenway Boulevard, Lake Babcock Drive and Cypress Parkway will be owned and maintained by the Developer or District. The equipment to be re-located south of the Charlotte/Lee County line on SR31 will be turned over to FDOT and FDOT will own and maintain the permanent count station equipment. The cost of the permanent count stations equipment will be credited against the DRI's traffic mitigation obligation. Data from the count stations shall be made available in a digital format on a periodic schedule agreed to by County and Developer and without any cost to Developer.

C. Incremental Review.

(1) Incremental Review Analyses.

Development within the BRC, as identified in the AMDA, will undergo a traffic review through an incremental process with traffic studies prepared for each Increment. A transportation methodology meeting will be held with County, Lee County, FDOT, and the SWFRPC prior to initiating this study. This will allow the study to address specific issues that may be related to any particular Increment. Each Incremental Traffic Study, other than the traffic studies for the initial Increment 1, will establish the trip capture rate for that Increment consistent with Condition 5.B.(2) which will determine the maximum number of PM peak hour trips external to the Property for that Incremental development program. Professionally accepted techniques and data, including FDOT's then current Site Impact Handbook (or its equivalent) and the then current Subdivision Traffic Study Guidelines for County may be considered in establishing the methodologies for the Incremental studies. If agreement cannot be reached with all the State and Regional Review agencies, the SWFRPC will designate a methodology in writing to be used by the Developer.

As a part of this effort, a traffic study will be prepared in support of that Increment. The Project's trip capture rate, estimated number of external PM peak hour trips, traffic impacts, proportionate share of needed improvements, pipelining of the proportionate share, and mitigation will be established for each Increment. A traffic study will

be prepared for each Incremental level of development. The traffic study in support of each Increment will estimate the trips external to the Property for that Incremental development program and will include the following.

- (a) Road segment evaluation of those external road segments significantly impacted by the Incremental development program for the MDO significant impact area per Exhibit "F".
- (b) Intersection evaluations of those external intersections significantly impacted by the Incremental development program.
- (c) Identification of potential roadway and intersection improvements needed to support that level of development and all area growth coincident with buildout of that Incremental development program at the BRC for the MDO significant impact area per Exhibit "F".
- (d) Identification of the Project's proportionate share of those needed roadway and intersection improvements. Proportionate share mitigation shall be limited to ensure that if Babcock meets the requirements of Section 163.3180, F.S., it shall not be responsible for the additional cost of reducing or eliminating backlogs. The project's proportionate share shall be directed (i.e. "pipelined") to one or more mobility improvements that benefit a regionally significant

transportation facility. The funding of one or more required mobility improvements that will benefit a regionally significant transportation facility consistent with Section 163.3180, F.S., satisfies concurrency requirements as mitigation of Babcock's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

- (e) Identification of the Project's traffic mitigation conditions to address its proportionate share of needed mobility improvements and any pipelining of that proportionate share, but not including mitigation for backlogged conditions. Mitigation for impacts to facilities on the State Strategic Intermodal System shall be made after consultation with and with the concurrence of FDOT. Traffic mitigation conditions would include, but not be limited to, commitments to construct or pay for certain mobility improvements, provision of right-of-way, provision of design plans in support of improvements, cash payments to County or applicable maintenance agency and/or combinations of the above, and a mitigation payment schedule.
- (f) Each Incremental traffic study will include any previously evaluated Increment as Project traffic. Mitigation provided by any previously evaluated Increment shall be credited to the overall impact of the Project.

- (g) An accounting system will be established so that if the field measured external trips at the end of the particular Increment are less than previously estimated for that Increment, the Developer would be entitled to credits which can be used by the Developer, sold to other parties or carried over to the next Increment. Alternatively, if the actual traffic for that particular Increment is greater than previously estimated, then the Developer will be required to mitigate those additional traffic impacts as part of the then under review Increment.
- (h) The development approved in each Increment will be vested for traffic concurrency purposes through the scheduled payment of its mitigation requirements (proportionate share) for mobility improvements. The payment schedule and the details of that payment schedule must be established in an enforceable agreement with County or the applicable maintenance agency.
- (i) As provided in the MDO Agreement, an Incremental traffic study may consider relevant information from previously approved studies or Increments, but no Incremental review will result in a requirement to revise any element or requirement of a previously approved Increment other than the provision in item 5.C.(g) above. Conditions identified in the most recently approved Incremental Development Order or

Amended Development Order will control for the purposes of transportation mitigation, unless otherwise noted in the Development Order.

- (i) Attached as Exhibit "G" are the Babcock Ranch DRI Cumulative Incremental Transportation Conditions for all approved Incremental Development Orders.

(2) Site Plan and Subdivision Plan Approval Within Anan Increment.

Site plan and subdivision plan approvals within an Increment will be evaluated for consistency with the Incremental traffic study as set forth below.

- (a) Review the requested approval to verify that the development parameters of the requested approval, when combined with the parameters of any other requested approval already reviewed and approved within the Increment and reflective of any land use conversions, are consistent with the level of development evaluated during the Incremental traffic study.
- (b) Review of the requested approval to verify that the projected external trips of the requested approval, when combined with the estimated external trips of any other requested approval already reviewed and approved within the Increment and reflective of any land use conversions, does not exceed the external trips evaluated during the Incremental traffic study.

- (c) Review of the requested approval's access points onto the public roadway network external to the Property to determine if: 1) the proposed access points are consistent with the access established in the MDO; 2) the access point intersection will operate at acceptable levels of service coincident with the buildout of the requested approval; 3) identify needed improvements, including signalization, at the access point intersections to maintain acceptable levels of service; and 4) identify the estimated turn lane storage lengths for the needed turn lanes at the access point intersections.
- (3) The Developer may, at its sole discretion, determine the size, boundaries, land uses, timing, and termination of each Increment. The Developer may file one or more AIDA's for concurrent, overlapping, or sequential increments. Provided, however, the entire project as reflected in this MDO may not be submitted in only one increment, and any one filing of one or more AIDA's will not include cumulatively among the filing more than fifty percent (50%) of the entire MDO Development Program.
- (4)
 - (a) The Developer's proportionate share obligation, as established per each Increment, shall be directed or pipelined, pursuant to section 163.3180, F.S., to one or more required mobility improvements which may or may not be a part of the

AMDA roadway network, which benefit a regionally significant transportation facility and which can be funded by the Developer's proportionate share. The funding of one or more required mobility improvements that will benefit a regionally significant transportation facility consistent with Section 163.3180, F.S. satisfies concurrency requirements as a mitigation of Babcock's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

- (b) The Developer may also utilize proportionate fair-share mitigation, consistent with Section 163.3180, F.S., which may be directed toward one or more specific transportation improvements reasonably related to the mobility demands created by the development and such improvements may address one or more modes of travel. Proportionate fair-share mitigation shall be limited to ensure that a development meeting the requirements of Section 163.3180, F.S., mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs. The funding of any improvements that significantly benefit the impacted transportation system satisfies concurrency requirements as a mitigation of the development's impact

upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

(5) In addition to, or in the alternative to the pipelining described in provisions 5.C.(1)(d) and 5.C.(4)(a) above, the developer may also mitigate its traffic impacts pursuant to 73C-40.045, F.A.C.

(6) Incremental Biennial Monitoring Controls.

(a) If the biennial traffic monitoring report for any two year period reveals that the Project's field measured external trips generated by occupied land uses is 80% or more of the maximum number of external PM peak hour trips for the completed Increment(s) and the approved, but uncompleted, Increments and the occupied land uses are less than 50% of the development program approved for approved, but uncompleted, Increment(s), the Developer shall, within 90 days of the date of the biennial traffic monitoring report, meet with County Public Works to determine if the most recently approved Incremental traffic study must be updated. If an updated traffic study is required, then an updated list of significantly and adversely impacted road segments and corresponding adjustments in the Increment's proportionate share which are needed to complete the most recently approved Increment will be identified in that updated study.

- (b) If the biennial traffic monitoring report for any two-year period reveals that the Project's field measured external trips generated by occupied land uses exceed the maximum number of external PM peak hour trips for the completed Increment(s) and the approved, but uncompleted, Increment(s), the most recently approved Incremental traffic study will be updated within 120 days of the date of the biennial traffic monitoring report. For that most recently approved Increment, this may result in an updated list of significantly and adversely impacted road segments and a corresponding adjustment in the Increment's proportionate share with the additional proportionate share being directed to one or more mobility improvements as set forth in Condition 5.C.(4).
- (c) Alternatively, if the Project's field measured external trips exceed the maximum number of external PM peak hour trips for the completed Increment(s) and the approved, but uncompleted, Increment(s), the Developer may declare the most recently approved Increment to be complete in terms of external trips and development program and may submit a new AIDA and Incremental traffic study which may include land area not used in the Increment deemed complete.

- (d) If, at the buildout or completion of an Increment, the measured external trips are less than the maximum number of external trips established for the Increment, then the difference in the proportionate share represented by the difference in those external trips will be credited against the proportionate share projected to be produced by the next subsequent Increment(s).
- (e) Every two years, the results of the traffic monitoring report will be compiled with the results of the previous reports. The data from these monitoring reports will be used with respect to the applicable components of the development program prepared for the next Increment, as well as the updates of the Master Traffic Study.
- (f) Under Conditions 5.C.(6)(a), (b), and (d) above, development (including but not limited to: planned development, site plan, and sub-division approvals; building permits; construction; and certificates of occupancy) pursuant to Incremental approvals will not be suspended while the traffic study updates and any adjustments required by those provisions are being finalized.

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6. VEGETATION, WILDLIFE, AND WETLANDS

A. Representations and Commitments as Conditions.

- (1) The exotic pest plant impacted areas and native plant communities (approximately 5000 acres) will be managed and incorporated into the final preservation areas and consolidated north-south flow-ways and east-west greenways.
- (2) The upland preserve/conservation areas and the wetland preserves will have management that optimizes the value and function of these areas of native habitat.
- (3) There will be an average 100-foot setback from the State Preserve and an average 50-foot setback adjacent to wetlands.
- (4) Internal roadways will be used to inter-connect separate development pods and will be constructed with wildlife crossings in areas where they cross wildlife corridors. The designs, sizes, and locations of these crossings will be coordinated with County and coordinated and approved by staff from the Florida Fish and Wildlife Conservation Commission (FWC) and the US Fish and Wildlife Service (USFWS). Internal roadways may be constructed across and through primary flow-ways, as long as the hydrological and wildlife corridor functions are maintained through the crossings. The number of such roadways, not including pedestrian boardwalks and bike, electronic cart, hiking, and equestrian trails (paved or

otherwise), shall be the minimum necessary for safe and efficient public accessibility between development pods.

- (5) Roadway layouts in the internal wildlife corridors will be designed to reduce traffic speeds and minimize the risk of vehicle/wildlife collisions. Traffic calming devices will be employed where appropriate, but will not serve as a substitute for wildlife under crossings or over crossings, unless approved by FWC and USFWS.
- (6) Littoral shelves will be constructed within lake systems and will provide additional foraging areas for wildlife. Littoral shelves will be provided along a minimum of ten percent (10%) of the length of the shoreline of each such lake. Littoral shelves will be designed to mimic the functions of natural systems by establishing shorelines that are sinuous in configuration in order to provide increased length and diversity of the littoral zone. Where appropriate, specific littoral shelf planting areas will be established to provide feeding areas for water dependent avian species. Developer will ensure that recorded restrictions on the Property prohibit the removal of littoral shelf plants, unless replaced with similar plants.
- (7) Site lighting standards will be modeled after the International Dark-Sky Association or similar guidelines. Street lighting will use mechanisms to reduce light pollution such as full shield cut-offs to prohibit light from shining upward, low intensity lighting and other acceptable techniques. Greenways, conservation areas and

undeveloped areas bordering these areas where there are unpaved trails will be unlit, or lit to the extent necessary for safety reasons only during periods of designated use.

- (8) Golf courses will be designed to comply with the goals of the Audubon International Signature Program – Silver Level certification program, with best management practices developed by the Florida Department of Environmental Protection under Section 403.067, F.S. (2005), or with other equivalent certification programs or equivalent best management practices.
- (9) During the construction process, appropriate measures will be taken to minimize impacts to preserved wetlands and to water quality. Wetland and upland buffer areas to be preserved will be clearly marked in the field to avoid damage of and intrusion into protected areas. Appropriate construction Best Management Practices will be employed. Prior to commencement of construction near preserved wetlands, including proposed water control structures, erosion control devices will be installed to control and reduce soil erosion, sediment transport and turbidity. Such devices (e.g., silt fencing, temporary sediment traps, impoundment areas to control excessive discharges, etc.) will remain in place throughout the duration of construction in an area until construction zones and surrounding areas are stabilized.

- (10) Erosion control methods/devices used during construction will generally conform to applicable standards set forth in FDER's "The Florida Development Manual: A Guide to Sound Land and Water Management," Sections 6-301 through 6-500 of Chapter 6: "Storm Water and Erosion Control Best Management Practices for Developing Areas; Guidelines for Using Erosion and Sediment Control Practices," (ES BMP 1.011.67. FDER, Tallahassee, FL 1988).
- (11) Freshwater marsh creation areas will be over excavated and backfilled to final grade with organic soils. Tree, shrub, and prairie planting areas will have topsoil furloughed from the grading area or organic mulch added to achieve final grade.
- (12) Two hydrologic improvement projects are proposed, one in Curry Canal and one on the west side of Telegraph Swamp and southeast of Hamlet II. At a minimum, each project will have new or modified water control structure(s).
- (13) The Developer has prepared an environmental sustainability plan for the Property which calls for protecting environmentally sensitive wetlands and uplands areas, providing for mitigation of certain disturbed areas, enhancing preservation areas, preserving agricultural areas, establishing Greenways and public recreation and environmental education programs. As part of the Developer's implementation plan, the Developer will utilize conservation

easements as set forth below. Areas in the Developer's plan identified for mitigation on the Property will be included in the ERP for placement under a conservation easement. Wetland Areas in the Developer's plan which are not impacted by the project will be protected by a conservation easement. Prior to the expiration date of this Development Order, existing agricultural uses located within the project but which are outside of the development areas shown on Map H will be placed under a conservation easement which will allow for the continuance of agricultural operations. The upland enhancement and preservation areas identified in the Developer's plan on the Property will be placed under conservation easements. Acreages referenced in the Developer's plan are subject to change based on future permitting considerations. All required easements will be granted to the SFWMD or other appropriate governmental entity with a compliance monitoring staff. Easements not required by a condition of an environmental permit may be granted to an appropriate governmental entity or to a non-profit charitable entity that exists for the purpose of holding land for conservation purposes with a compliance monitoring staff. The recording of the conservation easements will be phased concurrent with various AIDA's, construction, and plat approvals.

- (14) (a) To the maximum extent reasonably practicable, above-ground and underground utility lines (e.g., water, sewer,

electric, gas, telephone, cable, electronic, etc.) will be located within or adjacent to roadway corridors on the Property. Where this is not practicable, Developer shall consult with County and the pertinent utility to establish a location which minimizes to the maximum degree reasonably practicable impacts on upland enhancement and preservation areas.

- (b) With respect to the location of major utility transmission lines on the Property, Developer will consult with County and the pertinent utility prior to such location in an effort to minimize impacts from such lines on environmental resources located on the Property.
 - (c) Nothing herein shall preclude the location of utility or transmission lines within the north/south "Limited Transportation, Pedestrian and Utility Corridor" shown on Exhibit "B" hereto.
- (15) BRC greenways will be maintained in their natural state and kept free of refuse and debris. Category I exotic pest plants as defined by the Florida Exotic Pest Plant Council (EPPC), in effect at time of permitting, will be controlled to ninety-five percent (95%) occurrence (except for torpedo grass, *Panicum repens*, and cogon grass, *Imperata cylindrica*, that will be controlled to a ninety percent (90%) occurrence) in non-agricultural greenway areas. Category II pest plants, as defined by the Florida Exotic Pest Plant Council (EPPC),

in effect at time of permitting, and other plants reaching a problematic, invasive level will also be controlled to reasonable and achievable levels in non-agricultural greenway areas. Maintenance of these preserve areas will be conducted in perpetuity consistent with state, local, and federal government environmental permit approvals.

- (16) The prescribed fire plan for BRC will be a program that mimics the natural fire cycle for the various habitat types identified within the mitigation and preserve areas. Prescribed burning will be planned and carried out by a Certified Prescribed Burn Manager (as licensed by the Florida Division of Forestry) and experienced fire crew.
- (17) The Developer shall dedicate a one (1) acre site and provide a 3,000 square ~~feet~~foot, pre-fabricated, shell building to County for mosquito control operations use pursuant to the schedule shown on Exhibit "D" hereto.

B. Other Conditions.

- (1) Integrated Pest Management ("IPM") will be utilized in BRC. IPM will involve the monitoring of sites for pest related problems, determining when a problem needs attention and taking appropriate action with the least amount of environmental impact. IPM will maximize the use of biological controls (i.e., bat houses, etc.), organic pest control methods, insecticidal soaps, and fish oils beneficial to lowering the

environmental impact of pest control. Property and homeowner education will also be an IPM component within the Community.

- (2) All USFWS and FWC threatened and endangered species management plans ("T&E Plans") for the documented listed species including Florida panther (*Puma concolor coryi*) (E), Florida bonneted bat (*Eumops floridanus*) (E), wood stork (*Mycteria americana*) (T), beautiful pawpaw (*Deeringothamnus pulchellus*) (E), Florida sandhill crane (*Gruscanadenis pratensis*) (T), Eastern indigo snake (*Drymarchon corais couperi*) (T), little blue heron (*Egretta caerulea*) (T), tricolored heron (*Egretta tricolor*) (T), gopher tortoise (*Gopherus polyphemus*) (T), American alligator (*Aligator mississippiensis*) (T S/A), crested caracara (*Caracara cheriway*) (T), roseate spoonbill (*Platalea ajaja*) (T), and Florida burrowing owl (*Athene cunicularia floridana*) (T) approved at the time of issuance of this Development Order are incorporated by reference herein and made a part hereof. Any additional species which are listed after the issuance of this Development Order and which are documented in an AIDA shall have a T&E Plan developed and approved by USFWS and FWC and said plan shall be incorporated by reference as a condition of the particular incremental development order.
- (3) The SFWMD issued Permit Number 08-00119-P on July 6, 2006, as supplemented by Permit No. 08-105624-P (Application No. 200526-3536) issued on September 23, 2021, which includesinclude certain

authorizations and permit conditions, in accordance with its jurisdiction over such matters and the Property. Developer has committed to follow this permit and its conditions, which is a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, addresses mitigation of certain impacts of the BRC development. Such permit is issued under the authority of an agency other than County and, therefore, shall be subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its potential application to development which they may propose to undertake within BRC.

- (4) The USACOE issued Permit Number SAJ-1992-264 (NW-TWM) on May 22, 2006, which includes certain authorizations and permit conditions, in accordance with its jurisdiction over such matters and the Property. Developer has committed to follow this permit and its conditions, which is a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, addresses mitigation of certain impacts of the BRC development. The permit is issued under the authority of an agency other than County and, therefore, is subject to enforcement by the issuing agency. County will assist said agency,

if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its application to development which they may propose to undertake within BRC.

- (5) The USACOE issued Permit No. SAJ-2006-6656 (IP-MJD) in 2010 which includes certain authorizations and permit conditions, in accordance with its jurisdiction over such matters and the Property. Due to State assumption of Section 404 permitting by the Florida Department of Environmental Protection (FDEP) from the USACOE on December 23, 2020, FDEP State 404 Permit No. 396574-001 was obtained in November 2021 for a modified site plan east of the Curry Canal and an updated BRC Mitigation Plan. Development west of the Curry Canal remains consistent with impacts authorized by the referenced USACOE permit. Developer will follow the authorizations and permit conditions of each permit, as may be applicable, although through the referenced FDEP State 404 Permit, the FDEP now has Section 404 regulatory oversight of the entire BRC development and associated mitigation. Developer has committed to follow this permit and its conditions, which is a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, addresses mitigation of certain impacts of the BRC development. The permit is issued under the authority of an agency other than County and, therefore, is

subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its application to development which they may propose to undertake within BRC.

- (6) The SFWMD issued Permit No. 08-00004-S-05 (Application No. ~~070330-5~~070330-5), as supplemented by Permit No. 08-105624-P (Application No. 200526-3536), to Developer for a conceptual ERP in accordance with its jurisdiction over such matters and the Property. Developer will follow the authorizations and permit conditions, which is a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, addresses mitigation of certain impacts of the BRC development. The permit is issued under the authority of an agency other than County and, therefore, is subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its application to development which they may propose to undertake within BRC.

C. Incremental Review.

- (1) The threatened and endangered species management plan ("T&E Plan") is that plan for threatened and endangered species provided

for in the ERP and USACOE FDEP State 404 Permit (“ACOEP”) for Babcock Charlotte, as may be amended from time to time.

- (2) The incremental review will address compliance of the increment with the T&E Plan. It will also address the detailed plan to protect any wetlands in the increment or to mitigate for proposed impacts on such wetlands. Upland habitats of threatened and endangered species (not including species addressed in the Biological Opinion of the U.S. Fish and Wildlife Service for Babcock Charlotte) which are not addressed by the T&E Plan shall also be addressed in the AIDA to maintain such habitats to the extent practicable with the development planned for those areas, or to relocate affected listed species to other appropriate habitat.
- (3) The incremental review will include an assessment of any pertinent information developed pursuant to a condition of the MDO which has been developed since the MDO was issued in order to determine if that new information shows that a change in the T&E Plan is needed in order to provide the same level of protection, remediation, or mitigation that is contemplated in the MDO.
- (4) Each AIDA shall identify the number of acres to be contained in the Increment with respect to each of the following Greenway categories and the percentage of the total of each and shall include a companion map:
 - (a) Greenway acreage not under conservation easements

- (i) agricultural lands
 - (ii) non-agricultural lands
- (b) Greenway acreage under conservation easements
 - (i) wetland conservation
 - (ii) wetland enhancement
 - (iii) upland conservation
 - (iv) agriculture
- (5) Each AIDA shall identify any conservation easements over wetlands and uplands which have been delivered.
- (6) Each AIDA shall include a copy of any wildlife survey which has been conducted pursuant to an ERP or ~~ACOEP~~ FDEP State 404 Permit since the last AIDA was filed.
- (7) Each AIDA shall provide an updated Greenway Map.
- (8) Each AIDA including roadway within a wildlife corridor will detail the roadway design features to be employed with regard to surface material, lighting, signage, access, and speed limits. The existing unpaved North/South road corridor located along the east Property line may serve as a transportation, pedestrian, and utility (e.g. wells, lift stations, transformers, pump stations, associated lines and infrastructure for water, wastewater, gas, electric, cable, electronic, etc.) corridor consisting of not more than 120 feet in width with a maximum speed limit of 20mph. The existing North/South road shall not be modified beyond its current existing maximum width, nor

paved, unless such modification has been considered in an AIDA review and approved in an Incremental development order or has been reviewed and approved pursuant to an amendment to a development order.

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7. WASTEWATER MANAGEMENT AND WATER SUPPLY

A. Representations and Commitments as Conditions

- (1) Low Flow Fixtures: Low volume plumbing fixtures will be installed in all new homes and businesses. The plumbing fixtures will comply with the following maximum flow volumes at 80 psi:

Toilets: 1.28 gallons per flush

Shower heads: 2.5 gallons per minute

Faucets: 2.0 gallons per minute
- (2) Customer billing by Town and Country Utilities Company will be based on the use of water conservation-based rate structures.
- (3) Town and Country Utilities Company will distribute literature to households describing water conservation practices.
- (4) Drought-Tolerant Landscaping: The use of native landscaping and the Florida Yards and Neighborhoods Program principles will be incorporated throughout the project site.
- (5) Reuse Water: Irrigation water will utilize reclaimed water produced by the water reclamation facility. During times when irrigation demand exceeds reclaimed water supply, irrigation water will be derived from the on-site lake system. The lake system will be replenished with ground water.
- (6) Leak Detection Program: Reports of water leaks will be directed to personnel during business hours. Site tours and routine maintenance personnel trips along water supply and distribution

lines will also be conducted. On a monthly basis, customer metered usage will be compared to the master meter reading.

- (7) Irrigation System Design: Rain sensors and/or soil moisture sensors are required for irrigation systems within the project site in order to preclude irrigation during rainfall events. The project will install low flow irrigation systems for common areas where reasonably practicable.
- (8) Fertilization Program: Written fertilization guidelines will be developed that establish standards for all common area fertilization and guidelines for individual property owners. The guidelines will comply with SWFRPC Resolution 2007-1 to the extent adopted by County and as it may be modified by County from time to time, except that reuse irrigation water may be applied within 25 feet of a wetland or water body. The program will be based on the results of soil samples, water sources, drainage patterns, and the landscape planned. This program will be designed to provide sufficient nutrition to sustain density and vigor for the landscape plantings intended for the Community that will enhance their resistance to disease, weeds, and insects. Education of residents and landscape maintenance contractors will be included in the program.

The program standards will include an annual schedule for applications of controlled release and slow release fertilizers. The program will also identify appropriate buffer requirements for all

areas on the site with respect to wetlands and all natural or created bodies of water. The above fertilization program does not eliminate the requirement of compliance with any County fertilizer ordinance.

- (9) Various types of on-site wastewater treatment systems may be used permanently at —solar generating facilities, educational facilities located within the greenways, the North Babcock Area, restroom facilities in the project's trail system, and any plant nursery, sod, or agricultural operations facilities. Pursuant to F.S. 381.0065(4), as may be amended, an operating permit must be obtained prior to the use of any aerobic treatment unit or if the establishment generates commercial waste. Buildings or establishments that use an aerobic treatment unit or generate commercial waste will be subject to annual inspections by the State Department of Health to assure compliance with the terms of the operating permit. Any currently permitted uses of such systems may continue pursuant to existing, modified, and renewed permits.
- (10) On-site wastewater treatment systems may be utilized at selected locations such as construction trailers, sales centers, and other non-residential facilities where centralized sewer is not currently available. Each of these non-permanent systems must be licensed as in paragraph (9) above and may continue to be used for five (5) years from the date of installation of each system and thereafter must be abandoned in accordance with state and County regulations.

Notwithstanding the foregoing, models, sales centers and associated construction trailers may be extended on an annual basis as needed and such consent by County shall not be unreasonably withheld.

- (11) Bio-solids may be converted into a Class AA residual that may be used as a slow release fertilizer on the site, provided this use meets applicable permitting conditions for the site.

B. Other Conditions.

- (1) The proposed water treatment and distribution and wastewater collection and treatment systems will be designed consistent with current industry standards in Southwest Florida.
- (2) All potable water facilities, including any possible on-site potable water treatment plants, will be properly sized to supply average and peak day domestic demand, in addition to fire flow demand, at a flow rate approved by the County Fire Department.
- (3) The lowest quality of water available and acceptable should be utilized for all non-potable water uses.
- (4) Irrigation systems for new construction will comply with County's irrigation and landscaping ordinance, as may be amended from time to time.
- (5) Town and Country Utilities Company or its successor or assigns will provide water, wastewater, and reclaimed water to BRC.
- (6) SFWMD issued Permit Number 08-00122 W, in October 2007, which includes certain authorizations and permit conditions, in accordance

with its jurisdiction over such matters and the Property. Developer has committed to follow this permit and its conditions, which is a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, addresses mitigation of certain impacts of the BRC development. Such permit is issued under the authority of an agency other than County and, therefore, shall be subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit and its potential application to development which they may propose to undertake within BRC.

- (7) Developer may apply for a permit(s) from the SFWMD for non-potable (landscape irrigation) withdrawals, in accordance with its jurisdiction over such matters and the Property. Upon issuance, Developer will follow the authorizations and permit conditions, which will be a separate and enforceable legal document in accordance with its terms. Compliance with this permit, as it may be amended from time to time, will address mitigation of certain impacts of BRC development. Such permit will be issued under the authority of an agency other than County and, therefore, shall be subject to enforcement by the issuing agency. County will assist said agency, if requested, in monitoring Developer's compliance with the

conditions of said permit. Developers' successors-in-interest and assigns are hereby placed on notice of this permit application and its potential application to development which they may propose to undertake within BRC.

C. Incremental Review.

- (1) The AIDA which includes the North Babcock Area shall identify the water and wastewater treatment option(s) which will be employed in the North Babcock Area.
- (2) Each AIDA shall include an updated Primary Utility Corridor map.
- (3) Each AIDA shall identify the source of water for the Increment and the service provider.
- (4) Each AIDA shall identify the service provider and the type(s) of wastewater treatment system(s) to be used in the Increment and their duration(s) of use.
- (5) Wastewater treatment options in the North Babcock Area may include decentralized facilities.

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8. **HISTORICAL AND ARCHEOLOGICAL SITES**

A. Representations and Commitments as Conditions - No relevant provisions.

B. Other Conditions.

- (1) A Cultural Resources Survey was prepared and approved by the Florida Department of State, Division of Historical Resources ("DHR"). No cultural resources eligible for listing on the National Register of Historic Places were identified within the BRC, and the development is unlikely to affect historic properties. If any archaeological/historical resources are discovered during the development activities, all work that might cause damage to such resources shall cease immediately, and the Developer shall contact the DHR, SWFRPC, and County so that a state-certified archaeologist can determine the significance of the findings and recommend appropriate preservation and mitigation actions, as necessary.
- (2) When County establishes a local register of historical sites, any sites in BRC which qualify for listing on the local register will be listed. Any protection of such resources will be subject to agreement between Developer and County.
- (3) By the end of the second DRI Increment, Developer will establish a permanent display of the history of the Babcock Ranch, including but not limited to the railroad and telegraph facilities.

C. Incremental Review. – None.

9. EDUCATION

A. Representations and Commitments as Conditions.

~~The Developer shall dedicate five school sites on the Property: three elementary schools (up to 20± acres each), one middle school (up to 30± acres), and one high school (up to 50± acres), and an educational service center (up to 25± acres). Site acreages are net developable acres exclusive of jurisdictional wetlands and listed species habitat areas. These sites will be delivered on the schedule set forth in Exhibit "D", attached hereto, as that schedule or site dedication requirements may be revised by agreement of Developer and the Charlotte County School Board.~~

The Developer shall comply with the Babcock Ranch School Site Dedication Agreement.

The Developer, District, County and the School Board of Charlotte County entered into an Addendum to the School Site Dedication Agreement on January 8, 2018 ("Agreement") addressing school concurrency for development. If the Agreement is not implemented to address school concurrency, the Developer and Charlotte County School Board shall amend the Agreement accordingly.

Age-restricted communities will not be subject to school concurrency requirements.

B. Other Conditions. Public facilities such as parks, libraries, and community centers shall be co-located with schools to the extent reasonably

practicable. Elementary schools shall be encouraged as focal points for neighborhoods.

- C. Incremental Review. Developer shall provide anticipated student generation numbers as part of an AIDA using student generation rates contained in the Student Impact Analysis form.

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10. **POLICE AND FIRE**

A. **Representations and Commitments as Conditions.**

- (1) Developer or District shall construct the shells of the law enforcement and fire/rescue buildings. The term "shell" means site preparation, foundations, laying of all utilities, exterior building structural components (including all exterior windows and doors), interior unfinished load-bearing walls and floors, stairs, elevators, general building mechanical, electrical, plumbing, and fire (MEPF) systems, landscaping and exterior finishes to satisfy the Developer's architectural design standards. The building shells may be constructed in phases. The building shells shall be completed by Developer or District and turned over to County on the schedule set forth in Exhibit "D" attached hereto. Until the turnover to County, Developer or District shall be responsible for maintenance of the building shells and the associated building landscaping and any costs of operations elected by Developer or District to be incurred prior to said turnover(s). If the Developer or the District elects to operate any such buildings prior to turnover to County, County will consider an operational contract with District. The Developer or District shall be reimbursed from the impact fees, but only up to the amount of the impact fees collected from the Development (not including any interest earned by County), for the design and construction costs of those buildings and the costs of all associated

infrastructure; i.e., water, sewer, paving, drainage, landscaping, lighting, signage, etc. (collectively the "Costs"), but not for the sites. Developer or District shall be reimbursed by County from funds other than impact fees collected from the Development for the Costs of any portion of a building requested by County which is in excess of that required by Exhibit "D".

- (2) Site acreages are net developable acres exclusive of jurisdictional wetlands and listed species habitat areas. The sites shall be conveyed with exotic pest plants removed, infrastructure provided, and on a schedule set forth in Exhibit "D" attached hereto.

B. Other Conditions.

- (1) The fire flows required for the BRC will be provided. Adequate system storage and pumping capacity will be installed to provide the required flows. Distribution system pipes will be sized to deliver the fire flows to the buildings to meet the requirements of the National Fire Protection Association.
- (2) As the development of the project progresses, the Developer will coordinate with the Sheriff's Office prior to or during site plan review regarding security measures and features that will likely deter criminal activity in the BRC.
- (3) Six sites totaling approximately 7.8± acres will be dedicated for police and/or fire rescue operations and for a communications tower. Site acreages are net developable acres exclusive of jurisdictional

wetlands and listed species habitat areas. Any additional acres requested by County for such operations will be subject to payment by County pursuant to a purchase contract negotiated between Developer and County.

- (4) The Developer or the District shall provide funding to the County in the amount of one million two hundred thousand dollars (\$1,200,000) for a ladder truck pursuant to the schedule in Exhibit "D". The housing of that vehicle will be the responsibility of County.
- (5) The Developer has provided an interim fully operational double-wide trailer as the first Sheriff's Sub-Station pursuant to the schedule in Exhibit "D".
- (6) The Developer ~~or the District shall provide~~ has provided funding to the County for an EMS vehicle pursuant to the schedule in Exhibit "D". The housing of that vehicle ~~will be~~ is the responsibility of County.
- (7) The public purpose buildings and sites shall be subject to the land development regulations and architectural guidelines established for the Property.
- (8) All law enforcement, fire, and EMS impact fees collected from the Development (not including any interest earned by County) shall be provided to Developer or District in the form of reimbursements.
- (9) Babcock is intended to be a "Firewise" community and will employ "Firewise" principles where appropriate. The County's Office of

Emergency Management will cooperate with and assist the District
in this endeavor.

C. Incremental Review.

- (1) Each AIDA shall include an updated Exhibit "D" schedule.

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11. **SOLID/HAZARDOUS/MEDICAL WASTE**

A. Representations and Commitments as Conditions. – None.

B. Other Conditions.

- (1) The project shall be bound by all applicable recycling requirements in effect in the County at the time of the development, and all solid waste shall be disposed of by a waste hauler licensed by the State of Florida.
- (2) Any buildings where hazardous materials, or waste, is to be used, displayed, handled, generated or stored shall be constructed with impervious floors with adequate floor drains leading to separate impervious holding facilities that are adequate to contain and safely facilitate cleanups of any spill, leakage, or contaminated water.
- (3) Discharge of hazardous waste effluent into the sewage system shall be prohibited unless approved by a permit issued by FDEP. There shall be no discharge of hazardous waste or of medical wastes from medical facilities into septic tanks.
- (4) Any business within the BRC that generates hazardous waste will be responsible for the temporary storage, siting and proper disposal of the hazardous waste generated by such business. However, there will be no siting of hazardous waste storage facilities contrary to the County zoning regulations. There shall be no disposal of hazardous waste within the BRC.

- (5) Any off-site disposal of hazardous waste will be the responsibility of the business that has generated the hazardous waste subject to all applicable local, state, and federal regulations.
- (6) Restaurant operators will be required to comply with the County's grease trap ordinance that requires routine maintenance of the grease removal system.
- (7) The responsibility for disposing of medical and hazardous waste lies with the waste generator in accordance with local, state and federal law.
- (8) Any commercial operations that routinely handle extremely hazardous chemicals (such as the water and wastewater treatment facilities, hospitals and golf courses) will be required to comply with OSHA and NFPA fire and life safety requirements as well as all other local, state, and federal requirements.
- (9) Natural gas is identified as a source of energy for the development. The Developer will meet with the Charlotte County Fire & Emergency Medical Services Department to advise it of the location of gas lines prior to installing such lines.
- (10) All grease traps will be required to comply with local and state codes. The wastewater from these grease traps will be sent to a centrally located wastewater treatment facility, designed to comply with the applicable effluent quality requirements. The captured grease will be hauled off by a licensed hauler.

C. Incremental Review.

- (1) Each AIDA will indicate whether or not the proposed Increment will be part of the County's Sanitation District, and if not, what other option will be used. Each AIDA will include a letter from the service provider that collection will be provided and a letter of availability regarding landfill capacity for the proposed Increment.

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12. AIR**A. Representations and Commitments as Conditions.**

Dust prevention on development sites will employ wet or other suppression options consistent with applicable NPDES requirements. Unpaved roads will be watered as needed. Paving of roads will be performed as early in the construction schedule as is reasonably possible.

B. Other Conditions.

BRC shall comply with any applicable FDEP regulations regarding air quality.

C. Incremental Review. – None.

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13. HURRICANE PREPAREDNESS**A. Representations and Commitments as Conditions.**

The Developer or District will build the shells of community center civic buildings and certain portions of public school buildings on the Property that will be used as shelters to hurricane building standards per local, state, and/or federal standards, as applicable, and ~~American Red Cross publication #4496~~, and said buildings will be equipped with emergency generators.

B. Other Conditions.

- (1) District or POA shall develop a hurricane preparation and shelter information program for the residents of the Property which will include annual awareness communications to residents. The appropriate County departments dealing with emergency preparedness will cooperate with and assist the District or POA in the development of this program. A copy of the information program was provided to County prior to the first residential closing.

Incremental Review. – None.

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14. OPEN SPACE, PARKS, AND LIBRARY

A. Representations and Commitments as Conditions.

- (1) Developer agrees to provide a minimum of thirty-five (35%) percent of the gross acreage of the BRC as open space. "Open Space" shall consist of the Primary Greenway Plan, non-residential vegetated green space (including, but not limited to, community supported agriculture and community gardening), lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater with general public access, hiking trails, greenways, bike paths, upland and wetland areas. Active uses such as ball fields, golf courses and other related recreation uses can be counted toward Open Space, but only 50% of the area can be utilized for calculation purposes.
- (2) BRC will provide 200 acres of parks with a park points value of 715 points. Park points will be calculated in accordance with the County's Parks & Recreation Master Plan Update 2015-2050 or as otherwise agreed upon by the County and Developer as part of bi-annual meetings.
- (3) One site totaling ~~4 acres~~ 4 acres will be dedicated for a library pursuant to the schedule in Exhibit "D". Site acreage is net developable acres exclusive of jurisdictional wetlands and listed species habitat. Developer or District shall be required to fund the construction of a 12,000 square foot library shell building. The

County may desire to construct a library facility totaling 20,000 square feet. The County and the Developer or District agree to cooperate with respect to the design, construction and funding of this library facility. Developer or District shall fund the library shell building costs for 12,000 square feet and, if the County decides to construct the additional 8,000 square feet, the County shall fund the construction of the library shell building costs, in addition to the construction completion of the library facility herein. The library site shall be conveyed with exotic pest plants removed and infrastructure provided.

- (4) Developer or District shall construct the shell of the library facility. The term "shell" means site preparation, foundations, laying of all utilities, exterior building structural components (including all exterior windows and doors), interior unfinished load-bearing walls and floors, stairs, elevators, general building mechanical, electrical, plumbing, and fire (MEPF) systems, landscaping and exterior finishes to satisfy the Developer's architectural design standards-. The building shell shall be completed by Developer or District and turned over to County on the schedule shown on Exhibit "D" attached hereto. Until the turnover to County, Developer or District shall be responsible for maintenance of the building shell and the associated building landscaping and any costs of operations elected by Developer or District to be incurred prior to said turnover(s). If the

Developer or the District elects to operate any such buildings prior to turnover to County, County will consider an operational contract with Developer or District. The Developer or District shall be reimbursed for the park and library facilities from the impact fees, but only up to the amount of the impact fees collected from the Development (not including any interest earned by County), for the design, construction, and permitting costs of those buildings and the costs of all associated infrastructure; i.e., water, sewer, paving, drainage, landscaping, lighting, signage, etc. (collectively the "Costs"), but not for the sites. Developer or District shall be reimbursed by County from funds other than impact fees collected from the Development for the Costs of any portion of a building requested by County which is in excess of that required by Exhibit "D".

- (5) District or Developer shall prepare the master plans for the park sites in consultation with County and at no cost to the County.
- (6) The library building and site shall be subject to the land development regulations and architectural guidelines established for the Property.

B. Other Conditions.

- (1) All landscaped open space areas shall be replanted with native vegetation after construction.
 - (i) Ninety percent (90%) of the trees and ninety percent (90%) of the shrubs installed in public areas will be native plants.

- (ii) Seventy-five percent (75%) of the total number of required trees and seventy-five percent (75%) of the shrubs installed in privately owned areas will be native plants.
 - (iii) One hundred percent (100%) of the trees and shrubs installed in primary greenways will be native plants.
 - (iv) All plants listed on the Florida Exotic Pest Plant Council's List of Invasive Plant Species Category I and II, are prohibited for use as landscaping material.
 - (v) Plant material used for landscaping must conform to the standards for Florida Number 1, or better as given in Grades and Standards for Nursery Plants (1998 or latest), and Grades and Standards for Nursery Plants Florida Department of Agriculture and Consumer Services, Tallahassee, Florida.
- (2) General agricultural operations may be conducted in accordance with the Land Development Code.
 - (3) The library building shall be completed, staffed, and opened by County on the schedule shown on Exhibit "D" attached hereto.
 - (4) Public facilities such as parks, libraries and community centers will be co-located with schools to the extent reasonably practicable. Elementary schools will be encouraged as focal points for neighborhoods.

- (5) All park and library impact fees collected from the Development (not including any interest earned by County) shall be provided to Developer or District in the form of reimbursements.
- (6) The parks, common recreational areas and common open spaces will be owned, operated, and maintained by either a master property owner's association, a neighborhood association, a condominium association, the District, or a Chapter 190 Community Development District.
- (7) Vegetated upland areas within conservation areas will be part of the extensive recreational open space system of BRC.

C. Incremental Review.

- (1) Each AIDA shall provide the number of acres of Open Space to be provided in the Increment and the cumulative number with other approved Increments.
- (2) Each AIDA shall include an updated Exhibit "D" schedule.

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15. HOSPITALS AND HEALTHCARE

A. Representations and Commitments as Conditions. – None.

B. Other Conditions.

Hospital beds and assisted living facilities may be provided within BRC subject to applicable licensing.

C. Incremental Review.

~~Each AIDA shall indicate whether or not a certificate of need has been, or will be, filed for hospital or other healthcare facilities in the proposed increment.~~

None

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16. **ENERGY**

A. Representations and Commitments as Conditions.

- (1) All community recreational facilities and businesses will be encouraged to have bicycle parking facilities located closer to the building entrances than non-handicapped parking spaces.
- (2) Developer or District will evaluate internal transit options, and will implement options determined by the evaluation to be economically viable.
- (3) Window design, as well as other design features such as building orientation, solar roof access, overhangs, shading through landscape or interior shades, porches, free standing walls, fences, louvers, awnings, or shutters will be considered to optimize energy efficiency.
- (4) The material choices for streets, parking lots, sidewalks, and the trail system shall be selected to encourage the reduction of the heat island effect. Alternatives to impervious pavement, and the use of open areas, landscaping and shade trees will be an integral component of the design.
- (5) Lighting for streets, parking, recreation and other public areas should include energy efficient fluorescent/electronic ballasts, photovoltaics, low voltage lighting, motion sensors and/or timers on lighting and full cut-off luminaries in fixtures that comply with the International Dark-Sky Association standards.

- (6) Water closets will have a maximum water usage of 1.28 gallons/flush. Showerheads and faucets will have a maximum flow rate of 2.5 gallons/minute at 80 psi water pressure. Faucet aerators will limit flow rates to 0.5 gallons per minute.
- (7) A primarily native plant pallet to reduce water consumption throughout the community will be used as referenced in Section 14, Open Space, Parks and Library, above. Additionally, Developer will strive to use innovative irrigation technology, such as drip irrigation, moisture sensors, and micro spray heads to reduce irrigation water use.
- (8) All recreational areas as well as the integrated sidewalks, trails, and paths shall include shade trees where design allows.

B. Other Conditions.

- (1) Commercial and residential buildings shall comply with the Florida Energy Efficiency Code for Building Construction.
- (2) Site development shall comply with the Florida Green Building Coalition Certification Standards or equivalent green building standards.
- (3) One Zero Energy Home ("ZEH") model will be built to feature and promote net zero energy efficient housing.

C. Incremental Review. – None.

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17. MINING OPERATIONS**A. Representations and Commitments as Conditions.**

Due to the fact that mining operations have been phased out, mining lakes will be properly reclaimed pursuant to applicable permits.

B. Other Conditions. – None.**C. Incremental Review. – None.**

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18. **CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN**

For the purposes of this MDO, the County has determined that the BRC project is consistent with the County Comprehensive Plan.

19. **BIENNIAL REPORTS**

The Developer, or its successor(s)-in-title to the undeveloped portions of the Property, must submit a biennial report to the County. The Developer must inform successors-in-title to any undeveloped portion of the real property covered by this development order of this reporting requirement.

20. **CHANGED CONDITIONS**

If County, during the course of monitoring the development, can demonstrate that substantial changes in the conditions underlying the approval of the development order has occurred or that the development order was based on substantially inaccurate information provided by the Developer, resulting in additional substantial regional impacts, then a substantial deviation shall be deemed to have occurred.

21. **COMPLIANCE MONITORING**

The County Administrator, or his or her designee, shall be the local official responsible for assuring compliance with this development order. Monitoring procedures will include County's site plan review and code enforcement procedures, and the Biennial Reports.

22. **EXEMPTION FROM DOWNZONING AND DENSITY/INTENSITY REDUCTION**

Pursuant to Subsection 380.06(15)(c)3, F.S., this project is exempt from downzoning, intensity reduction, or unit density reduction until May 8, 2043, unless

County can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based on substantially inaccurate information provided by the Developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

23. COMMENCEMENT OF DEVELOPMENT

Development shall commence in accordance with the deadline(s) established in the Incremental development orders.

24. PROJECTED BUILDOUT

The project is being built in Increments. Buildout of the final Increment is projected to occur on or about ~~May 24, 2050~~ February 28, 2053 ("Buildout Date").

25. EXPIRATION DATE

The expiration date for this Development Order is ~~November 21, 2051~~ September 9, 2055.

26. DEVELOPMENT PERMITS

Subsequent requests for development permits shall not require further review pursuant to Section 380.06, F.S., unless it is found by the Board of County Commissioners of Charlotte County ("Board"), after due notice and hearing, that one or more of the following items listed in Paragraphs A and B is present. Upon such a finding, the Board may take any action authorized by Subsection 380.06(19), F.S., pending issuance of an amended development order.

A. A substantial deviation from the terms or conditions of this development order, a failure to carry out conditions, commitments or mitigation

measures to the extent set forth herein or consistent with the timing schedules specified herein or substantial deviation from the approved development plans which create a reasonable likelihood of additional regional impacts or other types of regional impacts which were not previously reviewed by the SWFRPC; or

B. An expiration of this development order as provided herein.

27. GENERAL PROVISIONS

The approval granted by this development order is limited. Such approval shall not be construed to relieve the Developer of the duty to comply with all other applicable local, state or federal permitting regulations.

A. Developer and County shall work together in a cooperative manner to ensure that the necessary applications to County, the issuance of permits and the conduct of inspections occur expeditiously and that development is not impeded by unnecessary delays associated with such applications, permit issuances, and inspections.

B. It is understood that any reference herein to any governmental agency shall be construed to mean any future entity which may be created or be designated or succeed in interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this development order.

C. Appropriate conditions and commitments contained herein may be assigned to or assumed by District.

D. If there is a conflict between a provision in this development order and a provision in an ERP, a Consumptive Use Permit ("CUP"), a FDEP 404

Permit, or ACOEP, the provision in the ERP, CUP, FDEP 404 Permit, or ACOEP shall prevail.

E. In the event that any portion or section of this development order is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner, affect the remaining portions of this development order which shall remain in full force and effect.

F. This development order shall be binding upon the County and the Developer, its assignees or successors-in-interest.

G. This development order shall become effective as provided by law.

H. This Resolution shall be recorded in the Minutes of the Board.

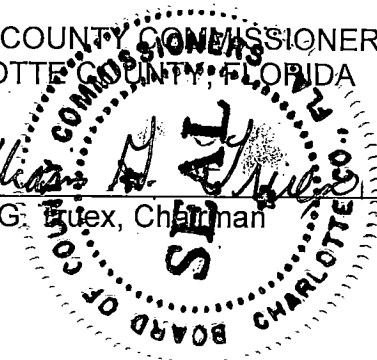
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PASSED AND DULY ADOPTED this 23rd day of May, 2023

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Bux

William G. Bux, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk to the
Board of County Commissioners

By: Roger D. Eaton

Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton

Janette S. Knowlton, County Attorney

LR#2023-0105

EXHIBITS

Exhibit A	Legal Description
Exhibit B	Master Concept Plan (Map H)
Exhibit C	Questions to be addressed in AIDAs
Exhibit D	Updated Summary of Land Dedications and Facilities Construction
Exhibit E	RESERVED
Exhibit F	Master (Buildout 2040) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – 71%
<u>Exhibit G</u>	<u>Babcock Ranch DRI Cumulative Incremental Transportation Conditions</u>
<u>Exhibit H</u>	<u>Land Use Equivalency Matrix</u>
<u>Exhibit I</u>	<u>RESERVED</u>
<u>Exhibit J</u>	<u>Cumulative Future (2038) Traffic Conditions with Project Directional Peak Hour Peak Season</u>
<u>Exhibit K</u>	<u>Cumulative Future (2038) Traffic Conditions with Project Proportionate Share Calculation</u>

EXHIBIT A**Legal Description****CHARLOTTE COUNTY PARCEL:**

A parcel of land lying within Sections 29, 31 through 33, Township 41 South, Range 26 East, AND, Sections 4 through 10, Sections 15 through 17 and Sections 19 through 36, Township 42 South, Range 26 East, Charlotte County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 31, Township 42 South, Range 26 East and run S89°41'45"E, along the South line of said Section 31, a distance of 50.00 feet to a point, on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5,189.75 feet to the Southwest corner of Section 32, Township 42 South, Range 26 East; Thence S89°41'45"E a distance of 5,206.08 feet to the Southeast corner of Section 32, Township 42 South, Range 26 East; Thence S89°37'16"E a distance of 5,283.11 feet to the Southwest corner of Section 34, Township 42 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Southeast corner of Section 34, Township 42 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Southwest corner of Section 36, Township 42 South, Range 26 East; Thence S89°35'44"E, along the South line of Section 36, Township 42 South, Range 26 East, a distance of 3,430.85 feet; Thence N00°00'40"W a distance of 10,185.53 feet; Thence N05°48'23"E a distance of 1,058.58 feet; Thence N66°40'38"W a distance of 200.82 feet; Thence S83°12'47"W a distance of 1,373.33 feet; Thence N30°17'33"W a distance of 1,885.53 feet; Thence N70°02'41"W a distance of 1,332.41 feet; Thence S72°42'44"W a distance of 1,430.81 feet; Thence N49°18'31"W a distance of 2,352.25 feet; Thence S69°00'57"W a distance of 1,518.19 feet; Thence S21°08'17"W a distance of 868.44 feet; Thence S20°29'11"E a distance of 1,375.91 feet; Thence N74°38'25"E a distance of 1,635.69 feet; Thence S00°18'50"E a distance of 1,309.92 feet; Thence S88°45'02"W a distance of 4,154.48 feet; Thence N51°39'38"W a distance of 782.53 feet; Thence N04°14'12"E a distance of 1,329.59 feet; Thence N39°20'59"W a distance of 1,779.18 feet; Thence N42°01'35"W a distance of 1,162.94 feet; Thence S52°01'16"W a distance of 818.34 feet; Thence S62°56'46"W a distance of 516.82 feet; Thence S89°59'33"W a distance of 307.20 feet; Thence N80°08'18"W a distance of 334.84 feet; Thence N20°54'51"W a distance of 336.85 feet; Thence N05°03'05"E a distance of 533.35 feet; Thence N22°47'49"E a distance of 5,490.82 feet; Thence N55°42'26"E a distance of 195.73 feet; Thence N21°58'08"W a distance of 1,739.17 feet; Thence N52°37'55"E a distance of 867.75 feet; Thence N13°36'57"W a distance of 2,507.33 feet; Thence S78°50'16"W a distance of 687.95 feet; Thence N19°48'25"W a distance of 355.25 feet; Thence N05°01'21"W a distance of 493.32 feet; Thence N03°43'40"E a distance of 887.22 feet; Thence N00°28'20"E a distance of 674.51 feet; Thence N25°12'33"W a distance of 261.13 feet; Thence N42°54'55"W a distance of 643.19 feet; Thence N07°19'37"W a distance of 171.40 feet; Thence N13°05'30"E a distance of 201.55 feet; Thence N32°40'01"W a distance of 186.12 feet; Thence N05°04'15"W a distance of 1,832.77 feet; Thence N19°47'08"W a distance of 527.20 feet; Thence N25°13'22"W a distance of 802.13 feet; Thence S79°06'59"W a distance of 475.20 feet; Thence N74°19'19"W a distance of 1,639.05 feet; Thence N01°26'06"W a distance of 897.42 feet; Thence N89°11'42"W a distance of 67.81 feet; Thence N00°00'03"W a distance of 1,218.37 feet; Thence N39°50'11"W a distance of 190.66 feet; Thence N00°00'29"W a distance of 324.62 feet; Thence N89°59'52"W a distance of 688.20 feet; Thence N00°00'00"E a distance of 1,987.22 feet; Thence N41°13'25"W a distance of 2,825.17 feet; Thence S89°59'57"W a distance of 3,586.80 feet; Thence S00°00'03"E a distance of 2,789.34 feet; Thence S89°11'17"W a distance of 5,960.98 feet to a point on the East right-of-way line for State Road No. 31; Thence along the East right-of-way line for State Road No. 31, the following courses and distances: S00°48'43"E a distance of 2,976.13 feet and S00°34'01"W a distance of 786.25 feet; Thence S88°25'59"E a distance of 4,104.32 feet; Thence S00°01'22"E a distance of 2,084.04 feet; Thence S16°48'15"E a distance of 1,740.24 feet; Thence S03°11'59"W a distance of 1,325.85 feet; Thence S73°15'18"E a distance of 561.15 feet; Thence N58°20'29"E a distance of 577.75 feet; Thence S36°10'48"E a distance of 551.46 feet; Thence S85°25'58"E a distance of 385.80 feet; Thence S24°01'11"E a distance of 975.12 feet; Thence S57°46'34"E a distance of 530.20 feet; Thence S70°04'12"E a distance of 1,843.47 feet; Thence N63°01'21"E a distance of 1,214.99 feet; Thence S50°03'22"E a distance of 2,565.58 feet; Thence S13°56'09"W a distance of 1,953.80 feet; Thence S12°51'59"E a distance of 1,862.33 feet; Thence S71°59'01"W a distance of 448.53 feet; Thence N45°00'57"W a distance of 266.60 feet; Thence S69°50'23"W a distance of 1,104.27 feet; Thence S28°10'55"E a distance of 1,272.60 feet; Thence S62°45'03"W a distance of 4,638.30 feet; Thence S82°12'01"W a distance of 711.48 feet; Thence S81°58'00"W a distance of 5,167.82 feet; Thence N77°54'41"W a distance of 707.32 feet; Thence N89°28'15"W a distance of 299.89 feet to a point on the East right-of-way line for State Road No. 31; Thence along the East right-of-way line for State Road No. 31, the following courses and distances: S00°31'45"W a distance of 4,197.71 feet, S00°26'10"W a distance of 5,282.33 feet and S00°38'46"W a distance of 5,337.00 feet to the Point of Beginning.

Containing 13,830.60 acres, more or less.

Dimensions and acreage shown are grid values.

Bearings hereinabove mentioned are based on the South line of Section 31, Township 42 South, Range 26 East to bear S89°41'45"E.

S:\10048201-01\Charlotti-Sketch and Description.dwg (1:1) - P (3) of Oct 23, 2007 - 7:39pm

JOHNSON
ENGINEERING

 251 WEST HICKPODCHIE AVENUE
LADLE, FLORIDA 33635
PHONE (813) 812-0284
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E.B. #842 & L.B. #842

 Babcock Ranch Community
Sketch Of Description

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
January 2007	20055693-602	31-42-26	As Shown	3

EXHIBIT B

(Expanded Fixed and Variable Criteria depicted on B-1 Master Concept Plan – Map H)

FIXED AND VARIABLE DEVELOPMENT CRITERIA FOR PROPOSED DEVELOPMENT OF +/- 13,630.6 ACRES LOCATED ON S.R. 31 IN CHARLOTTE COUNTY, FLORIDA BABCOCK RANCH

FIXED DEVELOPMENT CRITERIA

1. The total development within the BROD shall not exceed 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including the educational service center, schools, university facilities, libraries, places of worship, fire, EMS, and Sheriff facilities, regional and community park sitesfacilities, clubhouses and similar neighborhood amenities, which square footage will be additional and will not be attributed to other development components and will not require use of the equivalency matrix.
2. Agricultural uses shall be permitted throughout the Babcock Ranch Community.
3. There shall be a minimum of thirty-five (35%) percent Open Space provided overall.
4. Open Space/Conservation Easements shall be addressed during subsequent incremental submittals and recorded in the Public Records following final permitting.
5. When combined with non-residential development in the Lee County Babcock Mixed Use Planned Development District, the total non-residential development shall not exceed the total square footage in the Charlotte County Babcock Ranch Master Development of Regional Impact Development Order (as may be modified by the DRI's adopted Land Use Equivalency Matrix).
6. Solar arrays and related facilities are permitted in all of Increment 1 North Area, except in the Passive Greenway, Observation Greenway, and Conservation Easement Corridor.
7. Helicopter landing site and mosquito control building may be located in Greenways, except Corridor and Observation Greenways.

VARIABLE DEVELOPMENT CRITERIA

1. The following items will be refined during subsequent incremental reviews and/or final permitting:
 - a. Final acreages of all proposed uses;
 - b. Native habitat preservation, alteration, enhancement, mitigation, and conservation acreages may be modified based on stormwater lake design, other engineering requirements and final permitting;
 - c. The final location and allocation of civic facilities (i.e. internal parks, schools, emergency services buildings, etc.);
 - d. The internal road alignments and circulation;
 - e. The configuration and detail associated with the agriculture areas;
 - f. The final location, allocation, alignment and use of the conceptual trail system;
 - g. The location of vehicular access points, including existing temporary entry ways, to external public roadways; and
 - h. The limited transportation, pedestrian, and utility corridor between the northern most mixed use/residential/commercial area and North Babcock Area.
2. The boundaries of the areas shown as "Mixed Use/Residential/Commercial" (MURC) including Town Center, are conceptual in nature, and may be modified through the subsequent incremental review process. Specific uses to support "mixed use" "residential" or "commercial", included, but not limited to: parking, stormwater lakes, preservation areas, parks, or other space may be identified and refined during the review and/or through subsequent permitting consistent with local land development regulations.
3. Golf course/Recreation is allowed in MURC.
4. If it is determined that future Right-of-Way (ROW) is not required for SR 31 in the North Babcock Area, land identified for ROW may be used for development, in accordance with the MDO.

EXHIBIT C

The following indicates which application questions are to be addressed only in the MDO Application and which questions are to be addressed in both the AMDA ("Master") and the AIDA's ("Increment"). It also indicates those instances where only documentation required by the corresponding Incremental Review provision of this Master Development Order is to be provided ("Documentation").

AMDA and AIDA Questionnaire Responses

Question	1, Statement of Intent	Master, Increment
Questions	2, 3 Applicant Information	Master, Increment
Question	4, Notarized Authorization	Master, Increment
Question	5, Legal Description	Master, Increment
Question	6, Binding Letter Status	Master
Question	7, Local Government Jurisdiction	Master
Question	8, Permitting Status	Master, Increment
Question	9, Maps (All)	Master
Question	9, Maps B, F, G, H, I, J	Increment
Question	10, Part 1, Project Description	Master, Increment (Only Part 1A)
Question	10, Part 2, Comprehensive Plan	Master
Question	10, Part 3, Demographics	Master
Question	10, Part 4, Impact Summary	Master
Question	11, Revenue Generation	Master
Question	12, Vegetation and Wildlife	Master, Increment
	(MDO Condition 6)	
Question	13, Wetlands	Master, Increment
	(MDO Condition 6)	
Question	14, Water	Master, Increment
	(MDO Condition 4)	
Question	15, Soils	Master
Question	16, Floodplains	Master, See Stormwater
	Management	
	(MDO Condition 4)	
Question	17, Water Supply	Master, Increment
	(MDO Condition 7)	
Question	18, Wastewater Management	Master, Documentation
	(MDO Condition 7)	
Question	19, Stormwater Management	Master, Increment
	(MDO Condition 4)	
Question	20, Solid Waste	Master, Documentation
	(MDO Condition 11)	
Question	20, Hazardous Waste	Master, Documentation
	(MDO Condition 11)	
Question	21, Transportation	Master, Increment
	(MDO Condition 5)	
Question	22, Air	Master
	(MDO Condition 12)	

EXHIBIT C**AMDA and AIDA Questionnaire Responses, (continued)**

Question	23, Hurricane Preparedness	Master, Documentation (MDO Condition 13)
Question	24, Housing	Master (MDO Condition 3)
Question	25, Police and Fire Protection	Master, Documentation (MDO Condition 10)
Question	26, Recreation/Open Space	Master, Documentation (MDO Condition 14)
Question	27, Education	Master (MDO Condition 9)
Question	28, Health Care	Master, Documentation (MDO Condition 15)
Question	29, Energy	Master, Documentation (MDO Condition 16)
Question	30, Historical/Archaeological	Master, Documentation (MDO Condition 8)
Question	33, Hospitals	Master, Documentation (MDO Condition 15)
Question	35, Mining Operations	Master, Documentation (MDO Condition 17)

EXHIBIT D

Exhibit D					SITE & BUILDING	
SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION					DEDICATION/CONSTRUCTION TIME LINE	
Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations	The criteria for determining public facility shell completion and/or land dedication shall be by population or residential certificate of occupancy ("C/O") referenced below.	
Community Services						
Parks	200 acres containing total park points of 715 *1	n/a	n/a	n/a		
Library Component	4	1	12,000 *2 (8,000 optional County participation)	12,000 SF- prior to reaching 17,500 persons 8,000 SF optional County participation- prior to reaching 20,000 persons	12,000 SF *10	8,000 SF optional County participation *10
Extension Services						
Mosquito Control pre-fab building (shell only)	1	1	39,993,000 *3	Prior to reaching 12,500 persons	*10	
Fire/Rescue/Law Enforcement						
Site #1 Sheriff	1.8	1	12,500	October 1, 2024	*10	
Site #1 Fire	1.5	1	12,160	October 1, 2024	*10	
One Ladder Truck *4	n/a	n/a	n/a	October 1, 2024		
One EMS Vehicle	n/a	n/a	n/a	500th C/O	COMPLETE	
One permanent helicopter landing site*5	0.25	1	n/a	October 1, 2024	*10	
Site #2 Fire	2	1	8,500	2nd Fire Station by 12,500 persons or 400,000 square feet of non-residential within Increment 2, whichever will be achieved first.	*10	
Site #3 Fire	2	1	8,500	3rd Fire Station by 12,500 persons or 400,000 square feet of non-residential within Increment 3, whichever will be achieved first.	*10	
Fire & Police Communications Tower Site	0.25+	1	n/a	Site identification and dedication by 1,500th C/O	COMPLETE	
Interim Sheriff's Sub-station Office Trailer and Site *6	n/a	1	24'W x 60' overall	The later of the issuance of the 100th residential C/O or upon written request of Sheriff's Dept.	COMPLETE	

EXHIBIT D COMPLETE

Interim EMS Sub-Station n/a 1 n/a
Site *7

Public Facilities

County Annex - "County n/a n/a 20,000 By 17,500 persons,*8
Hall" *10

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
Schools *9				
Elementary Schools	Up to 60 (20 per school)	3	n/a *9	
			Middle Schools	Up to 30.0 4 n/a
			High Schools	Up to 50.0 4 n/a
			Educational Service Center	25 4 n/a

SITE & BUILDING DEDICATION TIME LINE

The criteria for determining public facility shell completion and/or land dedication shall be by residential certificate of occupancy ("C/O")

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

Notes to Exhibit 'D'

*1 Parks to be dedicated to ISD or a POA. Park acreage is not required to be allocated equally among the various increment boundaries or identified in a specific increment. Park points will be calculated in accordance with the Charlotte County Parks & Recreation Master Plan Update 2015-2050 or as otherwise agreed upon by the County and Developer as part of the bi-annual meetings referenced in Footnote 10 below.

*2 Phased Library option. The County and the Developer and/or District agree to cooperate with respect to the design, construction, and funding of this library facility. The Developer shall be required to fund the construction of a 12,000 SF library shell building. The County may desire to construct a library facility totaling 20,000 SF. If so, the Developer shall fund the library shell building costs for 12,000 SF and the County shall fund the construction of the library shell building costs for 8,000 SF in addition to the construction completion of the library facility described herein.

*3 Pre-fab building to include two offices, two bays for vehicle and equipment, and chemical storage. This facility shall be ADA compliant and shall include all required utilities, parking, and landscaping.

*4 Developer and/or District will provide funding up to one million two hundred thousand dollars (\$1,200,000) towards the purchase of a ladder truck and County will be responsible for funding any remaining cost of the ladder truck.

*5 Helicopter landing site may also be used by mosquito control, and co-located with the Mosquito Control pre-fab building (shell only).

*6 An interim sheriff's sub-station office trailer (24'W x 60' overall length) will be fully operational the later of the issuance of the 100th residential C/O or upon written request of Sheriff's Department and will be terminated upon the opening of the Sheriff's facility. COMPLETE

*7 Provide site work and utility connections for interim EMS station 9 expansion

*8 A County Annex building will be constructed on County owned land. This facility will be designed as a gathering place for community residents, and as County Commission and key staff satellite offices. Appropriate operations shall be served from this facility. The County, at its option, may increase the size of the County Annex and fund said expansion.

*9 School sites may be dedicated to a charter school(s), in accordance with the First Amendment to the Babcock Ranch School Site Dedication Agreement dated July 22, 2016. School sites will be located, based on appropriateness of site and anticipated demographic makeup of each increment. School site locations will be provided for the DPI, but are not

General Notes:

1) All dedications and construction, required under this schedule, shall be completed and turned over based on a population or residential dwelling unit certificate of occupancy use threshold required above or as otherwise agreed to by the parties.

2) The shell building construction required above shall be completed by the Developer one (1) year prior to the trigger referenced in the column entitled 'Commencement of Operations'.

EXHIBIT D

~~allocated to a specific increment.~~ *9 School Board criteria for land dedication per the School Site Dedication Agreement.

*10 County and Developer shall meet bi-annually to discuss the next five (5) years of development projections, such projections shall include the projected population and square footage for non-residential development, including but not limited to retail, office, industrial, ancillary facilities, etc. The population projection shall be based on 2.5 persons per unit. The development projections shall also be coordinated with the emergency response zones to meet the service requirements. The site and building dedication/construction timing for each public facility will be agreed upon in writing as part of the bi-annual meetings.

EXHIBIT F

Master (Buildout 2040) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – 66%

EXHIBIT F
BABCOCK RANCH COMMUNITY MASTER TRAFFIC STUDY UPDATE (2020)
MASTER (BUILDOUT - 2040) ROADWAY NETWORK
Page 1 of 2

Initial Internal Capture Rate - 22%
(Transportation Condition B.1(c))⁽¹⁾

SIGNIFICANTLY AND ADVERSELY IMPACTED ROADWAYS			E+C # OF LANES	NEEDED IMPROVEMENTS FOR TRANSPORTATION DEFICIENCY WITHOUT BRC DRI ⁽²⁾	RECOMMENDED IMPROVEMENTS WITH BRC DRI ⁽³⁾	PROJECT-RELATED IMPROVEMENTS ⁽⁴⁾
Roadway	From	To				
Charlotte County						
SR 31 (Babcock Ranch Rd.)	Lee County Line	Cypress Pkwy.	2	None	Widen From 2L to 10L	Widen From 2L to 10L
	Lake Babcock Dr./Horseshoe Rd.	Greenway Blvd./Cook Brown Rd.	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	Greenway Blvd./Cook Brown Rd.	CR 74	2	None	Widen From 2L to 6L	Widen From 2L to 6L
	CR 74	DeSoto County Line	2	None	Widen From 2L to 4L	Widen From 2L to 4L
DeSoto County						
SR 31 (Babcock Ranch Rd.)	Charlotte County Line	CR 763 (Farm Rd.)	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	CR 763 (Farm Rd.)	CR 760 A	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	CR 760 A	N. of CR 760	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	N. of CR 760	SR 70	2	None	Widen From 2L to 4L	Widen From 2L to 4L
Lee County						
Broadway St. (Alva)	SR 80	North River Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Buckingham Rd.	Gunnery Rd.	Cemetery Rd.	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	Cemetery Rd.	Orange River Blvd.	2	None	Widen From 2L to 4L	None
	Orange River Blvd.	SR 80	2	None	Widen From 2L to 4L	None
Gunnery Rd.	Lee Blvd.	Buckingham Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Joel Blvd.	18th St.	SR 80	2	Widen From 2L to 4L	Widen From 2L to 6L	Widen From 4L to 6L
Littleton Rd.	Corbett Rd.	US 41	2	Widen From 2L to 4L	Widen From 2L to 4L	None
N. River Rd.	SR 31	Franklin Lock Rd.	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	Franklin Lock Rd.	Broadway Rd.	2	None	Widen From 2L to 4L	Widen From 2L to 4L
Orange River Blvd.	SR 80	Staley Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Ortiz Ave.	Colonial Blvd.	SR 82	2	Widen From 2L to 4L	Widen From 2L to 4L	None
	SR 82	Luckett Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 884 (Colonial Blvd.)	CR 865/Ortiz Ave.	I-75	6	Widen From 6L to 10L	Widen From 6L to 12L	Widen From 10L to 12L
SR 80 WB (First St.)	SR 739/US 41 Bus (Fowler St.)	SR 80/Seaboard St.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 80 (Palm Beach Blvd.)	SR 80/Seaboard St.	Veronica Shoemaker Blvd.	4	None	Widen From 4L to 6L	Widen From 4L to 6L
	Veronica Shoemaker Blvd.	CR 80B (Ortiz Ave.)	4	None	Widen From 4L to 6L	Widen From 4L to 6L
	I-75	SR 31 (Babcock Ranch Rd.)	6	None	Widen From 6L to 8L	Widen From 6L to 8L
	SR 31 (Babcock Ranch Rd.)	CR 80A/Buckingham Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	Broadway St/CR 78	CR 884 (Joel Blvd.)	4	None	Widen From 4L to 6L	Widen From 4L to 6L
SR 80 EB (Second St.)	SR 739 (Fowler St.)	SR 739 (Park Ave.)	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	SR 739 (Park Ave.)	SR 80 (Palm Beach Blvd.)	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 78 (Pine Island Rd.)	Del Prado Blvd.	W. of CR 78A/Pondella Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	W. of CR 78A/Pondella Rd.	SR 45/US 41 (Cleveland Ave.)	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 78 (Bayshore Rd.)	SR 45/US 41 (Cleveland Ave.)	New Post Rd./Hart Rd.	4	Widen From 4L to 6L	Widen From 4L to 8L	Widen From 6L to 8L
	New Post Rd./Hart Rd.	W. of Willow Stream Ln.	4	Widen From 4L to 6L	Widen From 4L to 8L	Widen From 6L to 8L
	W. of Willow Stream Ln.	W. of Pritchett Pkwy.	4	Widen From 4L to 6L	Widen From 4L to 8L	Widen From 6L to 8L
	W. of Pritchett Pkwy.	Pritchett Pkwy.	4	None	Widen From 4L to 6L	Widen From 4L to 6L
	Pritchett Pkwy.	Old Bayshore Rd.	2	None	Widen From 2L to 4L	Widen From 2L to 4L
	Old Bayshore Rd.	SR 31	2	None	Widen From 2L to 4L	Widen From 2L to 4L
SR 93/I-75	SR 884/Colonial Blvd.	SR 82/Immokalee Rd.	6	None	Widen From 6L to 8L	Widen From 6L to 8L
	SR 82/Immokalee Rd.	Luckett Rd.	6	None	Widen From 6L to 8L	Widen From 6L to 8L
SR 31 (Babcock Ranch Rd.)	SR 80	SR 78	2	Widen From 2L to 4L	Widen From 2L to 8L	Widen From 4L to 8L
	SR 78	Old Rodeo Dr.	2	Widen From 2L to 4L	Widen From 2L to 10L	Widen From 4L to 10L
	Old Rodeo Dr.	CR 78/N. River Rd.	2	Widen From 2L to 4L	Widen From 2L to 10L	Widen From 4L to 10L
	CR 78/N. River Rd.	Shirley Ln.	2	Widen From 2L to 4L	Widen From 2L to 12L	Widen From 4L to 12L
	Shirley Ln.	Fox Hill Rd.	2	Widen From 2L to 4L	Widen From 2L to 12L	Widen From 4L to 12L
	Fox Hill Rd.	Busbee Ln.	2	Widen From 2L to 4L	Widen From 2L to 10L	Widen From 4L to 10L
	Busbee Ln.	Charlotte County Line	2	None	Widen From 2L to 10L	Widen From 2L to 10L

Footnotes:

- Roadway Network based on initial internal capture rate of 22% as mandated by the review agencies.
Subject to adjustment based on Master Traffic Study Updates per Master Development Order.
Per AMDA Development Order, initial capture rate of 22% controls for first Increment and subsequent Increment until such time that Exhibit F is revised and updated.
- Transportation Deficient facility as defined in Chapter 163.3180, F.S.
- Recommended and Project-Related improvements are presented for information purpose only.
Transportation mitigation assessment is not applicable at the Master DRI level. All transportation mitigation are assessed at the Incremental DRI level.
- Roadway Network based on Developer's estimated community capture rate (Daily = 70%, Peak Hour = 66%) of a new town.
Subject to adjustment based on Master Traffic Study Updates per Master Development Order.
- Per FDOT SR 31 SEIR/PD&E Study.



EXHIBIT F

Master (Buildout 2040) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – 66%

EXHIBIT F (Continued)
BABCOCK RANCH COMMUNITY MASTER TRAFFIC STUDY UPDATE (2020)
MASTER (BUILDOUT - 2040) ROADWAY NETWORK
Page 2 of 2

Developer's Estimated Community Capture Rate - 66%
(Transportation Condition B.1)(b) ⁽¹⁾

SIGNIFICANTLY AND ADVERSELY IMPACTED ROADWAYS			E+C # OF LANES	NEEDED IMPROVEMENTS FOR TRANSPORTATION DEFICIENCY WITHOUT BRC DRI ⁽²⁾	RECOMMENDED IMPROVEMENTS WITH BRC DRI ⁽³⁾	PROJECT-RELATED IMPROVEMENTS ⁽³⁾
Roadway	From	To				
Charlotte County						
SR 31 (Babcock Ranch Rd.)	Lee County Line	Cypress Pkwy.	2	None	Widen From 2L to 6L ⁽³⁾	Widen From 2L to 6L
	Cypress Pkwy.	Lake Babcock Dr./Horseshoe Rd.	2	None	Widen From 2L to 4L ⁽³⁾	Widen From 2L to 4L
	Lake Babcock Dr./Horseshoe Rd.	Greenway Blvd./Cook Brown Rd.	2	None	Widen From 2L to 4L ⁽³⁾	Widen From 2L to 4L
	Greenway Blvd./Cook Brown Rd.	CR 74	2	None	Widen From 2L to 4L	Widen From 2L to 4L
Lee County						
Broadway St.	SR 80	North River Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Buckingham Rd.	Cemetery Rd.	Orange River Blvd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
	Orange River Blvd.	SR 80	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Gunnery Rd.	Lee Blvd.	Buckingham Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Joel Blvd.	18th St.	SR 80	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Orange River Blvd.	SR 80	Staley Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 80 WB (First St.)	SR 739/US 41 Bus (Fowler St.)	SR 80/Seaboard St.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 80 (Palm Beach Blvd.)	SR 31 (Babcock Ranch Rd.)	CR 80A/Buckingham Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 80 EB (Second St.)	SR 739 (Park Ave.)	SR 80 (Palm Beach Blvd.)	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 78 (Pine Island Rd.)	W. of CR 78A/Pondella Rd.	SR 45/US 41 (Cleveland Ave.)	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 78 (Bayshore Rd.)	SR 45/US 41 (Cleveland Ave.)	New Post Rd./Hart Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	New Post Rd./Hart Rd.	W. of Willow Stream Ln.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	W. of Willow Stream Ln.	W. of Pritchett Pkwy.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 31 (Babcock Ranch Rd.)	SR 80	SR 78	2	Widen From 2L to 4L	Widen From 2L to 4L	None
	SR 78	Old Rodeo Dr.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽³⁾	Widen From 4L to 6L
	Old Rodeo Dr.	CR 78/N. River Rd.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽³⁾	Widen From 4L to 6L
	CR 78/N. River Rd.	Shirley Ln.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽³⁾	Widen From 4L to 6L
	Shirley Ln.	Fox Hill Rd.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽³⁾	Widen From 4L to 6L
	Fox Hill Rd.	Busbee Ln.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽³⁾	Widen From 4L to 6L
	Busbee Ln.	Charlotte County Line	2	None	Widen From 2L to 6L ⁽³⁾	Widen From 2L to 6L

Footnotes:

- Roadway Network based on initial internal capture rate of 22% as mandated by the review agencies. Subject to adjustment based on Master Traffic Study Updates per Master Development Order. Per AMDA Development Order, initial capture rate of 22% controls for first Increment and subsequent Increment until such time that Exhibit F is revised and updated.
- Transportation Deficient facility as defined in Chapter 163.3180, F.S.
- Recommended and Project-Related improvements are presented for information purpose only. Transportation mitigation assessment is not applicable at the Master DRI level. All transportation mitigation are assessed at the Incremental DRI level.
- Roadway Network based on Developer's estimated community capture rate (Daily = 70%, Peak Hour = 66%) of a new town. Subject to adjustment based on Master Traffic Study Updates per Master Development Order.
- Per FDOT SR 31 SEIR/PD&E Study.



EXHIBIT F

Master (Buildout 2040) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – 66%

EXHIBIT F (Continued)
BABCOCK RANCH COMMUNITY MASTER TRAFFIC STUDY UPDATE (2020)
MASTER (BUILDOUT - 2040) ROADWAY NETWORK
Page 2 of 2

Developer's Estimated Community Capture Rate - 66%
(Transportation Condition B (1)(b))⁽⁵⁾

SIGNIFICANTLY AND ADVERSELY IMPACTED ROADWAYS			E&C # OF LANES	NEEDED IMPROVEMENTS FOR TRANSPORTATION DEFICIENCY WITHOUT BRC DRI ⁽²⁾	RECOMMENDED IMPROVEMENTS WITH BRC DRI ⁽²⁾	PROJECT-RELATED IMPROVEMENTS ⁽³⁾
Roadway	From	To				
Charlotte County						
SR 31 (Babcock Ranch Rd.)	Lee County Line	Cypress Pkwy.	2	None	Widen From 2L to 6L ⁽⁵⁾	Widen From 2L to 6L
	Cypress Pkwy.	Lake Babcock Dr/Horseshoe Rd	2	None	Widen From 2L to 4L ⁽⁵⁾	Widen From 2L to 4L
	Lake Babcock Dr/Horseshoe Rd	Greenway Blvd/Cook Brown Rd	2	None	Widen From 2L to 4L ⁽⁵⁾	Widen From 2L to 4L
	Greenway Blvd/Cook Brown Rd	CR 74	2	None	Widen From 2L to 4L	Widen From 2L to 4L
Lee County						
Broadway St.	SR 80	North River Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Buckingham Rd.	Cemetery Rd.	Orange River Blvd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
	Orange River Blvd.	SR 80	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Gunnery Rd.	Lee Blvd.	Buckingham Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Joel Blvd.	18th St.	SR 80	2	Widen From 2L to 4L	Widen From 2L to 4L	None
Orange River Blvd.	SR 80	Staley Rd.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 80 WB (First St.)	SR 739/US 41 Bus (Fowler St.)	SR 80/Seaboard St.	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 80 (Palm Beach Blvd.)	SR 31 (Babcock Ranch Rd.)	CR 80A/Buckingham Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 80 EB (Second St.)	SR 739 (Park Ave.)	SR 80 (Palm Beach Blvd.)	2	Widen From 2L to 4L	Widen From 2L to 4L	None
SR 78 (Pine Island Rd.)	W. of CR 78A/Pondella Rd.	SR 45/US 41 (Cleveland Ave.)	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 78 (Bayshore Rd.)	SR 45/US 41 (Cleveland Ave.)	New Post Rd/Hart Rd.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	New Post Rd/Hart Rd.	W. of Willow Stream Ln.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
	W. of Willow Stream Ln.	W. of Pritchett Pkwy.	4	Widen From 4L to 6L	Widen From 4L to 6L	None
SR 31 (Babcock Ranch Rd.)	SR 80	SR 78	2	Widen From 2L to 4L	Widen From 2L to 4L	None
	SR 78	Old Rodco Dr.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽⁵⁾	Widen From 4L to 6L
	Old Rodco Dr.	CR 78/N. River Rd.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽⁵⁾	Widen From 4L to 6L
	CR 78/N. River Rd.	Shirley Ln.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽⁵⁾	Widen From 4L to 6L
	Shirley Ln.	Fox Hill Rd.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽⁵⁾	Widen From 4L to 6L
	Fox Hill Rd.	Buabeo Ln.	2	Widen From 2L to 4L	Widen From 2L to 6L ⁽⁵⁾	Widen From 4L to 6L
	Buabeo Ln.	Charlotte County Line	2	None	Widen From 2L to 6L ⁽⁵⁾	Widen From 2L to 6L

Footnotes:

- (1) Roadway Network based on initial internal capture rate of 22% as mandated by the review agencies. Subject to adjustment based on Master Traffic Study Updates per Master Development Order. Per AMDA Development Order, initial capture rate of 22% controls for first Increment and subsequent Increment until such time that Exhibit F is revised and updated.
- (2) Transportation Deficient facility as defined in Chapter 163.3180, F.S.
- (3) Recommended and Project-Related improvements are presented for information purpose only. Transportation mitigation assessment is not applicable at the Master DRI level. All transportation mitigation are assessed at the Incremental DRI level.
- (4) Roadway Network based on Developer's estimated community capture rate (Daily = 70%, Peak Hour = 66%) of a new town. Subject to adjustment based on Master Traffic Study Updates per Master Development Order.
- (5) Per FDOT SR 31 SEIR/PO&E Study.



EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

A. Representations and Commitments as Conditions.

(1) Increments 1,2, and 3

In accordance with the MDO, each Incremental traffic study will include any previously evaluated Increment as Project traffic. Mitigation provided by any previously evaluated Increment shall be credited to the overall impact of the Project.

a. Developer shall be fully responsible for the required site-related roadway and intersection improvements associated with Increments 1, 2, and 3 as set forth herein. Site-related improvements include, but are not limited to, the following: site driveways and roads; median cuts made necessary by those driveways or roads; right-turn, left-turn, and deceleration or acceleration lanes leading to or from those driveways or roads; traffic control measures for those driveways or roads; and roads or intersection improvements whose primary purpose at the time of construction is to provide access to the development. The specific site-related improvements shall be subject to review and approval under the Site Plan Review process as provided in Section 3-9-7 of the Code of Laws and Ordinances of Charlotte County, Florida ("Code"), and coordination with FDOT. The cumulative site-related improvements for Increments 1, 2, and 3 are as follows:

a. SR 31 / Cypress Parkway (D-D)

- Signalization
- Widen SR 31 to 6L

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- 1 NB Left-Turn Lane
- 1 NB Right-Turn Lane
- 1 SB Left-Turn Lane
- 1 EB Left/Thru/Right Turn Lane
- 3 WB Left-Turn Lanes
- 1 WB Thru/RT Lane

b. SR 31 / Horseshoe Road / Lake Babcock Drive (C-C)

- Multilane Roundabout
- Widen SR 31 to 4L
- 1 NB LT/Thru Lane
- 1 NB Thru/RT Lane
- 1 SB LT/Thru Lane
- 1 SB Thru/RT Lane
- 1 EB LT/Thru/RT Lane
- 1 WB Left-Turn Lane
- 1 WB LT/Thru/RT Lane
- 1 WB Right-Turn Lane

c. SR 31 / Cook Brown Road/Greenway Boulevard (B-B)

- Multilane Roundabout
- Widen SR 31 to 4L
- 1 NB LT/Thru Lane
- 1 NB Thru/RT Lane

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BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
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- 1 SB LT/Thru Lane
- 1 SB Thru/RT Lane
- 1 EB LT/Thru/RT Lane
- 1 WB LT/Thru/RT Lane

d. SR 31 / Increment 1 North Project Entrance/Hercules

Grade

- Add NB Right-Turn Lane
- Add SB Left-Turn Lane
- Add WB Left-Turn/Right-Turn Lane

Construction of ingress and egress driveways, as necessary
along SR 31.

b. The cumulative off-site traffic impacts of Increments 1, 2, and 3 through
2038, as estimated by the AIDA traffic analysis are identified in Exhibit
J, which is attached hereto and incorporated herein by reference. These
off-site traffic impacts have been accepted by FDOT, Charlotte County,
Lee County, and the SWFRPC, as the cumulative impacts resulting from
Increments 1, 2, and 3.

1. The mutually agreed upon significantly and adversely impacted
roadways for Increments 1, 2, and 3 that are not transportation
deficient, and the identified improvements for Increments 1, 2,
and 3 are:

a. SR 31 from SR 78 to Old Rodeo Drive

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- Widen from 4 to 6 Lanes
- b. SR 31 from Old Rodeo Drive to North River Road
 - Widen from 4 to 6 Lanes
- c. SR 31 from North River Road to Shirley Lane
 - Widen from 4 to 6 Lanes
- d. SR 31 from Shirley Lane to Fox Hill Road
 - Widen from 4 to 6 Lanes
- e. SR 31 from Fox Hill Road to Busbee Lane
 - Widen from 4 to 6 Lanes
- f. SR 31 from Busbee Lane to Charlotte/Lee County Line
 - Widen from 4 to 6 Lanes
- g. SR 31 from Charlotte/Lee County Line to Cypress Parkway
 - Widen from 4 to 6 Lanes
- h. SR 31 from Lake Babcock Drive to Greenway Boulevard
 - Widen from 2 to 4 Lanes
- i. SR 78 from Old Bayshore Road to SR 31
 - Widen from 2 to 4 Lanes
- j. SR 78 from Pritchett Parkway to Old Bayshore Road
 - Widen from 2 to 4 Lanes

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

2. The mutually agreed upon significantly and adversely impacted intersections, that are not transportation deficient, and the identified improvements for Increments 1, 2, and 3 are:

a. SR 78 / I-75 (West Ramp)

- Add SB Left-Turn Lane
- Add WB Left-Turn Lane

b. SR 80 / Orange River Boulevard

- Add NB Left-Turn Lane

c. SR 80 / SR 31

- Reconfigure NB Thru/Left-Turn Lane to Thru Lane
- Add 2 SB Left-Turn Lanes
- Reconfigure SB Thru/Left-Turn Lane to Thru Lane
- Add SB Right-Turn Lane
- Add 2 EB Left-Turn Lanes
- Add WB Left-Turn Lane

d. SR 31 / SR 78

- Realign Intersection from Interim to Ultimate

Alignment with:

- a. 2 NB Left-Turn Lane
- b. 2 NB Thru Lanes
- c. 2 SB Thru Lanes
- d. 1 SB Right-Turn Lane

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BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- e. 3 EB Left-Turn Lanes
- f. 1 EB Right-Turn Lane
- e. SR 31 / North River Road
 - Convert interim roundabout to ultimate traffic signal
consistent with the SR 31 PD&E Study:
 - a. 1 NB Left-Turn Lane
 - b. 3 NB Thru Lanes
 - c. 1 NB Right-Turn Lane
 - d. 2 SB Left-Turn Lanes
 - e. 3 SB Thru Lanes
 - f. 1 SB Right-Turn Lane
 - g. 1 EB Left-Turn Lane
 - h. 1 EB Thru/RT Lane
 - i. 1 WB Left-Turn Lane
 - j. 1 WB Thru/RT Lane
 - k. 1 WB Right-Turn Lane
 - Add NB Auxiliary Thru Lane
 - Add EBL
 - Add WBL

The Cumulative (with Increments 1, 2 and 3) proportionate share of the improvements, as shown on Exhibit K, has been calculated consistent with F.S. 163.3180. The proportionate share calculation was based on 5,899 pm peak hour two-way external

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

trips and 5,869 pm peak hour two-way net new trips assigned to the external road network established by the AIDA traffic analysis. The calculated cumulative proportionate share for Increments 1, 2, and 3 is \$50,937,226 based upon the proportionate share percentages as calculated per lane mile for each improvement as shown on Exhibit K. The proportionate share percentages have been accepted by Charlotte County and FDOT for Increments 1, 2, and 3, recognizing that the actual costs may increase or decrease based upon the final actual costs of the agreed upon improvements.

3. The agreed upon mitigation of the significantly and adversely impacted roadways and intersection improvements identified in Condition A.(1).b.1. and 2., accepted by Charlotte County and FDOT shall be the following schedule of listed improvements and date certain payment provisions

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

Reference #	Item ⁽¹⁾	Mitigation Commitments ⁽⁷⁾	Anticipated Start Date ⁽²⁾
1	<u>Off-Site Road Segments</u>		
	<u>SR 31</u>		
	<u>a. SR 78 to CR 78</u>		
	<u>-Widen from 2 to 4 lanes</u>		
	<u>-With infrastructure and grading provided for 6-lane expansion</u>		
	<u>- Includes intersection improvements</u>	\$20,960,000	Ongoing ⁽⁶⁾
	<u>b. CR 78 to Cypress Parkway</u>		
	<u>-Widen from 2 to 4 lanes</u>		
	<u>-With infrastructure and grading provided for 6-lane expansion</u>		
	<u>- Includes intersection improvements</u>	\$47,170,000	Ongoing ⁽⁶⁾
	<u>c. Cypress Parkway to Horseshoe Road</u>		
	<u>-Widen from 2 to 4 lanes</u>		
	<u>-Sidewalk one side</u>	\$7,730,000	Ongoing ⁽⁶⁾
	<u>Subtotal</u>	\$75,860,000	
	<u>d. Prior Project Contributions</u>		
	<u>(1) SEIR/PD&E Contribution</u>	\$1,350,000	Completed ⁽⁵⁾
	<u>(2) Previously completed and ongoing design, permitting, and survey associated with SR 31 widening</u>	\$2,342,000	Completed ⁽⁵⁾
	<u>(3) Previously constructed chain of lakes</u>	\$2,500,000	Completed ⁽⁵⁾
	<u>SR 31 Subtotal</u>	\$82,052,000	
2	<u>SR 31 Traffic Count Stations ⁽³⁾</u>	\$200,000	Installed at Cypress Parkway, Lake Babcock Drive, and Greenway Boulevard ⁽⁴⁾
	<u>Grand Total</u>	\$82,252,000	

Footnotes:

(1) Subject to agreement between FDOT and the Developer, the scope of the schedule of improvements may be increased with credit for any increased cost funded by the Developer reimbursed consistent with Condition A.1.b.6.

(2) Dates are anticipated and subject to adjustment by Developer and FDOT without a need to amend this IDO. Start dates, as well as the associated mitigation requirements, contained within the IDO are subject to extension under Section 252.363, Florida Statutes.

(3) The cost of the permanent count station equipment will be credited against the DRI's traffic mitigation obligation per MDO Condition 5.B.(7).

(4) Traffic Count Stations to be installed at Project Entrances, as the Project Entrances are built.

(5) These tasks have been mitigated by Developer to facilitate completion of required improvements. The paid mitigation is creditable towards future assessments consistent with Condition A.1.b.6.

(6) The interim improvements identified in the SR 31 PD&E Study are anticipated to be completed by year 2025.

(7) Includes FDOT State Infrastructure Bank Loan Improvement Cost Estimate of \$75,860,197. Proportionate share obligations for the off-site impacts are considered to be pipelined towards SR 31 roadway improvements. Mitigation committed is in excess of proportionate share obligations for the off-site impacts.

4. The Developer shall (or indicate completion of):

- a. Initiate the below improvements of SR 31 to eventually
(during the full development of Babcock Ranch) result in
the four-laning of SR 31 from SR 78 to Horseshoe
Road/Lake Babcock Drive (Reference #1 above and i-ii
below). The improvements will consist of the following:

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- Funding in the amount of \$1,000,000 has been provided to the FDOT to facilitate the preparation of the Project Development and Environment Study (PD&E) and/or State Environmental Impact Report (SEIR) for SR31 from SR 78 to North River Road. This funding was used by the FDOT to prepare a complete PD&E Study or SEIR Study of SR 31 from SR 78 to North River Road.
 - On May 26, 2021, the Florida Department of Transportation (FDOT) granted Acceptance of the State Environmental Impact Report for State Road (SR) 31 from SR 78 to Cook Brown Road in Lee and Charlotte Counties.
 - The four-laning of SR 31 from SR 78 to Horseshoe Road/Lake Babcock Drive is anticipated to be completed by year 2025.
- b. Permanent traffic count stations were installed at Greenway Boulevard, Lake Babcock Drive, and Cypress Parkway.
5. FDOT has maintenance authority for SR 31 and the intersection improvements set forth above. Developer shall be responsible for the guaranteed construction of the above improvements, in accordance with the above schedule.

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BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
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6. If the cost of the mitigation provided by the Developer for Increments 1, 2, and 3 exceeds the proportionate share of the impacts resulting from mitigation by Increments 1, 2, and 3 of \$50,937,226 (as adjusted up or down in accordance with actual costs and based upon the accepted proportionate share percentages shown on Exhibit K), the Developer shall be entitled to a credit toward the overall impact of the Project for the cost of improvements beyond the proportionate share amount and receive mitigation credit for subsequent increments or phases, as provided in the MDO and applicable law. Developer, FDOT, and/or County may enter into a Transportation Credit Agreement to further delineate the terms and procedures for implementing credits for identified improvements set forth above in excess of the proportionate share of Increments 1, 2, and 3. Credit for the cost of additional improvements as set forth above shall be analyzed as part of the transportation analysis for future increments and be included in subsequent incremental development orders.
- c. Satisfaction of the required mitigation in the timeframes as outlined and compliance with the transportation provisions herein for Increments 1, 2, and 3, shall satisfy the road or traffic concurrency requirements of the Charlotte 2050 Comprehensive Plan, LDR, and the Charlotte County Concurrency Management System, through the later of December 31,

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

2038, or the buildout date of the most recently approved Increment. If the Developer proposes to extend the buildout date beyond the later of December 31, 2038, or the buildout date of the most recently approved Increment, the Developer and the County, during the development order amendment process pursuant to Section 380.06(7), Florida Statutes, shall re-evaluate the future traffic impact in a manner consistent with the MDO.

- d. DEO has determined that SR 31 is a Regionally Significant Roadway.
- e. County has exercised its discretion to accept this mitigation for Increments 1, 2, and 3.
- f. Improvements to the facilities outlined above shall be mitigated at the time that a road segment or intersection is expected to operate below the level of service standard adopted in County's Comprehensive Plan. If the road or the intersection operates below the adopted level of service, no building permits for residential and non-residential development shall be issued unless the improvements are: a) complete, b) under construction, c) the subject of a clearly identified, executed and recorded local government development agreement consistent with Sec. 163.3220 through 163.3423, F.S., ensuring completion concurrent with impacts; d) the subject of a binding commitment ensuring completion concurrent with impacts or e) the DRI's proportionate share mitigation may be pipelined into specific improvements as deemed necessary and mutually agreed upon between FDOT and the developer.

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BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

(2) Total mitigation paid for the project shall be reflected in the Biennial
Report.

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EXHIBIT H MDO LAND USE EQUIVALENCY MATRIX (LUEM)

EXHIBIT H

Table EM-1: Babcock Ranch Community - Incremental (Cumulative DRI) Equivalency Matrix

Land Use Equivalent To	Unit	Single-Family (1 d.u.)	Multifamily (1 d.u.)	Age-Restricted Residential (1 d.u.)	Assisted Living Facility (1 bed)	Retail (1,000 sq. ft.)	General Office (1,000 sq. ft.)	Medical Office (1,000 sq. ft.)	Industrial - General Light (1,000 sq. ft.)	Industrial (1,000 sq. ft.)	Hotel / Motel (1 room)	RV Park (1 site)	Civic / Government (1,000 sq. ft.)
Single-Family	d.u.	NA	0.58	0.40	0.32	3.62	1.54	5.45	0.44	0.45	0.93	0.36	2.31
Multifamily	d.u.	1.71	NA	0.69	0.55	6.21	2.65	9.35	0.76	0.78	1.60	0.62	3.95
Age-Restricted Residential ¹	d.u.	2.48	1.45	NA	0.80	8.99	3.83	13.52	1.10	1.13	2.31	0.90	5.72
Assisted Living Facility	bed	3.11	1.81	1.25	NA	11.27	4.80	16.96	1.38	1.42	2.90	1.13	7.17
Retail	sq. ft.	280	160	110	90	NA	430	1,500	120	130	260	100	640
General Office	sq. ft.	650	380	260	210	2,350	NA	3,530	250	300	600	230	1,490
Medical Office	sq. ft.	180	110	70	60	660	280	NA	80	80	170	70	420
Industrial - General Light	sq. ft.	2,250	1,310	910	720	8,170	3,480	12,290	NA	1,030	2,100	820	5,200
Industrial ²	sq. ft.	2,199	1,280	880	700	7,930	3,350	11,950	970	NA	2,040	790	5,050
Hotel / Motel	room	1.07	0.63	0.43	0.35	3.89	1.66	5.85	0.48	0.49	NA	0.39	2.48
RV Park ³	site	2.76	1.61	1.11	0.89	9.98	4.26	15.02	1.22	1.26	2.57	NA	6.36
Civic / Government	sq. ft.	430	250	170	140	1,570	670	2,860	750	760	400	160	NA

Table EM-2: BRC - Incremental (Cumulative DRI) Trip Generation

Land Use	ITE Land-Use Code	BRC Incremental DRI ⁴ (Cumulative DRI)		Incremental (Cumulative DRI) Trip Generation Estimate ⁵ Effective Trip Rate (PM Peak Hour, Two-Way)
		Trip Generation (PM Peak, Two-way)	Size	
Residential				
Single-Family	210	9,252	12,435	0.74 trips/d.u.
Multifamily	220	2,358	5,435	0.43 trips/d.u.
Age-Restricted Residential ¹	251	n/a	n/a	0.30 trips/d.u.
Assisted Living Facility	254	100	418	0.24 trips/bed
Non-Residential				
Retail	820	3,774	1,400,000	2.70 trips/1,000 sq. ft.
General Office	710	1,000	370,000	1.15 trips/1,000 sq. ft.
Medical Office	720	933	230,000	4.06 trips/1,000 sq. ft.
Industrial - General Light	110	66	200,000	0.33 trips/1,000 sq. ft.
Industrial ²	130	n/a	n/a	0.34 trips/1,000 sq. ft.
Hotel / Motel	310	416	600	0.69 trips/room
RV Park ³	416	n/a	n/a	0.27 site
Civic / Government	730	127	74,000	1.72 trips/1,000 sq. ft.

Source: Institute of Transportation Engineers (ITE), *Trip Generation*, 10th Edition.**Notes:**

- Includes Senior Adult Housing, Active Adult Residential and Retirement Community - Master DRI.
- Includes Industrial Park and Research & Development Park.
- Recreational Vehicle Park - MDO.
- Refer to Appendix 21-1 (Page 48), Trip Generation - With BRC DRI, Babcock Ranch Community DRI - Incremental 3 (2022), November, 2022.
- The effective trip rate based on the ITE trip generation equation (fitted curve), where applicable. Otherwise, standard ITE average rate assumed.

EXHIBIT J CUMULATIVE FUTURE (2038) TRAFFIC CONDITIONS WITH PROJECT DIRECTIONAL PEAK HOUR PEAK SEASON

EXHIBIT J
(Page 2 of 3)

EXHIBIT 11.7-3D

EMCOCK RANCH COMMUNITY

INCREMENT 1 (R072)

FUTURE 2038 TRAFFIC CONDITIONS WITH INC DRI - ROADWAY SEGMENT ANALYSIS

LEL COUNTY

[illegible]

dpe

EXHIBIT F

Master (Buildout 2040) Roadway Network with Initial Internal Capture Rate—22% and with Developer's Estimated Community Capture Rate—71%

EXHIBIT K CUMULATIVE FUTURE (2038) TRAFFIC CONDITIONS WITH PROJECT DIRECTIONAL PEAK HOUR PEAK SEASON

EXHIBIT K
(Page 1 of 2)

BABCOCK RANCH COMMUNITY DRI

Cumulative (Increments 1-3) Proportionate Share Cost Estimates for Significant and Adverse Segments

Segment	Improvement	Length (miles)	Project Traffic	Capacity without Improvement	Capacity with Improvement	Capacity Added	Proportionate Share (%) ⁽⁴⁾	Total Cost (\$) ⁽⁵⁾	Proportionate Share (\$) ⁽⁵⁾
SR 31 Ultimate Improvements (includes widening and intersections)									
SR 31 from SR 78 to Cypress Parkway	SR 31 Ultimate 1 (6 lanes from SR 78 to Cypress Parkway)			100% prop share assumed				100%	\$13,885,000
SR 31 from Horseshoe Road to Cook Brown Road	SR 31 Ultimate 2 (4 lanes from Horseshoe Road to Cook Brown Road)			100% prop share assumed				100%	\$17,088,000
							Subtotal	\$30,973,000	\$30,973,000
SR 31 NB Auxiliary Thru Lane									
SR 31 (NB) from 800' south of North River Road to 800' north of Skirley Lane	Add 1 NB auxiliary thru lane	0.52		100% prop share assumed				100%	\$2,860,000
									\$2,860,000
SR 78 Widening									
SR 78 from Pritchett Parkway to Old Bayshore Road	Widen from 2 to 4 lanes	2.33	1079	1200	3280	2080	52%	\$19,106,000	\$9,911,238
SR 78 from Old Bayshore Road to SR 31	Widen from 2 to 4 lanes	0.67	1095	924	2100	1176	93%	\$5,494,000	\$5,115,587
							Subtotal	\$24,600,000	\$15,026,824
							Subtotal	\$58,433,000	\$48,859,824

1. Cost consistent with estimated cost from SR 31 PD&E Study Preliminary Engineering Report. Includes cost of intersection improvements identified in the PD&E Study.

2. Assumes cost per lane per mile = \$5,500,000.

3. Cost consistent with estimated cost from the Lee MPO LTRP Needs Plan (Table 4-1).

4. Proportionate Share % = (Project Trips) / [(Lane Group Capacities after project improvements) - (Lane Group Capacities before project improvements)].

5. Proportionate Share Cost = Proportionate Share % * Total Project Cost.

~~EXHIBIT F~~

CHG
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ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
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**BABCOCK RANCH COMMUNITY
INCREMENT 1**

DRI INCREMENTAL DEVELOPMENT ORDER

**BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

AMENDED MAY 23, 2023

MIN

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RESOLUTION NO. 2023-079

AN AMENDMENT AND RECODIFICATION OF AN INCREMENTAL DEVELOPMENT ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA FOR INCREMENT 1 OF THE BABCOCK RANCH COMMUNITY (CHARLOTTE COUNTY), A MASTER DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on January 16, 2009 Babcock Property Holdings, LLC ("Developer"), in accordance with Subsections 380.06(6) and (21), Florida Statutes, filed an Application for Incremental Development Approval ("AIDA") known as the Babcock Ranch Community, Increment 1 (hereinafter "BRC Increment 1" or "Increment 1" or "Project") with Charlotte County, Florida ("County") and the Southwest Florida Regional Planning Council ("SWFRPC"); and

WHEREAS, on December 13, 2007, the Board approved and adopted the ~~BRC Babcock Ranch Community~~ Master Development of Regional Impact Master DRI Development Order under Resolution 2007-196, as subsequently amended on June 17, 2008 by Resolution 2008-063; on December 15, 2009 by Resolution 2009-283; on December 13, 2011 by Resolution 2011-485; and on April 24, 2012 by Resolution 2012-024; and on July 25, 2017 by Resolution 2017-187 ("~~MDO~~"); and on June 12, 2018 by Resolution 2018-077 and on July 27, 2021 by Resolution 2021-108 ("MDO"); and

WHEREAS, on December 15, 2009, the Board of County Commissioners of Charlotte County, Florida ("Board") approved and adopted the ~~BRC Babcock Ranch Community~~ Increment 1 DRI Incremental Development Order under Resolution 2009-284, as subsequently amended on December 14, 2010 by Resolution 2010-112; on April 24, 2012 by Resolution 2012-024; on June 11, 2013 by Resolution 2013-033; on January 28 2014 by Resolution 2014-048; and on March 22, 2016 by Resolution 2016-034; and

on July 25, 2017 by Resolution 2017-188; and on June 12, 2018 by Resolution 2018-067 (~~"IDO";~~) and on May 26, 2020 by Resolution 2020-070; and

WHEREAS, the Developer has timely notified the County of the extension of the phase, expiration and buildout dates for the IDO, as well as the associated mitigation requirements under Section 73, Chapter 2011-139, Laws of Florida, and in accordance with Section 252.363, Florida Statutes, so that all phase, expiration and buildout dates, as well as associated mitigation dates contained within the IDO were cumulatively extended as hereinafter provided; and

WHEREAS, all of the agreements, studies, reports and other documents referenced in this IDO shall be kept on file with Charlotte County; and

~~WHEREAS, the Board, as the governing body of the unincorporated area of~~ Charlotte County having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider the ~~Notice of Proposed Change~~ (~~"NOPC"~~)requested amendments to the IDO for the BRC Increment 1; filed on June 30, 2022 ("Amendment"); and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, and the Charlotte County Land Development Regulations ("LDR"), which includes the County's Zoning Ordinance, have been satisfied for the ~~NOPC~~Amendment; and

WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and considered the County's staff report and ~~recommendations of the SWFRPC and held a~~ public hearing to consider the NOPCAmendment on April 10, 2023; and

WHEREAS, the issuance of a development order pursuant to Section 380.06, Florida Statutes, does not constitute a waiver of any powers or rights of County regarding the issuance of other development permits consistent herewith; and

WHEREAS, on May 23, 2023, the Board, at a public hearing in accordance with Section 380.06, Florida Statutes, having considered the NOPCAmendment submitted by Developer, the NOPCAmendment sufficiency questions from reviewing agencies and Developer's responses thereto, the documentary and oral evidence presented at the hearing before the Board, the report and recommendations of the Charlotte County Planning and Zoning Board, and the recommendations of County staff, makes the Findings of Fact and Conclusions of Law set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA THAT:

RECITALS

The recitals set forth above are true and correct and are incorporated herein and made a part hereof.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The real property constituting Increment 1 which is the subject of the NOPCAmendment, consists of approximately 5,095.22 acres, and is legally described as set forth in Exhibit A attached hereto and made a part hereof ("Property" or "Community").
2. The NOPCAmendment is consistent with Subsection 380.06(7), Florida Statutes.
3. The NOPCAmendment is consistent with the MDO, which is incorporated herein by reference.
4. The Developer submitted to the County an NOPCAmendment on ~~April 1, 2019~~ June 30, 2022. The representations and commitments of Developer made in

~~these~~ the Amendment documents which are made conditions of this IDO are identified and set forth herein.

5. The Developer proposes to develop Increment 1 in accordance with the Babcock Master Concept Plan (Map H through H-4, collectively referred to herein as Map H) attached hereto as Exhibits B-1 through B-4 and made a part hereof. Map H constitutes a portion of the revised Master Plan for the Babcock Ranch Overlay District in the Charlotte 2050 Comprehensive Plan ("Comprehensive Plan"). The development program for Increment 1 authorized by this IDO, consisting of one phase, is as follows ("Development Program"), subject to the limitations contained herein:

(i) ~~5,000~~56 residential dwelling units (~~3,000~~56 single family units and 2,000 multi-family units);₁₇

~~(ii) 600 hotel rooms;~~

~~(iii)~~(ii) ~~870~~470,000 square feet of retail;₁

~~(iv)~~(iii) ~~350,000~~square 370,000 square feet of office (~~general office; medical office~~);₁₁

(iv) 200,000 square feet of industrial;

(v) ~~18-hole~~ golf course and related ancillary facilities, including but not limited to maintenance facilities and cart barn);₁

(vi) Civic & other ancillary 218 units of assisted living facilities;

~~(vi)~~(vii) Supporting community facilities such as the educational service center, schools, and university research facilities as identified in Exhibit B of the MDO, libraries, places of worship, fire, EMS and sheriff facilities, regional and community park sites, Babcock Ranch Community Independent Special District (District) facilities, County facilities, emergency

~~shelter~~facilities, clubhouses and similar neighborhood amenities, and the necessary utility infrastructure including, but not limited to, water, wastewater and reuse water systems, electric, telephone and cable systems, will not be attributed to the development components set forth above, and will not count towards the maximum thresholds of development as established in this IDO;

~~(vii)~~(viii) All other ancillary facilities, together with the development components set forth above ~~{[excluding (vi)]}~~ shall not exceed the maximum thresholds established in this IDO, subject to the use of the Land Use Equivalency Matrix contained in ~~Exhibit C~~the MDO; and.

~~(viii)~~(ix) Temporary housing for construction workers and their families will not count against the residential dwelling units allowed herein.

~~(ix)~~ 100 units of assisted living facilities.

~~6. When combined with non-residential development in the Lee County Babcock Mixed Use Planned Development District, the total non-residential development shall not exceed the total square footage in the MDO (as may be modified by the MDO's adopted conversion matrix).~~

~~7.6.~~ The Increment 1 development is not in an area designated as an Area of Critical State Concern pursuant to the Provisions of Section 380.05, Florida Statutes, as amended.

~~8.7.~~ The Increment 1 development ~~of Increment 1~~ is consistent with the current land development regulations and the Charlotte 2050 Comprehensive Plan, adopted pursuant to Chapter 163, Part II, Florida Statutes. Further, it is orderly, maximizes efficiency of

infrastructure, and provides for specific infrastructure improvements needed to meet prescribed levels of service.

9-8. The Increment 1 development as approved herein is consistent with the State Comprehensive Plan.

40-9. The mitigation provided for Increment 1 development is consistent with the requirements of Section 163.3180, (5), F.S.

44-10. The NOPCAmendment for Increment 1 of the BRCBabcock Ranch Community DRI is hereby approved, subject to compliance with the conditions contained in this IDO.

CONDITIONS

1. GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT PROGRAM

A. Representations and Commitments as Conditions.

(1) — At buildout, densities will be permitted up to 16 units per acre in Villages, and up to 24 units per acre in the Town Center.

(2)(1) The Development Program is approved and may be adjusted by Developer in accordance with the Land Use Equivalency Matrixequivalency matrix attached hereto, and incorporated herein, as Exhibit C, to the MDO.

(3)(2) The Updated Summary of Land Dedication & Facilities Construction for Increment 1 is attached hereto as Exhibit D and updates a portion of Exhibit D of the MDO.

(4)(3) The minimum amount of non-residential development which may be constructed by the end of Increment 1 relative to the cumulative number of residential units which have been, or are projected to be, developed in Increment 1 shall be 50,000

square feet. The intent is that non-residential uses be allowed to serve the occupancy of dwelling units.

(4) Development within Increment 1 shall be in accordance with Exhibit E.

(5) Current uses within Increment 1 may continue to operate until such time said use is permanently replaced with a use approved herein. Current uses within Increment 1 include, but are not limited to, cattle grazing and agricultural uses, mining and ecotourism uses. Permits for existing uses can be renewed or modified as an allowed use until said use is permanently replaced by a use approved herein.

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2. **AFFORDABLE HOUSING**

A. Representations and Commitments as Conditions. – None.

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3. STORMWATER MANAGEMENT, WATER QUALITY, AND FLOOD PLAINS

A. Representations and Commitments as Conditions.

(1) The Master Drainage Plan for Increment 1 is attached hereto as Exhibit F.

(2) The design of the Increment 1 surface water management system will comply with the MDO "Stormwater Plan", ~~outlined in Subsection A and B in Condition 4 of the MDO.~~

~~_____ (3) Developer shall submit the results from monitoring the existing ground and surface water quality conditions on and abutting Increment 1 with the applicable Biennial Report in accordance with Condition 14 herein.~~

~~_____ (4) When available, Developer shall identify any changes including duration, frequency and seasonality, in timing or pattern of water flows, and between pre and post-development conditions as part of the applicable Biennial Report in accordance with Condition 13 herein.~~

~~_____ (5~~ (3) Development of Increment 1 includes conveyance features located outside the Increment 1 boundaries that convey stormwater runoff. Examples of conveyance features include, but are not limited to, swales, ditches, canals and overland flow. Some improvements to these conveyance features will be made as part of Increment 1.

(64) The stormwater management system shall be that system as permitted by the South Florida Water Management District ("SFWMD") Individual Environmental Resource Permit No. 08-00004-S-05 ~~and the Florida Department of Environmental Protection ("FDEP") Individual Environmental Resource~~, as supplemented by Permit No. 0184047-005 ("08-105624-P (Application No. 200526-3536), ("Conceptual ERP").

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4. TRANSPORTATION-

A. Representations and Commitments as Conditions.

(1) Increment 1.

~~a. Developer shall be fully responsible for the required site-related roadway and intersection improvements associated with Increment 1 as set forth herein. Site-related improvements include, but are not limited to, the following: site driveways and roads; median cuts made necessary by those driveways or roads; right turn, left turn, and deceleration or acceleration lanes leading to or from those driveways or roads; traffic control measures for those driveways or roads; and roads or intersection improvements whose primary purpose at the time of construction is to provide access to the development. The specific site-related improvements shall be subject to review and approval under the Site Plan Review process as provided in Section 3-9-5.1 of the Code of Laws and Ordinances of Charlotte County, Florida ("Code"), and coordination with FDOT. The site-related improvements are as follows:~~

- ~~a. SR 31 and South Town Center Project Entrance (DD)

 - ~~— Add NB Left Turn Lane~~
 - ~~— Add NB Right Turn Lane~~
 - ~~— Add SB Left Turn Lane~~
 - ~~— Add SB Right Turn Lane~~
 - ~~— Add WB Left Turn Lane~~
 - ~~— Add WB Thru/Right Turn Lane~~
 - ~~— Signal, If and When Warranted~~
 - ~~— Traffic Monitoring~~~~
- ~~b. SR 31 and Horseshoe Road/Project Entrance (CC)

 - ~~— Add NB Left Turn Lane (Completed)~~
 - ~~— Add NB Right Turn Lane (Completed)~~
 - ~~— Add SB Left Turn Lane (Completed)~~~~

- ~~— Add SB Right Turn Lane~~
- ~~— Add WB Left Turn Lane (Completed)~~
- ~~— Reconfigure WB Thru/Right Turn Lane (Completed)~~
- ~~— Signal, If and When Warranted~~
- ~~— Traffic Monitoring~~

~~c. SR 31 and Cook Brown Road/Project Entrance (BB)~~

- ~~— Add NB Right Turn Lane~~
- ~~— Add SB Left Turn Lane~~
- ~~— Add WB Left Turn Lane~~
- ~~— Reconfigure WB Thru/Right Turn Lane~~
- ~~— Signal, If and When Warranted~~
- ~~— Traffic Monitoring~~

~~d. SR 31 and North Project Entrance~~

- ~~— Add NB Right Turn Lane~~
- ~~— Add SB Left Turn Lane~~
- ~~— Add WB Left Turn/Right Turn Lane~~
- ~~— Traffic Monitoring~~

~~Construction of ingress and egress driveways, as necessary along SR 31.~~

- ~~b. The off-site traffic impacts of Increment 1, through 2026, as estimated by the AIDA traffic analysis are identified in Exhibit J, which is attached hereto and incorporated herein by reference. These off-site traffic impacts have been accepted by FDOT, County, Lee County, Department of Economic Opportunity, Division of Community Development (“DEO”), and the SWFRPC, as the impacts resulting from Increment 1.~~

- ~~1. There are no significant and adversely impacted roadways for Increment 1 that are not “transportation deficient” per Chapter 163.3180(5)(h)4., F.S. Therefore, there are no identified road segment improvements for Increment 1.~~

~~2. The mutually agreed upon significantly and adversely impacted intersections, that are not transportation deficient, and the identified improvements for Increment 1 are:~~

- ~~a. SR 80 and SR 31

 - ~~— Convert NB Left Turn/Thru Lane to Thru Lane~~
 - ~~— Add NB Thru Lane~~
 - ~~— Channelize NB Right Turn Lane~~
 - ~~— Channelize SB Right Turn Lane~~
 - ~~— Add EB Left Turn Lane~~
 - ~~— Add WB Left Turn Lane~~~~
- ~~b. SR 31 and SR 78

 - ~~— Add NB Thru Lane~~
 - ~~— Add SB Thru Lane~~~~
- ~~c. SR 31 and North River Road

 - ~~— Add SB Right Turn Lane~~
 - ~~— Add EB Left Turn Lane~~
 - ~~— Add EB Right Turn Lane~~
 - ~~— Add WB Left Turn Lane~~
 - ~~— Add WB Right Turn Lane~~
 - ~~— Signalization, if and when warranted~~~~
- ~~d. SR 80 and Tropic Avenue

 - ~~— Add NB Right Turn Lane~~
 - ~~— Add SB Right Turn Lane~~~~

~~The Increment 1 proportionate share of the improvements, as shown on Exhibit K, has been calculated consistent with F.S. 163.3180 (5). The Increment 1 proportionate share calculation was based on 1,488 pm peak hour two-way external trips and 1,477 pm peak hour two-way net new trips established by the AIDA traffic analysis. The calculated proportionate share for Increment 1 is \$_____ based upon the proportionate share percentages for each improvement as shown on Exhibit K. The proportionate share percentages have been accepted by County and~~

~~FDOT for Increment 1, recognizing that the actual costs may increase or decrease based upon the final actual costs of the agreed upon improvements.~~

~~3. a. The Increment 1 agreed upon mitigation of the significantly and adversely impacted roadways and intersection improvements identified in Condition 4(A) (1).b.1. and 2., accepted by County, FDOT, and Lee County, , shall be the following schedule of listed improvements and date certain payment provisions:~~

Reference #	Item	Total Cost	Anticipated Start Date ⁽³⁾
1	<p>Off-site Intersections</p> <p>a. SR 80 and SR 31 Convert NB Left-Turn/Thru Lane to Thru Lane Add NB Thru Lane Channelize NB Right Turn Lane Channelize SB Right Turn Lane Add EB Left Turn Lane Add WB Left Turn Lane</p> <p>b. SR 31 and SR 78 Add NB Thru Lane Add SB Thru Lane</p> <p>c. SR 31 and North River Road Add SB Right Turn Lane Add EB Left Turn Lane Add EB Right Turn Lane Add WB Left Turn Lane Add WB Right Turn Lane Signalization, if and when warranted</p> <p>d. SR 80 and Tropic Avenue Add NB Right Turn Lane Add SB Right Turn Lane</p> <p>Sub Total</p>	<p>\$ 1,434,000</p> <p>\$ 2,380,000</p> <p>\$ 1,451,000</p> <p>\$568,000</p> <p>\$5,833,000</p>	<p>Monitoring⁽⁴⁾</p> <p>Monitoring⁽⁴⁾</p> <p>Monitoring⁽⁴⁾</p> <p>Monitoring⁽⁴⁾</p>
2	<p>SR 31</p> <ul style="list-style-type: none"> Provide funding to the FDOT to prepare Project Development and Environment Study of SR 31 from SR 78 to North River Road Cause to prepare State Environmental Impact Report of SR 31 from SR 78 to North River Road (CR 78) Prepare State Environmental Impact Report of SR 31 from 	<p>\$1,000,000</p>	<p>Completed⁽⁵⁾</p>

	North River Road (CR 78) to Cook Brown Road.		
3	SR 31 Traffic Count Stations	\$200,000	2017⁽⁴⁾
	TOTAL	\$ 7,033,000	

~~(1) Start date as required per Condition 4(A)(1)b.(4)(a).~~

~~(2) [Footnote intentionally left blank]~~

~~(3) Dates are anticipated and subject to adjustment by Developer and FDOT without a need to amend this development order. Start dates, as well as the associated mitigation requirements, contained within the IDO are subject to extension under Section 252.363, Florida Statutes.~~

~~(4) Traffic Count Stations to be installed at project entrances, when built. Traffic count stations have been installed at the Project entrance across from Horseshoe Road.~~

~~(5) These tasks have been mitigated by Developer to facilitate completion of required improvements from prior traffic assessment but those requirements are no longer warranted based on current traffic assessment. The paid mitigation is creditable towards future assessments.~~

~~b. If and when requested by County, the Developer shall also make certain intersection improvements at SR 31 and CR 74, to extend the Northbound to Westbound Left Turn Lane, at an estimated cost of \$100,000, and as set forth in more detail in Section 4.d. below.~~

~~4. After the effective date of this IDO, the Developer shall:~~

~~a. Initiate the intersection improvements (Transportation Condition 4.A(1).b.(3).(a)) no later than 90 days after the monitoring report indicates that the Project is generating at least 300 pm peak hour, two-way external trips and the intersection is projected to operate below the adopted level of service standard within 12 months. If these improvements are not initiated within the above time period, no building permits beyond these limitations can be issued until these improvements are initiated.~~

~~b. Initiate the below improvements of SR 31 to eventually (during the full development of Babcock Ranch) result in the four-laning of SR 31 from SR 78 to Cook Brown Road (Reference #2 above and i-ii below). The improvements will consist of the following:~~

~~i) Provide funding to the FDOT up to a total of \$1,000,000 to facilitate the preparation of the Project Development and Environment Study (PD&E) and/or State Environmental~~

~~Impact Report (SEIR) for SR31 from SR 78 to North River Road. This funding will be used by the FDOT to prepare a complete PD&E Study or SEIR Study of SR 31 from SR 78 to North River Road. This funding has been provided to the FDOT.~~

~~ii) Coordinate with FDOT to fund, continue and complete the Project Development and Environment Study (PD&E) or State Environmental Impact Report (SEIR) for SR 31 from North River Road to Cook Brown Road.~~

~~c. Install permanent traffic count stations at the Project's access points off SR 31 and north and south of access points at the time of construction. Permanent traffic count stations have been installed at the Project access point across from Horseshoe Road. If and when requested by County the Developer will provide for the extension of the northbound SR 31 left turn lane at CR 74 (Transportation Condition 4.A(1).(b).3.(b)). County will complete the analysis to determine the extent of the improvement and the timing requirement of the improvement.~~

~~5. FDOT has maintenance authority for SR 31 and the intersection improvements set forth above. Developer shall be responsible for the guaranteed construction of the above improvements, in accordance with the above schedule, and in~~

~~accordance with the binding and enforceable commitment by the Developer in this IDO, to assure construction or improvement of these facilities.~~

~~6. As the cost of the mitigation by the Developer for Increment 1 exceeds the proportionate share of the impacts from Increment 1 of \$1,756,000 (as adjusted up or down in accordance with actual costs and based upon the accepted proportionate share percentages shown on Exhibit K), the Developer shall be credited to the overall impact of the Project for the cost of improvements beyond the proportionate share amount as provided in the MDO and applicable law. Developer and County may enter into a Transportation Credit Agreement to further delineate the terms and procedures for implementing credits for identified improvements set forth above in excess of the proportionate share of Increment 1. Credit for the cost of additional improvements as set forth above shall be analyzed as part of transportation analysis for future increments and be included in subsequent incremental development orders.~~

~~c. Satisfaction of the required mitigation in the timeframes as outlined and compliance with the transportation related provisions of this IDO for Increment 1 shall satisfy the road or traffic concurrency requirements of the Charlotte 2050 Comprehensive Plan, LDR, and the Charlotte County Concurrency Management System, through June 19, 2032 (the buildout date of Increment 1). If the Developer proposes to extend the buildout date of Increment 1 beyond June 19, 2032, the Developer and the County, during~~

~~the development order amendment process pursuant to Section 380.06(7), Florida Statutes, shall re-evaluate the future traffic impact of the development in a manner consistent with G of the Master Development Order, and shall re-evaluate the concurrency status of Increment 1 on all roadway segments and intersections listed in for the Cumulative Incremental Transportation Conditions 4(A)(1)b.1. and 2., above.~~

~~d. DEO has determined that SR 31 is a Regionally Significant Roadway.~~

~~e. County, by approving this IDO, has exercised its discretion to accept this mitigation for Increment 1.~~

~~f. Improvements to the facilities outlined above shall be mitigated at the time that a road segment or intersection is expected to operate below the level of service standard adopted in an impacted jurisdiction's Comprehensive Plan. If the road or the intersection operates below the adopted Level of Service, no building permits for residential and non-residential development shown on Exhibit E for Increment 1 shall be issued unless the improvements are: a) complete, b) under construction, c) the subject of a clearly identified, executed and recorded local government development agreement consistent with Sec. 163.3220 through 163.3423, F.S., ensuring completion concurrent with impacts; d) the subject of a binding commitment ensuring completion concurrent with impacts or e) the DRI's proportionate share mitigation may be pipelined into specific improvements as deemed necessary and mutually agreed upon between FDOT and the developer.~~

(2) The Master Internal Circulation Plan for Increment 1 is attached hereto as Exhibit G.

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5. VEGETATION, WILDLIFE, AND WETLANDS

A. Representations and Commitments as Conditions.

~~(1) No additional species have been documented within Increment 1 over those identified in the MDO.~~

(1) FDEP State 404 Permit No. 396574-001 issued November 19, 2021 ("State 404 Permit") provides specific conditions to address both state and federally listed species. These permit conditions incorporate by reference the Biological Opinion for the BRC.

~~(2) Development within Increment 1 shall comply with the threatened and endangered management plan ("T&E Plan") provided for in the Conceptual ERP and United States Army Corps of Engineers Permit SAJ 2006-6656 (IP-MJD) ("ACOEP").~~FDEP State 404 Permit No. 396574-001 issued November 19, 2021 ("State 404 Permit"), as may be amended..

~~(3) Development within Increment 1 shall comply with the mitigation requirements provided for in the ERP and ACOEP~~State 404 Permit.

~~(4) Mitigation for wetlands and listed species within the Increment 1 boundary may occur outside the Increment 1 boundary in accordance with state and federal permits and the MDO.~~

~~(5) The approved Any amendments to the T&E Plan and approved Mitigation Plan wereshall be provided to the County as part of the 2016-Biennial Report to the County, the SWFRPC and the DEO in accordance with Condition 14 herein. The Biennial Report shall also contain copiesfor Increment 2.~~

~~(5)(6)~~ Copies of any conservation easements that have been recorded relative to Increment 1 that were not provided in a previously submitted Biennial Report will be provided to the County as part of the applicable Biennial Report for Increment 1.

~~(6)(7)~~ A copy of the Prescribed Fire Plan was provided as part of the 2016 Biennial Report in accordance with Condition ~~43~~14 herein.

~~(7)(8)~~ A Greenway Map for Increment 1 is attached hereto as Exhibit H1 and Exhibit H2. Developer shall comply with the ~~Babcock Ranch Community Charlotte County Greenways Management Plan, a copy of which was provided to County and is on file with the SWFRPCBRC Mitigation Plan, as may be modified from time to time.~~

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6. WASTEWATER MANAGEMENT AND WATER SUPPLY

A. Representations and Commitments as Conditions.

(1) The Primary Utility Corridor map for Increment 1 is attached hereto as Exhibit I.

(2) The source of raw water for potable service within Increment 1 will be groundwater. MSKP Town and Country Utility, LLC or its successors and assigns will provide water service for Increment 1.

(3) MSKP Town and Country Utility, LLC or its successors and assigns will provide wastewater service for Increment 1.

(4) Wastewater treatment options in the North Babcock Area may include decentralized facilities.

(5) On-site wastewater treatment system(s) may be used permanently within the Increment 1 North Area.

(6) Agricultural activities within the Increment 1 North Area will continue to use ~~the existing agricultural wells~~, consistent with approved SFWMD permits. An agricultural well may be converted or a new potable well established for non-agricultural activities within the Increment 1 North Area.

(7) All effluent suitable for Public Access Reuse will be stored and distributed as needed into an irrigation system which will include residential, commercial, median and other green areas. After storage has been maximized, excess effluent will be disposed of consistent with Florida Department of Environmental Protection permitting. Irrigation systems will use best management practices to minimize overspray onto impervious systems that could lead to the stormwater management system.

(8) Babcock Ranch Irrigation, LLC, or its successors and assigns, will provide reclaimed water service for Increment 1.

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7. EDUCATION

A. Representations and Commitments as Conditions.

(1) The Developer shall comply with the School Site Dedication Agreement. ~~Delivery of the school site(s) as set forth on the schedule in Exhibit "D" may be revised by agreement of Developer and the Charlotte County School Board.~~

(2) The Developer, District, County and the School Board of Charlotte County ~~School Board~~ entered into an Addendum to the ~~Babcock Ranch~~ School Site Dedication Agreement on January 8, 2018 ("Agreement") addressing ~~School Concurrence~~school concurrency for development. ~~Should~~If the Agreement is not be utilized~~implemented~~ to address ~~School Concurrence in the future~~school concurrency, the Developer and Charlotte County School Board shall either amend the Agreement or enter into a new agreement to address ~~School Concurrence~~accordingly.

(3) Age-restricted communities will not be subject to school concurrency requirements.

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8. POLICE AND FIRE

A. Representations and Commitments as Conditions.

(1) Specifications for a Freightliner M2 AEV Type I Ambulance, as referenced in the attached letter, Exhibit D-1, are on file with Charlotte County EMS. One (1) such vehicle, or alternative, as agreed to with the County, ~~shall be~~was provided in accordance with Exhibit D. The housing of that vehicle ~~will be~~is the responsibility of County.

(2) The Developer has provided an interim fully operational double-wide trailer at least 24 feet in width and 60 feet in overall length as the first Sheriff's Sub-Station and entered into a Land Lease Agreement with Charlotte County in 2019. Said trailer will be removed upon the opening of the combined fire/Sheriff's facility in a future increment.

(3) All law enforcement, fire, and EMS impact fees collected from the Development (not including any interest earned by County) shall be provided to ~~District~~ISD and/or Developer in the form of reimbursements as set forth in the Impact Fee Agreement.

(4) Fire protection may be served by appropriately pressurized irrigation water.

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9. **SOLID/HAZARDOUS/MEDICAL WASTE**

A. Solid waste in Increment 1 will be collected by the ~~Babcock Ranch~~
~~Community Independent Special District (ISD)~~, ISD. Increment 1 is not intended to be part
of the County's Sanitation District; however, solid waste will be sent to the Charlotte
County Landfill.

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10. OPEN SPACE AND PARKS

A. Representations and Commitments as Conditions.

(1) Renewable energy and energy storage resource facilities and systems shall be allowed throughout Increment 1. If constructed within Active Greenways, such facilities shall not count as open space.

(2) Park sites shall be conveyed to the ~~District~~SD or a property owner's association (POA) with exotic plants removed and infrastructure provided.

(3) ~~District~~SD or Developer shall prepare the master plan(s) for the permanent park site(s) required within Increment 1. The Developer, ~~District~~SD or POA shall develop and operate the parks within Increment 1.

(4) General agricultural operations may be conducted throughout Increment 1 in accordance with the Charlotte 2050 Comprehensive Plan and the LDR.

(5) All parks and library impact fees collected from the Development within Increment 1 shall be provided to ~~District~~SD and/or Developer in accordance with the Impact Fee Agreement.

(6) Common recreational areas and common open spaces within Increment 1, if any, will be maintained by a POA or the ~~District~~SD.

(7) Some recreation and parks may be provided as temporary uses in Increment 1 that might be replaced by future development as other facilities are provided.

~~(8) Mini parks shall be provided at a minimum of one-half (.5) acre per one-thousand population and neighborhood parks shall be provided at a minimum of one and one-half (1.5) acre per one-thousand population within Increment 1.~~

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11. ENERGY

A. Representations and Commitments as Conditions.

(1) A Solar Photovoltaic Electrical Generation Facility and associated facilities, a substation, an operations and maintenance building, and related appurtenances may be constructed throughout Increment 1.

(2) One (1) zero energy home shall be constructed within the area comprising Increment 1.

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12. MINING OPERATIONS

A. Representations and Commitments as Conditions. None.

~~(1) The existing mining operations may be continued during development of Increment 1, consistent with permitting. As mining operations are phased out, mining lakes will be properly reclaimed pursuant to applicable permits.~~

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13. CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN

County has determined that the Increment 1 project is consistent with its ~~Charlotte~~ 2050 Comprehensive Plan.

14. BIENNIAL REPORTS

The Developer of Increment 1, or its successor(s)-in-title to the undeveloped portions of Increment 1, must submit a biennial report to the County. The Developer of Increment 1 must inform successors-in-title to any undeveloped portion of the real property covered by this IDO of this reporting requirement.

15. RESERVED**~~15.~~16. COMPLIANCE MONITORING**

The County Administrator, or his or her designee, shall be the local official responsible for assuring compliance with the IDO. Monitoring procedures will include County's site plan review and code enforcement procedures, and the Biennial Reports.

~~16.~~17. EXEMPTION FROM DOWNZONING AND DENSITY/INTENSITY REDUCTION

Pursuant to Subsection 380.06(4)(4), Florida Statutes, this Increment 1 project is exempt from down zoning, intensity reduction, or unit density reduction until May 8, 2043, unless County can demonstrate that substantial changes in the conditions underlying the approval of this IDO have occurred or this IDO was based on substantially inaccurate information provided by the Developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

~~17.~~18. COMMENCEMENT OF DEVELOPMENT

Development ~~shall commence~~ has commenced in accordance with the deadline(s) established in this IDO.

18-19. PROJECTED BUILDOUT

Buildout of Increment 1 is projected to occur on or about ~~June 19, 2032~~ September 10, 2037. ("Buildout Date").

19-20. EXPIRATION DATE

The expiration date for this IDO is ~~July 17, 2039~~ October 4, 2044.

20-21. DEVELOPMENT PERMITS

Subsequent requests for development permits within Increment 1 shall not require further review pursuant to Section 380.06, Florida Statutes. Amendments to this IDO shall be processed in accordance with Charlotte County Code 3-9-10.1, as may be amended.

21-22. GENERAL PROVISIONS

The approval granted by this IDO is limited. Such approval shall not be construed to relieve the Developer of the duty to comply with all other applicable local, state or federal permitting regulations.

A. Developer and County shall work together in a cooperative manner to ensure that the necessary applications to County, the issuance of permits and the conduct of inspections occur expeditiously and that development is not impeded by unnecessary delays associated with such applications, permit issuances, and inspections.

B. It is understood that any reference herein to any governmental agency shall be construed to mean any future entity which may be created or be designated or succeed in interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this IDO.

C. Appropriate conditions and commitments contained herein may be assigned to or assumed by ~~District~~SD.

D. If there is a conflict between a provision in this IDO and a provision in the MDO, the provision in this IDO shall prevail for Increment 1, except that this IDO must comply with the Land Use Equivalency Matrix in Exhibit H of the MDO. Exhibit D, attached hereto and made a part hereof by reference, is an updated version of Exhibit D to the MDO entitled "Summary of Land Dedication and Facilities Construction" as to the Increment 1 property. ~~Said updated Exhibit D amends Exhibit D to the MDO as to the Increment 1 property.~~

~~EE.~~ Appropriate conditions and commitments contained herein may be assigned to or assumed by District.

F. If there is a conflict between a provision in this IDO and a provision in an ERP, a Consumptive Use Permit ("CUP"), FDEP 404 Permit, or ACOEP, the provision in the ERP, CUP, 404, or ACOEP shall prevail.

FG. In the event that any portion or section of this IDO is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner, affect the remaining portions of this development order which shall remain in full force and effect.

~~GH.~~ This IDO shall be binding upon the County and the Developer, its assignees or successors-in-interest.

~~HI.~~ This IDO shall become effective as provided by law.

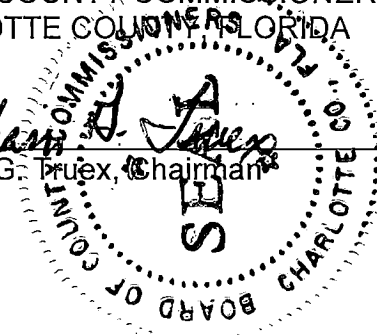
~~IJ.~~ The County may provide certified copies of this IDO to DEO and the SWFRPC.

JK. This Resolution shall be recorded in the ~~Minutes~~Public Records of Charlotte County, Florida. Notice of the Board adoption of an amendment to the IDO shall be recorded by the Developer, in accordance with F.S. 28.222 with the Clerk of the Circuit Court for Charlotte County.

PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk to the
Board of County Commissioners

By: Roger D. Eaton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR#2023-0106 JNK

EXHIBITS

- | | |
|-------------|---|
| Exhibit A-1 | Increment 1 North Area Babcock Ranch Community Legal Description |
| Exhibit A-2 | Increment 1 South Area Babcock Ranch Community Legal Description |
| Exhibit A-3 | Utility Easement Babcock Ranch Community Legal Description |
| Exhibit A-4 | Increment 1 – 45.98 Acre Parcel – Babcock Ranch Community |
| Exhibit B-1 | Babcock Ranch Community Map H Increment 1 Master Development Plan |
| Exhibit B-2 | Babcock Ranch Community Map H-1 Increment 1 South Area Master Development Plan |
| Exhibit B-3 | Babcock Ranch Community Map H-2 Increment 1 Utility Easement Area Master Development Plan |
| Exhibit B-4 | Babcock Ranch Community Map H-3 Increment 1 North Area Master Development Plan |
| Exhibit B-5 | Babcock Ranch Community Map H-4 Increment 1 Master Development Plan Fixed and Variable Development Criteria |
| Exhibit C | Babcock Ranch Community Increment 1 Equivalency Matrix
<u>Reserved</u> |
| Exhibit D | Updated Summary of Land Dedications and Facilities Construction |
| Exhibit D1 | Specifications for one (1) Freightliner M2 AEV Type I Ambulance |
| Exhibit E | Babcock Ranch Community Increment 1 Parameters |
| Exhibit F | Increment 1 Master Drainage Plan |
| Exhibit G | Increment 1 Master Internal Circulation Plan |
| Exhibit H1 | Increment 1 South Area Primary Greenway Map and Trails Plan |

EXHIBITS, cont.

Exhibit H2 Increment 1 North Area Primary Greenway Map and Trails Plan

Exhibit I Increment 1 Primary Utility Corridor Map

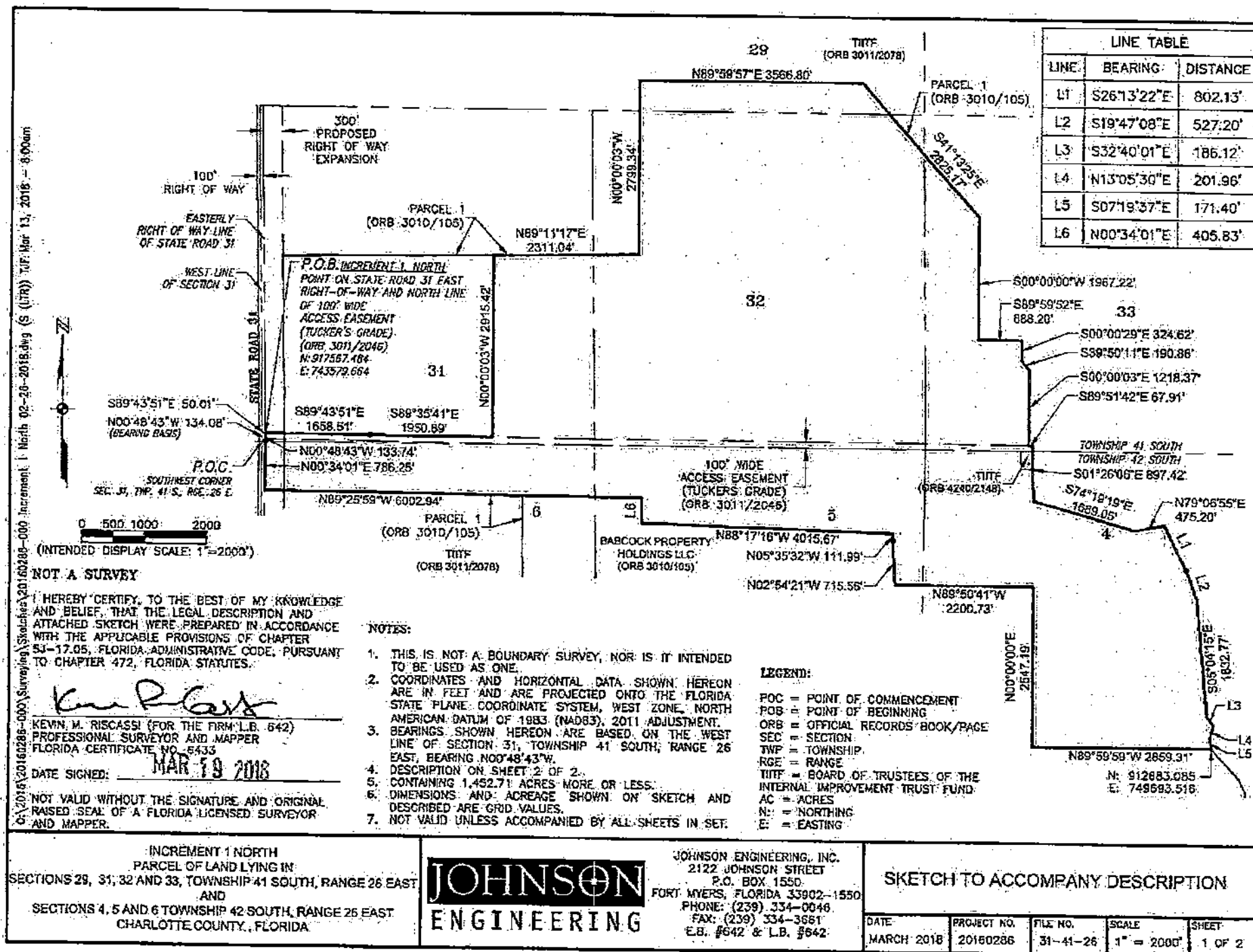
~~Exhibit J Increment 1, Future (2026) Traffic Conditions with Project Directional Peak Hour Peak Season~~

~~Exhibit K Increment 1, Future (2026) Traffic Conditions with Project Proportionate Share Calculation~~

~~EXHIBIT L IS NOT ATTACHED BUT IS ON FILE AT THE CLERK'S OFFICE AS AN ATTACHMENT TO THE PREVIOUSLY APPROVED RESOLUTION NO. 2014-048~~

EXHIBIT A-1

**INCREMENT 1 NORTH AREA BABCOCK RANCH COMMUNITY LEGAL
DESCRIPTION**



DESCRIPTION

A TRACT OR PARCEL OF LAND
LYING IN
SECTIONS 29, 31, 32 & 33, TOWNSHIP 41 SOUTH, RANGE 26 EAST,
SECTIONS 4, 5 & 6, TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 29, 31, 32 & 33, TOWNSHIP 41 SOUTH, RANGE 26 EAST,
AND SECTIONS 4, 5 & 6, TOWNSHIP 42 SOUTH, RANGE 26 EAST,
CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, THENCE N.00°48'43"W.,
ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 134.08 FEET; THENCE S.89°43'51"E., DEPARTING SAID WEST
LINE, A DISTANCE OF 50.01 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 31
(100' WIDE), AND A POINT ON THE NORTH LINE OF A 100 FOOT WIDE ACCESS EASEMENT (TUCKER'S GRADE) AS
RECORDED IN OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS, CHARLOTTE COUNTY FLORIDA, AND THE
POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING; THENCE ALONG THE NORTH LINE OF SAID 100' WIDE ACCESS EASEMENT (TUCKER'S
GRADE) FOR THE FOLLOWING TWO (2) COURSES:

S.89°43'51"E., A DISTANCE OF 1,658.51 FEET,
S.89°35'41"E., A DISTANCE OF 1,950.89 FEET;

THENCE N.00°00'03"W., DEPARTING SAID NORTH LINE, A DISTANCE OF 2,915.42 FEET, TO AN INTERSECTION WITH THE
BOUNDARY OF PARCEL 1 AS DESCRIBED IN OFFICIAL RECORDS BOOK 3010, PAGE 105, OF SAID PUBLIC RECORDS;

THENCE ALONG THE BOUNDARY OF SAID PARCEL 1 FOR THE FOLLOWING NINETEEN (19) COURSES:

1. N.89°11'17"E., A DISTANCE OF 2,311.04 FEET,
2. N.00°00'03"W., A DISTANCE OF 2,799.34 FEET,
3. N.89°59'57"E., A DISTANCE OF 3,566.80 FEET,
4. S.41°13'25"E., A DISTANCE OF 2,825.17 FEET,
5. S.00°00'00"W., A DISTANCE OF 1,967.22 FEET,
6. S.89°59'52"E., A DISTANCE OF 688.20 FEET,
7. S.00°00'29"E., A DISTANCE OF 324.62 FEET,
8. S.39°50'11"E., A DISTANCE OF 190.86 FEET,
9. S.00°00'03"E., A DISTANCE OF 1,218.37 FEET,
10. S.89°51'42"E., A DISTANCE OF 67.91 FEET,
11. S.01°26'06"E., A DISTANCE OF 897.42 FEET,
12. S.74°19'19"E., A DISTANCE OF 1,689.05 FEET,
13. N.79°06'55"E., A DISTANCE OF 475.20 FEET,
14. S.26°13'22"E., A DISTANCE OF 802.13 FEET,
15. S.19°47'08"E., A DISTANCE OF 527.20 FEET,
16. S.05°04'15"E., A DISTANCE OF 1,832.77 FEET,
17. S.32°40'01"E., A DISTANCE OF 186.12 FEET,
18. S.13°05'30"W., A DISTANCE OF 201.96 FEET,
19. S.07°19'37"E., A DISTANCE OF 171.40 FEET;

THENCE N.89°59'59"W., DEPARTING SAID BOUNDARY OF PARCEL 1, A DISTANCE OF 2,859.31 FEET; THENCE N.00°00'00"E.,
A DISTANCE OF 2,547.19 FEET; THENCE N.89°50'41"W., A DISTANCE OF 2,200.73 FEET; THENCE N.02°54'21"W., A
DISTANCE OF 715.56 FEET; THENCE N.05°35'32"W., A DISTANCE OF 111.99 FEET; THENCE N.88°17'16"W., A DISTANCE OF
4,015.67 FEET; THENCE N.00°34'01"E., A DISTANCE OF 405.83 FEET; THENCE N.89°25'59"W., A DISTANCE OF 6,002.94
FEET TO AN INTERSECTION WITH SAID STATE ROAD 31 EAST RIGHT-OF-WAY (100' WIDE); THENCE ALONG SAID EAST
RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

1. N.00°34'01"E., A DISTANCE OF 786.25 FEET,
2. N.00°48'43"W., A DISTANCE OF 133.74 FEET TO A THE POINT OF BEGINNING.

CONTAINING 1,452.71 ACRES, MORE OR LESS.

COORDINATES AND HORIZONTAL DATA SHOWN HEREON ARE IN FEET AND ARE PROJECTED ONTO THE FLORIDA
STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 2011
ADJUSTMENT.

BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26,
WHERE SAID LINE BEARS N00°48'41"W.

C:\2016\20160286-000\Surveying\Sketches\20160286-000 Increment 1 North 02-26-2018.dwg (D (LTR)) TUF Mar 13, 2018 - 8:00am

JOHNSON
ENGINEERING

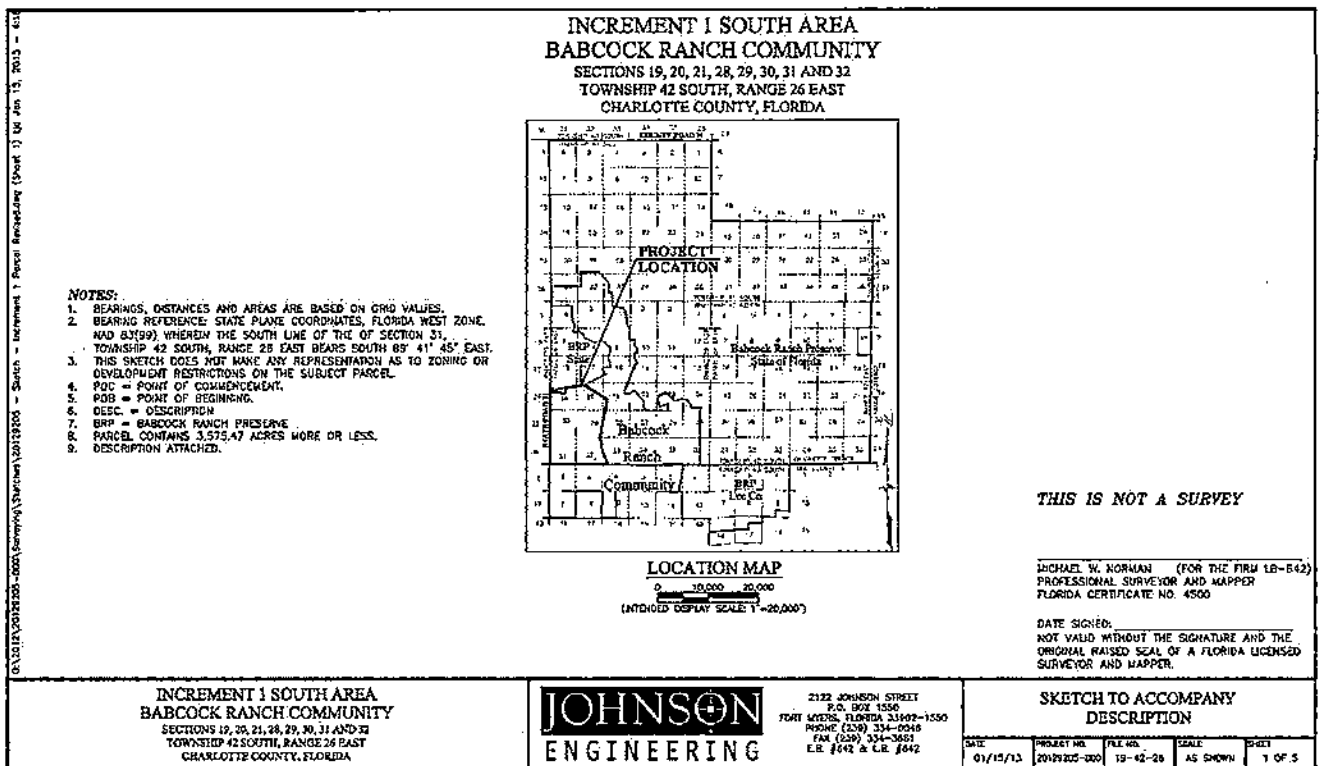
JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

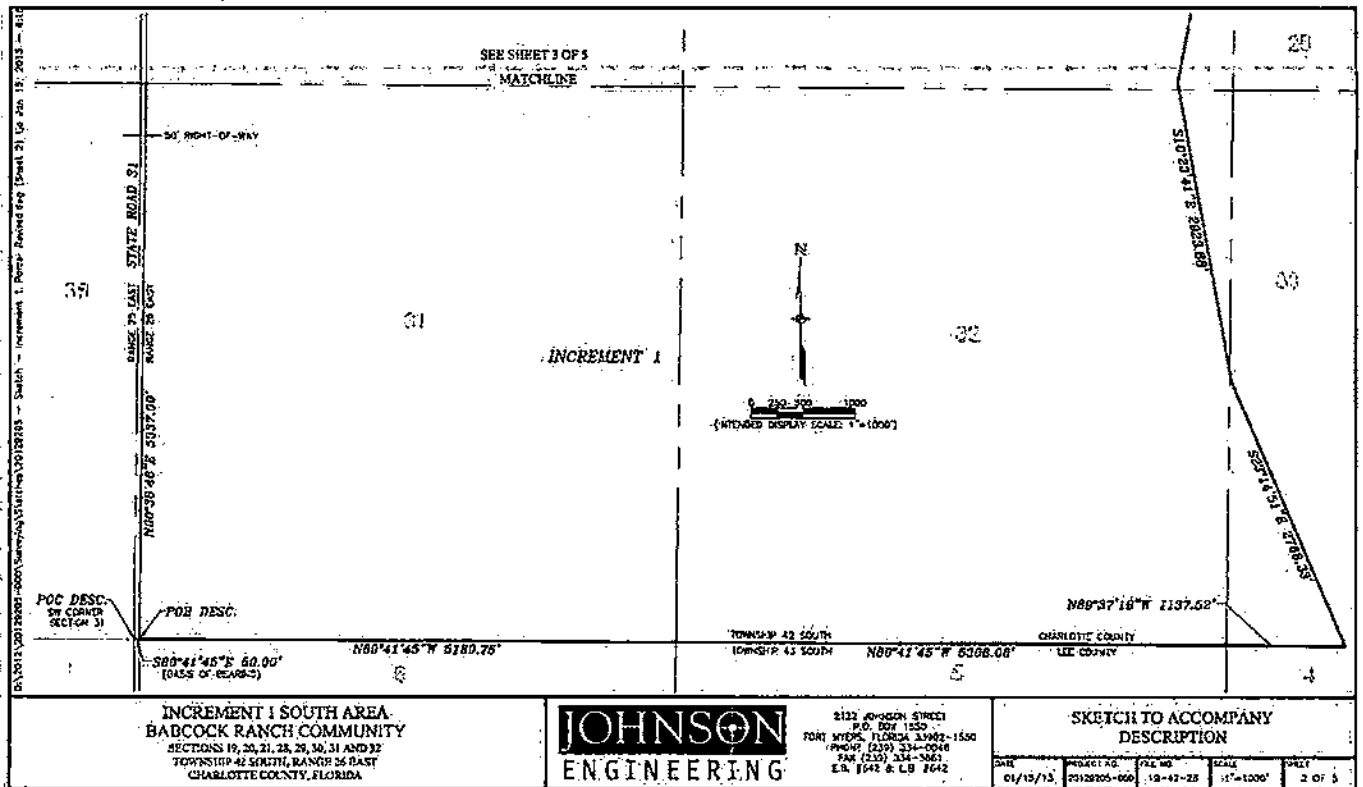
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INCREMENT 1 NORTH**

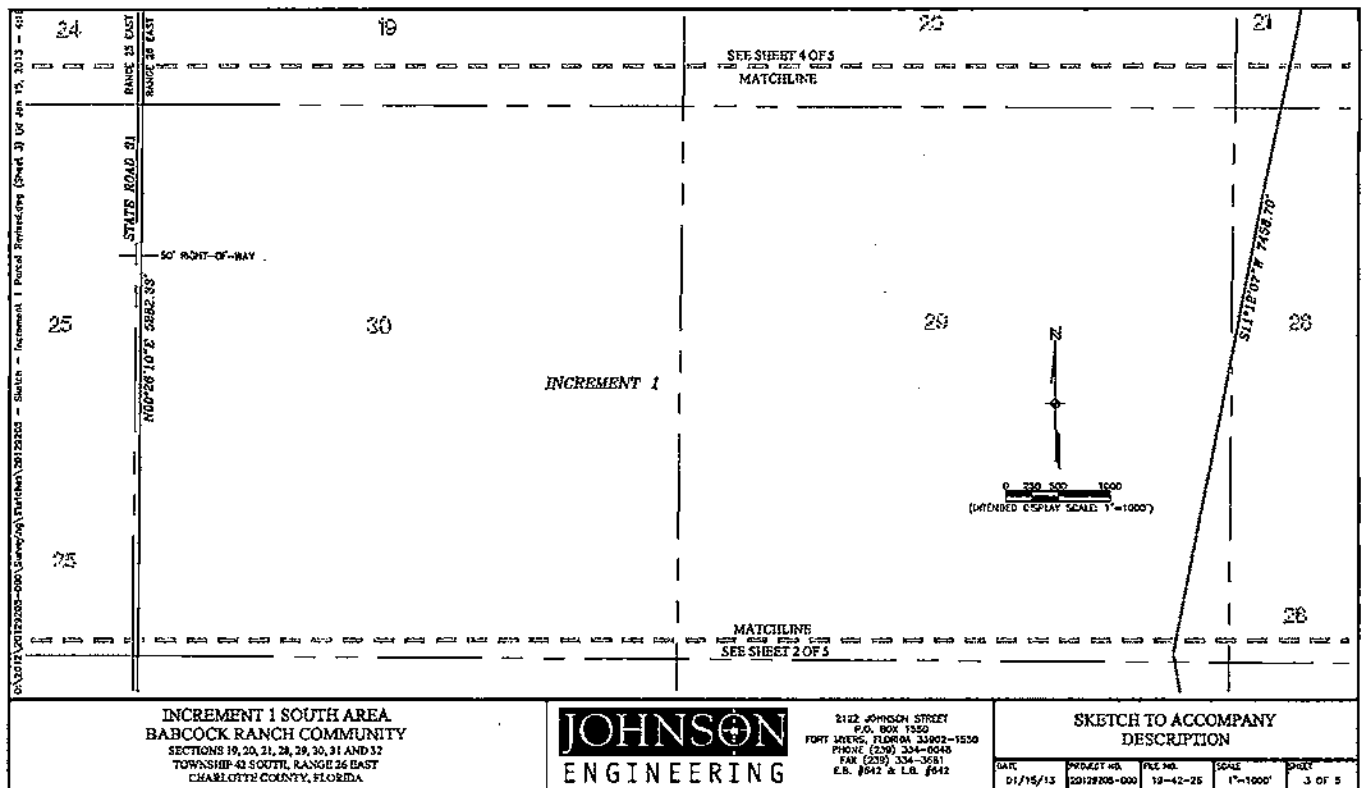
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
MARCH 2018	20160286	31-41-26	N/A	2 OF 2

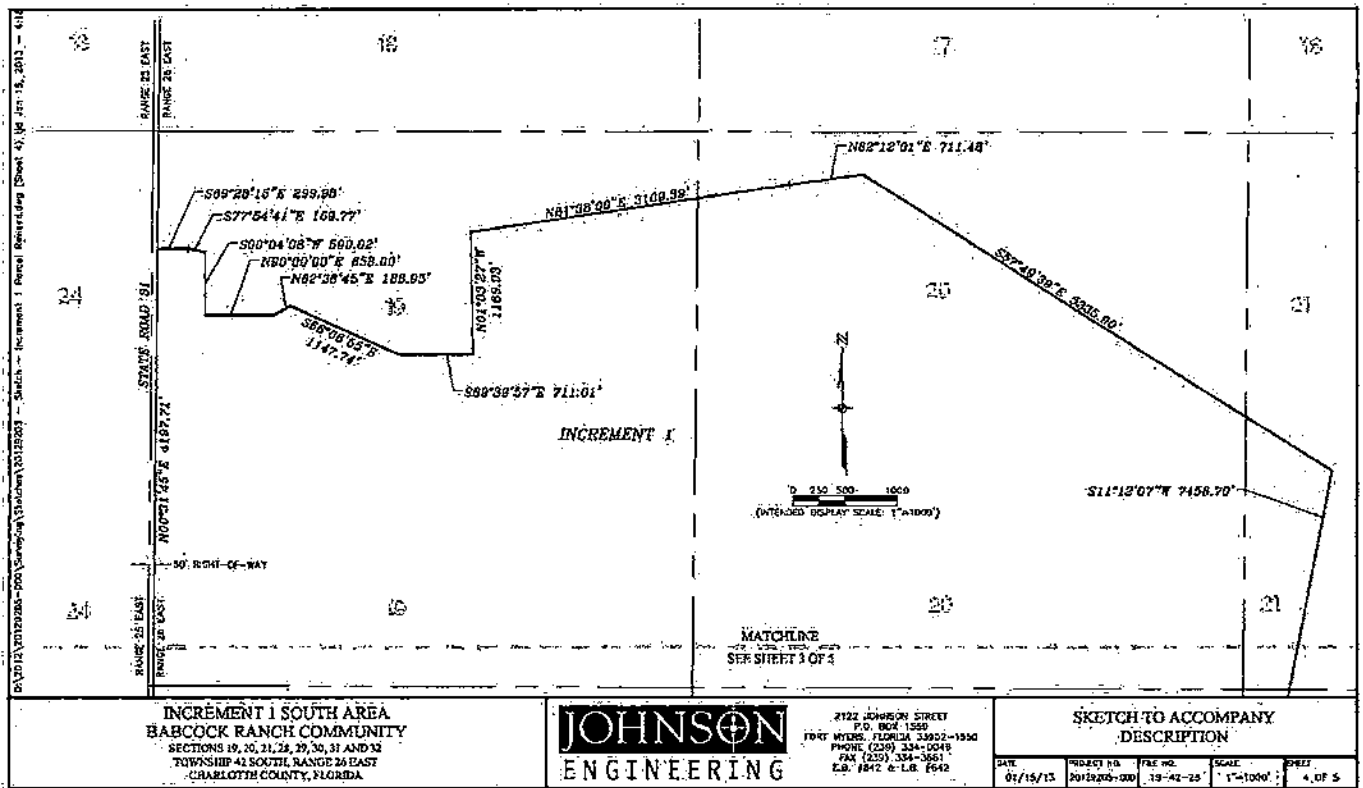
EXHIBIT A-2

**INCREMENT 1 SOUTH AREA BABCOCK RANCH COMMUNITY LEGAL
DESCRIPTION**









DESCRIPTION

INCREMENT 1 SOUTH AREA
BABCOCK RANCH COMMUNITY
SECTIONS 19, 20, 21, 28, 29, 30, 31, 32, AND 33
TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTIONS 19, 20, 21, 28, 29, 30, 31, 32 AND 33, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31 THENCE SOUTH 89°41'45" EAST ALONG THE SOUTH LINE OF SAID SECTION 31 FOR 50.00 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31 AND THE POINT OF BEGINNING.
FROM SAID POINT OF BEGINNING THENCE THE FOLLOWING THREE (3) BEARINGS AND DISTANCES ON SAID EASTERLY RIGHT-OF-WAY LINE: NORTH 00°36'46" EAST FOR 5,337.00 FEET; NORTH 00°26'10" EAST FOR 5,282.33 FEET; NORTH 00°31'45" EAST FOR 4,197.71 FEET; THENCE SOUTH 89°28'15" EAST DEPARTING SAID RIGHT-OF-WAY LINE FOR 289.98 FEET; THENCE SOUTH 77°54'41" EAST FOR 189.77 FEET; THENCE SOUTH 00°04'08" WEST FOR 589.02 FEET; THENCE NORTH 90°00'00" EAST FOR 658.00 FEET; THENCE NORTH 82°36'45" EAST FOR 186.95 FEET; THENCE SOUTH 88°06'55" EAST FOR 1,147.74 FEET; THENCE SOUTH 89°39'57" EAST FOR 711.01 FEET; THENCE NORTH 01°03'27" WEST FOR 1,169.03 FEET; THENCE NORTH 81°36'00" EAST FOR 3,109.39 FEET; THENCE NORTH 82°12'01" EAST FOR 711.48 FEET; THENCE SOUTH 57°49'39" EAST FOR 5,335.90 FEET; THENCE SOUTH 11°12'07" WEST FOR 7,458.76 FEET; SOUTH 10°23'41" EAST FOR 2,923.88 FEET; THENCE SOUTH 23°14'51" EAST FOR 2,768.33 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 33, TOWNSHIP 42 SOUTH, RANGE 26 EAST; THENCE THE FOLLOWING BEARINGS AND DISTANCE ON THE SOUTH LINE OF SAID TOWNSHIP 42 SOUTH: NORTH 89°37'18" WEST FOR 1,137.52 FEET; NORTH 89°41'45" WEST FOR 5,306.08 FEET; NORTH 89°41'45" WEST ALONG SAID LINE FOR 5,189.75 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINS 3,575.47 ACRES, MORE OR LESS.

BEARINGS, DISTANCES AND AREAS ARE BASED ON GRID VALUES. BEARING REFERENCE: STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD 83 (99) WHEREIN THE SOUTH LINE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.

INCREMENT 1 SOUTH AREA
BABCOCK RANCH COMMUNITY
SECTIONS 19, 20, 21, 28, 29, 30, 31 AND 32
TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2122 JOHNSON STREET
P.O. BOX 1559
FORT MYERS, FLORIDA 33902-1559
PHONE (239) 334-0545
FAX (239) 334-0591
E.S. #542 & L.R. #542

SKETCH TO ACCOMPANY
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
01/15/13	2012E106-000	19-42-26		5 OF 5

C:\2012\2012E106-000\Surveying\Sketches\2012E106-000 - Sketch - Increment 1 Aerial Rectified (Sheet 2) 3x4 Jan 15, 2013 - 418

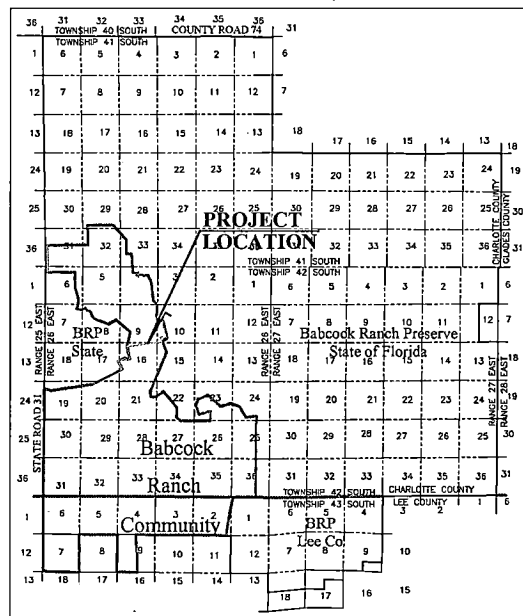
EXHIBIT A-3

UTILITY EASEMENT BABCOCK RANCH COMMUNITY LEGAL DECRIPTION

**INCREMENT 1 - TRUNCATED UTILITY EASEMENT
BABCOCK RANCH COMMUNITY**
SECTIONS 9,10,15,16,17, and 20
TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

NOTES:

1. BEARINGS, DISTANCES AND AREAS ARE BASED ON GRID VALUES.
2. BEARING REFERENCE: STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD 83(99) WHEREIN THE SOUTH LINE OF THE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.
3. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
4. POC = POINT OF COMMENCEMENT.
5. POB = POINT OF BEGINNING.
6. DESC. = DESCRIPTION
7. BRP = BABCOCK RANCH PRESERVE
8. PARCEL CONTAINS 21.19 ACRES MORE OR LESS.
9. DESCRIPTION ATTACHED ON SHEET 4 of 4.
10. NOT VALID WITHOUT ALL SHEETS 1 THROUGH 4.

**LOCATION MAP**

0 10,000 20,000
(INTENDED DISPLAY SCALE: 1"=20,000')

THIS IS NOT A SURVEY

MICHAEL L. LOHR (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5916

DATE SIGNED: _____
NOT VALID WITHOUT THE SIGNATURE AND THE
ORIGINAL RAISED SEAL OF A FLORIDA LICENSED
SURVEYOR AND MAPPER.

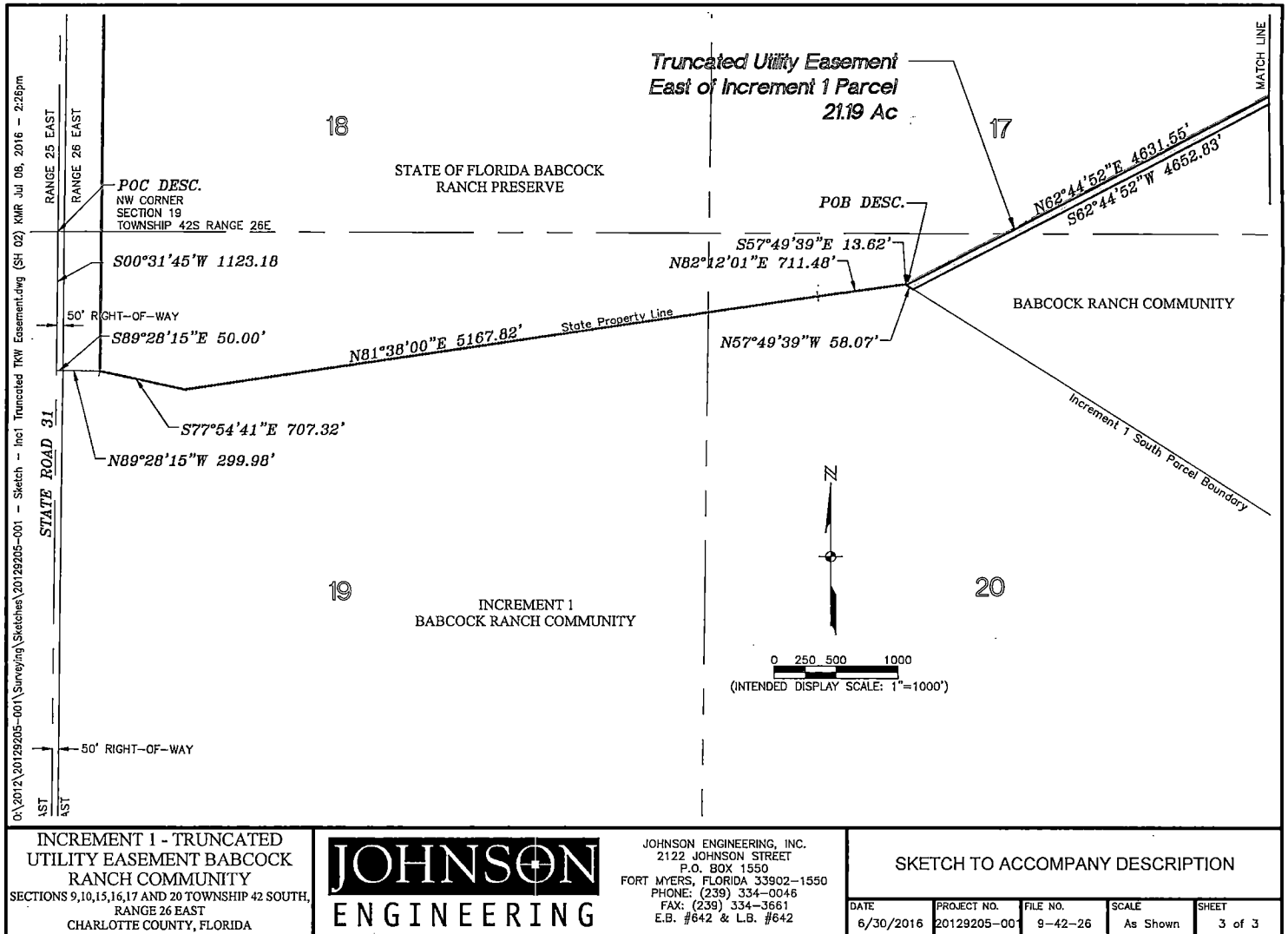
**INCREMENT 1 - TRUNCATED
UTILITY EASEMENT BABCOCK
RANCH COMMUNITY**
SECTIONS 9,10,15,16,17 AND 20 TOWNSHIP 42 SOUTH,
RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

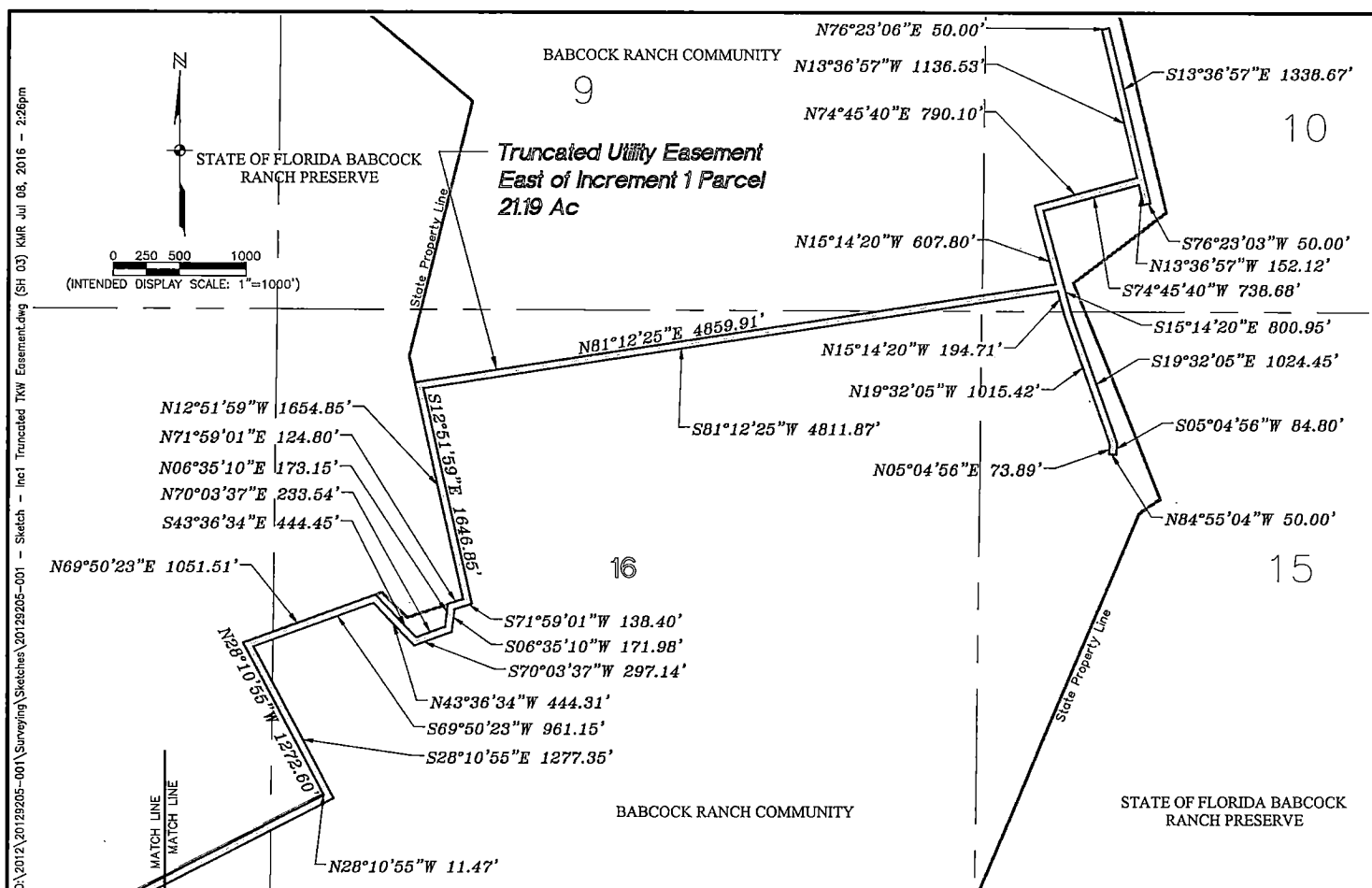
**JOHNSON
ENGINEERING**

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
6/20/2016	20129205-001	9-42-26	As shown	1 of 4





**INCREMENT 1 - TRUNCATED
UTILITY EASEMENT BABCOCK
RANCH COMMUNITY
SECTIONS 9,10,15,16,17 AND 20 TOWNSHIP 42 SOUTH,
RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA**

JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
6/30/2016	20129205-001	9-42-26	As Shown	3 OF 4

DESCRIPTION

**INCREMENT 1 - TRUNCATED UTILITY EASEMENT
EAST OF SOUTH INCREMENT 1 PARCEL
BABCOCK RANCH COMMUNITY
SECTIONS 9, 10, 15, 16, 17, AND 20
TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA**

A PARCEL OF LAND LYING IN SECTIONS 9, 10, 15, 16, 17 AND 20, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH RANGE 26 EAST; THENCE SOUTH 00°31'45" WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 1,123.18'; THENCE SOUTH 89°28'15" EAST FOR 50.00 FEET, DEPARTING SAID SECTION LINE, TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE SOUTH 89°28'15" EAST DEPARTING SAID RIGHT-OF-WAY LINE FOR 299.98 FEET TO A POINT ON THE STATE PROPERTY LINE FOR BABCOCK RANCH PRESERVE; THENCE THE FOLLOWING 3 CALLS ALONG SAID STATE PROPERTY LINE: SOUTH 77°54'41" EAST FOR 707.32 FEET; THENCE N81°38'00"E FOR 5167.82 FEET; THENCE N82°12'01"E FOR 711.48 FEET, LEAVING SAID STATE PROPERTY LINE; THENCE S57°49'39" FOR 13.62 FEET AND THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING THENCE THE FOLLOWING THIRTY FIVE (35) BEARINGS AND DISTANCES: NORTH 62°44'52" EAST FOR 4631.55 FEET; THENCE NORTH 28°10'55" WEST FOR 11.47 FEET TO A POINT ON SAID STATE PROPERTY LINE; THENCE ALONG SAID STATE PROPERTY LINE NORTH 28°10'55" WEST FOR 1272.60 FEET; THENCE ALONG SAID STATE PROPERTY LINE NORTH 69°50'23" EAST FOR 1051.51 FEET; THENCE LEAVING SAID STATE PROPERTY LINE SOUTH 43°36'34" EAST FOR 444.45 FEET; THENCE NORTH 70°03'37" EAST FOR 233.54 FEET; THENCE NORTH 06°35'10" EAST FOR 173.15 FEET TO A POINT ON THE SAID STATE PROPERTY LINE; THENCE ALONG SAID STATE PROPERTY LINE NORTH 71°59'01" EAST FOR 124.80; THENCE ALONG SAID STATE PROPERTY LINE NORTH 12°51'59" WEST FOR 1654.85 FEET; THENCE LEAVING SAID STATE PROPERTY LINE NORTH 81°12'25" EAST FOR 4859.91 FEET; THENCE NORTH 15°14'20" WEST FOR 607.80 FEET; THENCE NORTH 74°45'40" EAST FOR 790.10 FEET; THENCE NORTH 13°36'57" WEST FOR 1136.53 FEET; THENCE NORTH 76°23'06" EAST FOR 50.00 FEET; THENCE SOUTH 13°36'57" EAST FOR 1338.67 FEET; THENCE SOUTH 76°23'03" WEST FOR 50.00 FEET; THENCE NORTH 13°36'57" WEST FOR 152.12 FEET; THENCE SOUTH 74°45'40" WEST FOR 738.68 FEET; THENCE SOUTH 15°14'20" EAST FOR 800.95 FEET; THENCE SOUTH 09°32'05" EAST FOR 1024.45 FEET; THENCE SOUTH 05°04'56" WEST FOR 84.80 FEET; THENCE NORTH 84°55'04" WEST FOR 50.00 FEET; THENCE NORTH 05°04'56" EAST FOR 73.89 FEET; THENCE NORTH 19°32'05" WEST FOR 1015.42 FEET; THENCE NORTH 15°14'20" WEST FOR 194.71 FEET; THENCE SOUTH 81°12'25" WEST FOR 4811.87 FEET; THENCE SOUTH 12°51'59" EAST FOR 1646.85 FEET; THENCE SOUTH 71°59'01" WEST FOR 138.40 FEET; THENCE SOUTH 06°35'10" WEST FOR 1714.98 FEET; THENCE SOUTH 70°03'37" WEST FOR 297.14 FEET; THENCE NORTH 43°36'34" WEST FOR 444.31 FEET; THENCE SOUTH 69°50'23" WEST FOR 961.15 FEET; THENCE SOUTH 28°10'55" EAST FOR 1277.35 FEET; THENCE SOUTH 62°44'52" WEST FOR 4652.83 FEET; THENCE NORTH 57°49'39" WEST FOR 58.07 FEET AND THE POINT OF BEGINNING.

PARCEL CONTAINS 21.19 ACRES, MORE OR LESS.

BEARINGS, DISTANCES AND AREAS ARE BASED ON GRID VALUES. BEARING REFERENCE: STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD 83 (99) WHEREIN THE SOUTH LINE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.

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**INCREMENT 1 - TRUNCATED
UTILITY EASEMENT BABCOCK
RANCH COMMUNITY**
SECTIONS 9,10,15,16,17 AND 20 TOWNSHIP 42 SOUTH,
RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

**JOHNSON
ENGINEERING**

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE: (239) 334-0046
FAX: (239) 334-3561
E.B. #642 & L.B. #642

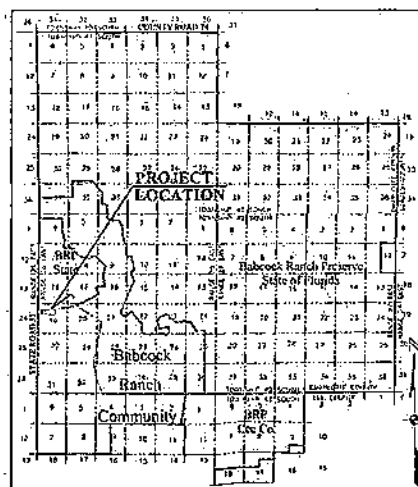
SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
6/30/2016	20129205-001	9-42-26	As Shown	4 OF 4

EXHIBIT A-4

INCREMENT 1 – 45.98 ACRE PARCEL – BABCOCK RANCH COMMUNITY

INCREMENT 1 - 45.98AC PARCEL
BABCOCK RANCH COMMUNITY
SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA



LOCATION MAP
0 10,000 20,000
(INTENDED DISPLAY SCALE: 1"=20,000')

NOTES:

1. BEARINGS, DISTANCES AND AREAS ARE BASED ON GRID VALUES.
2. BEARING REFERENCE: STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD 83(99) WHEREIN THE SOUTH LINE OF THE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT.
4. POB = POINT OF BEGINNING.
5. DESC. = DESCRIPTION.
6. BRP = BABCOCK RANCH PRESERVE.
7. PARCEL CONTAINS 45.98 ACRES MORE OR LESS.
8. DESCRIPTION ATTACHED ON SHEET 3 OF 3.
9. NOT VALID WITHOUT ALL SHEETS 1 THROUGH 3.

THIS IS NOT A SURVEY

MICHAEL L. LOHR : (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5916
DATE SIGNED: 5/25/2016
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

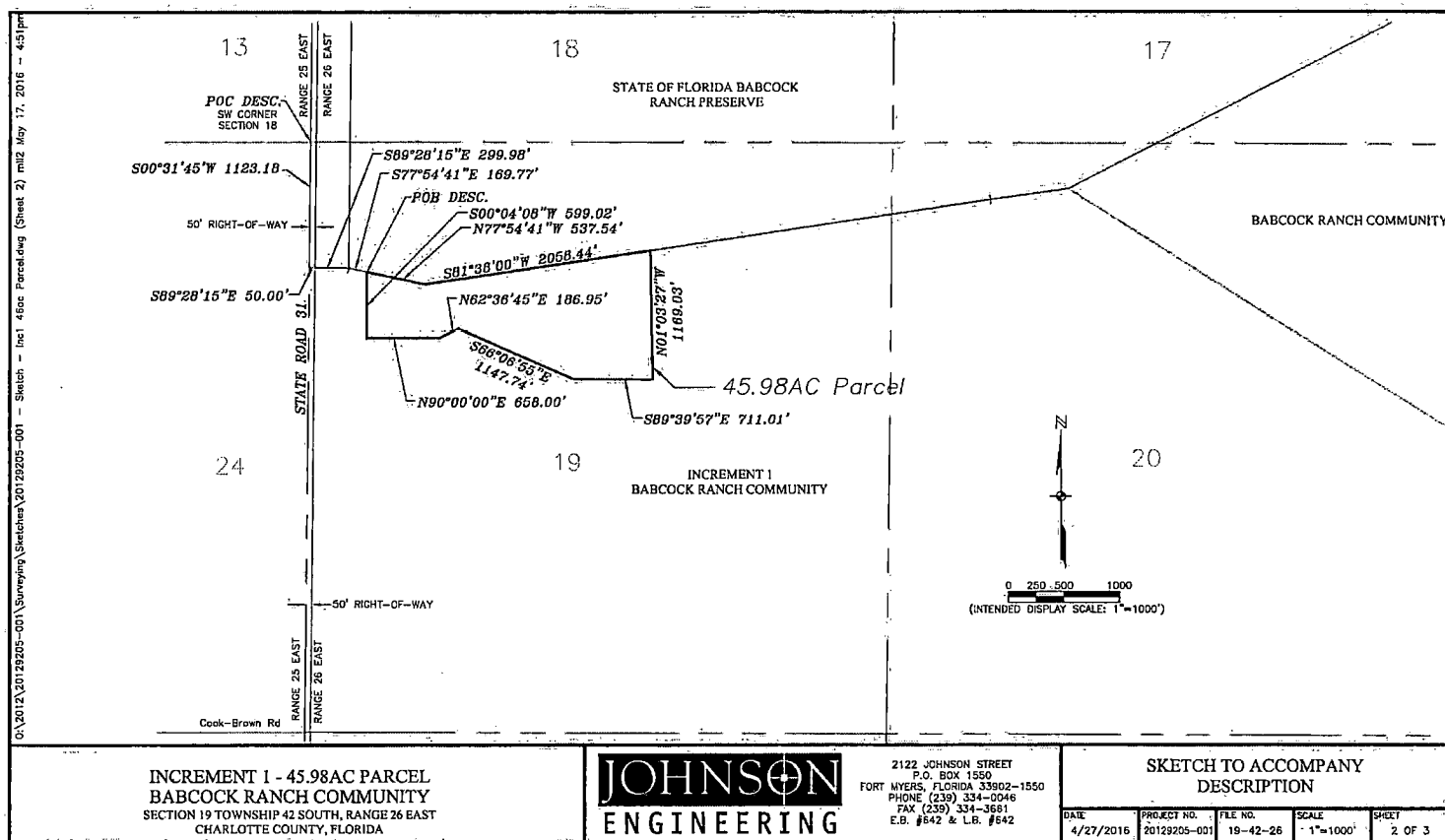
INCREMENT 1 - 45.98AC PARCEL
BABCOCK RANCH COMMUNITY
SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

JOHNSON
ENGINEERING

2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3551
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY
DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
04/27/2016	2012205-001	19-42-26	AS SHOWN	1 OF 3



DESCRIPTION

INCREMENT 1 45.98 AC PARCEL
BABCOCK RANCH COMMUNITY
SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH RANGE 26 EAST; THENCE SOUTH 00°31'45" WEST ALONG THE WEST LINE OF SAID SECTION 19 FOR 1,123.18'; THENCE SOUTH 89°28'15" EAST FOR 50.00 FEET, DEPARTING SAID SECTION LINE, TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31; THENCE SOUTH 89°28'15" EAST DEPARTING SAID RIGHT-OF-WAY LINE FOR 299.98 FEET; THENCE SOUTH 77°54'41" EAST FOR 169.77 FEET AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING THENCE THE FOLLOWING EIGHT (8) BEARINGS AND DISTANCES: SOUTH 00°04'08" WEST FOR 599.02 FEET; THENCE NORTH 90°00'00" EAST FOR 658.00 FEET; THENCE NORTH 62°38'45" EAST FOR 185.95 FEET; THENCE SOUTH 66°08'55" EAST FOR 1,147.74 FEET; THENCE SOUTH 89°39'57" EAST FOR 711.01 FEET; THENCE NORTH 01°03'27" WEST FOR 1,169.03 FEET; THENCE SOUTH 81°38'00" WEST FOR 2058.44 FEET; THENCE NORTH 77°54'41" WEST FOR 537.54 FEET AND THE POINT OF BEGINNING.
PARCEL CONTAINS 45.98 ACRES, MORE OR LESS.

BEARINGS, DISTANCES AND AREAS ARE BASED ON GRID VALUES. BEARING REFERENCE: STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD 83 (99) WHEREIN THE SOUTH LINE OF SECTION 31, TOWNSHIP 42 SOUTH, RANGE 26 EAST BEARS SOUTH 89° 41' 45" EAST.

INCREMENT 1 - 45.98AC PARCEL
BABCOCK RANCH COMMUNITY
SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

JOHNSON
ENGINEERING

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PHONE (239) 334-0046
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E.B. #642 & L.B. #642

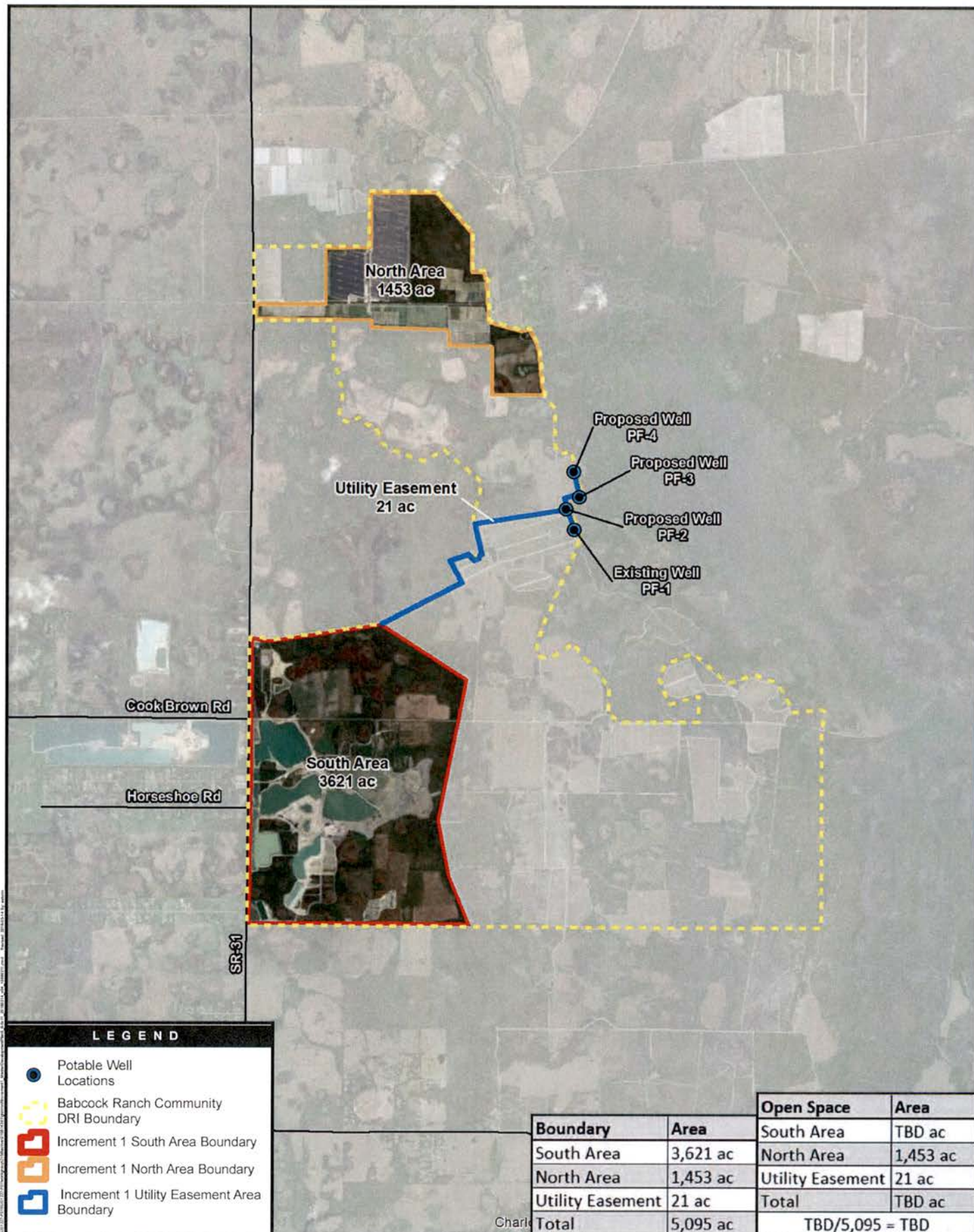
SKETCH TO ACCOMPANY
DESCRIPTION

DATE	PROJECT NO.	DRAWING NO.	SCALE	SHEET
4/27/2016	20129205-000	19-42-26		3 OF 3

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EXHIBIT B-1

**BABCOCK RANCH COMMUNITY MAP H INCREMENT 1 MASTER DEVELOPMENT
PLAN**



Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Exhibit B-1
Babcock Ranch Community
 Map H Increment 1 Master Development Plan
 March 2018

Stantec Consulting Services Inc.
 6900 Professional Parkway East
 Sarasota, FL 34240
 tel 941.907.6500
 fax 941.907.6911



Prepared by: S25 10/06/18

EXHIBIT B-2

**BABCOCK RANCH COMMUNITY MAP H-1 INCREMENT 1 SOUTH MASTER
DEVELOPMENT PLAN**

INCREMENT 1		TOTAL
RESIDENTIAL	D.U.	5,056
RETAIL	S.F.	470,000
OFFICE (GEN/MED.)	S.F.	370,000
INDUSTRIAL	S.F.	200,000
ALF	BEDS	218

WESTERN 300' OF
THIS AREA WILL
ULTIMATELY BE
PART OF THE
SR-31 EXPANSION












Hercules

Horseshoe Rd

Town Center

SR-31

LEGEND

-  Babcock Ranch Community DRI Boundary
-  Town Center
-  Utility (± 90 ac)
-  Lake (± 535 ac)
-  Mixed Use (± 2,129 ac)
-  Active Greenway (± 546 ac)
-  Observation Greenway (± 321 ac)
-  Increment 1 South Boundary, (±3,621 ac)
-  Internal Roadway Circulation System, ± 123 ac
-  Parcel Access
-  Fire / EMS / Sheriff / Communication Tower

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Aribus DS

ADDITIONAL UNITS AND SQUARE
FOOTAGE MAY BE ADDED TO THE
INCREMENT IN THE FUTURE
THROUGH AN AMENDMENT TO
THIS INCREMENT



Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Exhibit B-2
Babcock Ranch Community
Map H-1 Increment 1 South Master Development Plan
June 2022

Stantec Consulting Services Inc.
6920 Professional Parkway East
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6911

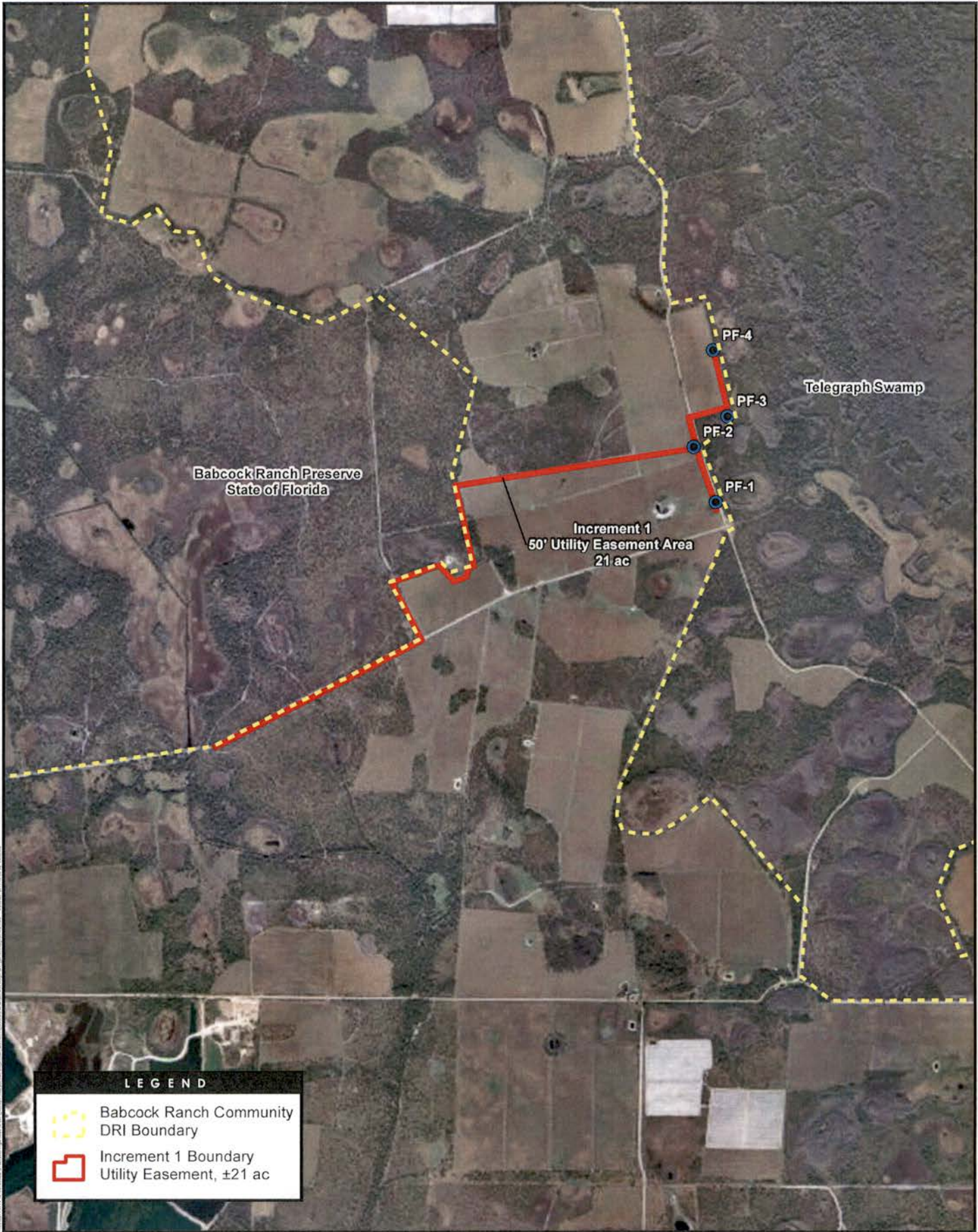


0 1,250 2,500 Feet

Prepared by: EES/056018

EXHIBIT B-3

**BABCOCK RANCH COMMUNITY MAP H-2 INCREMENT 1 UTILITY EASEMENT
AREA MASTER DEVELOPMENT PLAN**



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Exhibit B-3
Babcock Ranch Community

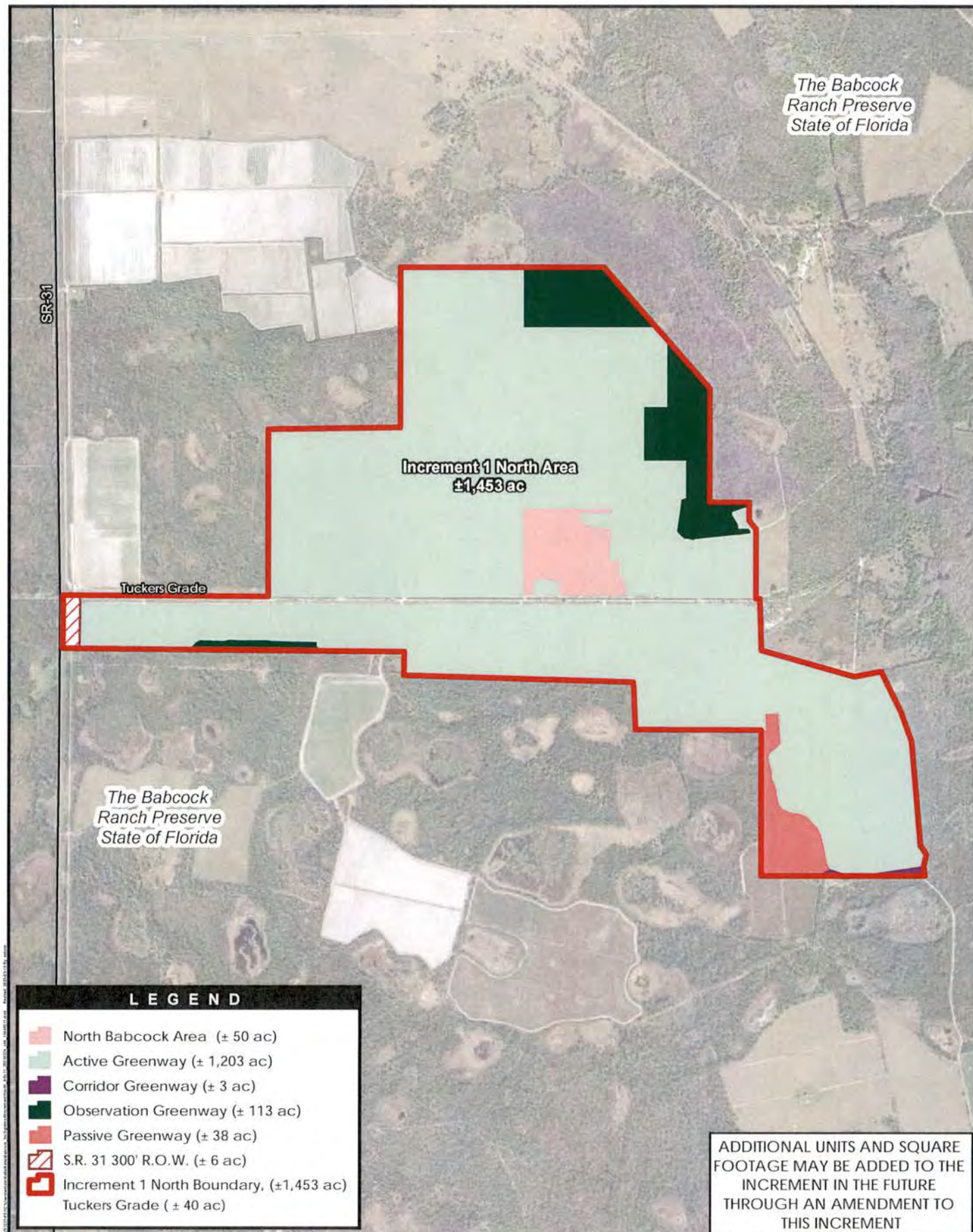
Map H-2 Increment 1 Utility Easement Area Master Development Plan
June 2016

Stantec Consulting Services Inc.
6900 Professional Parkway East
Sarasota, FL 34240
Tel 941.907.6900
Fax 941.907.6911



EXHIBIT B-4

**BABCOCK RANCH COMMUNITY MAP H-3 INCREMENT 1 NORTH AREA MASTER
DEVELOPMENT PLAN**



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Exhibit B-4
Babcock Ranch Community
 Map H-3 Increment 1 North Area Master Plan
 March 2023

Stantec Consulting Services Inc.
 6920 Professional Parkway East
 Sarasota, FL 34240
 tel 941.907.8000
 fax 941.907.8911



0 1,100 2,200 Feet

Prepared by: EES 0306016

EXHIBIT B-5

**BABCOCK RANCH COMMUNITY MAP H-4 INCREMENT 1 MASTER
DEVELOPMENT PLAN FIXED AND VARIABLE DEVELOPMENT CRITERIA**

FIXED AND VARIABLE DEVELOPMENT CRITERIA FOR BABCOCK RANCH COMMUNITY INCREMENT 1**FIXED DEVELOPMENT CRITERIA**

1. THE ALLOCATION OF DWELLING UNITS AND SQUARE FOOTAGE IDENTIFIED ON THE LAND USE TABLE ON THE MAP H SERIES MAY BE MODIFIED CONSISTENT WITH THE EQUIVALENCY MATRIX. SUPPORTING COMMUNITY ANCILLARY FACILITIES INCLUDED IN INCREMENT 1 SUCH AS SCHOOLS, LIBRARIES, PLACES OF WORSHIP, FIRE, EMS, AND SHERIFF FACILITIES, REGIONAL AND COMMUNITY UTILITY INFRASTRUCTURE AND PARK FACILITIES, SITES AND BUILDINGS AND SIMILAR NEIGHBORHOOD AMENITIES WILL NOT BE ATTRIBUTED TO OTHER DEVELOPMENT COMPONENTS AND WILL NOT REQUIRE USE OF THE EQUIVALENCY MATRIX.
2. AGRICULTURAL USES, UTILITY INFRASTRUCTURE, RENEWABLE ENERGY SYSTEMS AND FACILITIES SHALL BE PERMITTED THROUGHOUT INCREMENT 1 AND WILL NOT BE ATTRIBUTED TO OTHER DEVELOPMENT PROGRAMS AND WILL NOT BE SUBJECT TO THE EQUIVALENCY MATRIX.
3. ALL DEVELOPMENT OF THE SUBJECT PROPERTY, AS IT RELATES TO THE DEFINED DEVELOPMENT FORMS, DESIGN STANDARDS AND PROVISIONS AND USES COMMON TO THE DISTRICT, SHALL BE IN CONFORMANCE WITH THE BABCOCK RANCH OVERLAY ZONING DISTRICT (ORDINANCE NO. 2014-077), AS MAY BE AMENDED.
4. OPEN SPACE SHALL BE TABULATED AND UPDATED AS A RESULT OF FINAL PERMITTING FOR THE PURPOSE OF MONITORING THE MINIMUM OF 35% OPEN SPACE REQUIRED OVERALL FOR THE BABCOCK RANCH COMMUNITY. OPEN SPACE/GREENWAY AREAS SUBJECT TO CONSERVATION EASEMENTS IDENTIFIED IN THIS INCREMENT SHALL BE RECORDED IN THE PUBLIC RECORDS FOLLOWING FINAL PERMITTING.
5. WHEN COMBINED WITH NON-RESIDENTIAL DEVELOPMENT IN THE LEE COUNTY BABCOCK MIXED-USE PLANNED DEVELOPMENT DISTRICT THE TOTAL NON-RESIDENTIAL DEVELOPMENT SHALL NOT EXCEED THE TOTAL SQUARE FOOTAGE IN THE CHARLOTTE COUNTY BABCOCK RANCH MASTER DEVELOPMENT OF REGIONAL IMPACT ORDER (AS MAY BE MODIFIED BY THE DRP'S ADOPTED CONVERSION MATRIX).
5. HELICOPTER LANDING SITE AND MOSQUITO CONTROL BUILDING MAY BE LOCATED IN GREENWAYS, EXCEPT IN CORRIDOR AND OBSERVATION GREENWAYS.

VARIABLE DEVELOPMENT CRITERIA

1. THE FOLLOWING ITEMS WILL BE DEFINED DURING DETAILED SITE PLANNING AND PERMITTING:
 - a. FINAL CONFIGURATIONS OF DEVELOPMENT PODS, INCLUDING POTENTIAL RELOCATION AND RECONFIGURATION OF NEIGHBORHOOD MIXED USE/RESIDENTIAL/COMMERCIAL (MURC), AND TOWN CENTER.
 - b. FINAL ACREAGES OF ALL PROPOSED USES.
 - c. NATIVE HABITAT PRESERVATION, ALTERATION, ENHANCEMENT, MITIGATION AND CONSERVATION ACREAGES MAY BE MODIFIED BASED ON FINAL LAND PLANNING, STORMWATER LAKE DESIGN, OTHER ENGINEERING REQUIREMENTS AND FINAL PERMITTING. MITIGATION MAY OCCUR OUTSIDE THE BOUNDARIES OF THE INCREMENT SUBJECT TO FINAL PERMITTING APPROVALS.
 - d. STORMWATER MANAGEMENT FACILITIES MAY OCCUR OUTSIDE THE BOUNDARIES OF THE INCREMENT SUBJECT TO FINAL ENGINEERING AND PERMITTING.
 - e. THE FINAL LOCATION, SIZE AND ALLOCATION OF CIVIC FACILITIES (I.E. INTERNAL PARKS, SCHOOLS, CHURCHES, EMERGENCY SERVICES BUILDINGS, ETC.).
 - f. THE INTERNAL ROAD ALIGNMENTS AND CIRCULATION (LOCAL ROADS WITHIN DEVELOPMENT PODS WILL BE PROVIDED AS PART OF FINAL SITE PLANNING AND PERMITTING).
 - g. THE CONFIGURATION AND DETAIL ASSOCIATED WITH THE AGRICULTURE AREAS AND RENEWABLE ENERGY SYSTEMS AND FACILITIES.
 - h. THE FINAL LOCATION, ALLOCATION, ALIGNMENT AND USE OF THE MULTI-MODAL TRAIL SYSTEM AND THE EXACT LOCATIONS AND FUTURE INTERCONNECTIONS OF THE MULTI-MODAL TRAIL SYSTEM WITH THE NEIGHBORHOOD TRAIL/PATH/SIDEWALK SYSTEM.
 - i. THE LOCATION OF VEHICULAR ACCESS POINTS, INCLUDING EXISTING TEMPORARY ENTRYWAYS, TO EXTERNAL PUBLIC ROADWAYS.
2. ~~THE EXISTING PERMITTED OR APPROVED MINING OPERATIONS WILL BE ALLOWED TO CONTINUE. ADDITIONAL MINING AREAS MAY BE ALLOWED CONSISTENT WITH CURRENT AND SUBSEQUENT PERMITTING.~~
- 3.2. FURTHER ADJUSTMENTS TO THE BOUNDARIES OF DEVELOPMENT PODS FOR SPECIFIC LAND USE CLASSIFICATIONS MAY OCCUR AS A RESULT OF FINAL LAND PLANNING AND PERMITTING. SPECIFIC USES TO SUPPORT DEVELOPMENT SUCH AS PARKING, STORMWATER LAKES, PARKS OR OTHER SPACES MAY BE IDENTIFIED AND REFINED THROUGH SUBSEQUENT PERMITTING CONSISTENT WITH LOCAL LAND DEVELOPMENT REGULATIONS.
- 4.3. ADDITIONAL UNITS AND SQUARE FOOTAGE WILL BE ADDED TO THE INCREMENT IN THE FUTURE THROUGH AN AMENDMENT TO THIS INCREMENT.
- 5.4. GOLF COURSE/RECREATION IS ALLOWED IN MIXED USE RESIDENTIAL COMMERCIAL (MURC).

EXHIBIT C

RESERVED

EXHIBIT D

UPDATED SUMMARY OF LAND DEDICATIONS AND FACILITIES CONSTRUCTION

Exhibit D

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
Extension Services				
Mosquito Control pre-fab building (shell only)	1	1	3000 *1	Prior to reaching 12,500 persons
Fire/Rescue/Law Enforcement				
Site #1 Sheriff	1.8	1	12,500	October 1, 2024
Site #1 Fire	1.5	1	12,160	October 1, 2024
One Ladder Truck *2	n/a	n/a	n/a	October 1, 2024
One EMS Vehicle	n/a	n/a	n/a	500th C/O
One permanent helicopter landing site*3	0.25	1	n/a	October 1, 2024
Fire & Police Communications Tower Site	0.25±	1	n/a	Site identification and dedication by 1,500th C/O
Interim Sheriff's Sub-station Office Trailer and Site *4	n/a	1	24'W x 60' overall	The later of the issuance of the 100th residential C/O or upon written request of Sheriff's Dept.
Interim EMS Sub-Station Site *5	n/a	1	n/a	

SITE & BUILDING DEDICATION/CONSTRUCTION TIME LINE
The criteria for determining public facility shell completion and/or land dedication shall be by population or residential certificate of occupancy ("C/O") referenced below.

COMPLETE

COMPLETE

COMPLETE

COMPLETE

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

SITE & BUILDING DEDICATION TIME LINE

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
-------------------------------	---	------------------------	---	-------------------------------

Schools *6
Elementary Schools

Middle Schools

High Schools

Educational Service
Center

Notes to Exhibit 'D'

*1 Pre-fab building to include two offices, two bays for vehicle and equipment, and chemical storage. This facility shall be ADA compliant and shall include all required utilities, parking, and landscaping.

*2 Developer and/or District will provide funding up to one million two hundred thousand dollars (\$1,200,000) towards the purchase of a ladder truck and County will be responsible for funding any remaining cost of the ladder truck.

*3 Helicopter landing site may also be used by mosquito control and co-located with the mosquito control pre-fab building (shell only).

The criteria for determining public facility shell completion and/or land dedication shall be by residential certificate of occupancy ("C/O")

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

General Notes:

1) All dedications and construction, required under this schedule, shall be completed and turned over based on a population or residential dwelling unit certificate of occupancy use threshold required above or as otherwise agreed to by the parties.

2) The shell building construction required above, shall be completed by the Developer one (1) year prior to the trigger referenced in the column entitled 'Commencement of Operations'.

3) Subject to agreement with the County and Developer, public facilities may be located in other increments without the requirement to amend Exhibit D. Biennial Report monitoring and subsequent amendments to the DRI will incorporate such changes, as appropriate.

*4 An interim sheriff's sub-station office trailer (24'W x 60' overall length) will be fully operational the later of the issuance of the 100th residential C/O or upon written request of Sheriff's Department and will be terminated upon the opening of the Sheriff's facility.

COMPLETE

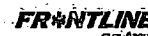
*5 Provide site work and utility connections for interim EMS station 9 expansion

~~*6 School sites may be dedicated to a charter school(s), in accordance with the First Amendment to the Babcock Ranch School Site Dedication Agreement dated July 22, 2016. School sites will be located, based on appropriateness of site and anticipated demographic makeup of each increment. School site locations will be provided for the DRI, but are not allocated to a specific increment. School Board criteria for land dedication per the School Site Dedication Agreement.~~

*7 County and Developer shall meet bi-annually to discuss the next five (5) years of development projections, such projections shall include the projected population and square footage for non-residential development, including but not limited to retail, office, industrial, ancillary facilities, etc. The population projection shall be based on 2.5 persons per unit. The development projections shall also be coordinated with the emergency response zones to meet the service requirements. The site and building dedication/construction timing for each public facility will be agreed upon in writing as part of the bi-annual meetings.

EXHIBIT D1

SPECIFICATIONS FOR ONE (1) FREIGHTLINER M2 AEV TYPE I AMBULANCE



October 8, 2018

Mr. Donnie Finkelstein, Fleet Manager
Charlotte County Fire and EMS
26581 Airport Road
Punta Gorda, FL 33982

We are pleased to provide you with the following pricing, shop order, drawings, and chassis specifications for new 2019 Freightliner M2 4 door cab with custom AEV Type I Ambulance. Pricing is based on purchasing this unit from the Florida Sheriff's Association Bid No. FS18-VEF13.0 Specification #03 - Type I Ambulance Medium Duty (4 x 2) Freightliner M2.

PRICING:

- Total price per unit 4 door cab with AEV Type I module \$289,365.00
- Included in above price: Your standard graphic/chevron package, M2 4 door rear cab a/c system, Engel MT17-F-U1, TSL17 tray, Stryker Power Pro XT Cot, Power Load Compatibility, steer lock, foot end O2 bottle holder, fowler O2 bottle holder w/pad, 3 stage IV pole, equipment hook, flat head end storage pouch, base storage net, backrest storage pouch, XPS, Stryker Power Load and Stryker stair chair.
- Above price is good for 60 days
- TERMS: Payment in full is due upon the delivery of each unit. Upon payment, ETR, L.L.C. shall furnish the County a "Statement of Origin" or the necessary validated documents require for title application.

Sincerely,

Jerry Michaluk
President/CEO

EXHIBIT E

BABCOCK RANCH COMMUNITY INCREMENT 1 PARAMETERS

EXHIBIT E

Table 1. Increment 1 Parameters

LAND USE	AMOUNT/SIZE
Residential	5,05600 units
Hotel	600 rooms
Retail	4870,000 sf
Office	3750,000 sf
Industrial	200,000 sf
Assisted Living Facility	218400 Bedsunits
Supporting Community & other facilities	50,000 sf
School	20 acres
Golf Course	18 holes

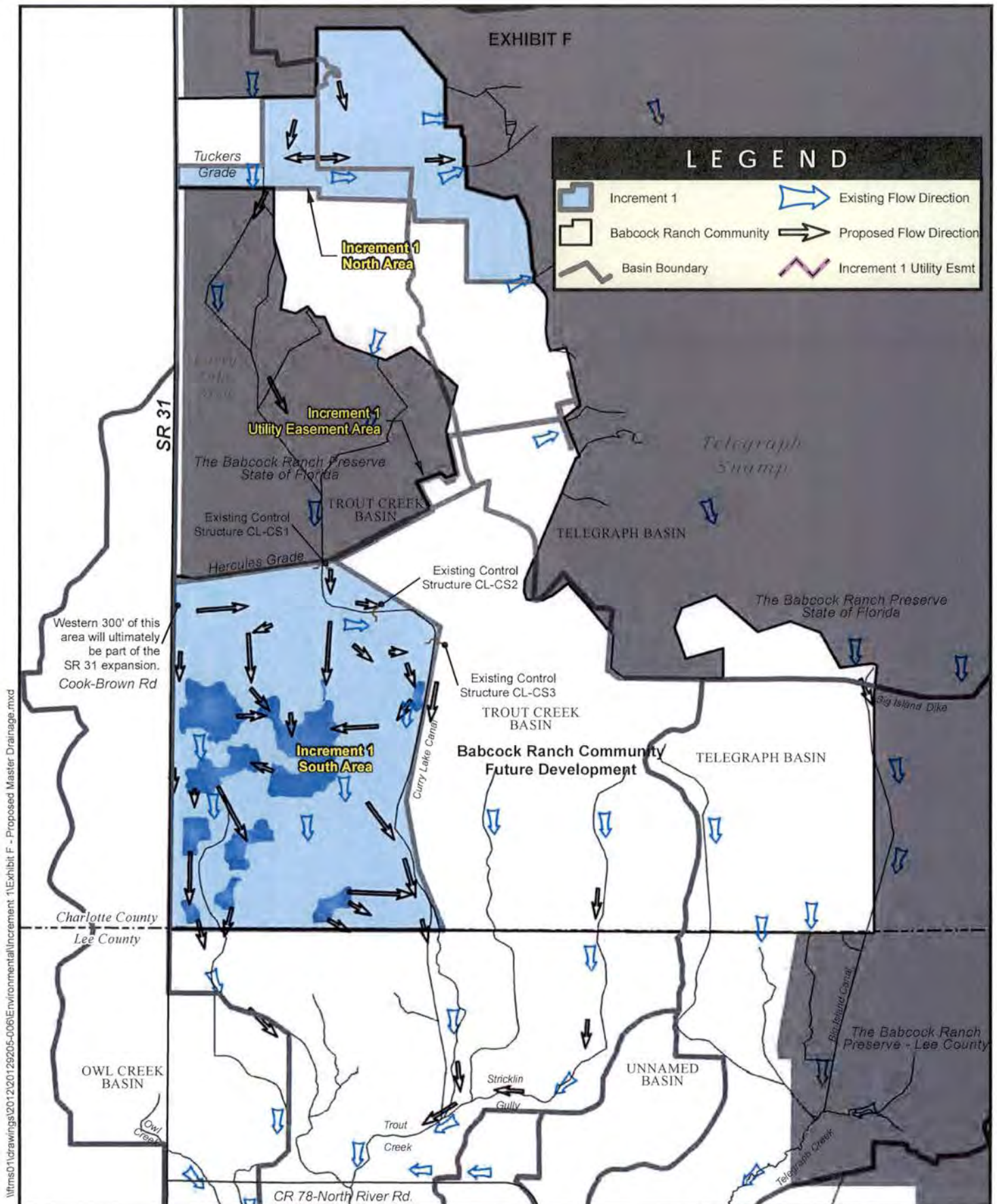
Table 2. Increment 1 Parameters by Development Area

LAND USE	AMOUNT/SIZE	VILLAGE MINIMUM/ AMOUNT/SIZE	TOWN CENTER MINIMUM AMOUNT/SIZE
Residential	5,000 units	1,000 units	2,000 units
Retail	870,000 sf	5,000 sf	100,000 sf
Office	350,000 sf	0 sf	40,000 sf
Assisted Living Facility	400 units	0 units	0 units
Supporting community and other facilities	50,000 sf	0 sf	10,000 sf
Golf Course	18 holes	0 holes	0 holes

NOTE:

- 1) Utilities, agriculture, ecotourism, and mining uses are permitted throughout Increment 1.
- 2) Table 1 and Table 2 in this Increment 1 Parameters and by Development Area in this Exhibit E can be adjusted and interchanged in accordance with the equivalency matrix set forth in Exhibit HC hereto of the MDO, subject to the external vehicle trip limitations set forth in Exhibit G Section 4 of this IDOMDO.
- 3) Retail includes clubhouses, pro shops and private clubs and restaurants.
- 34) Supporting community and other facilities are subject to Findings of Fact and Conclusions of Law Sections 5 (vii) and (viii).

EXHIBIT F
INCREMENT 1 MASTER DRAINAGE PLAN



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ENGINEERING

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Exhibit F
Babcock Ranch
Increment 1 - Master Drainage Plan
June 2022

Johnson Engineering, Inc.
2122 Johnson Street
P.O. Box 1550
Fort Myers, Florida 33902-1550
Phone (239) 334-0046
Fax (239) 334-3661
E.B. #642 & I.B. #642

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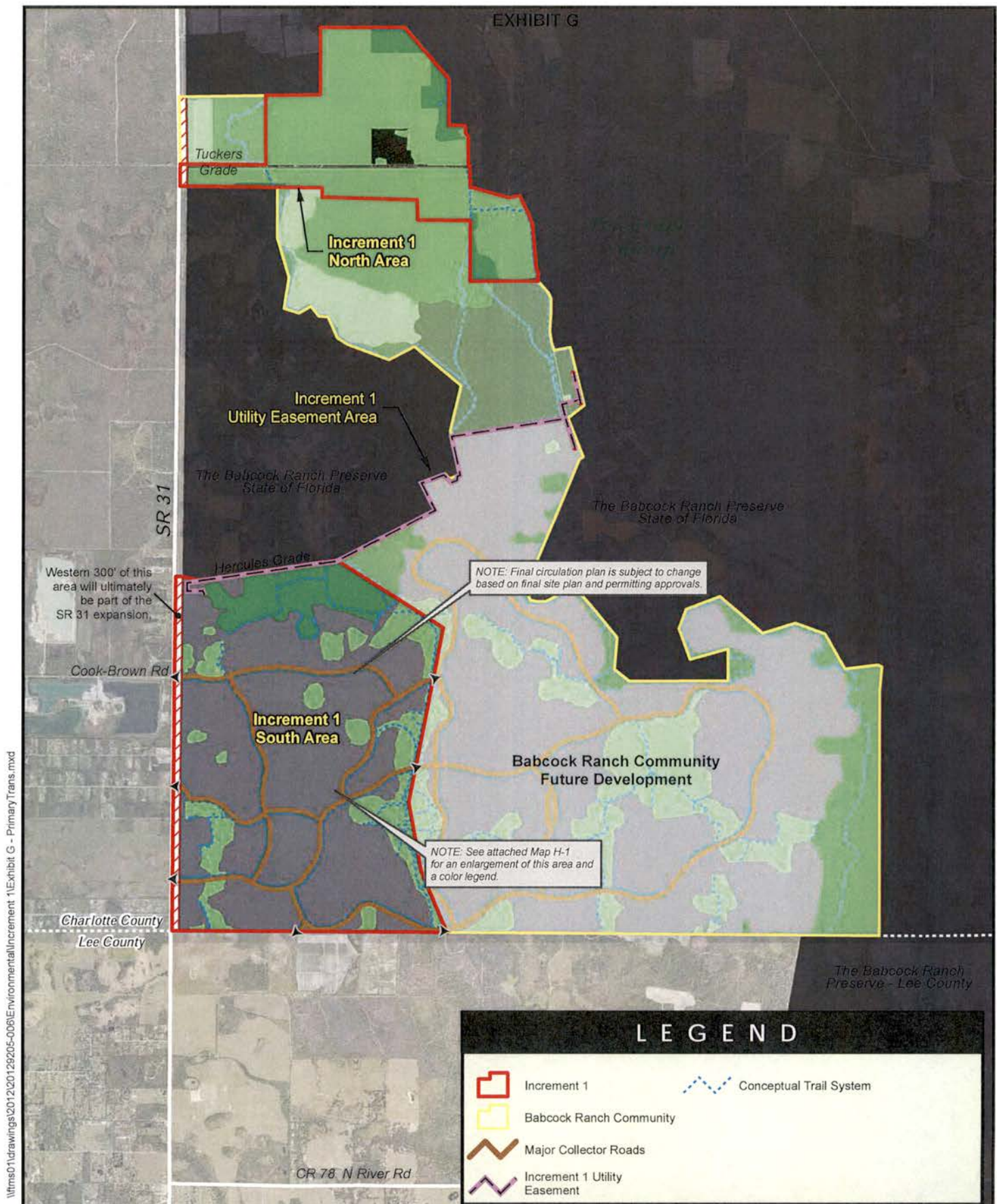


Prepared by: PML 6/22/2022

EXHIBIT G

INCREMENT 1 MASTER INTERNAL CIRCULATION PLAN

EXHIBIT G



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Exhibit G
Babcock Ranch
Increment 1 - Master Internal Circulation Plan
June 2022

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Miles



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EXHIBIT H1

INCREMENT 1 SOUTH AREA PRIMARY GREENWAY MAP AND TRAILS PLAN

EXHIBIT H1

**Increment 1
Utility Easement Area**
(Active Greenway)

*The Babcock
Ranch Preserve
State of Florida*
*The Babcock
Ranch Preserve
State of Florida*

 Western 300' of this
area will ultimately
be part of the
SR 31 expansion.

SR 31

Cook Brown Rd.

Horseshoe Rd.

 Charlotte County
Lee County

**Increment 1
South Area**
**Babcock Ranch Community
Future Development**
NOTE:

1. Greenways and trails are subject to change based on final design plans. Trails within development areas will be determined during final site planning.
2. Acreages shown apply to both Greenway and Trail Maps.

LEGEND

Increment 1	Corridor Greenway (3.0 ac.)	Active Greenway (1) (1771.3 ac.) (Includes 30.0 acres within 50' utility easement)	Upland Preservation and Enhancement 423.40 ac.	Wetland Preservation 272.39 ac.
Babcock Ranch Community	Observation Greenway (434.0 ac.)		Wetland Enhancement 107.61 ac.	Wetland Creation 19.02 ac.
----- Conceptual Trail System	Passive Greenway (38.0 ac.)			Increment 1 Utility Easement
				Major Collector Roads

**JOHNSON
ENGINEERING**

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**Exhibit H1
Babcock Ranch
Increment 1 - Primary Greenway Map
and Trails Plan**

June 2022

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E.B. #642 & L.B. #642

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Feet


Prepared by: PML 6/28/2022

EXHIBIT H2

INCREMENT 1 NORTH AREA PRIMARY GREENWAY MAP AND TRAILS PLAN

EXHIBIT H2

The Babcock
Ranch Preserve
State of Florida

Increment 1
North Area

North
Babcock
Area

TUCKER'S GRADE

Babcock Ranch Community
Future Development

The Babcock
Ranch Preserve
State of Florida

LEGEND

- Increment 1
- Babcock Ranch Community
- Conceptual Trail System
- Corridor Greenway
(3.0 ac.)
- Observation Greenway
(434.0 ac.)
- Passive Greenway
(38.0 ac.)
- Active Greenway
(1771.3 ac.)
(Includes 30.0 acres within
50' utility easement on Map H1)

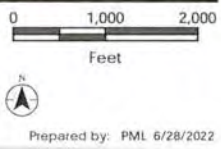
NOTE:
1. Greenways and trails are subject
to change based on final design
plans. Trails within development
areas will be determined during
final site planning.
2. Acreages shown apply to both
Greenway and Trail Maps.

Disclaimer: Johnson Engineering assumes no
responsibility for data supplied in electronic
format. The recipient accepts full responsibility
for verifying the accuracy and completeness
of the data. The recipient releases Johnson
Engineering, its offices, employees,
consultants and agents, from any and all
claims arising in any way from the content or
provision of the data.



Exhibit H2
Babcock Ranch
Increment 1 North Area -
Primary Greenway Map and Trails Plan
June 2022

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Fort Myers, Florida 33902-1550
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E.B. #642 & L.B. #642



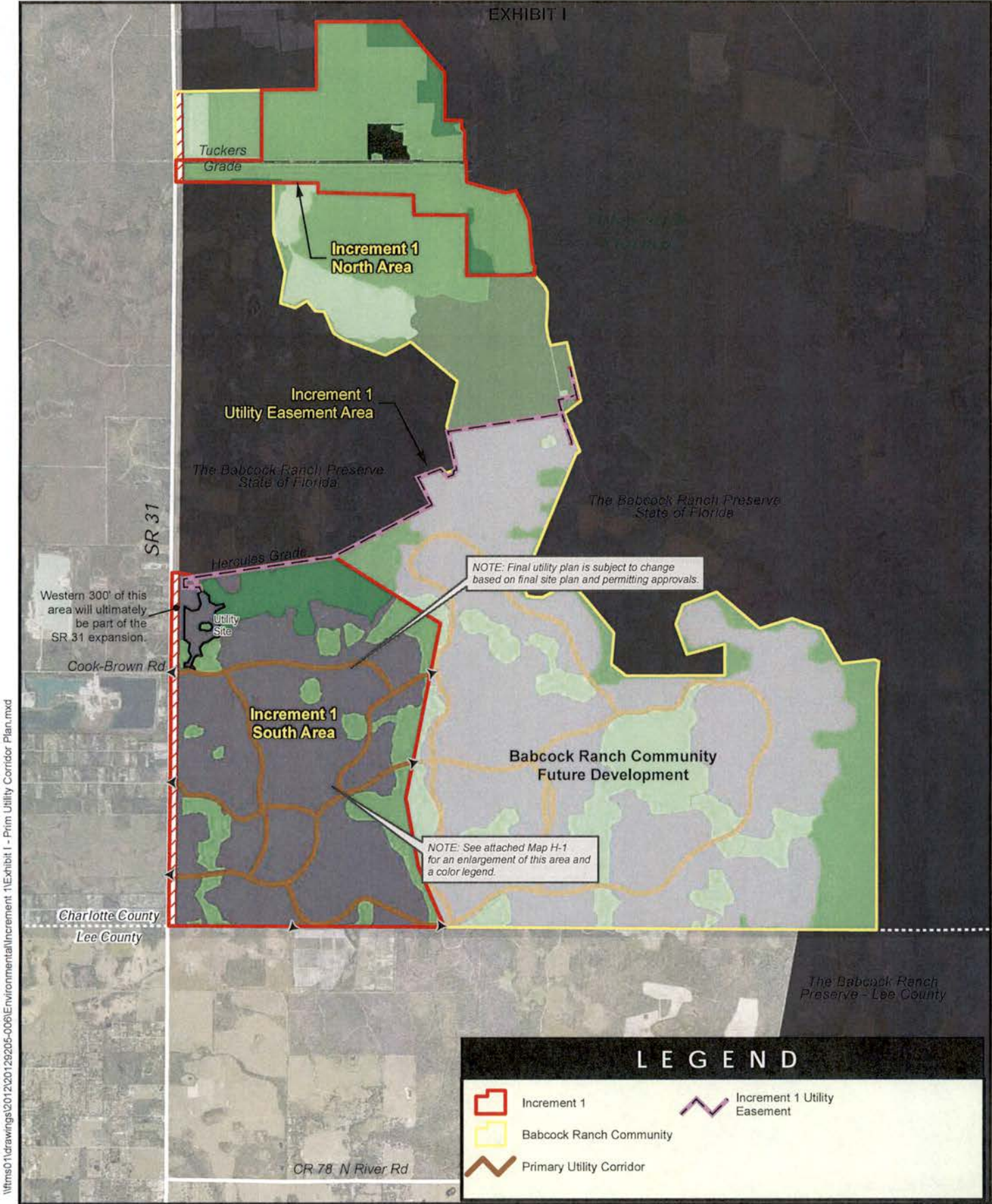
Prepared by: PML 6/28/2022

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EXHIBIT I

INCREMENT 1 PRIMARY UTILITY CORRIDOR MAP

EXHIBIT I



\\fms01\drawings\2012\20126205-006\Environmental\Increment 1\Exhibit I - Prim Utility Corridor Plan.mxd

Disclaimer: Johnson Engineering assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Johnson Engineering, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

**JOHNSON
ENGINEERING**

Exhibit I
Babcock Ranch
Increment 1 - Primary Utility Corridor Plan
June 2022

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Miles



Prepared by: PML 6/28/2022

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BCC

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
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Rec. Fee: RECORDING \$469.00

**BABCOCK RANCH COMMUNITY
INCREMENT 2**

DRI INCREMENTAL DEVELOPMENT ORDER

**BOARD OF COUNTY COMMISSIONERS
CHARLOTTE COUNTY, FLORIDA**

ADOPTED MAY 23, 2023

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RESOLUTION NO. 2023-080

AN INCREMENTAL DEVELOPMENT ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY FLORIDA FOR INCREMENT 2 OF THE BABCOCK RANCH COMMUNITY (CHARLOTTE COUNTY), A MASTER DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, on December 7, 2020 Babcock Property Holdings, LLC ("Developer"), in accordance with Subsections 380.06(6) and (21), Florida Statutes, filed an Application for Incremental Development Approval ("AIDA") known as the Babcock Ranch Community, Increment 2 (hereinafter "BRC Increment 2" "Increment 2" or "Project") with Charlotte County, Florida ("County") and the Southwest Florida Regional Planning Council ("SWFRPC"); and

WHEREAS, Developer, County, and the SWFRPC entered into a Master DRI Agreement on March 13, 2007 (fully executed March 16, 2007), as required by Section 380.06(21)(b), Florida Statutes ("AMDA Agreement"); and

WHEREAS, in February, 2007, Developer, in accordance with Subsection 380.06(6) and (21), Florida Statutes, filed an Application for Master Development Approval ("AMDA") of a Development of Regional Impact known as the Babcock Ranch Community ("~~BRCBabcock-Charlotte~~") with Charlotte County and SWFRPC; and

WHEREAS, on December 13, 2007, the Board approved and adopted the ~~BRCBabcock Ranch Community~~ Master Development of Regional Impact Master DRI Development Order under Resolution 2007-196, as subsequently amended on June 17, 2008 by Resolution 2008-063; on December 15, 2009 by Resolution 2009-283; on December 13, 2011 by Resolution 2011-485; on April 24, 2012 by Resolution 2012-024; on July 25, 2017 by Resolution 2017-187; on June 12, 2018 by Resolution 2018-077; and on July 27, 2021 by Resolution 2021—108 ("MDO"); and

~~WHEREAS, in accordance with Condition 22 of the 2007 MDO, the Board of County Commissioners of Charlotte County, Florida and the Babcock Ranch Community Independent Special District (the "District") entered into the "Babcock Ranch Community Fiscal Stabilization Agreement between Board of County Commissioners of Charlotte County, Florida, and the Babcock Ranch Community Independent Special District" on September 23, 2008, ("Fiscal Stabilization Agreement"); and as recorded in Official Records Book 3326, Pages 1412-1439, of the Public Records of Charlotte County, Florida; and said agreement satisfies the MDO requirements; and~~

~~WHEREAS, in accordance with Condition 21 of the 2007 MDO, the Board of County Commissioners of Charlotte County, Florida, Developer, and the District entered into the "Impact Fee Credit and Reimbursement Agreement for Babcock Ranch Community" on November 12, 2008, ("Impact Fee Agreement"); and as recorded in Official Records Book 3337, Pages 1813-1823, of the Public Records of Charlotte County, Florida; and said agreement satisfies the MDO requirements; and~~

WHEREAS, all of the agreements, studies, reports and other documents referenced in this BRC~~Babcock Ranch Community~~ Increment 2 Incremental Development Order ("IDO") shall be kept on file with Charlotte County; and

WHEREAS, the Board, as the governing body of the unincorporated area of Charlotte County having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider amendments to the requested AIDAIDO for the ~~Babcock Charlotte~~ BRC Increment 2; filed on June 30, 2022 ("Amendment"); and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, and the Charlotte County Land Development Regulations ("LDR"), which includes the County's Zoning Ordinance, have been satisfied for the AIDA Amendment; and

WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and considered the County's staff report and held a public hearing to consider the AIDA Amendment on ~~July 12, 2021~~; April 10, 2023, and

WHEREAS, the issuance of a development order pursuant to Section 380.06, Florida Statutes, does not constitute a waiver of any powers or rights of County regarding the issuance of other development permits consistent herewith; and

WHEREAS, on ~~July 27, 2021~~ May 23, 2023, the Board, at a public hearing in accordance with Section 380.06, Florida Statutes, having considered the AIDA Amendment submitted by Developer, the AIDA Amendment sufficiency questions from reviewing agencies and Developer's responses thereto, the documentary and oral evidence presented at the hearing before the Board, the report and recommendations of the Charlotte County Planning and Zoning Board, and the recommendations of County staff, makes the Findings of Fact and Conclusions of Law set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA THAT:

RECITALS

The recitals set forth above are true and correct and are incorporated herein and made a part hereof.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The real property constituting Increment 2 which is the subject of the AIDA Amendment, consists of approximately 4,021.45 acres, and is legally described as set forth in Exhibit A attached hereto and made a part hereof ("Property" or "Community").
2. The AIDA Amendment is consistent with Section 380.06, Florida Statutes.
3. The AIDA Amendment is consistent with the MDO, which is incorporated herein by reference.
4. The Developer submitted to the County an AIDA Amendment on ~~December 7, 2020~~, June 30, 2022. The representations and commitments of Developer made in the AIDA Amendment which are made conditions of this IDO are identified and set forth herein.
5. The Developer proposes to develop Increment 2 in accordance with the Babcock Master Concept Plan (Map H) attached hereto as Exhibit B and made a part hereof. Map H constitutes a portion of the revised Master Plan for the Babcock Ranch Overlay District in the Charlotte 2050 Comprehensive Plan ("Comprehensive Plan"). The development program for Increment 2 authorized by this IDO, consisting of one phase, is as follows ("Development Program"), subject to the limitations contained herein:
 - (i) ~~6,457~~9,252 residential dwelling units (~~4,434~~5,817 single family units and 2,0233,435 multi-family units);
 - (ii) ~~297,250~~ square feet of retail;
 - (iii) ~~727,750~~ square feet of office;
 - (ii) ~~200~~600 Hotel Rooms;
 - (iv)(iii) 730,000 square feet of ~~industrial~~retail;

~~(iv)~~ 400650,000 square feet of office;

~~(v)~~ 200 assisted living facility (ALF) beds;

~~(vi)~~ 75,000 square feet of ancillary community uses, and

~~(vii)~~ 18-hole golf course and related facilities, including but not limited to maintenance facilities and cart barn;

~~(viii)~~ (vii) Supporting community facilities such as the educational service center, schools, university facilities, libraries, places of worship, fire, EMS and sheriff facilities, regional and community park facilities, clubhouses and similar neighborhood amenities, and the necessary utility infrastructure including, but not limited to, water, wastewater and reuse water systems, electric, telephone and cable systems, will not be attributed to the development components set forth above, and will not count towards the maximum thresholds of development as established in this IDO;

~~(ix)~~ (viii) All other ancillary facilities, together with the development components set forth above [excluding (viii)] shall not exceed the maximum thresholds established in this IDO, subject to the use of the Land Use Equivalency Matrix contained in Exhibit C the MDO; and-

~~(x)~~ (ix) Temporary housing for construction workers and their families will not count against the residential dwelling units allowed herein.

6. The Increment 2 development is not in an area designated as an Area of Critical State Concern pursuant to the Provisions of Section 380.05, Florida Statutes, as amended.

7. The Increment 2 development is consistent with the current land development regulations and the ~~Charlotte 2050~~ Comprehensive Plan, adopted pursuant to Chapter 163, Part II, Florida Statutes. Further, it is orderly, maximizes efficiency of infrastructure, and provides for specific infrastructure improvements needed to meet prescribed levels of service.

8. Increment 2 development as approved herein is consistent with the State Comprehensive Plan.

9. The mitigation provided for Increment 2 development is consistent with the requirements of Section 163.3180(5), F.S.

10. The ~~AIDA~~Amendment for Increment 2 of the ~~BRC~~Babcock Ranch Community DRI is hereby approved, subject to compliance with the conditions contained in this IDO and the MDO.

CONDITIONS

1. GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT PROGRAM

A. Representations and Commitments as Conditions.

(1) The Development Program is approved and may be adjusted by Developer in accordance with the Land Use Equivalency Matrix~~equivalency matrix~~ attached as Exhibit H hereto, and incorporated herein, as Exhibit C. to the MDO.

(2) The Updated Summary of Land Dedication & Facilities Construction for Increment 2 is attached hereto as Exhibit D ~~and updates a portion of Exhibit D of the MDO.~~

(3) The minimum amount of non-residential development which may be constructed by the end of Increment 2 relative to the cumulative number of residential

units which have been, or are projected to be, developed in Increment 2 shall be 50,000 square feet. The intent is that non-residential uses be allowed to serve the occupancy of dwelling units.

(4) Development within Increment 2 shall be in accordance with Exhibit E.

(5) Current uses within Increment 2 may continue to operate until such time said use is permanently replaced with a use approved herein. Current uses within Increment 2 include, but are not limited to, cattle grazing, agricultural uses, and ecotourism uses. Permits for existing uses can be renewed or modified as an allowed use until said use is permanently replaced by a use approved herein.

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2. **AFFORDABLE HOUSING**

A. Representations and Commitments as Conditions. – None.

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3. **STORMWATER MANAGEMENT, WATER QUALITY, AND FLOOD PLAINS**

A. Representations and Commitments as Conditions.

(1) The Master Drainage Plan for Increment 2 is attached hereto as Exhibit F.

(2) The design of the Increment 2 surface water management system will comply with the MDO "Stormwater Plan," ~~outlined in Subsection A and B in Condition 4 of the MDO.~~

(3) Development of Increment 2 includes conveyance features located outside the Increment 2 boundaries that convey stormwater runoff. Examples of conveyance features include, but are not limited to, swales, ditches, canals and overland flow. Some improvements to these conveyance features will be made as part of Increment 2.

(4) The stormwater management system shall be that system as permitted by the South Florida Water Management District ("SFWMD") Individual Environmental Resource Permit No. 08-00004-S-05, as ~~may be amended~~ ("supplemented by Permit No. 08-105624-P (Application No. 200526-3536) ("Conceptual ERP").

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

4. TRANSPORTATION —————

A. Representations and Commitments as Conditions.

~~(1) Increment 2~~

~~In accordance with the MDO, each Incremental traffic study will include any previously evaluated Increment as Project traffic. Mitigation provided by any previously evaluated Increment shall be credited~~Refer ~~to the overall impact~~Exhibit G ~~of the Project.~~

~~a. Developer shall be fully responsible for the required site-related roadway and intersection improvements associated with Increment 2 as set forth herein. Site-related improvements include, but are not limited to, the following: site driveways and roads; median cuts made necessary by those driveways or roads; right turn, left turn, and deceleration or acceleration lanes leading to or from those driveways or roads; traffic control measures for those driveways or roads; and roads or intersection improvements whose primary purpose at the time of construction is to provide access to the development. The specific site-related improvements shall be subject to review and approval under the Site Plan Review process as provided in Section 3-9-7.1 of the Code of Laws and Ordinances of Charlotte County, Florida ("Code"), and coordination with FDOT. The cumulative site-related improvements for Increments 1 and 2 are as follows:~~

~~a. SR 31 / Cypress Parkway (D-D)~~

- ~~• Add NB Right Turn Lane~~

- ~~Add SB Left Turn Lane~~
 - ~~Add WB Dual Left Turn Lanes~~
 - ~~Add WB Thru/Right Turn Lane~~
 - ~~Signal, If and When Warranted~~
- b. ~~SR 31 / Horseshoe Road / Lake Babcock Drive (C-C)~~
- ~~Add NB Right Turn Lane~~
 - ~~Add SB Left Turn Lane~~
 - ~~Add WB Dual Left Turn Lanes~~
 - ~~Add WB Thru/Right Turn Lane~~
 - ~~Signal, If and When Warranted~~
- c. ~~SR 31 / Cook Brown Road/Greenway Boulevard (B-B)~~
- ~~Add NB Right Turn Lane~~
 - ~~Add SB Left Turn Lane~~
 - ~~Add WB Left Turn Lane~~
 - ~~Add WB Thru/Right Turn Lane~~
 - ~~Signal, If and When Warranted~~
- d. ~~SR 31 / Increment 1 North Project Entrance/Hercules~~
~~Grade~~
- ~~Add NB Right Turn Lane~~
 - ~~Add SB Left Turn Lane~~
 - ~~Add WB Left Turn/Right Turn Lane~~
- ~~Construction of ingress and egress driveways, as necessary~~
~~along SR 31.~~

~~b. The cumulative off-site traffic impacts of Increments 1 and 2, through 2033, as estimated by the AIDA traffic analysis are identified in Exhibit J, which is attached hereto and incorporated herein by reference. These off-site traffic impacts have been accepted by FDOT, Charlotte County, Lee County, and the SWFRPC, as the cumulative impacts resulting from Increments 1 and 2.~~

~~4. The mutually agreed upon significantly and adversely impacted roadways for Increments 1 and 2, that are not transportation deficient, and the identified improvements for Increments 1 and 2 are:~~

- ~~a. SR 31 from SR 78 to Old Rodeo Drive

 - Widen from 4 to 6 Lanes~~
- ~~b. SR 31 from Old Rodeo Drive to North River Road

 - Widen from 4 to 6 Lanes~~
- ~~c. SR 31 from North River Road to Shirley Lane

 - Widen from 4 to 6 Lanes~~
- ~~d. SR 31 from Shirley Lane to Fox Hill Road

 - Widen from 4 to 6 Lanes~~
- ~~e. SR 31 from Fox Hill Road to Busbee Lane

 - Widen from 4 to 6 Lanes~~
- ~~f. SR 31 from Busbee Lane to Charlotte/Lee County Line

 - Widen from 2 to 6 Lanes~~

~~g. SR 31 from Charlotte/Lee County Line to Cypress Parkway~~

- ~~• Widen from 2 to 6 Lanes~~

~~h. SR 31 from Cypress Parkway to Lake Babcock Drive~~

- ~~• Widen from 2 to 4 Lanes~~

~~2. The mutually agreed upon significantly and adversely impacted intersections, that are not transportation deficient, and the identified improvements for Increments 1 and 2 are:~~

~~a. SR 78 / Hart Road~~

- ~~• Add SB Right Turn Lane~~

~~b. SR 80 / Orange River Boulevard~~

- ~~• Add NB Left Turn Lane~~

- ~~• Add WB Left Turn Lane~~

~~c. SR 80 / SR 31~~

- ~~• Add NB Left Turn Lane~~

- ~~• Add WB Thru Lane~~

~~d. SR 31 / SR 78~~

- ~~• Add EB Left Turn Lane~~

~~e. SR 31 / North River Road~~

- ~~• Add WB Left Turn Lane~~

~~f. SR 78 / Old Bayshore Road~~

- ~~• Add EB Left Turn Lane~~

~~The Cumulative (with Increment 1 and 2) proportionate share of the improvements, as shown on Exhibit K, has been calculated consistent with F.S. 163.3180. The proportionate share calculation was based on 5,117 pm peak hour two-way external trips and 5,087 pm peak hour two-way net new trips assigned to the external road network established by the AIDA traffic analysis. The calculated cumulative proportionate share for the Incremental DRI with both Increments 1 and 2 is \$50,761,263 based upon the proportionate share percentages as calculated per lane mile for each improvement as shown on Exhibit K. The proportionate share percentages have been accepted by Charlotte County and FDOT for Increments 1 and 2, recognizing that the actual costs may increase or decrease based upon the final actual costs of the agreed upon improvements.~~

- ~~3. The agreed upon mitigation of the significantly and adversely impacted roadways and intersection improvements identified in Condition 4(A) (1).b.1. and 2., accepted by Charlotte County and FDOT shall be the following schedule of listed improvements and date certain payment provisions:~~

Reference #	Item ⁽¹⁾	Total Costs Subject to Prop Share Assessment ⁽²⁾	Proportionate Share Estimate	Mitigation Commitments ⁽³⁾	Mitigation Paid	Anticipated Start Date ⁽²⁾
1.1	Off Site Road Segments	-	-	-	-	-
	SR 31	-	-	-	-	-
	a. SR 78 to CR 78 Widen from 2 to 4 lanes With infrastructure and grading provided for 6 lane expansion	\$11,434,523	\$11,434,523	\$20,960,000	\$0	SR 31 PD&E Study ⁽⁴⁾
	b. CR 78 to Cypress Parkway Widen from 2 to 4 lanes With infrastructure and grading provided for 6 lane expansion	\$34,702,126	\$31,253,395	\$47,170,000	\$0	SR 31 PD&E Study ⁽⁴⁾
	c. Cypress Parkway to Horseshoe Road Widen from 2 to 4 lanes Sidewalk one side	\$7,730,259	\$7,730,259	\$7,730,000	\$0	SR 31 PD&E Study ⁽⁴⁾
	Subtotal	\$53,866,908	\$50,418,177	\$75,860,000	-	-
	d. Prior Project Contributions	-	-	-	-	-
	(1) SEIR/PD&E Contribution	\$0	\$0	\$1,350,000	\$1,350,000	Completed ⁽⁵⁾
	(2) Previously completed design, permitting, and survey associated with SR 31 widening	\$0	\$0	\$2,342,000	\$2,342,000	Completed ⁽⁵⁾
	(3) Previously constructed chain of lakes	\$0	\$0	\$2,500,000	\$2,500,000	Completed ⁽⁵⁾
	SR 31 Subtotal	\$53,866,908	\$50,418,177	\$82,052,000	\$6,192,000	-
1.2	Off-site Intersections	-	-	-	-	-
	a. SR 78 and Hart Road Add SB Right Turn Lane	\$283,996	\$0	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	b. SR 80 and Orange Rover Boulevard Add NB Left Turn Lane Add WB Left Turn Lane	\$270,836	\$72,223	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	c. SR 80 and SR 31 Add NB Left Turn Lane Add WB Thru Lane	\$730,433	\$0	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	d. SR 31 and SR 78 Add LB Left Turn Lane	\$135,418	\$135,418	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	e. SR 31 and North River Road Add WB Left Turn Lane	\$135,418	\$0	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	f. SR 78 and Old Bayshore Road Add EB Left Turn Lane	\$135,418	\$135,418	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
	Off site Intersections Subtotal	\$1,691,519	\$343,059	\$0	\$0	Mitigation Satisfied ⁽⁹⁾
2	SR 31 Traffic Count Stations ⁽⁴⁾	\$0	\$0	\$200,000	\$200,000	Installed at Cypress Parkway, Lake Babcock Drive, and Greenway Boulevard ⁽⁴⁾
-	-	-	-	-	-	-
	Grand Total	\$55,558,427	\$50,761,236	\$82,252,000	\$6,392,000	-

Footnotes:

(1) Subject to agreement between FDOT and the Developer, the scope of the schedule of improvements may be increased with credit for any increased cost funded by the Developer reimbursed consistent with Condition 4(A).1.b.6.

(2) Dates are anticipated and subject to adjustment by Developer and FDOT without a need to amend this IDO. Start dates, as well as the associated mitigation requirements, contained within the IDO are subject to extension under Section 252.363, Florida Statutes.

(3) The cost of the permanent count station equipment will be credited against the DRI's traffic mitigation obligation per MDO Condition 5.B.(7).

(4) Traffic Count Stations to be installed at Project Entrances, as the Project Entrances are built.

(5) These tasks have been mitigated by Developer to facilitate completion of required improvements. The paid mitigation is creditable towards future assessments consistent with Condition 4(A).1.b.6.

(6) FDOT SR 31 PD&E Study from Cook Brown Road to SR 78 is currently ongoing.

(7) Total estimated costs for improvements of the significantly and adversely impacted roadways and intersection improvements identified in Condition 4(A)(1).b.1. and 2 which are subject to proportionate share assessment.

(8) Includes FDOT State Infrastructure Bank Loan Improvement Cost Estimate of \$75,860,197.

(9) Proportionate share obligations for the off-site intersection improvements are considered to be pipelined towards SR 31 roadway improvements; mitigation paid to date is in excess of proportionate share obligations for the off-site intersection improvements.

~~4. These conditions and satisfaction of mitigation supersede Master Development Order for the Cumulative Incremental Transportation Conditions of Increment 1 IDO (Resolution 2020-070, as may be amended from time to time), as transportation analyses are cumulative. After the effective date of this IDO, the Developer shall (or indicate completion of):~~

~~a. Initiate the below improvements of SR 31 to eventually (during the full development of Babcock Ranch) result in the four-laning of SR 31 from SR 78 to Horseshoe Road/Lake Babcock Drive (Reference #2 above and i-ii below). The improvements will consist of the following:~~

- ~~• Funding in the amount of \$1,000,000 has been provided to the FDOT to facilitate the preparation of the Project Development and Environment Study (PD&E) and/or State Environmental Impact Report (SEIR) for SR31 from SR 78 to North River Road. This funding is being used by the FDOT to prepare a complete PD&E Study or SEIR Study of SR 31 from SR 78 to North River Road.~~
- ~~• Coordinating with FDOT to fund, continue and complete the Project Development and Environment Study (PD&E) or State Environmental~~

~~Impact Report (SEIR) for SR 31 from North River Road to Cook Brown Road.~~

~~b. Permanent traffic count stations were installed at Greenway Boulevard, Lake Babcock Drive, and Cypress Parkway.~~

~~5. FDOT has maintenance authority for SR 31 and the intersection improvements set forth above. Developer shall be responsible for the guaranteed construction of the above improvements, in accordance with the above schedule, and in accordance with the binding and enforceable commitment by the Developer in this IDO, to assure construction or improvement of these facilities.~~

~~6. If the cost of the mitigation provided by the Developer for Increments 1 and 2 exceeds the proportionate share of the impacts resulting from mitigation by Increments 1 and 2 of \$50,761,263 (as adjusted up or down in accordance with actual costs and based upon the accepted proportionate share percentages shown on Exhibit K), the Developer shall be entitled to a credit toward the overall impact of the Project for the cost of improvements beyond the proportionate share amount and receive mitigation credit for subsequent increments or phases, as provided in the MDO and applicable law. Developer, FDOT, and/or County may enter into a Transportation Credit Agreement to further delineate the terms and procedures for implementing~~

~~credits for identified improvements set forth above in excess of the proportionate share of Increments 1 and 2. Credit for the cost of additional improvements as set forth above shall be analyzed as part of the transportation analysis for future increments and be included in subsequent incremental development orders.~~

~~c. Satisfaction of the required mitigation in the timeframes as outlined and compliance with the transportation related provisions of this IDO for Increment 2 shall satisfy the road or traffic concurrency requirements of the Charlotte 2050 Comprehensive Plan, LDR, and the Charlotte County Concurrency Management System, through December 31, 2033 (the buildout date of Increment 2). If the Developer proposes to extend the buildout date of Increment 2 beyond December 31, 2033, the Developer and the County, during the development order amendment process pursuant to Section 380.06(7), Florida Statutes, shall re-evaluate the future traffic impact of Increment 2 in a manner consistent with the MDO, and shall re-evaluate the concurrency status of Increment 2 on all roadway segments and intersections listed in Conditions 4(A)(1)b.1. and 2., above.~~

~~d. DEO has determined that SR 31 is a Regionally Significant Roadway.~~

~~e. County, by approving this IDO, has exercised its discretion to accept this mitigation for Increment 2.~~

~~f.(1) Improvements to the facilities outlined above shall be mitigated at the time that a road segment or intersection is expected to operate below the~~

~~level of service standard adopted in County's Comprehensive Plan. If the road or the intersection operates below the adopted level of service, no building permits for residential and non-residential development shown on Exhibit E for Increment 2 shall be issued unless the improvements are: a) complete, b) under construction, c) the subject of a clearly identified, executed and recorded local government development agreement consistent with Sec. 163.3220 through 163.3423, F.S., ensuring completion concurrent with impacts; d) the subject of a binding commitment ensuring completion concurrent with impacts or e) the DRI's proportionate share mitigation may be pipelined into specific improvements as deemed necessary and mutually agreed upon between FDOT and the developer.~~

- (2) The Master Internal Circulation Plan for Increment 2 is attached hereto as Exhibit G

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5. VEGETATION, WILDLIFE, AND WETLANDS

A. Representations and Commitments as Conditions.

(1) ~~Additional~~FDEP State 404 Permit No. 396574-001 issued November 19, 2021 ("State 404 Permit"), provides specific conditions to address both State and federally listed species have been documented within Increment 2 over those identified in. These permit conditions incorporate by reference the MDO. An updated Biological OpinionOpinions for the BRC~~Babcock Ranch Community will be provided to the County with the first biennial report for Increment 2.~~

(2) Development within Increment 2 shall comply with the threatened and endangered management plan ("T&E Plan") provided for in the Conceptual ERP and ~~United States Army Corps of Engineers Permit SAJ 2006-6656 (IP-MJD) ("AGOEP"),~~State 404 Permit as may be modified.

(3) Development within Increment 2 shall comply with the mitigation requirements provided for in the ERP and ~~AGOEP~~State 404 Permit, as may be modified.

(4) Mitigation for wetlands and listed species within the Increment 2 boundary may occur outside the Increment 2 boundary in accordance with the MDO, and the approved T&E Plan and Mitigation Plan referenced in the MDO, and included in the state and federal permits.

(5) Any amendments to the T&E Plan and Mitigation Plan will be provided to the County as part of the applicable Biennial Report for Increment 2 ~~to the County.~~

(6) Copies of any conservation easements that have been recorded relative to Increment 2 that were not provided in a previously submitted Biennial Report will be

provided to the County as part of the applicable Biennial Report for Increment 2 ~~to the~~
County.

(7) A Greenway Map for Increment 2 is attached hereto as Exhibit H.

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6. WASTEWATER MANAGEMENT AND WATER SUPPLY

A. Representations and Commitments as Conditions.

(1) The Primary Utility Corridor map for Increment 2 is attached hereto as Exhibit I.

(2) The source of raw water for potable service within Increment 2 will be groundwater. MSKP Town and Country Utility, LLC or its successors and assigns will provide water service for Increment 2.

(3) MSKP Town and Country Utility, LLC or its successors and assigns will provide wastewater service for Increment 2.

(4) All effluent suitable for Public Access Reuse will be stored and distributed as needed into an irrigation system which will include residential, commercial, median and other green areas. After storage has been maximized, excess effluent will be disposed of consistent with Florida Department of Environmental Protection permitting. Irrigation systems will use best management practices to minimize overspray onto impervious systems that could lead to the stormwater management system.

(5) Babcock Ranch Irrigation, LLC, or its successors and assigns, will provide reclaimed water service for Increment 2.

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7. EDUCATION

A. Representations and Commitments as Conditions.

(1) The Developer shall comply with the School Site Dedication Agreement.

~~Delivery of the school site(s) as set forth on the schedule in Exhibit "D" may be revised by agreement of Developer and the Charlotte County School Board.~~

(2) The Developer, District, ~~Charlotte County~~ and ~~The~~the School Board of Charlotte County entered into an Addendum to the ~~Babcock Ranch~~ School Site Dedication Agreement on January 8, 2018 ("Agreement") addressing school concurrency for development. ~~Should~~If the Agreement is not be utilizedimplemented to address school concurrency ~~in the future~~, the Developer and Charlotte County School Board shall ~~either amend the Agreement, enter into a new agreement to address school concurrency or comply with the updated Interlocal Agreement for Coordinated Planning and School Concurrency dated May 2018~~ accordingly.

(3) Age-restricted communities will not be subject to school concurrency requirements.

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8. POLICE AND FIRE

A. Representations and Commitments as Conditions.

(1) All law enforcement, fire, and EMS impact fees collected from the Development (not including any interest earned by County) shall be provided to Developer or District in the form of reimbursements as set forth in the Impact Fee Agreement.

(2) Fire protection may be served by appropriately pressurized irrigation water.

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9. **SOLID/HAZARDOUS/MEDICAL WASTE**

A. Representations and Commitments as Conditions.

(1) Solid waste in Increment 2 will be collected by the District. Increment 2 is not intended to be part of the County's Sanitation District; however, solid waste will be sent to the Charlotte County Landfill.

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10. OPEN SPACE AND PARKS

A. Representations and Commitments as Conditions.

(1) Renewable energy and energy storage resource facilities and systems shall be allowed throughout Increment 2. If constructed within Active Greenways, such facilities shall not count as open space.

(2) Park sites shall be conveyed to the District or a property owner's association (POA) with exotic plants removed and infrastructure provided.

(3) District or Developer shall prepare the master plan(s) for the permanent park site(s) required within Increment 2. The Developer, District or POA shall develop and operate the parks within Increment 2.

(4) General agricultural operations may be conducted throughout Increment 2 in accordance with the ~~Charlotte 2050~~ Comprehensive Plan and the LDR.

(5) All parks and library impact fees collected from the Development within Increment 2 shall be provided to the Developer or District in accordance with the Impact Fee Agreement.

(6) Common recreational areas and common open spaces within Increment 2, if any, will be maintained by a POA or the District.

(7) Some recreation and parks may be provided as temporary uses in Increment 2 that might be replaced by future development as other facilities are provided.

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11. **ENERGY**

A. Representations and Commitments as Conditions - None.

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12. **MINING OPERATIONS**

A. Representations and Commitments as Conditions – None.

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CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN

County has determined that the Increment 2 project is consistent with its Charlotte 2050 Comprehensive Plan.

BIENNIAL REPORTS

The Developer of Increment 2, or its successor(s)-in-title to the undeveloped portions of Increment 2, must submit a biennial report to the County. The Developer of Increment 2 must inform successors-in-title to any undeveloped portion of the real property covered by this IDO of this reporting requirement.

COMPLIANCE MONITORING

The County Administrator, or his or her designee, shall be the local official responsible for assuring compliance with the IDO. Monitoring procedures will include County's site plan review and code enforcement procedures, and the Biennial Reports.

EXEMPTION FROM DOWNZONING AND DENSITY/INTENSITY REDUCTION

Pursuant to Subsection 380.06(4)(a), Florida Statutes, this Increment 2 project is exempt from down zoning, intensity reduction, or unit density reduction until May 8, 2043, unless County can demonstrate that substantial changes in the conditions underlying the approval of this IDO have occurred or this IDO was based on substantially inaccurate information provided by the Developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

COMMENCEMENT OF DEVELOPMENT

Development shall commence in accordance with the deadline(s) established in this IDO.

PROJECTED BUILDOUT

Buildout of Increment 2 is projected to occur on or about ~~December 31, 2033~~ April 30, 2035 ("Buildout Date").

EXPIRATION DATE

The expiration date for this IDO is ~~December 31, 2040~~ April 30, 2042.

DEVELOPMENT PERMITS

Subsequent requests for development permits within Increment 2 shall not require further review pursuant to Section 380.06, Florida Statutes. Amendments to this IDO shall be processed in accordance with Charlotte County Code 3-9-10.1, as may be amended.

GENERAL PROVISIONS

The approval granted by this IDO is limited. Such approval shall not be construed to relieve the Developer of the duty to comply with all other applicable local, state, or federal permitting regulations.

A. Developer and County shall work together in a cooperative manner to ensure that the necessary applications to County, the issuance of permits and the conduct of inspections occur expeditiously and that development is not impeded by unnecessary delays associated with such applications, permit issuances, and inspections.

B. It is understood that any reference herein to any governmental agency shall be construed to mean any future entity which may be created or be designated or succeed in interest to, or which otherwise possesses any of the powers and duties of, any referenced governmental agency in existence on the effective date of this IDO.

C. Appropriate conditions and commitments contained herein may be assigned to or assumed by the District.

D. If there is a conflict between a provision in this IDO and a provision in the MDO, the provision in this IDO shall prevail for Increment 2, except that this IDO must comply with the Land Use Equivalency Matrix in Exhibit H of the MDO. Exhibit D, attached hereto and made a part hereof by reference, is an updated version of Exhibit D to the MDO entitled "Summary of Land Dedication and Facilities Construction" as to the Increment 2 property. ~~Said updated Exhibit D amends Exhibit D to the MDO as to the Increment 2 property.~~

E. Appropriate conditions and commitments contained herein may be assigned to or assumed by District. ~~If the Developer is required by this IDO to provide, pay for, or otherwise cause to be provided, infrastructure, projects, systems, or facilities, then the District may independently satisfy such obligations. To the extent that any such obligation under this IDO is met or performed by the District, then such obligation shall be deemed satisfied and the Developer shall no longer be subject to such obligation.~~

F. If there is a conflict between a provision in this IDO and a provision in an ERP, a Consumptive Use Permit ("CUP"), ~~Florida Department of Environmental Permitting ("FDEP")~~ FDEP 404 Permit or ACOEP, the provision in the ERP, CUP, FDEP 404 Permit or ACOEP shall prevail.

G. In the event that any portion or section of this IDO is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions of this development order which shall remain in full force and effect.

H. This IDO shall be binding upon the County and the Developer, its assignees or successors-in-interest.

- I. This IDO shall become effective as provided by law.
- J. The County may provide certified copies of this IDO to DEO and the SWFRPC.
- K. This Resolution shall be recorded in the Public Records of Charlotte County, Florida. Notice of the adoption of this IDO shall be recorded by the Developer, in accordance with F.S. 28.222 with the Clerk of the Circuit Court for Charlotte County.

PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Tulex

William G. Tulex, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk to the
Board of County Commissioners

By: Roger D. Eaton

Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton

Janette S. Knowlton, County Attorney

LR#2023-0107

EXHIBITS

Exhibit A	Increment 2 Babcock Ranch Community Legal Description
Exhibit B	Babcock Ranch Community Map H Increment 2 Master Development Plan and Fixed and Variable Development Criteria
Exhibit C	Babcock Ranch Community Increment 2 Equivalency Matrix <u>Reserved</u>
Exhibit D	Updated Summary of Land Dedications and Facilities Construction
Exhibit E	Babcock Ranch Community Increment 2 Parameters
Exhibit F	Increment 2 Master Drainage Plan
Exhibit G	Increment 2 Master Internal Circulation Plan
Exhibit H	Increment 2 Primary Greenway Map and Trails Plan
Exhibit I	Increment 2 Primary Utility Corridor Map
Exhibit J	Increment 2, Future (2033) Traffic Conditions with Project Directional Peak Hour Peak Season
Exhibit K	Increment 2, Future (2033) Traffic Conditions with Project Proportionate Share Calculation

EXHIBIT A
Increment 2 Babcock Ranch Community Legal
Description



DESCRIPTION

BABCOCK RANCH COMMUNITY
INCREMENT 2
LYING IN

SECTIONS 15, 16, 17, 20, 21, 22, 26, 27, 28, 29, 32, 33,
TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

COMMENCING AT A POINT OF INTERSECTION WITH THE NORTHWESTERLY CORNER OF PARCEL 1 (AREA 6) AND THE EAST LINE OF PARCEL 2 (300' STRIP), AS RECORDED IN OFFICIAL RECORDS BOOK 3010, PAGE 105, PUBLIC RECORDS, CHARLOTTE COUNTY, FLORIDA; THENCE ON THE NORTHERLY LINE OF SAID PARCEL 1, FOR THE FOLLOWING THREE (3) COURSES; (1) S.77°54'41"E., FOR 707.32 FEET; (2) N.81°38'00"E., FOR 5,167.82 FEET; (3) N.82°12'01"E., FOR 711.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ON SAID NORTHERLY LINE FOR THE FOLLOWING SIX (6) COURSES; (1) N.62°45'03"E., FOR 4,638.30 FEET; (2) N.28°10'55"W., FOR 1,272.60 FEET; (3) N.69°50'23"E., FOR 1,104.27 FEET; (4) S.45°00'57"E., FOR 266.60 FEET; (5) N.71°59'01"E., FOR 448.53 FEET; (6) N.12°51'59"W., FOR 1,654.85 FEET; THENCE N.81°12'25"E., DEPARTING SAID LINE, FOR 4,859.91 FEET; THENCE N.85°04'00"E., FOR 129.81 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY LINE OF SAID PARCEL 1; THENCE ON SAID EASTERLY LINE FOR THE FOLLOWING FOURTEEN (14) COURSES: (1) S.21°59'06"E., FOR 1,739.17 FEET; (2) S.55°42'26"W., FOR 195.73 FEET; (3) S.22°47'49"W., FOR 5,490.82 FEET; (4) S.05°03'05"W., FOR 533.35 FEET; (5) S.20°54'51"E., FOR 336.86 FEET; (6) S.80°06'18"E., FOR 334.84 FEET; (7) N.89°59'33"E., FOR 307.20 FEET; (8) N.62°56'46"E., FOR 516.42 FEET; (9) N.52°01'16"E., FOR 818.34 FEET; (10) S.42°01'35"E., FOR 1,162.94 FEET; (11) S.39°20'59"E., FOR 1,779.16 FEET; (12) S.04°14'12"W., FOR 1,329.59 FEET; (13) S.51°39'36"E., FOR 782.53 FEET; (14) N.89°45'02"E., FOR 3,471.81 FEET; THENCE S.00°00'00"E., DEPARTING SAID EASTERLY LINE, FOR 346.72 FEET; THENCE S.29°19'24"W., FOR 26.86 FEET; THENCE S.04°37'49"W., FOR 7.78 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 661.19 FEET, (DELTA 03°10'41") (CHORD BEARING N.71°49'45"W.), (CHORD 36.67 FEET) FOR 36.68 FEET; THENCE S.61°23'22"W., FOR 308.04 FEET; THENCE S.38°34'17"W., FOR 438.56 FEET; THENCE S.20°30'08"W., FOR 454.57 FEET; THENCE N.85°45'27"E., FOR 6.50 FEET; THENCE S.41°20'52"E., FOR 344.79 FEET; THENCE S.13°34'11"E., FOR 393.26 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 134.61 FEET, (DELTA 95°45'46") (CHORD BEARING S.45°42'26"W.), (CHORD 199.70 FEET) FOR 224.98 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 9,808.43 FEET, (DELTA 01°37'53") (CHORD BEARING S.46°35'13"W.), (CHORD 279.26 FEET) FOR 279.26 FEET; THENCE S.05°18'09"E., FOR 283.91 FEET; THENCE S.01°55'28"W., FOR 574.50 FEET; THENCE S.02°15'23"E., FOR 376.41 FEET; THENCE N.87°56'27"E., FOR 102.23 FEET; THENCE S.68°32'26"E., FOR 184.58 FEET; THENCE S.59°33'15"E., FOR 245.11 FEET; THENCE S.50°54'05"E., FOR 309.70 FEET; THENCE S.18°36'38"E., FOR 49.44 FEET; THENCE S.01°22'46"E., FOR 266.68 FEET; THENCE S.56°14'45"W., FOR 32.59 FEET; THENCE S.10°10'32"E., FOR 217.99 FEET; THENCE S.04°12'55"W., FOR 154.81 FEET; THENCE S.39°06'34"E., FOR 58.79 FEET; THENCE S.39°30'30"W., FOR 164.97 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 124.06 FEET, (DELTA 69°32'40") (CHORD BEARING S.40°13'32"W.), (CHORD 141.51 FEET) FOR 150.59 FEET; THENCE S.72°40'47"W., FOR 567.54 FEET; THENCE S.42°10'27"W., FOR 62.63 FEET; THENCE S.00°28'50"W., FOR 448.95 FEET; THENCE S.38°02'18"W., FOR 118.40 FEET; THENCE S.80°58'57"W., FOR 481.97 FEET; THENCE S.83°40'09"W., FOR 1,019.45 FEET; THENCE N.54°07'16"W., FOR 108.20

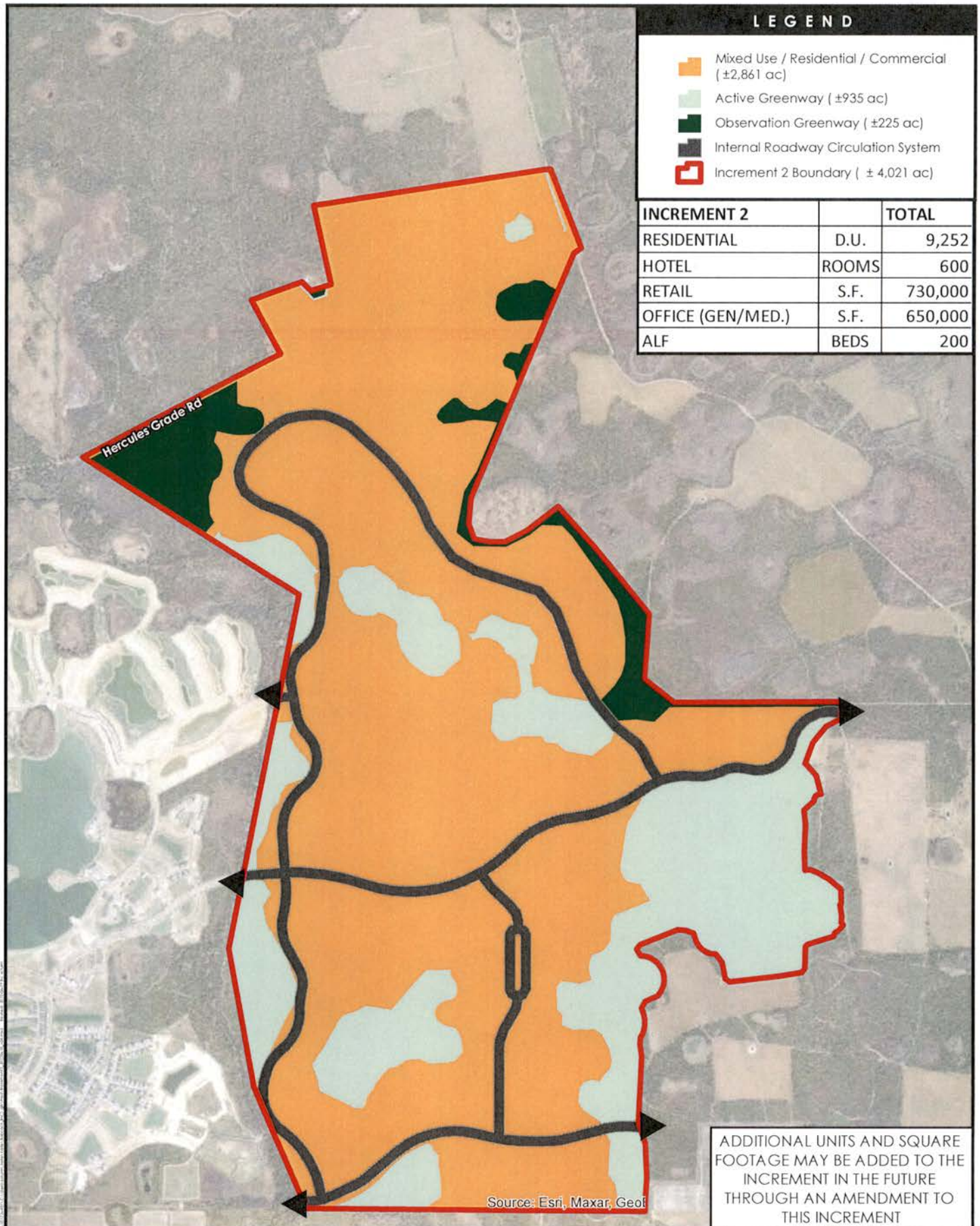
FEET; THENCE N.11°38'08"W., FOR 344.38 FEET; THENCE N.36°31'29"W., FOR 221.80 FEET; THENCE N.87°23'51"W., FOR 91.28 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 443.18 FEET, (DELTA 58°51'33") (CHORD BEARING N.48°10'08"W.), (CHORD 435.51 FEET) FOR 455.27 FEET; THENCE N.18°03'07"W., FOR 140.72 FEET; THENCE N.69°29'26"W., FOR 172.06 FEET; THENCE N.85°07'59"W., FOR 168.82 FEET; THENCE S.68°18'22"W., FOR 836.36 FEET; THENCE S.39°51'17"W., FOR 125.06 FEET; THENCE S.32°37'17"E., FOR 161.39 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 497.26 FEET, (DELTA 131°11'40") (CHORD BEARING S.23°32'53"E.), (CHORD 905.67 FEET) FOR 1,138.61 FEET; THENCE S.65°57'47"W., FOR 294.69 FEET; THENCE S.26°55'45"W., FOR 161.56 FEET; THENCE S.19°22'16"E., FOR 128.56 FEET; THENCE ON THE ARC OF A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 623.05 FEET, (DELTA 45°12'57") (CHORD BEARING S.06°00'15"W.), (CHORD 479.03 FEET) FOR 491.69 FEET; THENCE S.61°08'43"W., FOR 12.30 FEET; THENCE S.05°47'00"W., FOR 153.29 FEET; THENCE S.08°22'36"E., FOR 246.42 FEET; THENCE S.03°02'02"W., FOR 1,355.26 FEET; THENCE S.17°58'48"E., FOR 5.20 FEET; THENCE S.17°58'42"E., FOR 485.85 FEET; THENCE S.02°35'12"E., FOR 717.60 FEET; THENCE S.04°41'29"W., FOR 513.66 FEET; THENCE S.00°11'48"W., FOR 182.44 FEET; TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SECTION 34, THENCE N.89°35'44"W., ON SAID SOUTH LINE, FOR 2,902.61 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.89°37'16"W., ALONG THE SOUTH LINE OF SECTION 33, FOR 4,151.59 FEET; THENCE N.23°14'51"W., DEPARTING SAID SOUTH LINE, FOR 2,768.33 FEET; THENCE N.10°23'41"W., FOR 2,923.88 FEET; THENCE N.11°12'07"E., FOR 7,458.70 FEET; THENCE N.57°49'39"W., FOR 5,335.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 4021.45 ACRES, MORE OR LESS.

BEARINGS MENTIONED HEREIN ABOVE ARE BASED ON THE NORTHERLY LINE OF PARCEL 1 (AREA 6) AS RECORDED IN OFFICIAL RECORDS BOOK 3010, PAGE 105, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, WHEREIN SAID NORTHERLY LINE BEARS N81°38'00"E.

EXHIBIT B

Babcock Ranch Community Map H Increment 2 Master Development Plan and Fixed and Variable Development Criteria

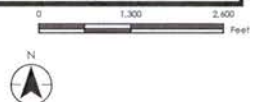


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Babcock Ranch Community

Increment 2 - Map H
June 2022

Stantec Consulting Services Inc.
6920 Professional Parkway East
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6911



Project # 2018-001 06/25/22

FIXED AND VARIABLE DEVELOPMENT CRITERIA FOR BABCOCK RANCH COMMUNITY INCREMENT 2**FIXED DEVELOPMENT CRITERIA**

1. THE ALLOCATION OF DWELLING UNITS AND SQUARE FOOTAGE IDENTIFIED ON THE LAND USE TABLE ON MAP H MAY BE MODIFIED CONSISTENT WITH THE EQUIVALENCY MATRIX. ANCILLARY FACILITIES INCLUDED IN INCREMENT 2 SUCH AS EDUCATIONAL SERVICE CENTERS, SCHOOLS, UNIVERSITY RESEARCH FACILITIES, LIBRARIES, PLACES OF WORSHIP, FIRE, EMS, SHERIFF FACILITIES, REGIONAL AND COMMUNITY PARK FACILITIES, AND CLUBHOUSES WILL NOT BE ATTRIBUTED TO OTHER DEVELOPMENT COMPONENTS AND WILL NOT REQUIRE USE OF THE EQUIVALENCY MATRIX.
2. AGRICULTURAL USES, UTILITY INFRASTRUCTURE, RENEWABLE ENERGY SYSTEMS AND FACILITIES SHALL BE PERMITTED THROUGHOUT INCREMENT 2 AND WILL NOT BE ATTRIBUTED TO OTHER DEVELOPMENT PROGRAMS AND WILL NOT BE SUBJECT TO THE EQUIVALENCY MATRIX.
3. ALL DEVELOPMENT OF THE SUBJECT PROPERTY, AS IT RELATES TO THE DEFINED DEVELOPMENT FORMS, DESIGN STANDARDS AND PROVISIONS AND USES COMMON TO THE DISTRICT, SHALL BE IN CONFORMANCE WITH THE BABCOCK RANCH OVERLAY ZONING DISTRICT (ORDINANCE NO. 2014-077), AS MAY BE AMENDED.
4. OPEN SPACE SHALL BE TABULATED AND UPDATED AS A RESULT OF FINAL PERMITTING FOR THE PURPOSE OF MONITORING THE MINIMUM OF 35% OPEN SPACE REQUIRED OVERALL FOR THE BABCOCK RANCH COMMUNITY. OPEN SPACE/GREENWAY AREAS SUBJECT TO CONSERVATION EASEMENTS IDENTIFIED IN THIS INCREMENT SHALL BE RECORDED IN THE PUBLIC RECORDS FOLLOWING FINAL PERMITTING.

VARIABLE DEVELOPMENT CRITERIA

1. THE FOLLOWING ITEMS WILL BE DEFINED DURING DETAILED SITE PLANNING AND PERMITTING:
 - a. FINAL CONFIGURATIONS OF OPEN SPACE, GREENWAYS, DEVELOPMENT PODS, AND UTILITY CORRIDORS, INCLUDING POTENTIAL RELOCATION AND RECONFIGURATION OF OPEN SPACE, GREENWAYS, UTILITY CORRIDORS AND NEIGHBORHOOD MIXED USE/RESIDENTIAL/COMMERCIAL (MURC).
 - b. FINAL ACREAGES OF ALL PROPOSED USES.
 - c. NATIVE HABITAT PRESERVATION, ALTERATION, ENHANCEMENT, MITIGATION AND CONSERVATION ACREAGES MAY BE MODIFIED BASED ON FINAL LAND PLANNING, STORMWATER LAKE DESIGN, OTHER ENGINEERING REQUIREMENTS AND FINAL PERMITTING. MITIGATION MAY OCCUR OUTSIDE THE BOUNDARIES OF THE INCREMENT SUBJECT TO FINAL PERMITTING APPROVALS.
 - d. STORMWATER MANAGEMENT FACILITIES MAY OCCUR OUTSIDE THE BOUNDARIES OF THE INCREMENT SUBJECT TO FINAL ENGINEERING AND PERMITTING.
 - e. THE FINAL LOCATION, SIZE AND ALLOCATION OF CIVIC FACILITIES (I.E. INTERNAL PARKS, SCHOOLS, CHURCHES, EMERGENCY SERVICES BUILDINGS, ETC.).
 - f. THE INTERNAL ROAD ALIGNMENTS AND CIRCULATION (LOCAL ROADS WITHIN DEVELOPMENT PODS WILL BE PROVIDED AS PART OF FINAL SITE PLANNING AND PERMITTING).
 - g. THE CONFIGURATION AND DETAIL ASSOCIATED WITH THE AGRICULTURE AREAS.
 - h. THE FINAL LOCATION, ALLOCATION, ALIGNMENT AND USE OF THE MULTI-MODAL TRAIL SYSTEM AND THE EXACT LOCATIONS AND FUTURE INTERCONNECTIONS OF THE MULTI-MODAL TRAIL SYSTEM WITH THE NEIGHBORHOOD TRAIL/PATH/SIDEWALK SYSTEM.
 - i. THE LOCATION OF VEHICULAR ACCESS POINTS, INCLUDING EXISTING TEMPORARY ENTRYWAYS, TO EXTERNAL PUBLIC ROADWAYS.
2. FURTHER ADJUSTMENTS TO THE BOUNDARIES OF DEVELOPMENT PODS FOR SPECIFIC LAND USE CLASSIFICATIONS MAY OCCUR AS A RESULT OF FINAL LAND PLANNING AND PERMITTING. SPECIFIC USES TO SUPPORT DEVELOPMENT SUCH AS PARKING, STORMWATER LAKES, PARKS OR OTHER SPACES MAY BE IDENTIFIED AND REFINED THROUGH SUBSEQUENT PERMITTING CONSISTENT WITH LOCAL LAND DEVELOPMENT REGULATIONS.
3. ADDITIONAL UNITS AND SQUARE FOOTAGE MAY BE ADDED TO THE INCREMENT IN THE FUTURE THROUGH AN AMENDMENT TO THIS INCREMENT.
4. GOLF COURSE/RECREATION IS ALLOWED IN MIXED USE RESIDENTIAL COMMERCIAL (MURC).

EXHIBIT C
RESERVED

EXHIBIT D

**Updated Summary of Land Dedications and Facilities
Construction**

Exhibit D**SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION****SITE & BUILDING DEDICATION/CONSTRUCTION
TIME LINE**

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations	The criteria for determining public facility shell completion and/or land dedication shall be by population or residential certificate of occupancy ("C/O") referenced below.	
Community Services						
Library Component	4	1	12,000 *1 (8,000 optional County participation)	12,000 SF- prior to reaching 17,500 persons 8,000 SF optional County participation- prior to reaching 20,000 persons	12,000 SF *3	8,000 SF optional County participation *3
Fire/Rescue/ Law Enforcement						
Site #2 Fire	2	1	8,500	2nd Fire Station by 12,500 persons or 400,000 square feet of non-residential within Increment 2, whichever will be achieved first.	*3	
Public Facilities						
County Annex - "County Hall"	n/a	n/a	20,000	By 17,500 persons*2	*3	

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION

Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations
Schools				
*9.4 Elementary Schools	Up to 60 (20 per school)	3	n/a	*9
Middle Schools	Up to 30.0	4	n/a	
High Schools	Up to 50.0	4	n/a	
Educational Service Center	25	4	n/a	

Notes to Exhibit 'D'

*1 Phased Library option. The County and the Developer and/or District agree to cooperate with respect to the design, construction, and funding of this library facility. The developer shall be required to fund the construction of a 12,000 SF library shell building. The County may desire to construct a library facility totaling 20,000 SF. If so, the developer shall fund the library shell building costs for 12,000 SF and the County shall fund the construction of the library shell building costs for 8,000 SF in addition to the construction completion of the library facility described herein.

*2 A County Annex building will be constructed on County owned land. This facility will be designed as a gathering place for community residents, and as County Commission and key staff satellite offices. Appropriate operations shall be served from this facility. The County, at its option, may increase the size of the County Annex and fund said expansion.

*3 County and Developer shall meet bi-annually to discuss the next five (5) years of development projections, such projections shall include the projected population and square footage for non-residential development, including but not limited to retail, office, industrial, ancillary facilities, etc. The population projection shall be based on 2.5 persons per unit. The development projections shall also be coordinated with the emergency response zones to meet the service requirements. The site and building dedication/construction timing for each public facility will be agreed upon in writing as part of the bi-annual meetings.

*4 School Board criteria for land dedication per the School Site Dedication Agreement.

SITE & BUILDING DEDICATION TIME LINE

The criteria for determining public facility shell completion and/or land dedication shall be by residential certificate of occupancy ("C/O")

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

School Board criteria for land dedication per the School Site Dedication Agreement.

General Notes:

1) All dedications and construction, required under this schedule, shall be completed and turned over based on a population or residential dwelling unit certificate of occupancy use threshold required above or as otherwise agreed to by the parties.

2) The shell building construction required above shall be completed by the Developer one (1) year prior to the trigger referenced in the column entitled 'Commencement of Operations'.

3) Subject to agreement with the County and Developer, public facilities may be located in other increments without the requirement to amend Exhibit D. Biennial Report monitoring and subsequent amendments to the DRI will incorporate such changes, as appropriate.

EXHIBIT E

Babcock Ranch Community Increment 2 Parameters

EXHIBIT E

Table 1. INCREMENT 2 PARAMETERS

Increment 2		Total
RESIDENTIAL	D.U.	<u>9,2526,457</u>
<u>HOTEL</u>	<u>ROOMS</u>	<u>600</u>
RETAIL	S.F.	<u>730,000</u> 297,250
OFFICE (GEN/MED)	S.F.	<u>650,000</u> 727,750
INDUSTRIAL	S.F.	200,000
ALF	BEDS	<u>2400</u>
CIVIC/GOVT/CHURCH	S.F.	75,000

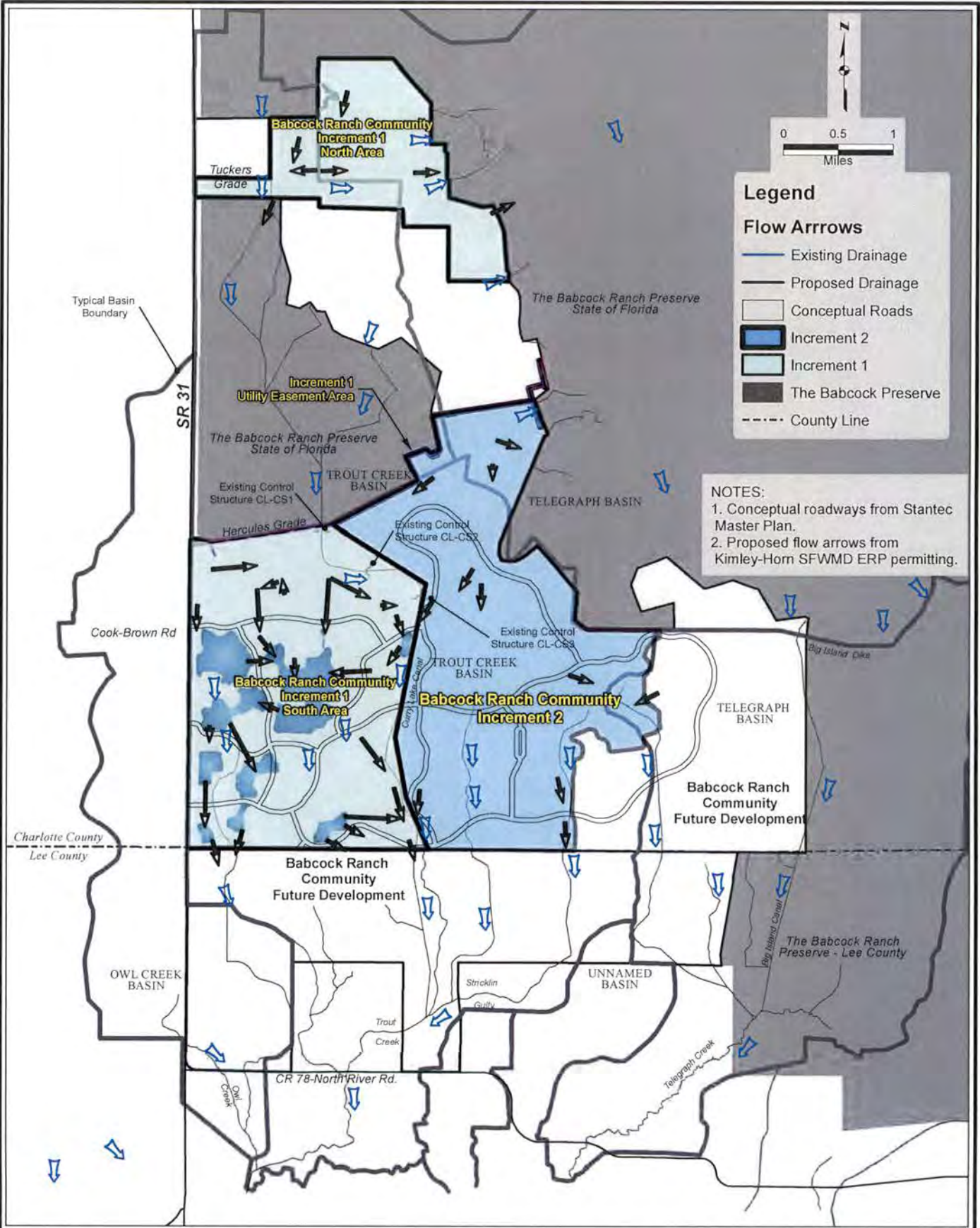
Note:

- 1) Utilities, agriculture, and ecotourism are permitted throughout Increment 2.
- 2) Table 1 can be adjusted and interchanged in accordance with the equivalency matrix set forth in Exhibit C hereto ~~H~~ of the MDO, subject to the external vehicle trip limitations set forth in Section 4 ~~Exhibit G of this IDO~~ the MDO.
- 3) Supporting community and other facilities are subject to Findings of Fact and Conclusions of Law Sections 5 (~~ixvii~~) and (~~xviii~~).

EXHIBIT F

Increment 2 Master Drainage Plan

\\fms01\drawings\2012\20129205-006\Environmental\Increment 2\Exhibit F - Proposed Master Drainage.mxd



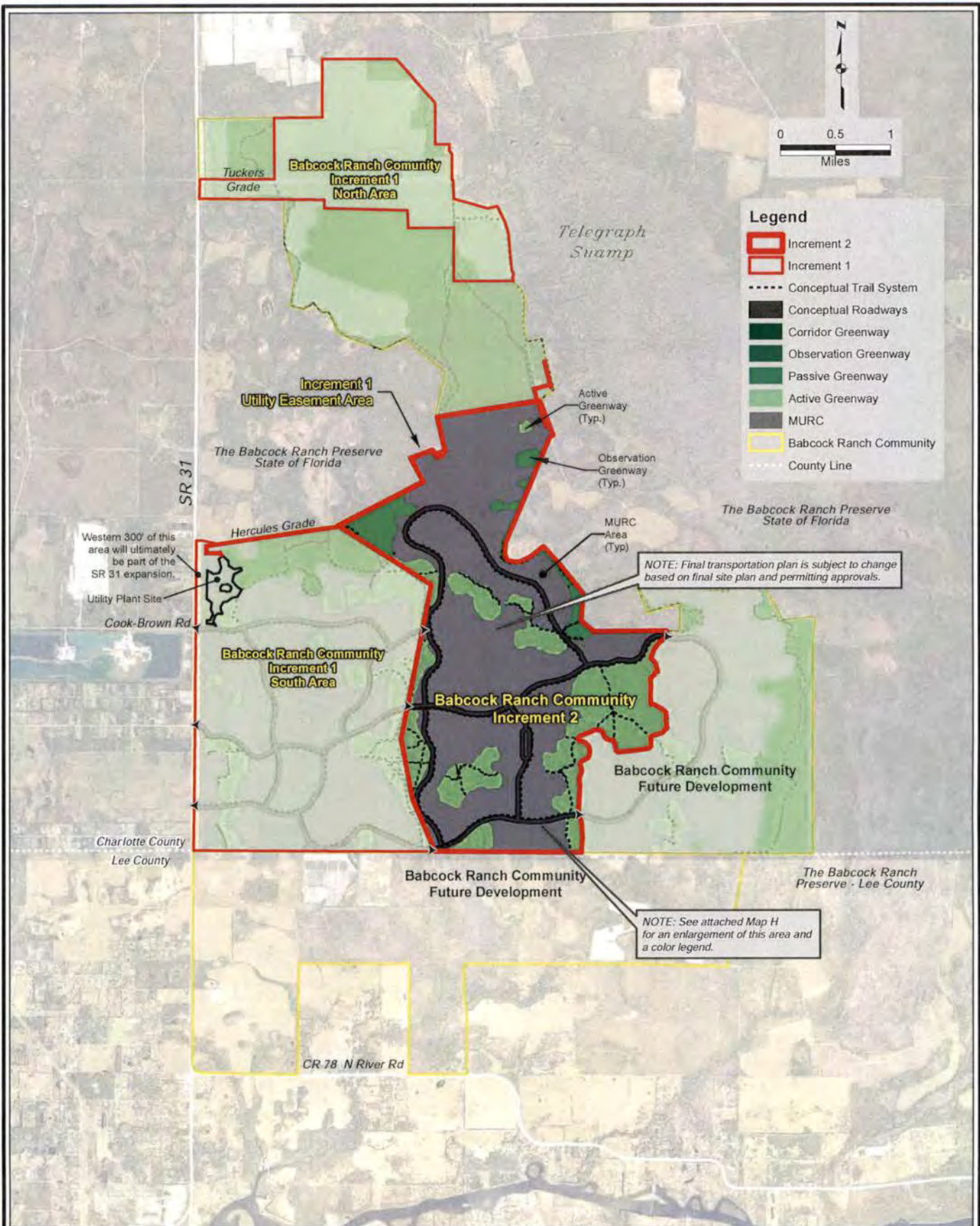
JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 2 - Babcock Ranch Community Master Drainage Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	AS SHOWN	EXH. F

EXHIBIT G

Increment 2 Master Internal Circulation Plan



JOHNSON
ENGINEERING

JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 2 - Babcock Ranch Community Master Internal Circulation Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	AS SHOWN	EXH. G

EXHIBIT H

Increment 2 Primary Greenway Map and Trails Plan

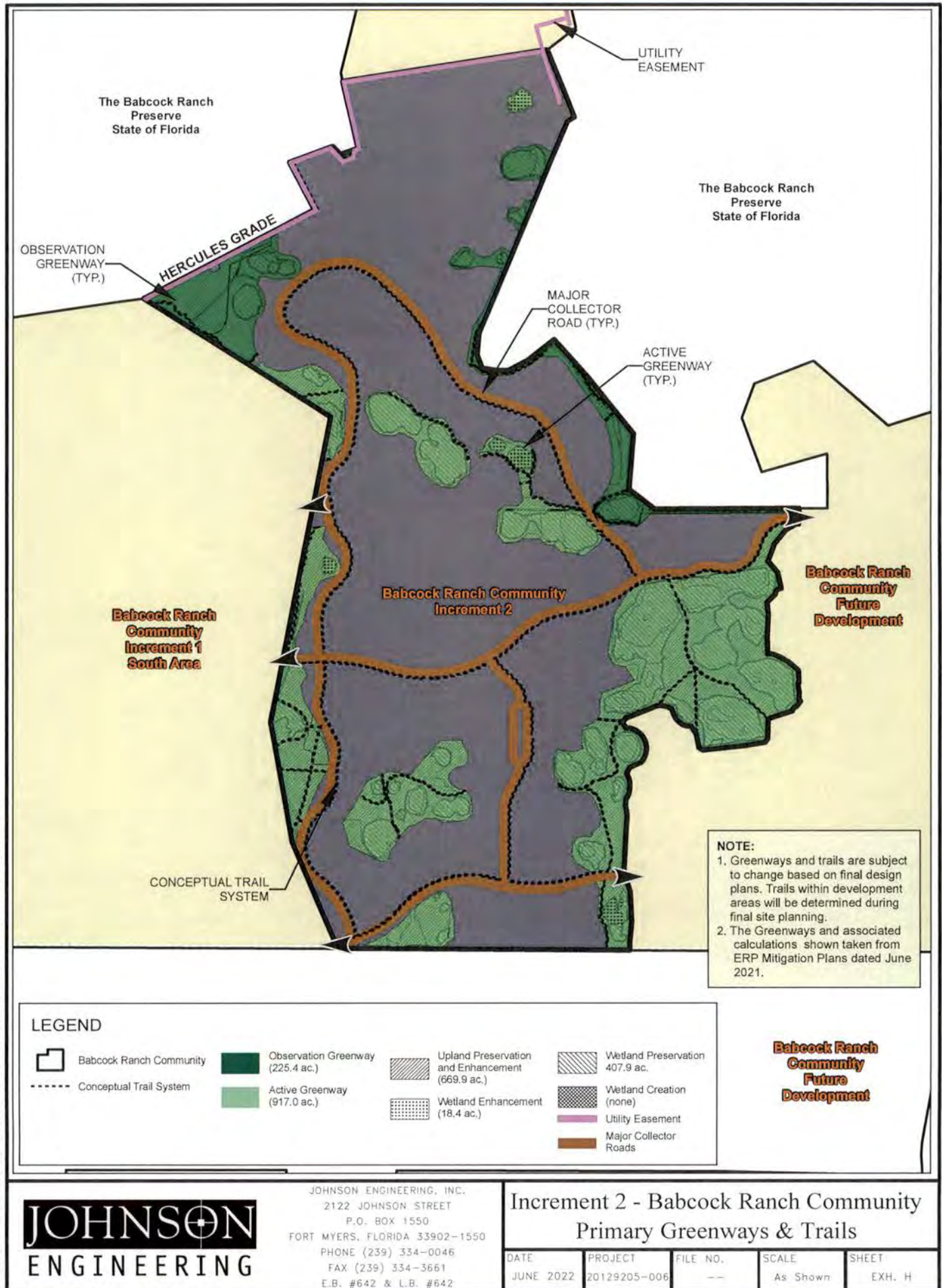
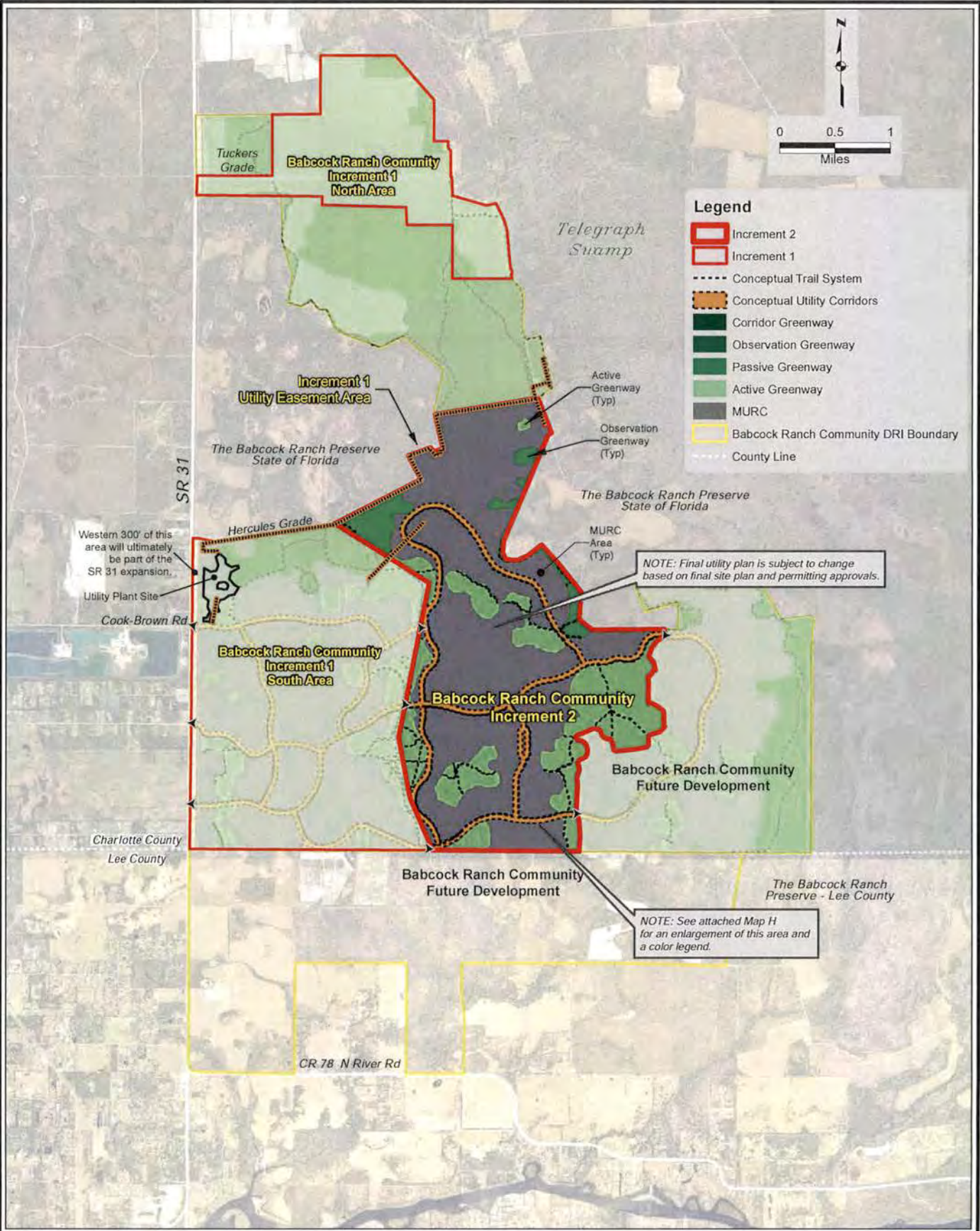


EXHIBIT I

Increment 2 Primary Utility Corridor Map



\\frms01\drawings\2012\20129205-006\Environmental\Increment 2\Exhibit I - Prim Utility Corridor Plan.mxd



JOHNSON ENGINEERING, INC.
2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

Increment 2 - Babcock Ranch Community Primary Utility Corridor Plan

DATE	PROJECT	FILE NO.	SCALE	SHEET
JUNE 2022	20129205-006	--	AS SHOWN	EXH I

Agenda Item

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Directors Report

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P.O. Box 60933, | Fort Myers, FL 33906



P: 844-988-8244 | www.swfrpc.org

EXECUTIVE DIRECTOR'S REPORT: June 15, 2023

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

1. Management / Operations

- a. March 14, 2023 Recovery and Resiliency Workshop by EDA
 - 47 Project Summaries submitted
 - \$500M in EDA Supplemental - \$160M for Atlanta Region (Florida)
 - Recomplete Pilot \$1B with \$200M appropriated
 - Tech Hubs \$10 B with \$500M appropriated
 - EDA FY23 Public Works and Economic Adjustment \$363M

2. Resource Development and Capacity Building

- Update on June 1, 2023 meeting with Netherlands Embassy
- Update on June 5, 2023 meeting with 10 federal agencies
 - AirGlades
 - Americas Gateway
 - Shrimp Industry
 - Heights Foundation Training Programs
- Promise Zone Grants (as of January 2022) See Attached Document
 - Awarded: \$5,106,160.25
 - Pending: \$1,136,167
 - Denied: \$25,940,098.50
 - Underdevelopment: Clewiston WWTP grant through EDA Supplemental
- FRCA Updates
 - May Report

3. Third Quarter: April 2023 to June 2023

- Next RPC Meeting September 21, 2023

Grants in Promise Zone

May 9, 2023

1. **Awarded** (8/17/17): \$30,000- DEO 2018 Agriculture Sustainability for small to mid-sized growers in Promise Zone. Awarded to the SWFRPC
2. **Awarded** (2019) \$24,000 to Lee County Housing Development Corp. for Comprehensive Housing Counseling to residents including Immokalee residents from HUD.
3. **Awarded** (5/7/2018): \$30,000 DEO for food safety plans for small to mid-sized growers. Awarded to the SWFRPC
4. **Awarded** (8/08/18): \$206,545 - EDA Disaster Supplemental - for Development of new markets for small to mid-sized growers, branding and marketing campaign. Awarded to the SWFRPC
5. **Awarded** (4/25/18): \$600,000 - EPA Brownfield assessment grant in Promise Zone. Awarded to the SWFRPC
6. **Awarded** \$24,921 - HUD Comprehensive Housing Counseling Grant to the Home Ownership Resource Center of Lee County
7. **Awarded** \$1.4 Million to the National association of Latino Community Asset Builders from HUD Rural Capacity Building Community Development and Affordable Housing Program. Nonprofits and local governments can apply for technical assistance and loan funding for community and economic development projects as well as assistance with affordable housing development projects
8. **Awarded** \$100,000 over 2 years for a Food Policy Council Coordinator from NACo
9. **Awarded** (submitted 2/3/2020; awarded 7/2/2020) \$125,000 - Legal Aid Society The **Education & Outreach Initiative (EOI) Project – General Component** will explain to the general public and local housing providers what “equal opportunity in housing” means and what housing providers need to do to comply with the Fair Housing Act. All services will be provided and available to residents of the FHIP service area which includes Hendry, Martin, Okeechobee, Palm Beach, and St. Lucie Counties. Grant period June 1, 2021 to May 31, 2022.
10. **Awarded**: (7/21/2020) \$400,000 EDA CARES ACT Invited for Regional Disaster Economic Recovery Coordinator to evaluate the Impacts of COVID 19 on the region and develop a recovery and resilience plan for the region.

11. **Awarded:** (4/7/2020) \$175,000 requested but \$160,432 was awarded Clewiston Water from Master Plan from Florida Fish and Wildlife Conservation Commission – Boating Improvement Program.
12. **Awarded:** \$350,000 An application was submitted in partnership with the University of Florida IFAS to the Department of Economic Opportunity CDBG-Mitigation Planning program requesting \$390,000 to develop a Resiliency Strategy for Local Food Systems in Southwest Florida. (Deadline 7/30/2020)
13. **Awarded:** \$3000 grant from CHNEP for Rebekah Harp to do the design work for their calendar
14. **Awarded:** SWFRPC, IFAS, Blue Zones, TREC submitted a \$752,426.25 USDA – Regional Food System Partnerships Program grant to implement the trademarked SWFL Fresh Choose Local Choose Fresh regional brand to showcase SWFL food producers and their products through multiple marketing platforms. The brand will support the development of new markets for farmers, increase public knowledge of healthy, local food sources, and connect food producers to consumers. The Collier County Blue Zones provided a 16.9% match of \$108,926.25.
15. **Awarded:** \$500,000 EPA Grants for Brownfield Assessment in Glades County from July 1, 2022 to September 30, 2026
16. **Awarded:** (10/20/2021) EDA grant for \$321,836 for Disaster Recovery Coordinator to help Small to mid-sized growers and small and minority owned businesses access disaster recovery funds following Hurricane Ian
17. **Awarded:** (2/14/23) FDEP grant for \$78, 000 for a Vulnerability Assessment for Marco Island
18. Pending (5/10/2023) The SWFRPC submitted an application for Florida Blue Foundation 2023 Food Security Grant for \$100,000/year for four years.
19. Pending: (3/11/23) FDEO Rural Infrastructure Program for \$300,000 for a stand-by generator at the WWTP.
20. Pending: (10/14/2021) The Affordable Homeownership Foundation, Inc. submitted a grant for housing counseling to HUD
21. Pending (10/14/2021) Lee County Housing Development Corp. submitted a grant to HUD for Comprehensive Housing Counseling to residents including Immokalee residents.

22. Pending: DRI-RR, Inc., a non-profit dedicated to providing rural communities with the skills and knowledge needed to revitalize submitted a grant to USDA Rural Business Development Grant Program in cooperation with Florida Main Street to offer services to four Florida communities, one of which is LaBelle, in order to provide each community with a Development Readiness Initiative (DRI) training and a Revitalization Roadmap at no cost to them.
23. Pending: (3/2021) \$11,000 The DRI training is a day-long on-site training created to help communities understand how COVID-19 has impacted their community and identify the available resources that each community can leverage. Through this training, the community will be able to identify a strategy for the creation of a locally-based economy that will support the quality of life necessary to retain families and professionals. Our end goal is to provide each community with the training and tools necessary to become proactive with private development, encouraging the right types of development and attracting necessary services. Additionally, the training will help identify what is necessary to master the Duration, Intensity, Rate, and Timing (DIRT) of development, utilizing private development to fulfill necessary and desired community amenities or services. Furthermore, the Revitalization Roadmap is a hybrid downtown and strategic plan, offering a set of implementable recommendations that will catalyze downtown revitalization. The final product is graphically rich and broken down into similar groups like the National Main Street Center's four-step approach to revitalization. The overall roadmap process will encourage the unification of residents' voices and rally support for improvements by all residents.
24. Pending (6/4/2020) \$125,000 request by Legal Aid Society of Palm Beach County, Inc for Hendry County from the Fair Housing Initiatives Program Education and Outreach initiative through HUD. ("The Fair Housing Project at Legal Aid is applying for an Education & Outreach Grant from HUD for the fiscal year 2022-23 in the amount of \$125,000.")
25. Pending: 9/25/2020 to the National association of Latino Community Asset Builders from HUD Rural Capacity Building Community Development and Affordable Housing Program. Nonprofits and local governments can apply for technical assistance and loan funding for community and economic development projects as well as assistance with affordable housing development projects.
26. Denied (6/17/19) \$1,000,000: Perkins Innovation and Modernization Grant program for Collier County Schools. The project title is Professional Careers in the New Economy (PCNE). PCNE will focus on two of CCPS's highest-need schools: Immokalee Middle and Immokalee High schools. The goal of the project is to better prepare students for success in the workforce.

27. Denied (6/25/2019) Housing Authority of the City of Ft. Myers. The grant will provide funds for housing counseling advise to tenants and homeowners with respect to property maintenance, financial management and literacy.
28. Denied (6/4/2019) Goodwill Industries for The SWFL MicroEnterprise Institute will (if funding is secured through the SBA Program for Investment in Microentrepreneurs grant) counsel and provide training for approximately 150 – 180 participants in ten – twelve courses delivered to residents of Lee, Charlotte, Hendry, Glades and Collier counties.
29. Denied (5/30/2019) Seminole Tribe of Florida - If awarded this grant through the HUD IHGB program, the Native Learning Center will be providing technical assistance and training to all Native American Housing Authorities including the Mikasuki and any other resident Tribes within your region.
30. Denied: (9/13/2021) \$13,874,000 Prepared and submitted an application for the City of Clewiston for the DEO CDBG- MIT- GIP Round II to make upgrades to the City's wastewater treatment facility and expand the WWTP capacity. Facility upgrades will include the installation of a new 300kw generator, the installation of bypass pumps, and the planning and installation of a new pump station. The Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant management, closeout, contract and deliverable monitoring, and distribution of funds.
31. Denied: Submitted:(9/14/2021) \$2,067,935 Prepared and submitted and an application to the Florida Department of Economic Opportunity Rebuild Florida CDBG-Mit- GIP Round II for the City of Clewiston to replace transmission line insulators and overhead ground wires to increase the City's energy resiliency in the event of a major storm. The Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant management, closeout, contract and deliverable monitoring, and distribution of funds.
32. Denied (6/26/2019) HUD Comprehensive Housing Counseling Grant to the Affordable Homeownership Foundation Inc.
33. Denied (6/26.2020) \$176,000; FL Dept of Ag & Consumer Services Southwest Florida Fresh-Specialty Crop grant program for funding to market the "SWFL Fresh" brand.
34. Denied (3/2/2020) \$1,455,815 Building Resilient Kid: SAMHSA for Media campaign to address underaged alcohol, marijuana and substance/opioid use.
35. Denied: (6/5/20) \$45,921.46 DEO Community Planning Technical assistance Grant for a septic to sewer conversion study
36. Denied (4/24/2020) \$425,000 request by Legal Aid Society of Palm Beach County, Inc for Hendry County from the Fair Housing Initiatives Program Education and Outreach initiative (\$125,000)

and Private Enforcement Initiative - Multi-Year Funding Component(\$300,000) to teach and disseminate information on Fair Housing

37. Denied: 4/1/2021 CDC Addiction and Recovery Grant for Media Campaign to prevent kids from first time use. In partnership with Drug Free Lee and Drug Free Collier: \$50,000
38. Denied: \$45,000 submitted to DEO for Community Planning Technical Assistance Grant (CPTA) for a strategic Plan for upgrades to Ortona Indian Mound Park in Glades County.
39. Denied: Submitted:(6/30/2020) \$143,306 Prepared and submitted and an application to the Florida Department of Economic Opportunity Rebuild Florida CDBG-Mitigation Critical Facility Hardening Program for the City of Clewiston to replace transmission line insulators and overhead ground wires to increase the City's energy resiliency in the event of a major storm. The Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant management, closeout, contract and deliverable monitoring, and distribution of funds.
40. Denied: CDBG-MIT GIP Program The SWFRPC prepared an application for the City of Clewiston to apply to the Florida Department of Economic Opportunity Rebuild Florida General Infrastructure Program to storm harden portions of its transmission and distribution lines, therefore increasing energy resiliency in the community. The City will be requesting \$682,000 in funding from the program.
41. Denied: Submitted (6/30/2020) \$3,141,031, Prepared and submitted an application for the City of Clewiston for the DEO CDBG-DR Infrastructure Repair Program Cycle 2 to make upgrades to the City's wastewater treatment facility. Facility upgrades will include the installation of a new 300kw generator, the installation of bypass pumps, and the planning and installation of a new pump station. The Southwest Florida Regional Planning Council will provide administrative services that will include reporting, grant management, closeout, contract and deliverable monitoring, and distribution of funds.
42. Denied: 2/2021 FL Dept. Of Agriculture- Specialty Crop, SWFL Fresh Choose Local Choose Fresh Marketing Project requesting \$207,000.
43. Denied: 01/2022 \$460,000 EDA ARPA BBBRC for Phase I: Developing an Inland Port system in Rural Southern Florida.

Awarded: \$5,106,160.25

Pending: \$1,536,167

Denied: \$25,940,098.50

Underdevelopment: NA

MONTHLY ACTIVITY REPORT: May 2023

RESOURCE DEVELOPMENT/CAPACITY BUILDING and OUTREACH

- Developed the Florida Regional Councils Association (FRCA) Newsletter, *FRCA Forward*.
- Updated the email lists for and maintain the email listserv for approximately 2,700 individuals who receive *FRCA Forward*.
- To enhance partnerships and strengthen the relationship between regional planning councils and their state and federal partners, organized, participated in or attended the following meetings and shared information:
 - Tampa Bay Regional Resiliency Summit
 - Florida Housing Coalition/Sadowski Coalition Working Group
 - Coordination calls with the Florida Department of Environmental Protection and RPC Resiliency and GIS Staff

ASSOCIATION MANAGEMENT

- Organized, hosted and attended working group sessions for RPC staff in program areas including Resiliency, Finance and Geographic Information Systems.
- Organized and participated in the May FRCA Executive Directors Advisory Committee (EDAC) Meeting.
- Continued to coordinate logistics and prepare for the 2023 summer conference schedule.
- Distributed the final FRCA Bill Report, grant opportunities and information of interest from local, state and national organizations.

Agenda Item

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Meeting of the Economic &
Political Delegation of the Embassy
of the Kingdom of the Netherlands

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P.O. Box 60933, Fort Myers, FL 33906



P: 844.988.8244 | www.swfrpc.org

MEETING AGENDA

June 1, 2023 From 4pm – 6pm

Location: SFWMD Office, 2301 McGregor Blvd., Ft. Myers Florida 33901

The Economic & Political Delegation of the Embassy of the Kingdom of the Netherlands to the United States and the Southwest Florida Regional Planning Council

1 WELCOME: Margaret Wuerstle

Executive Director of the Southwest Florida Regional Planning Council

2 INTRODUCTIONS

Skadi Tirpak,

*Senior Economic Policy Officer Economic
Affairs*

Mr. Bart van Bolhuis, Minister

*Counsellor and Head of the Economic Network at the Embassy of the Kingdom of the
Netherlands in Washington D.C.*

Mr. Luuk Nijman

Deputy Head of Mission at the Consulate General of the Kingdom of the Netherlands in Miami

Ms. Lisa ten Brinke

*Second Secretary Political Affairs at the Embassy of the Kingdom of the Netherlands in
Washington D.C.*

Ms. Julia Koppius

*Senior Congressional Liaison at the Embassy of the Kingdom of the Netherlands in Washington
D.C.*

Ms. Renske Heemskerk

*Education and Science Attaché at the Embassy of the Kingdom of the Netherlands in
Washington D.C.*

3 PRESENTATIONS:

Nora Egan Demers – Infrastructure and Endocrine Disruptors

Asmaa Odeh – Food Insecurity and Resiliency

Jaha Cummings – Resiliency Issues

Margaret Wuerstle – FDEM Acquisition/Elevation Program

4 GENERAL DISCUSSION

5 CLOSING

6 ADJOURN

Mission Statement:

To work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share...for the benefit of our future generations.

Agenda

Item

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Federal Agency's for Southwest
Florida in Partnership with the
SWFRPC for Projects Ready
for Execution and Implementation

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SOUTHWEST FLORIDA
IN PARTNERSHIP WITH THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

READY for EXECUTION DEVELOPMENT SUMMIT (REDS)
Projects Ready (or Very Near Ready) for Implementation

Heights Center
 (15570 Hagie Drive, Fort Myers, FL 33908)
 Monday, June 5, 2023

- 10:00 AM Welcome and Introductions**
 Margaret Wuerstle, Director, Southwest Regional Planning Council
 Greg Vaday, Florida Economic Development Representative, U.S. Economic Development Administration
- 10:05 AM Project 1: Rebuilding the Shrimping Industry**
 Discussion will cover topic areas described for Project 1.
- 11:00 PM Project 2: Airglades International Airport**
 Discussion will cover topic areas described for Project 2.
- 12:00 PM Project 3: America's Gateway**
 Discussion will cover topic areas described for Project 3.
- 1:00 PM Project 4: Heights CareerTech Center**
 Discussion will cover topic areas described for Project 4.

Project Review by Project Principal(s)

- Applicant
- Scope of work
- Defined budget
- Budget gaps
- Identified partners

Open Discussion with Federal and State Partners

What resources are needed for project implementation?
 How can the partners best address the needs?

Next Steps

What are the next steps for the project?
 Who will do what in terms of roles and responsibilities?
 Discussion will cover topic areas described for Project 4.

- 2:30 - 4:00 Discussion on unmet needs for various communities**
- 4:00 PM Adjournment**

Agenda Item

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Grants Activity Sheet

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Aw+D1:Z8 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Pending		Florida DEP	Margaret Wuerstle	Punta Gorda city Market Place Stormwater Management	8/15/2022	8/15/2022			\$4,000,000	\$20,000 (?)				
Pending		Florida Blue Foundation	Asmaa Odeh	Food Security	5/10/2023	5/10/2023			\$400,000					
Pending		Florida DEO	Margaret Wuerstle	Clewiston Stanby generator at WWTP	3/13/2023	3/11/2023			\$300,000	\$10,000(?)				
YES		FDEM 23-24 HA Grant	Charity Franks	Hazard Analysis			5/10/2023			\$9,505.65				
YES		2022 DEO RRDG	Margaret Wuerstle	FHERO to improve economy			7/22/2022		\$139,605	\$8,000				
YES		EDA - US Economic Development Administration	Margaret Wuerstle	Hurricane Ian Recovery Coordinator		10/20/2022			\$321,826	\$321,826				64,367
YES		Florida DEP	Charity Franks/M Wuerstle	City of Marco Island Vulnerability Assessment	6/21/2022	6/21/2022	2/14/2-23		\$78,000	\$9,000				NA
YES		EPA Brownfields assessment	Tracy Whirls	Gades County Brownfield Assessment	12/1/2021	1/30/2021	May-22		\$500,000	\$20,000				NA
YES		USDA - US Dept. of Agriculture	Asmaa Odeh	SWFL Fresh Chosse Local Choose Fresh	7/6/2021	7/6/2021	Nov-21		\$752,426	\$58,500				
YES		CHMEP	Rebekah Harp	Calendar Design			6/25/2021		\$3,000	\$3,000				
YES		DEO RRDG	M Wuerstle	FHERO 2021 Regional Rural Development Grant		1/21/2021			\$126,160	\$7,000				NA
YES		DEO CDBG-MIT Planning	Margaret Wuerstle	A Resiliency Strategy for Local Food Systems in SW Florida	7/30/2020	7/27/2020			\$390,000	\$115,000				NA
YES		FL Fish and Wildlife Conservation Commission - Boating Improvement Program (FBIP)	M. Moorhouse & M. Wuerstle	Clewiston Waterfront Master Plan	4/7/2020	4/3/2020			\$175,000	\$25,000				NA
YES		CHNEP	M. Moorhouse & M. Wuerstle	EBABM Website expansion	7/24/2020	7/24/2020			\$5,049	\$3,000				\$2,049
YES		EDA - US Economic Development Administration	M. Wuerstle	SWFL Recovery & Resiliency Plan	7/21/2020	7/21/2020			\$400,000	\$360,000				NA
Yes	3421	EDA - US Economic Development Administration	C.J. Kammerer	FY20-22 EDA CEDS Planning Grant	11/14/2019	11/13/2019			\$300,000.00	\$210,000.00	1/1/2020	12/31/2022	Submitted	\$90,000.00
Yes		DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	FHERO 2019-20 RDG Grant		11/13/2019			\$97,500.00	\$6,000.00			Submitted	\$0.00
Yes	3724	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY19-20 Collier_Lee Hazard Analysis			8/1/2019	8/1/2019	\$19,251.00	\$19,251.00	7/1/2019	6/30/2020	In Progress	\$0.00
Yes	3181	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY19-20 LEPC Agreement			7/29/2019		\$80,000.00	\$80,000.00	7/1/2019	6/30/2020	In Progress	\$0.00
Yes		USDA - US Dept. of Agriculture	Margaret Wueratle	Promise Zone Economic Development Plan Technical Assistance	4/5/2019	4/4/2019			\$0.00	\$0.00			In Progress	\$0.00
Yes	3305	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Food Safety Plans for SWFL Small-Midsized Growers	5/7/2018	5/4/2018	9/7/2018		\$30,000.00	\$30,000.00			In Progress	
Yes	3424	EDA - US Economic Development Administration	Margaret Wuerstle	Regional Sustainability Implementation Study for SWFL Small to Mid-Sized		5/8/2018	8/9/2018	8/13/2018	\$258,182.00	\$61,545.00			In Progress	\$51,637.00
Yes	3680	EPA - US Environmental Protection Agency	C.J. Kammerer	Brownfields Assesment	11/16/2017	11/16/2017	4/25/2018		\$600,000.00	\$40,000.00	10/1/2018	9/30/2021	In Progress	

Aw+D1:Z8 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Yes	4101	Glades County	Margaret Wuerstle	Glades County SQG 2017- 2022				6/6/2017	\$22,500.00	\$22,500.00	6/6/2017	6/6/2022	In Progress	
Yes	3900	USDA - US Dept. of Agriculture	Margaret Wuerstle	Rural Promise Zone Designation			5/1/2016		\$0.00	\$0.00			In Progress	
Yes	3420	EDA - US Economic Development Administration	C.J. Kammerer	FY17-19 EDA Planning Grant			1/1/2017		\$300,000.00	\$210,000.00	1/1/2017	12/31/2019	Completed	\$90,000.00
Yes	3422	EDA - US Economic Development Administration	Jim Beever	SWFL Disaster Recovery Coordinator		10/31/2017			\$250,000.00	\$200,000.00	1/1/2018	12/31/2019	Completed	\$50,000.00
Yes	3205	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY18-19 HMEP Agreement					\$62,164.00	\$2,889.20	10/1/2018	9/30/2019	Completed	
Yes	4007	DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	FHERO 2018 RDG Grant		9/11/2018	9/17/2018		\$82,300.00	\$6,000.00	9/17/2018	9/17/2019	Completed	
Yes	3180	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY18-19 LEPC Agreement			8/14/2018		\$80,000.00	\$80,000.00	7/1/2018	6/30/2019	Completed	
Yes	3723	DEM - FL Div. of Emergency Management	Margaret Wuerstle	FY18-19 Collier_Lee Hazard Analysis			7/31/2018	8/27/2018	\$19,615.00	\$19,615.00	9/1/2018	5/15/2019	Completed	
Yes	3676	EPA - US Environmental Protection Agency	Jim Beever	Master Wetland Mitigation Strategy			11/3/2016	11/3/2016	\$220,000.00	\$220,000.00	10/1/2016	12/31/2018	Completed	\$10,000.00
Yes	3204	DEM - FL Div. of Emergency Management	C.J. Kammerer	FY17-18 HMEP Agreement			10/1/2017		\$65,161.00	\$65,161.00	10/1/2017	9/30/2018	Completed	
Yes	3178	DEM - FL Div. of Emergency Management	Sean McCabe	FY17-18 LEPC Agreement	7/1/2017	7/18/2017			\$80,000.00	\$80,000.00	7/1/2017	6/30/2018	Completed	
Yes	3722	DEM - FL Div. of Emergency Management	Tim Walker	FY17-18 Collier_Lee Hazard Analysis			7/19/2017	9/13/2017	\$20,844.00	\$20,844.00	7/1/2017	6/30/2018	Completed	
Yes	4005	DEO - FL Dept. of Economic Opportunity	C.J. Kammerer	2017 FHERO RDG Grant		2/16/2017			\$79,744.00	\$6,000.00		4/30/2018	Completed	
Yes		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Regional Strategy for Agriculture Sustainability	6/30/2017		8/17/2017		\$30,000.00	\$30,000.00			Completed	
Yes	4212	City of Bonita Springs	Jim Beever	City of Bonita Springs Flood Reduction Project			10/4/2017		\$50,000.00	\$50,000.00	10/4/2017	12/31/2017	Completed	
Yes	3730	SFRPC	C.J. Kammerer	Train the Trainers					\$10,000.00	\$10,000.00	1/1/2016	3/31/2017	Completed	
Yes	4211	Sarasota County	Jim Beever	Sarasota Climate Change Adaptation Plan					\$20,000.00	\$20,000.00	10/1/2016	5/30/2017	Completed	
Yes	4210	City of Cape Coral	Jim Beever	Cape Coral Climate Change Resiliency Stragegy					\$15,000.00	\$15,000.00		6/30/2017	Completed	
Yes	3304	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - Labelle Tourism Marketing					\$20,000.00	\$20,000.00	1/1/2017	5/30/2017	Completed	
Yes	3203	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY16-17 HMEP Grant	10/1/2016	10/1/2016	10/1/2016	10/1/2016	\$60,349.00	\$60,349.00	10/1/2016	12/31/2017	Completed	
Yes	4004	Hendry County	Margaret Wuerstle	Clewiston RGBD Grant TA					\$3,000.00	\$3,000.00			Completed	
Yes	4006	USDA - US Dept. of Agriculture	Margaret Wuerstle	City of Clewiston - Utilities Relocation -- Grant Writing Services	9/8/2017	9/13/2017	8/10/2017	8/10/2017	\$3,000.00	\$3,000.00	8/10/2017	9/13/2017	Completed	
Yes	3525- 12	Glades County	Tim Walker	Glades County Small Quantity Generators (SQG)				5/17/2012	\$3,900.00	\$3,900.00	5/17/2012	5/16/2017	Completed	\$0.00
Yes	3414	EDA - US Economic Development Administration	Margaret Wuerstle	EDA Planning Grant	1/22/2013	12/18/2013	4/18/2014	4/21/14	\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	Completed	\$81,000.00

Aw+D1:Z8 Garded	Job ID	Funding Agency	Project Manager	Project Name	App Due Date	Date Submitted	Date Awarded / Denied	Date Contract Signed	Project Total (\$808,505)	RPC Amt (\$396,000)	Start Date	End Date	Status	Total Match Amt-RPC
Yes	3177	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY16-17 LEPC Agreement	6/30/2016	4/6/2016	7/1/2016		\$59,000.00	\$59,000.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3399	CTD - FL Commission for the Transportation Disadvantaged	Nichole Gwinnett	FY16-17 TD Planning Agreement		5/19/2016	7/1/2016		\$38,575.00	\$38,575.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3721	DEM - FL Div. of Emergency Management	Tim Walker	Collier County Hazard Analysis - FY16-17					\$8,054.00	\$8,054.00	7/1/2016	6/30/2017	Completed	\$0.00
Yes	3302	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - City of Fort Myers - MLK Corridor	5/31/2015	5/1/2015		11/17/2015	\$30,000.00	\$30,000.00	1/1/2016	7/30/2016	Completed	
Yes	3534	City of Bonita Springs	Jim Beever	City of Bonita Springs - Spring Creek Restoration Plan	7/1/2014	7/1/2014	8/11/2014	8/11/2014	\$50,000.00	\$50,000.00	8/11/2014		Completed	
Yes	3201	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 HMEP Planning	9/28/2015	9/28/2015	9/28/2015	9/28/2015	\$15,500.00	\$15,500.00	10/1/2015	9/30/2016	Completed	
Yes	3419	Charlotte County	Margaret Wuerstle	DEO - Charlotte County			3/30/2016	3/30/2016	\$500.00	\$500.00			Completed	
Yes	3170	DOE - US Dept. of Energy	Rebekah Harp	Solar Ready II		3/22/2013	7/18/2013		\$140,000.00	\$90,000.00	7/1/2013	1/1/2016	Completed	\$50,000.00
Yes	3673	EPA - US Environmental Protection Agency	Jim Beever	A Unified Conservation Easement Mapping and Database for the State of Florida	4/15/2013	4/8/2013	6/3/2013		\$294,496.00	\$148,996.00	10/1/2013	9/30/2015	Completed	\$145,500.00
Yes	3674	EPA/CHNEP - Charlotte Harbor National Estuary	Jim Beever	Mangrove Loss Project	4/4/2014	4/4/2014	12/19/2014		\$243,324.00	\$60,000.00	12/1/2014	9/30/2016	Completed	
Yes	3397	CTD - FL Commission for the Transportation	Nichole Gwinnett	Glades-Hendry TD Planning Agreement FY2014-15			5/16/2014		\$38,573.00	\$38,573.00	7/1/2014	6/30/2015	Completed	\$0.00
Yes	3725	Visit Florida	Tim Walker	OUR CREATIVE ECONOMY Marketing	2/9/2015	2/9/2015	6/25/2015	6/26/2015	\$5,000.00	\$2,500.00	7/1/2015	6/15/2016	Completed	\$2,500.00

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Yes	3164	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning				2/4/2015	\$22,000.00	\$22,000.00	10/1/2014	9/30/2015	Completed	\$0.00
Yes	3675	EPA - US Environmental Protection Agency	Jim Beever	Developing a Method to Use Ecosystem Services to	5/15/2015	5/5/2015	9/29/2015	9/29/2015	\$234,071.00	\$174,071.00	10/1/2015	9/30/2016	Completed	\$60,000.00
Yes	3171	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 LEPC Agreement	6/30/2015	5/15/2015	6/11/2015	6/11/2015	\$48,000.00	\$48,000.00	7/1/2015	6/30/2016	Completed	\$0.00
Yes	3398	CTD - FL Commission for the Transportation	Nichole Gwinnett	FY15-16 Glades-Hendry TD Agreement	6/30/2015	6/1/2015	7/1/2015	7/1/2015	\$38,573.00	\$38,753.00	7/1/2015	6/30/2016	Completed	\$0.00
Yes	3202	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY14-15 HMEP Planning Grant Modification			9/11/2015		\$50,000.00	\$50,000.00	10/1/2015	12/15/2015	Completed	\$0.00
Yes	3173	DEM - FL Div. of Emergency Management	Nichole Gwinnett	FY15-16 HMEP Training Contract	10/1/2015	9/30/2015	9/28/2015	9/28/2015	\$58,422.00	\$58,422.00	10/1/2015	9/30/2016	Completed	\$0.00
Yes	3418	Collier County	Rebekah Harp	Marketing & Data Research					\$1,200.00	\$1,200.00	12/4/2015	1/29/2016	Completed	
Yes	3176	DOE - US Dept. of Energy	Rebekah Harp	NARC - SM3 - 2016 Data Surveys			2/11/2016		\$1,000.00	\$1,000.00	2/1/2016	3/31/2016	Completed	
Yes	3005	Collier County	Margaret Wuerstle	Collier County EDC - USDA Grant Application			3/15/2016	3/22/2016	\$3,000.00	\$3,000.00	3/23/2016	3/31/2016	Completed	
Yes	3301	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Clewiston Mainstreet Revitalization			12/8/2015		\$30,000.00	\$30,000.00	12/14/2015	6/30/2016	Completed	
Yes	3303	DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	DEO - MPO Rail Study						\$39,000.00	10/7/2015	5/31/2016	Completed	
Yes	4002	NEFRC - Northeast Florida Regional Council	Tim Walker	2016 SRESP Update					\$14,200.00	\$14,200.00	4/28/2016	7/19/2016	Completed	
Yes	4003	Rural Neighborhoods	Tim Walker	Rural Neighborhoods Mapping					\$750.00	\$750.00	6/1/2016	6/30/2016	Completed	
Yes	3720	DEM - FL Div. of Emergency Management	Tim Walker	Collier Hazard Analysis FY15-16					\$9,693.00	\$9,693.00	7/1/2015	6/30/2016	Completed	
Yes	3520	TBRPC - Tampa Bay Regional Planning Council	Rebekah Harp	2016 Disaster Planning Guide					\$4,000.00	\$4,000.00	2/1/2016	4/30/2016	Completed	
Yes	3006	SWFEC - Southwest Florida Enterprise Center	Margaret Wuerstle	SWFEC PRIME - Grant Application/Technical Assistance					\$5,000.00	\$5,000.00	5/1/2016	5/30/2016	Completed	
Yes	3004	NARC - National Association of Regional Councils	Rebekah Harp	MARC Travel SRII					\$379.58	\$379.58	10/1/2015	5/31/2016	Completed	
Yes	4001	Collier County	Margaret Wuerstle	Collier County EDA TA					\$5,000.00	\$5,000.00	4/18/2016	5/30/2016	Completed	
Yes	6200	FDEP - FL Dept. of Environmental Protection	Margaret Wuerstle	2016 Brownfields Event					\$6,887.61	\$6,887.61	4/1/2016	10/30/2016	Completed	
NO		DEO CDBG-MIT-GIP Round II Infrastructure	Margaret Wuerstle	City of Clewiston Harden transmission and distribution line	9/17/2020	9/14/2021			\$2,067,935	\$98,000				NA
NO		DEO-CDBG-MIT-GIP Round II	Margaret Wuerstle	City of Clewiston WWTP Upgrades and Expansion	9/17/2021	9/13/2021			\$13,874,000	\$200,000				NA
NO		Florida DEP	Charity Franks/M Wuerstle	Clewiston WWTP Improvement, upgrades and expansion	8/15/2022	8/11/2022			\$14,380,190	\$20,000(?)				
NO		DEO CPTA	Margaret Wuerstle	SWFLEnterprise Center Incubator Program Marketing	4/11/2022	4/1/2022	6/14/22 Denied		\$70,000	\$10,000				NA
No		EDA - US Economic Development Administration	Margaret Wuerstle/Tra cy Whirls	ARPA- BBB Regional Chanllenge- Developing an Inland Port System in rural southern Florida	10/19/2021	10/19/2021			\$460,000	\$133,000				NA

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NO		FL Dept. Of Agriculture- SpECIALTY Crops	M Wuerstle	SWFL Fresh Coose Local Choose Fresh	2/5/2021	2/2/2021	Denied 10/7/2021		\$207,000	\$99,000				NA
No		DEO CDBG-MIT Critical Facility Harding	McKensie Moorehouse	City of Clewiston transmission lines insulators replacement	6/30/2020	6/29/2020			\$143,306	\$15,000				NA
no		SAMHSA - Substance Abuse and Mental Health Services Administration	Margaret Wuerstle	Building Resilient Kids	3/6/2020	3/2/2020			\$1,455,815	\$200,000				NA
No		Bill & Melinda Gates Foundation	Katelyn Kubasik	Opioid Epidemic Think Tank Summit		11/12/2019			\$75,000.00	\$75,000.00			Submitted	\$0.00
No		Norman Foundation	Margaret Wuerstle	Food Policy Council		11/22/2019			\$100,000	\$60,000				NA
No		Bureau of Justice Assistance	Katelyn Kubasik	Data-Driven Responses to Emerging Drug Threats			10/1/2019		\$543,772.00	\$293,772.00			Denied	\$0.00
NO		Charles M. and Mary D. Grant Foundation	Katelyn Kubasik	SWFL Harm Reduction: Take- Home Naloxone Project		4/30/2019	9/1/2019		\$38,000.00	\$10,000.00			Denied	\$0.00
No		City of Naples	Jim Beever	City of Naples Climate Resiliency Project			9/26/2019		\$25,000.00	\$25,000.00			Denied	\$0.00
No		SAMHSA - Substance Abuse and Mental Health Services Administration	Katelyn Kubasik	Building Resilient Kids	3/29/2019	3/27/2019	8/29/2019		\$1,453,315.00	\$197,815.00	9/30/2019	9/29/2024	Denied	\$0.00
No		DEO - FL Dept. of Economic Opportunity	Jim Beever	Updating the 2009 Comprehensive SWFL / Charlotte Harbor Climate Change Vulnerability Assessment		5/7/2019			\$40,075.00	\$40,075.00	1/1/2020	5/29/2020	Denied	\$0.00
No		DEO - FL Dept. of Economic Opportunity	Katelyn Kubasik	SWFL Opioid Resource Guide		5/7/2019			\$40,007.00	\$40,007.00	12/1/2019	5/31/2020	Denied	\$0.00
No		FDEP - FL Dept. of Environmental Protection	Jim Beever	Ecosystem Services- Aquatic Preserves Valuation		5/1/2018			\$90,000.00	\$90,000.00			Denied	
No		EPA - US Environmental Protection Agency	Jim Beever	WPDG- CHNEP Wetland Connectivity		5/8/2018			\$204,120.00	\$145,246.00			Denied	
No		DEO - FL Dept. of Economic Opportunity	Tim Walker	Storm Surge Evac Routes & Shelters Interactive GIS Web Map	5/7/2018	5/4/2018	9/7/2018		\$35,000.00	\$35,000.00			Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Affordable Housing Directory of Resources	5/7/2018	5/1/2018	9/7/2018		\$40,000.00	\$40,000.00			Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	SWFL Opioid Resource Guide	5/7/2018	5/1/2018	9/7/2018		\$40,000.00	\$40,000.00			Denied	
No		Bloomberg Philanthropies	Margaret Wuerstle	Bloomberg - City of Bonita Springs Mitigation	10/20/2017	10/19/2017			\$1,000,000.00	\$60,000.00			Denied	
No		SWFL Community Foundation	Margaret Wuerstle	Community Impact Grants - MLK Corridor	11/3/2017	11/2/2017			\$50,000.00				Denied	
No		DEO - FL Dept. of Economic Opportunity	Jennifer Pellechio	Economic Opportunity Map		4/27/2016	6/28/2016		\$40,000.00				Denied	
		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Florida Ocean Alliance		5/2/2016	6/28/2016		\$28,000.00				Denied	
No		DEO - FL Dept. of Economic Opportunity	Margaret Wuerstle	Clewiston Downtown District Facade Program		5/2/2016	6/28/2016		\$30,000.00				Denied	
No		AETNA	Jason Stoltzfus	Cultivating Healthy Communities	4/15/2016	4/13/2016			\$100,000.00	\$100,000.00			Denied	
No		EPA - US Environmental Protection Agency	Jason Stoltzfus	2016 Brownfield Assessment		12/18/2015			\$280,000.00	\$46,900.00			Denied	

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No		USDA - US Dept. of Agriculture	Margaret Wuerstle	Mobile Market: A Nutritional Oasis for Food Markets of SWFL	3/31/2014	3/31/2014	10/1/2014		\$599,549.00	\$298,605.00	10/1/2014	9/30/2017	Denied	
No		EDA - US Economic Development Administration	Rebekah Harp	Mote Marine Programming	8/31/2012	8/31/2012	8/31/2012		\$270,000.00	\$189,000.00	1/1/2014	12/31/2016	Denied	\$81,000.00
No		USDA - US Dept. of Agriculture	Nichole Gwinnett	Opportunity Buy Program Coordinator	4/23/2013	4/23/2013	11/20/2013		\$99,667.00	\$15,000.00	11/1/2013	10/31/2015	Denied	\$53,621.00

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Quality of Life & Safety
Committee

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Adjourn

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