

CHG  
BCC

**BABCOCK RANCH COMMUNITY**

**MASTER DEVELOPMENT  
OF  
REGIONAL IMPACT**

**MASTER DRI DEVELOPMENT ORDER**

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

**AMENDED NOVEMBER 25, 2025**

MAN

1	<b><u>RECITALS.....</u></b>	<b><u>3</u></b>
2	<b><u>FINDINGS OF FACT AND CONCLUSIONS OF LAW.....</u></b>	<b><u>3</u></b>
3	<b><u>CONDITIONS</u></b>	
4	<b><u>1. APPLICATIONS FOR INCREMENTAL DEVELOPMENT APPROVAL.....</u></b>	<b><u>6</u></b>
5	<b><u>2. GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT</u></b>	
6	<b><u>PROGRAM.....</u></b>	<b><u>6</u></b>
7	<b><u>3. AFFORDABLE HOUSING.....</u></b>	<b><u>8</u></b>
8	<b><u>4. STORMWATER MANAGEMENT AND FLOOD PLAINS.....</u></b>	<b><u>13</u></b>
9	<b><u>5. TRANSPORTATION.....</u></b>	<b><u>24</u></b>
10	<b><u>6. VEGETATION, WILDLIFE, AND WETLANDS.....</u></b>	<b><u>48</u></b>
11	<b><u>7. WASTEWATER MANAGEMENT AND WATER SUPPLY.....</u></b>	<b><u>62</u></b>
12	<b><u>8. HISTORICAL AND ARCHEOLOGICAL SITES.....</u></b>	<b><u>68</u></b>
13	<b><u>9. EDUCATION.....</u></b>	<b><u>70</u></b>
14	<b><u>10. POLICE AND FIRE.....</u></b>	<b><u>71</u></b>
15	<b><u>11. SOLID/HAZARDOUS/MEDICAL WASTE.....</u></b>	<b><u>75</u></b>
16	<b><u>12. AIR.....</u></b>	<b><u>78</u></b>
17	<b><u>13. HURRICANE PREPAREDNESS.....</u></b>	<b><u>79</u></b>
18	<b><u>14. OPEN SPACE, PARKS, AND LIBRARY.....</u></b>	<b><u>80</u></b>
19	<b><u>15. HOSPITALS AND HEALTHCARE.....</u></b>	<b><u>85</u></b>
20	<b><u>16. ENERGY.....</u></b>	<b><u>86</u></b>
21	<b><u>17. MINING OPERATIONS.....</u></b>	<b><u>88</u></b>
22	<b><u>18. CONSISTENCY WITH THE LOCAL COMPREHENSIVE PLAN.....</u></b>	<b><u>89</u></b>
23	<b><u>19. BIENNIAL REPORTS.....</u></b>	<b><u>89</u></b>
24	<b><u>20. CHANGED CONDITIONS.....</u></b>	<b><u>89</u></b>
25	<b><u>21. COMPLIANCE MONITORING.....</u></b>	<b><u>89</u></b>
26	<b><u>22. EXEMPTION FROM DOWNZONING AND DENSITY/INTENSITY</u></b>	
27	<b><u>REDUCTION.....</u></b>	<b><u>89</u></b>
28	<b><u>23. COMMENCEMENT OF DEVELOPMENT.....</u></b>	<b><u>90</u></b>
29	<b><u>24. PROJECTED BUILDOUT.....</u></b>	<b><u>90</u></b>
30	<b><u>25. EXPIRATION DATE.....</u></b>	<b><u>90</u></b>
31	<b><u>26. DEVELOPMENT PERMITS.....</u></b>	<b><u>90</u></b>
32	<b><u>27. GENERAL PROVISIONS.....</u></b>	<b><u>91</u></b>
33	<b><u>EXHIBITS.....</u></b>	<b><u>94</u></b>

1 RESOLUTION NO. 2025-384

2 AN AMENDMENT AND RECODIFICATION OF THE MASTER DEVELOPMENT  
3 ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE  
4 COUNTY, FLORIDA FOR THE BABCOCK RANCH COMMUNITY (CHARLOTTE  
5 COUNTY), A MASTER DEVELOPMENT OF REGIONAL IMPACT.

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

13 WHEREAS, Developer, County, and the SWFRPC entered into a Master DRI  
14 Agreement on March 13, 2007 (fully executed March 16, 2007), as required by Section  
15 380.06(21)(b), F.S. ("AMDA Agreement"); and

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

19 WHEREAS, on December 13, 2007, the Board of County Commissioners of  
20 Charlotte County, Florida ("Board") approved and adopted the Babcock Ranch  
21 Community Master Development of Regional Impact Master DRI Development Order  
22 ("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

1 hereof. Map "H" will be further revised as part of each Incremental development order.

2 The development program authorized by this development order is as follows

3 ("Development Program" or "Project"), subject to utilizing the Land Use Equivalency  
4 Matrix):

5 (i) 17,870 residential dwelling units (recreational vehicle park uses shall count  
6 as dwelling units. i.e., each rental or owned vehicle equals one dwelling  
7 unit);

8 (ii) RV Parks, per the Land Use Equivalency Matrix;

9 (iii) ~~1,400,000~~ 4,900,000 square feet of commercial/retail/office (including  
10 medical);

11 (iv) ~~3,500,000~~ 150,000 square feet of ~~office (general office; medical office; and~~  
12 government/civic uses);

13 (v) 600 hotel rooms (~~assumes 360,000 square feet of building~~);

14 (vi) 650,000 square feet of industrial;

15 (vii) 177 hospital s beds;

16 (viii) ~~418 units of assisted living facilities~~ facility (ALF) beds;

17 (ix) 54 golf holes;

18 (x) Supporting community facilities such as the educational service center,  
19 schools, university facilities, libraries, places of worship, fire, EMS and  
20 Sheriff facilities, regional and community park facilities, clubhouses and  
21 similar neighborhood amenities, and the necessary utility infrastructure  
22 including, but not limited to, water, wastewater and reuse water systems,  
23 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..

1 8. The BRC development is consistent with the State Comprehensive Plan.

2 9. BRC is expected to be developed in increments pursuant to applications for  
3 incremental development approval ("AIDA's"). The DRI questions which must be  
4 addressed by those applications and the scopes of review of those applications are set  
5 forth in the pertinent provisions of this MDO and are repeated in Exhibit "C" attached  
6 hereto and made a part hereof.

7 **CONDITIONS**

8 1. **APPLICATIONS FOR INCREMENTAL DEVELOPMENT APPROVAL.**

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

12 2. **GROSS RESIDENTIAL DENSITY CONDITION AND DEVELOPMENT**  
13 **PROGRAM.**

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

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

22 B. **Other Conditions.**

23 The Development Program is approved and may be adjusted by Developer in  
24 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.

8           **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
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 affordable/workforce housing at a level  
6                             of ten percent (10%) of the total number of residential housing units  
7                             built within the BRC. Affordable housing is defined where monthly  
8                             rents or mortgage payments for housing, including taxes, insurance  
9                             and utilities do not exceed thirty (30%) percent of the gross annual  
10                            income of the development's very low, low, and moderate income  
11                            households as defined in Rule 73-C40.048(e), F.A.C. Workforce  
12                            housing is defined as housing affordable to natural persons or families  
13                            whose total annual household income does not exceed 140 percent of  
14                            the area median income, adjusted for household size.

15                    (2) The County recognizes that adequate housing should be provided only  
16                            when a demonstrated need for housing among various income groups  
17                            is clearly identified that can be directly attributed to the development  
18                            and buildout of the BRC.

19                    (3) A "Determination of Adequate Need" for housing in the BRC shall be  
20                            assessed through the completion of a reliable affordable housing  
21                            market analysis which evaluates the housing demand within the BRC  
22                            and researches the available adequate housing supply reasonably  
23                            accessible to the BRC, which is defined as a 10-mile radius or 20-

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

3 (4) The Developer commits to undertaking the "Determination of  
4 Adequate Housing Need" analysis to assess the demand, supply, and  
5 need for affordable rentals and homes based on a market housing  
6 analysis at a point in time when the BRC has reached a significant  
7 non-residential buildout stage. That threshold is defined as the time  
8 when building permits have been issued for the 1.5 millionth square  
9 foot of non-residential construction.

10 (5) The Developer would be required to initiate the first housing needs  
11 analysis within 6 months from the time that the analysis is triggered.

12 (6) The housing needs analysis would evaluate the housing demand of  
13 the BRC employee households at very low, low, and moderate  
14 household income levels, and at the option of the Developer, could  
15 evaluate the housing demand for workforce income levels, the  
16 available supply of housing that is reasonably accessible for the very  
17 low, low, and moderate household income levels and determine if  
18 there is a significant need for housing for these defined income levels.  
19 At the option of the Developer, the analysis could evaluate the  
20 available housing supply for workforce income levels that is  
21 reasonably accessible to the BRC.

22 (7) The Developer, SWFRPC, and the County must agree upon the  
23 methodology utilized to conduct the Determination of Adequate

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

(8) If the Determination of Adequate Housing Need analysis documents that there is a significant impact, defined as evidence that the BRC's cumulative adequate housing need for the very low, low, and moderate household income levels, at the time of the analysis, is projected to exceed five (5%) percent of the County's residential threshold calculation, or 50 units, whichever is larger, then the Developer shall be required to submit an amendment to the MDO to incorporate the findings of the analysis and the agreed upon mitigation.

(9) The Developer may choose to mitigate any significant impact identified by the analysis through a variety of options including, but not limited to: 1) incentivizing or building adequate housing onsite, or reasonably accessible to the site; 2) payment to an affordable housing trust fund

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

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

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

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

18 (13) The County commits that affordable housing units shall be eligible for  
19 whatever incentives and/or programs that it may establish after the  
20 actual date of offering of said unit to the public by the Developer. The  
21 County shall use its best efforts to continue to develop and maintain  
22 incentives and programs specifically targeted at affordable units within  
23 the BRC. In accordance with Section 125.01055, F.S., incentives from

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

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

9 B. Other Conditions. -- None.

10 C. Incremental Review. -- None.

11 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
12

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

2             B.     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 addresses~~addresses 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 C. 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)

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 D. 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~~2045. 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 20405~~0~~ 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~~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~~% 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 2020<sup>4</sup> 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

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

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

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

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

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

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

(4)

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

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

1 requirements as a mitigation of the development's impact  
2 upon the overall transportation system even if there remains  
3 a failure of concurrency on other impacted facilities.

- 4 (5) In addition to, or in the alternative to the pipelining described in  
5 provisions 5.C.(1)(d) and 5.C.(4)(a) above, the developer may also  
6 mitigate its traffic impacts pursuant to ~~73C-40.045, F.A.C.~~Exhibit G-  
7 1.

8 (6) Incremental Biennial Monitoring Controls.

- 9 (a) If the biennial traffic monitoring report for any two year period  
10 reveals that the Project's field measured external trips  
11 generated by occupied land uses is 80% or more of the  
12 maximum number of external PM peak hour trips for the  
13 completed Increment(s) and the approved, but uncompleted,  
14 Increments and the occupied land uses are less than 50% of  
15 the development program approved for approved, but  
16 uncompleted, Increment(s), the Developer shall, within 90  
17 days of the date of the biennial traffic monitoring report, meet  
18 with County Public Works to determine if the most recently  
19 approved Incremental traffic study must be updated. -If an  
20 updated traffic study is required, then an updated list of  
21 significantly and adversely impacted road segments and  
22 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



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

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

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

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

**REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**

1     **6.     VEGETATION, WILDLIFE, AND WETLANDS**

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

3                     (1)     The exotic pest plant impacted areas and native plant communities  
4                                 (approximately 5000 acres) will be managed and incorporated into  
5                                 the final preservation areas and consolidated north-south flow-ways  
6                                 and east-west greenways.

7                     (2)     The upland preserve/conservation areas and the wetland preserves  
8                                 will have management that optimizes the value and function of these  
9                                 areas of native habitat.

10                    (3)     There will be an average 100-foot setback from the State Preserve  
11                                 and an average 50-foot setback adjacent to wetlands.

12                    (4)     Internal roadways will be used to inter-connect separate  
13                                 development pods and will be constructed with wildlife crossings in  
14                                 areas where they cross wildlife corridors. The designs, sizes, and  
15                                 locations of these crossings will be coordinated with County and  
16                                 coordinated and approved by staff from the Florida Fish and Wildlife  
17                                 Conservation Commission (FWC) and the US Fish and Wildlife  
18                                 Service (USFWS). Internal roadways may be constructed across  
19                                 and through primary flow-ways, as long as the hydrological and  
20                                 wildlife corridor functions are maintained through the crossings. The  
21                                 number of such roadways, not including pedestrian boardwalks and  
22                                 bike, electronic cart, hiking, and equestrian trails (paved or

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

(5) Roadway layouts in the internal wildlife corridors will be designed to reduce traffic speeds and minimize the risk of vehicle/wildlife collisions. Traffic calming devices will be employed where ~~appropriate, but~~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



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

3 (2) All USFWS and FWC threatened and endangered species  
4 management plans ("T&E Plans") for the documented listed species  
5 including Florida panther (*Puma concolor coryi*) (E), Florida  
6 bonneted bat (*Eumops floridanus*) (E), wood stork (*Mycteria*  
7 *americana*) (T), beautiful pawpaw (*Deeringothamnus pulchellus*) (E),  
8 Florida sandhill crane (*Gruscanadenis pratensis*) (T), Eastern indigo  
9 snake (*Drymarchon corais couperi*) (T), little blue heron (*Egretta*  
10 *caerulea*) (T), tricolored heron (*Egretta tricolor*) (T), gopher tortoise  
11 (*Gopherus polyphemus*) (T), American alligator (*Aligator*  
12 *mississippiensis*) (T S/A), crested caracara (*Caracara cheriway*) (T),  
13 roseate spoonbill (*Platalea ajaja*) (T), and Florida burrowing owl  
14 (*Athene cunicularia floridana*) (T) approved at the time of issuance  
15 of this Development Order are incorporated by reference herein and  
16 made a part hereof. Any additional species which are listed after the  
17 issuance of this Development Order and which are documented in  
18 an AIDA shall have a T&E Plan developed and approved by USFWS  
19 and FWC and said plan shall be incorporated by reference as a  
20 condition of the particular incremental development order.

21 (3) The SFWMD issued Permit Number 08-00119-P on July 6, 2006, as  
22 supplemented by Permit No. 08-105624-P (Application No. 200526-  
23 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.

5                   **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
6

1     **7.     WASTEWATER MANAGEMENT AND WATER SUPPLY**

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

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

6                                     Toilets: 1.28 gallons per flush

7                                     Shower heads: 2.5 gallons per minute

8                                     Faucets: 2.0 gallons per minute

9                     (2)     Customer billing by Town and Country Utilities Company will be  
10                                     based on the use of water conservation-based rate structures.

11                     (3)     Town and Country Utilities Company will distribute literature to  
12                                     households describing water conservation practices.

13                     (4)     **Drought-Tolerant Landscaping:** The use of native landscaping and  
14                                     the Florida Yards and Neighborhoods Program principles will be  
15                                     incorporated throughout the project site.

16                     (5)     **Reuse Water:** Irrigation water will utilize reclaimed water produced  
17                                     by the water reclamation facility. During times when irrigation  
18                                     demand exceeds reclaimed water supply, irrigation water will be  
19                                     derived from the on-site lake system. The lake system will be  
20                                     replenished with ground water.

21                     (6)     **Leak Detection Program:** Reports of water leaks will be directed to  
22                                     personnel during business hours. Site tours and routine  
23                                     maintenance personnel trips along water supply and distribution



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

(7) Irrigation System Design: Rain sensors and/or soil moisture sensors are required for irrigation systems within the project site in order to preclude irrigation during rainfall events. The project will install low flow irrigation systems for common areas where reasonably practicable.

(8) Fertilization Program: Written fertilization guidelines will be developed that establish standards for all common area fertilization and guidelines for individual property owners. The guidelines will comply with SWFRPC Resolution 2007-1 to the extent adopted by County and as it may be modified by County from time to time, except that reuse irrigation water may be applied within 25 feet of a wetland or water body. The program will be based on the results of soil samples, water sources, drainage patterns, and the landscape planned. This program will be designed to provide sufficient nutrition to sustain density and vigor for the landscape plantings intended for the Community that will enhance their resistance to disease, weeds, and insects. Education of residents and landscape maintenance contractors will be included in the program.

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

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.

17 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
18

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.

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

3

4

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.

20           **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
21



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.

7           **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
8

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

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

3 B. Other Conditions.

4 (1) The project shall be bound by all applicable recycling requirements  
5 in effect in the County at the time of the development, and all solid  
6 waste shall be disposed of by a waste hauler licensed by the State  
7 of Florida.

8 (2) Any buildings where hazardous materials, or waste, is to be used,  
9 displayed, handled, generated or stored shall be constructed with  
10 impervious floors with adequate floor drains leading to separate  
11 impervious holding facilities that are adequate to contain and safely  
12 facilitate cleanups of any spill, leakage, or contaminated water.

13 (3) Discharge of hazardous waste effluent into the sewage system shall  
14 be prohibited unless approved by a permit issued by FDEP. There  
15 shall be no discharge of hazardous waste or of medical wastes from  
16 medical facilities into septic tanks.

17 (4) Any business within the BRC that generates hazardous waste will be  
18 responsible for the temporary storage, siting and proper disposal of  
19 the hazardous waste generated by such business. However, there  
20 will be no siting of hazardous waste storage facilities contrary to the  
21 County zoning regulations. There shall be no disposal of hazardous  
22 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.

7 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
8

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.

**REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**



1 13. **HURRICANE PREPAREDNESS**

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

3 The Developer or District will build the shells of community center civic  
4 buildings and certain portions of public school buildings on the Property that  
5 will be used as shelters to hurricane building standards per local, state,  
6 and/or federal standards, as applicable, and said buildings will be equipped  
7 with emergency generators.

8 B. **Other Conditions.**

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

16 **Incremental Review.** – None.

17 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
18

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.

16 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
17

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11

None.

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

None.

85

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.



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

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

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

**B. Other Conditions.**

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

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

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

**C. Incremental Review. – None.**

**REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**

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.

7 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
8

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

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

4 19. **BIENNIAL REPORTS**

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

9 20. **CHANGED CONDITIONS**

10 If County, during the course of monitoring the development, can demonstrate that  
11 substantial changes in the conditions underlying the approval of the development  
12 order has occurred or that the development order was based on substantially  
13 inaccurate information provided by the Developer, resulting in additional  
14 substantial regional impacts, then a substantial deviation an amendment consistent  
15 with County Code may be required. ~~shall be deemed to have occurred.~~

16 21. **COMPLIANCE MONITORING**

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

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

22 Pursuant to Subsection 380.06(15)(c)3, F.S., this project is exempt from  
23 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

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

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

27. **GENERAL PROVISIONS**

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

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

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

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

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.

14 **REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY**  
15

PASSED AND DULY ADOPTED this 25<sup>th</sup> day of November 2025

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: JOSEPH M. TISEO Chairman

ATTEST:

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

By: Kimberly Walsh  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton County Attorney

LR#2025-0802

Kmw

## 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 <del>2040</del> <u>2045</u> ) Roadway Network with Initial Internal Capture Rate – 22% and with Developer's Estimated Community Capture Rate – <del>74</del> <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 ( <del>2038</del> <u>40</u> ) Traffic Conditions with Project Directional Peak Hour Peak Season
Exhibit K	Cumulative Future ( <del>2038</del> <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 16 through 17 and Sections 19 through 35, 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 5,308.08 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 35, Township 42 South, Range 26 East; Thence S89°35'44"E along the South line of Section 35, Township 42 South, Range 26 East, a distance of 3,430.88 feet; Thence N00°00'40"W a distance of 10,185.53 feet; Thence N05°48'23"E a distance of 1,058.58 feet; Thence N69°40'38"W a distance of 200.62 feet; Thence S63°12'47"W a distance of 1,373.33 feet; Thence N30°17'33"W a distance of 1,888.03 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 N48°18'31"W a distance of 2,352.25 feet; Thence S69°00'57"W a distance of 1,518.19 feet; Thence S21°08'17"W a distance of 855.44 feet; Thence S20°29'11"E a distance of 1,378.81 feet; Thence N74°35'25"E a distance of 1,639.69 feet; Thence S00°16'50"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 1,329.69 feet; Thence N39°20'59"W a distance of 1,779.18 feet; Thence N42°01'35"W a distance of 1,162.94 feet; Thence S52°01'16"W a distance of 818.34 feet; Thence S62°58'48"W a distance of 516.42 feet; Thence S89°59'33"W a distance of 307.20 feet; Thence N58°08'18"W a distance of 334.84 feet; Thence N20°54'51"W a distance of 1,336.88 feet; Thence N05°03'05"E a distance of 533.35 feet; Thence N22°47'49"E a distance of 3,490.82 feet; Thence N55°42'26"E a distance of 185.73 feet; Thence N21°59'06"W a distance of 1,739.17 feet; Thence N52°37'55"E a distance of 1,687.75 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 281.13 feet; Thence N42°54'55"W a distance of 543.19 feet; Thence N07°19'37"W a distance of 171.40 feet; Thence N13°05'30"E a distance of 201.98 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°26'08"W a distance of 897.42 feet; Thence N89°51'42"W a distance of 87.81 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 324.82 feet; Thence N89°59'52"W a distance of 588.20 feet; Thence N00°00'00"E a distance of 1,957.22 feet; Thence N41°13'25"W a distance of 2,825.17 feet; Thence S89°59'57"W a distance of 3,568.80 feet; Thence S00°00'03"E a distance of 2,789.34 feet; Thence S89°11'17"W a distance of 5,960.98 feet to a point on the East right-of-way line for State Road No. 31; Thence along the East right-of-way line for State Road No. 31, the following courses and distances: S00°48'43"E a distance of 2,878.13 feet and S00°34'01"W a distance of 788.25 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°48'15"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 581.15 feet; Thence N58°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°56'05"W a distance of 1,953.90 feet; Thence S12°51'59"E a distance of 1,882.33 feet; Thence S71°59'01"W a distance of 448.53 feet; Thence N45°00'57"W a distance of 266.80 feet; Thence S89°50'25"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 4,036.30 feet; Thence S62°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 N80°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°38'46"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:\0050901-01 Charlotte-Status and Description (11-17-07) (3) 10 Oct 21, 2007 - 7:58am

**JOHNSON**  
**ENGINEERING**

231 WEST HICKPOCKEE AVENUE  
LABELLE, FLORIDA 33533  
PHONE (803) 612-0594  
FAX (803) 612-0341  
E.B. #842 & L.B. #842

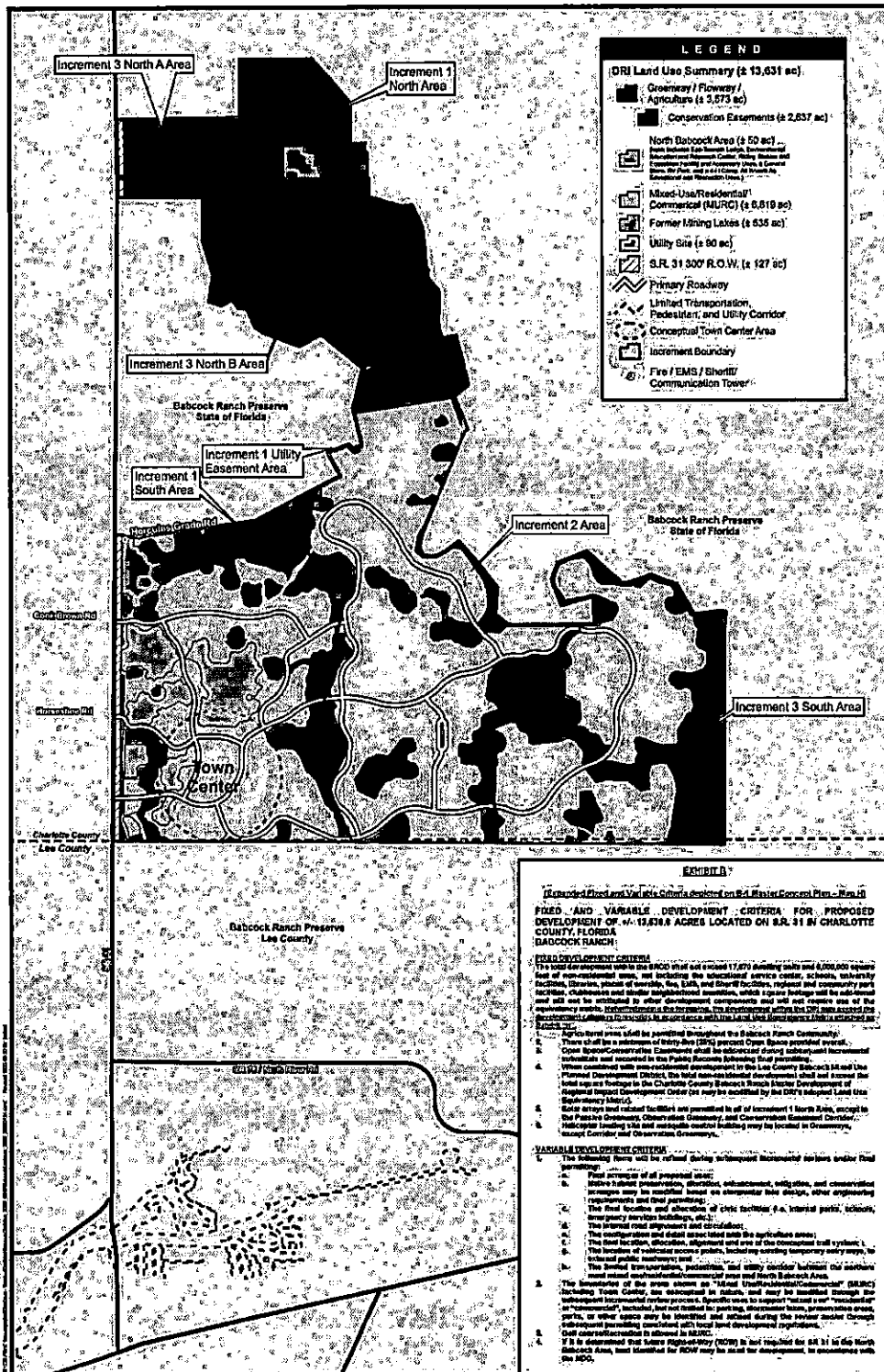
Babcock Ranch Community  
Sketch Of Description

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
January, 2007	00050903-602	31-42-26	As Shown	3

**EXHIBIT B**

**(Master Concept Plan – Map H)**





**EXHIBIT B**

**Proposed Fixed and Variable Criteria for Proposed Development of 13,631 Acres Located on S.R. 31 in Charlotte County, Florida: Babcock Ranch**

**FIXED AND VARIABLE DEVELOPMENT CRITERIA FOR PROPOSED DEVELOPMENT OF 13,631 ACRES LOCATED ON S.R. 31 IN CHARLOTTE COUNTY, FLORIDA: BABCOCK RANCH**

**FIXED DEVELOPMENT CRITERIA**

The total development site is the BACO that will contain 17,470 dwelling units and 4,000,000 square feet of commercial space, including the educational service center, schools, university facilities, libraries, places of worship, day care, and other facilities, retail and community park facilities, churches and other neighborhood facilities, which square footage will be subdivided and will not be subdivided by other development components and will not exceed one of the regulatory limits. The development will be in accordance with the following criteria:

1. The development will be in accordance with the following criteria:
2. The development will be in accordance with the following criteria:
3. The development will be in accordance with the following criteria:
4. The development will be in accordance with the following criteria:
5. The development will be in accordance with the following criteria:
6. The development will be in accordance with the following criteria:
7. The development will be in accordance with the following criteria:
8. The development will be in accordance with the following criteria:
9. The development will be in accordance with the following criteria:
10. The development will be in accordance with the following criteria:

**VARIABLE DEVELOPMENT CRITERIA**

The following items will be refined during subsequent development phases under final permitting:

- a. Final program of all proposed uses;
- b. Final lot layout, subdivision, site plan, and other engineering information;
- c. Final location and allocation of civic facilities (e.g., internal park, school, emergency service buildings, etc.);
- d. The internal road network and circulation;
- e. The configuration and detail associated with the agriculture areas;
- f. The final location, allocation, and use of the commercial and public;
- g. The location of vehicular access points, including existing temporary access ways, to the final public roadway;
- h. The final transportation, pedestrian, and utility corridor; and the internal road network.

The development of the area shown as "Mixed-Use/Residential/Commercial" (MURC) including Town Center, are incorporated in nature, and may be modified through the subsequent development process. Specific uses to support "mixed-use" residential or commercial, including but not limited to parking, commercial, business, professional, or other uses may be identified and added during the master plan development process, subsequent permitting consistent with local land development regulations.

Use of the area shown as "Mixed-Use/Residential/Commercial" (MURC) is not limited to the area shown as "Mixed-Use/Residential/Commercial" (MURC).

If it is determined that some regulatory (ROR) is not required for S.R. 31 in the North Babcock Area, then identified for ROR may be used for development, in accordance with the ROR.

## **EXHIBIT B**

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

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

5  
6 **FIXED DEVELOPMENT CRITERIA**

7 The total development within the BROD shall not exceed 17,870 dwelling units and 6,000,000 square  
8 feet of non-residential uses, not including the educational service center, schools, university  
9 facilities, libraries, places of worship, fire, EMS, and Sheriff facilities, regional and community park  
10 facilities, clubhouses and similar neighborhood amenities, which square footage will be additional  
11 and will not be attributed to other development components and will not require use of the  
12 equivalency matrix. Notwithstanding the foregoing, the development within the DRI may exceed the  
13 development category thresholds in accordance with the Land Use Equivalency Matrix attached as  
14 Exhibit "H".

- 15 1. Agricultural uses shall be permitted throughout the Babcock Ranch Community.
- 16 2. There shall be a minimum of thirty-five (35%) percent Open Space provided overall.
- 17 3. Open Space/Conservation Easements shall be addressed during subsequent incremental  
18 submittals and recorded in the Public Records following final permitting.
- 19 4. When combined with non-residential development in the Lee County Babcock Mixed Use  
20 Planned Development District, the total non-residential development shall not exceed the  
21 total square footage in the Charlotte County Babcock Ranch Master Development of  
22 Regional Impact Development Order (as may be modified by the DRI's adopted Land Use  
23 Equivalency Matrix).
- 24 5. Solar arrays and related facilities are permitted in all of Increment 1 North Area, except in  
25 the Passive Greenway, Observation Greenway, and Conservation Easement Corridor.
- 26 6. Helicopter landing site and mosquito control building may be located in Greenways,  
27 except Corridor and Observation Greenways.

28 **VARIABLE DEVELOPMENT CRITERIA**

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

## **EXHIBIT C**

**(Questions to be addressed in AIDAs)**



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)

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

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

**EXHIBIT D**

**(Updated Summary of Land Dedications and Facilities Construction)**

Exhibit D

SUMMARY OF LAND DEDICATION & FACILITIES CONSTRUCTION					SITE & BUILDING DEDICATION/CONSTRUCTION TIME LINE	
Public Facilities Required	Aggregate Site Dedication (acre)	Number of Sites (#)	Shell Building Required (s.f.)	Commencement of Operations	The criteria for determining public facility shell completion and/or land dedication shall be by population or residential certificate of occupancy ("C/O") referenced below.	
Community Services						
Parks	200 acres containing total park points of 715	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	

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")
<b>Schools</b>	<b>*9</b>				

#### 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~~ 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 Estimated Community Capture Rate –  
67%**

# EXHIBIT F

## Master (Buildout 2045) Roadway Network with Developer's Estimated Community Capture Rate – 67%

(Page 1 of 1)

(1)			(2)		(3)		(3)	
SIGNIFICANTLY IMPACTED ROADWAYS			ADVERSE IMPACTS	TRANSPORTATION DEFICIENCY	E+C	RECOMMENDED IMPROVEMENTS	PROJECT-RELATED IMPROVEMENTS	
Roadway	From	To			# OF LANES	# OF LANES	# 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	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	Y (2L-4L)	2	Widen From 2L to 4L	None (2)	
Buckingham Rd.	Cemetery Rd.	Orange River Blvd.	Y	Y (2L-4L)	2	Widen From 2L to 4L	None (2)	
	Orange River Blvd.	SR 80	Y	Y (2L-4L)	2	Widen From 2L to 4L	None (2)	
Gunnery Rd.	Lee Blvd.	Buckingham Rd.	Y	Y	2	Widen From 2L to 4L (7)	None (7)	
Joel Blvd.	18th St.	SR 80	Y	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	Y (4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	Broadway St.	Joel Blvd.	Y	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	Y (4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	New Post Rd./Hart Rd.	Coon Rd./Slater Rd.	Y	Y (4L-6L)	4	Widen From 4L to 6L (2)	None (2)	
	W. of Pritchett Parkway	Pritchett Pkwy.	Y	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	Y (2L-4L)	2	Widen From 2L to 6L (2,5)	None (2,5)	
	SR 78	Old Rodeo Dr.	Y	--	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)	
	Old Rodeo Dr.	CR 78/N. River Rd.	Y	--	4			
	CR 78/N. River Rd.	Shirley Ln.	Y	Y (4L-6L)	4			
	Shirley Ln.	Fox Hill Rd.	Y	--	4			
	Fox Hill Rd.	Busbee Ln.	Y	--	4			
	Busbee 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 163.3180, F.S.
- (3) Recommended and Project-Related Improvements are presented for information purpose only. Transportation mitigation assessment is not applicable at the Master DRI level. All transportation mitigation are assessed at the Incremental DRI level.
- (4) 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 Redesign.

**EXHIBIT G**  
**BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION**  
**CONDITIONS**



1 A. Representations and Commitments as Conditions.

2 (1) Increments 1,2, and 3

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

7 a. Developer shall be fully responsible for the required site-related roadway  
8 and intersection improvements associated with Increments 1, 2, and 3  
9 as set forth herein. Site-related improvements include, but are not limited  
10 to, the following: site driveways and roads; median cuts made necessary  
11 by those driveways or roads; right-turn, left-turn, and deceleration or  
12 acceleration lanes leading to or from those driveways or roads; traffic  
13 control measures for those driveways or roads; and roads or intersection  
14 improvements whose primary purpose at the time of construction is to  
15 provide access to the development. The specific site-related  
16 improvements shall be subject to review and approval under the Site  
17 Plan Review process as provided in Section 3-9-7 of the Code of Laws  
18 and Ordinances of Charlotte County, Florida ("Code"), and coordination  
19 with FDOT. The cumulative site-related improvements for Increments 1,  
20 2, and 3 are as follows:

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

- 22 • Signalization
- 23 • Widen SR 31 to 6\_Lanes

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

- 1 NB Left-Turn Lane
  - 1 NB Right-Turn Lane
  - 1 SB Left-Turn Lane
  - 1 EB Left/Thru/Right-Turn Lane
  - 3 WB Left-Turn Lanes
  - 1 WB Thru/Right-Turn Lane
- b. SR 31 / Horseshoe Road / Lake Babcock Drive (C-C)
- Multilane Roundabout
  - Widen SR 31 to 4 Lanes
  - 1 NB Left-Turn/Thru Lane
  - 1 NB Thru/Right-Turn Lane
  - 1 SB Left-Turn/Thru Lane
  - 1 SB Thru/Right-Turn Lane
  - 1 EB Left-Turn/Thru/Right-Turn Lane
  - 1 WB Left-Turn Lane
  - 1 WB Left-Turn/Thru/Right-Turn Lane
  - 4 WB Right-Turn Lane
- c. SR 31 / Cook Brown Road/Greenway Boulevard (B-B)
- Multilane Roundabout
  - Widen SR 31 to 4 Lanes
  - 1 NB Left-Turn/Thru Lane
  - 1 NB Thru/Right-Turn Lane

- 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  
203840, 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

- ~~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~~
  - Widen from 2 to 4 Lanes
- j. SR 78 from ~~Pritchett Parkway~~ to Old Bayshore Road to SR  
31

- 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 2 EB Left-Turn Lanes~~
- ~~Add 1 WB LeftRight-Turn Lane~~

d. SR 31 / SR 78

- Realign Intersection from Interim to Ultimate Alignment with:

a. Add 2 NB Left-TurnThru Lane

b. Add 2 NSB Thru Lanes

c. ~~2 SB Thru Lanes~~

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

2 ~~e.d.~~ Add 31 EB Left-Turn Lanes

3 ~~f.~~ 1 EB Right-Turn Lane

4 e. SR 31 / North River Road

- 5 • Convert interim roundabout to ultimate traffic signal  
6 consistent with the SR 31 PD&E Study:

7 a. Add 1 NB Left-Turn Thru Lane

8 b. Add 31 NSB Thru Left-Turn Lanes

9 c. Add 1 NSB Thru Right-Turn Lane

10 d. Add 2 SEB Left-Turn Lanes

11 e. Reconfigure 31 SEB Thru Right-Turn Lanes  
12 to Shared Thru/Right-Turn Lane

13 f. Add 42 SWB Right Left-Turn Lanes

14 g. Reconfigure 1 EWB Left Right-Turn Lane  
15 to Thru Lane

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

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

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

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

- 20 • Add NB Auxiliary Thru Lane

- 21 • Add EBL

- 22 • Add WBL

1 The Cumulative (with Increments 1, 2 and 3) proportionate share  
2 of the improvements, as shown on Exhibit K, has been calculated  
3 consistent with F.S. 163.3180. The proportionate share  
4 calculation was based on 5,899,924 pm peak hour two-way  
5 external trips and 5,8694 pm peak hour two-way net new trips  
6 assigned to the external road network established by the AIDA  
7 traffic analysis. The calculated cumulative proportionate share for  
8 Increments 1, 2, and 3 is \$50,937,22643,401,163 based upon the  
9 proportionate share percentages as calculated per lane mile for  
10 each improvement as shown on Exhibit K. The proportionate  
11 share percentages have been accepted by ~~Charlotte~~-County and  
12 FDOT for Increments 1, 2, and 3, recognizing that the actual costs  
13 may increase or decrease based upon the final actual costs of  
14 the agreed upon improvements.

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

Reference #	Item <sup>(1)</sup>	Mitigation Commitments <sup>(7)</sup>	Anticipated Start Date <sup>(2)</sup>
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 <sup>(6)</sup>
	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 <sup>(6)</sup>
	c. Cypress Parkway to Horseshoe Road -Widen from 2 to 4 lanes -Sidewalk one side	\$7,730,000	Ongoing <sup>(6)</sup>
	Subtotal	\$75,860,000	
	d. Prior Project Contributions		
	(1) SEIR/PD&E Contribution	\$1,350,000	Completed <sup>(3)</sup>
	(2) Previously completed and ongoing design, permitting, and survey associated with SR 31 widening	\$2,342,000	Completed <sup>(3)</sup>
	(3) Previously constructed chain of lakes	\$2,500,000	Completed <sup>(3)</sup>
	SR 31 Subtotal	\$82,052,000	
2	SR 31 Traffic Count Stations <sup>(4)</sup>	\$200,000	Installed at Cypress Parkway, Lake Babcock Drive, and Greenway Boulevard <sup>(4)</sup>
	Grand Total	\$82,252,000	
<b>Footnotes:</b> (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 20257. (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:



- 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 20257.

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.

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,

1 203840, or the buildout date of the most recently approved Increment. If  
2 the Developer proposes to extend the buildout date beyond the later of  
3 December 31, 203840, or the buildout date of the most recently  
4 approved Increment, the Developer and the County, during the  
5 development order amendment process pursuant to Section 380.06(7),  
6 Florida Statutes, shall re-evaluate the future traffic impact in a manner  
7 consistent with the MDO.

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

9 e. County has exercised its discretion to accept this mitigation for  
10 Increments 1, 2, and 3.

11 f. Improvements to the facilities outlined above shall be mitigated at the  
12 time that a road segment or intersection is expected to operate below  
13 the level of service standard adopted in County's Comprehensive Plan.  
14 If the road or the intersection operates below the adopted level of  
15 service, no building permits for residential and non-residential  
16 development shall be issued unless the improvements are: a) complete,  
17 b) under construction, c) the subject of a clearly identified, executed and  
18 recorded local government development agreement consistent with  
19 Sec. 163.3220 through 163.3423, F.S., ensuring completion concurrent  
20 with impacts; d) the subject of a binding commitment ensuring  
21 completion concurrent with impacts or e) the DRI's proportionate share  
22 mitigation may be pipelined into specific improvements as deemed

1                   necessary and mutually agreed upon between FDOT and the  
2                   dDeveloper.

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

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

**EXHIBIT G-1**  
**BABCOCK RANCH DRI CUMULATIVE INCREMENTAL TRANSPORTATION**  
**CONDITIONS**

1 **G1 – 73C-40.045 Transportation Uniform Standard Rule**

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

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

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

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

18 (2) Definitions. As used in this rule:

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

22 (b) "Applicable Regional Plan" means the Regional Planning Council's adopted  
23 Strategic Regional Policy Plan pursuant to section 186.508, F.S.

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

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

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

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

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

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



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.

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

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

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

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

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

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

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

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

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

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

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

10 (5) Determination of the Adopted Level of Service.

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

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

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

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

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

21 (7) Mitigation of Transportation Facility Impacts.

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

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

17 1. SCHEDULING OF FACILITY IMPROVEMENTS.

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

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

4 (I) A clearly identified, executed and recorded local government  
5 development agreement, consistent with sections 163.3220 through  
6 163.3243, F.S., that is attached as an exhibit to the development order, and  
7 which ensures, at a minimum, that all needed roadway improvements will  
8 be available concurrent with the impacts of development, consistent with  
9 section 163.3180(2), F.S.;

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

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

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



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-paragraphs 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

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

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

11 3. PROPORTIONATE SHARE PAYMENTS.

12 a. This option shall only be available to the extent that any affected extra-  
13 jurisdictional local government, or the Florida Department of Transportation for  
14 facilities on the State Highway System, agrees to accept proportionate share  
15 payments as adequately mitigating the extra-jurisdictional impacts of the  
16 development on the significantly impacted state and regional roadways within their  
17 jurisdiction. If an affected extra-jurisdictional roadway is under the maintenance  
18 authority of the Florida Department of Transportation, then agreement to accept  
19 proportionate share payments shall be obtained only from that agency for that  
20 roadway. Such an agreement shall be attached as an exhibit to the development  
21 order and shall be in the form of either a clearly identified, executed and recorded  
22 local government development agreement, consistent with sections 163.3220-  
23 .3243, F.S.; an interlocal agreement; a FDOT joint participation agreement; or a

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

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

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

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

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

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.

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

5   4. LEVEL OF SERVICE MONITORING.

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

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

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

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

18 (I) The development order already contains a binding commitment to  
19 provide the needed roadway improvement consistent with subparagraphs  
20 1., 2., or 3., above; or

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

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

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

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

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

10 Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (c)1, FS. Law Implemented 380.021,  
11 380.06, 380.061, 380.065, 380.07 FS. History—New 3-23-94, Amended 2-21-01, 6-1-03,  
12 Formerly 9J-2.045.

13

14

15



**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.)	Multi-Family (1 d.u.)	Age-Restricted Residential (1 d.u.)	Assisted Living Facility (1 bed)	Hotel / Motel (1,000 sq. ft.)	Office (1,000 sq. ft.)	Medical Office (1,000 sq. ft.)	Industrial - General Light (1,000 sq. ft.)	Industrial - Heavy (1,000 sq. ft.)	Hotel / Motel (1,000 sq. ft.)	RV Park (1 site)	Other / Unspecified (1,000 sq. ft.)
Single-Family	d.u.	NA	0.58	0.40	0.51	3.52	1.54	5.45	0.44	0.46	0.23	0.35	2.31
Multi-Family	d.u.	1.71	NA	0.90	0.55	6.21	2.65	9.35	0.75	0.78	1.39	0.62	3.96
Age-Restricted Residential <sup>1</sup>	d.u.	2.48	1.45	NA	0.80	8.50	3.83	13.52	1.10	1.13	2.31	0.90	5.72
Assisted Living Facility	bed	3.11	1.81	1.25	NA	11.27	4.85	16.56	1.58	1.62	2.90	1.13	7.17
Hotel	sq. ft.	260	950	110	00	NA	430	1,500	120	130	260	100	640
General Office	sq. ft.	650	980	260	110	2,350	NA	3,530	220	300	600	250	1,400
Medical Office	sq. ft.	380	110	70	60	660	230	NA	80	80	170	70	420
Industrial - General Light	sq. ft.	2,250	1,510	910	720	8,170	3,480	12,230	NA	1,080	2,100	820	5,200
Industrial <sup>2</sup>	sq. ft.	2,150	1,280	680	700	7,030	3,380	11,230	500	NA	2,040	710	5,060
Hotel / Motel	room	1.02	0.63	0.43	0.35	3.90	1.65	5.85	0.48	0.49	NA	0.35	2.48
RV Park <sup>3</sup>	site	2.76	1.61	1.11	0.80	9.98	4.35	15.02	1.22	1.26	2.57	NA	6.56
Other / Unspecified	sq. ft.	410	250	170	90	1,570	670	2,360	220	200	400	160	NA

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

Land Use	ITE Land Use Code	DRI Incremental DRI <sup>a</sup> (Cumulative DRI)		Incremental (Cumulative DRI) DRI Trip Generation Effective Trip Rate (Trips/Day, Two-Way)
		Trip Generation (Trips/Day, Two-Way)	Rate	
<b>Residential</b>				
Single-Family	210	9,252	11,435	0.74 trips/d.u.
Multi-Family	220	2,358	5,435	0.43 trips/d.u.
Age-Restricted Residential <sup>b</sup>	251	n/a	n/a	0.30 trips/d.u.
Assisted Living Facility	254	100	416	0.24 trips/bed
<b>Non-Residential</b>				
Hotel	820	3,771	1,400,000	2.70 trips/1,000sq. ft.
General Office	710	1,000	870,000	1.15 trips/1,000sq. ft.
Medical Office	720	233	230,000	4.06 trips/1,000sq. ft.
Industrial - General Light	110	66	200,000	0.33 trips/1,000sq. ft.
Industrial <sup>c</sup>	110	n/a	n/a	0.34 trips/1,000sq. ft.
Hotel / Motel	510	495	600	0.50 trips/room
RV Park <sup>d</sup>	495	n/a	n/a	0.27 site
Civic / Government	230	111	24,000	1.22 trips/1,000sq. ft.

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

**Notes:**

<sup>1</sup> Includes Senior Adult Housing, Active Adult Residential and Retirement Community - Shady DRI.

<sup>2</sup> Includes Industrial Park and Research & Development Park.

<sup>3</sup> Recreational Vehicle Park - MDO.

<sup>4</sup> Refer to Appendix 24-1 Page 149: Trip Generation - BRC DRI (Babcock Ranch Community DRI - Incremental 2022), November 2022.

<sup>5</sup> The effective trip rate based on the ITE trip generation equation (bed area), where applicable. Otherwise, standard ITE average rate assumed.



# EXHIBIT H

## MDO LAND USE EQUIVALENCY MATRIX (LUEM)

(Page 1 of 1)

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 <sup>2</sup> (1,000 sq. ft.)	Hotel/ Motel (1 room)	RV Park <sup>3</sup> (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 <sup>1</sup>	d.u.	2.48	1.45	NA	0.80	7.79	3.69	13.55	0.79	1.13	2.51	0.90	5.69
Assisted Living Facility	bed	3.11	1.81	1.25	NA	9.77	4.53	16.89	1.00	1.41	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 <sup>2</sup>	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	5.85	0.34	0.49	NA	0.39	2.45
RV Park <sup>3</sup>	site	2.76	1.61	1.11	0.89	8.66	4.10	15.05	0.88	1.25	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 <sup>4</sup> (Cumulative DRI)		Incremental (Cumulative DRI) Trip Generation Estimate <sup>5</sup> Effective Trip Rate (PM Peak Hour, Two-Way)
		Trip Generation (PM Peak, Two-way)	Size	
Residential				
Single-Family	210	9,252	12,435	0.74 trips/d.u.
Multifamily	220	2,358	5,435	0.43 trips/d.u.
Age-Restricted Residential <sup>1</sup>	251	n/a	n/a	0.30 trips/d.u.
Assisted Living Facility	254	100	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	4.08 trips/1,000 sq. ft.
Industrial - General Light	110	155	650,000	0.24 trips/1,000 sq. ft.
Industrial <sup>2</sup>	130	n/a	n/a	0.34 trips/1,000 sq. ft.
Hotel / Motel	310	416	600	0.69 trips/room
RV Park <sup>3</sup>	416	n/a	n/a	0.27 site
Civic / Government	730	147	86,160	1.71 trips/1,000 sq. ft.

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

Notes:

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

2 Includes Industrial Park and Research & Development Park.

3 Recreational Vehicle Park - MDO.

4 Refer to Appendix 214 (Page I-6), Trip Generation - With BRC DRI, Babcock Ranch Community DRI - Incremental DRI Amendments (2024), June 20, 2025.

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

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

**LANCROCK RANCH COUNTRY**

**HARLOTTE COUNTY,**

[illegible][illegible][illegible]

**BABCOCK RANCH COMMUNITY  
INCREMENT 3 (2022)  
FUTURE 2039 TRAFFIC CONDITIONS WITH BEC DEI- ROADWAY SEGMENT ANALYSIS**

[illegible]

**BARCOCK RANCH COMMUNITY  
INCREMENT 3 (2022)  
FUTURE 2038 TRAFFIC CONDITIONS WITH IBC DEJ- ROADWAY SEGMENT ANALYSIS**

[illegible]

- [illegible]

BABCOCK RANCH COMMUNITY  
INCREMENTAL DRAMATIC IMPROVEMENTS (2124)  
FUTURE 2144 TRAFFIC CONDITIONS WITH SRC DR1 - ROADWAY SEGMENT ANALYSIS  
CHARLOTTE COUNTY

[illegible][illegible]

- [illegible]



**SUBJECT** 31P-09  
SANDCREEK RANCH COMMUNITY  
SYNCHRONIZING OF SIGNALS AND SPEEDS (2019)  
FUTURE 264 TRAFFIC CONDITIONS WITH IRC DEJ - ROADWAY SEGMENT ANALYSIS  
  
LEE COUNTY

[illegible][illegible]

**EXHIBIT K**  
**CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT**  
**PROPORTIONATE SHARE CALCULATION**

EXHIBIT K  
(Page 1 of 3)

**BALCON RANCH COMMUNITY DRI**

Cumulative Improvements 1-31 Proportionate Share Cost Estimates for Significant and Adverse Sequences

Segment	Improvements	Length (miles)	Project Traffic	Capacity without improvement	Capacity with improvement	Capacity Added	Proportionate Share (%) <sup>1,2</sup>	Total Cost (\$) <sup>3</sup>	Proportionate Share (\$) <sup>4</sup>
SR 31 Ultimate Improvements (includes widening and intersections)									
SR 31 from SR 78 to Cypress Parkway	SR 31 Ultimate 1.6 miles from SR 78 to Cypress Parkway			100%	100%	0	100%	\$13,885,800	\$13,885,800
SR 31 from Hurricane Road to Cobb Brown Road	SR 31 Ultimate 2.14 miles from Hurricane Road to Cobb Brown Road			100%	100%	0	100%	\$17,248,070	\$17,248,070
							100%	\$31,133,870	\$31,133,870
SR 31 with Distributing Strip Lane									
SR 31 from 800' south of North River Road to 800' north of Shirley Lane	Add 1 NB auxiliary thru lane	0.63		100%	100%	0	100%	\$2,860,000	\$2,860,000
SR 78 widening									
SR 78 from Pittman Parkway to CHS Bayshore Road	Widened from 2 to 4 lanes	1.51	107PM	1700	2700	1000	57%	\$16,106,000	\$9,211,318
SR 78 from CHS Bayshore Road to SR 31	Widened from 2 to 4 lanes	0.57	1095A	870	2100	1230	93%	\$5,494,000	\$5,115,547
								<b>Subtotal</b>	<b>\$44,359,417</b>

1. List consists with estimated cost from SR 31 FCR B Study Preliminary Engineering Report. Includes cost of all project-related intersection improvements identified in the FCRB Study.

2. Assumed cost per lane per mile = \$3,300,000.

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

4. Proportionate Share % = (Project Traffic / Total Group Capacity after project improvements) \* (Lane Group Capacity before project improvements).

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



**RAIDOCK RANCH COMMUNITY DRIVE**

[illegible]

# **EXHIBIT K** **CUMULATIVE FUTURE (2040) TRAFFIC CONDITIONS WITH PROJECT** **PROPORTIONATE SHARE CALCULATION**

(Page 1 of 2)

*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 (%) <sup>(4)</sup>	Total Cost (\$) <sup>(1)</sup>	Proportionate Share (\$) <sup>(5)</sup>
<b>SR 31 Ultimate Improvements (Includes widening and intersections)</b>									
SR 31 Ultimate 1 (Expand to 6 lanes from SR 78 to Cypress Parkway)									
SR 31 from SR 78 to Cypress Parkway	(Transportation Deficient - Widen from 4 to 6 lanes <sup>(6)</sup> 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
<b>SR 31 2045 MPO Needs Improvements</b>									
SR 78 from W. of Pritchett Parkway to Pritchett Parkway	Intersection Improvements <sup>(6)</sup> 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%	\$19,306,000	\$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
								Subtotal	\$53,387,300
									\$58,983,000

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. Assume cost per lane per mile = \$1,500,000.

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** **PROPORTIONATE SHARE CALCULATION**

(Page 2 of 2)

Cumulative (Increment 1-31) Proportionate Share Cost Estimates for New and Adverse Intersections															
Intersection	Improvement	Construction Cost	Contingency (15%)	Total Construction Cost <sup>(1)</sup>	Engineering (15%)	CIB (15%)	Total Project Cost <sup>(1)</sup>	Project Traffic	Total Traffic	Proportionate Share Calculations					
										Capacity (with background improvements)	Capacity (with background and project improvements)	Capacity Added	Proportionate Share (%) <sup>(2)</sup>	Proportionate Share Cost	
17) SR 30 at SR 21															
NB	L/T	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		
SB	L/T	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	Add Right-Turn Lane	\$124,363	\$18,654	\$142,917	\$21,438	\$164,355	\$185,793	674	1,117	830	974	154	100%	\$124,363
EB	L/T	Add Left-Turn Lane	\$83,334	\$12,500	\$95,834	\$14,375	\$110,209	\$124,584	674	1,109	744	1,346	602	100%	\$103,618
	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	L/T	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	Add Right-Turn Lane	\$114,767	\$17,215	\$131,982	\$19,797	\$151,779	\$172,576	674	932	870	998	154	100%	\$131,982
Traffic Control		No Project related improvement									N/A	N/A	0%	\$0	
Subtotal		\$477,248	\$71,587	\$548,835	\$82,343	\$631,178	\$730,521	1,478	3,229	N/A	N/A	N/A	0%	\$0	
18) SR 31 at SR 78															
NB	L/T	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0		
	Thru	Add Left Lane + Sweeping Lane <sup>(3)</sup>	\$445,497	\$66,824	\$512,321	\$76,848	\$589,169	\$706,013	1,409	2,044	744	1,346	602	100%	\$706,013
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
SB	L/T	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0		
	Thru	Add Left Lane + Sweeping Lane <sup>(3)</sup>	\$445,497	\$66,824	\$512,321	\$76,848	\$589,169	\$706,013	1,003	1,786	744	1,346	602	100%	\$706,013
	RT	Add Right-Turn Lane	\$124,363	\$18,653	\$142,916	\$21,437	\$164,353	\$185,792	674	932	870	974	154	100%	\$131,981
EB	L/T	Add Left-Turn Lane	\$83,334	\$12,504	\$95,838	\$14,375	\$110,213	\$124,589	663	1,193	744	1,349	602	100%	\$103,618
	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	L/T	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%	\$0	
Traffic Control		No Project related improvement									N/A	N/A	0%	\$0	
Subtotal		\$1,137,691	\$170,717	\$1,308,408	\$196,613	\$1,505,021	\$1,701,634	3,724	5,869	N/A	N/A	N/A	0%	\$0	
19) SR 31 at North River Rd															
NB	L/T	No Project related improvement	\$0	\$0	\$0	\$0	\$0				0	0%	\$0		
	Thru	Add Left Lane + Sweeping Lane <sup>(3)</sup>	\$445,497	\$66,824	\$512,321	\$76,848	\$589,169	\$706,013	257	363	744	1,346	602	100%	\$706,013
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
SB	L/T	Add Left-Turn Lane	\$23,334	\$3,504	\$26,838	\$4,025	\$30,863	\$34,888	338	338	338	371	33	100%	\$11,618
	Thru	Add Left Lane + Sweeping Lane <sup>(3)</sup>	\$445,497	\$66,824	\$512,321	\$76,848	\$589,169	\$706,013	1,409	2,033	744	1,346	602	100%	\$706,013
	RT	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
EB	L/T	Add Left-Turn Lane	\$146,668	\$21,997	\$168,665	\$25,296	\$193,961	\$219,257	184	421	367	168	63%	\$146,668	
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
	RT	Reconfigure to Shared Two-Right-Turn Lane <sup>(4)</sup>	\$4,667	\$6,997	\$11,664	\$1,751	\$13,415	\$15,166	0	18	41	37	16%	\$11	
WB	L/T	Add Left-Turn Lane	\$165,668	\$24,857	\$190,525	\$28,579	\$219,104	\$247,683	0	121	421	367	16%	\$11	
	Thru	No Project related improvement	\$0	\$0	\$0	\$0	\$0	\$0				0	0%	\$0	
	RT	Reconfigure to Shared Two-Right-Turn Lane <sup>(4)</sup>	\$10,667	\$15,997	\$26,664	\$3,999	\$30,663	\$34,662	477	708	367	168	160%	\$47,668	
Traffic Control		No Project related improvement									N/A	N/A	0%	\$0	
Subtotal		\$1,196,998	\$179,770	\$1,376,768	\$206,613	\$1,583,381	\$1,790,000	3,724	5,869	N/A	N/A	N/A	0%	\$0	
Grand Total: \$1,838,962 \$167,246 \$2,006,208 \$266,619 \$2,272,827 \$2,539,447															

1. Total Construction Cost includes addition of 20% for Scope Contingency to the Construction Cost.  
2. Total Project Cost includes addition of 15% for Preliminary Engineering and 15% for CIB to the Total Construction Cost. This does not include Right-of-Way Cost.  
3. For potential improvement: Proportionate Share % = (Project Traffic) / (Lane Group Capacity After project improvement) \* 100. For potential improvement: Proportionate Share % = (Project Traffic Entering Intersection) / (Total Traffic Entering Intersection).  
4. Proportionate Share Cost = Proportionate Share % \* Total Project Cost.  
5. Rounding line based on 1/8 mile long. Cost per mile \$1,790,000.  
6. Rounding Line Right-Turn Lane. 30% of new Left-Turn Lane cost. \$533,334.30 = \$1,790,000.