

ORDINANCE No. 2022-00\_

AN ORDINANCE OF THE COUNTY OF SARASOTA, FLORIDA, ISSUING THE MASTER DEVELOPMENT ORDER FOR LAKEWOOD RANCH SOUTHEAST; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR ENFORCEMENT; PROVIDING FOR DEVELOPMENT ORDERS FOR PURPOSES SET FORTH IN THIS ORDINANCE; PROVIDING FOR CHALLENGES AND SEVERABILITY; PROVIDING FOR RELATIONSHIP TO OTHER REGULATIONS; PROVIDING FOR SERVICE, RECORDING AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Findings of Fact.

1.1 On October \_\_, 2022, the Board approved Ordinance No. 2022-\_\_ and Ordinance No. 2022-\_\_ for the property described therein as the Village Transition Zone ("VTZ") to adopt an alternative, two-step approval process for development under Chapter 8 Sarasota County 2050 Resource Management Area of the Sarasota County Comprehensive Plan (the "2050 Plan").

1.2 On \_\_\_\_\_, 2022, LWR Communities LLC., was authorized by the landowners of the property described herein (the "Lakewood Ranch Southeast Property") to submit to Sarasota County an Application for a VTZ Master Plan for the Lakewood Ranch Southeast Property (the "VTZMP Application") in accordance with the provisions of Ordinance No. 2022-\_\_ and Ordinance No. 2022\_\_\_\_, and the requirements contained in the Standardized Questionnaire for Developments of Critical Concern (DOCC) within Unincorporated Sarasota County.

1.3 The Application for the Lakewood Ranch Southeast Property is for a parcel of approximately 4,120 acres, located north of Fruitville Road and south of the Manatee/Sarasota County line, more particularly described in Exhibit A, attached hereto and made a part hereof by reference.

1.4 The VTZMP Application has been reviewed and processed in compliance with the provisions of Sarasota County Ordinance No. 89-77, as amended, and the provisions of Sarasota County Ordinance No. 2022\_\_\_\_ and Ordinance No. 2022-\_\_.

1.5 The Sarasota County Planning Commission held duly noticed public hearings on the VTZMP Application on July 21, 2022, received all pertinent evidence and testimony, and recommended approval of this Lakewood Ranch Southeast Master Development Order (the "MDO") subject to certain conditions as contained in the recommendation to the Board of County Commissioners of Sarasota County, Florida.

1.6 The Board of County Commissioners of Sarasota County, Florida, held a duly noticed public hearing on said VTZMP Application October 25, 2022, and considered all matters relevant to the proposed Lakewood Ranch Southeast VTZMP, including the Sarasota County Planning Commission recommendations and the testimony of the general public.

1.7 The proposed development, subject to the conditions imposed herein, is consistent with the Sarasota County Comprehensive Plan and does not appear to conflict with other local land development regulations.

1.8 The following information, commitments, and impact mitigating provisions submitted by the Applicant are hereby incorporated in this MDO by reference:

- a) Lakewood Ranch Southeast VTZMP Application, dated June 2, 2022;
- b) Lakewood Ranch Southeast, 1st Sufficiency Comments, dated \_\_\_\_\_, 2022;
- c) Lakewood Ranch Southeast, 1st Sufficiency Response, dated \_\_\_\_\_, 2022;
- d) Lakewood Ranch Southeast, 2nd Sufficiency Comments, dated \_\_\_\_\_, 2022;
- e) Lakewood Ranch Southeast, 2nd Sufficiency Response, dated \_\_\_\_\_, 2022; and
- f) Lakewood Ranch Southeast, all maps, studies, and documents submitted after the 2nd Sufficiency Response, dated \_\_\_\_\_, 2022, until and including the public hearing of the Board of County Commissioners on \_\_\_\_\_, 2022.

1.9 In construing and enforcing the provisions of the documents incorporated in this MDO by sub-section 1.7 above, the following shall apply:

- a) The most recent response of the Applicant in the above referenced documents shall control over any previous response, wherever there is a conflict, otherwise the responses shall be considered cumulative.
- b) Any information, commitments or impact mitigating provisions in the above referenced documents which are inconsistent with the specific conditions set forth in this Ordinance and the exhibits hereto, shall be deemed superseded and inapplicable.

1.10 The Board further finds:

- a) The proposed development will not have an unfavorable impact on the environment and natural resources of Sarasota County and any other affected jurisdictions;
- b) The proposed development will have a favorable impact on the economy of Sarasota County and any other affected jurisdictions;
- c) The proposed development will efficiently use water, sewer, solid waste disposal, and other necessary public facilities; and
- d) The proposed development will efficiently use public transportation facilities.

## SECTION 2. Conclusions of Law.

2.1 Approval of Lakewood Ranch Southeast Master Development Order with Conditions. The Application for Lakewood Ranch Southeast VTZMP is hereby approved, subject to the conditions contained in Exhibits B, C, D, E, F, G, and H which are attached hereto and incorporated herein by reference, subject to the other provisions of this MDO. The definitions found in the Developments of Critical Concern Ordinance shall apply to this MDO.

2.2 Approved Units. The Maximum number of residential dwelling units shall not exceed 5,000 dwelling units.

2.3 Project Areas. Lakewood Ranch Southeast is divided into seven (7) Project Areas, each with its own allocated density as set forth in Exhibit C Map C-4 and Table C-4. Authorization to pursue development in each of these Project Areas must be obtained, pursuant to applications for rezoning of each Project Area to RSF-2/PUD zone district. As determined by the Master Developer and the individual Applicants, Project Areas may be developed sequentially or simultaneously and may or may not be subject to phasing within a given Project Area at the election of the Applicant. Notwithstanding any conditions to the contrary in this MDO, the first 113 dwelling units, known as Phase I of Lakepark Estates may proceed under its current approvals and shall not be subject to further review or rezoning.

2.4 Fiscal Neutrality. Development that takes place in substantial accordance with the proposed development program or Alternative Development Scenarios (Deviations 1, 2, 3, and 4) identified in the Fiscal Neutrality Plan dated June 2, 2022, and incorporated herein by reference shall be deemed fiscally neutral under the 2050 Plan. Any development less than that referenced in the Fiscal Neutrality Study shall not require submittal or approval of a new or revised Fiscal Neutrality Plan.

2.5 Buildout and Termination. Unless this MDO is extended by the Board of County Commissioners, the buildout date shall be December 31, 2057 and no final development plans, plats, site and development plans shall be approved or issued after this date except for re-plats or revisions to existing plats or plans that do not increase intensity or density, building permits, reconstruction, or renovation. An extension of the buildout date of seven years or less shall be subject to further review of traffic related issues. An extension of the buildout date of more than seven years shall be subject to further review of all issues set forth in the Application and Standardized Questionnaire for DOCCs. Any extension must be presented to the Board of County Commissioners at a public hearing, noticed and processed in accordance with the procedures for amending a Master Development Order contained within Ordinance No. 89-77, as amended.

2.6 Biennial Monitoring Requirements. The Master Developer shall submit a biennial report on the second anniversary of the effective date of the MDO and shall continue biennial reporting until ninety percent (90%) of the dwelling units approved pursuant to this MDO have received certificates of occupancy. The report shall contain:

- a) Summary comparison of development activity proposed and actually constructed for the reporting year including number of dwelling units, site improvements and lots sold;
- b) List of all preliminary plans approved with the total number of dwelling units, construction plans approved, final plats, building permits, and the total number of certificates of occupancy issued;
- c) List of all local, state, and federal permits which have been obtained, applied for, or denied during the reporting period;
- d) List of all MDO Conditions and a statement of how and when each condition has been met or how and when it will be met;

e) Names and addresses of all persons to whom undeveloped tracts of land in the Lakewood Ranch Southeast Property (other than individual single-family lots) have been sold and maps showing the area involved; and

f) Water Quality Monitoring Report referenced in Water Quality Conditions in Exhibit “B” and contained in Exhibit “E”.

2.7 Application for Master Development Order Approval. The Application for VTZMP Approval and related documents referenced in Section 1.8 and 1.9 are incorporated herein by reference and relied upon by the County in discharging its statutory duties under law. Compliance with the representations contained therein is a condition for approval unless waived or modified by amendment to this MDO.

2.8 Duty to Comply with Local and State Permitting Requirements. The approval granted by this MDO is conditional. Such approval shall not be construed to obviate the duty of the Applicant to comply with all other applicable local or state permitting requirements and procedures.

2.9 Downzoning and Reductions. Subject to the Conditions contained in this MDO, the approved units, uses, densities and intensities approved by this MDO for the subject property shall not be subject to down-zoning, or to changes to the 2050 Plan or the regulations pertaining thereto that have a similar effect to a down zoning, unit density reduction, or intensity reduction from the effective date of this ordinance, provided that the Applicant is timely meeting the conditions and requirements of this MDO unless

a) The information provided by the Applicant on which the MDO was based is found to be substantially inaccurate after public hearing on the matter; or

b) The County can clearly establish that a change is essential to the public health, safety or welfare.

If the subject property is subject to, downzoning, unit reduction, or intensity reduction, in accordance with the terms of this Section, such shall be to that most appropriate for the property and consistent with the Sarasota County Comprehensive Plan. The Applicant agrees that the terms of this MDO express the Applicant’s reasonable expectations with regard to the property and the possibility that the property may be, downzoned, or reduced as to units or intensity as provided above.

2.10 Designation for Receiving Reports. The Sarasota County Planning and Zoning Department shall be the designated recipient for all reports required by this MDO. All reports shall be addressed to the attention of the Director of Planning and Development Services Department.

### SECTION 3. Enforcement.

3.1 All conditions, restrictions, requirements, commitments and impact mitigating provisions contained or incorporated by reference in this MDO may be enforced by Sarasota County by action at law or equity, and, in the event Sarasota County prevails in such action at law or equity, it shall be awarded all its reasonable costs of investigation and enforcement, including County staff time and reasonable attorneys’ fees incurred by or on behalf of Sarasota County.

3.2 In the event it is determined by the Board of County Commissioners, after notice to the Applicant and a full hearing, that the Applicant has failed to comply with any conditions, restrictions, requirements or impact mitigating provisions contained or incorporated by reference in this MDO, the Board of County Commissioners may suspend this MDO during which no development permit applications shall be granted within the development until compliance is achieved. Where such a failure has been finally determined, the Applicant shall be liable for all costs of investigating and enforcement, including County staff time and reasonable attorney's fees incurred by or on behalf of Sarasota County.

3.3 The rights and obligations of this MDO shall run with the land. The Master Developer is bound by the terms of this MDO so long as it owns such property. This MDO shall be binding upon and inure to the benefit of the Master Developer and its assignees or successors in interest and Sarasota County and its successors. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created and designated as successor in interest thereto, or which otherwise possess any of the powers and duties of any referenced governmental agency in existence on the effective date of this MDO.

SECTION 4. Development Orders for Purposes Ordinance. This Ordinance shall be deemed the Master Development Order for Lakewood Ranch Southeast as required by Sarasota County Ordinance No. 89-77, as amended, and pursuant to Ordinance No. 2022-\_\_\_\_ and Ordinance No. 2022-\_\_\_\_.

SECTION 5. Challenges and Severability. If any section, clause, phrase or word of this MDO is for any reason held or declared to be invalid, inoperative, or void, such holding of invalidity shall not affect the remaining portions of this MDO, provided such provision does not affect the essential terms of this MDO. The development must be evaluated to see if it results in a substantial deviation. It shall be construed to have been the intent to pass this MDO, without such invalid or inoperative part herein, and the remainder, exclusive of such part of parts, shall be deemed and held to be valid as if such parts had not been included herein, unless to do so would frustrate the intent of this MDO.

SECTION 6. Relationships to Other Regulations. This MDO shall not be construed as an agreement on the part of Sarasota County to exempt the Applicant, its successors and assigns, from the operation of any Ordinance or other government regulation now in effect or hereafter adopted by Sarasota County, and which said Ordinance or regulation shall be generally and equally applicable throughout Sarasota County, and which said Ordinance or regulation does not impair or otherwise frustrate the Development herein approved.

SECTION 7. Service and Recording. The County is hereby directed to record this Ordinance in the Official Records of the Clerk of the Circuit Court. All costs associated with the recording of this Ordinance shall be borne by the Master Developer. This Ordinance shall be binding upon the Master Developer, its successors and assigns and upon Sarasota County.

SECTION 8. Effective Date. This MDO shall take effect upon execution by Applicant agreeing to the terms hereof, upon receipt of official acknowledgment from the Office of the Secretary of State of Florida that this Ordinance has been filed with said office, or the effective date of Ordinance No. \_\_\_\_\_-\_\_\_\_\_, including final resolution of any appeals, whichever is later.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Sarasota County,

Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF SARASOTA COUNTY, FLORIDA

By \_\_\_\_\_

Chairman

ATTEST:

KAREN E. RUSHING, Clerk of Circuit Court

and ex-officio Clerk of Board of County Commissioners of

Sarasota County, Florida

By: \_\_\_\_\_

Deputy Clerk

Applicant's Agreement and Consent to Terms

The Applicants, by signing this document in the space hereinafter provided, signifies its approval of, and assent to, the provisions of this Development Order. \_\_\_\_\_, hereby warrants that they are the Owners in fee simple of all the real property described in Exhibit A, attached hereto. They have reviewed with qualified legal counsel, approves and assents to all the terms, conditions and provisions of the foregoing Development Order, including all attachments thereto, which Development Order is also described in Ordinance No. \_\_\_\_\_ - \_\_\_\_\_, and it acknowledges that the same are binding upon the Applicants, their successors, and assigns and shall constitute covenants running with the property described in Exhibit "A."

By: \_\_\_\_\_

\_\_\_\_\_  
(Signature Witness Name)

\_\_\_\_\_  
(Print Witness Name)

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_, on behalf of said entity. He is (personally known to be) or (has produced a driver's license as identification) and (did/did not) take an oath.

(NOTARY SEAL) \_\_\_\_\_

Signature of Notary Public, State of Florida

\_\_\_\_\_  
(Print, Type, or Stamp Name of Notary Public)

STATE OF FLORIDA

COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this \_\_\_\_ day of \_\_\_\_\_, 2022, by on behalf of said entity. He is (personally known to be) or (has produced a driver's license as identification) and (did/did not) take an oath.

(NOTARY SEAL) \_\_\_\_\_

Signature of Notary Public, State of Florida

\_\_\_\_\_  
(Print, Type, or Stamp Name of Notary Public)

\_\_\_\_\_  
(Signature Witness Name)

\_\_\_\_\_  
(Print Witness Name)

By: \_\_\_\_\_

**LIST OF EXHIBITS**

- Exhibit A – Legal Description
- Exhibit B – Conditions for Development Approval
- Exhibit C – VTZ Master Plan
- Exhibit D – Fiscal Neutrality Analysis
- Exhibit E – Water Quality Monitoring Plan
- Exhibit F – Environmental Systems
- Exhibit G – Drainage
- Exhibit H – Transportation



## EXHIBIT A: LEGAL DESCRIPTION

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

A tract of land lying in Sections 4, 5, 6, 7, 8, 9, 16, 19, 20 & 21, Township 36 South, Range 20 East and in Sections 1 & 24, Township 36 South, Range 19 East, Sarasota County, Florida, being more particularly described as follows:

BEGIN at the northwest corner of Section 6; thence N.89°58'02"E., a distance of 5,314.13 feet; thence S.01°32'06"E., a distance of 2,828.89 feet; thence N.89°46'32"E., a distance of 5,412.05 feet; thence S.89°48'15"E. along the north line of the South 1/2 of Section 4, a distance of 2,764.45 feet to the northeast corner of the Southwest 1/4 of Section 4; thence S.00°16'33"W. along the east line of the Southwest 1/4 of Section 4 and along the east line of the West 1/2 of Section 9, also being the west line of lands described in Official Records Instrument Number 2020070786 of the Public Records of Sarasota County, Florida, a distance of 7,944.33 feet; thence N.90°00'00"W. along the south line of Section 9 and along the north line of Section 16, a distance of 2,089.79 feet to the point of curvature of a non-tangent curve to the right, having a radius of 1,015.00 feet and a central angle of 48°30'42"; thence Southerly along the arc of said curve, a distance of 859.39 feet, said curve having a chord bearing and distance of S.10°32'31"W., 833.95 feet, to the point of tangency of said curve; thence S.34°47'52"W., a distance of 468.83 feet to a point of curvature of a curve to the left having a radius of 1,740.00 feet and a central angle of 21°02'28"; thence Southwesterly along the arc of said curve, a distance of 638.99 feet, to the point of tangency of said curve to a point of curvature of a compound curve to the left having a radius of 551.00 feet and a central angle of 16°21'12"; thence Southerly along the arc of said curve, a distance of 157.27 feet, to the point of tangency of said curve; thence S.02°35'48"E., a distance of 77.29 feet to a point of curvature of a curve to the right having a radius of 1,004.00 feet and a central angle of 12°22'19"; thence Southerly along the arc of said curve, a distance of 216.79 feet, to the point of tangency of said curve; thence S.09°46'31"W., a distance of 50.21 feet to a point of curvature of a curve to the left having a radius of 1,151.00 feet and a central angle of 09°39'05"; thence Southerly along the arc of said curve, a distance of 193.88 feet, to the point of tangency of said curve; thence S.00°07'26"W., a distance of 107.17 feet; thence S.89°52'33"E., a distance of 2,809.46 feet; thence S.00°16'33"W., a distance of 3,352.52 feet; thence N.89°42'42"W., a distance of 726.86 feet; thence N.00°20'12"E., a distance of 266.12 feet; thence N.89°39'48"W., a distance of 420.00 feet; thence S.00°20'12"W., a distance of 520.00 feet; thence S.89°39'48"E., a distance of 420.00 feet; thence S.00°20'12"W., a distance of 430.00 feet; thence S.31°24'22"W., a distance of 449.38 feet; thence S.00°20'14"W., a distance of 246.00 feet; thence S.60°37'30"E., a distance of 355.00 feet; thence S.39°36'43"E., a distance of 263.73 feet; thence S.89°08'23"E., a distance of 0.38 feet; thence S.42°52'27"E., a distance of 93.26 feet; thence S.30°02'51"W., a distance of 81.13 feet; thence S.84°18'43"W., a distance of 124.92 feet; thence S.39°04'38"W., a distance of 273.97 feet to the northerly maintained right-of-way line of Fruitville Road (variable width public right-of-way) recorded in Road Plat Book 2, Page 7 of the Public Records of Sarasota County, Florida; the following eight (8) calls are along said northerly maintained right-of-way line: (1) thence S.89°41'26"W., a distance of 393.64 feet; (2) thence N.89°09'49"W., a distance of 422.33 feet; (3) thence N.87°42'17"W., a distance of 274.31 feet; (4) thence N.75°30'40"W.,

a distance of 197.87 feet; (5) thence N.68°54'54"W., a distance of 197.02 feet; (6) thence N.63°51'03"W., a distance of 173.82 feet; (7) thence N.63°29'40"W., a distance of 222.68 feet; (8) thence N.64°31'33"W., a distance of 232.63 feet; thence N.00°52'40"W., a distance of 2,100.78 feet; thence S.89°14'40"W., a distance of 1,334.00 feet; thence S.00°53'28"E., a distance of 1,399.08 feet to said northerly maintained right-of-way line of Fruitville Road; the following twenty-five (25) calls are along said northerly maintained right-of-way line: (1) thence N.63°29'40"W., a distance of 456.79 feet to the point of curvature of a non-tangent curve to the left, having a radius of 1,958.46 feet and a central angle of 26°14'15"; (2) thence Westerly along the arc of said curve, a distance of 896.84 feet, said curve having a chord bearing and distance of N.76°36'47"W., 889.02 feet, to the point of tangency of said curve; (3) thence N.89°43'54"W., a distance of 2,707.45 feet; (4) thence S.00°24'06"W., a distance of 16.00 feet; (5) thence N.89°43'54"W., a distance of 220.91 feet; (6) thence N.89°57'39"W., a distance of 500.00 feet; (7) thence S.89°47'18"W., a distance of 119.36 feet; (8) thence N.89°52'05"W., a distance of 180.52 feet; (9) thence S.88°15'06"W., a distance of 276.02 feet; (10) thence S.87°58'05"W., a distance of 424.38 feet; (11) thence S.88°18'42"W., a distance of 500.02 feet; (12) thence S.87°23'40"W., a distance of 199.73 feet; (13) thence S.87°58'05"W., a distance of 51.20 feet; (14) thence S.88°05'41"W., a distance of 348.76 feet; (15) thence S.89°10'09"W., a distance of 350.62 feet; (16) thence N.89°45'51"W., a distance of 548.94 feet; (17) thence S.88°37'45"W., a distance of 500.02 feet; (18) thence S.88°30'52"W., a distance of 500.02 feet; (19) thence S.88°43'27"W., a distance of 315.37 feet; (20) thence S.89°34'40"W., a distance of 766.79 feet; (21) thence N.89°38'00"W., a distance of 417.14 feet; (22) thence continue N.89°38'00"W. along said line, a distance of 500.00 feet; (23) thence S.89°33'52"W., a distance of 500.05 feet; (24) thence N.89°51'45"W., a distance of 500.00 feet; (25) thence N.89°38'02"W., a distance of 323.93 feet; thence N.00°29'50"W., a distance of 1,278.42 feet; thence S.89°37'57"E., a distance of 2,646.47 feet; thence N.89°08'13"E., a distance of 2,708.36 feet; thence N.89°08'38"E., a distance of 2,707.93 feet; thence N.00°19'12"E., a distance of 5,423.31 feet; thence S.88°29'35"W., a distance of 5,421.56 feet; thence N.00°00'02"E., a distance of 5,697.41 feet; thence N.88°41'30"E., a distance of 166.74 feet; thence S.74°44'41"E., a distance of 84.66 feet; thence S.62°36'08"E., a distance of 181.95 feet; thence S.89°59'59"E., a distance of 169.10 feet; thence N.48°45'11"E., a distance of 104.55 feet; thence N.23°36'35"E., a distance of 455.33 feet; thence N.34°51'09"E., a distance of 322.40 feet; thence N.49°07'07"E., a distance of 157.03 feet; thence N.01°26'56"W., a distance of 261.50 feet; thence N.42°37'03"W., a distance of 506.60 feet; thence N.89°42'21"W., a distance of 204.51 feet; thence S.57°54'05"W., a distance of 239.38 feet; thence S.86°12'26"W., a distance of 254.93 feet; thence N.76°12'01"W., a distance of 81.02 feet; thence N.00°30'41"W., a distance of 150.06 feet; thence N.53°18'38"E., a distance of 291.62 feet; thence N.03°08'09"W., a distance of 137.44 feet; thence N.56°42'17"W., a distance of 219.64 feet; thence N.24°06'19"W., a distance of 123.42 feet; thence S.85°09'11"W., a distance of 44.04 feet; thence N.00°00'09"E., a distance of 289.51 feet; thence N.00°00'04"W., a distance of 829.34 feet; thence N.35°32'55"W., a distance of 289.52 feet; thence N.89°59'33"W., a distance of 460.15 feet; thence N.15°58'14"E., a distance of 265.66 feet; thence N.40°19'14"E., a distance of 246.56 feet; thence N.15°47'23"W., a distance of 433.97 feet; thence N.26°42'27"W., a distance of 502.56 feet; thence S.76°41'15"W., a distance of 147.00 feet; thence N.64°21'03"W., a distance of 359.24 feet; thence N.18°33'15"W., a distance of 298.59 feet; thence S.89°58'05"E., a distance of 1,301.66 feet to the POINT OF BEGINNING.

Containing 179,407,339 square feet or 4,118.6258 acres, more or less.

## **EXHIBIT B: CONDITIONS FOR DEVELOPMENT APPROVAL**

The “Conditions for Development Approval” set forth below have been, or will be, met by the Master Developer or the Applicant. For development pursuant to an RSF-2/PUD rezone application pursuant to this MDO, the Master Developer or Applicant shall be required to address the Conditions identified below and as required in Article 6 Section 124-76, Article 7 124-101, and Article 5 Section 124-39 of the UDC. Failure to meet any applicable Condition in this MDO, failure to meet any Condition information requirement, failure to make satisfactory provision for any issue raised by the information requirements related to the Conditions, or failure to meet the requirements of the UDC constitute issues that can result in denial of an RSF-2/PUD rezone application for a Project Area.

### **Section 1 Definitions**

1. The term “Master Developer” shall mean the party or parties responsible to ensure that the obligations and the duties of the Master Developer set forth in the MDO are met. However, the Master Developer named below is not required to be the party actually constructing the on-site and/or off-site infrastructure or otherwise developing Lakewood Ranch Southeast. The “Master Developer” shall be Lakewood Ranch Communities LLC. All references made in the following Conditions for Development Approval pertaining to Master Developer shall also include any successors or assigns to any of the legally described area found within this MDO to whom the responsibilities as Master Developer for that entity have been assigned. The Master Developer may from time to time assign its responsibility for particular obligations under this MDO to the Lakewood Ranch Stewardship District (defined in Section 1.5 below).
2. The term “Project Area” shall mean any of the parcels in Lakewood Ranch Southeast designated on Exhibit C Map C-4 as a Project Area. Any such Project Area may be the subject of an individual rezoning and shall have an allocated base density of dwelling units as set forth in Table C-4 of Exhibit C. Unit allocation within and among Project Areas may be adjusted as long as the total unit count does not exceed the maximum 5,000 unit threshold. The specific unit allocation will be refined at each RSF-2/PUD submittal.
3. The term "Applicant" shall mean the developer(s) of an individual Project Area. All references made in the following Conditions pertaining to the Applicant shall also include any successors in interest of the Project Area.
4. The term "Lakewood Ranch Southeast" shall mean the property described in Exhibit A, and the land uses, phasing, and improvements described in the MDO or as amended by subsequent Applications to Amend the MDO, which are attributable to the development on that property described in Exhibit A. All references made herein pertaining to “Lakewood Ranch Southeast” shall also include any successors or assigns in interests of any of the area covered under the “Lakewood Ranch Southeast” MDO.
5. The term “Lakewood Ranch Stewardship District” or “LWRSD” shall mean that certain limited purpose local government created pursuant to Fl. Statutes \_\_\_\_\_, as amended. The LWRSD will, among other things, construct Bourneside Blvd, off-site and on-site utilities, portions of the stormwater system and other items of infrastructure described in this MDO. The LWRSD will also maintain certain items of infrastructure which has: 1) not been dedicated to the County or a Homeowners’ Association; or 2) been dedicated to the County but is the subject of a written maintenance agreement authorized by the County.

6. The term “Final Development Order” shall mean a Final Development Order as defined in Sarasota County’s Concurrency Management Regulations (Sarasota County Code of Ordinances, Chapter 94, Article VII) and shall include, without limitation, the approval of a construction plan for development requiring subdivision plans or site and development plan approval, or building permits for development not requiring such construction plan approval.
7. The terms “Preservation and/or Conservation” of native habitats which is used herein are defined as follows:
  - a. Preservation – The perpetual maintenance of habitats in their existing (or restored) native condition. No activities including, but not limited to, filling, excavating, alteration of vegetation, or storing materials, shall be allowed unless authorized by a resource management plan administratively approved by the County.
  - b. Conservation – The wise use of native habitats other than those required to be preserved. No activities including, but not limited to, filling, excavating, alteration of vegetation, or storing materials shall be allowed unless authorized by a resource management plan approved by the County’s Resource Protection office. Limited clearing may be allowed to accommodate nature trails, picnic areas, and other passive recreational facilities if prior administrative approval is obtained from the County.
8. The term “Developed Area” for the VTZ RMA shall mean that land area exclusive of Open Space identified and depicted on a VTZ Master Plan, as approved by the MDO.
9. The term “Greenbelt” shall mean a permanent Buffer surrounding the Developed Area of the Village Transition Zone.
10. The term “Open Space” for the VTZ RMA shall mean that land area exclusive of Developed Area identified and depicted on a VTZ Master Plan, as approved by the MDO. Open Space shall be property under public or private ownership which is unoccupied or predominately unoccupied by buildings or other impervious surfaces and which is identified as Greenway, Greenbelt, and other open space and used for parks, recreation, agriculture, conservation, preservation of native habitat and other natural resources, surface/irrigation water impoundment, historic, or scenic purposes.

## **Section 2 General**

### **A. Conditions for Development Approval.**

1. All future development approvals pursuant to this MDO (i.e., Rezone Petitions, Special Exceptions, Site and Development, Construction Plans, Preliminary Subdivision Plans, and Final Plats) shall be in substantial accordance with the Lakewood Ranch Southeast VTZ Master Plan shown on Map C-3 and the Conditions for Development Approval as set forth herein unless superseded by further studies, regulations or other analysis as approved by the appropriate Sarasota County departments and/or other regulatory agencies. As to variable criteria referenced in this MDO, a future development approval shall be in substantial accordance with that element of this MDO if it falls within the range of variability contemplated by this MDO.
2. No development permit shall be granted for construction within a Project Area subject to the MDO until an application for RSF-2/PUD zone district has also been approved encompassing the area for construction. Exemptions are for: 1) those Civic uses identified in the MDO such as parks, trails, fire stations, utilities, and schools; 2) off-site utilities pursuant to plans approved by

the County and 3) for Bourneside Boulevard, together with intersection improvements and associated utilities pursuant to plans approved by the County.

3. Throughout the Lakewood Ranch Southeast development, the Master Developer shall comply with the requirements listed in the document entitled, "Administrative Guidelines for Monitoring Developments of Critical Concern in Unincorporated Sarasota County," Ordinance No. 89-77 as amended.
4. All proposed deed restrictions that relate to MDO Conditions shall be submitted by the Applicant for approval by the County, and provide for enforcement of those conditions and the award of reasonable attorneys' fees to the County, in addition to enforcement by the not-for-profit Florida corporation established by Applicant and known herein as the "Master Association," and/or such additional delegees and such other persons as may be appropriate, including but not limited to the Lakewood Ranch Stewardship District.
5. "Common Areas" including, but not limited to, common recreation areas, open and landscaped areas, drainage areas, wetlands and lakes, roadways, sanctuaries, and entranceways shall be maintained by a Master Association (or duly delegated sub association), an individual Homeowners Association, or the Lakewood Ranch Stewardship District as designated in the applicable rezone, construction permits, or final plat.
6. If Conditions contained in this MDO require the Master Developer or Applicant to submit certain information with preliminary plan/site development plan and construction plans, it shall be understood that such information shall be reviewed and approved by appropriate Sarasota County Development Review Committee Members.
7. Where approval by a Sarasota County department is required herein, the Master Developer or Applicant requesting approval shall be entitled to review of the department decision by the Board of County Commissioners. Where existing County, State and Federal regulations do not apply, department decisions shall be based upon the highest standards of accepted professional practice in the particular field applicable to the requirements of the conditions set forth herein.
8. The Master Developer and individual Applicants shall ensure the reasonable access to the Lakewood Ranch Southeast project site by Sarasota County government agents and employees shall be granted for the purpose of monitoring and implementation of the MDO.
9. Temporary uses shall be processed as required by County Ordinances then in full force and effect.
10. The issuance of MDOs, including Final Development Orders for Lakewood Ranch Southeast, shall be subject to the requirements of the Sarasota County Concurrency Management Regulations (Sarasota County Code of Ordinance, Chapter 94, Article VII) with respect to public facilities and levels of service for such facilities.
11. Notwithstanding any term or the MDO to the contrary, Sarasota County shall have no obligation to construct or improve any facility or capital improvement necessary or desirable to accommodate development of the Project, unless Sarasota County and the Master Developer have entered into a written agreement whereby Sarasota County specifically agrees to construct

or improve a designated facility for the benefit of the Project. The inclusion of any facility or improvement in the County's Five-Year Capital Improvement Plan or capital budget shall not constitute a guarantee to the Master Developer that such facilities or improvement will be constructed.

12. With the approval of each RSF-2/PUD rezone application, the following Master Plans shall be administratively updated as needed:
  - a. Water Quality Monitoring Plan
  - b. Conceptual Transportation and Access Management Plan
  - c. Conceptual Master Development Plan Utility Master Plan
  - d. Assessment of Pre-Development Conditions (Pre-Development Drainage Map)

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. None.

**Section 3 Land Use**

**A. Conditions for Development Approval.**

1. Lakewood Ranch Southeast shall be developed in substantial accordance with the VTZ Master Plan, attached hereto as Exhibit "C" and made a part hereof. The VTZ Master Plan may be administratively revised concurrently with each subsequent approval of a RSF-2/PUD zone district.
2. Lakewood Ranch Southeast shall be developed in Project Areas as generally shown in Map C-4 and Table C-4 by way of one or more RSF-2/PUD rezone applications.
3. The base density for Lakewood Ranch Southeast shall be 1 dwelling unit/gross acre, including such portions of the Greenway RMA located within the VTZ RMA. This base density may be increased by way of density bonuses for Incentivized Community Housing or other TDR's, however, the total number of residential dwelling units shall not exceed 5,000 units within the boundaries of Lakewood Ranch Southeast for any reason. If Incentivized Community Housing Bonuses allow market rate units in excess of the 5,000 dwelling unit maximum, said excess units may be sold or otherwise transferred by the Master Developer pursuant to Sarasota County's TDR Program and VTZ Policy 2.5. individual Project Areas may have densities greater than that permitted in RSF-2/PUD provided that the aggregate density of all land within the Lakewood Ranch Southeast VTZMP does not exceed 5,000 dwelling units.
4. Non-residential (i.e., retail/commercial and office) land use shall not be required within Lakewood Ranch Southeast.

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. The rezoning of any of the Lakewood Ranch Southeast Project Areas to RSF-2/PUD shall be in accordance with Article 5, Sections 124-39 and 124-40 of the UDC. This includes the component parts of the review procedure as follows:

- a) Preapplication Conference. Prior to initiating an application for a Rezoning/Planned Development, a Preapplication Conference with the Development Review Coordination staff pursuant to Section 124-37 of the UDC is required.
  - b) Application Submittal. All applications for a Rezoning/Planned Development shall be submitted in writing to the County, accompanied by all pertinent information required by the UDC. The applicant must hold an advertised neighborhood workshop prior to the submission of the Rezoning/Planned Development application in accordance with the procedures established for that purpose by Resolution of the Board.
  - c) Application Sufficiency. Applications for a Rezoning/Planned Development shall be accompanied by a clear statement and accounting that presents the applicant's purpose for the requested Rezoning/Planned Development. The statement shall include those facts required and outlined in the UDC.
  - d) Application Review. The report and recommendations of the Planning Commission to the Board regarding a specific application shall show that the Planning Commission has studied and considered the application in relation to the findings within the UDC.
  - e) Public Hearing Notification Requirements. Notice shall be provided as set forth within Section 124-36(c)(5) of the UDC for both the Planning Commission and the Board public hearings.
  - f) Public Hearings. Rezoning/Planned Development applications shall be considered by the Planning Commission and the Board at public hearings. The Planning Commission may recommend that an application be approved subject to stipulations. The report and recommendations of the Planning Commission shall be advisory only and shall not be binding upon the Board.
  - g) Action. Final action on all Rezoning/Planned Development applications shall be taken by the Board. The Board, after receiving the recommendation from the Planning Commission on the application, may grant or deny the application or modify the application to a zoning district consistent with the Comprehensive Plan.
2. In addition, each RSF-2/PUD rezone application submittal and follow-up submittals (Subdivision Plans, Preliminary Plats) shall include Development Tracking Tables to assist in monitoring unit counts, open space, parks and housing.
  3. The location and boundaries of each Project Area shall be finally established at the time of the RSF-2/PUD rezone application for that Project Area. The Development Tracking Tables together with the Project Area Map will be administratively updated with each RSF-2/PUD rezone application submittal.
  4. If additional density is obtained through offsite transfer or purchase of Transfer of Development credits then a Transfer of Development Rights (TDR) Plan pursuant to TDR Objective 1, Chapter 8



of Sarasota County Comprehensive Plan shall be created and administratively updated with each RSF-2/PUD rezone application submittal and follow-up submittals (Subdivision Plans, Preliminary Plats).

5. The location and sequence of the Restrictive Covenants recorded by the Applicant over the Greenway RMA and Open Space will be as depicted in a Conceptual Restrictive Covenant Phasing Plan submitted in support of each RSF-2/PUD rezone, and these stipulations.
  - a. Restrictive Covenant areas may be divided by Initial Restrictive Covenants and Supplemental Restrictive Covenants by Project Area.
  - b. The Restrictive Covenant for each of the Initial Restrictive Covenant areas within each Project Area shall be recorded concurrent with the first plat approval which includes any of the land within that phase in that Project Area.
  - c. The Restrictive Covenant for each Supplemental Restrictive Covenant area shall be recorded with the individual plats for each such area.
  - d. Open Space will be counted cumulatively throughout the Project Area with the recording of the respective Restrictive Covenants.
  - e. Each Restrictive Covenant shall be in a form approved by the County Attorney in consultation with the Environment Protection Division of the County.
  - f. Conceptual Restrictive Covenant boundaries will be updated via the RSF-2/PUD rezone process and amended on a per Project Area basis as successive Project Areas are rezoned.

#### **Section 4 Land and Soil**

##### **A. Conditions for Development Approval**

1. With regard to the exemptions for agricultural activities that are found within Chapter 54, Article XII (Earthmoving Code) and Article XVIII (Trees Code) the submittal of the application for the MDO, and the adoption hereof, shall not constitute evidence that the activity was in preparation for, or in anticipation of, nonagricultural development.

##### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications**

1. None.

#### **Section 5 Housing**

##### **A. Conditions for Development Approval.**

1. VTZ Policy 2.3 provides incentives for affordable housing. Additional units may be added beyond the base density of 1 dwelling unit per gross acre approved at the time of rezoning of a Project Area.
2. To achieve the maximum 5,000 dwelling units, it is anticipated that approximately 440 incentivized community housing units will need to be provided.

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. If affordable housing is proposed, the amount of affordable housing for that Project Area shall be established at the time of the RSF-2/PUD rezone application submittal and shall be updated with follow-up submittals (Subdivision Plans, Preliminary Plats). The Affordable Housing Development Tracking Tables will be updated with each submittal.
2. The total number of residential dwelling units shall not exceed 5,000 units within the boundaries of Lakewood Ranch Southeast for any reason, including but not limited to housing bonuses for Incentivized Community Housing or other TDR's. If Incentivized Community Housing Bonuses allow market rate units in excess of the 5,000 dwelling unit maximum, said excess units may be sold or otherwise transferred by the Master Developer pursuant to Sarasota County's TDR Program and VTZ Policy 2.5.

**Section 6 Fiscal Neutrality**

**A. Conditions for Development Approval.**

1. Development shall take place in substantial accordance with the proposed development program identified in the Fiscal Neutrality Plan dated June 2, 2022 incorporated herein by reference. Any development in excess of these totals will require approval of a new or revised Fiscal Neutrality Plan.

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. Any development in excess of the total dwelling units identified on the Fiscal Neutrality Plan will require approval of a new or revised Fiscal Neutrality Plan.
2. Each RSF-2/PUD rezone application shall provide the number of dwelling units to be developed within that Project Area and the cumulative number within previously approved Project Areas within the Lakewood Ranch Southeast property.
3. The development deviation scenarios for Lakewood Ranch Southeast, as described in the Fiscal Neutrality Plan shall be allowed to be further modified by the Applicant by exchanging units of housing types with lower market value for units of housing types with higher market value, and still maintain fiscal neutrality, without requiring revision or update of the Fiscal Neutrality Analysis or Plan.

**Section 7 Environmental Systems**

**A. Conditions for Development Approval.**

1. The approved location and acreages of the Open Space and Greenways for Lakewood Ranch Southeast are shown in Exhibit C, VTZ Master Plan. This is a conceptual visualization of the Open Space which can be adjusted and refined at each rezone as long as there is at least 43% Open Space for the entire Lakewood Ranch Southeast development.

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. Each RSF-2/PUD rezone application shall contain the following plans, which shall be consistent with the VTZ Master Plan. Additionally, each subsequent RSF-2/PUD rezone shall include cumulative accounting of acreages and associated data:
  - a. Existing Native Habitat Map (Map F-1) for that Project Area
  - b. Native Habitat Preservation and Alteration Map (Map F-2) for that Project Area
  - c. Listed Species Survey (Map F-3) for that Project Area
  - d. Preliminary Grand Tree Survey for that Project Area.
  - e. Wildlife Corridor Map (Map F-4) for that Project Area
  - f. Resource Management Plan for that Project Area.
2. Each RSF-2/PUD rezone application shall provide design details (e.g., cross sections, types of structures, signage, etc.) for measures to allow wildlife passage across road rights-of way that cross the Wildlife Corridor as depicted on Wildlife Corridor Plan Map (Map F-4) for review by the County. The Applicant shall maintain all areas of the wildlife corridor in a condition that allows wildlife movement within and across the project.
3. The Applicant shall maintain the wetlands, mesic hammocks, pine flatwoods, and other native uplands as shown on the approved Native Habitat/Preservation Plan (Map F-2) for each Project Area in accordance with the Resource Management Plan submitted and approved for each Project Area.
4. Recreational activities within the Greenway RMA shall be passive or natural resource based.
5. The Applicant shall provide details of proposed recreational activities within the Greenway RMA and Open Space with the RSF-2/PUD rezone to demonstrate that the proposed recreational activities do not conflict with the resource management goals of those lands.

## **Section 8 Drainage/Stormwater**

### **A. Conditions for Development Approval.**

1. The stormwater management system shall be designed to maintain wetland hydroperiods and drainage flow patterns as permissible by the Southwest Florida Water Management District and Sarasota County.
2. The Lakewood Ranch Stewardship District shall establish an Annual Stormwater Facilities Monitoring Program which shall include, without limitation:
  - a. For the Annual Monitoring Reporting Period, a list with all substantial local, state and federal permits which have been obtained, applied for, or denied during this reporting period and past reporting periods for stormwater management, flood protection or drainage shall be provided. The agency, permit number, type of permit, duty for each, the date obtained and the date to expire shall be specified.

- b. Documentation for any outstanding “Requests For Additional Information (RAI)” for stormwater management, flood protection or drainage for all substantial local, state and federal permits which have been obtained to show that they are in compliance and approved.
- c. Information to substantiate that the stormwater management facilities have been certified and accepted by the applicable local, state and federal permitting agencies during each reporting period. If the stormwater management facilities have not been accepted by the applicable permitting agencies, information related to the inspection dates, with identified deficiencies, required maintenance, the schedule of the required maintenance or repair, and final acceptance letter must be provided to Sarasota County. If the Stormwater management facilities have not been recertified and accepted by the applicable permitting agencies, and in lieu of the requirement set forth in the immediately preceding sentence, Master Developer may perform an independent review and certification of the said Stormwater Management Facilities to Sarasota County by a registered professional engineer verifying the following components of the Stormwater Management System are functioning properly and consistent with the permitted system:
  - 1) Include a specific reporting section for “Stormwater Facility Monitoring and Maintenance” that includes documentation of the stormwater facility inspections and include determination of the following:
  - 2) Document the presence of any obstruction or impediments to flow contained in or around control structures. This could include sediment deposited within or surrounding the structure, unauthorized alterations to the structure, or vegetation, debris, trash, or litter impeding flow into or out of the structure.
  - 3) Document the condition and presence of baffles and / or skimmers on structures for wet ponds to ensure proper function and presence where originally installed. For dry ponds or swales, check the clearance under the skimmer (between skimmer and bottom of dry pond or swale).
  - 4) Document the condition of lake and drainageway banks including appropriate slope and erosional problems, including the condition of the vegetation/sod.
  - 5) Document the condition of lakes and littoral shelves to ensure the presence and health of the specified quantity of littoral vegetation as well as observation of any sedimentation which has occurred within the lakes.
  - 6) Document the condition of pipes and structures including corrosion, cracking, and/or crushing (No TV inspection of pipes is required).
  - 7) Document the presence of sediment, vegetative, and / or debris obstructions within pipes and drainageways, and checking for settling / sinking above and / or next to the pipe (indicative of a leaking joint).

- 8) Provide a description of specific actions to be taken by the applicant to address deficiencies identified during the reporting period inspections and the specific timeframes to complete necessary actions for the reporting period.
3. An overall Assessment of Pre-Development Conditions (Map G-1) has been submitted and is hereby approved. This Assessment of Pre-Development Conditions includes the following and will be the baseline information to be used to develop Stormwater Management Plans with respect to subsequent rezones:
  - a. existing surveyed wetlands;
  - b. Lidar contour lines;
  - c. 100-year floodplain areas (if any);
  - d. major basin/catchment delineations;
  - e. watershed boundaries showing historic flow patterns to be maintained on a Post Development and consistency with county watershed management plans (show flow arrow indicators);
  - f. stormwater modeling of the 100yr storm event;
  - g. determination of the peak discharge rates at the project boundary study points;
  - h. determination of the peak stage elevations at the project boundaries;
  - i. determination of existing runoff curve number and times of concentration; and
  - j. a full existing conditions report to be utilized for all rezone submittals.

B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.

1. Each RSF-2/PUD rezone application shall, if necessary, contain the Assessment of Pre-Development Conditions (Map G-1), to be administratively approved, which reflects the pre-development drainage conditions in the Project Area to be rezoned.
2. Each RSF-2/PUD rezone application shall contain a Post-Development Drainage Plan Map (Map G-2), to be administratively approved, for the Project Area to be rezoned that must be consistent with conditions identified in the Assessment of Pre-Development Conditions together with the following for the area being rezoned:
  - a. the total impervious area allowed in each basin/catchment area;
  - b. conceptual pond sizes and conceptual pond locations;
  - c. incorporates the attenuation and treatment facilities planned for the property being rezoned to fully accommodate and benefit all lots, parcels or tracts within the property. This Plan shall be consistent with, to the extent applicable, the Cow Pen Slough Basin Master Plan (Donna Bay Water Shed) and the Howard Creek/Myakka River Basin Master Plan, or other applicable watershed management plans; and

- d. required conveyance of appropriate rights to the Lakewood Ranch Stewardship District to carry out the Annual Monitoring functions listed in Section 8. A. 2 above.
3. Prior to submittal of the first Site Development Plan for an approved rezone, a Detailed Stormwater Management Plan shall be submitted and administratively approved for the area of the rezoned Project Area within which the Site Development Plan is located. In addition to items required by the UDC, the detailed Stormwater Management Plan shall include the following:
- a. a project boundary that includes the facilities within the Detailed Stormwater Management Plan and specific delineation and labeling of all the contributing areas (i.e., basins) draining to and being managed by the facilities;
  - b. illustration of the components of the Detailed Stormwater Management Plan (existing and proposed) – including the lakes, ponds, wetland areas that are part of the stormwater management facilities, floodplain compensation areas and their respective stormwater controls and/or interconnecting conveyance systems. A detailed Node-Basin-Reach graphical exhibit (both hardcopy and digital format, such as ArcGIS or CADD) should also be included that is consistent with the corresponding Hydrodynamic modeling, stormwater calculations, stormwater report, Master Stormwater Management Plan, and other supportive documentation;
  - c. details for the control structures, weirs, and or conveyance system must also be included;
  - d. all lakes, ponds, and floodplain compensation areas should have the typical stormwater data called out (SHWL, CWL, design high water level, TOB elevation, TOS elevation, etc.);
  - e. pre- and post-hydrographs to confirm that natural hydroperiods will be sustained after development within the area to be rezoned; and
  - f. spreadsheet or tabulation within a plan sheet that defines what is the allowable impervious area for specific areas called out on the Detailed Stormwater Management Plan (i.e. square feet per lot, per phase, or per modeled catchment/basin);
  - g. Whenever a Detailed Stormwater Management Plan is being revised or updated, additional information should be added to the allowable impervious area callout that identifies how much of the impervious area has been permitted, how much has been built, and how much allowable impervious remains. This should be in the form of a tracking log or instrument for use during the life of the Detailed Stormwater Management Plan and project. The tracking log shall be consistent with the tabulation in part e above; and
  - h. Should the Detailed Stormwater Management Plan for an individual Site Development Plan application identify any downstream or offsite Stormwater infrastructure (outside of the Site Development Plan area) required to ensure the proper functionality of the Detailed Stormwater Management system for that Project Area, these downstream or offsite facilities shall be included as part of the initial phase of the Site and Development

Application and shall be constructed as part of the first phase horizontal construction for the area being rezoned.

## **Section 9 Water Quality**

### **A. Conditions for Development Approval.**

1. The Master Developer has established and has begun to implement, and the County has approved the Baseline Surface Water Quality Monitoring Program in accordance with Exhibit “E” of this MDO (the “Baseline Monitoring Program”). Prior to approval of any RSF-2/PUD rezoning for a Project Area, the Baseline Monitoring Program needs to be performed by obtaining at least 10 independent samples, with at least one sample from three of the four calendar seasons, from each WBID lying wholly or partially within the Lakewood Ranch Southeast property.
2. The Master Developer shall be responsible for implementing the Ongoing Surface Water Quality Monitoring Program in accordance with Exhibit “E” of this MDO (the “Ongoing Surface Water Quality Monitoring Program”). The Water Quality Monitoring Plan shall consist of the Baseline Monitoring Program and the Ongoing Surface Water Quality Monitoring Program.
3. Any proposed changes in the Monitoring Program related to water quality location, parameters, frequency, or reporting to reflect unforeseen changes to on-site or off-site conditions or otherwise and proposed by the Master Developer shall be made in writing and shall be subject to administrative approval of Sarasota County Water Resources (or its successor).
4. Surface water quality shall be maintained by the Master Developer through the development and implementation of a stormwater management system.

### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. Until the Baseline Monitoring Program has been completed, each RSF-2/PUD rezone application shall contain a report on compliance with the Baseline Monitoring Program to that date and, if not previously commenced, a condition for said timely commencement.
2. The Ongoing Surface Water Quality Monitoring Program by the Master Developer will commence at the startup of construction within the first phase of the first Project Area and will be progressively implemented as additional Project Areas begin to be constructed. Once the construction begins in each Project Area, sampling will begin at the station(s) within that construction phase to monitor surface water conditions that would potentially be impacted by the development. Monitoring locations will be established as approved by Sarasota County in connection with each Project Area rezoning and the monitoring location map in Exhibit E will be administratively amended accordingly. On-going monitoring within Project Areas will continue on this progressive schedule until one year has elapsed following the completion of construction of eighty percent of the habitable structures within each phase of that Project Area.

## **Section 10 Historical and Archeological**

### **A. Conditions for Development Approval.**

1. None.

B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.

1. None.

**Section 11 Transportation**

A. Conditions for Approval.

1. The Master Developer has submitted a Traffic Study entitled Lakewood Ranch Southeast VTZ Master Plan Transportation Analysis dated June 2, 2022, (the "Traffic Study"). This Traffic Study is the analysis of the buildout of Lakewood Ranch Southeast pursuant to this MDO and the traffic conditions at buildout. It is a guide to the roadway network and improvements anticipated to be needed to support the Lakewood Ranch Southeast development program authorized by this MDO together with anticipated growth in background traffic and it is intended for use only with this Lakewood Ranch Southeast development program. The Traffic Study is hereby approved, and among other items, contains the following:
  - a. a Traffic Analysis of Project Impacts;
  - b. a Conceptual Transportation Plan; and
  - c. a Conceptual Access Management Plan.

Each of the foregoing items shall be refined and administratively updated with the submission and approval of subsequent rezonings of Project Areas.

2. While the development will not be responsible for improvements needed to correct deficiencies caused by existing traffic or traffic not attributable to the Lakewood Ranch Southeast development, the following improvements have been identified as the sole responsibility of the development:
  - a. Within six (6) months of the approval of the construction plans, the construction of Bourneside Boulevard shall be commenced and diligently pursued by the Lakewood Ranch Stewardship District until completion as a four (4) lane divided roadway from University Parkway to Fruitville Road. Such construction plans will be submitted to Sarasota County within six (6) months from the date of approval of this MDO.
  - b. University Parkway from Lorraine Road to Bourneside Boulevard shall be widened from two (2) to four (4) lanes. Within six (6) months of the approval of construction plans, construction will be commenced and diligently pursued by the Lakewood Ranch Stewardship District until completion. Such construction plans will be submitted to Manatee and Sarasota Counties as applicable within eighteen (18) months of the date of approval of this MDO.
  - c. The Master Developer shall be fully responsible for all costs associated with site-related road and intersection improvements solely attributable to the Lakewood Ranch Southeast development. All roads shall be constructed to Sarasota County or FDOT standards, as applicable.



- d. The Master Developer and/or the Applicant(s) shall pay to Sarasota County mobility fees as set forth in Ordinance No. \_\_\_\_\_ as from time to time amended.
3. Roundabouts may be utilized if an intersection control evaluation (ICE) determines a roundabout is the most effective option. Roundabouts are proposed on Bourneside Blvd at both University Parkway and Fruitville Roads. To avoid repeated construction projects or reconfigured intersections along Bourneside Boulevard, roundabouts will be proposed at certain locations which provide access to certain Project Areas. The suitability of these roundabouts will be evaluated during the review of the Bourneside Blvd. construction plans.
4. The collector and arterial road network for Lakewood Ranch Southeast (as shown on Map C-3 VTZ Master Plan) shall be constructed to design standards consistent with Sarasota County standards, FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance ("Florida Greenbook") standards, and FDOT Design Manual standards as applicable.
5. While not identified in the Traffic Study as improvements which are the responsibility of the development, the Master Developer, the Lakewood Ranch Stewardship District, and the Applicant(s) shall cooperate with Sarasota County to establish and convey to Sarasota County in accordance with applicable laws, regulations, and ordinances, the following rights of way should Sarasota County determine in its sole discretion that the acquisition of said rights of way are in the public interest:
  - a. a 120 foot right of way from Bourneside Blvd to the eastern boundary of Lakewood Ranch Southeast, depicted as East-West Roadway "B" on Map 10-8 of the Sarasota County Comprehensive Plan; and
  - b. sufficient right of way on the north side of Fruitville Road within the development to facilitate any future widening of Fruitville Road to four (4) lanes if determined by Sarasota County to be necessary or desirable.

Said rights of way shall be treated as Open Space for purposes of this MDO and subsequent rezonings whether or not subsequently acquired by Sarasota County.
6. The right of way of Bourneside Boulevard and the completed road improvements therein shall be dedicated to Sarasota County. Nonetheless, as part of said dedication, the Lakewood Ranch Stewardship District shall execute a Right of Way and Landscaping Maintenance Agreement which relieves Sarasota County of the expense of maintaining the landscaping within said right of way. The right of way for East-West Roadway "B" on Map 10-8 of the Sarasota County Comprehensive Plan shall be acquired by Sarasota County within five (5) years from the date of final adoption of this MDO. The Lakewood Ranch Stewardship District shall have responsibility for the maintenance of the right of way and landscaping therein within its boundaries. Outside these boundaries, the Sarasota County shall have the responsibility therefor. Sarasota County shall have responsibility for the maintenance of the pavement on the foregoing roadways.
7. Maps H-1 and H-2 represent conceptual depictions of trails to serve the Lakewood Ranch Southeast development and the surrounding area.

- a. Map H-1 depicts potential additions to the regional trail network that relate to Lakewood Ranch in general, and which are to one degree or another being considered by the Metropolitan Planning Organization and the Trust for Public Land as part of a multi-stakeholder cooperative effort.
- b. Map H-2 depicts a conceptual trails map for Lakewood Ranch Southeast which is supportive of the larger effort shown in Map H-1. The Lakewood Ranch Stewardship District is building the portion of the trails shown on Map H-2 represented by a solid line. This represents the spine of a multi-modal bicycle/pedestrian network that will be linked to Project Areas at the time such Project Areas are rezoned. The trails depicted by a dashed line represent corridors that may be used to link this trail system to other areas in the greater community and are not being proposed to be built solely by the Lakewood Ranch Stewardship District.

B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.

1. With each RSF-2/PUD rezone, the Applicant shall provide (provided the Master Developer reviews) a:

- a. Project Area Transportation Plan;
- b. Project Area Access Management Plan; and
- c. Project Area Bicycle and Pedestrian Network Plan.

Such items shall be reviewed and approved by the Master Developer prior to submission to Sarasota County and must either be consistent with the Conceptual items listed in Section 11.A.1 or said Conceptual items or the Project Area Plans shall be administratively revised as necessary to reconcile that inconsistency.

2. The required mobility interconnections and the details of the Project Area transportation system within each such Project Area shall be identified at the time of each RSF-2/PUD rezoning on the Lakewood Ranch Southeast Property.
3. The rezone application for each Project Area shall identify those areas where the multi-use trail system will provide for pedestrian access.
4. Each Project Area development within the Lakewood Ranch Southeast Property, as identified in the Application for VTZ Master Plan Approval, will undergo a traffic review limited to operational, safety, and site access issues through traffic studies prepared for each RSF-2/PUD rezone application. A transportation methodology shall be submitted to Public Works Transportation for review and approval prior to initiating the study. This will allow the study to address any specific operational, safety, and site access issues that may be related to any particular RSF-2/PUD rezone, consistent with Sarasota County Resolution No. 2019-106.
5. Each RSF-2/PUD rezone application shall include a Transportation Plan in graphic (map) form. On said map, the location and size of all areas and features may be approximate, the location and configuration of access points, internal streets, blocks, trails, sidewalks, bicycle lanes, and tracts shall be conceptual only and will be determined by the Applicant at the Site Development Plan

stage, and internal Project Area roadway crossings across Open Space corridors will be determined at the Site Development Plan stage.

6. Each RSF-2/PUD rezone application shall provide a second fully functional access (ingress and egress access) for each subphase, unit, or pod with 100 dwelling units or more. Each RSF-2/PUD rezone shall also comply with any applicable requirements of the UDC, as it may be amended from time to time, regarding any requirements for a third fully functional access. The requirements of this Section 11.B.6 shall be subject to such modifications as may be approved by the Board of County Commissioners.
7. Each RSF-2/PUD rezone shall contain provisions which assign financial responsibility for the maintenance of roads, rights of way, and landscaping to an appropriate permanent entity such as the Lakewood Ranch Stewardship District or a Homeowners Association.

## **Section 12 Public Utilities**

### **A. Conditions for Development Approval - Water and Wastewater.**

1. Monitoring Reports - The Applicant shall include the following information in the Biennial Monitoring Reports that are submitted to the Sarasota County Planning Department, unless a different submission timeline is authorized by the Planning Department in writing. Failure to submit the report after 30 days may result in Sarasota County temporarily suspending this MDO, or could lead to a suspension of issuing permits until the requirements of this section are met:
  - a. The Development Tracking Chart that is submitted with each Biennial Monitoring Report, shall include tabulations prepared by a Florida professional engineer detailing housing units by type and mix, non-residential development (i.e., civic) land uses, along with an accounting of the Equivalent Dwelling Units (EDU's) associated with all development permits within Lakewood Ranch Southeast Property. The EDU calculations provided shall use a methodology that is consistent with the adopted Water and Wastewater Equivalent Dwelling Units Table, (Resolution No. 2018-163 as amended) with breakdowns and tabulations listing development types within each Project Area and calculations for the corresponding potable water and wastewater flow generation.
  - b. The Biennial Monitoring Report shall include an irrigation summary prepared by a Florida professional engineer or geologist estimating the amount of irrigated acreage, identifying irrigation sources and demands, with tabulations by development within each Project Area within the Lakewood Ranch Southeast Property. The irrigation summary shall include a summary of the recorded monthly quantities of water used for irrigation, by type, (e.g. reclaimed water, stormwater, ground water, potable water, etc.) for the reporting period.

The Florida professional engineer or geologist shall provide an analysis of the historical monthly and annual average values compared against the reporting period values, a comparison of wastewater flows vs. reclaimed water used, and provide any recommendations, strategies, or corrective actions, explaining the programs in place to reach the objective hierarchy for irrigation supply (e.g. (1) demand management strategies, (2) reclaimed water, (3) rain water or stormwater, (4) groundwater), and

identify the appropriate action(s) to beneficially use an amount of reclaimed water at least equal to the proposed wastewater flow generated by development within the Lakewood Ranch Southeast Property.

2. Development within the Lakewood Ranch Southeast Property is required to connect to Sarasota County Public Utilities potable water and wastewater. Non-potable and reclaimed water systems shall be provided by Braden River Utilities, subject to the terms of an agreement for reclaimed water supply with Sarasota County Utilities (the "Reclaimed Water Supply Agreement").
3. Development within the Lakewood Ranch Southeast Property shall be subject to all rates, fees, and charges for water and wastewater, as approved or amended by the Board of County Commissioners, including but not limited to capacity fees, permitting fees, security deposits, installation fees, availability charges, and guaranteed revenues. Reclaimed water rates shall be governed by the Reclaimed Water Supply Agreement. Utility service will be subject to compliance with the Sarasota County Public Utilities Departments Rules and Regulations as approved or amended.
4. Upon completion of construction, portions of the potable water and wastewater collection facilities shall be deeded to Sarasota County as public utilities at no cost to the County for ongoing operation and maintenance. All potable water and wastewater customers connected to Sarasota County's system shall be responsible for the monthly charges in accordance with the most recently adopted Utility Rate Resolution.
5. Sarasota County shall have access to all potable water and wastewater collection systems within the development at all times. Public utility shall be provided in accordance with all applicable County regulations. Easements in excess of 20 feet may be required for larger sized pipelines and those in close proximity to proposed structures. For facilities that are conveyed to the County for ongoing operation and maintenance, and where the facilities must be installed beneath pavement, any easement must carry the stipulation that should a line break occur, the County will be responsible for the replacement of sod only. All other restoration costs will be the responsibility of the property owner/developer.
6. This project is within the Southern Water Use Caution Area (SWUCA). Through its master covenants or deed restrictions each development shall enforce provisions to preclude the installation and use of individual irrigation wells. Development within the Lakewood Ranch Southeast Property shall prioritize meeting irrigation needs through a hierarchy of (1) demand management strategies, (2) reclaimed water, (3) rainwater or stormwater. Only after a development demonstrates to Sarasota County that these measures are insufficient can community ground water wells be considered as a supplement to these other strategies.
7. Prior to the first RSF-2/PUD rezone application for a Project Area being deemed sufficient, the Applicant shall submit an overall conceptual Master Development Plan Utility Master Plan ("MDP Utility Master Plan") signed and sealed by a Florida registered professional engineer identifying the planned infrastructure, sizes, and conceptual layout of the transmission mains that will be used to serve the entire Lakewood Ranch Southeast Property. The MDP Utility

Master Plan will indicate the offsite connection points and line sizing for transmission and major distribution lines to the Master Development area for potable water and wastewater collection.

**B.1. Water Supply: Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. In the event that a Project Area Master Plan shall be inconsistent with the conceptual MDP Utility Master Plan, the MDP Utility Master Plan or the Project Area Master Plan shall be revised as necessary to reconcile that inconsistency. The Project Area Master Plan will include a Water Quality Plan that demonstrates how the potable water system expansion will maintain compliance with applicable drinking water quality standards; an evaluation of the system impacts for the entire Project Area increment; and identification of any off-site improvements required.
2. Prior to receiving Subdivision Plan or Site Development Plan approval for the first phase of development within a Project Area an applicant must receive approval for a Project Area Utility Master Plan and hydraulic models for the entire Project Area signed and sealed by a Florida registered professional engineer identifying the infrastructure required to connect the Project Area development increment to Sarasota County Public Utilities water, and reclaimed water systems.
3. The Project Area water distribution system shall be extended in a manner that minimizes dead ends by providing a looped system to minimize the need for the flushing of water lines. Each development phase will need to accommodate service to adjoining areas so that water mains can be looped or interconnected to form a water supply network.
4. Potable water sources shall not be utilized for non-potable water uses such as cooling water, decorative fountains, or lake augmentation.
5. The application for the Project Area rezoning shall designate the party or parties responsible for providing the on-site and off-site infrastructure required to serve the Project Area development inclusive of the on-site infrastructure required under the MDP Utility Master Plan, and shall contribute toward the provision of required off-site infrastructure in compliance with Sarasota County Utility Department Rules and Regulations as contemplated by the Fiscal Neutrality Plan.
6. Each Project Area rezone application shall include tabulations prepared by a Florida registered professional engineer detailing housing units by type and mix, non-residential (i.e., civil) land uses, along with an accounting of the Equivalent Dwelling Units (EDU's) associated with all development within the proposed Project Area. The EDU calculations provided shall use a methodology that is consistent with the adopted Water and Wastewater Equivalent Dwelling Units Table, (Resolution No. 2018-163 as amended) with tabulations listing development types within each Project Area, and calculations for the corresponding potable water and wastewater flow generation.
7. Project Area rezone applicants may need to amend the approved MDP Utility Master Plan or provide additional details regarding utility improvement phasing prior to being deemed sufficient during the rezone process.

8. During rezonings, applicants will be encouraged to identify potential areas for these improvements and to consult with Sarasota County and/or the Regional Water Supply Authority and/or FPL relative to the terms and conditions pursuant to which any such necessary easements or property for these future improvements might be acquired.

Subsequent development approvals shall not be required to dedicate these areas unless the parties mutually agree.

**B.2. Wastewater Management: Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. Prior to receiving Subdivision Plan or Site Development Plan approval for the first phase of development within a Project Area, an applicant must receive approval for a Project Area Utility Master Plan and hydraulic models for the entire Project Area development signed and sealed by a Florida registered professional engineer identifying the infrastructure required to connect the Lakewood Ranch Southeast development to Sarasota County Public Utilities wastewater systems. The Project Area Utility Master Plan will include a Lift Station Optimization Plan evaluating system impacts for the entire Lakewood Ranch Southeast increment along with any off-site improvements required.
2. In the event that a Project Area development plan is inconsistent with the approved or amended MDP Utility Master Plan, the MDP Utility Master Plan or the Project Area Master Plan shall be administratively revised as necessary to reconcile that inconsistency.
3. The application for the Project Area rezoning shall designate the party or parties responsible for providing the on-site and off-site infrastructure required to serve the Lakewood Ranch Southeast development, including the on-site infrastructure required under the MDP Utility Master Plan in order for the development to be deemed Fiscally Neutral, and shall contribute toward the provision of off-site infrastructure as required by the Sarasota County Utilities Department Rules and Regulations as contemplated by Fiscal Neutrality Plan.
4. No Permanent On-Site Sewage Treatment and Disposal Systems (OSTDS) or holding tanks will be allowed within the development. Any existing OSTDS in place at the time of rezoning may remain in use, subject to Sarasota County Health Department approval, or until such time as central wastewater collection service is available to the property.

Sarasota County's Public Utility Director is authorized to make final determinations regarding the continued use of existing OSTDS or the use of temporary holding tank(s) where phasing or timing of development warrants their utilization.

5. Each Project Area rezone application shall include tabulations prepared by a Florida registered professional engineer detailing housing units by type and mix, non-residential (i.e., civil) land uses, along with an accounting of the Equivalent Dwelling Units (EDU's) associated with all development within the proposed Lakewood Ranch Southeast Property. The EDU calculations provided shall use a methodology that is consistent with the adopted Water and Wastewater Equivalent Dwelling Units Table, (Resolution No. 2018-163 as amended) with tabulations listing development types within each Project Area, and calculations for the corresponding wastewater flow generation.

6. Project Area rezone applicants may need to amend the approved MDP Utility Master Plan or provide additional details regarding utility improvement phasing prior to being deemed sufficient during the rezone process.

B.3. Reclaimed Water: Issues Subject to Further Review in RSF-2/PUD Rezone Applications.

1. Reclaimed water service to Lakewood Ranch Southeast shall be provided by Braden River Utilities pursuant to a bulk supply agreement with Sarasota County.
2. The reclaimed water supply system shall be extended in a manner that is consistent with the MDP Utility Master Plan; or if inconsistent, the MDP Utility Master Plan shall be revised as necessary to reconcile that inconsistency. Each development phase shall accommodate the extension of the reclaimed water supply system to adjoining areas so that reclaimed service can be provided in a systematic fashion throughout the entire development, to all its development phases. If Sarasota County's Public Utility Director determines that the phasing or timing of development makes the connection to or utilization of reclaimed water impractical before issuing Subdivision or Site Development Plan approval for a phase, then development is required to construct systems in a manner deemed to be reclaimed ready. Reclaimed ready developments must provide sufficient infrastructure to minimize disruptions to existing and planned infrastructure and make provisions to connect to the County's reclaimed system within 365 days of notification by the County. Irrigation systems will use best management practices to minimize overspray onto impervious area and avoid unauthorized discharges.
3. The Project Area Utility Master Plan shall identify the volume of land application, location and placement of proposed reclaim facilities (including ponds, pumps and pipe routes), water balance calculations encompassing precipitation on an annual duration (AGMOD), demonstrate how the system will be operated in accordance with state rule, and reclaimed water & sewer effluent balance calculations for the project demonstrating how each phase of development will manage the volume of reclaimed water allocated.
4. Each Project Area rezone application shall include an irrigation summary prepared by a Florida registered professional engineer or geologist estimating the amount of irrigated acreage, identifying irrigation sources and demands, with tabulations by development within each Project Area. The irrigation summary shall estimate the quantities of water that are planned to be made available for irrigation, by type, (e.g. reclaimed water, stormwater, ground water, potable water, etc.) and a map identifying any proposed community wells, or storage ponds, along with identifying the infrastructure required to supply the Lakewood Ranch Southeast Property with reclaimed water, along with any offsite improvements required.
5. Developers shall provide reclaimed system storage or equivalent means in accordance with Sarasota County guidelines and a central irrigation system for the development to enable the use of reclaimed water for irrigation through the irrigation supply hierarchy.

At the Subdivision Plan or Site Development Plan approval stage developers shall designate a single entity responsible for reclaimed water within a development and make provisions to accommodate reclaimed water supply to adjoining areas with Lakewood Ranch Southeast. Systems shall be designed to accept, at a minimum, an amount of reclaimed water at least equal

to the proposed wastewater flow generated from the development in accordance with Sarasota County guidelines.

### **Section 13 Solid Waste**

#### **A. Conditions for Development Approval.**

1. None.

#### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. Each RSF-2/PUD rezone application will include a letter from the Sarasota County Director of Solid Waste indicating whether there is adequate landfill disposal capacity available for the Project Area or the projected date when disposal capacity will be available for the Project Area, or the amount of current excess capacity to accommodate the additional refuse.

### **Section 14 Education**

#### **A. Conditions for Development Approval.**

1. The School District of Sarasota County has previously secured a ~20-acre site for a future elementary school within the Waterside DRI and ~61-acre site for a future school within the Lakewood Ranch Corporate Park together with High School and Middle School sites within Hi-Hat Ranch Master Plan. School Board staff analysis indicates that these school sites satisfy the school capacity needs generated by the Lakewood Ranch Southeast DOCC & VTZ Master Plan..

#### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. The RSF-2/PUD rezone application shall provide the status and capability of existing schools or planned facilities to accommodate anticipated students.
2. The Applicant shall provide updated anticipated student generation numbers as part of the RSF-2/PUD rezone application using student generation rates adopted at the time of the Application by School Board.

### **Section 15 Recreation**

#### **A. Conditions for Development Approval.**

1. The Master Developer shall provide +/- 106 acres of park land (the "Required Park Site") of which a minimum of 40 acres (the "Required Park Site"), shall be made available for a future regional park, as indicated on the VTZ Master Plan.

The following shall also count toward park land acreage:

- a. Pocket parks and other active or passive recreation facilities constructed by the Master Developer within Open Space areas throughout Lakewood Ranch Southeast
- b. Internal trails and regional trail connections that are set aside and/or constructed with Project Area development



- c. Eligible Private Amenities and recreational facilities within Project Areas (determined as part of an RSF-2/PUD rezoning of a Project Area).

All of the items noted above, which shall also be counted as a portion of the Open Space calculation for Lakewood Ranch Southeast.

- 2. The Master Developer shall provide trails that link to the park land, sidewalks, and a multi-modal mobility network within each Project Area, with interconnectivity between Project Areas and future connection points to the remaining developed area within Lakewood Ranch Southeast, including the provision of appropriate transition and connections to adjacent external multi-use path systems and the proposed or existing off-site trails adjacent to the project site, as generally identified in the Sarasota County Trails Master Plan.
- 3. Providing access to the park and trails for persons with disabilities, per the Americans With Disabilities Act (ADA), shall be a primary consideration in all park and trail development.
- 4. The park land shall be accessible via a roadway, perimeter sidewalk or a trail, and mobility within the park shall be provided via sidewalks or improved trail.
- 5. Subsequent to approval of this MDO, the Master Developer shall cooperate with Sarasota County for a period of five (5) years from the date of adoption of this MDO to expand the Required Park Site within areas otherwise set aside as Open Space to accommodate a regional park provided that:
  - a. Programming of park facilities and activities shall be within the sole discretion and the sole responsibility of Sarasota County;
  - b. Development of the park by Sarasota County shall not alter the Open Space calculations for Lakewood Ranch Southeast;
  - c. The park site requested by Sarasota County shall not contain lands owned by Heritage Ranch, LLC.;
  - d. Sarasota County agrees to allow linkages to and through the park site to the trails network depicted in Map H-1 and H-2; and
  - e. The Master Developer and Sarasota County agree upon the form and amount of the consideration for the acquisition of the land and the time table for improvement of the park facilities.

**B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

- 1. Those items enumerated in Section 15.A.1.c. above shall be reviewed for acceptability to be considered Recreational Uses and/or Open Space.

2. A Tracking Chart shall be prepared by the Master Developer and included by each applicant with each Rezone Application for Project Areas, updated with Subdivision Plan submittals, to show the incremental fulfillment, and ultimate compliance with Condition 15.A.1, above, at time of Buildout.

#### **Section 16 Fire Protection and other Emergency Services.**

##### **A. Conditions for Development Approval.**

1. The Master Developer shall identify one fire station site, no less than 2 acres of developable land and accessible to a planned public roadway.

##### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. The first RSF-2/PUD rezone application for the Project Area will address the terms and conditions pursuant to which the fire station site referenced in Section 16.A.1. above will be made available to the County. The station site shall be no less than two (2) buildable acres directly accessible to a planned public road and planned public utilities to serve the site, and shall not be located within the 100-year floodplain or within 600 feet of any FPL transmission right of way. The Master Developer shall have all required infrastructure to serve the fire station site in place prior to issuance of the fire station Certificate of Occupancy.

#### **Section 17 Sheriff Protection**

##### **A. Conditions for Development Approval.**

1. The Master Developer shall consult with the Sheriff's Office to ensure that security features are incorporated within the project design, including but not limited to: a) appropriate access for law enforcement and other emergency vehicles; b) reasonable levels of lighting for public areas; and c) appropriate signage to enhance public safety.

##### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. None.

#### **Section 18 Hurricane Evacuation.**

##### **A. Conditions for Development Approval.**

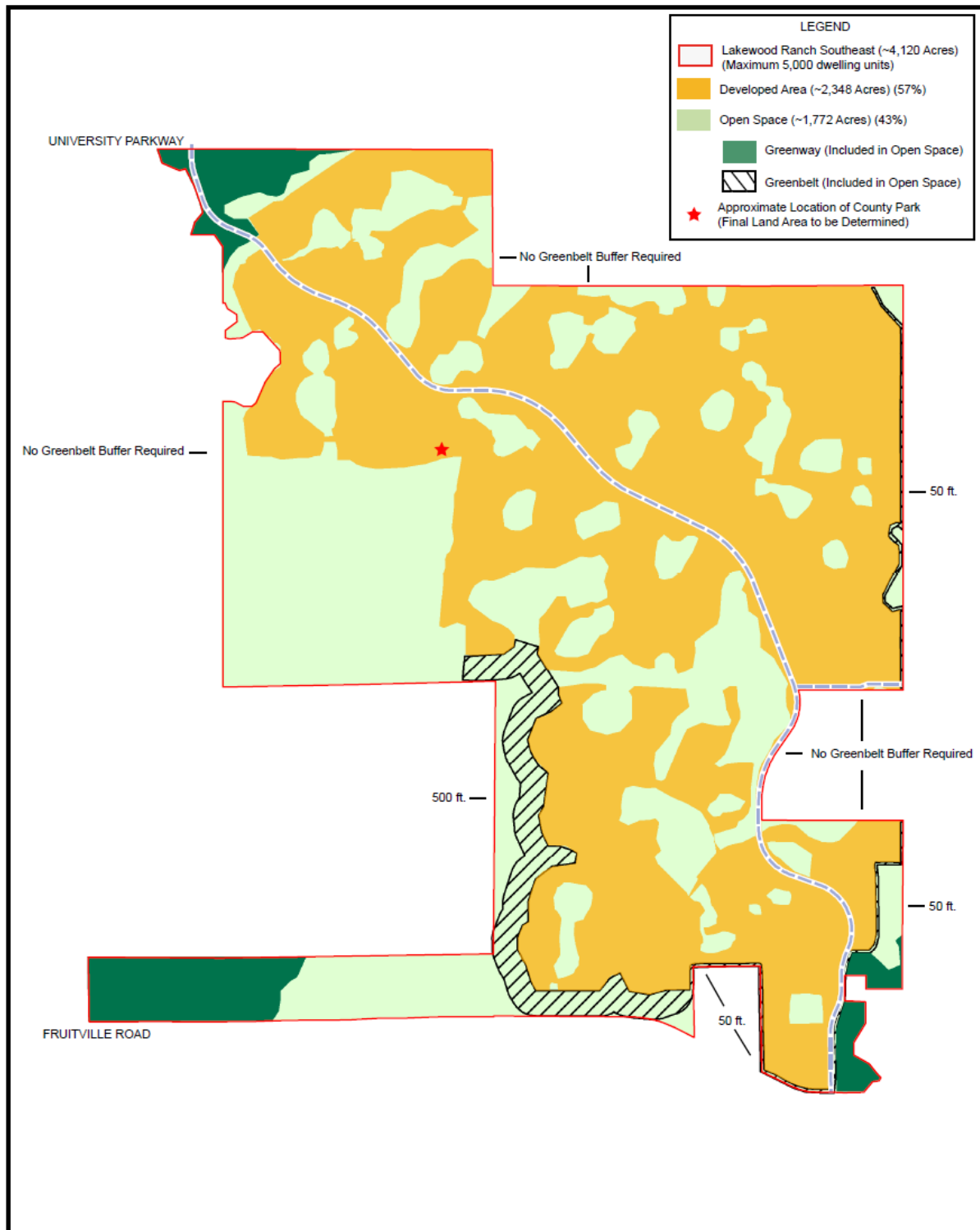
1. None.

##### **B. Issues Subject to Further Review in RSF-2/PUD Rezone Applications.**

1. None.

## EXHIBIT C: VTZ MASTER PLAN

Map C-3: VTZ Master Plan



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**Notes:**

1. Coordinate System: NAD 1983 StatePlane Florida West NTS 6902 Feet
2. Source Data: Sarasota County GIS, Stantec, Arizona

**Map C-3: Village Transition Zone (VTZ)**  
**Master Plan**  
 Lakewood Ranch Southeast  
 3.04.11.01777

Stantec Consulting Services Inc.  
 6500 Professional Plaza II  
 Sarasota, FL 34240  
 Tel: 941.907.6900  
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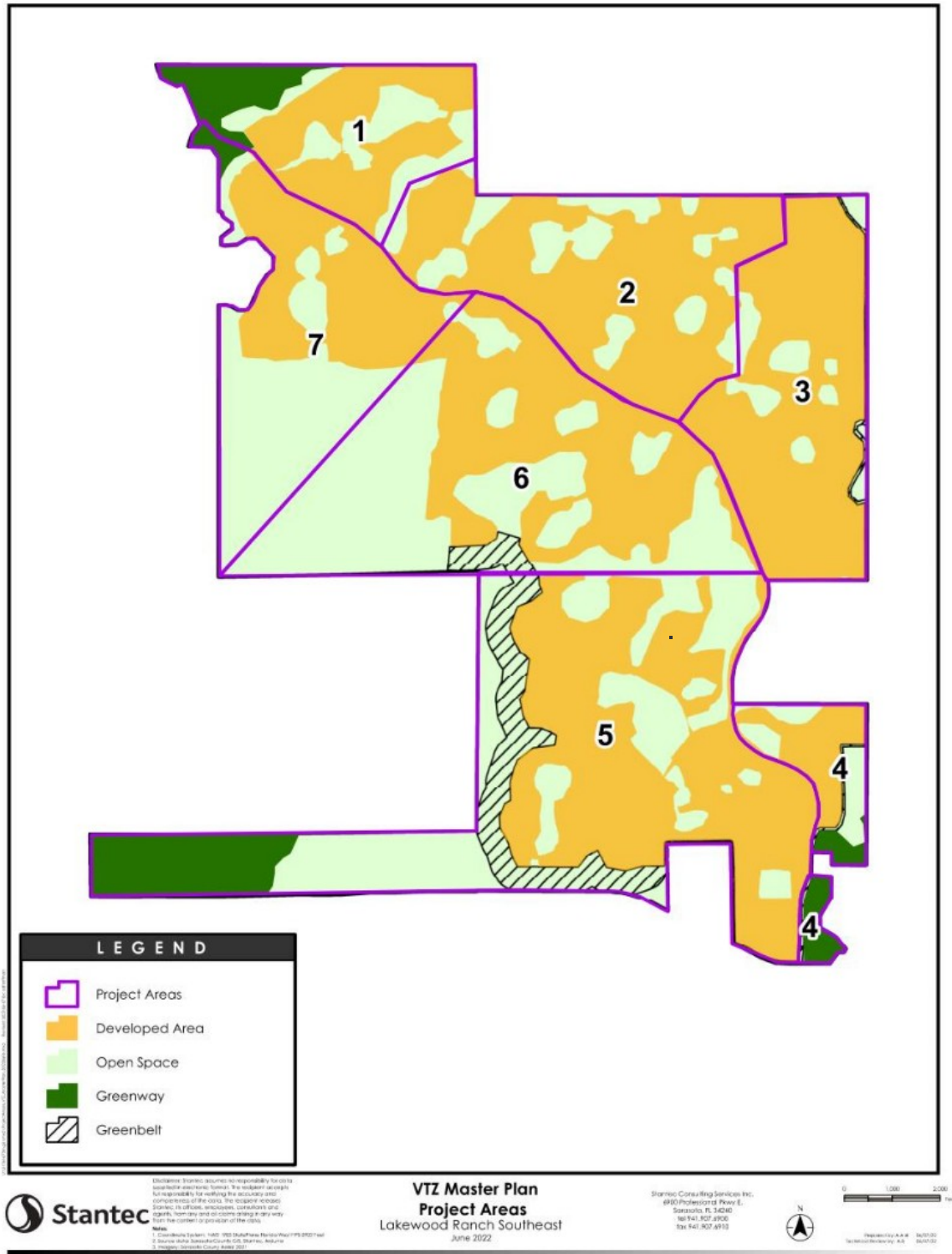


0 1,000 2,000 Feet

Table C-3: Development Base Information

Development Base Information		
Lakewood Ranch Southeast Area Composition		
<u>Land Use</u>	<u>Area (AC)</u>	<u>% of Total Acreage</u>
Developed Area	2,348±	57%
Open Space	1,772±	43%
Sub-Total	4,120±	100%
<b>Total Residential Units (Maximum)</b>	5,000	

Map C-4: VTZ Master Plan with Project Areas



Lakewood Ranch Southeast is divided into Project Areas, as shown on Map C-4, that are intended to correspond to future rezonings pursuant to this MDO. These Project Areas may be rezoned collectively or individually. Table C-4 shows the base densities of each Project Area and provides an example of how densities may be allocated and the use of Incentivized Community Housing to achieve the maximum permitted density of 5,000 dwelling units in Lakewood Ranch Southeast. Density may be transferred by the Master Developer between Project Areas provided that the maximum density of 5,000 dwelling units is not exceeded cumulatively within the Project Areas. This Table C-4 and Map C-4 will be administratively updated with the approval of each Project Area Rezoning.

Table C-4: Project Area Densities

	Allocated Base Dwelling Units	Incentivized Community Housing Units <sup>1</sup>	Additional Market Rate Units	Transferred From Other Project Areas	Total Allocated Units	Total Units to be Internally Transferred To Other Project Areas	Total Built Units	Excess Units For Sale Per TDR Policies
Project Area 1	340	-	-	-	65	(275)	TBD	
Project Area 2	570	94	94	275	1,033	TBD	TBD	
Project Area 3	495	46	46	449	1,036	TBD	TBD	
Project Area 4	149	300	300	-	300	(449)	TBD	
Project Area 5	1188	-			1,188	TBD	TBD	
Project Area 6	872	-		-	872	TBD	TBD	
Project Area 7	506	-	-	-	506	TBD	TBD	
<b>Total Dwelling Units</b>	<b>4,120</b>	<b>440</b>	<b>440</b>	<b>-</b>	<b>5,000</b>		<b>-</b>	<b>TBD</b>

<sup>1</sup> AMI Level with Mortgage = 120% (Incentive Market Rate Units → 1.0)

Note: The specific unit allocation may be adjusted and refined at each RSF-2/PUD submittal.

Note: The "Excess Units" are intended to be internally exchanged up to the 5,000 unit maximum. Should development incentives yield more units than are built, any undeveloped units (up to, and in excess of the Maximum 5,000 units) may be sold or otherwise transferred by the Master Developer.

Dwelling Units in excess of the Base Dwelling Units listed above for any Project Area are conditioned upon the provision of Incentivized Community Housing Units or other approved TDR's in accordance with goals, objectives, and policies contained within Chapter 8 , Objective 1 of the Sarasota County Comprehensive Plan. To achieve the maximum density of 5,000 dwelling units, it is anticipated that approximately 440 incentivized community housing units will need to be provided. The total number of units in each Project Area (Allocated Base Dwelling Units + Incentivized Community Housing + Additional Market Units + Other TDR's) shall be determined at the time of rezoning for each Project Area. Individual Project Areas may have densities greater than that permitted in RSF-2/PUD provided that the aggregate density of all land within the Lakewood Ranch Southeast VTZMP does not exceed 5,000 dwelling units.

The total number of residential dwelling units shall not exceed 5,000 units within the boundaries of Lakewood Ranch Southeast for any reason, including but not limited to housing bonuses for Incentivized Community Housing or other TDR's. If Incentivized Community Housing Bonuses allow market rate units

in excess of the 5,000 dwelling unit maximum, said excess units may be sold or otherwise transferred by the Master Developer pursuant to Sarasota County's TDR Program and VTZ Policy 2.5.

#### EXHIBIT D: FISCAL NEUTRALITY ANALYSIS

Can we avoid including the whole thing???

## EXHIBIT E: WATER QUALITY MONITORING PLAN

### **BASELINE AND ONGOING SURFACE WATER QUALITY MONITORING PROGRAM LAKEWOOD RANCH SOUTHEAST MASTER DEVELOPMENT ORDER**

#### **1.0 OVERVIEW**

The Baseline Surface Water Quality Monitoring Program for the Lakewood Ranch Southeast Development will commence one year in advance of anticipated initiation of site development activities. Ongoing Surface Water Monitoring Program will commence upon beginning of construction within each Project Area.

#### **2.0 MONITORING STATIONS/LOCATIONS**

The project occupies approximately 4,120 acres and includes three water bodies within two drainage basins. Cow Pen Slough, Howard Creek, and Indian Creek within the Sarasota Bay and Upper Myakka River drainage basins.

The specific locations for the Baseline Water Quality Monitoring stations are identified on the attached Monitoring Station Location Exhibit for the monitoring program is anticipated to commence. For the Ongoing Surface Water Quality Monitoring stations, it is anticipated that the foregoing Baseline Water Quality Monitoring Stations will be used in conjunction with any necessary additional stations specific to one or more Project Areas. Such additional stations, if any, shall be designated with the rezoning of each Project Area and shall be administratively added to the Monitoring Station Location Exhibit.

#### **3.0 MONITORING COMMENCEMENT and FREQUENCY**

Baseline Surface water sampling will commence one year in advance of anticipated initiation of site development activities. The surface water sampling as outlined in the Baseline Water Quality Monitoring Program will cease once construction begins and the Ongoing Surface Water Quality Monitoring Program commences.

Baseline Samples shall be collected monthly and Ongoing Samples shall be collected quarterly at the designated monitoring locations, as described under Section 2.0 above. The Baseline Monitoring Program will be considered complete and sufficiently satisfied under FDEP's data sufficiency provision, referenced in Chapter 62-303.320(4) Florida Administrative Code (F.A.C.). The provision indicates that at least 10 independent samples be collected with at least one sample from three of the four calendar seasons from each WBID lying wholly or partially within the project. The Ongoing Surface Water Quality Monitoring Program will be deemed complete for a Project Area at the expiration of one year after such time as 80% of the dwelling units within such Project Area have been constructed and issued certificates of occupancy.



#### 4.0 SAMPLE COLLECTION METHODS, ANALYSIS and QUALITY ASSURANCE

Sample collection methods shall be consistent with Florida Department of Environmental Protection Standard Operating Procedures for Field Activities, DEP-SOP-001/01. Per the SOP, grab samples will be collected within the top 12 inches of the water column, however, skimming the surface will be avoided in order to minimize collection of surface scum or other unrepresentative contaminants.

Analytical Parameters:

1. Total Kjeldahl Nitrogen (mg/l)	MDL = 0.1
2. Total Ammonia (mg/l)	MDL = 0.02
3. Total Nitrate + Nitrite (mg/l)	MDL = 0.025
4. Total Phosphorus (mg/l)	MDL = 0.1
5. Specific Conductance (umhos/cm)	MDL = 100
6. Fecal Coliform Bacteria (cfu/100ml)	MDL = 100
7. Escherichia Coli Bacteria (cfu/100ml)	MDL = 10
8. Dissolved Oxygen Saturation (%)	MDL = 2.0
9. Turbidity (NTU)	MDL = 2.0
10. Water Temperature (F)	MDL = 2.0
11. BOD5 (mg/l)	MDL = 2.0
12. Chlorophyll A – Corr. for Pheo (mg/m3)	MDL = 0.5
13. Water Velocity (ft/sec)	
14. Water Depth (ft)	
15. Sample Depth (inches below surface)	

Laboratory analysis of samples will be performed by NELAP certified laboratories. Data shall not have qualifiers that prohibit the use of the data for evaluation of water quality conditions or regulatory compliance.

#### 5.0 REPORTING

Reporting of the monitoring results will be required as follows:

1. The monitoring data from the previous year shall be reported to Sarasota County annually in April of each year in a single excel spreadsheet.
2. Sarasota County will post the reported information on the Sarasota Water Atlas website
3. A full set of water quality data for the previous year shall be uploaded to Florida's Watershed Information Network (WIN) data system annually in April of each year
4. Total Nitrogen shall be reported as the sum of TKN and Total Nitrate + Nitrite

#### 6.0 MODIFICATION OF THE WATER QUALITY MONITORING PROGRAM

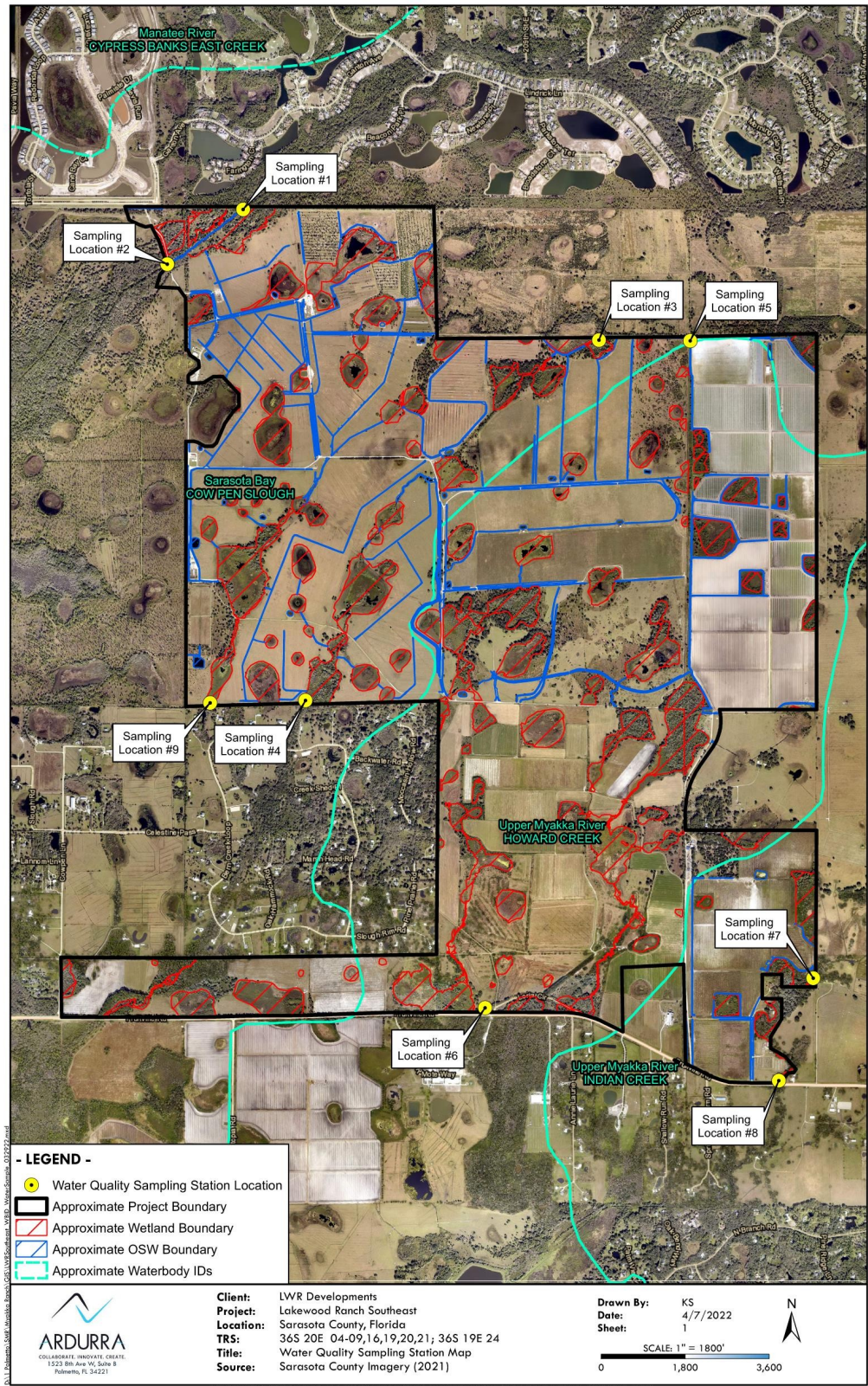
The Baseline Surface Water Quality Monitoring Program may be revised upon request of the Sarasota County Stormwater Environmental Utility (or its successor) to reflect unforeseen changes to on-site and off-site conditions. The Master Developer shall continue sampling until a formal request has been

submitted to the County and subsequently approved or until the criteria in Section 3.0 above have been met.

#### **7.0 INCORPORATION INTO MASTER DEVELOPMENT ORDER**

The terms of this monitoring program will be incorporated into any Master Development Order approved by Sarasota County for the project as the monitoring program may be modified by Sarasota County and the developer at the time of adoption of the Master Development Order.

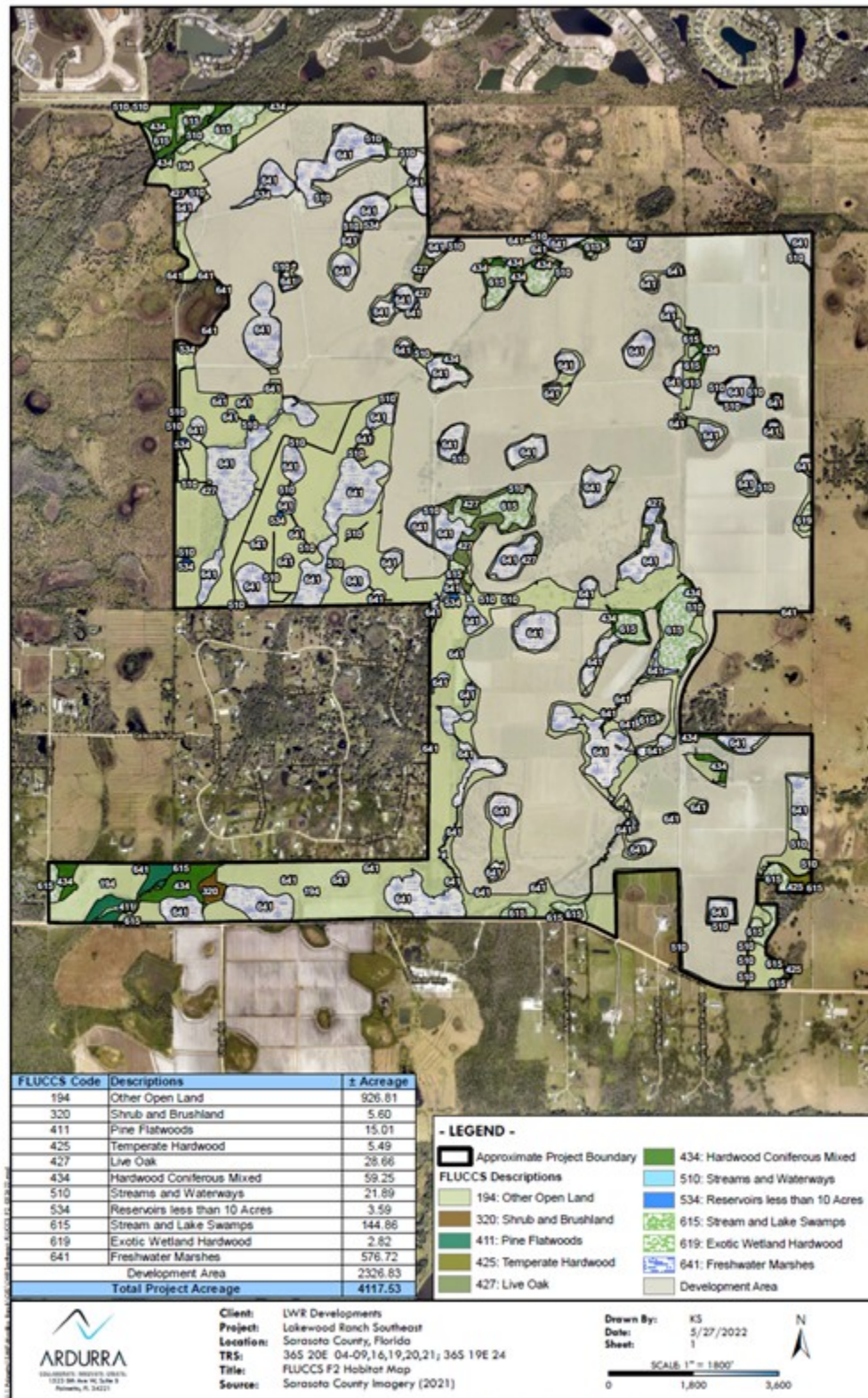
Exhibit E, Monitoring Station Location Exhibit.





# EXHIBIT F: Environmental Systems

## Map F-1 Existing Native Habitat Map





Map F-2, Native Habitat Preservation and Alteration Map

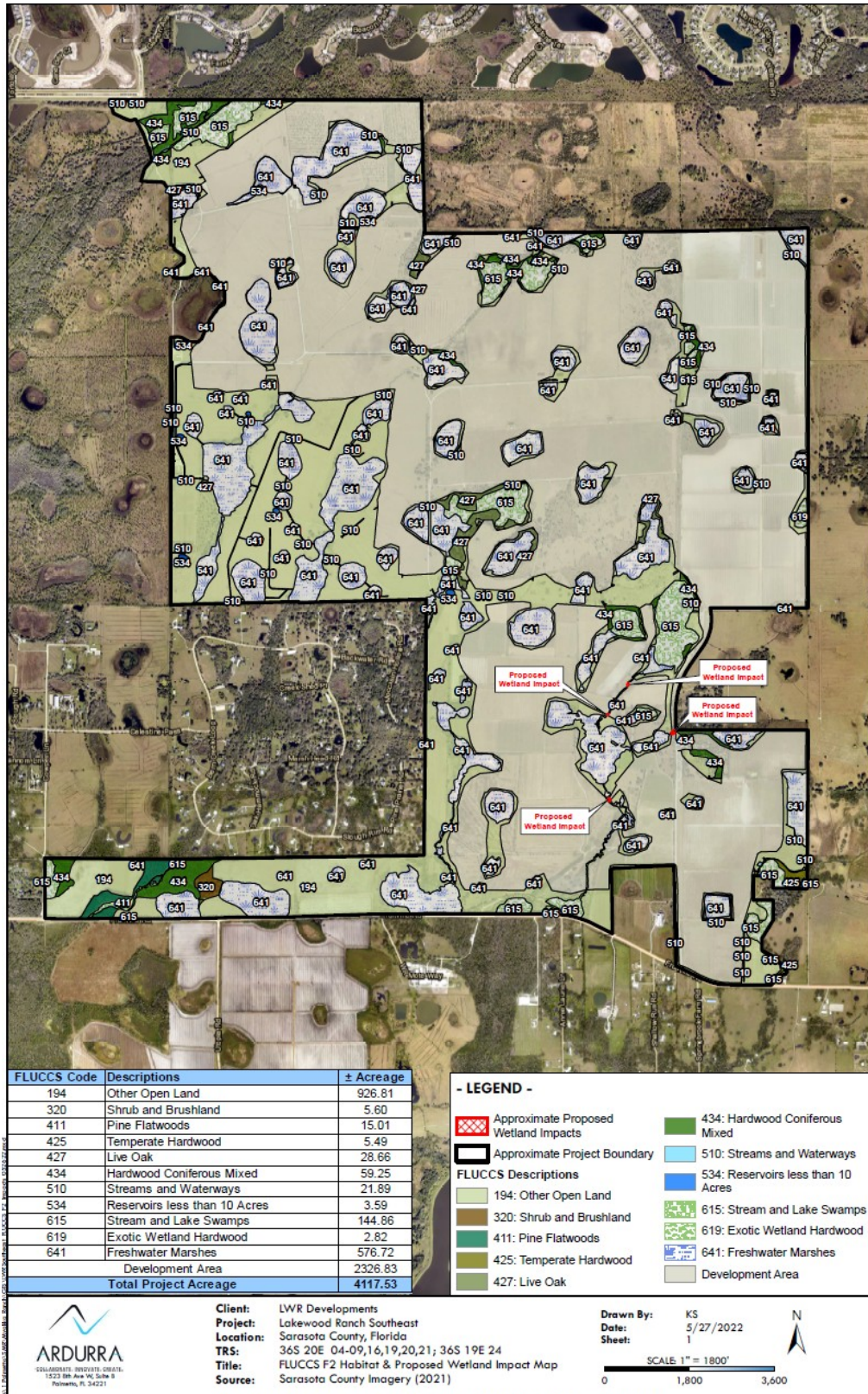


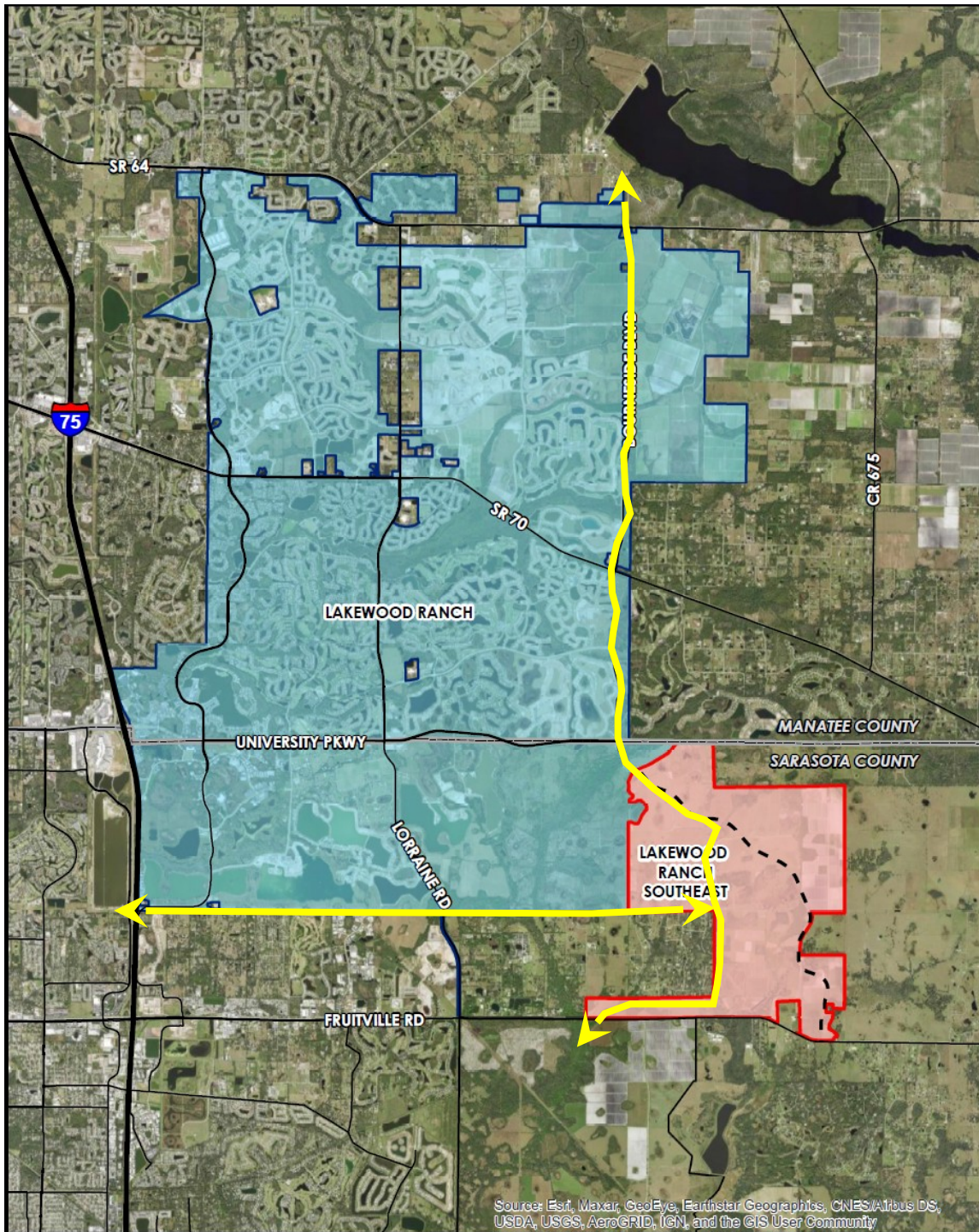
EXHIBIT G:

Map G-1 Predevelopment Drainage Conditions Map

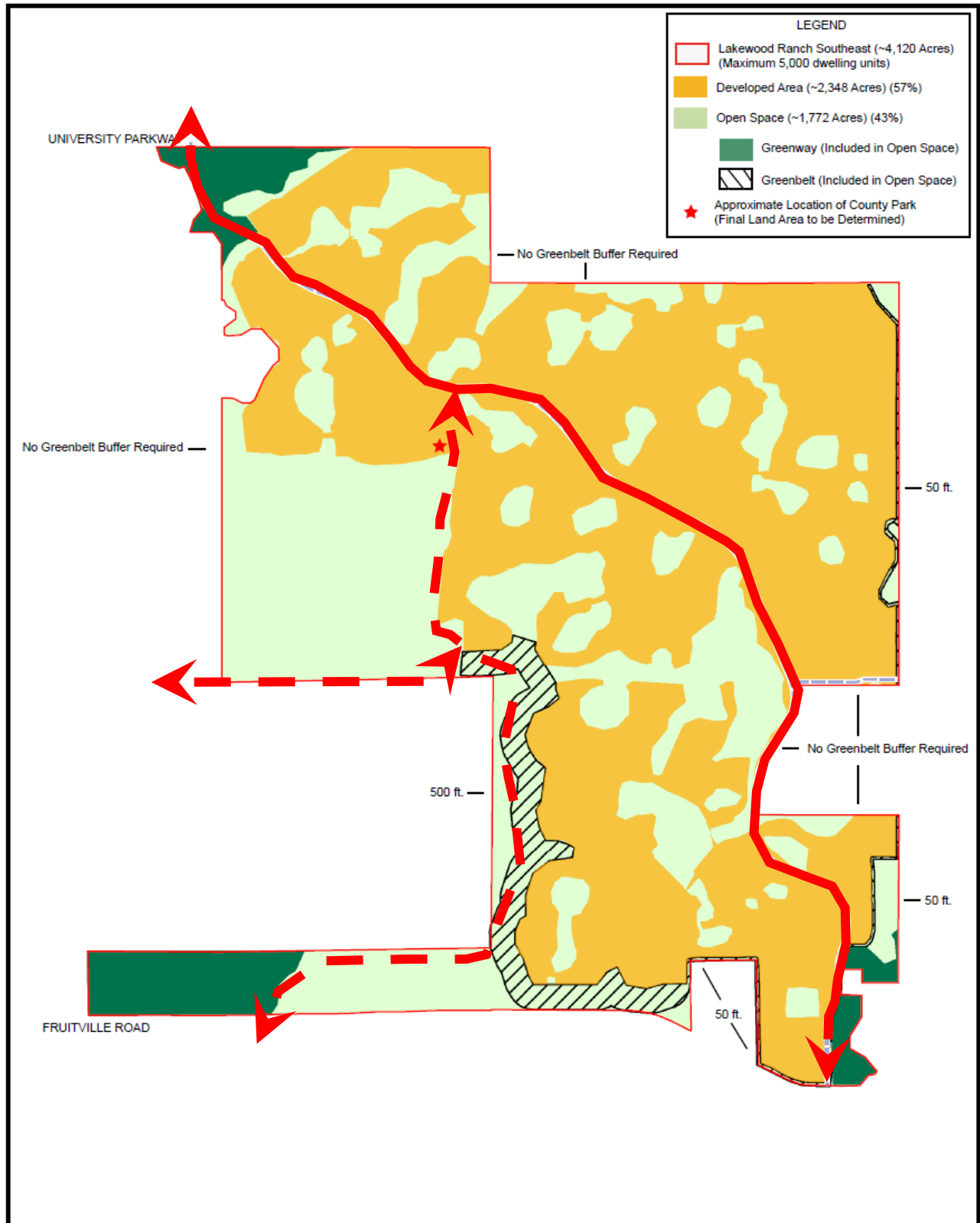


Exhibit H: TRANSPORTATION

Map H-1, Conceptual Regional Trails Map, Potential Corridors



Map H-2 Lakewood Ranch Southeast Conceptual Trails Map



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**Notes**

1. Coordinate System: NAD 1983 StatePlane Florida West NAD 83 FWS 1402 Feet

2. Source data: Sarasota County GIS, Stantec, Arizona

**Map C-3: Village Transition Zone (VTZ)**  
**Master Plan**  
 Lakewood Ranch Southeast  
 8.6 mi. 2022

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 Sarasota, FL 34240  
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