



Staff Report for: LAD-25-01

Hearing Date: October 13, 2025/November 25, 2025

To: Planning and Zoning Board/Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal (see attached Exhibit 1 for professional qualifications)

Regarding: A request to amend Master Development Order (MDO), Resolution Number 2023-078, for the Babcock Ranch Community Master Development of Regional Impact (DRI)

Part 1 – General Information

Applicant: Babcock Property Holdings, L.L.C., 42850 Crescent Loop, Suite 200, Babcock Ranch, FL 33982

Agent: Stantec Consulting Services, Inc., c/o James Paulmann, FAICP & Katie LaBarr, AICP, 6920 Professional Parkway, Sarasota, FL 34240

Agent/Attorney: Robert H. Berntsson, Esq., 3195 South Access Road, Englewood, FL 34224

Owner(s): Multiple owners

Request: A privately initiated request to amend the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI), Resolution Number 2023-078, by:

- 1) Revising "Whereas Clauses" to reflect the current status.
- 2) Amending "Findings of Fact and Conclusions of Law" to revise 1,400,000 square feet of retail and 3,500,000 square feet of office (general office, medical office, and civic) to 4,900,000 square feet of commercial/retail/office (including medical) uses, and 150,000 square feet of government/civic uses to be consistent with development rights as established in the County's Comprehensive Plan.
- 3) Revising the Transportation section and Exhibits "F", "G", "J" and "K", and adding new Exhibit G-1: 73C-40.045 Transportation Uniform Standard Rule, to reflect the updated traffic study.
- 4) Amending the Police and Fire section by adding new Condition 10.A.(3).
- 5) Amending the Open Space, Parks, and Library section by adding new Condition 14.A.(7).
- 6) Updating "Fixed Development Criteria" as established in Exhibit B: Master Concept Plan (Map H).
- 7) Updating Exhibit D: Updated Summary of Land Dedications and Facilities Construction, to reflect the current status.
- 8) Updating Exhibit H: MDO Land Use Equivalency Matrix (LUEM).

Location: **Commission District I:** The subject property is generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, in the East County area.

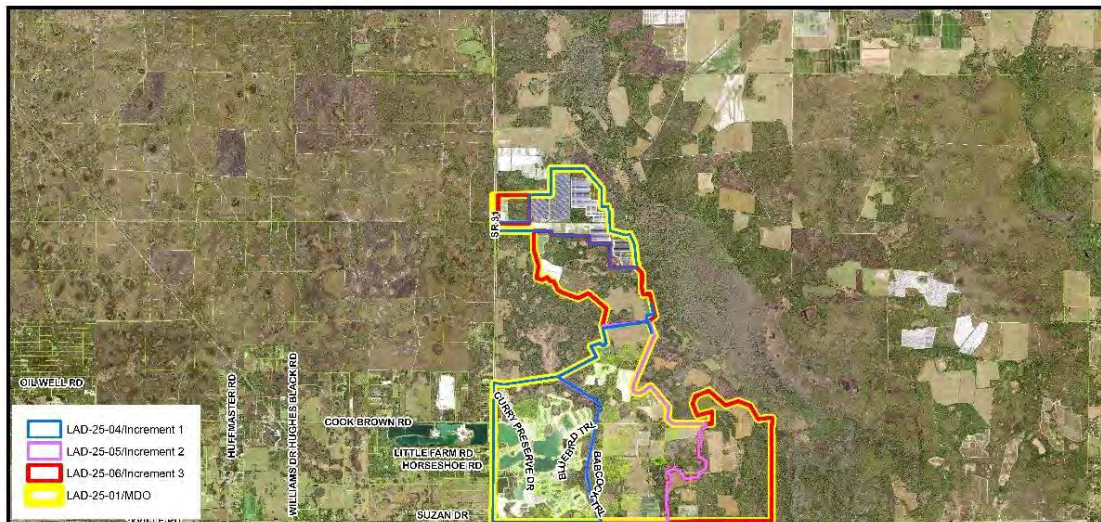
Land Area: The subject property contains a total of 13,630± acres.

Public Notice: Public Notice has been given as required by Charlotte County Code, Section 3-9-10; sub-sections (d) Published Notice; (e) Mailed Notice (1,000-foot Mailed Notice Map); and (f) Posted Notice.

Part 2 - Analysis and Conclusion

The applicant, Babcock Property Holdings, L.L.C., is requesting an amendment to the Master Development Order (MDO) for the Babcock Ranch Community Master Development of Regional Impact (DRI), Resolution Number 2023-078.

The Babcock Ranch Community is generally located east of State Road 31, south of County Road 74 (Bermont Road), west of the Glades County line, and north of the Lee County line, in the East County area. As of today, three increment development orders have been approved by the Board of County Commissioners (Board). The community contains approximately 13,630 acres.



Babcock Ranch Community DRI Area Image

Detailed Changes

1) Revising “Whereas Clauses”

Staff’s Analysis: The applicant is proposing to update “Whereas Clauses” to include the latest resolution of this Master Development Order (MDO) and the public hearing dates for this application. It is staff’s professional opinion that the proposed changes are necessary.

2) Amending “Findings of Fact and Conclusions of Law”

Staff’s Analysis: Since the MDO was originally approved by the Board of County Commissioners (Board) in 2007, there have been multiple amendments to the MDO. The development did not start until 2016. In order to be consistent with the approved development rights as established in the County’s Comprehensive Plan, the applicant is proposing to revise 1,400,000 square feet of retail and 3,500,000 square feet of office (general office, medical office, and civic) to 4,900,000 square feet of commercial/retail/office (including medical) uses, and 150,000 square feet of government/civic uses. Staff believes that the proposed changes are necessary to be consistent with the County’s Comprehensive Plan and has no objections to the proposed amendments.

3) Revising the Transportation section

Staff’s Analysis: The MDO requires that: *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 DRI Traffic Study at any time during that five (5) year period.* The Master Traffic Study Update (2024) dated December 23, 2024, and last revised September 3, 2025, has been submitted to fulfill this requirement. The submitted Master Traffic Study Update used the current FDOT District 1 - D1RPM travel model (2045 horizon year) to reassess the internal and community capture and external trips, estimate pass-by trips, and revise Exhibit F of the MDO (significantly and adversely impacted roadways). The conclusion of the Master Traffic Study Update is as follows:

1. *The Master DRI anticipates future improvement needs on the following road segments that are attributed to the Project coincident with buildout at year 2045.*
 - *SR 31 from SR 80 to Cook Brown Road*
 - *SR 78 from Prichette Parkway to SR 31*
2. *The Incremental DRI will continue to provide the detailed transportation assessment and the necessary proportionate share mitigation to fund the roadway needs are outlined in the Incremental Development Orders (IDO-1, 2 and 3).*
3. *Current and on-going roadway improvement efforts of the MPO LRTP include the following.*
 - *SR 31 PD&E Study (SR 78 to Cook Brown Road)*
 - *SR 31 PD&E Study (SR 80 to SR 78)*
 - *SR 78 PD&E Study (I-75 to SR 31)*
4. *BRC will continue its collaborative efforts with FDOT, Charlotte County and Lee County to pipeline mitigation monies towards the improvement of SR 31 and SR 78.*
5. *BRC will continue to provide for site-related improvements at the Project’s planned access points on SR 31.*

Based on the results of the Master Traffic Study Update, the applicant is proposing to revise the Transportation section and Exhibits “F”, “G”, “J” and “K”. Specifically,

- Revising the horizon year traffic conditions year from 2040 to 2045.
- Updating the Community Capture Rate (CCR) from 66% to 67% which may be anticipated by 2045.
- Updating the language because the Master Traffic Study Updates included a supplemental analysis.
- Updating Exhibit “F” which includes significant impacts, roadways network, and roadway improvements for informational purposes.

In addition, the calculated cumulative proportionate share for Increments 1, 2, and 3 is now \$43,401,163 (previously \$50,937,226) based upon the proportionate share percentages as calculated per lane mile for each improvement as shown on the revised Exhibit K of the proposed MDO. The amount of the cumulative proportionate share is reduced by \$7,536,063 due to the change of the 2023 FDOT Roadway Service Volume and the increase of Community Capture Rate (CCR). Specifically, the following explanation came from the applicant’s engineer, Stephen Leung, Vice President - General Manager from David Plummer & Associates, dated September 27, 2025:

The 2023 FDOT roadway service volumes represent a reclassification of state facilities (reclassification also adopted by Charlotte County for county facilities) with corresponding change in the adopted of service volumes. Pending the roadway attribute (a combination of facility type, environmental setting, and adopted LOS target/standard, etc.), the service volume of a roadway may increase or decrease (typically +/- 5% to >25%) as compared to the previous classification attributes of the same facility. More importantly, the change in roadway service volumes directly affects:

- i) the number of “transportation deficient” facilities (backlogged conditions without BRC);*
- ii) BRC’s significant and adverse impact on the facilities;*
- iii) recommended improvement needs with BRC; and*
- iv) estimated proportionate share.*

As shown in the proposed Exhibit K (Page 1 of 2), the proportionate share estimate of this incremental amendment resulted in an overall net decrease in the BRC impacts on roadway segments by approximately 20% (\$38,983,800 vs. \$48,859,824) as compared to the previous cumulative assessment of those same roadways. Inversely, the proportionate share estimate for intersection improvements as shown in the proposed Exhibit K (page 2 of 2) resulted in a net increase of 113% (\$4,417,363 vs. \$2,077,402) as compared to the previous cumulative assessment.

The applicant is also proposing to add new Exhibit G-1: 73C-40.045 Transportation Uniform Standard Rule that was part of the Florida Administrative Code and which was repealed on April 6, 2018. However, this rule still applies to this Development.

Staff from the County Public Works Department has reviewed the proposed Transportation section of the MDO and has no objection.

4) Updating “Fixed Development Criteria”

Staff’s Analysis: The applicant is proposing to update “Fixed Development Criteria” as established in Exhibit B: Master Concept Plan (Map H) to include the following language to be consistent with the County’s Comprehensive Plan regarding the development rights and the approved Equivalency Matrix:

Notwithstanding the forgoing, the development within the DRI may exceed the development category thresholds in accordance with the Land Use Equivalency Matrix attached as Exhibit “H”.

It is staff’s professional opinion that these changes are necessary to achieve internal consistency.

5) Updating Exhibit D

Staff’s Analysis: The applicant is requesting to update Exhibit “D”: Updated Summary of Land Dedications and Facilities Construction by:

- Reflecting the completion of “Site #1 Sheriff” and “Site #1 Fire”.
- Amending the “Commencement of Operations” for “one permanent helicopter landing site” from “October 1, 2024”, to “prior to reaching 17,500 persons” in order to be consistent with the commencement for the “mosquito control pre-fab building (shell only).”
- Updating Note #3 for the required “pre-fab building” to include one office and a single bay for two vehicles instead of two offices and two bays for vehicle.
- Updating Notes #2 & #8 to provide an option to allow for co-location of the library and annex facilities on the 4-acre library parcel. Staff believes that this change will provide better and efficient services to existing and future residents in the development.
- Adding new Note #11 to provide an option to allow either the County or Developer to complete construction of facilities. Staff believes that this option will provide more flexibility and efficiency to complete the required facilities.

Staff believes that the proposed changes are needed in order to be consistent with the current status.

Furthermore, the applicant is also proposing to amend the Police and Fire section by adding new Condition 10.A.(3) and the Open Space, Parks, and Library section by adding new Condition 14.A.(7) to be consistent with new Note #11 in Exhibit D, which states that: *The parties may agree that either party may complete the shell building and/or interior buildout for the other party upon terms and conditions acceptable to both parties.*

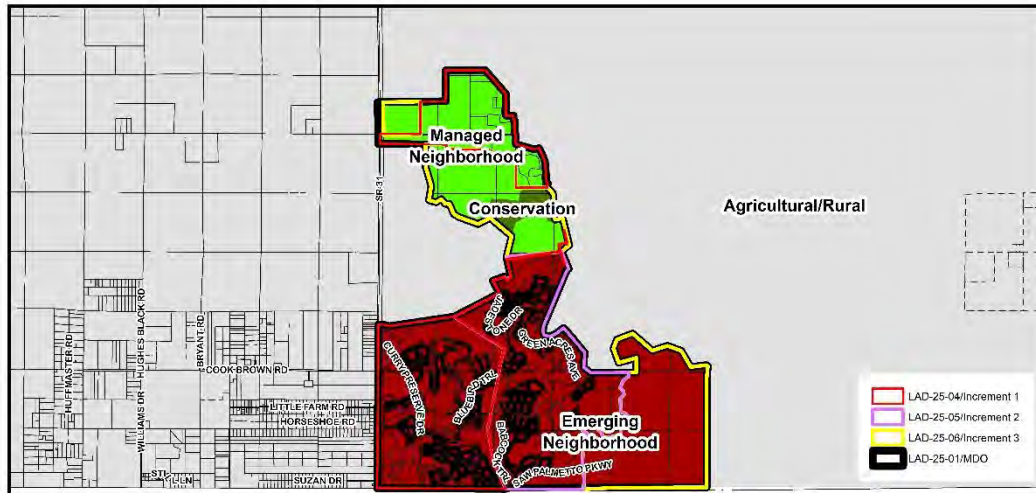
6) Adding new Exhibit “H”

Staff’s Analysis: The applicant is proposing to revise “Table EM-1: Babcock Ranch Community – Incremental (Cumulative DRI) Equivalency Matrix” and “Table EM-2: BRC – Incremental (Cumulative DRI) Trip Generation” to reflect the updated development rights for three increments.

The applicant is also proposing to amend this MDO for internal and statutory consistency and to reflect updates to the Florida Statutes, as applicable.

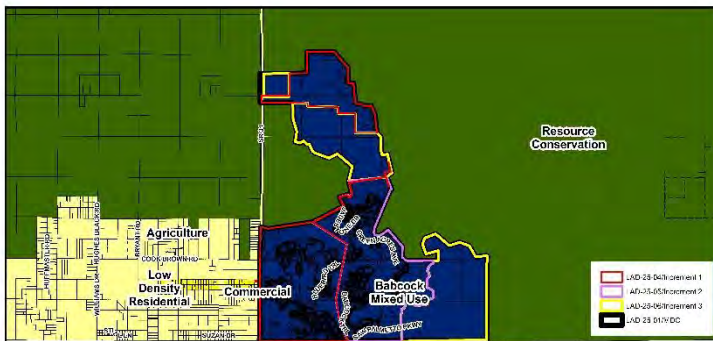
Consistency with the County's Comprehensive Plan

The northern portion of the property is designated as Managed Neighborhood, a small portion located in the center of the site is designated as Conservation, and the rest of the property is designated as Emerging Neighborhood on the 2050 Framework.

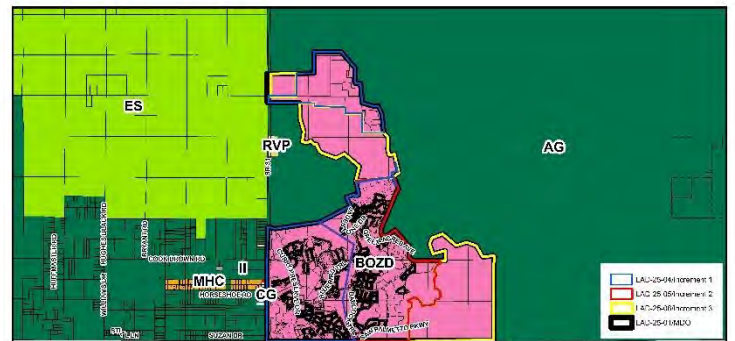


Babcock Ranch Community DRI Framework

The subject properties located within the boundary of this MDO are designated as Babcock Mixed Use (BMU) on the 2030 Future Land Use Map. This DRI allows for a mixture of residential and non-residential development, which is consistent with the vision established for this area and the intent of the Emerging Neighborhood identified in the County's Comprehensive Plan. Therefore, the proposed changes are consistent with, and supported by, the goals, objectives, and policies in the County's Comprehensive Plan.



Babcock Ranch Community DRI FLUM Designations



Babcock Ranch Community DRI Zoning Designations

Concurrency Issues

The proposed amendment to the development rights within this DRI is consistent with the development rights as established in the County's Comprehensive Plan. In addition, this DRI is

located within the Babcock Ranch Community Independent Special District's service area. The Babcock Ranch Community Independent Special District has been designing and maintaining enough capacity to serve the proposed development.

Therefore, the proposed changes should not create any concurrency issues.

SWFRPC Review

Per the Babcock Ranch Master DRI Agreement, which was entered into on March 13, 2007, by and between Babcock Property Holdings, L.L.C., Southwest Florida Regional Council, and Charlotte County, this application was submitted to the Southwest Florida Regional Planning Council (SWFRPC) for review. The SWFRPC staff report (Attachment 1) dated September 19, 2025, and revised October 6, 2025, was provided with the following recommendations:

- 1. Notify Charlotte County and the applicant that the MTSU (2024) has been accepted and proposed changes to the MDO, Increments 1 - 3 and are acceptable to address impacts on regional transportation facilities.*
- 2. Request that Charlotte County provide SWFRPC staff with copies of the final MDO, Increments 1 - 3 IDOs.*

Project Background

The Babcock Ranch Community Development of Regional Impact (DRI) consists of approximately 13,630 acres, and is located in the East County area, immediately north of the Lee County border. The Babcock Ranch Community Master Development Order (MDO) was originally approved on December 13, 2007 (Resolution Number 2007-196). On January 28, 2008, the Department of Community Affairs (now the Department of Commerce) filed an appeal of that Development Order. The Board of County Commissioners adopted Resolution Number 2008-063 which incorporated transportation settlement language into the DRI resolution.

The Babcock Ranch Community MDO provides a framework for the overall development of the Babcock Ranch community; it also has a number of conditions of approval that the Developer must meet before construction can begin. The MDO allows for the construction of:

- 17,870 residential units.
- 1,400,000 square feet of retail.
- 3,500,000 square feet of office.
- 600 hotel rooms.
- 650,000 square feet of industrial.
- 177 hospital beds.
- 418 units of assisted living facilities.
- 54 golf holes.
- Ancillary facilities.

Since approval of the MDO, and prior to the DRI law changes in 2018 and the adoption of Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure, of the County Code, there were four amendments which were made via Notice of Proposed Change (NOPC) and four were made via non-NOPC change:

NOPC changes:

- On December 15, 2009, an NOPC application was approved by the Board of County Commissioners (Board) via Resolution Number 2009-83. The changes were to modify the transportation section of the Babcock Master Development Order, to revise Map H to reflect Increment One, and to make formatting changes to Exhibit C.
- On December 13, 2011, an NOPC application was approved by the Board via Resolution Number 2011-485. The changes were to increase office entitlements from 2,064,075 to 3,500,000 square feet, to reduce retail entitlements from 2,925,943 to 1,400,000 square feet, to revise Exhibit F to reflect the results of the required Master Traffic Study Update, to extend the build-out date to July 5, 2040, to extend the expiration dates as well as associated mitigation requirements by four years, and to correct scrivener's errors.
- On January 28, 2014, an NOPC application was approved by the Board via Resolution Number 2014-047. The major changes were to update requirements to make the Development Order more reflective of current conditions, to revise the MDO Master Plan, and to correct scrivener's errors.
- On July 25, 2017, an NOPC application was approved by the Board via Resolution Number 2017-187. The major changes were to:
 - o Clarify that the maximum density is calculated at buildout for Villages, Hamlets, and Town Center.
 - o Remove reference to minimum density requirements within Villages, Hamlets, and Town Center.
 - o Modify stormwater conditions to reflect the required hydrologic model which is complete.
 - o Modify the transportation conditions to be consistent with the Comprehensive Plan and the proposed changes to the Transportation Analysis.
 - o Revise the Vegetation, Wildlife and Wetlands section to reference Category I and Category II exotic pest plants as defined by the Florida Exotic Pest Plant Council in effect at time of permitting.
 - o Reflect the extension of the expiration date and buildout date of this Development Order per Resolution Number 2016-034.
 - o Update the Open Space, Parks, and Library section.
 - o Remove leak detection requirement from the Wastewater Management and Water Supply section and update design standards for the proposed water treatment and distribution and wastewater collection and treatment systems to be consistent with current industry standards in Southwest Florida.
 - o Update requirements in Increment Review subsection set forth in Wastewater Management and Water Supply section.
 - o Update requirements in Education section and Police and Fire section.
 - o Update Exhibit B: Master Concept Plan (Map H) to add approximately 46 acres to Increment I South area.
 - o Update Exhibit D: Summary of Land Dedication & Facilities Construction to clarify types, acreages, and timeframes for commencement of operations of public facilities.
 - o Update Exhibit E: Florida Exotic Pest Plant Council's 2007 List of Invasive Plant Species Category I & II to refer to the most current list in effect at time of permitting.
 - o Update Exhibit F: Babcock Ranch Community Master Traffic Study Update.

Non-NOPC changes:

- On December 14, 2010, the Board adopted Resolution Number 2010-112 which was an amendment to update Exhibit L to the MDO replacing a letter with an Agreement between Developer and the FDOT regarding transportation improvements.
- On April 24, 2012, the Board approved Resolution Number 2012-024 to allow for the statutory and executive order extensions of all commencement, phase, build-out and expiration dates for the Master Development Order (MDO) of the Babcock Ranch Community Development of Regional Impact (DRI).
- On June 11, 2013, the Board approved Resolution Number 2013-033 to allow for the statutory and executive order extensions of all commencement, phase, build-out and expiration dates for the MDO of the Babcock Ranch Community DRI.
- On March 22, 2016, the Board approved Resolution Number 2016-034 to allow for the statutory and executive order extensions of all commencement, phase, build-out and expiration dates for the Master Development Order (MDO) of the Babcock Ranch Community Development of Regional Impact (DRI).

Amendment to the MDO after April 6, 2018 due to the DRI law changes:

- On June 12, 2018, the Board approved Resolution Number 2018-077 to:
 - o Update Exhibit B: Master Concept Plan (Map H) by:
 - ✓ Adding approximately 1,010 acres to Increment I North area, converting the 25± acres of Educational Services Center shown in Increment 1 South Area to Mixed-Use/Residential/Commercial (MURC).
 - ✓ Removing the 71± acres of Higher Education/University from Increment I North Area.
 - ✓ Adding Note 5 to include a condition limiting the non-residential land uses to a maximum of 6,000,000 square feet for both the Lee and Charlotte County portions of the Babcock Ranch Community Master Development of Regional Impact.
 - ✓ Adding Note 6 indicating that the solar arrays and related facilities are permitted in all the Increment 1 North Area, except in the Passive Greenway, Observation Greenway, and Conservation Easement Corridors.
 - o Reflect the extension of the expiration date and buildout date of this Development Order per the Governor's Executive Orders.
 - o Update the Biennial Reports section to reflect the recent law changes.
- On July 27, 2021, the Board approved Resolution Number 2021-108 to:
 - o Revise "Whereas Clauses"; amend "Findings of Fact and Conclusions of Law".
 - o Remove all references to "DEO"; revise Condition A.(1), Condition A.(7), and Condition A.(13) under the Affordable Housing section; revise Condition A.(4), Condition A.(20), Condition B.(3), Condition B.(4) and Condition B.(5) under the Stormwater Management and Flood Plains section.
 - o Revise the Transportation section by:
 - ✓ Amending Conditions B.(1)(a), B.(1)(b), B.(1)(c)-(e), B.(2)(a), B.(2)(a)(2)a. and c., B.(2)(b)(1), (c), and (d).
 - ✓ Deleting Condition B.(5).
 - ✓ Revising renumbered Conditions B.(5) and B.(6).
 - ✓ Deleting Condition B.(8).
 - ✓ Revising Condition C.(1)(a).

- ✓ Updating Condition C.(1)(c).
- ✓ Revising Condition C.(1)(f).
- ✓ Updating Condition C.(2)(c).
- o Delete Conditions C.(6)(d) and C.(7); revise Conditions A.(13) and B.(2) under the Vegetation, Wildlife, and Wetlands section.
- o Revise Conditions A.(1) and A.(9) under the Wastewater Management and Water Supply section.
- o Update Condition A.(1), B.(4) and (5), and B.(7) under the Police and Fire section.
- o Revise Condition A, and Condition B.(1) under the Hurricane Preparedness section.
- o Delete Condition B.(2) under the Hurricane Preparedness section.
- o Update Condition A.(5) under the Open Space, Parks, and Library section.
- o Delete Condition B.(3) under the Open Space, Parks, and Library section.
- o Revise Condition A.(2) and Condition A.(6) under the Energy section.
- o Delete Conditions B.(4) and (5) under the Energy section.
- o Revise Condition A. under the Mining Operations section.
- o Delete Condition H. under the General Provisions section.
- o Update Buildout and Expiration Dates of this Development Order (DO).
- o Revise this DO for internal consistency and to reflect updates to Florida Statutes, as applicable.
- o Update notes within Exhibit B Master Concept Plan (Map H).
- o Update Exhibit D Updated Summary of Land Dedications and Facilities Construction; and
- o Update Exhibit F and its title.
- On May 23, 2023, the Board approved Resolution Number 2023-078 to:
 - o Revise “Whereas Clauses” to reflect the current status.
 - o Amend “Findings of Fact and Conclusions of Law” to rename and clarify the category of ancillary facilities and to add language to clarify the maximum development rights of each development category threshold per use of a Land Use Equivalency Matrix.
 - o Revise the Affordable Housing section, Conditions 3.A.(1) through (4), and Conditions 3.A.(6) through (9), to replace affordable housing with workforce housing.
 - o Update the Stormwater Management and Flood Plains section by revising Condition 4.B.(1), to acknowledge platted easements or tracts, 4.B.(14) to reflect current permit approvals, Condition 4.B.(15) to describe State assumption of Section 404 permitting by the Florida Department of Environmental Protection (FDEP), and Condition 4.B.(16) to recognize that the condition has been completed.
 - o Revise 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.
 - o Revise the Vegetation, Wildlife, and Wetlands section, Condition 6.B.(5) to include FDEP State 404 Permit and reflect other updated State permits.
 - o Update the Wastewater Management and Water Supply section by revising Condition 7.A.(9) to include educational facilities located within the greenways.
 - o Revise the Education section, Condition 9.A., to reflect compliance with Babcock Ranch School Site Dedication Agreement.
 - o Update the Police and Fire section by amending Condition 10.B.(6) to reflect completed projects.

- o Revise the Hurricane Preparedness section by amending Condition 13.A. to remove reference to American Red Cross publication #4496.
- o Update the Hospitals and Healthcare section to delete Condition 15.C., which includes a requirement to provide a certificate of need, as State Statutes have been amended to eliminate such a requirement.
- o Update Buildout and Expiration Dates of this Development Order (DO).
- o Revise this DO for internal and statutory consistency and to reflect updates to Florida Statutes, as applicable.
- o 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 conditions.
- o 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.
- o Add new Exhibit “H”: MDO Land Use Equivalency Matrix (LUEM).

Part 3 – Summary and Recommendation

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. LAD-25-01) is generally consistent with Charlotte County's Comprehensive Plan, Section 380.06, Florida Statutes, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

The Planning and Zoning Board recommendation for October 13, 2025:

*A motion to forward application No. LAD-25-01 to the Board of County Commissioners with a recommendation of **Approval with a 4-0 vote**, based on the findings and analysis in the staff report dated October 7, 2025, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Part 4: Research and Findings

- 1. 2050 Framework Map Designation:** The northern portion of the property is designated as Managed Neighborhood, a small portion located in the center of the site is designated as Conservation, and the rest of the property is designated as Emerging Neighborhood. (FLUM Map #2 - 2050 Framework)
- 2. 2030 Service Area Delineation:** Inside Urban Service Area
- 3. Existing Land Use on the Site:** The subject site contains residential homes, commercial buildings, parks, and recreation areas, and the balance of the site is vacant. (See attached Site Image)
- 4. Existing Future Land Use and Zoning Designations:**
(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
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Babcock Mixed Use (BMU)	These lands shall develop to the standards and guidelines provided in this Comprehensive Plan within the policies of the Babcock Ranch Overlay District (BROD), within the Master Development Order for the Babcock DRI, and subsequent incremental Development Orders, and in the Babcock Ranch Zoning District. The BMU covers approximately 13,630 acres and is situated in the southwest portion of the Babcock Ranch, east of S.R. 31 and adjacent to the Charlotte-Lee County line. <u>Maximum Density/Intensity</u> Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses. This total square footage for non-residential uses is further defined as including: • 4,840,000 square feet commercial/office/retail (including medical). • 650,000 square feet of light industrial. • 150,000 square feet of government/civic uses. • 72 golf course holes. • 600 hotel rooms (360,000 square feet). • Primary Greenways: Minimum 4,700 acres • Parks: Minimum 255 acres • Schools square footage shall not count as part of the 6,000,000 square feet of non-residential or public/civic square footage.
Zoning:	Development Standards:
Babcock Overlay Zoning District (BOZD)	The intent of the Babcock Overlay Zoning District (“District”) is to establish the regulations for design and development that address the qualities of nature and community that are envisioned for the Babcock Community. The District is intended to accommodate compact development patterns, interconnected open space, native habitat, and recreation. The intended activities within the District include a mix of residential, retail and office commercial, light industrial, civic and educational facilities, open space, parks and recreational and institutional uses.

Table 1

5. Proposed Future Land Use and Zoning Designations:

(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
No Change Babcock Mixed Use (BMU)	These lands shall develop to the standards and guidelines provided in this Comprehensive Plan within the policies of the Babcock Ranch Overlay District (BROD), within the Master Development Order for the Babcock DRI, and subsequent incremental Development Orders, and in the Babcock Ranch Zoning District. The BMU covers approximately 13,630 acres and is situated in the southwest portion of the Babcock Ranch, east of S.R. 31 and adjacent to the Charlotte-Lee County line. <u>Maximum Density/Intensity</u>

	Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses. This total square footage for non-residential uses is further defined as including: • 4,840,000 square feet commercial/office/retail (including medical). • 650,000 square feet of light industrial. • 150,000 square feet of government/civic uses. • 72 golf course holes. • 600 hotel rooms (360,000 square feet). • Primary Greenways: Minimum 4,700 acres • Parks: Minimum 255 acres • Schools square footage shall not count as part of the 6,000,000 square feet of non-residential or public/civic square footage.
Zoning:	Development Standards:
No Change Babcock Overlay Zoning District (BOZD)	The intent of the Babcock Overlay Zoning District ("District") is to establish the regulations for design and development that address the qualities of nature and community that are envisioned for the Babcock Community. The District is intended to accommodate compact development patterns, interconnected open space, native habitat, and recreation. The intended activities within the District include a mix of residential, retail and office commercial, light industrial, civic and educational facilities, open space, parks and recreational and institutional uses.

Attachment SWFRPC staff report

**DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT FOR BABCOCK RANCH
MASTER TRAFFIC UPDATE, CHANGES TO MASTER DEVELOPMENT ORDER
AND INCREMENTS I - III**

BACKGROUND

The Babcock Ranch Community (BRC) Development of Regional Impact (DRI) has submitted an Updated Traffic Impact Study with amendments to the Master Development Order (MDO) and all 3 Incremental Development Orders (IDO). Babcock Ranch consisted of 91,362 acres (Charlotte Co. 81,499 Acres, Lee Co. 9,863 Acres). The owner Kitson and Partners entered into Sale Agreement for 73,471 acres with State of Florida (67,813 Acres) and Lee County (5,658 Acres). Retained 17,843 acres for Babcock Ranch Community (Charlotte Co. 13,686 Acres, Lee Co. 4,157 Acres). Largest conservation land purchased by the State at the time.

The 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 for 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 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 May 23, 2023). 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 with 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 has been submitted. 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). Current Transportation Conditions include a Proportionate Share Mitigation of \$50,937,226 that includes expanding existing 2-Lane SR31 to a 4-Lane divided highway from SR78 to Horseshoe Road/Lake Babcock Drive (currently underway) with infrastructure and grading provided for 6-Lane expansion in the future.

Increment 1 was originally approved December 15, 2009, and most recently amended May 23, 2023, to include 5,056 residential dwelling units (3,056 single family units and 2,000 multi-family units), non-residential 840,000 S.F. (470,000 SF retail and 370,000 SF office), 200,000 S.F. of industrial, 18 golf holes, and 218 assisted living 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, and most recently amended May 23, 2023, to include 9,252 residential dwelling units (5,817 single family units and 3,435 multi-family units), 600 hotel rooms, 1,380,000 S.F non-residential (730,000 SF retail and 650,000 SF office), 200 assisted living units, parks, 18-hole 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 3 was originally approved May 23, 2023, to include 3,562 single family residential units, 280,000 S.F non-residential (200,000 SF retail and 80,000 SF office), 100,000 S.F. of industrial, 18-hole golf course, 139 assisted living units, and ancillary (see Attachment VI). All approved uses are subject to use of equivalency matrix. Increment 3 buildout is 2038 with an expiration date of 2045.

The current development status is completion of FPL Solar Array- Two 74.5 MW facilities, trails/parks, Commercial, Babcock Neighborhood School, Babcock Ranch Community Independent Special District and SR 31 expansion (See Attachment VII). 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 to date is 9,406.79 acres (5,274.55 acres onsite 4,132.24 acres offsite) with recorded conservation easements over 4,145.71 acres (See Attachment VIII).

MASTER TRAFFIC STUDY UPDATE (2024)

This MTSU (2024) not only meets the MDO condition to update the MTSU every five years but also includes all the amendments proposed in each of the 3 Increments. The study objectives are in accordance with Section 5.B.(2)(a) of the MDO. The MTSU addresses the following:

- A. Utilize the current FDOT District 1 - D1RPM travel model (2045 Horizon Year).
- B. Reassess the internal and community capture and external trips.
- C. Estimate pass-by trips.

D. Revise Exhibit F of the MDO (significantly and adversely impacted roadways).

More significantly, this MTSU will include the buildout assessment inclusive of the Babcock MPD in Lee County. The Babcock MPD is a sub-DRI development that was approved by Lee County in 2018 with an entitlement of up to 1,630 residential units, 600 hotel rooms, and over 1.17 million square feet of retail and office uses. It should be noted that an amendment to the Babcock MPD was approved by Lee County and this MTSU reflects the proposed development program of the MPD amendment. The amended MPD entitlements will reflect 2,078 residential units, 250 hotel rooms, and 1.17 million square feet of commercial/retail uses. Table 21-3 on the next page 4 shows Master/Incremental DRI Approved Development Parameters Summary and the following page 5 Table 21-1 shows the proposed Master DRI Development Parameters Summary Comparison.

After 3 revisions and based on comments from Florida Department of Transportation (FDOT), Charlotte and Lee Counties the findings and conclusions of BRC DRI MTSU (2024) transportation assessment are as follows.

1. The Master DRI anticipates future improvement needs on the following road segments that are attributed to the Project coincident with buildout at year 2045.

- SR 31 from SR 78 to Cook Brown Road
- SR 78 from Prichett Parkway to SR 31

2. The Incremental DRI will continue to provide the detailed transportation assessment and the necessary proportionate share mitigation to fund the roadway needs are outlined in the Incremental Development Orders (IDO-1, 2 and 3).

3. Current and on-going roadway improvement efforts of the MPO LRTP include the following.

- SR 31 PD&E Study (SR 78 to Cook Brown Road)
- SR 31 PD&E Study (SR 80 to SR 78)
- SR 78 PD&E Study (I-75 to SR 31)

4. BRC will continue its collaborative efforts with FDOT, Charlotte County and Lee County to pipeline mitigation monies towards the improvement of SR 31.

5. BRC will continue to provide for site-related improvements at the Project's planned access points on SR 31.

The calculated cumulative proportionate share for Increments 1, 2, and 3 is \$43,401,163 based upon the proportionate share percentages as calculated per lane mile for each improvement as shown on Exhibit K of the proposed MDO. 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.

Table 21-3 BRC Incremental DRI Amendments (2024) Master/Incremental DRI Approved Development Parameters Summary							
Land Use Type	Unit	BRC DRI					Babcock MPD ⁽²⁾
		Master DRI ⁽⁶⁾	Incremental DRI			Cumulative Increments	
			Increment 1 ⁽⁷⁾	Increment 2 ⁽⁸⁾	Increment 3 ⁽⁹⁾		
Total Residential ⁽¹⁾	d.u.	17,870	5,056	9,252	3,562	17,870	1,630
Single-Family	d.u.	11,615	3,056	5,817	3,562	12,435	980
Multifamily	d.u.	6,255	2,000	3,435	0	5,435	650
Total Non-Residential ⁽¹⁾	sq. ft.	5,910,000	1,199,000	1,864,000	280,000	3,343,000	1,530,000
Total Commercial (Retail + Office) ⁽²⁾	sq. ft.	4,425,500	890,000	1,404,000	280,000	2,574,000	1,170,000
Retail ^(1,2)	sq. ft.	1,400,000	470,000	730,000	200,000	1,400,000	870,000
Office ^(1,2)	sq. ft.	3,025,500	420,000	674,000	80,000	1,174,000	300,000
General	sq. ft.	2,338,710	330,000	500,000	40,000	870,000	257,000
Medical	sq. ft.	580,900	40,000	150,000	40,000	230,000	43,000
Civic	sq. ft.	105,890	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	1,162	536	500	500	1,536	0
Middle School	students	643	330	0	0	330	0
High School	students	911	600	0	0	600	0
Church	sq. ft.	120,000	15,000	15,000	10,000	40,000	0
Library	sq. ft.	24,000	0	12,000	0	12,000	0
Park	acres	256	58	110	57	225	48
Recreation Center	sq. ft.	100,000	40,600	0	0	40,600	0

Footnotes:

- (1) Subject to BRC Master DRI Development Order (MDO) – Exhibit B. Development of the subject property shall not exceed: 17,870 dwelling units and 6,000,000 square feet of non-residential uses, including commercial/ office/ retail space, light industrial, government/civic space (not including schools, places of worship, libraries, or parks), assisted living units, hospital beds, and hotel rooms.
- (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 + 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) Charlotte County Resolution 2023-078 – Babcock Ranch Community Master DRI Development Order (Amended May 23, 2023).
- (7) Charlotte County Resolution 2023-079 – Babcock Ranch Community Increment 1 DRI Development Order (Amended May 23, 2023).
- (8) Charlotte County Resolution 2023-080 – Babcock Ranch Community Increment 2 DRI Development Order (Amended May 23, 2023).
- (9) Charlotte County Resolution 2023-081 – Babcock Ranch Community Increment 3 DRI Development Order (Amended May 23, 2023).

PROPOSED CHANGES TO THE MDO

Table 21-1 below shows Master DRI Development Parameters Summary Comparison. The proposed amendments to the IDO are presented in this narrative.

- 1) revise “Whereas Clauses” to reflect the current status;
- 2) amend “Findings of Fact and Conclusions of Law” to increase retail uses from 1,400,000 square feet to 4,900,000 square feet of commercial/office/retail (including medical) uses modify 3,500,000 square feet of office (general office, medical office, and civic) to 150,000 square feet of government/civic uses to be consistent with development rights as established in the County’s Comprehensive Plan;
- 3) revise the Transportation section and Exhibits “F”, “G”, “J” and “K”, and add new Exhibit G-1: 73C-40.045 Transportation Uniform Standard Rule, to reflect the updated

traffic study;

4) update “Fixed Development Criteria” as established in Exhibit B: Master Concept Plan (Map H);

5) update Exhibit D: Updated Summary of Land Dedications and Facilities Construction, to reflect the current status; and

6) update Exhibit H: MDO Land Use Equivalency Matrix (LUEM).

Table 21-1 BRC MTSU (2024) Master DRI Development Parameters Summary Comparison				
Land Use Type	Unit	Approved ⁽¹⁾ (2020) Master DRI	Proposed (2024) Master DRI	Difference
Total Residential	d.u.	17,870	17,870	0
Single-Family	d.u.	11,615	12,435	+ 820
Multifamily	d.u.	6,255	5,435	- 820
Total Non-Residential	sq. ft.	5,910,000	6,000,000	+ 90,000
Total Commercial (Retail + Office) ⁽²⁾	sq. ft.	4,425,500	4,515,500	+90,000
Retail ^(1,2)	sq. ft.	1,400,000	2,330,000	+930,000
Office ^(1,2)	sq. ft.	3,025,500	2,185,500	-840,000
General	sq. ft.	2,338,710	1,083,840	-1,254,870
Medical	sq. ft.	580,900	1,015,500	+434,600
Civic	sq. ft.	105,890	86,160	-19,730
Hotel ^(1,2,3)	rooms	600	600	0
	sq. ft.	360,000	360,000	0
Industrial ^(1,2)	sq. ft.	650,000	650,000	0
Hospital ^(1,2,4)	beds	177	177	0
	sq. ft.	265,500	265,500	0
ALF ^(1,2,5)	beds	418	418	0
	sq. ft.	209,000	209,000	0
Golf Course	holes	54	54	0
Elementary School	students	1,162	1,536	+ 374
Middle School	students	643	330	- 313
High School	students	911	600	- 311
Church	sq. ft.	120,000	168,000	+ 48,000
Library	sq. ft.	24,000	12,000	- 12,000
Park	acres	256	225	- 31
Recreation Center	sq. ft.	100,000	80,600	- 19,400

Footnotes:

(10) Babcock Ranch Community, Master Development of Regional Impact, Master DRI Development Order (Amended May 23, 2023 – Charlotte County Resolution No. 2023-078.

(11) Per Lee County DCI2023-00053. 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 + office) shall not exceed 4.9 million sq. ft.

(12) Assumes 600 sq. ft. per hotel room.

(13) Assumes 1,500 sq. ft. per hospital bed.

(14) Assumes 500 sq. ft. per ALF bed.

PROPOSED CHANGES TO INCREMENT 1 IDO

Table 21-4 shows the BRC Incremental DRI Amendments (2024) DRI and Babcock MPD Proposed Development Parameters Summary. The proposed amendments to the Increment 1 IDO are presented in this narrative as follows.

1) revise “Whereas Clauses” to reflect the current status;

2) revise development rights by decreasing residential dwelling units from 5,056 to 4,793 units (single-family units from 3,056 to 3,225 units and multi-family units from

Table 21-4 BRC Incremental DRI Amendments (2024) DRI and Babcock MPD Proposed Development Parameters Summary							
Land Use Type	Unit	BRC DRI					Babcock MPD ^(2,8)
		Master DRI ⁽⁶⁾	Incremental DRI Amendments (2024) ⁽⁷⁾				
			Increment 1	Increment 2	Increment 3	Cumulative Increments	
Total Residential ⁽¹⁾	d.u.	17,870	4,793	8,907	4,170	17,870	1,990
Single-Family	d.u.	12,435	3,225	6,042	3,168	12,435	1,630
Multifamily	d.u.	5,435	1,568	2,865	1,002	5,435	360
Total Non-Residential ⁽¹⁾	sq. ft.	6,000,000	2,052,229	2,564,771	902,500	5,519,500	1,495,000
Total Commercial (Retail + Office) ⁽²⁾	sq. ft.	4,515,500	1,266,729	2,035,271	733,000	4,035,000	1,170,000
Retail ^(1,2)	sq. ft.	2,330,000	350,229	1,336,771	643,000	2,330,000	1,170,000
Office ^(1,2)	sq. ft.	2,185,500	916,500	698,500	90,000	1,705,000	0
General	sq. ft.	1,083,840	543,840	500,000	40,000	1,083,840	0
Medical	sq. ft.	1,015,500	345,000	150,000	40,000	535,000	0
Civic	sq. ft.	86,160	27,660	48,500	10,000	86,160	0
Hotel ^(1,3)	rooms	600	0	600	0	600	250
	sq. ft.	360,000	0	360,000	0	360,000	150,000
Industrial ⁽¹⁾	sq. ft.	650,000	450,000	100,000	100,000	650,000	0
Hospital ^(1,4)	beds	177	177	0	0	177	0
	sq. ft.	265,500	265,500	0	0	265,500	0
ALF ^(1,5)	beds	418	140	139	139	418	350
	sq. ft.	209,000	70,000	69,500	69,500	209,000	175,000
Golf Course	holes	54	18	18	18	54	0
Elementary School	students	1,536	536	500	500	1,536	0
Middle School	students	330	330	0	0	330	0
High School	students	600	600	0	0	600	0
Church	sq. ft.	168,000	24,000	72,000	72,000	168,000	0
Library	sq. ft.	12,000	0	12,000	0	12,000	24,000
Park	acres	225	58	110	57	225	48
Recreation Center	sq. ft.	80,600	40,600	30,000	100,000	80,600	0

Footnotes:

- (1) Subject to BRC Master DRI Development Order (MDO) – Exhibit B. Development of the subject property shall not exceed: 17,870 dwelling units and 6,000,000 square feet of non-residential uses, including commercial/ office/ retail space, light industrial, government/civic space (not including schools, places of worship, libraries, or parks), assisted living units, hospital beds, and hotel rooms.
- (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 + 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) Pending – BRC MTSU (2024).
- (7) Proposed Incremental DRI Amendments (2024).
- (8) Pending - Babcock MPA Zoning Amendment.

2,000 to 1,568 units); decreasing retail from 470,000 to 350,229 square feet and increasing office from 370,000 to 916,500 square feet, which is a total of 1,266,729 square feet of commercial/office/retail (including medical) uses; adding 27,660 square feet of government/civic uses; increasing industrial from 200,000 to 450,000 square feet; adding 177 hospital beds; decreasing units of assisted living facility (ALF) beds from 218 to 140 units;

3) amend the Vegetation, Wildlife, and Wetlands section by updating Conditions 5.A.(1) A &B;

4) update the Police and Fire section Condition 8.A.(2) to reflect completed task.

5) update the Energy section Condition 11.A.(2) that one zero energy home has been constructed;

6) reflect the extension of the expiration date and buildout date of this IDO;

7) update Exhibit B-2 to reflect updated entitlements, and update “Fixed Development Criteria” as established in Exhibit B-5;

- 8) update Exhibit D: Summary of Land Dedications and Facilities Construction to reflect current status;
- 9) amend Exhibit E: Babcock Ranch Community Increment 1 Parameters to be consistent with the revised development parameters; and
- 10) update this IDO for other changes for internal and statutory consistency.

PROPOSED CHANGES TO INCREMENT 2 IDO

The proposed amendments to the Increment 2 IDO are presented in this narrative as follows.

- 1) remove two Whereas clauses and add two new Whereas clauses;
- 2) revise development rights by decreasing residential dwelling units from 9,252 to 8,907 units (single-family from 5,817 to 6,042 units and multi-family from 3,435 to 2,865 units); increasing commercial/retail from 730,000 to 1,336,771 square feet and office from 650,000 to 698,500 square feet, which is a total of 2,035,271 square feet of commercial/office/retail (including medical) uses; adding 48,500 square feet of government/civic uses; adding 100,000 square feet of industrial; decreasing assisted living facility (ALF) beds from 200 to 139;
- 3) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO);
- 4) update Exhibit “B” to reflect updated entitlements and update “Fixed Development Criteria”;
- 5) amend Exhibit “E”: Babcock Ranch Community Increment 2 Parameters to be consistent with revised development parameters; and
- 6) update this IDO for other changes for internal and statutory consistency.

PROPOSED CHANGES TO INCREMENT 3 IDO

The proposed amendments to the Increment 3 IDO are presented in this narrative as follows.

- 1) remove two Whereas clauses and add two new Whereas clauses;
- 2) revise development rights by increasing residential dwelling units from 3,562 to 4,170 units (single-family from 3,562 to 3,168 units and multi-family from 0 to 1,002 units); increasing commercial/retail from 200,000 to 643,000 square feet and office from 80,000 to 90,000 square feet, which is a total of 733,000 square feet of commercial/office/retail (including medical) uses;
- 3) reflect the extension of the expiration date and buildout date of this Increment Development Order (IDO);
- 4) update Exhibit “B” to reflect updated entitlements and update “Fixed Development Criteria”;
- 5) amend Exhibit “E”: Babcock Ranch Community Increment 3 Parameters to be consistent with revised development parameters; and
- 6) update this IDO for other changes for internal and statutory consistency.

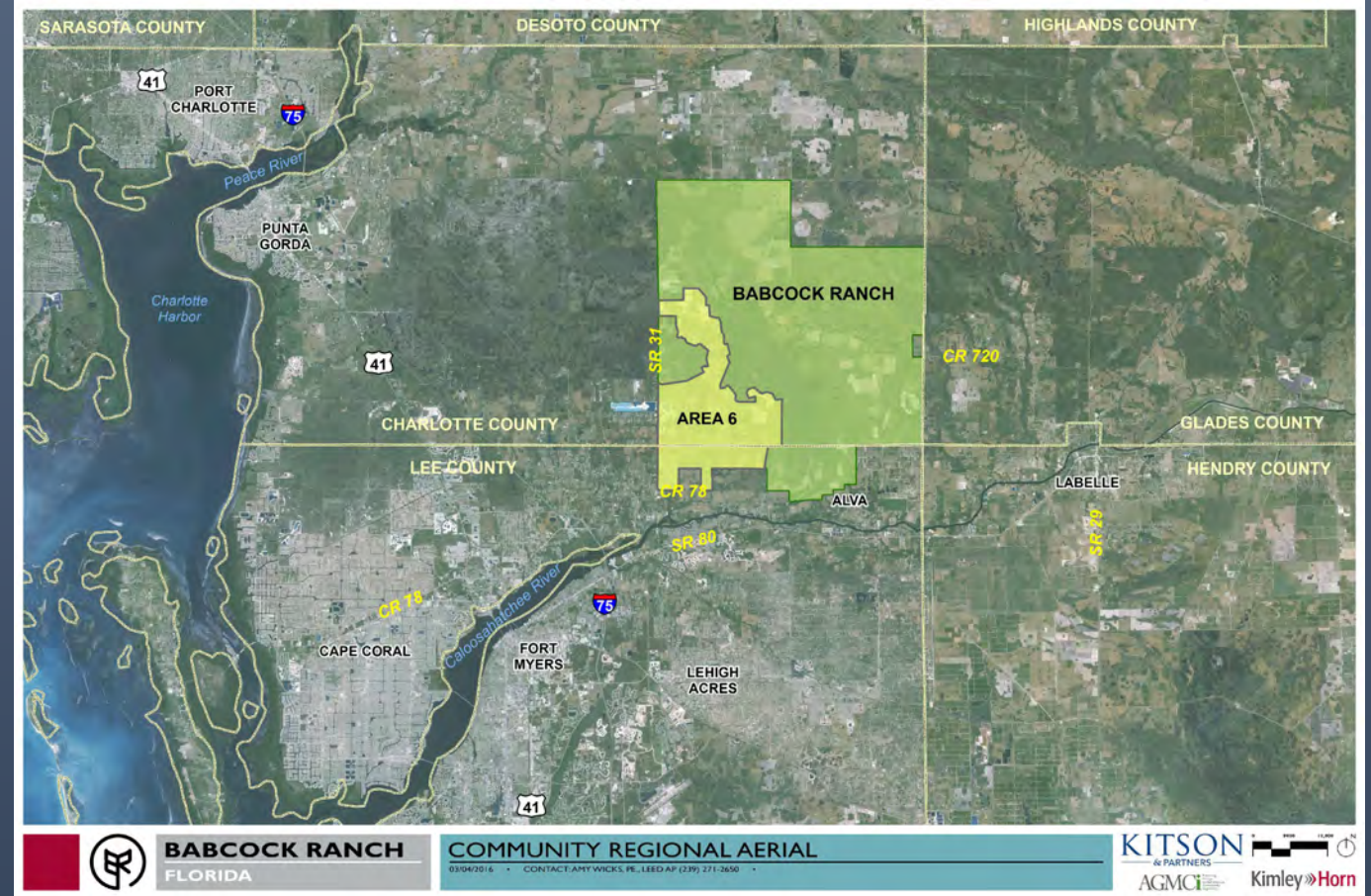
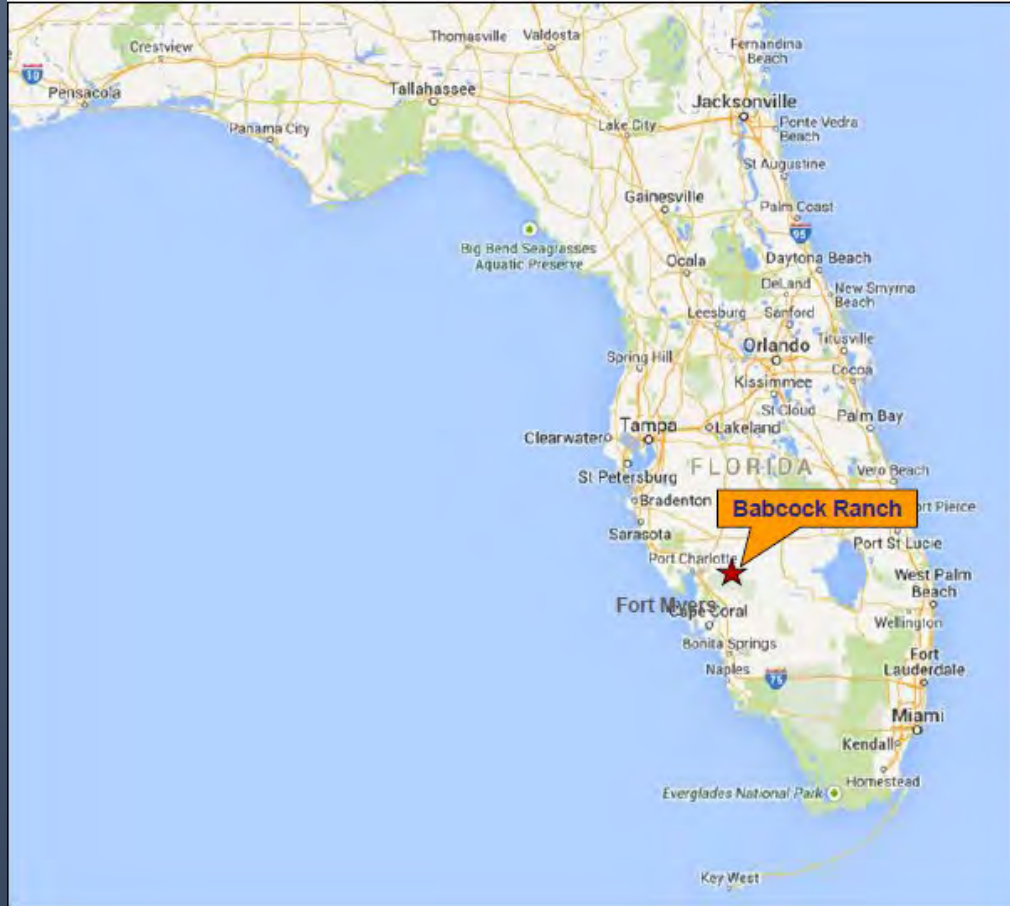
ACCEPTANCE OF MASTER TRAFFIC STUDY UPDATE (2024) AND PROPOSED MDO, INCREMENTS 1, 2 & 3 DEVELOPMENT ORDERS

The MTSU has been accepted by FDOT, Charlotte and Lee County in addressing the revised development levels transportation impact on regional transportation facilities consistent with the requirements of the MDO. The applicant has provided acceptable drafts for the MDO and IDOs for Increments 1 - 3 to address the proposed changes.

- RECOMMENDED ACTIONS:**
1. Notify Charlotte County and the applicant that the MTSU (2024) has been accepted and proposed changes to the MDO, Increments 1 - 3 and are acceptable to address impacts on regional transportation facilities.
 2. Request that Charlotte County provide SWFRPC staff with copies of the final MDO, Increments 1 - 3 IDOs.

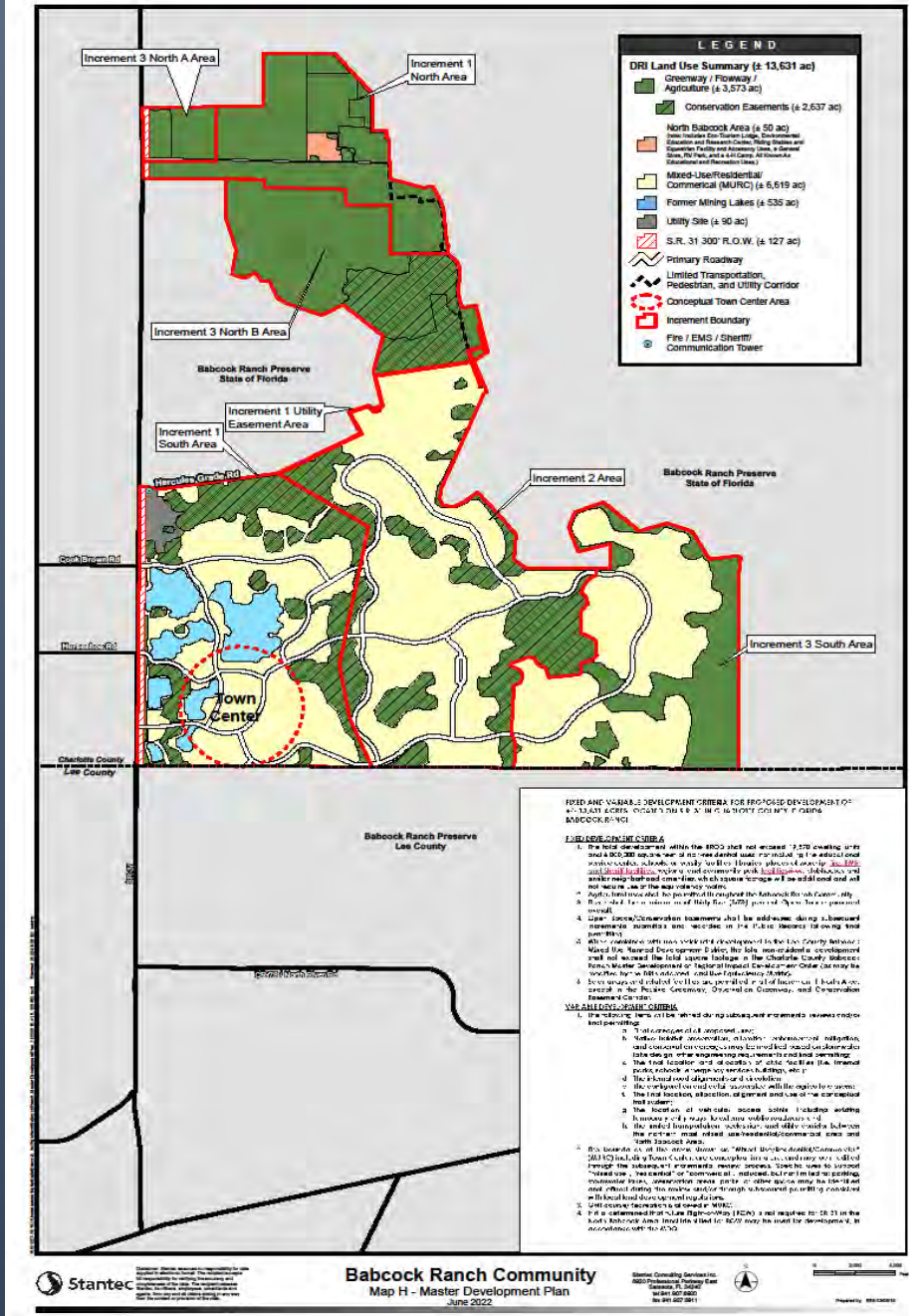
October 6, 2025

Overview



Master DRI Development Order

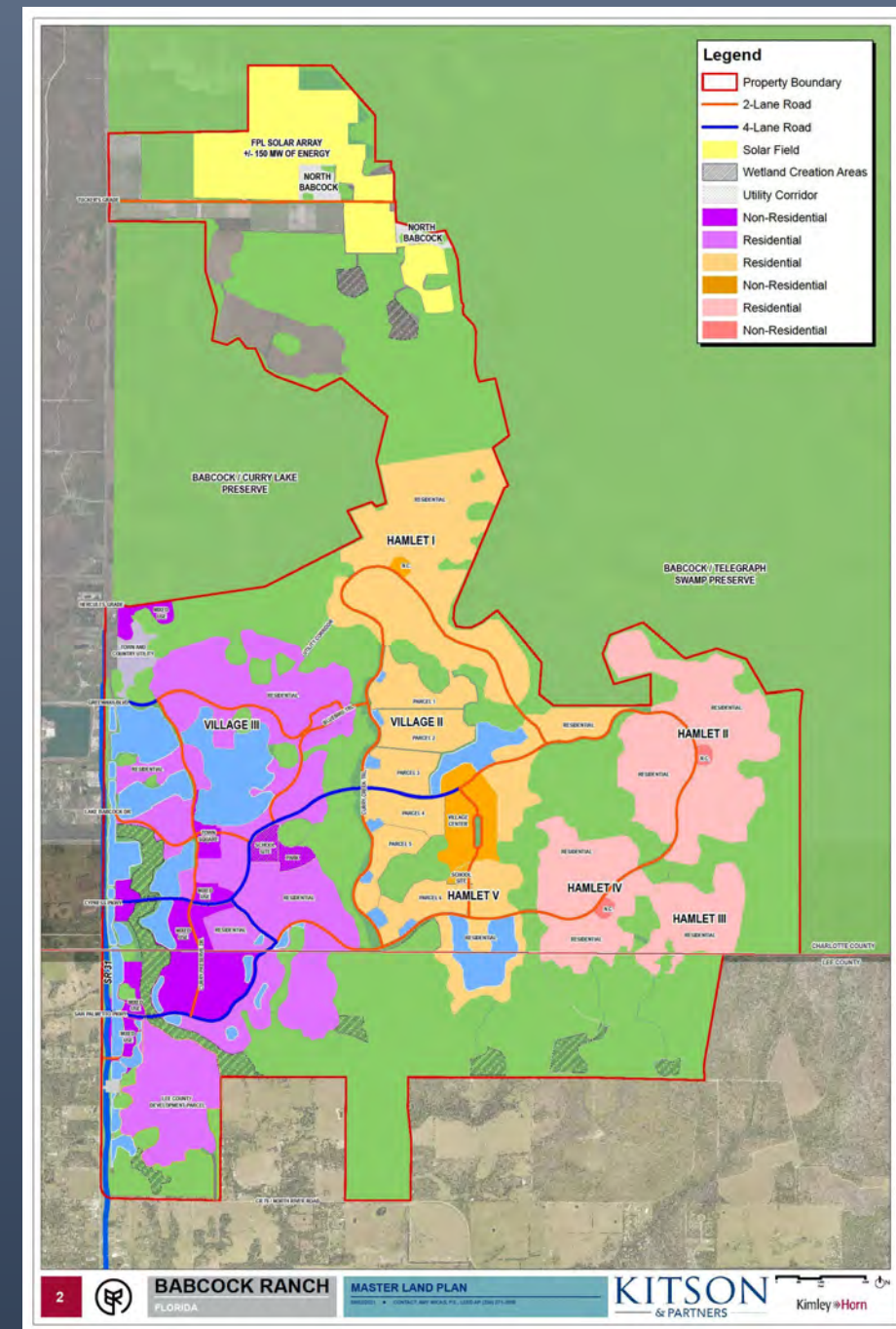
Ancillary facilities



Total Entitlements

*Charlotte and Lee Counties

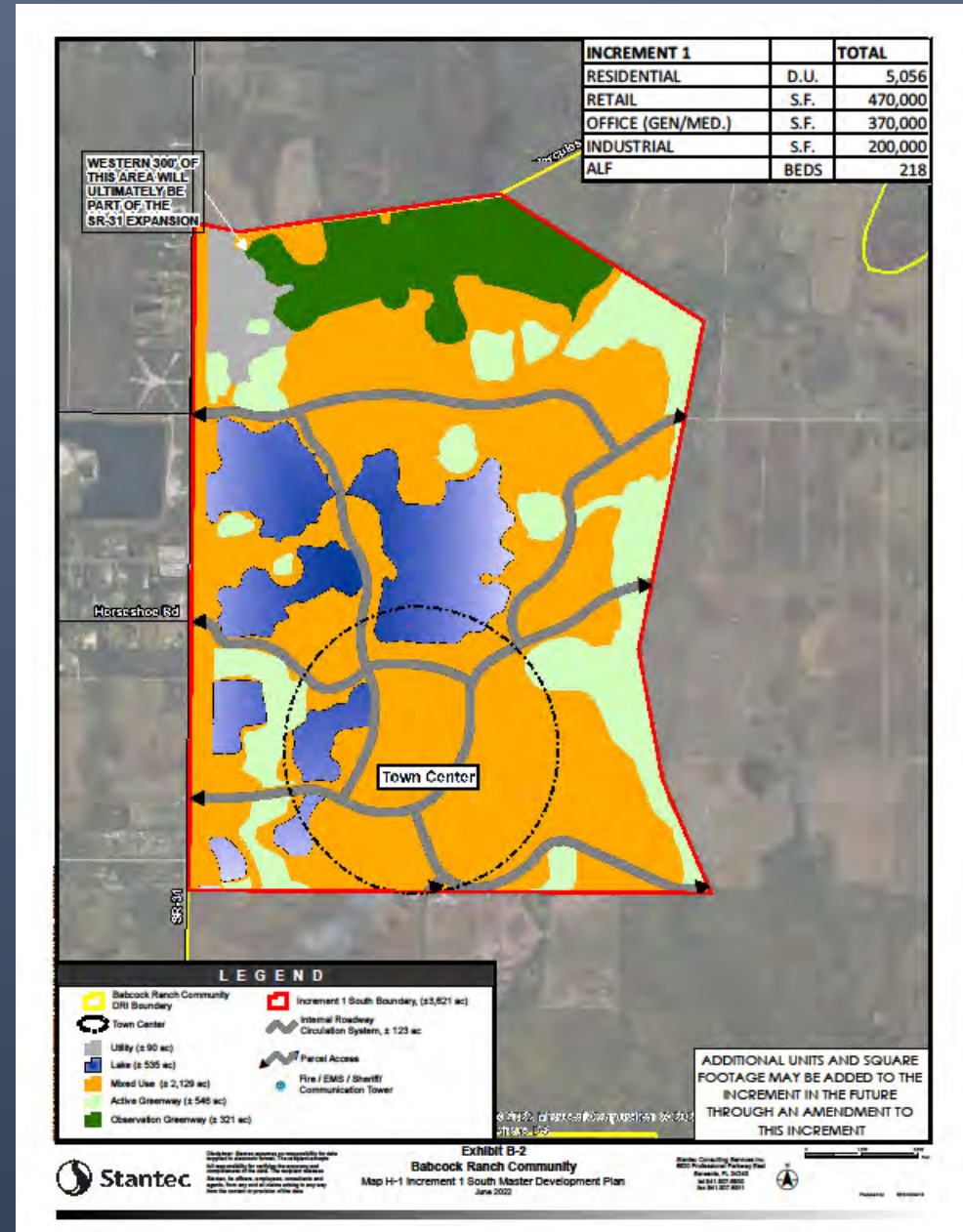
- Residential Dwelling Units – 19,500
- Non-Residential Uses – 6M S.F.



Increment 1 (IDO-1)

- Originally approved December 15, 2009
- Amended May 23, 2023
- Residential Dwelling Units - 5,056 *
 - 3,056 single family units
 - 2,000 multi family units
- Non-Residential – 840,000 S.F. *
 - 470,000 S.F. Retail
 - 370,000 S.F. Office
- Industrial - 200,000 S.F. *
- Golf Course - 18 Holes *
- Assisted Living - 218 Units *
- Buildout- 2037
- Expiration Date- 2044

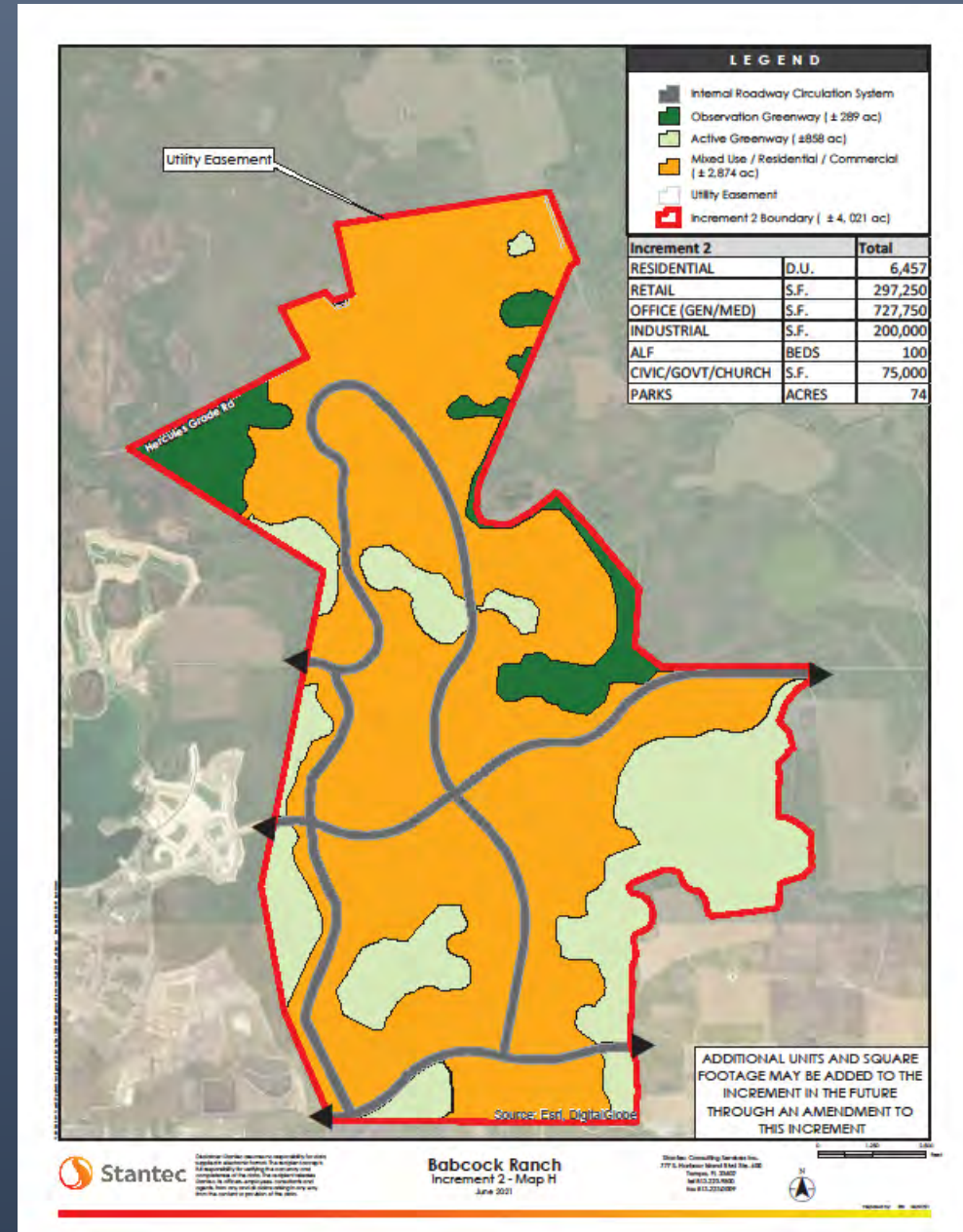
* Subject to use of equivalency matrix



Increment 2 (IDO-2)

- Originally approved July 27, 2021
- Amended May 23, 2023
- Residential Dwelling Units - 9,252 *
 - 5,817 single family units
 - 3,435 multi family units
- Hotel Rooms – 600 *
- Non-Residential – 1,380,000 S.F. *
 - 730,000 S.F. Retail
 - 650,000 S.F. Office
- Assisted Living - 200 Units *
- Golf Course – 18 holes *
- Buildout- 2035
- Expiration Date- 2042

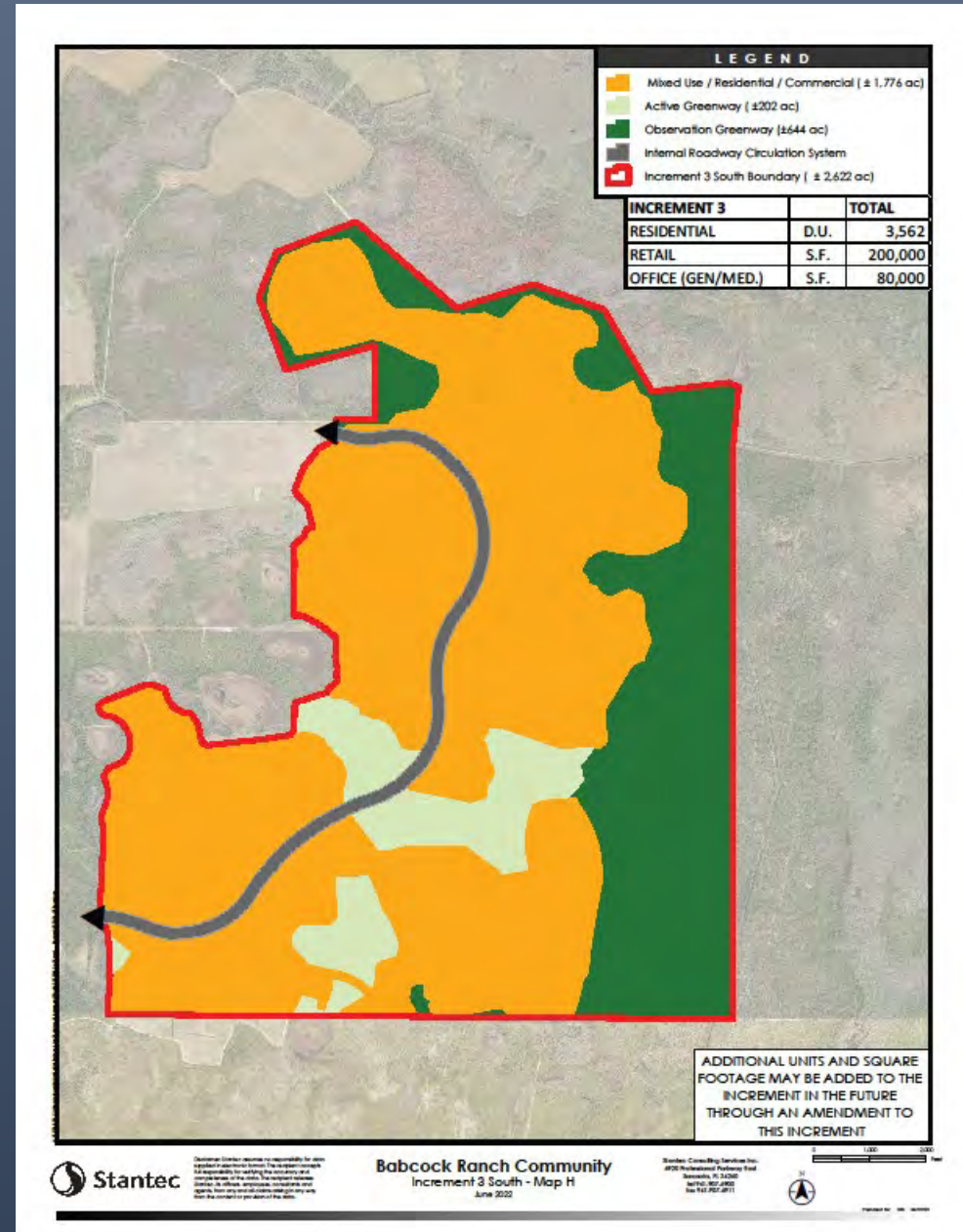
* Subject to use of equivalency matrix



Increment 3 (IDO-3)

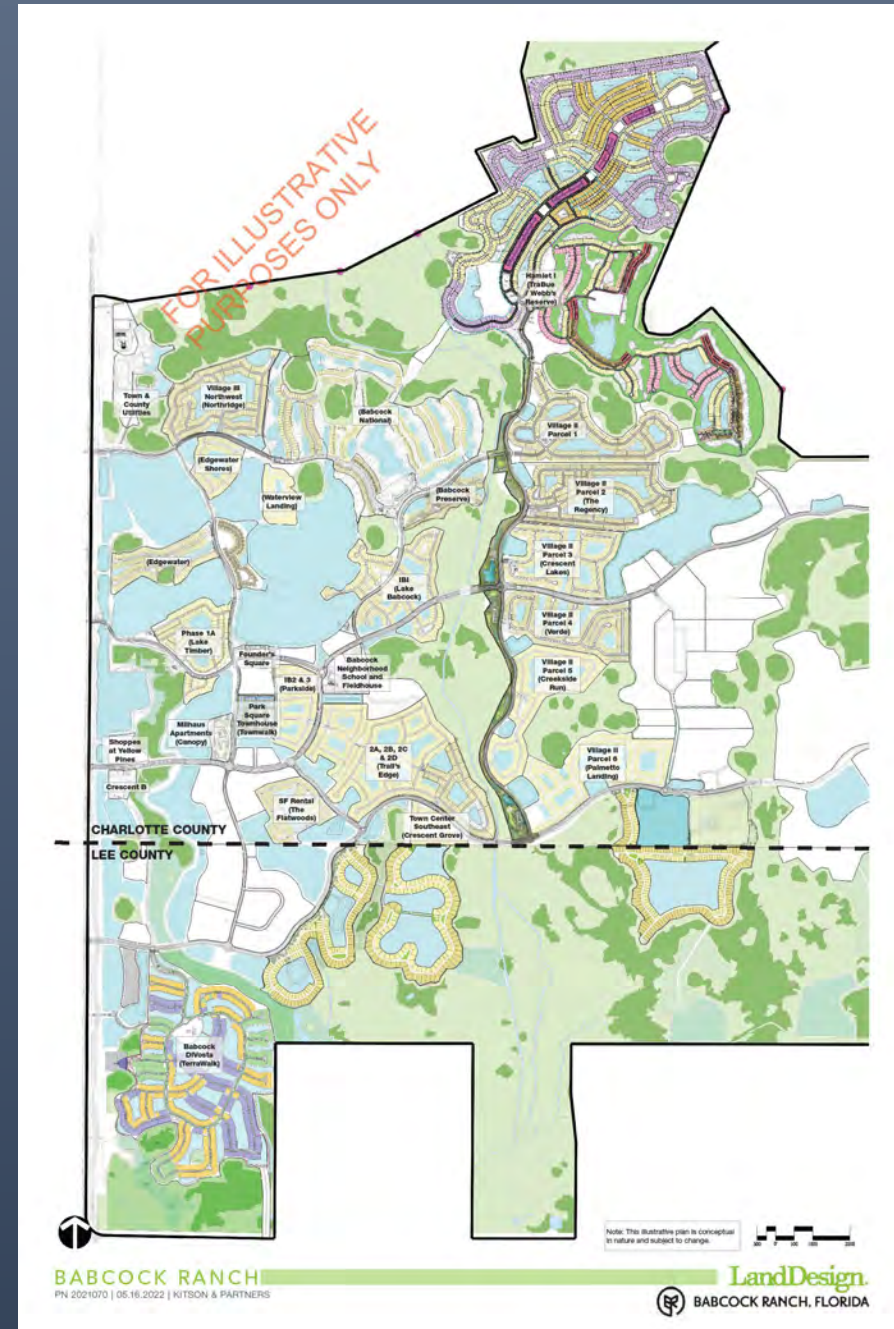
- Originally approved May 23, 2023
- Residential Dwelling Units - 3,562 *
- Non-Residential – 280,000 S.F. *
 - 200,000 S.F. Retail
 - 80,000 S.F. Office
- Industrial – 100,000 S.F. *
- Assisted Living - 139 Units *
- Golf Course – 18 holes *
- Buildout- 2038
- Expiration Date- 2045

* Subject to use of equivalency matrix



Current Status of Development

- FPL Solar Array- Two 74.5 MW facilities
- Trails/parks
- Commercial
- Babcock Neighborhood School
- Babcock Ranch Community Independent Special District
- SR 31 Expansion





Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 21

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County's Comprehensive Plan in 2007, 2014, and 2022.

Education:

- September 1997 to December 2001
University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
Chongqing University China; Obtained a B.S. degree in Architecture

Professional Associations and Certifications:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

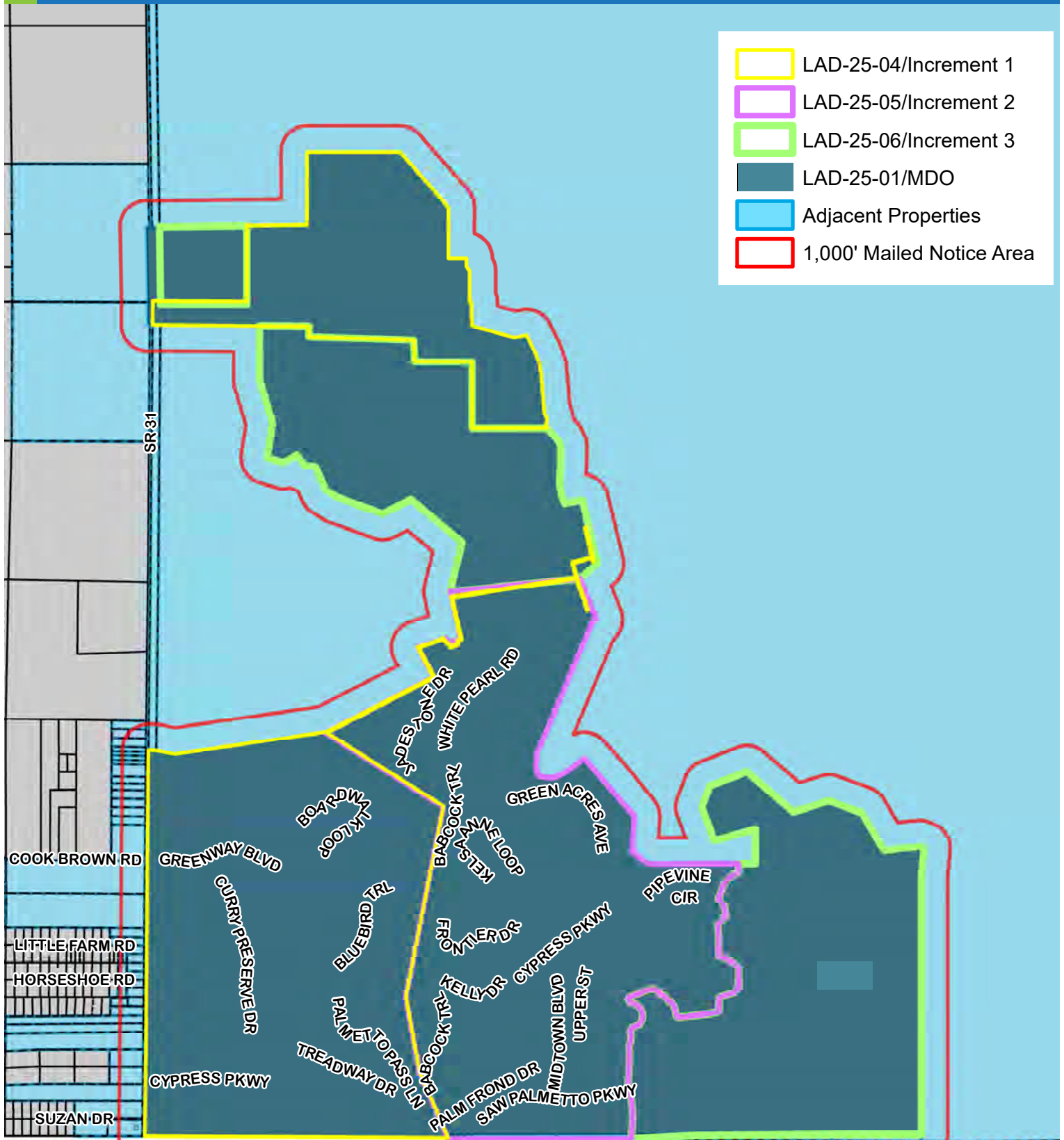
Related Past Experience:

- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

Exhibit 1

CHARLOTTE COUNTY

Babcock Ranch Community DRI 1,000' Mailed Notice Map



29, 31, 32, 33/41/26 & 5-10, 15-17, 19-36/42/26 East County

(NOT TO SCALE)

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CHARLOTTE COUNTY

Location Map for Babccocckk Rancch Communiittyy DRI



29, 31, 32, 33/41/26 & 5-10, 15-17, 19-36/42/26 East County



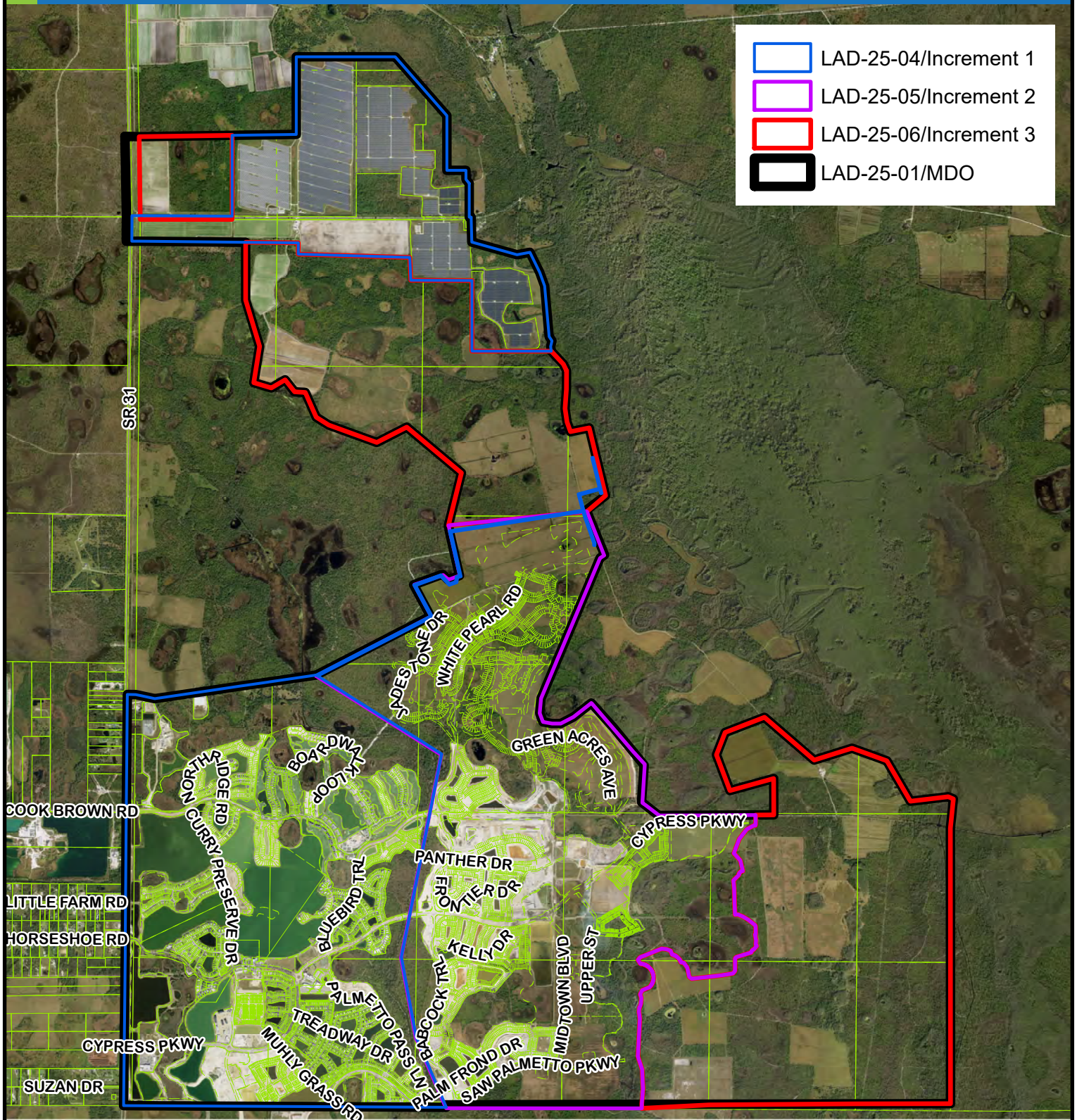
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CHARLOTTE COUNTY

Area Image for Babcock Ranch Community DRI



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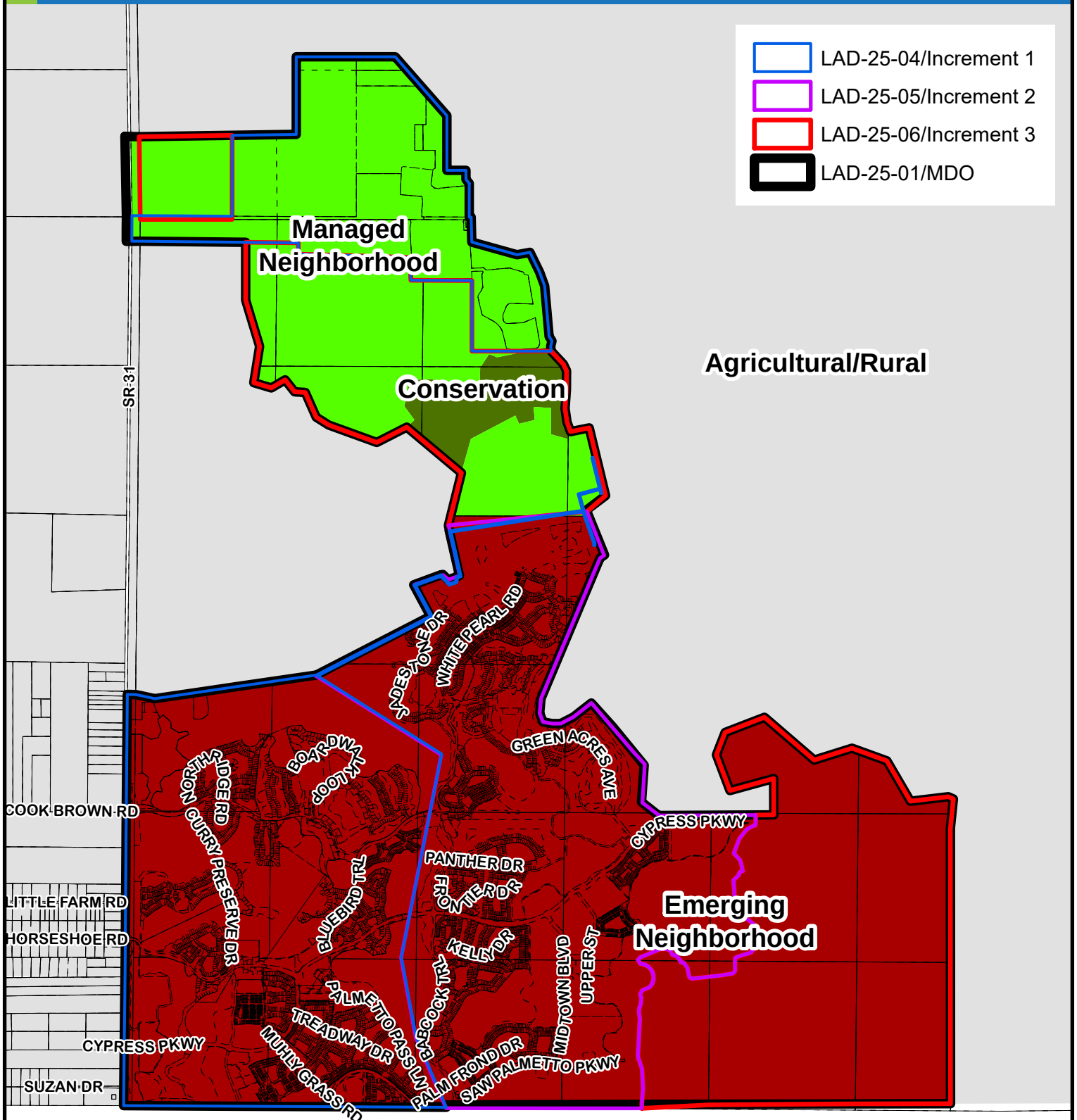
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CHARLOTTE COUNTY

Framework for Babcock Ranch Community DRI



29, 31, 32, 33/41/26 & 5-10, 15-17, 19-36/42/26 East County



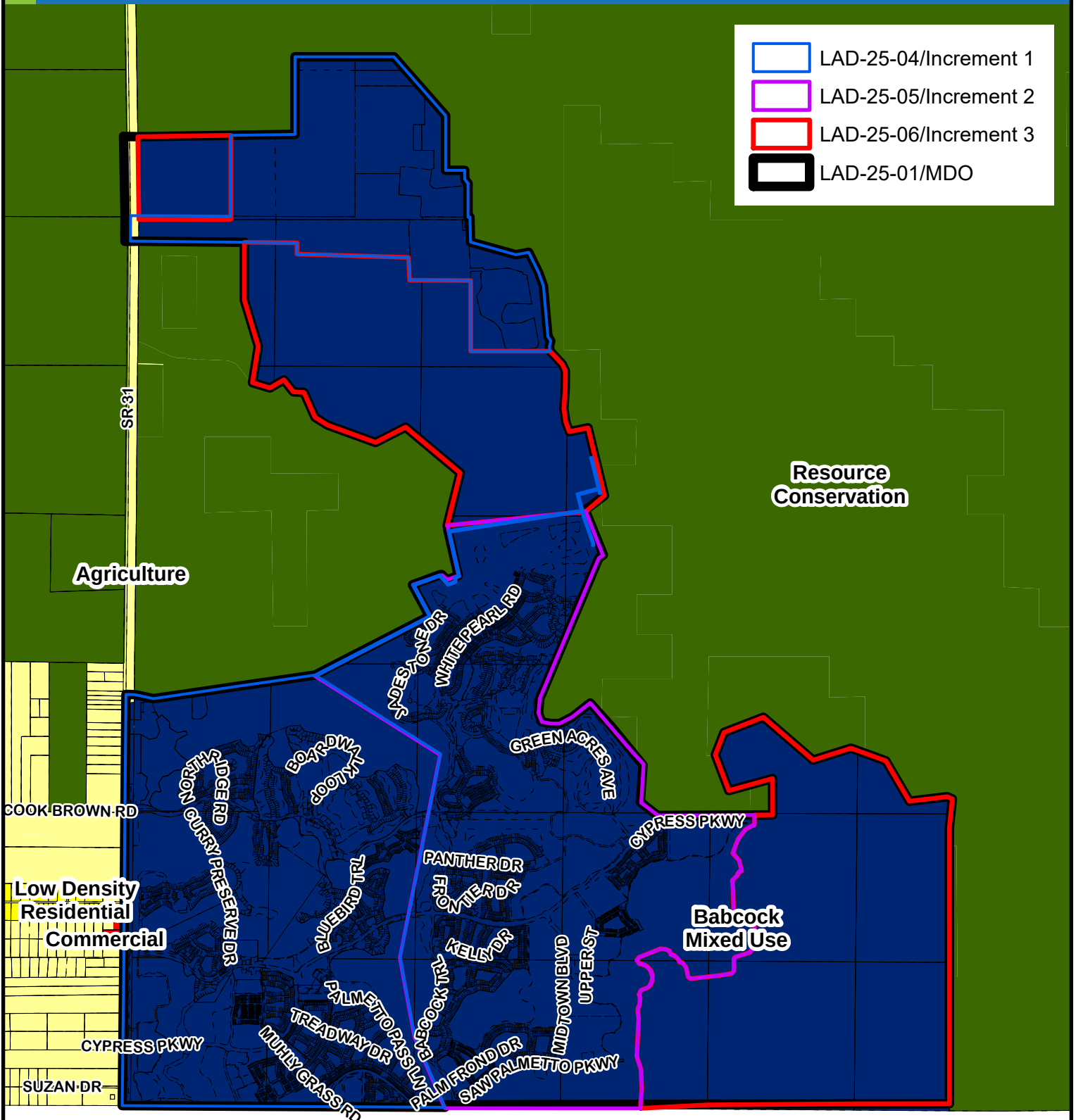
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CHARLOTTE COUNTY

FLUM Designations for Babcock Ranch Community DRI



29, 31, 32, 33/41/26 & 5-10, 15-17, 19-36/42/26 East County



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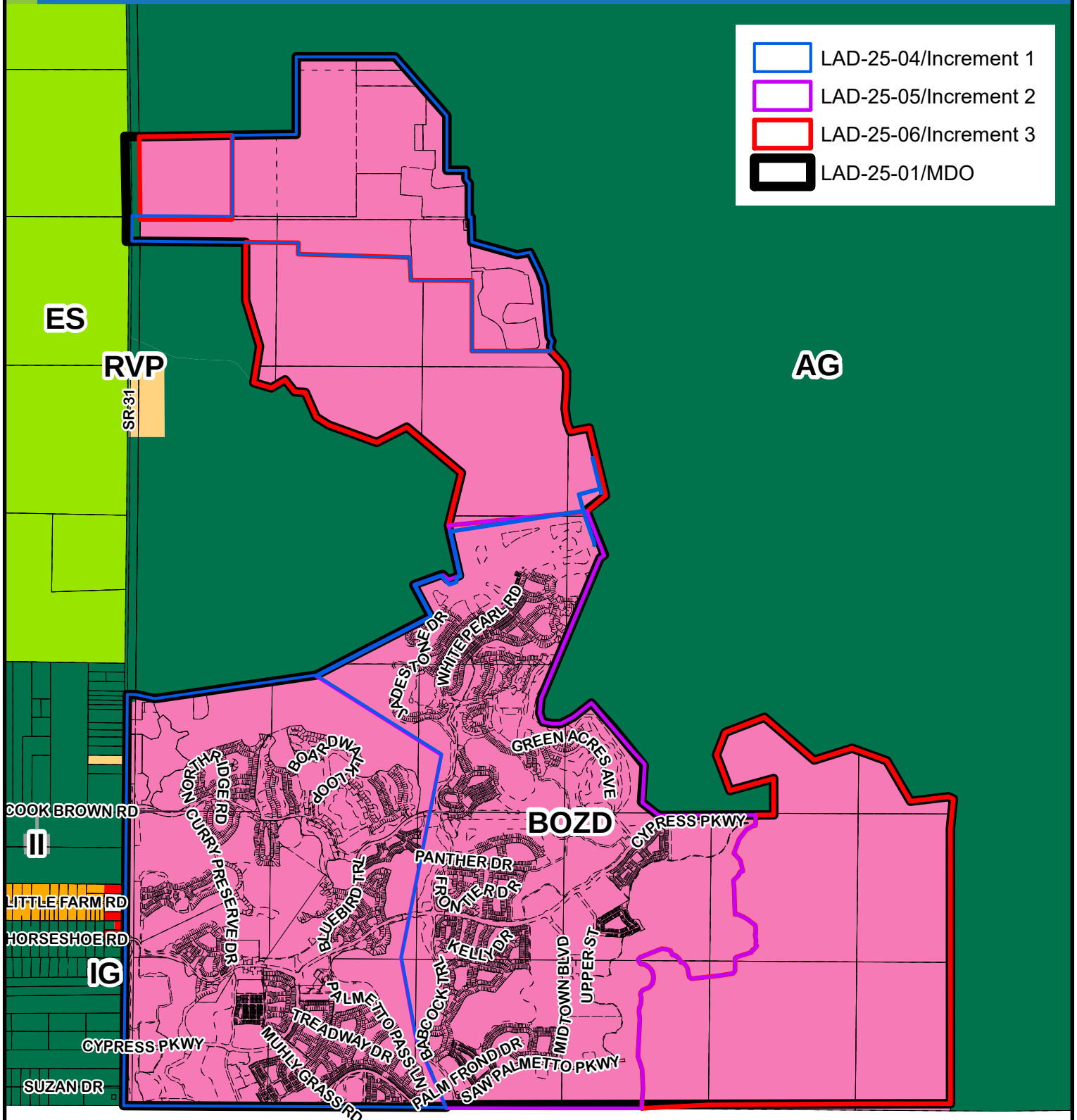
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CHARLOTTE COUNTY

Zoning Designations for Babcock Ranch Community DRI

- LAD-25-04/Increment 1
- LAD-25-05/Increment 2
- LAD-25-06/Increment 3
- LAD-25-01/MDO



29, 31, 32, 33/41/26 & 5-10, 15-17, 19-36/42/26 East County



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BABCOCK RANCH COMMUNITY

**MASTER DEVELOPMENT
OF
REGIONAL IMPACT**

MASTER DRI DEVELOPMENT ORDER

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

AMENDED NOVEMBER 25, 2025

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RESOLUTION NO. 2025-_____

**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

1 WHEREAS, the MDO was amended on June 17, 2008 under Resolution 2008-063
2 thereby giving the MDO an effective date of September 1, 2008; and subsequently
3 amended on December 15, 2009 by Resolution 2009-283; on December 13, 2011 by
4 Resolution 2011-485; on April 24, 2012 by Resolution 2012-024; on June 11, 2013 by
5 Resolution 2013-033; on January 28, 2014 by Resolution 2014-047; on March 22, 2016
6 by Resolution 2016-034; on July 25, 2017 by Resolution 2017-187; on June 12, 2018 by
7 Resolution 2018-077; ~~and~~ on July 27, 2021 by Resolution 2021- 108; ~~and~~ on May 23,
8 2023 by Resolution 2023-078;

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

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

16 WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and
17 considered the report and recommendations of the SWFRPC and held a public hearing
18 to consider the amendments to the MDO on October 13, 2025; and

19 WHEREAS, on November 25, 2025, the Board, at a public hearing in accordance
20 with Section 380.06, F.S., considered the application for amendment to the MDO
21 submitted by Developer, the report and recommendations of the SWFRPC, the
22 documentary and oral evidence presented at the hearing before the Board, the report and

1 recommendations of the Charlotte County Planning and Zoning Board, and the
2 recommendations of County staff.

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

5 **RECITALS**

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

8 **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

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

12 2. The AMDA is consistent with Subsections 380.06(6) and (21), F.S..

13 3. The Developer submitted to the County an AMDA in February, 2007 and
14 responses to sufficiency questions in June, 2007 and in July, 2007. The representations
15 and commitments of Developer which are made conditions of this development order are
16 identified and set forth in the relevant provisions of this development order
17 ("Representations and Commitments as Conditions").

18 4. According to Map #64, Landfalling Storm Surge Zones, included in the Supporting
19 Policy and Analysis Map Series (SPAM) of the Charlotte 2050 Comprehensive Plan,
20 portions of BRC are located within the Category 4/5 Storm Surge Zone, and the balance
21 of the BRC is located outside of any listed storm surge zone.

22 5. The Developer proposes to develop BRC in accordance with the Babcock Master
23 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 rental or owned vehicle equals one dwelling unit);
- (ii) RV Parks, per the Land Use Equivalency Matrix;
- (iii) ~~1,400,000~~ 4,900,000 square feet of commercial/retail/office (including medical);
- (iv) ~~3,500,000~~ 150,000 square feet of ~~office (general office; medical office; and government/civic uses)~~;
- (v) 600 hotel rooms ~~(assumes 360,000 square feet of building)~~;
- (vi) 650,000 square feet of industrial;
- (vii) 177 hospital s beds;
- (viii) 418 ~~units of~~ assisted living ~~facilities~~ facility (ALF) beds;
- (ix) 54 golf holes;
- (x) 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 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 x) 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 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.

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 the Land Use Equivalency Matrix attached as Exhibit "H".

1 C. Incremental Review.

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

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9

1 3. **AFFORDABLE HOUSING**

2 A. Representations and Commitments as Conditions.

3 (1) Provide a diversity of housing types to enable citizens from a wide
4 range of economic levels and age groups to live within the BRC. This
5 would include the provision of workforce housing at a level of ten
6 percent (10%) of the total number of residential housing units built
7 within the BRC. Workforce housing is defined as housing affordable
8 to natural persons or families whose total annual household income
9 does not exceed 140 percent of area median income, adjusted for
10 household size ("Workforce Income").

11 (2) The County recognizes that adequate workforce housing should be
12 provided only when a demonstrated need for housing among
13 Workforce Income groups is clearly identified and directly attributed
14 to the development and buildout of the BRC.

15 (3) A "Determination of Adequate Need" for housing in the BRC shall be
16 assessed through the completion of a workforce housing market
17 analysis which evaluates the workforce housing demand within the
18 BRC and researches the available adequate workforce housing
19 supply reasonably accessible to the BRC, which is defined as a 10-
20 mile radius or 20-minute drive during peak hour, whichever is less,
21 from the BRC, but may be adjusted with the agreement of the
22 County.

- (4) The Developer commits to undertaking the “Determination of Adequate Housing Need” analysis to assess the demand, supply, and need for workforce housing 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 is required to initiate the first housing needs analysis within 6 months from the time that the analysis is triggered.
- (6) The housing needs analysis will evaluate the BRC’s Workforce Income housing demand, and determine if there is a significant need for housing for that defined income level.
- (7) The Developer, SWFRPC, and the County must agree upon the methodology utilized to conduct the Determination of Adequate Housing Need analysis. The market area assessed would be as agreed upon by Developer, the SWFRPC and the County, which examines whether or not there is a significant housing demand for the workforce income group and whether there is available adequate housing that is reasonably accessible to the BRC. Each party shall designate a representative to act on behalf of the party for this subsection.
- (8) If the Determination of Adequate Housing Need analysis documents that there is a significant impact, then the Developer shall be

1 required to submit an amendment to the MDO to incorporate the
2 findings of the analysis and the agreed upon mitigation.

3 (9) The Developer may choose to mitigate any significant impact
4 identified by the analysis through a variety of options including, but
5 not limited to: 1) incentivizing or building adequate housing onsite,
6 or reasonably accessible to the site; 2) payment to an affordable
7 housing trust fund sufficient to meet the cost of rehabilitating existing
8 units or construction of new units; or 3) dedicated rent or payment
9 subsidies to Workforce Income employees within the BRC.

10 (10) The mitigation strategy recommended by the BRC must be approved
11 by the County and must be initiated within 6 months of approval as
12 an amendment to the MDO.

13 (11) Requirements to undertake further housing needs assessments
14 through methods described above shall occur at each additional 1.5
15 million sq. feet of permitted non-residential through buildout.

16 (12) Developer shall not be required to provide workforce housing
17 mitigation in excess of ten (10%) percent of the total number of
18 residential units constructed within the BRC.

19 (13) The County commits that workforce housing units shall be eligible for
20 whatever incentives and/or programs that it may establish after the
21 actual date of offering of said unit to the public by the Developer,
22 subject to funding by the Board of County Commissioners. The
23 County shall use its best efforts to continue to develop and maintain

1 incentives and programs specifically targeted at workforce units
2 within the BRC. The Developer and the County shall comply with
3 Section 125.01055, F.S.

4 (14) Subject to funding by the Board of County Commissioners, the
5 County shall include the needs of the BRC in its annual Local
6 Housing Action Plan and, to the extent available, shall provide impact
7 fee waivers, credits, deferrals, or other regulatory and financial
8 incentives for —programs to all qualified buyers, builders or
9 developers within the BRC that may qualify for such credits or
10 deferrals.

11 B. Other Conditions. – None.

12 C. Incremental Review. – None.

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1 4. **STORMWATER MANAGEMENT AND FLOOD PLAINS**

2 A. Representations and Commitments as Conditions.

3 (1) Silt fences or silt screens will be installed prior to land clearing to
4 protect water quality and to identify areas to be protected from
5 clearing activities and maintained for the duration of the project until
6 all soil is stabilized.

7 (2) Floating turbidity barriers or other devices will be in place on flowing
8 systems or in open water lake edges prior to initiation of earthwork
9 and maintained for the duration of the project until all soil is stabilized.

10 (3) The installation of temporary erosion control barriers will be
11 coordinated with the construction of the permanent erosion control
12 features to the extent necessary to assure effective and continuous
13 control of erosion and water pollution throughout the life of the
14 construction phase.

15 (4) Turbidity resulting from construction dewatering will be managed
16 using structural best management practices (BMPs) prior to
17 discharge to receiving waters. Structural BMPs may include, but are
18 not limited to, vegetated systems, detention systems (e.g.,
19 sedimentation basins), geotextiles, and other methods. Turbidity
20 and other pollutants from construction dewatering on the Property
21 will be reduced to meet the levels required by applicable State Water
22 Quality Standards and as required by the National Pollutant
23 Discharge Elimination System ("NPDES") general permit for

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

3 (5) Clearing and grubbing will be so scheduled and performed such that
4 grading operations can follow thereafter. Grading operations will be
5 so scheduled and performed that permanent erosion control features
6 can follow thereafter if conditions on the project permit, and not
7 beyond the time limits established in the NPDES general
8 construction permit.

9 (6) Exposed soils will be stabilized as soon as possible, especially
10 slopes leading to wetlands. Stabilization methods include solid sod,
11 seeding and mulching or hydromulching to provide a temporary or
12 permanent grass cover.

13 (7) Energy dissipaters (such as rip rap, gravel beds, hay bales) shall be
14 installed at the discharge point of pipes or swales if scouring is
15 observed.

16 (8) Implementation of storm drain inlet protection (such as hay bales or
17 gravel) to limit sedimentation within the stormwater system.

18 (9) The allowable discharge in a 25 year 3-day design event will be
19 limited to the South Florida Water Management District ("SFWMD")
20 permit for the site.

21 (10) The development within the FEMA floodplain will have finished floor
22 elevations in each development pod which exceeds the 100 year 3-
23 day design event for the adjacent water course as calculated by the

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

5 (11) The proposed development will be designed such that the potential
6 for offsite flooding of other private property will be mitigated. This will
7 primarily be accomplished by maintaining the existing conveyances
8 without additional control structures except for restoration efforts.
9 Water management control will be accomplished primarily by
10 structures off-line from these conveyances. Off-site discharges onto
11 the property will be properly routed around and through the property
12 to maintain or lessen off-site flooding.

13 (12) Open stormwater ponds will be used for the primary volume
14 attenuation and wet detention of water quality in accordance with
15 Best Management Practices as outlined in the current Southwest
16 Florida Basin Rule criteria of the SFWMD for water quality
17 improvement.

18 (13) On-site wetlands within the project may be incorporated into the
19 stormwater management system. Those wetlands outside that
20 system will continue to store and transmit water as they do today
21 except where modifications are made to facilitate hydrologic
22 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.

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

13 B. Other Conditions.

- 14 (1) All internal stormwater management lakes and ditches, and any on-
15 site preserved/enhanced wetland areas, shall be set aside as platted
16 and/or recorded drainage and/or conservation easements and/or
17 tracts granted to the SFWMD, District, or other appropriate
18 governmental entity with a compliance monitoring staff. Stormwater
19 lakes shall include adequate maintenance easements around the
20 lakes, with access to a paved roadway, as required by the
21 appropriate governmental entity.
- 22 (2) Any silt barriers and any anchor soil, as well as accumulated silt,
23 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.

(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.

(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.

(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

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

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

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

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

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

- (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.
- (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.
- (12) Landscape irrigation will be provided first through the use of reuse water, where reasonably available, and surface water from lakes.
- (13) The master stormwater management system will be maintained by District or a POA established by covenants and restrictions on the Property.
- (14) The SFWMD has issued Permit No. 08-00004-S-05 (Application No. 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.

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

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

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

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

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

21 C. Incremental Review.

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

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

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

11 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**

1 5. **TRANSPORTATION**

2 A. Representations and Commitments as Conditions. – None.

3 B. Conditions for Development Approval.

4 (1) Master Traffic Study

5 (a) The Master Traffic Study is the analysis of the buildout of the
6 Development Program and the horizon year traffic conditions
7 in year 2040~~5~~⁵. It is a guide to the roadway network and
8 improvements anticipated to be needed to support all area
9 development including the BRC Development Program by the
10 year ~~2040~~²⁰⁴⁵ and it is intended for use only with the BRC
11 Development Program. -As a long range “snapshot” of horizon
12 year conditions, it is anticipated that the mobility network and
13 area growth will change and be revised as the BRC develops.
14 By way of background, the initial Master Traffic Study was
15 prepared by the Developer (“Developer’s Initial Master Traffic
16 Study”), which was adequate for the “snapshot” purpose of
17 the ~~Master Development Order~~^{MDO}, recognizing that
18 additional validation adjustments would be needed for use in
19 Incremental Development Orders. At the time of initial
20 approval of the Master Development Order, the Florida
21 Department of Transportation (“FDOT”) was working on a
22 district-wide travel demand model, but it was not yet
23 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.

The Charlotte County Babcock Ranch Overlay District (the BROD), FLU Policy 6.4.19, 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 67.6% on a peak hour basis. The 2040 roadway network and

1 candidate roadway improvements resulting from the
2 Developer's Master Traffic Study Update based on that trip
3 capture rate for the development components are set forth in
4 Exhibit "F" attached hereto and made a part hereof by
5 reference. Exhibit "F" also identifies, under 2040~~05~~⁵ conditions
6 and the 66% CCR, those regionally and locally significant
7 road segments that are projected to be significantly impacted
8 by the BRC and for which a service deficiency is also
9 projected ("Impacted Segments"). The Developer's Master
10 Traffic Study Update also identifies the improvements which
11 may be anticipated by ~~2040~~²⁰⁴⁵ under the 66~~7~~⁷% CCR to the
12 Impacted Segments and may be subject to mitigation for
13 Babcock's traffic impacts in order to maintain the adopted
14 level of service (LOS) targets at the time of an incremental
15 traffic assessment.

16 (b) ~~A supplemental traffic assessment was also prepared for the~~
17 ~~Master Development Order by the Developer at the request~~
18 ~~of review agencies to identify the potential 2040 roadway~~
19 ~~conditions and candidate roadway improvements resulting~~
20 ~~from the~~ MDO Traffic Study Updates included a supplemental
21 analysis based on the initial internal capture rate ("ICR") of
22 22%, as mandated in the initial Master Traffic Study. ~~The~~
23 ~~roadway network and candidate roadway improvements~~

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

- 17 (c) The significant impacts, roadway network, and roadway
18 improvements identified in Exhibit "F" hereto are provided for
19 ~~comparison~~ informational purposes ~~between the ICR and~~
20 ~~CCR scenarios described above.~~ As specified under
21 Conditions 5.B.(2)(a), (2)(b), (2)(c), and (2)(d) below, as data
22 from the traffic monitoring program becomes available, as
23 specified under Conditions 5.B.(3)(a) and 5.B.(3)(b) below,

1 this data will be incorporated into the Master Traffic Study
2 Updates as described in Condition 5.B.(2) below. Exhibit "F"
3 will then be re-evaluated and revised as specified in Condition
4 5.B.(2) below.

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

10 (2) Master Traffic Study Updates

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

14 The 2020⁴ Master Traffic Study Update is hereby approved
15 through this Master Development Order Amendment.

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

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

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

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

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

- 1 (ii) There are standard mixed land uses
2 ~~(residential, office, retail)~~ for the mixed-use
3 development concepts of the ITE Trip
4 Generation Handbook “Mixed Use
5 Development”. For those standard land uses,
6 and using the tract as a single TAZ, calculate,
7 using the methods of the ITE Trip Generation
8 Handbook “Mixed Use Development”, the
9 internal capture within the tract.
- 10 (iii) For each non-standard land use (those land
11 uses not included in the ITE Trip Generation
12 Handbook methodology) within each tract, the
13 trip capture for those non-standard land uses
14 will be discussed at the methodology meeting.
- 15 (iv) Using the FDOT D1 District-wide Model,
16 applicable at that time, determine the trip
17 capture between the individual tracts within the
18 BRC.
- 19 (v) Estimate the number of pass-by trips consistent
20 with the then most recent editions of the ITE Trip
21 Generation Handbook, and the FDOT Site
22 Impact Handbook. Only those retail uses which
23 are adjacent to the primary public roadways will

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

6 (vi) The remaining net new trips are external to the
7 BRC and will be assigned to the regional
8 roadway network by the FDOT D1 District-wide
9 Model, applicable at that time.

10 (vii) In the alternative, Developer may use an
11 alternative methodology for estimating
12 community capture rate if reviewed and
13 approved by FDOT, County, Lee County, and
14 SWFRPC.

15 (b) (1) Due to the long-term buildout of the Project (over 20
16 years) and potentially changing conditions in the study area,
17 periodic updates of the Master Traffic Study are required and
18 will use the most current, validated FDOT D1 District-wide
19 Model in effect at the time of the commencement of the Master
20 Traffic Study Update. After the Initial Master Traffic Study
21 Update specified in Condition 5.B.(2)(a)(1), additional updates
22 shall be conducted and submitted no later than five (5) years
23 after the effective date of the most recent previous update.

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

13 (2) Each update of the Master Traffic Study will include a
14 reassessment of the community capture and external trips
15 consistent with paragraph 5.B.(2)(a)(1) above.

16 (c) Subsequent Increments, including phases, if applicable, will
17 use the FDOT D1 District-wide Model or the most current,
18 validated FDOT D1 District-wide Model in effect at the time.
19 Two different model runs (without DRI and with DRI) will be
20 used for each Master Traffic Study Update.

21 (d) The methodology for Master Traffic Study Updates will be
22 coordinated through the SWFRPC and include County, Lee
23 County and FDOT. Any amendments to the Master

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

5 (i) Initial informal coordination meeting to discuss and
6 establish the appropriate methodology, between the
7 Developer and SWFRPC, County, Lee County and
8 FDOT.

9 (ii) Submittal of proposed methodology by the Developer
10 to the SWFRPC not less than 14 days in advance of
11 the formal methodology meeting for distribution to the
12 State and Regional review agencies.

13 (iii) Formal methodology meeting between the Developer
14 and the State and Regional review agencies
15 coordinated by the SWFRPC.

16 (iv) SWFRPC, within 35 days of the conclusion of the
17 formal methodology meeting(s), will document the
18 findings and agreements made by the
19 participants including a summary of all assumptions
20 agreed upon at the meeting.

21 (v) SWFRPC shall allow State and Regional review
22 agencies not less than 14 days to agree or disagree in
23 writing with the meeting summary.

1 (vi) If agreement cannot be reached with all the State and
2 Regional Review agencies, the SWFRPC will
3 designate a methodology in writing to be used by the
4 Developer.

5 (vii) The Developer shall submit for approval the Master
6 Traffic Study Update and revised MDO Exhibit "F" to
7 the SWFRPC through the development order
8 amendment process, for distribution to County, FDOT,
9 and Lee County.

10 (viii) Public hearings will be conducted in accordance with
11 the County's procedures for processing development
12 order amendments in coordination with the SWFRPC.

13 (3) Biennial Monitoring Program

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

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

3 (a) 2-hour AM peak hour and 4-hour PM peak hour turning
4 movement counts and 72-hour machine traffic counts at the
5 BRC's access points onto the external public road network
6 external to the Property; the 72-hour traffic counts will be
7 derived from the permanent traffic counters installed at
8 Babcock's ingress/egress points as described in Condition
9 5.B.(6) below.

10 (b) A comparison of the field-measured Project external trips to
11 the Project's external trips estimated in the MDO and the
12 Incremental traffic studies.

13 (c) The level of service of all access points between the Project
14 and the external road network.

15 (d) A summary of construction and development activities to date,
16 using the categories of the Master Development Program.

17 (e) An estimate of the level of development expected to be added
18 by the Project for the forthcoming year.

19 (f) The status of the mobility improvements required by any prior
20 Incremental development program.

21 (g) The status of mobility improvements identified as committed
22 in the Master Traffic Study or Incremental traffic studies.

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

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

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

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

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

1
2 C. Incremental Review.

3 (1) Incremental Review Analyses.

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

22 As a part of this effort, a traffic study will be prepared in support of
23 that Increment. The Project's trip capture rate, estimated number of
24 external PM peak hour trips, traffic impacts, proportionate share of

1 needed improvements, pipelining of the proportionate share, and
2 mitigation will be established for each Increment. A traffic study will
3 be prepared for each Incremental level of development. The traffic
4 study in support of each Increment will estimate the trips external to
5 the Property for that Incremental development program and will
6 include the following.

7 (a) Road segment evaluation of those external road segments
8 significantly impacted by the Incremental development
9 program for the MDO significant impact area per Exhibit "F".

10 (b) Intersection evaluations of those external intersections
11 significantly impacted by the Incremental development
12 program.

13 (c) Identification of potential roadway and intersection
14 improvements needed to support that level of development
15 and all area growth coincident with buildout of that
16 Incremental development program at the BRC for the MDO
17 significant impact area per Exhibit "F".

18 (d) Identification of the Project's proportionate share of those
19 needed roadway and intersection improvements.
20 Proportionate share mitigation shall be limited to ensure that
21 if Babcock meets the requirements of Section 163.3180, F.S.,
22 it shall not be responsible for the additional cost of reducing
23 or eliminating backlogs. The project's proportionate share

1 shall be directed (i.e. “pipelined”) to one or more mobility
2 improvements that benefit a regionally significant
3 transportation facility. The funding of one or more required
4 mobility improvements that will benefit a regionally significant
5 transportation facility consistent with Section 163.3180, F.S.,
6 satisfies concurrency requirements as mitigation of Babcock’s
7 impact upon the overall transportation system even if there
8 remains a failure of concurrency on other impacted facilities.

9 (e) Identification of the Project’s traffic mitigation conditions to
10 address its proportionate share of needed mobility
11 improvements and any pipelining of that proportionate share,
12 but not including mitigation for backlogged conditions.
13 Mitigation for impacts to facilities on the State Strategic
14 Intermodal System shall be made after consultation with and
15 with the concurrence of FDOT. Traffic mitigation conditions
16 would include, but not be limited to, commitments to construct
17 or pay for certain mobility improvements, provision of right-of-
18 way, provision of design plans in support of improvements,
19 cash payments to County or applicable maintenance agency
20 and/or combinations of the above, and a mitigation payment
21 schedule.

22 (f) Each Incremental traffic study will include any previously
23 evaluated Increment as Project traffic. Mitigation provided by

1 any previously evaluated Increment shall be credited to the
2 overall impact of the Project.

3 (g) An accounting system will be established so that if the field
4 measured external trips at the end of the particular Increment
5 are less than previously estimated for that Increment, the
6 Developer would be entitled to credits which can be used by
7 the Developer, sold to other parties or carried over to the next
8 Increment. Alternatively, if the actual traffic for that particular
9 Increment is greater than previously estimated, then the
10 Developer will be required to mitigate those additional traffic
11 impacts as part of the then under review Increment.

12 (h) The development approved in each Increment will be vested
13 for traffic concurrency purposes through the scheduled
14 payment of its mitigation requirements (proportionate share)
15 for mobility improvements. The payment schedule and the
16 details of that payment schedule must be established in an
17 enforceable agreement with County or the applicable
18 maintenance agency.

19 (i) As provided in the MDO Agreement, an Incremental traffic
20 study may consider relevant information from previously
21 approved studies or Increments, but no Incremental review
22 will result in a requirement to revise any element or
23 requirement of a previously approved Increment other than

1 the provision in item 5.C.(g) above. Conditions identified in the
2 most recently approved Incremental Development Order or
3 Amended Development Order will control for the purposes of
4 transportation mitigation, unless otherwise noted in the
5 Development Order.

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

9 (2) Site Plan and Subdivision Plan Approval Within an Increment.

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

- 13 (a) Review the requested approval to verify that the development
14 parameters of the requested approval, when combined with
15 the parameters of any other requested approval already
16 reviewed and approved within the Increment and reflective of
17 any land use conversions, are consistent with the level of
18 development evaluated during the Incremental traffic study.

- 19 (b) Review of the requested approval to verify that the projected
20 external trips of the requested approval, when combined with
21 the estimated external trips of any other requested approval
22 already reviewed and approved within the Increment and

1 reflective of any land use conversions, does not exceed the
2 external trips evaluated during the Incremental traffic study.

3 (c) Review of the requested approval's access points onto the
4 public roadway network external to the Property to determine
5 if: 1) the proposed access points are consistent with the
6 access established in the MDO; 2) the access point
7 intersection will operate at acceptable levels of service
8 coincident with the buildout of the requested approval; 3)
9 identify needed improvements, including signalization, at the
10 access point intersections to maintain acceptable levels of
11 service; and 4) identify the estimated turn lane storage lengths
12 for the needed turn lanes at the access point intersections.

13 (3) The Developer may, at its sole discretion, determine the size,
14 boundaries, land uses, timing, and termination of each Increment.
15 The Developer may file one or more AIDA's for concurrent,
16 overlapping, or sequential increments. Provided, however, the entire
17 project as reflected in this MDO may not be submitted in only one
18 increment, and any one filing of one or more AIDA's will not include
19 cumulatively among the filing more than fifty percent (50%) of the
20 entire MDO Development Program.

21 (4)

22 (a) The Developer's proportionate share obligation, as
23 established per each Increment, shall be directed or pipelined,

1 pursuant to section 163.3180, F.S., to one or more required
2 mobility improvements which may or may not be a part of the
3 AMDA roadway network, which benefit a regionally significant
4 transportation facility and which can be funded by the
5 Developer's proportionate share. The funding of one or more
6 required mobility improvements that will benefit a regionally
7 significant transportation facility consistent with Section
8 163.3180, F.S. satisfies concurrency requirements as a
9 mitigation of Babcock's impact upon the overall transportation
10 system even if there remains a failure of concurrency on other
11 impacted facilities.

12 (b) The Developer may also utilize proportionate fair-share
13 mitigation, consistent with Section 163.3180, F.S., which may
14 be directed toward one or more specific transportation
15 improvements reasonably related to the mobility demands
16 created by the development and such improvements may
17 address one or more modes of travel. Proportionate fair-
18 share mitigation shall be limited to ensure that a development
19 meeting the requirements of Section 163.3180, F.S., mitigates
20 its impact on the transportation system but is not responsible
21 for the additional cost of reducing or eliminating backlogs.
22 The funding of any improvements that significantly benefit the
23 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.~~Exhibit G-1.

(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

1 share which are needed to complete the most recently
2 approved Increment will be identified in that updated study.

3 (b) If the biennial traffic monitoring report for any two-year period
4 reveals that the Project's field measured external trips
5 generated by occupied land uses exceed the maximum
6 number of external PM peak hour trips for the completed
7 Increment(s) and the approved, but uncompleted,
8 Increment(s), the most recently approved Incremental traffic
9 study will be updated within 120 days of the date of the
10 biennial traffic monitoring report. For that most recently
11 approved Increment, this may result in an updated list of
12 significantly and adversely impacted road segments and a
13 corresponding adjustment in the Increment's proportionate
14 share with the additional proportionate share being directed
15 to one or more mobility improvements as set forth in Condition
16 5.C.(4).

17 (c) Alternatively, if the Project's field measured external trips
18 exceed the maximum number of external PM peak hour trips
19 for the completed Increment(s) and the approved, but
20 uncompleted, Increment(s), the Developer may declare the
21 most recently approved Increment to be complete in terms of
22 external trips and development program and may submit a

1 new AIDA and Incremental traffic study which may include
2 land area not used in the Increment deemed complete.

3 (d) If, at the buildout or completion of an Increment, the measured
4 external trips are less than the maximum number of external
5 trips established for the Increment, then the difference in the
6 proportionate share represented by the difference in those
7 external trips will be credited against the proportionate share
8 projected to be produced by the next subsequent
9 Increment(s).

10 (e) Every two years, the results of the traffic monitoring report will
11 be compiled with the results of the previous reports. The data
12 from these monitoring reports will be used with respect to the
13 applicable components of the development program prepared
14 for the next Increment, as well as the updates of the Master
15 Traffic Study.

16 (f) Under Conditions 5.C.(6)(a), (b), and (d) above, development
17 (including but not limited to: planned development, site plan,
18 and sub-division approvals; building permits; construction;
19 and certificates of occupancy) pursuant to Incremental
20 approvals will not be suspended while the traffic study
21 updates and any adjustments required by those provisions
22 are being finalized.

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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~~ 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

1 acceptable techniques. Greenways, conservation areas and
2 undeveloped areas bordering these areas where there are unpaved
3 trails will be unlit, or lit to the extent necessary for safety reasons only
4 during periods of designated use.

5 (8) Golf courses will be designed to comply with the goals of the
6 Audubon International Signature Program – Silver Level certification
7 program, with best management practices developed by the Florida
8 Department of Environmental Protection under Section 403.067,
9 F.S. (2005), or with other equivalent certification programs or
10 equivalent best management practices.

11 (9) During the construction process, appropriate measures will be taken
12 to minimize impacts to preserved wetlands and to water quality.
13 Wetland and upland buffer areas to be preserved will be clearly
14 marked in the field to avoid damage of and intrusion into protected
15 areas. Appropriate construction Best Management Practices will be
16 employed. Prior to commencement of construction near preserved
17 wetlands, including proposed water control structures, erosion
18 control devices will be installed to control and reduce soil erosion,
19 sediment transport and turbidity. Such devices (e.g., silt fencing,
20 temporary sediment traps, impoundment areas to control excessive
21 discharges, etc.) will remain in place throughout the duration of
22 construction in an area until construction zones and surrounding
23 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,

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

7 (b) With respect to the location of major utility transmission lines
8 on the Property, Developer will consult with County and the
9 pertinent utility prior to such location in an effort to minimize
10 impacts from such lines on environmental resources located
11 on the Property.

12 (c) Nothing herein shall preclude the location of utility or
13 transmission lines within the north/south "Limited
14 Transportation, Pedestrian and Utility Corridor" shown on
15 Exhibit "B" hereto.

16 (15) BRC greenways will be maintained in their natural state and kept free
17 of refuse and debris. Category I exotic pest plants as defined by the
18 Florida Exotic Pest Plant Council (EPPC), in effect at time of
19 permitting, will be controlled to ninety-five percent (95%) occurrence
20 (except for torpedo grass, *Panicum repens*, and cogon grass,
21 *Imperata cylindrica*, that will be controlled to a ninety percent (90%)
22 occurrence) in non-agricultural greenway areas. Category II pest
23 plants, as defined by the Florida Exotic Pest Plant Council (EPPC),

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

7 (16) The prescribed fire plan for BRC will be a program that mimics the
8 natural fire cycle for the various habitat types identified within the
9 mitigation and preserve areas. Prescribed burning will be planned
10 and carried out by a Certified Prescribed Burn Manager (as licensed
11 by the Florida Division of Forestry) and experienced fire crew.

12 (17) The Developer shall dedicate a one (1) acre site and provide a 3,000
13 square foot, pre-fabricated, shell building to County for mosquito
14 control operations use pursuant to the schedule shown on Exhibit "D"
15 hereto.

16 B. Other Conditions.

17 (1) Integrated Pest Management ("IPM") will be utilized in BRC. IPM will
18 involve the monitoring of sites for pest related problems, determining
19 when a problem needs attention and taking appropriate action with
20 the least amount of environmental impact. IPM will maximize the use
21 of biological controls (i.e., bat houses, etc.), organic pest control
22 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 include certain

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

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

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

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

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

- 6 (6) The SFWMD issued Permit No. 08-00004-S-05 (Application No.
7 070330-5), as supplemented by Permit No. 08-105624-P
8 (Application No. 200526-3536), to Developer for a conceptual ERP
9 in accordance with its jurisdiction over such matters and the
10 Property. Developer will follow the authorizations and permit
11 conditions, which is a separate and enforceable legal document in
12 accordance with its terms. Compliance with this permit, as it may be
13 amended from time to time, addresses mitigation of certain impacts
14 of the BRC development. The permit is issued under the authority
15 of an agency other than County and, therefore, is subject to
16 enforcement by the issuing agency. County will assist said agency,
17 if requested, in monitoring Developer's compliance with the
18 conditions of said permit. Developers' successors-in-interest and
19 assigns are hereby placed on notice of this permit and its application
20 to development which they may propose to undertake within BRC.

21 C. Incremental Review.

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

1 for in the ERP and FDEP State 404 Permit for Babcock Charlotte, as
2 may be amended from time to time.

3 (2) The incremental review will address compliance of the increment
4 with the T&E Plan. It will also address the detailed plan to protect
5 any wetlands in the increment or to mitigate for proposed impacts on
6 such wetlands. Upland habitats of threatened and endangered
7 species (not including species addressed in the Biological Opinion of
8 the U.S. Fish and Wildlife Service for Babcock Charlotte) which are
9 not addressed by the T&E Plan shall also be addressed in the AIDA
10 to maintain such habitats to the extent practicable with the
11 development planned for those areas, or to relocate affected listed
12 species to other appropriate habitat.

13 (3) The incremental review will include an assessment of any pertinent
14 information developed pursuant to a condition of the MDO which has
15 been developed since the MDO was issued in order to determine if
16 that new information shows that a change in the T&E Plan is needed
17 in order to provide the same level of protection, remediation, or
18 mitigation that is contemplated in the MDO.

19 (4) Each AIDA shall identify the number of acres to be contained in the
20 Increment with respect to each of the following Greenway categories
21 and the percentage of the total of each and shall include a
22 companion map:

23 (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 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

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

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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

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

4 (9) Various types of on-site wastewater treatment systems may be used
5 permanently at solar generating facilities, educational facilities
6 located within the greenways, the North Babcock Area, restroom
7 facilities in the project's trail system, and any plant nursery, sod, or
8 agricultural operations facilities. Pursuant to F.S. 381.0065(4), as
9 may be amended, an operating permit must be obtained prior to the
10 use of any aerobic treatment unit or if the establishment generates
11 commercial waste. Buildings or establishments that use an aerobic
12 treatment unit or generate commercial waste will be subject to annual
13 inspections by the State Department of Health to assure compliance
14 with the terms of the operating permit. Any currently permitted uses
15 of such systems may continue pursuant to existing, modified, and
16 renewed permits.

17 (10) On-site wastewater treatment systems may be utilized at selected
18 locations such as construction trailers, sales centers, and other non-
19 residential facilities where centralized sewer is not currently
20 available. Each of these non-permanent systems must be licensed
21 as in paragraph (9) above and may continue to be used for five (5)
22 years from the date of installation of each system and thereafter must
23 be abandoned in accordance with state and County regulations.

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

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

7 B. Other Conditions.

- 8 (1) The proposed water treatment and distribution and wastewater
9 collection and treatment systems will be designed consistent with
10 current industry standards in Southwest Florida.

- 11 (2) All potable water facilities, including any possible on-site potable
12 water treatment plants, will be properly sized to supply average and
13 peak day domestic demand, in addition to fire flow demand, at a flow
14 rate approved by the County Fire Department.

- 15 (3) The lowest quality of water available and acceptable should be
16 utilized for all non-potable water uses.

- 17 (4) Irrigation systems for new construction will comply with County's
18 irrigation and landscaping ordinance, as may be amended from time
19 to time.

- 20 (5) Town and Country Utilities Company or its successor or assigns will
21 provide water, wastewater, and reclaimed water to BRC.

- 22 (6) SFWMD issued Permit Number 08-00122 W, in October 2007, which
23 includes certain authorizations and permit conditions, in accordance

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

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

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

5 C. Incremental Review.

6 (1) The AIDA which includes the North Babcock Area shall identify the
7 water and wastewater treatment option(s) which will be employed in
8 the North Babcock Area.

9 (2) Each AIDA shall include an updated Primary Utility Corridor map.

10 (3) Each AIDA shall identify the source of water for the Increment and
11 the service provider.

12 (4) Each AIDA shall identify the service provider and the type(s) of
13 wastewater treatment system(s) to be used in the Increment and
14 their duration(s) of use.

15 (5) Wastewater treatment options in the North Babcock Area may
16 include decentralized facilities.

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1 8. **HISTORICAL AND ARCHEOLOGICAL SITES**

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

3 None

4 B. Other Conditions.

5 (1) A Cultural Resources Survey was prepared and approved by the
6 Florida Department of State, Division of Historical Resources
7 (“DHR”). No cultural resources eligible for listing on the National
8 Register of Historic Places were identified within the BRC, and the
9 development is unlikely to affect historic properties. If any
10 archaeological/historical resources are discovered during the
11 development activities, all work that might cause damage to such
12 resources shall cease immediately, and the Developer shall contact
13 the DHR, SWFRPC, and County so that a state-certified
14 archaeologist can determine the significance of the findings and
15 recommend appropriate preservation and mitigation actions, as
16 necessary.

17 (2) When County establishes a local register of historical sites, any sites
18 in BRC which qualify for listing on the local register will be listed. Any
19 protection of such resources will be subject to agreement between
20 Developer and County.

21 (3) By the end of the second DRI Increment, Developer will establish a
22 permanent display of the history of the Babcock Ranch, including but
23 not limited to the railroad and telegraph facilities.

1 C. Incremental Review. – None.

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1 9. **EDUCATION**

2 A. Representations and Commitments as Conditions.

3 (i) The Developer shall comply with the Babcock Ranch School Site
4 Dedication Agreement.

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

11 (iii) Age-restricted communities will not be subject to school concurrency
12 requirements.

13 B. Other Conditions. Public facilities such as parks, libraries, and community
14 centers shall be co-located with schools to the extent reasonably
15 practicable. Elementary schools shall be encouraged as focal points for
16 neighborhoods.

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

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1 10. **POLICE AND FIRE**

2 A. Representations and Commitments as Conditions.

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

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

7 ~~(2)~~ ~~(2)~~ Site acreages are net developable acres exclusive of
8 jurisdictional wetlands and listed species habitat areas. The sites
9 shall be conveyed with exotic pest plants removed, infrastructure
10 provided, and on a schedule set forth in Exhibit "D" attached hereto.

11 ~~(2)~~ (3) The parties may agree that either party may complete the shell
12 building and/or interior buildout for the other party upon terms and
13 conditions acceptable to both parties.

14 B. Other Conditions.

15 (1) The fire flows required for the BRC will be provided. Adequate
16 system storage and pumping capacity will be installed to provide the
17 required flows. Distribution system pipes will be sized to deliver the
18 fire flows to the buildings to meet the requirements of the National
19 Fire Protection Association.

20 (2) As the development of the project progresses, the Developer will
21 coordinate with the Sheriff's Office prior to or during site plan review
22 regarding security measures and features that will likely deter
23 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 has provided funding to the County for an EMS vehicle pursuant to the schedule in Exhibit "D". The housing of that vehicle 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.

1 (9) Babcock is intended to be a “Firewise” community and will employ
2 “Firewise” principles where appropriate. The County’s Office of
3 Emergency Management will cooperate with and assist the District
4 in this endeavor.

5 C. Incremental Review.

6 (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.

1 C. Incremental Review.

- 2 (1) Each AIDA will indicate whether or not the proposed Increment will
- 3 be part of the County's Sanitation District, and if not, what other
- 4 option will be used. Each AIDA will include a letter from the service
- 5 provider that collection will be provided and a letter of availability
- 6 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 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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1 14. **OPEN SPACE, PARKS, AND LIBRARY**

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

3 (1) Developer agrees to provide a minimum of thirty-five (35%) percent
4 of the gross acreage of the BRC as open space. "Open Space" shall
5 consist of the Primary Greenway Plan, non-residential vegetated
6 green space (including, but not limited to, community supported
7 agriculture and community gardening), lakes and ponds not
8 engineered for stormwater, lakes and ponds engineered for
9 stormwater with general public access, hiking trails, greenways, bike
10 paths, upland and wetland areas. Active uses such as ball fields,
11 golf courses and other related recreation uses can be counted
12 toward Open Space, but only 50% of the area can be utilized for
13 calculation purposes.

14 (2) BRC will provide 200 acres of parks with a park points value of 715
15 points. Park points will be calculated in accordance with the County's
16 Parks & Recreation Master Plan Update 2015-2050 or as otherwise
17 agreed upon by the County and Developer as part of bi-annual
18 meetings.

19 (3) One site totaling 4 acres will be dedicated for a library pursuant to
20 the schedule in Exhibit "D". Site acreage is net developable acres
21 exclusive of jurisdictional wetlands and listed species habitat.
22 Developer or District shall be required to fund the construction of a
23 12,000 square foot library shell building. The County may desire to

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

- 10 (4) Developer or District shall construct the shell of the library facility.
11 The term “shell” means site preparation, foundations, laying of all
12 utilities, exterior building structural components (including all exterior
13 windows and doors), interior unfinished load-bearing walls and
14 floors, stairs, elevators, general building mechanical, electrical,
15 plumbing, and fire (MEPF) systems, landscaping and exterior
16 finishes to satisfy the Developer’s architectural design standards.
17 The building shell shall be completed by Developer or District and
18 turned over to County on the schedule shown on Exhibit “D” attached
19 hereto. Until the turnover to County, Developer or District shall be
20 responsible for maintenance of the building shell and the associated
21 building landscaping and any costs of operations elected by
22 Developer or District to be incurred prior to said turnover(s). If the
23 Developer or the District elects to operate any such buildings prior to

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

13 (5) District or Developer shall prepare the master plans for the park sites
14 in consultation with County and at no cost to the County.

15 (6) The library building and site shall be subject to the land development
16 regulations and architectural guidelines established for the Property.

17 ~~(6)~~(7) The parties may agree that either party may complete the shell
18 building and/or interior buildout for the other party upon terms and
19 conditions acceptable to both parties.

20 B. Other Conditions.

21 (1) All landscaped open space areas shall be replanted with native
22 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.

1 (5) All park and library impact fees collected from the Development (not
2 including any interest earned by County) shall be provided to
3 Developer or District in the form of reimbursements.

4 (6) The parks, common recreational areas and common open spaces
5 will be owned, operated, and maintained by either a master property
6 owner's association, a neighborhood association, a condominium
7 association, the District, or a Chapter 190 Community Development
8 District.

9 (7) Vegetated upland areas within conservation areas will be part of the
10 extensive recreational open space system of BRC.

11 C. Incremental Review.

12 (1) Each AIDA shall provide the number of acres of Open Space to be
13 provided in the Increment and the cumulative number with other
14 approved Increments.

15 (2) Each AIDA shall include an updated Exhibit "D" schedule.

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1 15. **HOSPITALS AND HEALTHCARE**

2 A. Representations and Commitments as Conditions.

3 None.

4 B. Other Conditions.

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

7 C. Incremental Review.

8 None.
9

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1 16. **ENERGY**

2 A. Representations and Commitments as Conditions.

3 (1) All community recreational facilities and businesses will be
4 encouraged to have bicycle parking facilities located closer to the
5 building entrances than non-handicapped parking spaces.

6 (2) Developer or District will evaluate internal transit options, and will
7 implement options determined by the evaluation to be economically
8 viable.

9 (3) Window design, as well as other design features such as building
10 orientation, solar roof access, overhangs, shading through
11 landscape or interior shades, porches, free standing walls, fences,
12 louvers, awnings, or shutters will be considered to optimize energy
13 efficiency.

14 (4) The material choices for streets, parking lots, sidewalks, and the trail
15 system shall be selected to encourage the reduction of the heat
16 island effect. Alternatives to impervious pavement, and the use of
17 open areas, landscaping and shade trees will be an integral
18 component of the design.

19 (5) Lighting for streets, parking, recreation and other public areas should
20 include energy efficient fluorescent/electronic ballasts, photovoltaics,
21 low voltage lighting, motion sensors and/or timers on lighting and full
22 cut-off luminaries in fixtures that comply with the International Dark-
23 Sky Association standards.

1 (6) Water closets will have a maximum water usage of 1.28
2 gallons/flush. Showerheads and faucets will have a maximum flow
3 rate of 2.5 gallons/minute at 80 psi water pressure. Faucet aerators
4 will limit flow rates to 0.5 gallons per minute.

5 (7) A primarily native plant pallet to reduce water consumption
6 throughout the community will be used as referenced in Section 14,
7 Open Space, Parks and Library, above. Additionally, Developer will
8 strive to use innovative irrigation technology, such as drip irrigation,
9 moisture sensors, and micro spray heads to reduce irrigation water
10 use.

11 (8) All recreational areas as well as the integrated sidewalks, trails, and
12 paths shall include shade trees where design allows.

13 B. Other Conditions.

14 (1) Commercial and residential buildings shall comply with the Florida
15 Energy Efficiency Code for Building Construction.

16 (2) Site development shall comply with the Florida Green Building
17 Coalition Certification Standards or equivalent green building
18 standards.

19 (3) One Zero Energy Home ("ZEH") model will be built to feature and
20 promote net zero energy efficient housing. COMPLETED

21 C. Incremental Review. – None.

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1 17. **MINING OPERATIONS**

2 A. Representations and Commitments as Conditions.

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

5 B. Other Conditions. – None.

6 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~~ an amendment consistent with County Code may be required. ~~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~~ MDO. 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~~has commenced 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 February 28, 2053 ("Buildout Date").

25. **EXPIRATION DATE**

The expiration date for this Development Order is September 9, 2055.

26. **DEVELOPMENT PERMITS**

A. 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.

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

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

6 C. An expiration of this development order as provided herein.

7 27. **GENERAL PROVISIONS**

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

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

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

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

1 D. If there is a conflict between a provision in this development order and
2 a provision in an ERP, a Consumptive Use Permit ("CUP"), a FDEP 404
3 Permit, or ACOEP, the provision in the ERP, CUP, FDEP 404 Permit, or
4 ACOEP shall prevail.

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

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

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

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

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1 PASSED AND DULY ADOPTED this 25 day of November 2025

2
3
4 BOARD OF COUNTY COMMISSIONERS
5 OF CHARLOTTE COUNTY, FLORIDA
6

7
8 By: _____
9 Joseph M. Tiseo, Chairman

10
11 ATTEST:
12 Roger D. Eaton, Clerk of the Circuit Court
13 and Ex-Officio Clerk to the
14 Board of County Commissioners
15

16
17 By: _____
18 Deputy Clerk
19

20
21 APPROVED AS TO FORM
22 AND LEGAL SUFFICIENCY:
23

24
25 By: _____
26 Janette S. Knowlton, County Attorney

27 LR# _____
28

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 <u>2045</u>) Roadway Network with Initial Internal Capture Rate – 22% and with Developer’s Estimated Community Capture Rate – 71 <u>67</u> %
Exhibit G	Babcock Ranch DRI Cumulative Incremental Transportation Conditions
<u>Exhibit G-1 73C-40.045 Transportation Uniform Standard Rule</u>	
Exhibit H	Land Use Equivalency Matrix
Exhibit I	RESERVED
Exhibit J	Cumulative Future (20 38 <u>40</u>) Traffic Conditions with Project Directional Peak Hour Peak Season
Exhibit K	Cumulative Future (20 38 <u>40</u>) Traffic Conditions with Project Proportionate Share Calculation

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 5,306.08 feet to the Southeast corner of Section 32, Township 42 South, Range 26 East; Thence S89°37'16"E a distance of 5,289.11 feet to the Southwest corner of Section 34, Township 42 South, Range 26 East; Thence S89°38'44"E a distance of 5,294.80 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 3,430.86 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°50'18"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 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 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 681.15 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 1,643.47 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 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°36'46"W a distance of 5,337.00 feet to the Point of Beginning.

Containing 13,630.60 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:\20088201-071\Charlotte-Sketch and Description.dwg (11x14-P (3)) sp Oct 23, 2007 - 7:58am

JOHNSON
ENGINEERING

251 WEST HICKPOCHEE AVENUE
LAKELAND, FLORIDA 33935
PHONE (863) 612-0594
FAX (863) 612-0341
E.O. #642 & L.B. #642

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

(Master Concept Plan – Map H)

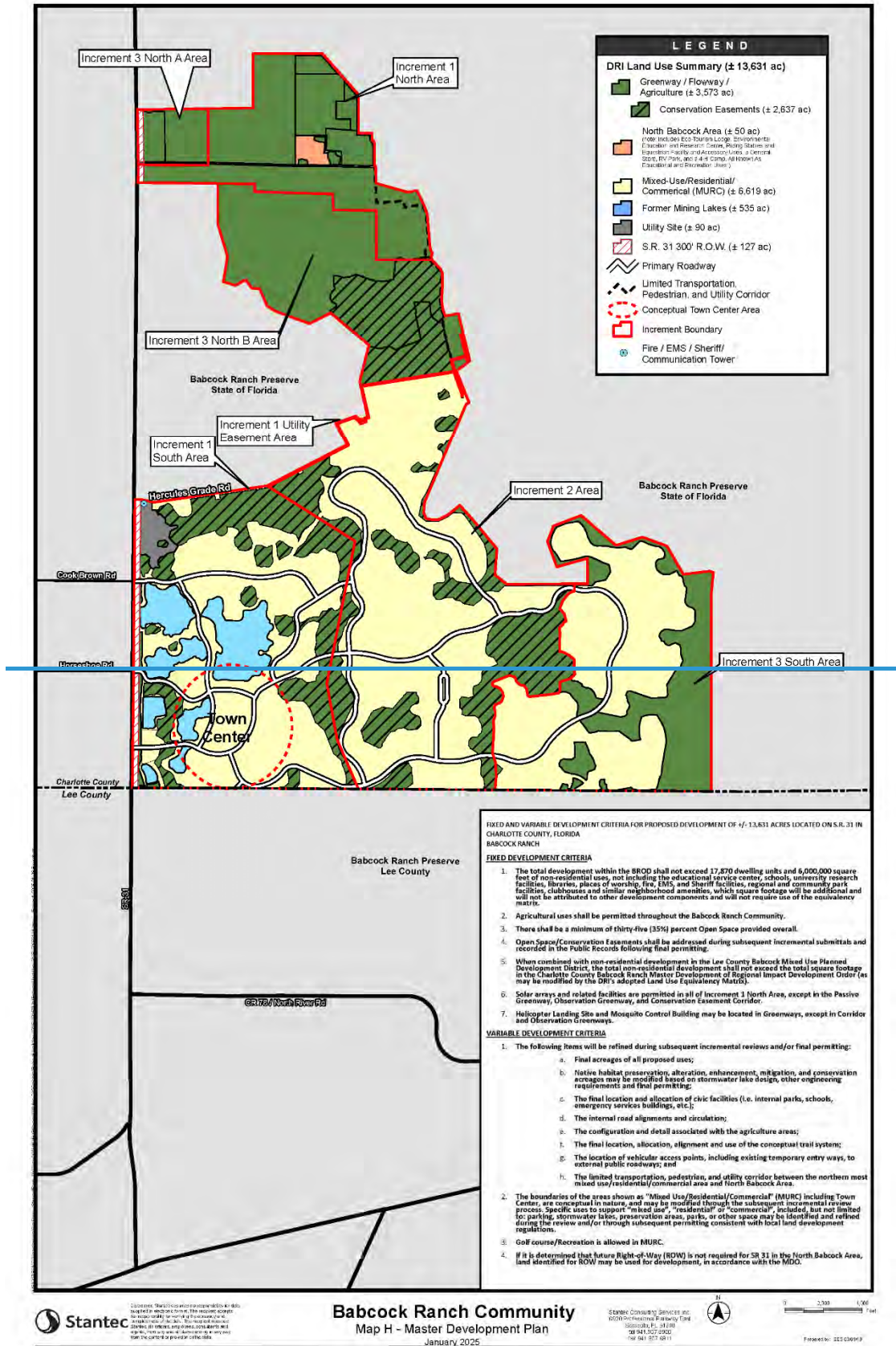


EXHIBIT B

(Master Concept Plan – Map H)

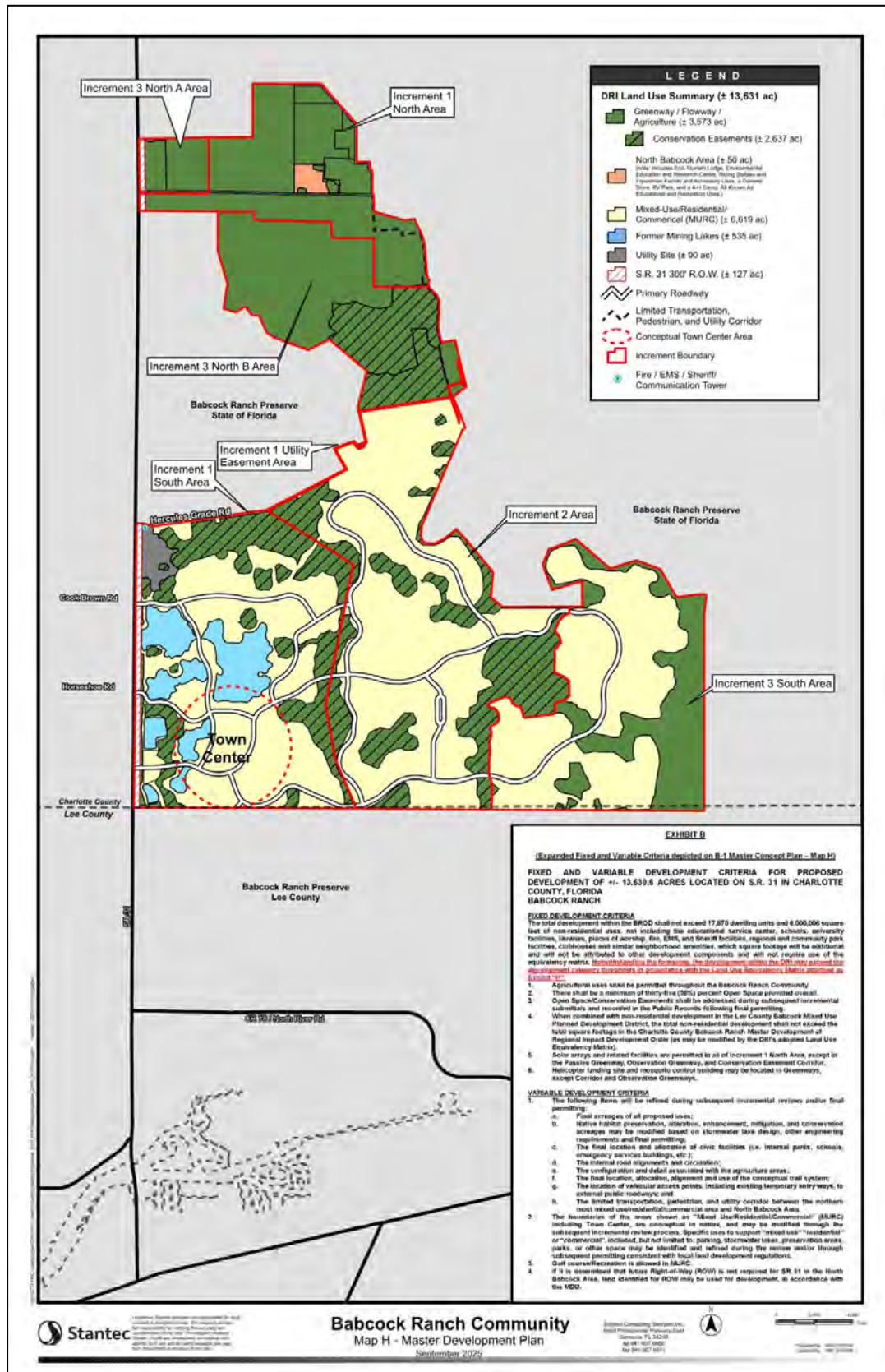


EXHIBIT B

(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

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 facilities, 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. Notwithstanding the foregoing, the development within the DRI may exceed the development category thresholds in accordance with the Land Use Equivalency Matrix attached as Exhibit "H".

1. Agricultural uses shall be permitted throughout the Babcock Ranch Community.
2. There shall be a minimum of thirty-five (35%) percent Open Space provided overall.
3. Open Space/Conservation Easements shall be addressed during subsequent incremental submittals and recorded in the Public Records following final permitting.
4. 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).
5. 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.
6. 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 (<i>MDO Condition 13</i>)	
Question	24, Housing	Master (<i>MDO Condition 3</i>)	
Question	25, Police and Fire Protection	Master, Documentation (<i>MDO Condition 10</i>)	
Question	26, Recreation/Open Space	Master, Documentation (<i>MDO Condition 14</i>)	
Question	27, Education	Master (<i>MDO Condition 9</i>)	
Question	28, Health Care	Master	(<i>MDO Condition 15</i>)
Question	29, Energy	Master (<i>MDO Condition 16</i>)	
Question	30, Historical/Archaeological	Master	(<i>MDO Condition 8</i>)
Question	33, Hospitals	Master (<i>MDO Condition 15</i>)	
Question	35, Mining Operations	Master (<i>MDO Condition 17</i>)	

EXHIBIT D

1

Exhibit D

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION					SITE & BUILDING DEDICATION/CONSTRUCTION TIME	
Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations	LINE *11 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	3,000 *3	Prior to reaching 17,500 persons	*10	
Fire/Rescue/Law Enforcement						
Site #1 Sheriff	1.8	1	12,500	October 1, 2024	COMPLETE	*10
Site #1 Fire	1.5	1	12,160	October 1, 2024	COMPLETE	*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. Prior to reaching 17,500 persons.		*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	
Interim EMS Sub-Station Site *7	n/a	1	n/a		COMPLETE	
Public Facilities						
County Annex - "County Hall"	n/a	n/a	20,000	By 17,500 persons *8	*10	

EXHIBIT D

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	*9				

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. The parties may agree to co-locate the library and annex facilities on the 4-acre library parcel.

*3 Pre-fab building to include two one offices, two bays a single bay for two vehicles 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. The parties may agree to co-locate the library and annex facilities on the 4-acre library parcel.

*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.

*11 The parties may agree that either party may complete the shell building and/or interior buildout for the other party upon terms and conditions acceptable to both parties.

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 F

Master (Buildout 2045) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – 67%

EXHIBIT F BABCOCK RANCH COMMUNITY MASTER TRAFFIC STUDY UPDATE (2024) MASTER (BUILDOUT - 2045) ROADWAY NETWORK Page 1 of 1						
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(1)
Developer's Estimated Community Capture Rate - 67%
(Transportation Condition B.(1)(b))

SIGNIFICANTLY IMPACTED ROADWAYS			(2)		(3)		(3)	
Roadway	From	To	ADVERSE IMPACTS	TRANSPORTATION DEFICIENT	E+C # OF LANES	RECOMMENDED IMPROVEMENTS # OF LANES	PROJECT-RELATED IMPROVEMENTS # OF LANES	
Charlotte County			"Y" = Yes, "N" = No or Not Applicable					
SR 31 (Babcock Ranch Road)	Lee County Line	Cypress Pkwy.	Y	—	4	New 4L Construction, Expand to 6L Plus Existing 2L Frontage Road (5,6)	New 4L Construction, Expand to 6L Plus Existing 2L Frontage Road (5,6)	
	Cypress Pkwy.	Lake Babcock Dr.	Y	—	4	New 4L Construction (5,6)	New 4L Construction (5,6)	
	Lake Babcock Dr.	Cook Brown Rd.	Y	—	2	Widen From 2L to 4L (6,7)	Widen From 2L to 4L (6)	
	Cook Brown Rd.	CR 74	Y	(2L-4L)	2	Intersection Improvements (8)	None (9)	
	CR 74	DeSoto County Line	Y	—	2	Intersection Improvements (8)	None (9)	

Lee County			"Y" = Yes, "N" = No or Not Applicable					
Broadway St.	SR 80	North River Rd.	Y	(2L-4L)	2	Widen From 2L to 4L	None (2)	
Buckingham Rd.	Cemetery Rd.	Orange River Blvd.	Y	(2L-4L)	2	Widen From 2L to 4L	None (2)	
	Orange River Blvd.	SR 80	Y	(2L-4L)	2	Widen From 2L to 4L	None (2)	
Gunnery Rd.	Lee Blvd.	Buckingham Rd.	Y	(2L-4L)	2	Widen From 2L to 4L (7)	None (7)	
Joel Blvd.	18th St.	SR 80	Y	(2L-4L)	2	Widen From 2L to 4L (2)	None (2)	
SR 80 (Palm Beach Blvd.)	I-75	SR 31 (Babcock Ranch Rd.)	Y	—	6	Intersection Improvements (7,11)	None (7,11)	
	SR 31 (Babcock Ranch Rd.)	CR 80A/Buckingham Rd.	Y	(4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	Broadway St.	Joel Blvd.	Y	(4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
SR 78 (Bayshore Rd.)	US 41 Business	New Post Rd./Hart Rd.	Y	(4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	New Post Rd./Hart Rd.	Coon Rd./Slaters Rd.	Y	(4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	W. of Pritchett Parkway	Pritchett Pkwy.	Y	(4L-6L)	4	Widen From 4L to 6L (2,7,9)	None (2)	
	Pritchett Pkwy.	Old Bayshore Rd.	Y	—	2	Widen From 2L to 4L (7,9)	Widen From 2L to 4L (7,9)	
	Old Bayshore Rd.	SR 31 (Babcock Ranch Rd.)	Y	—	2	Widen From 2L to 4L (7,9)	Widen From 2L to 4L (7,9)	
I-75	SR 82	Luckett Rd.	Y	—	6	Widen From 6L to 8L (10)	None (10)	
SR 31 (Babcock Ranch Rd.)	SR 80	SR 78	Y	(2L-4L)	2	Widen From 2L to 6L (2,5)	None (2,5)	
	SR 78	Old Rodeo Dr.	Y	—	4			
	Old Rodeo Dr.	CR 78N/ River Rd.	Y	—	4			
	CR 78N/ River Rd.	Shirley Ln.	Y	(4L-6L)	4	New 4L Construction, Expand to 6L Plus Existing 2L Frontage Road (5)	New 4L Construction, Expand to 6L Plus Existing 2L Frontage Road (5)	
	Shirley Ln.	Fox Hill Rd.	Y	—	4			
	Fox Hill Rd.	Buddee Ln.	Y	—	4			
	Buddee Ln.	Charlotte County Line	Y	—	4			

Footnotes:

- (1) Roadway Network based on Developer's estimated community capture rate (Daily = 73%, Peak Hour = 67%) of a new town.
- (2) Transportation Deficient facility as defined in Chapter 163.3160, F.S.
- (3) Recommended and Project-Related improvements are presented for information purposes only. Transportation mitigation assessment is not applicable at the Master DRI level. All transportation mitigation are assessed at the Incremental DRI level.
- (4) Intentionally left blank.
- (5) Per FDOT & BRC Master Roadway Agreement / Roadway Design and Construction Agreement.
- (6) Subject to FDOT SR 31 PD&E Study(s).
- (7) Lane needs based on Generalized Service Volume. Subject to Arterial Analysis for LOS Verification.
- (8) FDOT Intersection Improvements - SR 31 & CR 74 Roundabout.
- (9) Subject to FDOT SR 78 PD&E Study.
- (10) Lee County MPO 2045 Needs Assessment.
- (11) SR 80 & SR 31 Intersection Improvements and/or SR 80 & I-75 Interchange Ramp Retiming.



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 6 Lanes

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- 1 • 1 NB Left-Turn Lane
- 2 • 1 NB Right-Turn Lane
- 3 • 1 SB Left-Turn Lane
- 4 • 1 EB Left/Thru/Right-Turn Lane
- 5 • 3 WB Left-Turn Lanes
- 6 • 1 WB Thru/Right-Turn Lane
- 7 b. SR 31 / Horseshoe Road / Lake Babcock Drive (C-C)
- 8 • Multilane Roundabout
- 9 • Widen SR 31 to 4 Lanes
- 10 • 1 NB Left-Turn/Thru Lane
- 11 • 1 NB Thru/Right-Turn Lane
- 12 • 1 SB Left-Turn/Thru Lane
- 13 • 1 SB Thru/Right-Turn Lane
- 14 • 1 EB Left-Turn/Thru/Right-Turn Lane
- 15 • 1 WB Left-Turn Lane
- 16 • 1 WB Left-Turn/Thru/Right-Turn Lane
- 17 • ~~1 WB Right-Turn Lane~~
- 18 c. SR 31 / Cook Brown Road/Greenway Boulevard (B-B)
- 19 • Multilane Roundabout
- 20 • Widen SR 31 to 4 Lanes
- 21 • 1 NB Left-Turn/Thru Lane
- 22 • 1 NB Thru/Right-Turn Lane

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- 1 SB Left-Turn/Thru Lane
- 1 SB Thru/Right-Turn Lane
- 1 EB Left-Turn/Thru/Right-Turn Lane
- 1 WB Left-Turn/Thru/Right-Turn Lane

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

Grade

- Add 1 NB Right-Turn Lane
- Add 1 SB Left-Turn Lane
- Add 1 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~~40~~, 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

- a. ~~Widen~~Expand from 4 to 6 Lanes
- b. SR 31 from Old Rodeo Drive to North River Road
 - ~~Widen~~Expand from 4 to 6 Lanes
- c. SR 31 from North River Road to Shirley Lane
 - ~~Widen~~Expand from 4 to 6 Lanes
- d. SR 31 from Shirley Lane to Fox Hill Road
 - ~~Widen~~Expand from 4 to 6 Lanes
- e. SR 31 from Fox Hill Road to Busbee Lane
 - ~~Widen~~Expand from 4 to 6 Lanes
- f. SR 31 from Busbee Lane to Charlotte/Lee County Line
 - ~~Widen~~Expand from 4 to 6 Lanes
- g. SR 31 from Charlotte/Lee County Line to Cypress Parkway
 - ~~Widen~~Expand 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 Pritchett Parkway to Old Bayshore Road ~~to SR~~
~~31~~
- j. SR 78 from ~~Pritchett Parkway to~~ Old Bayshore Road to SR
31

EXHIBIT G
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

- 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, 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 21 EB Left-Turn Lanes
- Add 1 WB ~~Left~~Right-Turn Lane

d. SR 31 / SR 78

- Realign Intersection from Interim to Ultimate Alignment with:

a. ~~Add 2~~1 NB ~~Left-Turn~~Thru Lane

b. ~~Add 2~~1 ~~N~~SB Thru Lanes

~~c. 2 SB Thru Lanes~~

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~~d.c.~~ Add 1 SB Right-Turn Lane

~~e.d.~~ Add ~~3~~1 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. Add 1 NB ~~Left-Turn~~Thru Lane

b. Add ~~3~~1 ~~N~~SB ~~Thru~~Left-Turn Lanes

c. Add 1 ~~N~~SB ~~Thru~~Right-Turn Lane

d. Add 2 ~~S~~EB Left-Turn Lanes

e. Reconfigure ~~3~~1 ~~S~~EB ~~Thru~~Right-Turn Lanes
to Shared Thru/Right-Turn Lane

f. Add ~~4~~2 ~~S~~WB ~~Right~~Left-Turn Lanes

g. Reconfigure 1 ~~E~~WB ~~Left~~Right-Turn Lane
to Thru Lane

~~g.h.~~ 1 EB Thru/RT Lane

~~h.i.~~ 1 WB Left-Turn Lane

~~i.j.~~ 1 WB Thru/RT Lane

~~j.k.~~ 1 WB Right-Turn Lane

- ~~Add NB Auxiliary Thru Lane~~

- ~~Add EBL~~

- ~~Add WBL~~

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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 5,899,924 pm peak hour two-way external trips and 5,869,4 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 \$50,937,226,43,401,163 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

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Reference #	Item ⁽¹⁾	Mitigation Commitments ⁽⁷⁾	Anticipated Start Date ⁽²⁾
1	Off-Site Road Segments		
	SR 31		
	a. SR 78 to CR 78 -Widen from 2 to New 4-Lane lanes Construction -With infrastructure and grading provided for 6-lane expansion - Includes Conversion of Existing SR 31 to 2-Lane Frontage Road - Includes intersection improvements	\$20,960,000	Ongoing ⁽⁶⁾
	b. CR 78 to Cypress Parkway -Widen from 2 to New 4-Lane lanes Construction -With infrastructure and grading provided for 6-lane expansion - Includes Conversion of Existing SR 31 to 2-Lane Frontage Road - Includes intersection improvements	\$47,170,000	Ongoing ⁽⁶⁾
	c. Cypress Parkway to Horseshoe Road -Widen from 2 to 4 lanes -Sidewalk one side	\$7,730,000	Ongoing ⁽⁶⁾
	Subtotal	\$75,860,000	
	d. Prior Project Contributions		
	(1) SEIR/PD&E Contribution	\$1,350,000	Completed ⁽⁵⁾
	(2) Previously completed and ongoing design, permitting, and survey associated with SR 31 widening	\$2,342,000	Completed ⁽⁵⁾
	(3) Previously constructed chain of lakes	\$2,500,000	Completed ⁽⁵⁾
	SR 31 Subtotal	\$82,052,000	
2	SR 31 Traffic Count Stations ⁽³⁾	\$200,000	Installed at Cypress Parkway, Lake Babcock Drive, and Greenway Boulevard ⁽⁴⁾
	Grand Total	\$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 in year 2025 7 . (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:

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- 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~~7~~.

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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1 6. If the cost of the mitigation provided by the Developer for
2 Increments 1, 2, and 3 exceeds the proportionate share of the
3 impacts resulting from mitigation by Increments 1, 2, and 3 of
4 ~~\$50,937,226~~ ~~42,689,663~~ 43,401,163 (as adjusted up or down in
5 accordance with actual costs and based upon the accepted
6 proportionate share percentages shown on Exhibit K), the
7 Developer shall be entitled to a credit toward the overall impact
8 of the Project for the cost of improvements beyond the
9 proportionate share amount and receive mitigation credit for
10 subsequent increments or phases, as provided in the MDO and
11 applicable law. Developer, FDOT, and/or County may enter into
12 a Transportation Credit Agreement to further delineate the terms
13 and procedures for implementing credits for identified
14 improvements set forth above in excess of the proportionate
15 share of Increments 1, 2, and 3. Credit for the cost of additional
16 improvements as set forth above shall be analyzed as part of the
17 transportation analysis for future increments and be included in
18 subsequent incremental development orders.

19 c. Satisfaction of the required mitigation in the timeframes as outlined and
20 compliance with the transportation provisions herein for Increments 1,
21 2, and 3, shall satisfy the road or traffic concurrency requirements of the
22 Charlotte 2050 Comprehensive Plan, LDR, and the Charlotte County
23 Concurrency Management System, through the later of December 31,

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20~~38~~40, 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, 20~~38~~40, 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

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1 necessary and mutually agreed upon between FDOT and ~~the~~
2 Developer.

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

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G1 – 73C-40.045 Transportation Uniform Standard Rule

(1) Purpose. This rule establishes how the Department will evaluate transportation facility issues in the review of applications for binding letters, local government development orders, and DRI applications for development approval (ADA).

(a) The Legislature established chapter 380, F.S., to facilitate orderly and well-planned development, by authorizing the state land planning agency to establish land management policies to guide local decisions relating to growth and development. sections 186.002, 186.007, 186.009, and 187.101, F.S., establish the State Comprehensive Plan as the long-range, state land development policy guide to be considered in the DRI review process in order to ensure orderly growth in Florida, pursuant to sections 380.06(3), (4), (12), (13), (14), (15), (25), and 380.065(3), F.S.

(b) Consistent with the land management policies delineated in the State Comprehensive Plan, it is the intent of the Department to set forth in this rule specific transportation facility DRI review guideline standards and criteria.

(c) The statutory authority to promulgate and establish this rule is derived from sections 380.032(2) and 380.06(23), F.S.

(2) Definitions. As used in this rule:

(a) “Applicable Local Plan” or “Local government comprehensive plan” means a plan or element or portion thereof prepared, adopted, or amended pursuant to part II of chapter 163, F.S., as amended.

(b) “Applicable Regional Plan” means the Regional Planning Council’s adopted Strategic Regional Policy Plan pursuant to section 186.508, F.S.

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1 (c) “Applicable State Plan” means the State Comprehensive Plan.

2 (d) “Concurrency Management System” means the adopted procedures and/or
3 process that the local government of jurisdiction for the development utilizes to
4 assure that development orders and permits are not issued unless the necessary
5 transportation facilities and services are available concurrent with the impacts of
6 development, consistent with chapter 163, F.S.

7 (e) “Department” means the Florida Department of Economic Opportunity.

8 (f) “Florida Intrastate Highway System” means an interconnected network of limited
9 access and controlled access highways designed to accommodate Florida’s high
10 speed and high volume roadway traffic as required by section 338.001, F.S., and
11 adopted by the Legislature.

12 (g) “Level of service” means a qualitative assessment of a roadway’s operating
13 conditions or the average driver’s perception of the quality of traffic flow that is
14 represented by the letters A through F: A representing the freest flow and F
15 representing the least free flow. Quantitative criteria for the different levels of
16 service are provided in the Highway Capacity Manual (1985 Special Report 209)
17 as published by the Transportation Research Board, National Research Council,
18 Washington, D.C., and chapter 14-94, F.A.C., Level of Service Standards.

19 (h) “Proportionate share contribution” means, only in the context of this rule, a
20 contribution from a developer or owner of a DRI to the local government or the
21 governmental agency having maintenance responsibility for those facilities, which
22 makes adequate financial provision for the public transportation facilities needed
23 to accommodate the impacts of the proposed development on roadways outside

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the local government of jurisdiction's Concurrency Management System area. The proportionate share contribution shall be deemed to make adequate financial provision for such facilities if it is equal to or greater than the sum of the costs of improvements attributable to the proposed development derived from the application of the following formula. The costs of improvements attributable to the proposed development are based upon the sum of the cost of improving each significantly impacted state and regional roadway which will operate at worse than the level of service standard in the local government's approved comprehensive plan or the Florida Department of Transportation level of service standards for roads on the Florida Intrastate Highway System at each project stage or project phase and at project buildout. The proportionate share of the cost of improvements of each such roadway is calculated according to the following formula:

$$\frac{\text{DRI trips}}{(\text{SV increase})} = \text{cost}$$

1. DRI trips = cumulative number of the trips from the proposed development expected to reach the roadway during the peak hour from the complete buildout of a stage or phase being approved.

2. SV increase = the change in peak hour maximum service volume of the roadway resulting from construction of the improvement necessary to maintain the adopted level of service.

3. Cost = cost of construction, at the time of developer payment, of an improvement necessary to maintain the adopted level of service.

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1 Construction cost includes all improvement associated costs, including
2 engineering design, right-of-way acquisition, planning, engineering,
3 inspection, and other associated physical development costs directly
4 required and associated with the construction of the improvement, as
5 determined by the governmental agency having maintenance authority over
6 the roadway.

7 (i) "Project phase" means a discrete, five year or lesser construction
8 timeframe of development, including the local government issuance
9 of certificates of occupancy for that construction or its functional
10 occupancy.

11 (j) "Regional center" means a major retail, service, public,
12 recreational, entertainment or other type of facility or development
13 area that regularly attracts use by citizens from more than one
14 county, including regional hospitals, civic centers, universities,
15 professional sports stadiums, regional malls, regional airports,
16 regional, state or federal governmental centers, state parks,
17 nationally advertised resorts or amusement parks, or designated
18 regional activity centers.

19 (k) "Regional Planning Council" means a governmental body created
20 pursuant to chapter 186, F.S.

21 (l) "Roadway" means an existing or planned road segment in its
22 entirety or any portion thereof, including intersections and
23 interchanges.

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1 (m) “Stage” means one in a series of approximately equal increments
2 in the development of a proposed development upon which are
3 placed quantified limits for construction that are reasonably
4 calculated to ensure that the state and regional roadway network
5 affected by the proposed development will not be overburdened by
6 development traffic. As used in this rule, a stage is to be a subset of
7 a particular project phase of development planned for a project by a
8 developer. A stage of development includes both a specific type and
9 amount of development and the associated, approved buildout
10 timeframe for that development.

11 (n) “State Highway System” means all streets, road, highways, and
12 other public ways open to travel by the public generally and
13 dedicated to the public use according to law or by prescription and
14 designated by the Florida Department of Transportation, consistent
15 with chapters 334 and 335, F.S.

16 (3) Application.

17 (a) This rule shall be used by the Department to review transportation facility issues
18 in binding letters and applications for development approval, effective the date of
19 this rule. Any proposed development that meets or exceeds the significant impact
20 thresholds identified in this rule shall be determined by the Department to have a
21 significant impact on state and regionally significant transportation facilities. This
22 rule shall not apply to any application submitted to the Department prior to the

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effective date of this rule, where such an application has continued to remain pending and active, consistent with section 380.06(4)(d) or (10)(b), F.S.

(b) This rule shall be used by the Department to review transportation facility issues in local government development orders. This rule shall not apply to any development order rendered to the Department after the effective date of this rule that approves, with or without conditions, an application that was submitted prior to the effective date of the rule and has continued to remain pending and active until the development order's approval.

(c) A development order shall be determined by the Department to make adequate provision for the transportation facilities addressed by this rule, and shall not be appealed by the Department on the basis of inadequate mitigation of transportation impacts, if it contains the applicable mitigation standards and criteria set forth in this rule.

If a development order does not contain the applicable mitigation standards and criteria set forth in this rule, the Department shall have discretion to appeal the development order, pursuant to the provisions of section 380.07, F.S. However, nothing in this rule shall require the Department to undertake an appeal of the development order simply because it fails to comply with the provisions of this rule.

A development order failing to comply with the provisions of this rule will be addressed on a case-by-case basis by the Department as to whether it otherwise complies with the intent and purposes of chapter 380, F.S. The Department will take into consideration the balancing of this rule's provisions with the protection of property rights, the encouragement of economic development, the promotion of

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other state planning goals by the development, the utilization of alternative, innovative solutions in the development order to provide equal or better protection than the rule, and the degree of harm created by non-compliance with this rule's mitigation criteria and standards.

(d) This rule shall apply to the specific transportation facility issues delineated herein, and shall not limit the ability of the Department to address other transportation related issues, such as air quality, right-of-way protection, railroad crossing safety, hurricane preparedness, project access to state highways, state subsidies in high-hazard coastal and barrier island areas, or consistency with a local government comprehensive plan.

(e) This rule shall not limit the ability of the Department to make a determination of significant impact or appeal a development order on the basis of inadequate, inappropriate, or inaccurate transportation impact analyses carried out by the applicant or his agents, where the findings of such analyses are instrumental to forming the basis of information necessary to evaluate compliance with the application of this rule's criteria and standards. However, if agreement was reached at the DRI preapplication conference regarding transportation impact analyses assumptions and methodologies to be used in an ADA, then reviewing agencies may not subsequently object to these assumptions and methodologies, consistent with the provisions of paragraph 73C-40.021(1)(h), F.A.C.

(4) Identification of State and Regionally Significant Roadways. For the purpose of evaluating the state and regional significance of a roadway, the Department shall consider the extent, location and configuration of the roadway, and the number and type of trips

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which occur or could occur on the roadway. Under no circumstances shall the Department consider a roadway to be state and regionally significant unless it is a paved roadway which crosses local government jurisdictional boundaries, is a component of the state highway system, connects components of the state highway system, provides access to a regional center, or is a hurricane evacuation route. Nothing contained herein shall be construed to automatically result in a determination that a roadway is state and regionally significant simply because it is a component of the state highway system or otherwise falls within the categories of roadways enumerated above, unless it is a segment of the Florida Intrastate Highway System.

(5) Determination of the Adopted Level of Service.

(a) For state and regional roadways that are part of the Florida Intrastate Highway System, the Department will evaluate transportation issues in accordance with the Florida Department of Transportation level of service standards for the Florida Intrastate Highway System consistent with section 163.3180(10), F.S. For all other state and regional roadways, the Department will evaluate transportation issues in accordance with the adopted transportation level of service standards of the applicable local government comprehensive plan.

(b) Where the transportation impacts of the DRI are determined to occur in more than one local government jurisdiction, the development order shall ensure that the multi-jurisdictional impacts are mitigated pursuant to the requirements of chapter 380, F.S. For a state and regional roadway that is part of the Florida Intrastate Highway System and occurs in a different local government jurisdiction than the one in which the development is being granted approval, the Department

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will evaluate transportation issues in accordance with the Florida Department of Transportation level of service standards for the Florida Intrastate Highway System consistent with section 163.3180(10), F.S. For any other state and regional roadway that occurs in a different local government jurisdiction than the one in which the development is being granted approval, the Department will evaluate transportation issues in accordance with the adopted transportation level of service standards of the applicable local government comprehensive plan for the jurisdiction in which the roadway occurs.

(6) Determination of Significant Impacts on State and Regionally Significant Roadways.

A state and regionally significant roadway segment shall be determined by the Department to be significantly impacted by the proposed development if, at a minimum, the traffic projected to be generated at the end of any stage or phase of the proposed development, cumulatively with previous stages or phases, will utilize five percent or more of the adopted peak hour level of service maximum service volume of the roadway, pursuant to (5), above, and the roadway is projected to be operating below the adopted level of service standard at buildout of that stage or phase. If a transportation facility significant impact threshold of less than five percent is specifically adopted in an in-compliance local government comprehensive plan, then this lower significant impact threshold shall be utilized by the Department as its significant impact threshold for those state and regional roadways within that local government's jurisdiction.

(7) Mitigation of Transportation Facility Impacts.

(a) Pursuant to section 380.06(15), F.S., a development order issued by a local government must make adequate provision for the public transportation facilities

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needed to accommodate the impacts of the proposed development. Consistent with that mandate, it is the intent of the Department to set forth in this rule transportation conditions which, if included in a development order, would be deemed by the department to comply with the requirements of section 380.06, F.S., and would, therefore, not be the basis for the appeal of the development order by the Department on issues related to transportation facilities. Where the transportation impacts of the development are determined to occur in more than one local government jurisdiction, the development order shall ensure that any significant multi-jurisdictional facility impacts are mitigated pursuant to the requirements of section 380.06, F.S., and the applicable level of service standards of the jurisdiction in which the impacts occur. A development order shall be determined by the Department to make adequate provision for transportation roadway facilities and shall not be appealed by the Department on the basis of inadequate transportation conditions if, at a minimum, it contains one of the sets of conditions enumerated in subparagraphs 1., 2., 3., 4. or 5. below, and, when applicable, complies with paragraph (b), below.

1. SCHEDULING OF FACILITY IMPROVEMENTS.

a. A schedule which specifically provides for the mitigation of impacts from the proposed development on each significantly impacted roadway which will operate below the adopted level of service standard at the end of each project phase's buildout, or, alternatively, a subset stage of that phase. The schedule shall ensure that each and every roadway improvement which is necessary to achieve the adopted level of service standard for that project stage or phase shall be

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guaranteed to be in place and operational, or under actual construction for the entire improvement, at buildout of each project stage or phase that creates the significant impact. This guarantee shall be in the form of:

(I) A clearly identified, executed and recorded local government development agreement, consistent with sections 163.3220 through 163.3243, F.S., that is attached as an exhibit to the development order, and which ensures, at a minimum, that all needed roadway improvements will be available concurrent with the impacts of development, consistent with section 163.3180(2), F.S.;

(II) A binding and enforceable commitment in the development order by the local government to provide all needed roadway improvements concurrently with the development schedule approved in the development order;

(III) A local government commitment in the current year of their local government comprehensive plan Capital Improvement Element (CIE) to provide all needed roadway improvements, or a local government commitment in the current three years of their CIE to provide all needed roadway improvements when the local government has specifically adopted an in-compliance concurrency management system in their plan; or

(IV) A Florida Department of Transportation commitment in the current five years of the Adopted Work Program for Florida Intrastate Highway System (FIHS) facilities or in the first three years of the Adopted Work Program for all other facilities to provide all needed roadway improvements;

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1 (V) A binding and enforceable commitment in the development order by the
2 developer to provide all needed roadway improvements concurrently with
3 the development schedule approved in the development order; or

4 (VI) Any combination of guarantees (I) thru (V), above, that ensures that all
5 needed roadway improvements will be provided concurrently with the
6 development schedule approved in the development order.

7 b. A provision which states that on no less than a biennial basis the status of the
8 guaranteed improvements shall be assessed and reported in a required biennial
9 status report. The local government shall cause further issuance of building
10 permits to cease immediately at the time the biennial monitoring reveals that any
11 needed transportation improvements guaranteed by development commitments
12 sub-sub-subparagraphs 1.a.(I) thru 1.a.(VI), above, is no longer scheduled or
13 guaranteed, or has been delayed in schedule such that it is no longer consistent
14 with the timing criteria of sub-subparagraph 1.a., above. The periodic assessment
15 contemplated by this rule is not a monitoring of the actual level of service on a
16 roadway, but is a review of the actual status of guaranteed improvements
17 scheduled for construction. A change to the approved development schedule for
18 the project, as opposed to a change to the schedule of needed improvements, will
19 need to be addressed through the notification of proposed change provisions of
20 section 380.06(19), F.S.

21 c. In addressing the construction of the needed roadway improvements, the
22 schedule described in sub-subparagraph 1.a., above, shall list all needed roadway
23 improvements needed to be constructed by phase or stage, the guaranteed date

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of completion for the construction of each needed improvement, the party responsible for the guaranteed construction of each improvement, and the form of the binding commitment that guarantees construction of each improvement.

2. ALTERNATIVE CONCURRENCY PROVISIONS. A schedule as set forth in subparagraphs 1.a., b., and c., above, that appropriately addresses each significantly impacted state and regional roadway segment through compliance with that jurisdiction's specific alternative concurrency provision of section 163.3180(5), (7), (8) or (9), F.S., where such mitigative measures are specifically adopted in an in-compliance local government comprehensive plan and are fully explained and applied in the development order.

3. PROPORTIONATE SHARE PAYMENTS.

a. This option shall only be available to the extent that any affected extra-jurisdictional local government, or the Florida Department of Transportation for facilities on the State Highway System, agrees to accept proportionate share payments as adequately mitigating the extra-jurisdictional impacts of the development on the significantly impacted state and regional roadways within their jurisdiction. If an affected extra-jurisdictional roadway is under the maintenance authority of the Florida Department of Transportation, then agreement to accept proportionate share payments shall be obtained only from that agency for that roadway. Such an agreement shall be attached as an exhibit to the development order and shall be in the form of either a clearly identified, executed and recorded local government development agreement, consistent with sections 163.3220-.3243, F.S.; an interlocal agreement; a FDOT joint participation agreement; or a

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written acceptance by the affected local government governing board or the Florida Department of Transportation, as appropriate.

b. This option is also available to the local government of jurisdiction over the development for those significantly impacted state and regional roadways within their jurisdiction which are not addressed for concurrency by their local Concurrency Management System.

c. The development order shall contain a schedule as set forth in sub-paragraphs 1.a., b., and c., above, that appropriately addresses each significantly impacted state and regional roadway segment. For significantly impacted state and regional roadways within the area around the development site that are specifically covered by the local government of jurisdiction's Concurrency Management System (CMS), the development order shall ensure that appropriate mitigative measures are clearly and specifically delineated in the development order for each roadway segment, consistent with the concurrency provisions of the in-compliance, adopted local government comprehensive plan and implementing land development regulations of that local government.

d. For each significantly impacted state and regional roadway outside the specified Concurrency Management System area, the development order shall additionally include:

(I) A schedule of the list of the improvements that are needed to be constructed to ensure maintenance of the adopted level of service, an identification of the governmental agency with maintenance responsibility over the improvement, the cost of each needed improvement including

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1 right-of-way and other costs for the improvement, the developer's
2 proportional share contribution for the improvement, and any proposed
3 staging of the development.

4 (II) A date-certain payment provision which requires that, at a minimum, the
5 developer pay his proportionate share contribution to the agency that has
6 maintenance responsibility over the impacted roadway prior to the issuance
7 of any building permits for the stage or phase which will cause or increase
8 the significant impact to that roadway.

9 (III) A provision which requires that as a condition of accepting the payment
10 of the proportionate share contribution that the receiving governmental
11 agency with maintenance responsibility over the impacted roadway agrees
12 in writing as an exhibit to the development order that the contributed monies
13 shall only be applied towards the construction of one or more of the
14 significantly impacted improvements which are under their jurisdiction and
15 listed in the schedule. If the contributed money to that agency is sufficient
16 to fully construct one or more of the roadway improvements under its
17 jurisdiction that is on the schedule in (I), above, then the receiving
18 governmental agency shall agree, as a condition of acceptance, to
19 expeditiously apply the received monies for the improvement construction.

20 (IV) A provision which requires that development activities and issue of
21 permits therefor immediately cease if the proportionate share contribution
22 is not paid in a timely manner.

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BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

(V) A requirement that any proposed delay or change of the proportionate share payment due to a change in the approved development schedule shall require a reanalysis of the proportionate payment amount as part of any schedule approval amendment.

4. LEVEL OF SERVICE MONITORING.

a. A modeling and monitoring schedule for the mitigation of impacts from the proposed development on each significantly impacted roadway which will operate below the adopted level of service standard at the end of each project phase's buildout, or, alternatively, a subset stage of that phase. The schedule shall identify each roadway improvement which is necessary to achieve the adopted level of service standard, and indicate the amount of development and the timing of that development which will cause a roadway to operate below the adopted level of service. In the circumstance where the schedule does not identify the necessity and timing of improvements for a particular phase or substage, the development order shall require that building permits for that phase or substage will not be issued until the appropriate written approvals are obtained and any needed mitigation requirements are complied with, pursuant to sub-subparagraphs 4.b. and 4.c., below.

b. An annual, or alternatively a study period to consist of the next stage of development, traffic study to monitor the existing peak hour level of service, and to project the likely peak hour level of service for the next year or stage of development, for all roadways listed in the schedule of sub-subparagraph a., above, that have been identified as potentially operating below the adopted level

EXHIBIT G-1
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

of service for the current plus next year, or alternatively next stage, of development. The traffic study may be used to either confirm the necessity and timing of improvements identified in the development order schedule, or to identify the necessity and timing for improvements for phases or stages not addressed by the schedule. The traffic study shall include a projection of background and project traffic for the next study period and the resulting projection of the level of service for those roadways at the end of the study period. Project traffic shall include the impacts of all existing project development, all permitted project development, and all project development likely to receive building permits during the next study period. At a minimum, the traffic study methodology and the study results shall be supplied to the regional planning council and the Florida Department of Transportation for review, and shall be subject to written approval by the local government of jurisdiction and the Department of Economic Opportunity.

c. If the traffic study indicates a level of service such that a regional roadway is, or is likely to be during the next study period, significantly impacted by project traffic, then the local government shall cease all further issuance of building permits for the project, unless:

(I) The development order already contains a binding commitment to provide the needed roadway improvement consistent with subparagraphs 1., 2., or 3., above; or

(II) Until the development order is amended to contain a binding commitment to provide the needed roadway improvement consistent with subparagraphs 1., 2., or 3., above.

EXHIBIT G-1
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

1 5. COMBINATION OF MITIGATION MEASURES. A combination of the mitigative
2 measures contained in subparagraphs 1., 2., 3., or 4., above, that mitigates for each
3 significantly impacted state and regional roadway, or other mitigative measures which are
4 proposed and reviewed in the ADA, including the provision for capital facilities for mass
5 transportation, or the provision for programs that provide alternatives to single occupancy
6 vehicle travel, which reasonably assure that public transportation facilities shall be
7 constructed and made available when needed to accommodate the impacts of the
8 proposed development, consistent with the provisions of chapters 163 and 380, F.S.
9 (b) Interchange Protection. If a developer proposes the need for the construction of a new
10 or modified access to a state or federal limited access facility to serve the development,
11 such access shall be coordinated with the Florida Department of Transportation, pursuant
12 to chapter 14-97, F.A.C. The traffic impact analysis methodology and the study area shall
13 be professionally, consistently and uniformly applied by an applicant in both the local
14 government land use approval application and any federal and state submissions
15 required for new or modified access to limited access facilities. Any specific stage or
16 phase of the development that proposes the need for the construction of a new or
17 modified access to a state or federal limited access facility shall not be allowed to initiate
18 development for that stage or phase of development by a local government until the new
19 or modified access has been authorized by the Federal Highway Administration and/or
20 the Florida Department of Transportation, as applicable. When such authorization is not
21 forthcoming, the developer may request to amend his land use approval, based upon the
22 submittal of a revised transportation analysis not utilizing the new or modified access to

EXHIBIT G-1
BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION
CONDITIONS

the limited access facility and any needed additional transportation mitigation, as appropriate.

(8) Construction of Rule. This rule shall not be construed to limit the ability of local governments to impose more stringent mitigative measures than those delineated in this rule, where such measures or policies are contained within local land development regulations, or a local government comprehensive plan.

(9) Effect of Areas of Critical State Concern. This rule shall be superseded by more stringent transportation facility requirements for developments in designated Areas of Critical State Concern.

Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (c)1. FS. Law Implemented 380.021, 380.06, 380.061, 380.065, 380.07 FS. History—New 3-23-94, Amended 2-21-01, 6-1-03, Formerly 9J-2.045.

EXHIBIT H

MDO LAND USE EQUIVALENCY MATRIX (LUEM)

EXHIBIT H

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

Land Use	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 ² (1,000 sq. ft.)	Hotel/ Motel (1 room)	RV Park ³ (1 site)	Civic / Government (1,000 sq. ft.)
Equivalent To													
Single-Family	d.u.	NA	0.58	0.40	0.32	3.62	1.54	5.45	0.44	0.46	0.58	0.36	2.33
Multifamily	d.u.	3.73	NA	0.69	0.95	6.23	2.65	9.35	0.76	0.78	0.60	0.62	3.96
Age-Restricted Residential ¹	d.u.	2.48	1.45	NA	0.80	8.99	3.83	13.52	1.30	1.33	2.31	0.90	5.72
Assisted Living Facility	bed	5.53	3.83	5.25	NA	33.27	4.80	36.96	5.38	5.42	2.90	3.53	73.7
Retail	sq. ft.	260	360	532	90	NA	430	1,500	520	530	260	300	640
General Office	sq. ft.	650	880	260	230	2,350	NA	3,530	250	300	600	230	1,490
Medical Office	sq. ft.	360	330	70	60	660	230	NA	80	80	140	70	420
Industrial - General Light	sq. ft.	2,250	1,390	190	720	8,370	3,480	32,290	NA	1,050	2,100	620	5,200
Industrial ²	sq. ft.	2,850	1,260	680	300	2,580	3,380	11,930	900	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	1.63	5.13	0.89	9.98	4.26	15.02	1.22	1.26	2.57	NA	6.36
Civic / Government	sq. ft.	450	250	570	340	3,570	670	2,360	390	290	400	380	NA

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

Land Use	ITE Land-Use Code	BRC-Incremental/DRI ² (Cumulative DRI)		Incremental (Cumulative DRI) Trip Generation Estimate ³ Effective Trip Rate (PM Peak Hour, Two-Way)
		Trip Generation (PM Peak, Two-way)	Size	
Residential				
Single-Family	210	1,252	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	300	418	0.24 trips/bed
Non-Residential				
Retail	620	5,734	1,400,000	2.30 trips/1,000 sq. ft.
General Office	730	5,000	8,30,000	3.35 trips/1,000 sq. ft.
Medical Office	720	553	230,000	4.06 trips/1,000 sq. ft.
Industrial - General Light	530	66	200,000	0.53 trips/1,000 sq. ft.
Industrial ²	530	n/a	n/a	0.34 trips/1,000 sq. ft.
Motel / Motel	310	435	600	0.69 trips/room
RV Park ⁴	436	n/a	n/a	0.27 site
Civic / Government	730	327	34,000	3.72 trips/1,000 sq. ft.

Source: Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition.

Notes:

¹ Includes: Senior Adult Housing, Adult Adult Residential and Retirement Community - Master DRI.

² Includes Industrial Park and Research & Development Park.

³ Recreational Vehicle Park - MDO.

⁴ Refer to Appendix 21-1 Page 145: Trip Generation - W H BRC DRI: Babcock Ranch Community DRI - Incremental 3 (2022) November, 2022.

⁵ The effective trip rate based on the ITE trip generation equation (find curve), where applicable. Otherwise, standard ITE average rate assumed.



EXHIBIT H

MDO LAND USE EQUIVALENCY MATRIX (LUEM)

EXHIBIT H

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

Land Use	Unit	Single-Family (1 d.u.)	Multifamily (1 d.u.)	Age- Restricted ¹ 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 ² (1,000 sq. ft.)	Hotel / Motel (1 room)	RV Park ³ (1 site)	Civic / Government (1,000 sq. ft.)
Equivalent To													
Single-Family	d.u.	NA	0.58	0.40	0.32	3.14	1.49	5.46	0.32	0.46	0.93	0.36	2.29
Multifamily	d.u.	1.71	NA	0.69	0.55	5.39	2.55	9.37	0.55	0.78	1.60	0.62	3.93
Age-Restricted Residential ¹	d.u.	2.48	1.45	NA	0.80	7.79	3.69	13.55	0.79	1.13	2.31	0.90	5.69
Assisted Living Facility	bed	3.11	1.81	1.25	NA	9.77	4.63	16.99	1.00	1.42	2.90	1.13	7.13
Retail	sq. ft.	320	190	130	100	NA	470	1,740	100	150	300	120	730
General Office	sq. ft.	670	390	270	220	2,110	NA	3,670	220	310	630	240	1,540
Medical Office	sq. ft.	180	110	70	60	580	270	NA	60	80	170	70	420
Industrial - General Light	sq. ft.	3,120	1,820	1,260	1,000	9,800	4,640	17,040	NA	1,430	2,910	1,130	7,150
Industrial ²	sq. ft.	2,190	1,280	880	700	6,870	3,260	11,950	700	NA	2,040	790	5,020
Hotel / Motel	room	1.07	0.63	0.43	0.35	3.37	1.60	5.86	0.34	0.49	NA	0.39	2.46
RV Park ³	site	2.76	1.61	1.11	0.89	8.66	4.10	15.05	0.88	1.26	2.57	NA	6.32
Civic / Government	sq. ft.	440	250	180	140	1,370	650	2,380	140	200	410	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	7,338	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	200	418	0.24 trips/bed
Non-Residential				
Retail	820	5,446	2,330,000	2.34 trips/1,000 sq. ft.
General Office	710	1,200	1,083,840	1.11 trips/1,000 sq. ft.
Medical Office	720	2,174	535,000	4.06 trips/1,000 sq. ft.
Industrial - General Light	110	155	650,000	0.24 trips/1,000 sq. ft.
Industrial ²	130	n/a	n/a	0.34 trips/1,000 sq. ft.
Hotel / Motel	310	416	690	0.69 trips/room
RV Park ³	416	n/a	n/a	0.27 sites
Civic / Government	730	147	86,160	1.71 trips/1,000 sq. ft.

Source: Institute of Transportation Engineers (ITE), [Trip Generation](#), 11th 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 214 (Page 19), Trip Generation - With BRC DRI, [Babcock Ranch Community DRI - Incremental DRI Appendices \(2/24\)](#), June 20, 2024.
- The effective trip rate based on the ITE trip generation equation (flat curve), where applicable. Otherwise, standard ITE average rate assumed.



**CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT
DIRECTIONAL PEAK HOUR, PEAK SEASON**



CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT DIRECTIONAL PEAK HOUR, PEAK SEASON

EXHIBIT 21.F-3b

BABCOCK RANCH COMMUNITY
INCREMENT 3 (2022)
FUTURE 2038 TRAFFIC CONDITIONS WITH BRC DRI- ROADWAY SEGMENT ANALYSIS

LEE COUNTY

[illegible]

(16) Peak hour directional volumes based on the Project access volume projections (Appendix 21-K)

EXHIBIT J
(Page 1 of 3)

BABCOCK RANCH COMMUNITY
INCREMENTAL DRI AMENDMENTS (2024)
FUTURE 2040 TRAFFIC CONDITIONS WITH BRC DRI - ROADWAY SEGMENT ANALYSIS
CHARLOTTE COUNTY

TOTAL		TOTAL		TOTAL	
PEAK HOUR TRIPS (NET NEW TRIPS) NON-BUS/COCK TAPE		INTERNAL/EXTERNAL/INTERNAL TRIPS		INTERNAL/EXTERNAL/INTERNAL TRIPS	
INBOUND	3,407	ASSIGNED TO IIR IN INFRANCE		INTERNAL/EXTERNAL/INTERNAL TRIPS	
OUTBOUND	1,111			INTERNAL/EXTERNAL/INTERNAL TRIPS	
TOTAL	2,296		2,763	INTERNAL/EXTERNAL/INTERNAL TRIPS	2,763
TAPE		TAPE		TAPE	
PEAK HOUR TRIPS (NET NEW TRIPS) NON-BUS/COCK TAPE		INTERNAL/EXTERNAL/INTERNAL TRIPS		INTERNAL/EXTERNAL/INTERNAL TRIPS	
INBOUND	3,160	ASSIGNED TO IIR IN INFRANCE		INTERNAL/EXTERNAL/INTERNAL TRIPS	
OUTBOUND	2,534		3,256	INTERNAL/EXTERNAL/INTERNAL TRIPS	4,334
TOTAL	5,694				

- dpo

EXHIBIT J

CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT

DIRECTIONAL PEAK HOUR, PEAK SEASON

EXHIBIT J
(Page 2 of 3)

EXHIBIT 21-F-3b

BABCOCK RANCH COMMUNITY
INCREMENTAL DRI AMENDMENTS (2024)
FUTURE 2040 TRAFFIC CONDITIONS WITH BRC DRI - ROADWAY SEGMENT ANALYSIS
LEE COUNTY

		EXISTING CONDITIONS										PROPOSED CONDITIONS										TOTAL										TOTAL									
		Segment		Direction		Volume		Speed		Delay		Volume		Speed		Delay		Volume		Speed		Delay		Volume		Speed		Delay		Volume		Speed		Delay		Volume		Speed		Delay	
		Segment	Direction	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay	Volume	Speed	Delay		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40		
41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80		
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120		
121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160		
161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200		
201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240		
241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280		
281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320		
321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360		
361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400		
401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428														

EXHIBIT J
(Page 3 of 3)

BABCOCK RANCH COMMUNITY
INCREMENTAL DRI AMENDMENTS (2024)
FUTURE 2040 TRAFFIC CONDITIONS WITH BRC DRI - ROADWAY SEGMENT ANALYSIS
LEE COUNTY

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EXHIBIT K **CUMULATIVE FUTURE (2040) 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 (\$) ⁽¹⁾	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	\$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	\$17,088,000
							Subtotal	\$30,973,000	\$30,973,000
Segment	Improvement	Length (miles)	Project Traffic	Capacity without Improvement	Capacity with Improvement	Capacity Added	Proportionate Share (%) ⁽⁴⁾	Total Cost (\$) ⁽¹⁾	Proportionate Share (\$) ⁽⁵⁾
SR 31 NB Auxiliary Thru Lane									
SR 31 (NB) from 800' south of North River Road to 800' north of Shirley Lane	Add 1 NB auxiliary thru lane	0.52		100% prop share assumed			100%	\$2,860,000	\$2,860,000
Segment	Improvement	Length (miles)	Project Traffic	Capacity without Improvement	Capacity with Improvement	Capacity Added	Proportionate Share (%) ⁽⁴⁾	Total Cost (\$) ⁽¹⁾	Proportionate Share (\$) ⁽⁵⁾
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 all project-related 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 K

CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT

DIRECTIONAL PEAK HOUR, PEAK SEASON

EXHIBIT K
(Page 2 of 2)

BABCOCK RANCH COMMUNITY DRI

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

Intersection		Improvement	Proportionate Share Calculation												
			Construction Cost	Contingency (25%)	Total Construction Cost ⁽¹⁾	Engineering (15%)	CEI (15%)	Total Project Cost ⁽²⁾	Project Traffic	Total Traffic	Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) ⁽³⁾	Proportionate Share Cost ⁽⁴⁾
4) SR 78 at I-75 (West Ramp)	NB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
	WB	LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	118	482	308	371	63	100%	\$119,793
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
	EB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
	WB	LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	137	604	371	605	234	100%	\$119,793
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
Traffic Control		No Project related improvement	\$0	\$0	\$0	\$0	\$0	705	1,086	N/A	N/A	N/A	0%	\$0	
Subtotal			\$166,668	\$41,667	\$208,335	\$31,250	\$31,250	\$270,435						\$270,435	

Intersection		Improvement	Construction Cost	Contingency (25%)	Total Construction Cost ⁽¹⁾	Engineering (15%)	CEI (15%)	Total Project Cost ⁽²⁾	Proportionate Share Calculation							
									Project Traffic	Total Traffic	Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) ⁽³⁾	Proportionate Share Cost ⁽⁴⁾	
12) SR 80 at Orange River Blvd.		LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	0	634	354	375	291	0%	\$0	
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
		RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
Traffic Control		No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0	0	634	N/A	N/A	N/A	0%	\$0	
Subtotal			\$83,334	\$20,834	\$104,168	\$15,625	\$15,625	\$119,793							\$0	

Intersection		Improvement	Proportionate Share Calculation											
			Construction Cost	Contingency (25%)	Total Cost ⁽¹⁾	Engineering (15%)	CEI (15%)	Total Project Cost ⁽²⁾	Project Traffic	Total Traffic	Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) ⁽³⁾
13) SR 80 at SR 34	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	LT	Add 2 Left Turn Lanes (1 Total)	\$106,668	\$41,667	\$148,335	\$15,250	\$163,585	244	497	421	612	191	100%	\$163,585
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	RT	Add Right Turn Lane	\$116,767	\$43,692	\$160,459	\$15,250	\$175,709	567	837	830	1,306	466	100%	\$175,709
LR	LT	Add 2 Left Turn Lanes + Reversing Lane ⁽⁵⁾	\$898,994	\$224,749	\$1,123,743	\$168,561	\$1,292,304	1062	1249	744	2052	1308	81%	\$1,123,743
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	0	174	266	333	269	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
WB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	0	0	0	0	0	0%	\$0
Traffic Control			No Project related improvement	\$0	\$0	\$0	\$0	1,871	2,517	N/A	N/A	N/A	0%	\$0
Subtotal			\$1,212,763	\$308,947	\$1,521,710	\$240,206	\$240,206	\$1,761,916						\$1,761,916

Intersection											Proportionate Share Calculation					
	Improvement	Construction Cost	Contingency (25%)	Total Construction Cost ⁽¹⁾	Engineering (15%)	CEI (15%)	Total Project Cost ⁽²⁾	Project Traffic	Total Traffic	Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) ⁽³⁾	Proportionate Share Cost ⁽⁴⁾		
City SR 31 at North River Rd.	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
NB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
EB	LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	132	604	352	361	109	100%	\$119,793		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	LT	Add Left Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$119,793	0	566	277	283	0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
WB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0					0	0%	\$0		
Traffic Control		No Project related improvement	\$0	\$0	\$0	\$0	\$0	132	730	N/A	N/A	N/A	0%	\$0		
Subtotal		\$166,668	\$41,667	\$208,335	\$31,250	\$31,250	\$270,435							\$119,793		

Grand Total \$1,748,433 \$435,108 \$2,183,542 \$326,331 \$326,331 \$2,828,204

\$2,877,402

1. Total Construction Cost includes addition of 25% for Scope Contingency to the Construction Cost.
2. Total Project Cost includes addition of 15% for Preliminary Engineering and 15% for CEI to the Total Construction Cost. This does not include Right-of-Way Cost.
3. For geometric improvements: Proportionate Share % = (Project Total) / (Lane Group Capacity before project improvements). For signalization: Proportionate Share % = (Project Traffic Entering Intersection) / (Total Traffic Entering Intersection).
4. Proportionate Share Cost = Proportionate Share % * Total Project Cost.
5. Reversing lane based on 1.8 mile length. Cost per mile: \$2,928,365.



EXHIBIT K

CUMULATIVE FUTURE (2040) 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 (\$) ⁽¹⁾	Proportionate Share (\$) ⁽⁵⁾
SR 31 Ultimate Improvements (Includes widening and intersections)									
SR 31 from SR 78 to Cypress Parkway	SR 31 Ultimate 1 (Expand to 6 lanes from SR 78 to Cypress Parkway) (Transportation Deficient - Widen from 4 to 6 lanes ⁽⁶⁾ from CR 74 to Shirley Lane)			100% prop share assumed			100%	\$13,885,000	\$13,885,000
SR 31 from Cypress Parkway to Horseshoe Road	SR 31 Ultimate 2 (Widen to 6 lanes from Cypress Parkway to Horseshoe Road)	0.75		100% prop share assumed			100%	\$14,902,300	\$14,902,300
SR 31 from Horseshoe Road to Cook Brown Road	SR 31 Ultimate 2 (Widen 0 lanes from Horseshoe Road to Cook Brown Road)	0.86		100% prop share assumed			0%	\$0	\$0
							Subtotal	\$28,787,300	\$28,787,300
Segment	Improvement	Length (miles)	Project Traffic	Capacity without Improvement	Capacity with Improvement	Capacity Added	Proportionate Share (%) ⁽⁴⁾	Total Cost (\$) ⁽¹⁾	Proportionate Share (\$) ⁽⁵⁾
SR 31 2045 MPO Needs Improvements									
SR 78 from W. of Pritchett Parkway to Pritchett Parkway	Intersection improvements ⁽⁶⁾ in lieu of Widening from 4 to 6 lanes	0.225	540	1943	2814	871	0%	\$0	\$0
SR 78 from Pritchett Parkway to Old Bayshore Road	Widen from 2 to 4 lanes (from I-75 to SR 31)	2.33	640	1166	2723	1557	41%	\$19,106,000	\$7,853,500
SR 78 from Old Bayshore Road to SR 31	Widen from 2 to 4 lanes (from I-75 to SR 31)	0.67	664	1166	2723	1557	43%	\$5,494,000	\$2,343,000
							Subtotal	\$24,600,000	\$10,196,500
							Subtotal	\$53,387,300	\$38,983,800

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.
6. Transportation Deficient per Chapter 163.3180, F.S.

EXHIBIT K

CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT

DIRECTIONAL PEAK HOUR, PEAK SEASON

EXHIBIT K
(Page 2 of 2)

BABCOCK RANCH COMMUNITY DRI

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

Intersection		Improvement	Construction Cost	Contingency (25%)	Total Construction Cost ⁽¹⁾	Engineering (15%)	CEI (15%)	Total Project Cost ⁽²⁾	Project Traffic	Total Traffic	Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) ⁽³⁾	Proportionate Share Cost ⁽⁴⁾
13) SR 80 at SR 31															
NB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
SB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	Add Right-Turn Lane	\$174,767	\$43,692	\$218,459	\$32,769	\$32,769	\$283,996	654	1117	830	984	154	100%	\$283,996
EB	LT	Add Left-Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$15,625	\$135,418	874	1180	744	1346	602	100%	\$135,418
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
WB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	Add Right-Turn Lane	\$174,767	\$43,692	\$218,459	\$32,769	\$32,769	\$283,996	548	932	830	984	154	100%	\$283,996
Traffic Control		No Project related improvement						\$0	2,076	3,729	N/A	N/A	N/A	0%	\$0
Subtotal			\$432,868	\$108,217	\$541,085	\$81,163	\$81,163	\$703,411							\$703,411
18) SR 31 at SR 78															
NB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	Add Thru Lane + Receiving Lane ⁽⁵⁾	\$449,497	\$112,374	\$561,871	\$84,281	\$84,281	\$730,433	1458	2244	744	1346	602	100%	\$730,433
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
SB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	Add Thru Lane + Receiving Lane ⁽⁵⁾	\$449,497	\$112,374	\$561,871	\$84,281	\$84,281	\$730,433	1092	1786	744	1346	602	100%	\$730,433
	RT	Add Right-Turn Lane	\$174,767	\$43,692	\$218,459	\$32,769	\$32,769	\$283,996	509	865	830	984	154	100%	\$283,996
EB	LT	Add Left-Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$15,625	\$135,418	665	1103	744	1346	602	100%	\$135,418
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
WB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
Traffic Control		No Project related improvement						\$0	3,724	5,998	N/A	N/A	N/A	0%	\$0
Subtotal			\$1,157,095	\$289,274	\$1,446,369	\$216,955	\$216,955	\$1,889,289							\$1,889,289
19) SR 31 at North River Rd.															
NB	LT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	Thru	Add Thru Lane + Receiving Lane ⁽⁵⁾	\$449,497	\$112,374	\$561,871	\$84,281	\$84,281	\$730,433	2527	3633	744	1346	602	100%	\$730,433
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
SB	LT	Add Left-Turn Lane	\$83,334	\$20,834	\$104,168	\$15,625	\$15,625	\$135,418	309	520	508	571	63	100%	\$135,418
	Thru	Add Thru Lane + Receiving Lane ⁽⁵⁾	\$449,497	\$112,374	\$561,871	\$84,281	\$84,281	\$730,433	1949	2933	744	1346	602	100%	\$730,433
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
EB	LT	Add 2 Left-Turn Lane	\$166,668	\$41,667	\$208,335	\$31,250	\$31,250	\$270,836	104	142	421	587	166	63%	\$169,680
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	Reconfigure to Shared Thru/Right-Turn Lane ⁽⁶⁾	\$41,667	\$10,417	\$52,084	\$7,813	\$7,813	\$67,709	0	18	421	587	166	0%	\$0
WB	LT	Add 2 Left-Turn Lane	\$166,668	\$41,667	\$208,335	\$31,250	\$31,250	\$270,836	0	131	421	587	166	0%	\$0
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0					0	0%	\$0
	RT	Reconfigure to Shared Thru/Right-Turn Lane ⁽⁶⁾	\$41,667	\$10,417	\$52,084	\$7,813	\$7,813	\$67,709	457	740	421	587	166	100%	\$67,709
Traffic Control		No Project related improvement						\$0	5,346	8,117	N/A	N/A	N/A	0%	\$0
Subtotal			\$1,398,998	\$349,750	\$1,748,748	\$262,312	\$262,312	\$2,273,372							\$1,833,672
Grand Total			\$2,988,962	\$747,240	\$3,736,202	\$560,430	\$560,430	\$4,857,062							\$4,417,363

1. Total Construction Cost includes addition of 25% for Scope Contingency to the Construction Cost

2. Total Project Cost includes addition of 15% for Preliminary Engineering and 15% for CEI to the Total Construction Cost. This does not include Right-Of-Way Cost

3. For geometric improvements: Proportionate Share % = (Project Traffic) / [(Lane Group Capacities before project improvements) - (Lane Group Capacities before project improvements)]. For signalization: Proportionate Share % = (Project Traffic Entering Intersection) / (Total Traffic Entering Intersection)

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

5. Receiving lane based on 1/8 mile length. Cost per mile: \$2,929,305

6. Reconfigure/Restripe Turn-Lane: 50% of new Left-Turn Lane cost: \$83,334*0.50 = \$41,667