

A RESOLUTION ADOPTING A DEVELOPMENT ORDER APPROVING, WITH CONDITIONS, THE SUNWEST HARBOURTOWNE DEVELOPMENT OF REGIONAL IMPACT (DRI NO. 267).

WHEREAS, in accordance with Section 380.06, Florida Statutes, as amended, Sunwest Acquisition Corporation (Applicant/Developer) has filed an Application for Development Approval (ADA) for a Development of Regional Impact (DRI) for Sunwest Harbortowne known as the Project; and,

WHEREAS, the Pasco County Board of County Commissioners is the governing body having jurisdiction over the review and approval of the DRI in accordance with Section 380.06, Florida Statutes, as amended; and,

WHEREAS, the culmination of review pursuant to Section 380.06, Florida Statutes, requires the approval, approval with conditions, or denial of the ADA; and,

WHEREAS, this development order (DO) for the Project was adopted by the Pasco County Board of County Commissioners on March 30, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, in regular session duly assembled that:

The ADA of the Project is approved with conditions, as set forth in the following DO, which is hereby adopted by the Board of County Commissioners:

PROJECT DEVELOPMENT ORDER

1. General Findings of Fact

The Board of County Commissioners makes the following general Findings of Fact:

a. The Applicant/Developer has filed, in accordance with Section 380.06, Florida Statutes, as amended, the ADA for the Project and three (3) Responses to Request for Additional Information, collectively referred to as the Application.

b. The nature, type, scope, intensity, density, costs, and general impact of the proposed Project, in part, are those that are summarized in Composite Exhibit A, the Application, and in attached Exhibit B, the Tampa Bay Regional Planning Council (TBRPC) Final Report. Both Exhibits A and B are incorporated into this DO by reference and are on file with the Planning and Growth Management Department.

c. The real property (Property) encompassed by the Project is owned by Bill H. Hunt, Branford Investment LLC, Dial One LC, Successful Investments LLC, Forest Properties LLC, Southwest Florida Water Management District, and Withlacoochee River Electric Corporation and a description of the said Property is attached hereto as Exhibit C which is made a part of this DO.

d. The current Comprehensive Plan Future Land Use Map classifications for the Property are ROR (Retail/Office/Residential), RES-9 (Residential - 9 du/ga), RES-6 (Residential - 6 du/ga), IL (Industrial - Light), and CL (Coastal Lands). Simultaneously with the adoption of this DO, the Board of County Commissioners shall be adopting a Comprehensive Plan Amendment amending the Future Land Use Map classifications for the Property from ROR (Retail/Office/Residential), RES-9 (Residential - 9 du/ga), RES-6 (Residential - 6 du/ga), IL (Industrial - Light), and CL (Coastal Lands) to PD (Planned Development). The proposed development is consistent with the applicable provisions of the PD (Planned Development) classifications; the subarea policies; and other Goals, Objectives, and Policies of the Comprehensive Plan.

e. The current zoning for the Property is A-C, Agricultural; A-R, Agricultural Residential; R-MH, Mobile Home; R-2, Low Density Residential; R-4, High Density Residential; C-2, General Commercial; C-3, Commercial/Light Manufacturing; and I-1, Light Industrial Park Districts. Simultaneously with the adoption of this DO, the Board of County Commissioners shall be adopting a rezoning of the Property to MPUD Master Planned Unit Development District.

f. This DO, the Comprehensive Plan Amendment to PD (Planned Development), and the rezoning to MPUD Master Planned Unit Development District are all required and necessary for the Project's entitlements to be effective; therefore, all such approvals will be adopted by the Board of County Commissioners on the same date, and each approval shall not become effective until the other approvals are effective.

g. On March 18, 2009, the TBRPC notified Pasco County (County) that its sufficiency review was complete, that the TBRPC had initiated the preparation of its DRI Final Report, and that the local government should set a date for the public hearing on the pending Application. On May 11, 2009, the TBRPC notified the County that it adopted its Final Report for the Project, recommending approval of the Project with conditions.

h. The Board of County Commissioners scheduled and held a public hearing on the pending Application which concluded on March 30, 2010.

i. Notice of the hearing has been published in a newspaper of general circulation at least sixty (60) days prior to the date set for the Board of County Commissioners hearing.

j. At the said public hearing, all parties were afforded the opportunity to present evidence and argument on all issues, and submit rebuttal evidence.

k. Additionally, at the said public hearings, any member of the general public requesting to do so was given the opportunity to present written or oral communications.

l. The Board of County Commissioners has received and considered the TBRPC Final Report on the Application.

m. The Board of County Commissioners has received and considered various other reports and information including, but not limited to, the recommendation of the Planning and Growth Management Department and the Development Review Committee (DRC).

n. The Board of County Commissioners finds that this DO complies with and is consistent with Rule 9J-2.041, Florida Administrative Code, and the intent and purpose of Chapter 380, Florida Statutes. Specifically, the Board of County Commissioners finds this DO balances the provisions of Rule 9J-2.041, Florida Administrative Code, with the protection of property rights, the encouragement of economic development, the promotion of other state planning goals by the development, and the utilization of alternative, innovative solutions to provide equal or better protection than the Rule, and in support thereof states the following:

(1) The Florida Fish and Wildlife Conservation Commission (FFWCC) has determined that portions of the Project are located in the bear range for the Florida Black Bear's Chassahowitzka subpopulation, but standard habitat mitigation guidelines have not been completed by the FFWCC to determine mitigation for Florida Black Bear habitat loss at this time. See the March 3, 2010 E-mail from Dave Telesco, Bear Management Program Coordinator, Florida Fish and Wildlife Conservation Commission, attached hereto as Exhibit L.

(2) Recognizing the lack of standard Black Bear habitat mitigation guidelines, subsection 5.h(4) of this DO pertaining to the Florida Black Bear Habitat Mitigation Plan (FBHMP) provides equal or better protection to Florida Black Bear habitat pursuant to Rule 9J-2.041 through innovative DO conditions that will establish a methodology for mitigating for Florida Black Bear habitat loss and ensure that no harm to Florida Black Bear habitat shall occur until such mitigation is established and provided by the Applicant/Developer.

(3) Subsection 5.h(4) of this DO requiring approval by the Florida Department of Community Affairs (FDCA) and incorporation of the FBHMP into this DO through an amendment following the procedures for a non-substantial deviation set forth in Subsection 380.06(19), Florida Statutes, ensures the following:

(a) There will be collaborative participation by all appropriate agencies including the FDCA, Southwest Florida Water Management District (SWFWMD), FFWCC, Hernando County, and TBRPC.

(b) There will be opportunity for public review and input during the public hearings that will be conducted by the County and the TBRPC.

(c) The FDCA will satisfy their obligations pursuant to Rule 9J-2.041 in the review and approval of the FBHMP, including review of the amount, location, cost, and maintenance responsibilities for the Florida Black Bear habitat mitigation area(s).

(4) Approval of this DO and the innovative DO conditions in subsection 5.h(4) provide balance between the provisions of Rule 9J-2.041 and the protection of property rights, including the Applicant/Developer's existing rights to mine portions of the Property (as depicted on Exhibit J), and/or rights to develop 1,138 residential units and 3,751,612 non-residential building area under the Applicant/Developer's existing zoning entitlements (see Table in Exhibit M). The Applicant/Developer's existing mining rights and zoning entitlements permit the mining or development of areas suitable for the Florida Black Bear's Chassahowitzka subpopulation. Additionally, this DO promotes the environmental stability of the Project and Property through the cessation of mining activity as required by Subsection 3.f of this DO and through the redistribution and overall reduction of the Project's existing zoning entitlements to 2,500 residential units, 300,000 square feet of non-residential development, a 250-room hotel, a 500-boat slip marina, and an 18-hole golf course.

(5) Approval of this DO encourages economic development through the self reclamation of a mining site to a tourist destination resort with a hotel, marina and fresh water lake recreational areas. Furthermore, the *Planning and Organizing for Successful Economic Development Report* issued by the Urban Land Institute for Pasco County identifies SunWest DRI as a large lake- and water-oriented resort development consistent with the recommended economic development strategy and image for the coastal area (Exhibit K).

(6) Approval of this DO promotes the following state planning goals:

(a) Pursuant to Subsection 187.201(13), Florida Statutes, Florida shall protect its air, land, and water resources from the adverse effects of resource extraction and ensure that the disturbed areas are reclaimed or restored to beneficial use as soon as reasonably possible. The cessation of mining activity as specified in Subsection 3.f of this DO promotes this state planning goal. Furthermore, this DO requires the reclamation of such disturbed areas and converts the mined lakes into a recreational amenity.

(b) Pursuant to Subsection 187.201(8)(b)10, Florida Statutes, Florida shall give priority in marine development to water-dependent uses over other uses. This Project includes a marina with 500 boat slips and a water-dependent resort component consistent with this goal.

(c) Pursuant to Subsection 187.201(13), Florida Statutes, Florida shall protect private property rights and recognize the existence of legitimate and often competing public and private interests in land use regulations and other government action. As more fully set forth in Finding of Fact I.(4), this DO balances the Applicant/Developer's existing mining and zoning rights with the public interest in protecting the habitat of the Black Bear.

2. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

a. This Project will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area encompassed by the DO.

b. As conditioned, this DO addresses issues raised consistent with the TBRPC Final Report.

c. As conditioned, this DO is consistent with the applicable provisions of the Land Development Code (LDC).

d. As conditioned, this DO is consistent with the applicable provisions of the adopted Comprehensive Plan.

e. The land that is the subject of this DO is not in an Area of Critical State Concern.

f. As conditioned, this DO is consistent with the applicable provisions of the adopted State Comprehensive Plan as amended.

g. To the extent any of the General Findings of Fact set forth in Section 1 are considered Conclusions of Law, the Board of County Commissioners also hereby adopts such Findings as the Board's Conclusions of Law.

3. Approval Stipulations

a. The requirements of and conditions contained in this DO shall regulate the development of the Property. Following the adoption of this DO, all plans for development on the Property shall be consistent with the conditions and restrictions recited therein. Such conditions shall be binding upon all Applicant/Developer's successors in interest to the Property.

In the event the County Administrator or his designee (Administrator) determines that a violation of the provisions hereof has occurred, the Administrator may issue a Notice of Noncompliance to the Applicant/Developer. If the noncompliance is not cured by the date stated in the Notice of Noncompliance, the Administrator may require that all development related to the violation cease until the violation has been corrected. The Applicant/Developer may appeal the determination to the Board of County Commissioners pursuant to the LDC, Section 317. Notwithstanding the foregoing, violations of the Development Agreement (DA) hereinafter described, if required, shall be addressed in accordance with the provisions of the DA.

b. All development specifically authorized by this DO shall be carried out in accordance with the provisions hereof.

(1) Adverse impacts shall be mitigated as specified in this DO.

(2) The Applicant/Developer's commitments set forth in Exhibit D shall be honored by the Applicant/Developer, except as they may be superseded by specific terms of this DO.

c. Development of the Project shall also be governed by the applicable standards and procedural provisions of the Comprehensive Plan. Land development regulations shall be applied in a manner that is consistent with Section 163.3194(1)(b), Florida Statutes, and the land development regulations,

including the LDC. Conflicts between the land development regulations and this DO shall be resolved in accordance with applicable law.

d. The approved DRI shall not be subject to downzoning, unit-density reduction, or intensity reduction until December 31, 2025, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the DO have occurred; or that the DO was based on substantially inaccurate information provided by the Applicant/Developer; or that the change is clearly established by the local government to be essential to the public health, safety, or welfare. Compliance with this DO, the associated DA, MPUD Master Planned Unit Development conditions, Comprehensive Plan, and LDC shall not constitute downzoning, unit-density reduction, or intensity reduction for purposes of the prohibition contained in this paragraph.

e. As provided in Chapter 190, Florida Statutes, and subject to the Board of County Commissioners separate approval, Community Development District(s) (CDD) are hereby authorized to undertake the funding and construction of any of the projects, whether within or without the boundaries of the CDD which are identified within this DO. Further, any obligations of the Applicant/Developer contained in this DO may be assigned to a CDD, homeowners'/property owners' association, or other entity approved by the County.

f. The Property is currently utilized for mining activities. Prior to submittal of the first preliminary plan/preliminary site plan for any entitlement within the SunWest Harbourtowne DRI, all commercial mining activities shall cease and mining materials generated within the DRI boundaries shall only be utilized for project related fill requirements. Mining activity shall be limited to thirty-eight (38) acres within the areas that have been previously disturbed by mining activities and there shall be no expansion of mining activities beyond these limits. Any mining in excess of thirty-eight (38) acres will require a Notice of Proposed Change (NOPC) Application to the DRI to evaluate impacts to regional resources. Except as necessary for Project related improvements, the Applicant/Developer shall surrender all commercial mining permits and extinguish all commercial-related mining rights pursuant to such permits prior to approval of the first preliminary plan/preliminary site plan.

4. Phasing and Duration

a. Phasing Schedule

This Project is specifically approved as a single-phase Project. Specific approval shall not be a reservation or guarantee of concurrency capacity for any public facility other than transportation. The reservation/guarantee of concurrency capacity for transportation shall be through December 31, 2020, subject to compliance with the transportation conditions of this DO and the DA. For State and regional review purposes, the build-out date is December 31, 2018.

b. Effective Date and Duration

(1) The DO for the Project shall not be effective until the Florida Department of Community Affairs (FDCA) has issued its Notice of Intent and the appeal period has passed for the corresponding Comprehensive Plan amendment associated with the Project.

(2) The effective period of this DO shall be until December 31, 2025. The effective period may be extended by the Board of County Commissioners. Application for such an extension shall be made at least sixty (60) days prior to the expiration date. All extensions shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), Florida Statutes.

(3) Development of the Project shall proceed in accordance with the phasing schedule indicated in Table 1 below.

c. Commencement of Development

Commencement of development of the Project shall occur within three (3) years of the effective date of this DO. For the purpose of this DO, "commencement of development" shall mean the commencement of development of infrastructure, roadways, or other vertical development, unless otherwise approved by the County.

d. Build-Out of Project

(1) For State and regional review purposes, the build-out date for the Project shall be December 31, 2018, unless otherwise extended by State law.

(2) Transportation Concurrency Build-out Date: Unless extended by the Board of County Commissioners pursuant to the Concurrency Management Ordinance, the build-out date for the Project for concurrency purposes shall be December 31, 2020. The December 31, 2020 build-out date includes all extensions granted by the Board of County Commissioners pursuant to the Concurrency Management Ordinance as of the effective date of this DO. Any delay in the build-out date beyond December 31, 2020, may require a new transportation analysis, in accordance with applicable law, as the basis for a DO amendment that may include re-evaluation of required transportation mitigation. The Administrator or Board of County Commissioners may waive any applicable transportation analysis requirement for any entitlements within the Project that satisfy the Limited Exemption criteria of Section 402.7 of the County's Concurrency Management Ordinance; however, build-out date extensions for such entitlements are still subject to applicable statutory requirements in Section 380.06(19), Florida Statutes, as may be amended from time to time.

5. Specific Conditions

a. Development Components

Subject to the possible exchange of land uses as described elsewhere herein, the Project consists of the approximate area and land uses as described in Table 1.

Table 1

<u>Development Category</u>	<u>Build-Out December 31, 2018 for State/Regional Review December 31, 2020 for Transportation Concurrency</u>
Single-Family Detached (SFD)*	350 Units
Single-Family Attached (SFA)*	2,150 Units
Retail	250,000 sq.ft.
Office	50,000 sq. ft.
Resort Hotel	250 rooms
Golf Course	18 holes
Boat Slips	350 dry slips 150 wet slips

* Residential land uses are subject to the transient occupancy/resort requirements set forth in the MPUD Master Planned Unit Development Conditions of Approval.

b. Land Use Exchange

(1) Development entitlements within the Project may be exchanged pursuant to the LUEM attached hereto as Exhibit E. All land use exchange requests shall be submitted to the Pasco County Planning and Growth Management Department with copies to the FDCA and the TBRPC for verification as to implementation in accordance with the LUEM, this DO, and the Comprehensive Plan, as amended. Upon verification, which shall not be unreasonably withheld or delayed, the Pasco County Planning and Growth Management Department shall submit such exchange for approval on the consent agenda at the next available DRC meeting that is at least fourteen (14) days from submittal to the Planning and Growth Management Department, FDCA, and TBRPC.

(2) The use of the LUEM shall be reported in the next biennial report.

(3) Notwithstanding the foregoing, land use exchanges from retail, hotel or office to residential and land use exchanges from hotel or office to retail shall be prohibited. Land use exchanges from golf course shall only be permitted to other resort, hotel, or recreational uses and is subject to the equal amount of land area remaining as open space pursuant to the MPUD Master Planned Unit Development conditions of approval.

(4) The traffic impacts of the revised land use mix shall not exceed the approved traffic impacts of the land use mix being replaced.

(5) Prior to approval of any land use exchange, the proposed exchange must include assurance that any additional utility demands associated with the proposed exchanged can be accommodated.

(6) Prior to approval of any land use exchange, the proposed exchange must mitigate for any additional park or school impact requirements as appropriate.

(7) Prior to approval of any land use exchange, the developer shall demonstrate to the County that the proposed exchange complies with the MPUD conditions of approval.

(8) Any amendments to the land use mix or proposed phasing schedule, other than those described herein, shall be approved pursuant to the NOPC process as required by Section 380.06(19), Florida Statutes.

c. Water Quality and Stormwater Management

(1) Development of the Project shall not lower the Level of Service (LOS) for off-site drainage structures below acceptable standards as established in the adopted Comprehensive Plan and LDC as may be amended from time to time.

(2) The Project's stormwater-management system shall be designed, constructed, and maintained to meet or exceed Chapters 62-25, and 40D-4 or 40D-40, Florida Administrative Code (FAC), and County stormwater-management requirements as may be amended from time to time. Treatment shall be provided by biological filtration wherever feasible. Best Management Practices (BMP) for reducing adverse water-quality impacts as required by the regulations of the County and other appropriate regulatory bodies shall be implemented, including those that prevent construction-related turbidity. In addition, the Applicant/Developer shall comply with the following design requirements:

(a) All swales shall be fully vegetated and operational.

(b) Dry stormwater, retention/detention areas, including side slopes and bottoms, shall be vegetated as required.

(c) The Applicant/Developer or other responsible entities shall ensure that the stormwater-management system is being properly maintained in keeping with its design and is providing the level of stormwater storage and treatment as established in the Environmental Resource Permit, or as established by the County, whichever is most stringent.

(d) Should the Applicant/Developer discover that any portion of the stormwater system is not being adequately maintained or that the system is not functioning properly, the Applicant/Developer shall, within seven (7) days after such discovery, report such fact to the County and shall promptly undertake any necessary repairs or modifications to the system. The biennial report shall include any such problems and the necessary repairs or modifications to remedy them as well as what repairs or modifications to the system have been undertaken since the previous biennial report.

(e) Stormwater management ponds shall not be constructed within wetland buffers.

(f) The stormwater-management system shall be designed to maintain the natural hydroperiod of the receiving wetlands, except as permitted by the SWFWMD and approved by the County prior to construction plan approval.

(3) A Stormwater Pollution Prevention Plan developed in accordance with National Pollutant Discharge Elimination System requirements shall be provided to SWFWMD and Planning & Growth Management prior to approval of the first record plat for the first residential dwelling unit or construction plan plat where no plat is required

(4) Landscape and irrigation shall be in conformance with the LDC in effect at the time of preliminary plan/preliminary site plan approval. The Applicant/Developer shall encourage the use of water-conserving landscapes and the responsible use of water by residents and businesses through methods such as deed restrictions and education. Nonnative plant species should not be incorporated into the Project's landscape design unless such nonnative plant species is on the, *Florida Friendly Handbook and Plant List*, published by the University of Florida (UF) Yards and Neighborhoods Program (<http://www.swfwmd.state.fl.us/publications/files/fl-friendlyhandbook.pdf>). For areas where the Applicant/Developer would like to incorporate turfgrass into the landscape design, the Applicant/Developer shall encourage appropriate soil testing to determine turfgrass compatibility prior to the turfgrass selection. Such testing may be coordinated through the County UF/Institute of Food and Agricultural Sciences (IFAS) Extension office. The Applicant/Developer shall follow soil and turfgrass compatibility guidelines generally consistent with the UF/IFAS Extension guidelines, *Preparing to Plant a Florida Lawn*, for any areas for where turfgrass may be selected or incorporated into the landscape design. Should turfgrass be selected for areas that do not have naturally occurring soils compatible for such selected turfgrass, the Applicant/Developer shall enhance the soil for the selected turfgrass in accordance with such guidelines established by the UF/IFAS Extension.

(5) The Applicant/Developer shall advise future residents of seasonal variations within created water features and that such features should not be perceived as lakes with constant water levels.

(6) The predevelopment hydrologic/hydraulic properties of on-site and off-site wetlands shall not be adversely impacted by the development, as defined by the Southwest Florida Water Management District (SWFWMD) rules regulating wetlands. Additionally, the historic average, surface-water volume discharged from the Project shall be maintained. The Applicant/Developer shall develop a detailed hydrologic/hydraulic model, including surface water and groundwater-level monitoring, to evaluate the postdevelopment conditions for review and recommendation by Tampa Bay Water (TBW). Prior to approval of the overall stormwater-management plan, the Applicant/Developer shall, in cooperation with TBW, the County, and SWFWMD, propose stormwater-design techniques that achieve the intent of this paragraph. The SWFWMD shall have review and approval authority for the model and stormwater design, and the County shall have final review and approval authority for the model and stormwater design.

(7) No wetland outlet or conveyance, either natural or manmade, should be lowered in elevation from existing conditions, which could cause lower water levels and reduced hydroperiods, except as permitted by the SWFWMD and approved by the County prior to construction plan approval. Except as otherwise permitted by the SWFWMD and approved by the County, no changes to wetland outlets or conveyances should occur unless to restore artificially connected or drained wetlands to a more natural state, such that historic wetland water levels and flow quantities are restored. Any increases in hydroperiods or restoration of wetlands shall require approval by the County's Engineering Services Department.

(8) The development activities shall not breach the clay-confining layer (aquiclude). A breach of the aquiclude shall be defined as any excavation into the confining layer that degrades the integrity of that confining layer as determined by the TBW, SWFWMD, or the County on a site-by-site basis. In those geographical areas of the County where there is no aquiclude present, excavation shall not proceed to within four (4) feet of the underlying limestone that is part of a groundwater aquifer. It shall be assumed that excavation that exceeds either of these criteria shall constitute groundwater effects. The Applicant/Developer's responsibilities to prevent this occurrence and any remedial actions that are required, should it occur, shall be required to be addressed by the Applicant/Developer prior to development.

(9) Other infiltration techniques will be maximized, such as low-impact development techniques to maintain wetland hydroperiods.

(10) In order to protect surface water quality, stormwater exiting the site shall meet all applicable State water-quality standards.

(11) On-site, stormwater, wet-detention ponds shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio, and shall be planted with or allowed to be colonized by native emergent and submergent vegetation. The Applicant/Developer shall ensure, by supplemental replanting, if necessary, that at least eight (80) percent cover by native aquatic vegetation is established and maintained within the littoral zone (to include, at a minimum, the area between ordinary high water and ordinary low water) for the duration of the permit.

(a) The Applicant/Developer shall reclaim previously mined areas, including planting of littoral zones within designated reclaimed mine ponds pursuant to the SWFWMD Environmental Resource Permit (ERP).

(12) The golf course shall be designed and managed in accordance with the Florida Department of Environmental Protection's (FDEP) Florida Green Industries Best Management Practices for Golf Courses or equivalent criteria and standards acceptable to the County, or as recommended by the FDEP to protect groundwater quality, subterranean habitat and springs. The FDEP and the Planning & Growth Management Department shall be provided the proposed golf course design and management plan for review prior to construction of the golf course.

(13) Best management practices for the application of pesticides and fertilizers shall be communicated to and required of all residents. An integrated pest-management program shall be implemented to minimize the use of fertilizers and pesticides. Such integrated pest-management program shall be submitted to the SWFWMD and the County and approved by the County prior to commencement of any development.

(14) Environmental Monitoring Plan (EMP): Groundwater and Surface Water

(a) An EMP shall be developed to include a groundwater-monitoring program and a surface-water monitoring program. The Applicant/Developer shall ensure the EMP is developed in accordance with Rule 62-4.246(3) and Chapter 62-522.600, FAC, and in coordination with the Florida Department of Environmental Protection (FDEP), SWFWMD, and TBW to establish parameters, methodology, sampling frequency, establishment of baseline data, and locations of monitoring sites. Any such program shall be submitted to the FDEP, SWFWMD, TBW, and the County's Planning and Growth Management Department (a minimum of four [4] copies are required by the County) for review and shall be approved by the County's Planning and Growth Management Department and implemented prior to any construction activities within the Project. Documentation verifying such implementation shall be forwarded to the County's Planning and Growth Management Department prior to commencement of development, as defined in the LDC, to provide background data and shall continue to the Project build-out. Implementation of the EMP shall not be deferred until or contingent upon approval of an Environmental Resource Permit by the SWFWMD. If reclaimed water for irrigation purposes is used in the future, the EMP will be amended as required by the permit for use of reclaimed water.

(b) The EMP shall also include a surface-water component to include sampling of those stormwater-discharge points exiting the site and upstream and downstream-sampling points within surface-water systems adjacent to the site as described in the EMP.

(c) The EMP shall address the proposed interconnection of lakes and consider easements or license agreements to allow interested agencies to monitor existing well sites.

(d) The monitoring results of the EMP shall be submitted to the FDEP, SWFWMD, TBW, and the County at least annually, or more often as may be required in the EMP and shall be included in the biennial report. Should the monitoring results indicate that applicable State water-quality standards are not being met; the results shall be reported to the FDEP, TBW, the County, and other appropriate regulatory bodies immediately. In the event the FDEP, SWFWMD, or the County determines there is a violation of any State water-quality standard, the specific construction or other activity identified as causing the violation shall cease until the violation is corrected.

(e) Should the Applicant/Developer wish to add new land areas to the Project which have no EMP for groundwater and surface-water monitoring in place at the time of an NOPC submittal, the Applicant/Developer shall update the EMP and such an update shall be submitted to the County,

TBW, FDEP, and SWFWMD unless the FDEP or SWFWMD and the County determine that the additional EMP is not necessary.

(f) Within 120 days from the approval of the EMP by the County, the Applicant/Developer shall provide the County with the following:

(i) An aerial map and photographs showing the locations of the installed groundwater monitoring wells and copies of the SWFWMD Well Completion Reports for the monitor wells included in the approved EMP.

(ii) An aerial map and photographs showing the locations of the surface-water sampling locations for the approved EMP.

(iii) Laboratory results from the initial background-sampling event of all groundwater-monitoring wells, which includes Primary and Secondary Drinking Water Standards.

(iv) Laboratory results from the initial background sampling of the surface-water locations.

d. Wellfield Protection

(1) The Applicant/Developer shall comply with the current Wellhead Protection Ordinance (LDC, Section 612, as amended).

e. Sinkholes

(1) Should any noticeable soil slumping or sinkhole formation become evident, the Applicant/Developer shall immediately notify the County, TBW, and SWFWMD and adopt one (1) or more of the following procedures as determined to be appropriate by the County and SWFWMD:

(a) If the slumping or sinkhole formation becomes evident before or during construction activities, stop all work (except for mitigation activities) in the affected area and remain stopped until the County and SWFWMD approve resuming construction activities.

(b) Take immediate measures to ensure no surface water drains into the affected areas.

(c) Visually inspect the affected area.

(d) Excavate and backfill as required to fill the affected area and prevent further subsidence.

(e) Use geotextile materials in the backfilling operation, when appropriate.

(f) If the affected area is in the vicinity of a water-retention area, maintain a minimum distance of five (5) feet from the bottom of the retention pond to the surface of the limerock clay or karst connection.

(g) If the affected area is in the vicinity of a water-retention area and the above methods do not stabilize the collapse, relocate the retention area.

(2) Discharge of stormwater into depressions with direct or demonstrated hydrologic connection to the Floridian Aquifer shall be prohibited.

(3) Test or foundation holes as defined in Rule 40D-3.021(8), FAC, shall be drilled by an appropriately bonded, licensed test or foundation-hole contractor.

(4) All existing wells which have no future use, attempted wells, or foundation holes shall be cement plugged by a licensed water well contractor (under the SWFWMD Well Abandonment Permit[s]) or by a test or foundation-hole contractor in accordance with Rule 40D-3.041(1), FAC.

(5) Best Management Practices shall be employed during site preparation and construction to prevent soil erosion.

(6) The Developer/Applicant shall have a licensed professional geologist perform a detailed geotechnical analysis of the site to assess sinkhole potential.

(7) Karst features as identified on Exhibit I attached hereto and incorporated herein shall be protected by conservation easements and/or fencing. The applicant shall disseminate educational materials regarding illegal dumping, swimming, and cave safety.

f. Wetlands

(1) This DO does not authorize impacts to Category 1 wetlands. At the time of preliminary plan/preliminary site plan approval, the County may decide to authorize impacts to Category 1 wetlands, but only in accordance with the provisions of the Conservation Element, Policy Nos. 1.3.2, 1.3.6, 1.3.8, 1.3.11, and 1.3.12, and Future Land Use Element, Policy No. 1.2.3.

(2) The postdevelopment wetlands on site shall be protected and buffered by natural habitat, swales, and stormwater ponds that are created for stormwater attenuation and treatment. Buffers around on-site, postdevelopment Category 1 wetlands shall be maintained and enhanced with native vegetation where appropriate.

(3) The Applicant/Developer shall adhere to twenty-five (25) foot minimum buffers around Category 1 wetlands.

(4) The Applicant/Developer shall minimize the use of wetlands for stormwater treatment consistent with the SWFWMD rules.

(5) Wetland mitigation shall be in accordance with the State of Florida Uniform Mitigation Assessment Methodology regulations.

(6) The Applicant/Developer shall conserve and protect wetland habitats designated on Map H, using upland vegetated buffers, to be identified in the Habitat Management Plan, managed as wildlife habitat. The following measures will be utilized to minimize wetland impacts:

(a) Construction Best Management Practices to minimize negative impacts of erosion and sedimentation within wetlands and aquatic habitats.

(b) Existing interior haul-road network will be used and expanded to limit creation of additional roads through wetlands.

(c) The applicant shall maximize the use of buffers to minimize impacts to wetlands and coastal marsh habitat in accordance with the MPUD Master Planned Unit Development conditions of approval.

(d) The applicant shall provide to the Planning and Growth Management Department, a wetland delineation survey and boundary determination letter from the SWFWMD prior to commencement of development.

(e) Any conservation easements required by the terms and conditions of the Exchange Agreement between the Applicant/Developer and SWFWMD shall be conveyed to SWFWMD prior to the first record plat for the first dwelling unit or prior to the issuance of any site development permit.

g. Floodplains/Disaster Preparedness

(1) Finished floor elevations for all habitable structures shall be in accordance with the LDC, Section 701. All preliminary plan/preliminary site plan submittals shall show 100-year floodplain elevations. Elevations for roadways providing access to residential areas shall be in accordance with the Comprehensive Plan and the LDC.

(2) No fill shall be added within the 100-year floodplain without approval by the appropriate permitting agencies.

(3) Compensation for the loss of 100-year flood storage capacity shall be provided, but shall not be constructed in existing wetlands or other protected native habitats identified on Map H.

(4) There shall be no net loss of flood storage capacity within the 100-year floodplain. Land alteration and development plans shall be provided to SWFWMD and the County with sufficient detail and data to verify that flood storage capacity will not be reduced.

(5) A natural buffer of a minimum of 25 feet shall be established and maintained between residential structures and the jurisdictional wetland determination for the coastal marsh. Seawalls, structural alterations, or any other hardening along the jurisdictional wetland line shall not occur.

h. Vegetation and Wildlife

(1) Impacts to Natural Resources of Regional Significance in excess of those reflected in the Application shall only occur if justified pursuant to the Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, Policy No. 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance should meet the ratios set forth in that policy and Policy 4.5.6.

(2) The Applicant/Developer shall comply with the rules and regulations, including the adopted Comprehensive Plan, and Rule 9J-2.041, FAC, of all applicable agencies regarding the protection of listed wildlife and plant species found on site. In the event any State or Federally listed species,

nesting colonies of wading birds, or nesting Florida sandhill cranes are discovered on site during Project development that are not identified and addressed in the Application, the Applicant/Developer shall immediately notify the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S. Fish and Wildlife Service (USFWS), if applicable, and implement the recommended measures for species protection in accordance with the requirements of Section 68A-27, FAC.

(3) The Applicant/Developer shall develop a Bald Eagle Management Plan (BEMP) to establish an appropriate protection zone. Prior to construction plan approval for any construction activity, the Applicant/Developer shall provide the County Biologist with a copy of an approved BEMP as approved by the USFWS and FFWCC. All protection zones as identified in the BEMP shall be depicted on the construction plans. The BEMP shall be incorporated into the Habitat Management Plan.

(4) Florida Black Bear Habitat Mitigation Plan (FBHMP): To compensate for unavoidable impacts to the habitat of the Florida Black Bear, the Applicant/Developer shall establish an off-site mitigation area including site protection and management plans in perpetuity for mitigation of impacts to the Florida Black Bear habitat in accordance with Rule 9J-2.041, Florida Administrative Code (collectively referred to as the Florida Black Bear Habitat Mitigation Plan [FBHMP]).

(a) Prior to submittal of any application for development approval (Site Development Applications) for the Project, the methodology for the FBHMP that establishes the parameters for determining the quantity, quality, and the general location of habitat mitigation shall be reviewed by the FDCA, SWFWMD, FFWCC, Hernando County, and approved by the FDCA in writing. Site Development Applications shall include but not be limited to preliminary plan/preliminary site plans, mass grading plans, stormwater management plans, construction plans, subdivision plans, building permits or any other plans and permits which are required prior to construction or alteration of the property. For the purposes of this DO, Site Development Applications shall not include the DRI ADA, this DO, the corresponding Comprehensive Plan amendment to PD, and the MPUD Master Planned Unit Development Rezoning. Additionally, the limitation on submitting Site Development Applications does not apply to the application for an Environmental Resource Permit or other environmental permit necessary for the determination of Florida Black Bear Habitat Mitigation. Those permits may be applied for, but shall not be issued, until the FDCA approves both the FBHM methodology and the FBHMP in writing.

(b) The FBHMP shall be prepared consistent with the Pasco County Comprehensive Plan and in accordance with the approved methodology and shall identify the following:

(i) The off-site mitigation site, which shall be type-for-type and acre-for-acre habitat acquisition or preservation, or other acquisition or preservation of mitigation habitat of comparable biological value for the Florida Black Bear and consistent with the methodology approved by FDCA.

(ii) Based on the considerations listed in Rule 9J-2.041(7)(b)3, F.A.C, the mitigation provided shall be in the Chassahowitzka black bear sub-population range.

(iii) The selected off-site mitigation area(s) shall be biologically manageable and appropriate for the Florida Black Bear.

(iv) No Florida Black Bear habitat shall be disturbed or adversely impacted prior to completion of all off-site mitigation for the particular phase of development requiring mitigation.

(c) The FBHMP shall be approved by the FDCA in writing prior to the first Site Development Application submittal.

(d) Upon approval of the FBHMP by the FDCA in writing, the FBHMP shall be incorporated into this DO through an amendment following the procedures for a non-substantial deviation set forth in Subsection 380.06(19), Florida Statutes and shall be incorporated into the Habitat Management Plan.

(5) Habitat Management Plan

(a) The Applicant/Developer shall submit a Habitat Management Plan (HMP) for review to the FFWCC, the SWFWMD, and/or the USFWS (if applicable) (collectively referred to as the Agencies) and for approval by the County in consultation with the Agencies prior to preliminary plan/preliminary site plan approval for any increment of development. The HMP shall be developed to include all conservation areas proposed by the Developer/Applicant, the acquired SWFWMD lands and any additional lands acquired or designated for protection of the Florida Black Bear.

(i) The HMP shall include a reference site and measureable future desired conditions for each conservation area and wetland buffer.

(ii) The HMP shall identify plant communities in text and on an aerial map using the Florida Natural Areas Inventory Natural Communities Guide.

(iii) The HMP shall require that the Homeowners Association or Community Development District or other entity acceptable to the County identify a professional natural resource management entity be responsible for the perpetual management of conservation areas, land acquisition, and wetland buffers. The HMP shall require such management continue in perpetuity and shall survive the expiration date of this DO.

(iv) The HMP shall identify surveys with currently accepted FFWCC & USFWS methodologies for each rare and imperiled species and associated habitat and specify measures that minimize the impact to such species and habitat.

(v) The HMP at a minimum shall address the following species:

- 1) Florida Black Bear, which shall:

a) Incorporate and address maintenance requirements associated with the approved FBHMP as applicable.

b) Specify how signage and literature will be distributed for to seasonal and permanent residents indicating bear habitat and bear awareness tips

c) Require the use of wildlife-resistant refuse containers for each residential unit and all commercial and residential dumpsters

d) Prohibit birdfeeders, exposed barbeque grills, and outdoor pet feeding that are accessible to bears

e) Include a compliance clause and corresponding penalties for violating wildlife-safe practices in all rental agreements, homeowner association standards, and employee/contractor arrangements

f) Require clean construction sites with wildlife-resistant containers for workers to use for food-related and other wildlife attractant refuse, require frequent trash removal, and the use of proper food storage and removal on work sites. Adjust trucking activities and material delivery schedule to mandate slower speed in wooded zones, at dawn and dusk, and during the June and July breeding season for bears.

g) The FFWCC Bear Aware Best Management Practices shall be implemented to reduce conflicts between bears and humans.

h) Prohibit clearing, blasting, burning of forested habitat during the December to March denning season for bears and coordinate with other species management plan within any off-site mitigation areas.

2) American Bald Eagle

3) Manatee

4) Least Tern

5) the Florida Scrub Jay

6) Coastal Lowland Cave Crayfish. This species is known to inhabit several, if not all of the sinkhole springs comment to the Project (the Jewel, Double Keyhole, Black Sink, and Horshoe Springs). Protection of the specific habitat for this species shall be addressed in the HMP. These actions include but are not limited to:

a) Monitoring of baseline and annual water quality;

b) Annual surveys to quantify relative populations;

c) Protective mechanisms to be used to prevent degradation of the spring's systems;

d) The analytical and population data shall be submitted as part of any annual reporting requirements for the HMP;

7) Gopher Tortoise

8) Colonial Wading Birds

9) Saltmarsh Songbirds. The Saltmarsh Songbird component shall demonstrate how the Project will comply with the following:

a) Maintain an average 300 feet construction activity set-back during nesting season (April through June) from saltmarsh habitat.

b) Habitat protection and maintenance shall include native plant species adapted to specific existing conditions including provision of low profile vegetated buffer at least 25 feet between the jurisdictional line of the saltmarsh habitat and any development. The buffer shall be comprised of native low growing shrubs and groundcovers. These plantings shall be maintained on a regular basis for the removal of invasive plants and trees.

c) Wherever practical, the hydrology and function of marshes, ditches, and dikes shall be restored.

10) Sherman's Fox Squirrel.

(b) The HMP shall include locations and details of wildlife under-crossings to accommodate small mammals, amphibians, and reptile species, while discouraging Florida Black Bear movement to the south. These locations shall be reflected in the Master Roadway Plan. Additional under-crossings may be required at the time of preliminary plan/preliminary site plan submittal in conjunction with modifications to the Master Roadway Plan. The HMP shall include the design of under-crossings which shall be consistent with those set forth in the County's guidelines. The HMP shall incorporate speed reduction measures, increased lighting, and roadway signage to alert motorists and reduce potential for road kill.

i. Air Quality

BMP, as identified in the Application, shall be employed during site preparation and construction to minimize air quality impacts.

j. Land

(1) BMP, including those identified in the Application, to reduce soil erosion and fugitive dust, shall be implemented and shall be employed during site preparation and construction to prevent wind and water-borne erosion.

(2) Prior to commencing development, the Applicant/Developer shall provide the County's Engineering Services Department, Survey Division, with two (2) pair of Global Positioning System (GPS) control points with twenty-four (24) hour access. The Applicant/Developer and the County Surveyor shall mutually determine the location. The Applicant/Developer's existing survey shall be valid for permitting purposes until final plat approval is requested. All final plats will be referenced from this point in accordance

with Rule 61G17-6, FAC. All the GPS points shall be installed in accordance with standards contained in Rule 61G17-6, FAC.

k. Utilities

(1) Water Supply and Wastewater Treatment

(a) The County has determined that the Project is within the County Utilities service area and that the County intends to serve the Project.

(b) The County has determined that capacity exists, subject to the County receiving all the necessary permits, approvals and payment of fees, to implement and construct the planned system improvements and plant expansions needed to serve the Project, and water and wastewater services will be provided by the County in accordance with Section 110 of the Pasco County Code of Ordinances as amended. The Applicant/Developer shall construct all water and wastewater facilities within the development to County standards in effect when construction drawings are approved by the Utilities Services Branch.

(c) The Applicant/Developer shall provide the Utilities Services Branch with a Utilities Service Plan (USP) for water, wastewater, and reclaimed water, if applicable. The USP shall be reviewed and approved prior to the submittal of the first construction plan and shall be resubmitted with modifications if applicable for review and approval prior to submittal of any subsequent construction plans.

(d) Development of the Project shall not result in LOS for water and wastewater services below the acceptable LOS established in the Comprehensive Plan.

(e) The Applicant/Developer shall encourage the use of high-efficiency, low-volume appliances, and high efficiency low volume irrigation systems throughout the Project through development practices and establishment of an educational program. Water conservation educational materials shall be distributed to all homeowners, other landowners, and businesses.

(f) The Project shall utilize the lowest quality water reasonably available, suitable, and appropriate for a particular use.

(g) The use and potential use of reclaimed water shall be maximized where available and as determined by the Utilities Services Branch.

(h) Separate lines for irrigation shall be installed in the Project during construction unless otherwise established in the Utilities Service Agreement with the County. All reuse connections shall be metered.

(i) Local water resources are very limited and to the maximum extent practical, the Applicant/Developer shall minimize water demand. Water-saving fixtures shall be required in the Project in compliance with the Florida Building Code. The Applicant/Developer shall comply with the LDC, Section 603. The Applicant/Developer shall encourage or utilize where mandated by law, the following at the time of construction:

(i) Low-volume irrigation in all nonturf areas.

(ii) Common-area laundry rooms versus separate laundry hookups in each multifamily unit, or require/install low-volume laundry machines and dishwashers where individual hookups are allowed.

(j) Florida-friendly™ landscaping materials and techniques shall be used throughout the Project so that, once established, the landscape will be prepared for more extreme weather conditions. The Applicant/Developer shall work with Florida Yards and Neighborhoods to implement integrated pest management, landscape design, plant material selection, and irrigation-system installation. All irrigation (turf and nonturf) shall be in accordance with the irrigation design standards described in Appendix J of the Florida Building Code.

(k) As committed, all wastewater flows from the Project will be collected and directed to the public, wastewater-treatment plant. Consequently, wastewater shall not be treated on site or by a private utility unless approved by the County.

(l) No septic tanks shall be installed on the Project. For the temporary disposal of sewage or wastewater from temporary construction trailers during the interim period before central sewer is installed, the Applicant/Developer shall comply with applicable Florida Department of Health and FDEP regulations. These temporary measures shall be abandoned when central sewer becomes available.

(m) Total water use for the Project shall not exceed the compliance rate of 150 gallons per capita per day as required in the Northern Tampa Bay Water Use Caution Area.

(n) The hotel shall participate in the SWFWMD Water CHAMP program or implement a program that educates temporary residents about the importance of water conservation. Documentation of such participation or educational program shall be provided to the SWFWMD and the Planning and Growth Management Department prior to construction plan approval for the hotel.

(2) Solid/Hazardous/Biomedical Waste and Recycling

(a) The collection, transportation, and disposal of solid waste are controlled by the Pasco County Code of Ordinances, Section 90, and shall take place in accordance with the terms thereof.

(b) Development and operation of the Project shall not cause the LOS for solid-waste collection/disposal to fall below the acceptable LOS established in the Comprehensive Plan. Documentation of adequate disposal capacity, including assurance of adequate hazardous/biomedical waste and material disposal to service the Project, shall be obtained from the County and/or other appropriate entities.

(c) As stated in the Application, it is not anticipated that hazardous or toxic waste will be generated by the Project. The Applicant/Developer shall advise businesses within the

Project of applicable statutes and regulations regarding hazardous waste and materials, including those listed in Rule 9J-2.044, FAC.

(d) Solid-waste recycling shall be given a high priority and a specific and active recycling management plan outlining goals and implementation and measurement techniques consistent with Countywide policy shall be submitted prior to the first record plat for the first dwelling unit (du), or construction plan where no plat is required, and shall be approved by the Utilities Services Branch to maximize solid-waste recycling for all types of development within the Project. The implementation and progress of such recycling plan shall be annually and jointly reviewed by the Utilities Services Branch and the Applicant/Developer, homeowners' association, CDD, or other entity approved by the Utilities Services Branch.

(e) In the event that businesses use or produce hazardous materials or medical waste located within the Project, these materials shall be handled in a manner consistent with applicable Federal, State, and local regulations.

I. Energy

(1) The energy conservation measures referenced in the Applicant/Developer's Commitments, attached hereto as Exhibit D, shall be implemented.

(2) All Project tenants, businesses, and residents in the Project shall be encouraged to:

(a) Use energy alternatives, such as solar energy, waste-heat recovery, and cogeneration.

(b) Use landscaping, building orientation, and building construction and design to reduce heat gain.

(c) Institute programs to promote energy conservation by employees, buyers, suppliers, and the public.

(d) Institute recycling programs.

(e) Reduce levels of operation of all air conditioning, heating, and lighting levels during nonbusiness hours.

m. Transportation

(1) Proportionate Share: Pursuant to Section 163.3180(12), Florida Statutes, and Section 9J-2.045, FAC, the Applicant/Developer's proportionate-share contribution for those improvement projects listed in Exhibit G is Twenty-Eight Million Nine Hundred Fifty-Five Thousand Nine Hundred Fifty-Nine and 00/100 Dollars (\$28,955,959.00) (Proportionate Share) which is expressed in 2009 dollars as set out in Exhibit G.

(a) Pipeline

(i) The County and the Applicant/Developer agree that the mitigation for the Project and the satisfaction of the proportionate-share obligation shall be the construction of

the Pipeline Projects and off-site access-related and on-site access-related improvements (Required Improvements) as described in the DA attached as Exhibit H.

(b) Development Agreement: The County and Applicant/Developer have entered into a DA attached hereto and incorporating herein as Exhibit H setting forth the terms and conditions governing the design, permitting, construction, and right-of-way acquisition for the Pipeline Project and site-related improvements. The DA also contains:

(i) A schedule for payment of the proportionate-share amount to ensure that the Pipeline Project is expeditiously constructed.

(ii) A requirement that if the Applicant/Developer should fail to adhere to the schedule in the DA, then no further Building Permits or development approvals shall be issued until the Project obligations have been recommenced to the satisfaction of the County.

(iii) Provisions for assistance from the County in the acquisition of right-of-way for the site-related improvements as needed.

(iv) Requirements for financial performance guarantees to be provided by the Applicant/Developer to ensure that the improvements will be completed in accordance with the applicable schedule.

(v) Provisions addressing the payment of TIFs and TIF credits.

(vi) Insurance and indemnification requirements.

(vii) Other provisions as deemed appropriate by the County.

Changes to the DA which materially affect the requirements in Subsection (b) above or which remove any condition required by Rule 9J-2.045, FAC, shall be amended in the DO through the NOPC process pursuant to the Chapter 380, Florida Statutes. All other amendments to the DA shall not require an NOPC or DO amendment.

(2) Site-Access Improvements

All access improvements, number of access points, spacing, and geometry of access points shown on Map H, attached hereto as Exhibit F, shall be subject to compliance with the provisions of the County's and the Florida Department of Transportation's (FDOT) access-management regulations. The Applicant/Developer shall design, permit, construct, and acquire right-of-way for such improvements at its sole expense. The Applicant/Developer shall be responsible for construction of all access improvements for the Project, unless otherwise approved by the DRC, prior to or concurrent with construction of infrastructure improvements to serve the portions of the Project necessitating such improvements as determined by the County at the time of preliminary site plan approval, and/or at the time of the issuance of Access Permits for the Project except where the DA, if required, provides a different deadline for such construction. At each preliminary plan/preliminary site plan approval, the DRC or Zoning and Site Development Department may also require further site-access/site-related intersection improvements and site-

access/site-related roadway improvements. The need and analysis for turn lanes, traffic signals, turn-lane lengths, and other site-access/site-related improvements shall also consider future DRI and non-DRI traffic that will utilize the same site-access/site-related improvements. Except where specifically allowed pursuant to this DO or DA, if required, these improvements are not creditable against the proportionate-share dollar amount, mitigation obligation of the development, or creditable against the TIF requirements of the development.

(3) Trip Generation Monitoring

(a) Eighteen (18) months following construction plan approval for vertical construction of fifty (50) percent of the DRI entitlements in terms of the p.m. peak-hour Project trip generation, or prior to construction plan approval for vertical construction of sixty-five (65) percent of the DRI entitlements in terms of p.m. peak-hour Project-trip generation, the Applicant/Developer shall institute a monitoring program to provide external p.m. peak-hour counts and projected counts at the Project entrances as set forth below. Monitoring shall continue on an annual basis until Project build-out, shall be submitted to the Planning and Growth Management Department annually from the date of commencement, and shall also be included in the biennial report. Each monitoring event shall be conducted within a sixty (60) day period from the due date of each biennial report to ensure that the counts are relatively current.

(b) The monitoring program shall consist of weekday, p.m. peak-hour directional counts from 4:00 to 6:00 p.m., with subtotals at fifteen (15) minute increments at all Project driveways. The sum of the Project-entrance trips will be totaled in fifteen (15) minute increments and the highest four (4) consecutive fifteen (15) minute totals will be summed to determine the Project's total p.m. peak-hour traffic volume. The total p.m. peak-hour gross Project trips was estimated to be 3,038 (1,640 inbound and 1,398 outbound trips), which included 347 pass-by and 456 internal trips.

(c) If monitoring results demonstrate that the Project is generating more than five (5) percent above the number of trips estimated in the original analysis (as stated above) or a biennial report is not submitted in accordance with Section 5.v(1) of this DO, the County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may amend the DO to require additional roadway improvements. Any required transportation analysis shall be subject to review by all appropriate review entities.

(d) The results of each monitoring event shall be submitted to the County, TBRPC, and FDOT.

(4) Transportation Demand Management (TDM) Program

In the first year following the completion of development in Phase 1, the Applicant/Developer or its successor shall initiate a TDM Program to divert vehicle trips from the p.m. peak-hour. The TDM Program shall include a biennial assessment of the actual achievement of trips diverted from the p.m. peak-hour as a result of the program using a methodology approved by the County. Results of the TDM Program shall be included in each biennial report. If the County-approved methodology is utilized, the

Applicant/Developer or its successor shall be entitled to a credit for any documented trips diverted from the p.m. peak-hour as a result of the TDM Program in any future traffic analysis or monitoring requirement for the Project.

(5) Internal Road Network

Approval of this DO and Map H shall not constitute County approval of the internal road network which shall be subject to review for compliance with the County's arterial and collector spacing and design standards at the time of rezoning, Master Roadway Phasing Plan, and/or preliminary plan/preliminary site plan approval. Modifications to the internal road network to comply with such standards shall not require an amendment to Map H.

n. Educational Facilities

(1) Payment of Impact Fees: The Applicant/Developer shall pay school impact fees for the impacts of the residential component of the Project to the District School Board of Pasco County (School Board) in accordance with the terms of the School Impact Fee Ordinance, No. 01-06, adopted February 27, 2001, as amended.

(2) School concurrency requirements as may be adopted by the County in the future are not waived nor satisfied by this DO approval. The Applicant/Developer shall be required to comply with all provisions of a subsequently adopted School Concurrency Ordinance and the requirements to provide for school capacity as mandated by such ordinance, unless the Project is vested pursuant to the ordinance.

o. Recreation and Open Space

(1) The Applicant/Developer shall comply with the LDC, Section 610.15. The Applicant/Developer shall also comply with the Pasco County Parks and Recreation Impact Fee Ordinance, No. 02-03, adopted January 29, 2002, as amended and the Neighborhood Parks Ordinance, No. 02-26, as amended.

(2) The Project shall maintain 25% open space acreage. As depicted on Map H, the allocation of acreage to the golf course as proposed satisfies such open space requirement. In the event the golf course is not developed, the Applicant/Developer shall still be required to maintain such 25% open space requirement.

(3) Development shall not encroach upon adjacent SWFWMD-owned lands.

p. Health Care/Police/Fire

(1) The County shall provide fire and emergency medical services to the Project. The County Sheriff's Office shall provide law enforcement services to the Project. The Applicant/Developer shall be required to pay impact fees and applicable County taxes and assessments for all such services as required by County ordinance.

(2) The Project shall be constructed to meet or exceed State and local fire codes and regulations. Prior to the issuance of Building Permits, the Applicant/Developer shall provide assurance that the buildings, excluding residential or other buildings not otherwise required to be sprinklered, will be supplied with sprinkler systems and that functioning fire hydrants in sufficient number and appropriate locations to accommodate the firefighting operations will be provided.

(3) The Applicant/Developer shall review the concepts of "Firewise Communities" (<http://www.firewise.org/>), as provided by the Florida Division of Forestry, and implement all applicable measures to the extent practicable and to the extent such requirements do not conflict with the LDC, Sections 602 and 603, as amended.

q. Hurricane Preparedness

(1) The Applicant/Developer shall coordinate with the Pasco County Emergency Management Services Department regarding incorporation of hurricane and wind-resistant technology into the design criteria of all development. The Applicant/Developer shall comply as applicable with the Pasco County Hurricane Mitigation for New Development in the Hurricane Vulnerability Zone and for New Mobile Homes Ordinance, No. 04-42, adopted September 21, 2004.

(2) All construction in the Coastal High Hazard Area shall comply with the Land Development regulations in effect at the time of permitting.

(3) All construction in the velocity zone shall be "fortified" or certified as disaster resistant by the Institute for Business and Home Safety, or equivalent standard.

(4) For construction outside of velocity zone, the Developer shall coordinate with the Institute for Business and Home Safety and Emergency Mgmt to determine the feasibility of incorporating fire and wind resistant "fortified" design criteria into the commercial and office facilities.

(5) Prior to approval of the first preliminary plan/preliminary site plan, the Applicant/Developer shall submit to the Office of Emergency Management (with a copy to Planning & Growth Management) for review and approval a Hurricane Preparedness Plan (HPP) with the following components:

(a) A residential dwelling unit component to ensure the safe and orderly evacuation of residents upon the issuance of a hurricane evacuation order. This plan shall include but not be limited to the following elements or those identified in the Land Development Code, whichever is more restrictive at the time of HPP submittal :

- (i) Public education and awareness
- (ii) Issuance of a Warning
- (iii) Evacuation transportation assistance
- (iv) Shelter assistance,
- (v) Mitigation and security of facilities
- (vi) Re-entry & damage assessment

(b) A resort/hotel component to ensure the safe and orderly evacuation of hotel employees and guests upon the issuance of a Hurricane Watch prior to the evacuation order of the general public. This plan shall include but not be limited to the following elements:

- (i) Public education and awareness
- (ii) Staff training and exercise
- (iii) Issuance of a warning
- (iv) Evacuation transportation assistance
- (v) Shelter assistance
- (vi) Mitigation and security of facilities
- (vii) Re-entry and damage assessment
- (viii) A timeline showing

- 1) Ordering all buildings closed at the issuance of a hurricane watch for the duration of a hurricane evacuation order
- 2) Informing all employees and guests of evacuation routes out of the flood prone area and measures to be followed in such an event
- 3) Making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans

(c) A Commercial and Marina employee component to ensure the safe and orderly evacuation of commercial and marina employees and boat owners upon the issuance of a Hurricane Warning or general evacuation order. This plan shall include, but not be limited to the following elements:

- (i) Public education and awareness
- (ii) Staff training and exercise
- (iii) Issuance of a warning
- (iv) Mitigation and security of facilities and boats
- (v) Re-entry and damage assessment
- (vi) A timeline showing

- 1) Ordering all buildings closed at the issuance of a hurricane watch for the duration of a hurricane evacuation order
- 2) Informing all employees and guests of evacuation routes out of the flood prone area and measures to be followed in such an event
- 3) Making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans

A copy of the HPP shall be included in the first Biennial Report submitted after occupancy of any portion of the project.

(6) Prior to construction plan/construction site plan approval of the marina, an All Hazards Plan and a Fuel Management and Spill Contingency Plan in accordance with Comprehensive Plan Policy COA 2.1.4, Criteria for Marinas Adjacent to Conservation Areas, Preservation Areas or Environmentally Sensitive Area shall be submitted to the Office of Emergency Management, the Planning and Growth Management Department and the TBRPC for review and approval by the Office of Emergency Management. Such plan shall also be developed in accordance with best management practices outlined in the FDEP's Clean Marina Program.

(7) All deeds for sale of land and/or structures must be accompanied by a hazard disclosure statement.

(8) There shall be no impervious structures constructed within the 25-yr floodplain except as otherwise allowed by applicable regulations.

r. Housing

(1) With respect to the various buildings actually constructed within the Project, the following cash-mitigation payments shall be required to voluntarily address the affordable housing needs of the County:

- \$100.00 Per Single-Family Residential Unit
- \$ 80.00 Per Multifamily Residential Unit
- \$ 0.35 Per Gross Square Foot of Retail Space
- \$ 0.25 Per Gross Square Foot of Office Space
- \$608.00 Per Golf Course Hole
- \$12.00 Per Marina Slip
- \$204.00 Per Hotel Room

No cash mitigation shall be required for affordable-housing units provided in accordance with Subsection t(5) or t(8).

(2) The cash-mitigation payments shall follow the same procedure for payment of TIFs in the TIF Ordinance.

(3) The cash-mitigation payments shall be placed into a designated County account and shall be applied to County-approved, affordable-housing projects or programs within the Traffic Analysis Zone, in which the Project is located.

(4) The cash-mitigation payments shall be increased each year by a two (2) percent escalator commencing from the effective date of this DO.

(5) In lieu of the cash-mitigation payments required above, either in whole or in part, the Project may propose for TBRPC and County approval, one (1) or more "on-site" affordable-housing programs to satisfy such obligation by one (1) or more of the following types of programs: provision of affordable rental or for-sale housing; provision of land for other affordable-housing programs; provision of affordable rental or purchase-subsidy assistance; provision of down payment, closing cost, or other acquisition-cost assistance; provision of financial assistance; or other affordable-housing assistance deemed appropriate and suitable, in whole or in part, by TBRPC and the County. If one (1) or more such "on-site" programs are approved, the funds in the mitigation special revenue fund above shall be utilized for such program(s).

(6) The terms "affordable" or "affordable price" for purposes of this Subsection, shall mean a price that is affordable to a family with a median income that does not exceed 120 percent of the median income for the Tampa-St. Petersburg-Clearwater Standard Metropolitan Statistical Area (SMSA). For a housing unit to qualify as "affordable," the housing unit, or the larger development that includes the housing unit, must be designated as affordable by the County's Community Development Manager consistent with the foregoing definition and applicable Federal, State, and local income and expense criteria for affordable housing and the housing unit must be sold to a family that satisfies the foregoing income criteria as determined by the County's Community Development Manager.

(7) The County will proceed diligently and in good faith with development of an ordinance to adopt mandatory affordable-housing requirements throughout its jurisdiction, including DRI-level and sub-DRI level development projects, and to apply substantially consistent requirements as set forth herein to all other pending or future DRI projects within Pasco County, Florida, on a nondiscriminatory basis. If the County adopts affordable-housing requirements and the required contributions are higher than the contributions required in this DO, development within the Project that 1) has not already paid the contribution amounts set forth in Subsection t(2) above, 2) has not been mitigated for pursuant to Subsections t(5) above or t(8) below, or 3) is not otherwise exempt pursuant to the County Affordable Housing Ordinance shall thereafter pay the higher ordinance amount instead of the cash-mitigation requirements in Subsection t(1).

(8) Without limiting programs which may be approved pursuant to Subsection t(5) above, the Applicant/Developer may satisfy such obligations and receive credits against the required payments as follows:

(a) Assumable Equity Mortgage for Affordable Units Provided On-Site

(i) Any entity within the Project that sells a housing unit at an affordable price with an assumable equity mortgage satisfying the requirements of this subsection shall be entitled to a credit against the required cash mitigation requirement at the time the assumable equity mortgage is assigned to and accepted by the County. An assumable equity mortgage is a mortgage equivalent to the difference in value between the affordable price for the housing unit and the appraised market price for the

housing unit at the time it is sold and provided to the seller of the housing unit in consideration for the seller agreeing to sell the housing unit at a reduced affordable price, which is sometimes referred to as an equity mortgage. To qualify for a credit against the required affordable housing cash payment, the assumable equity mortgage must 1) be a recorded, assignable, and assumable first or second mortgage on the property; 2) require repayment at closing in the event the housing unit is resold at a price that is not affordable; 3) have a value that is no less than the value of the credit for one housing unit, as calculated pursuant to the formula set forth below; and 4) is sold to a household that earns less than 120 percent of the adjusted median income for the Tampa-St. Petersburg-Clearwater SMSA. In the event of a repayment of an assumable equity mortgage, the County shall utilize the repayment proceeds in accordance with Subsection t(3).

(ii) Unless the Countywide Affordable Housing Ordinance discussed in Subsection t(7) allows for a different credit amount, the amount of the credit for each assumable equity mortgage assigned to the County shall be determined in accordance with the following formula: $(\$100.00 \times \text{specifically approved single-family units} + \$80.00 \times \text{specifically approved multifamily units} + \$0.35 \times \text{specifically approved retail square footage} + \$0.25 \times \text{specifically approved office square footage} + \$608.00 \times \text{specifically approved golf holes} + \$12.00 \times \text{specifically approved marina slip} + \$204.00 \times \text{specifically approved hotel rooms}) \div (\$0.10 \times \text{specifically approved total dwellings for the Project})$. For example, as the Project is specifically approved for the following entitlements: 350 single-family units, 2,150 multifamily units, 250,000 square feet of retail, 50,000 square feet of office, 18 golf holes, 250 hotel rooms, and 500 marina slips, the amount of the credit for each assumable equity mortgage assigned to the County would be One Thousand Five Hundred and 00/100 Dollars (\$1,500.00), computed as follows: $(\$100 \times 350 + \$80 \times 2150 + \$0.35 \times 250,000 + \$0.25 \times 50,000 + \$608 \times 18 + \$204 \times 250 + \$12 \times 500) / (.1 \times 2500)$.

(b) Donation or Reduced Sale of Land or Lots to a County-Sponsored Affordable Housing Nonprofit

(i) Any entity within the Project that donates or sells for a reduced price land or lots to a County-sponsored affordable housing, nonprofit corporation to construct affordable-housing units (Nonprofit), shall be entitled to a credit against the required cash-mitigation requirement at the time the land or lot is conveyed to the Nonprofit and the value and unit yield of the land or lot(s) is confirmed in writing by the County's Community Development Manager consistent with the credit calculation set forth below. To be eligible for credit, the land or lot(s) conveyed to the Nonprofit must be acceptable to the County's Community Development Manager.

Unless the Countywide Affordable Housing Ordinance discussed in Subsection t(7) allows for a different credit amount, the amount of the credit for land or lots donated or sold for a reduced price to a Nonprofit shall be the actual appraised market value of the land or lots conveyed less the price paid by the Nonprofit, not to exceed Thirty Thousand and 00/100 Dollars (\$30,000.00) per lot. In the event the conveyance involves land for more than one (1) lot or more than one

(1) dwelling unit and can be built on the land conveyed, the maximum credit shall be Thirty Thousand and 00/100 Dollars (\$30,000.00) multiplied by the maximum number of units that can be built on the property pursuant to the applicable DRI, Comprehensive Plan, zoning, and LDC requirements as determined by the Community Development Manager after consultation with the County Development Director.

(ii) Credits shall be issued to the entity that either assigns the assumable equity mortgage in accordance with Subsection t(8)(a), donates, or sells for a reduced price, the land or lot(s) in accordance with Subsection t(8)(b). Credits shall be issued by the County's Community Development Manager. Credits, once established and issued, are assignable in accordance with the procedures set forth in the TIF Ordinance. Credits are only assignable within the Project, unless the Countywide Affordable Housing Ordinance discussed in Subsection t(7) allows for assignment of credits to developments outside the Project. Development in the Project shall make the cash payments set forth in Subsections t(1) or t(7) whenever it does not have County-approved credits pursuant to Subsection t(8) sufficient to cover the required cash payments when they are due. Cash payments and credits may only be used to satisfy the affordable housing obligations set forth in this Subsection t and are not refundable or eligible for exchange for cash from the County, except to the extent the Countywide Affordable Housing Ordinance discussed in Subsection t(7) allows for refunds.

s. Historical and Archaeological

(1) Should any historical or archaeological resources be encountered within the Project, measures shall be taken in coordination with the Florida Department of State, Division of Historical Resources (FDHR), and the County to either protect and preserve the site(s) in place or to mitigate any adverse impacts consistent with the requirements in Rule 9J-2.043, FAC. The Applicant/Developer shall provide any reports of cultural resource activities and conduct any archaeological and/or historical fieldwork consistent with Rule 1A-46, FAC. In the event such reports identify mitigation of potential impacts, this DO shall be amended to incorporate any required mitigation through a NOPC Application. If any significant resources are found and it is determined that such resources qualify for designation of the County Register of Historic Resources, the Applicant/Developer shall initiate the designation process pursuant to the LDC, Section 315.

(2) A portion of Old Dixie Highway (Site 8PA2568) as determined by the County shall be preserved due to its significance as an early roadway. In addition, the Applicant/Developer shall erect a historic marker providing a brief history of Old Dixie Highway.

(3) Weedon Island period midden/occupation site (Site 8PA229) shall be preserved for further research due to the findings of ceramics, lithics, and faunal material. Alternatively, if acceptable to the FDHR, the Applicant/Developer may conduct a full investigation providing mitigative excavation (Phase III) for the site prior to commencement of any development in this area. All documentation from FDHR with regard to such Phase III investigation and mitigative excavation shall be provided to the County upon preliminary plan/preliminary site plan submittal for any development on such site.

t. Marinas

(1) The Project shall comply with ERP conditions for the Sunwest Park and channel improvements relative to boating operations, education, and liability to the Project's boaters.

(2) The Project's boat lift shall not be operated prior to issuance of the ERP for the Sunwest Park until the channel improvements, markings, speed zone measures and Manatee Protection Plan have been constructed and implemented according to the Parks and Recreation Department in conjunction with Facilities Management.

(3) The Project's boat lift shall be restricted to boats with a maximum vessel draft of four (4) feet.

(4) Any proposal to provide boat facilities or an additional boat access point to accommodate more than 45 boats per day shall constitute a Substantial Deviation, necessitating full review of the proposal to identify additional impacts, to determine consistency with the State Regional Policy Plan, and to determine appropriate mitigation measures.

u. General Conditions

(1) Any outstanding amount for initial review by the TBRPC shall be paid within thirty (30) days after a detailed billing in accordance with the rule. Payment for any future activities of the TBRPC with regard to this development including, but not limited to, monitoring or enforcement actions, shall be paid to the TBRPC by the Applicant/Developer in accordance with the Rule 9J-2.0252, FAC.

(2) The conditions of this DO shall be binding to all subsequent owners within the Project.

(3) Should the Applicant/Developer divest himself of all or substantially all of its interest in the Project prior to the expiration of this DO, the Applicant/Developer shall designate the successor entity to be responsible for preparation of the biennial report.

(4) Unless required elsewhere herein, all conveyances shall occur at record plat or construction plan approval where a record plat is not required or within 90 days of the County's request, whichever occurs first. All conveyances pursuant to this DO shall be in a form acceptable to the Real Estate Division, free and clear of all liens, excluded from the boundaries of all special districts, and exempt from all covenants and deed restrictions.

(5) If there is an internal conflict between provision(s) of this DO, then the more stringent provision(s) shall prevail.

(6) In the event ordinances or resolutions are adopted by the Board of County Commissioners establishing County impact fees for the purpose of funding solid waste, public safety, and/or wildlife mitigation, the Applicant/Developer shall be required to pay the fees, subject to applicable credits, in accordance with the terms of the ordinance(s) or resolutions(s).

(7) Should development significantly depart from the parameters set forth in the Application to an extent that such departure or change creates a reasonable likelihood of additional regional impact, or creates any type of regional impact not previously reviewed by the TBRPC, the Project will be subject to substantial deviation review pursuant to Section 380.06, Florida Statutes.

(8) Approval of the Project shall, at minimum, satisfy the provisions of Subsection 380.06(15), Florida Statutes, and the following provisions of the FAC: Rule 9J-2.041, Listed Plant and Wildlife Resources Uniform Standard Rule; Rule 9J-2.044, Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities Uniform Standard Rule; Rule 9J-2.043, Archaeological and Historical Resources Uniform Standard Rule; Rule 9J-2.045, Transportation Uniform Standard Rule; and Rule 9J-2.048, Adequate Housing Uniform Standard Rule.

(9) Approval of this development shall require that all of the Applicant/Developer's commitments set forth in Exhibit D be honored, except as they may be superseded by specific terms of the DO.

v. Procedures

(1) Biennial Reports

(a) Monitoring of the Project by the County shall be the responsibility of the Administrator.

(b) The Applicant/Developer shall provide a biennial report on the required form to the Planning and Growth Management Department, TBRPC, and FDCA on the two (2) year anniversary date of the effective date of this DO and every two (2) years during the term of this DO. The contents of the biennial report shall meet the requirements of Section 380.06(18), Florida Statutes, and Rule 9J-2.025(7), FAC, and shall include all additional data and information, as required in this DO.

(c) If the biennial report is not submitted within thirty (30) days after the due date, the County shall notify the Applicant/Developer and shall declare the Project not to be in compliance with this DO. Should the report not be submitted within thirty (30) days after such notification, all ongoing development activity, the further issuance of Building Permits, and the extension of services to the Project shall cease immediately pursuant to the Section 380.06(17), Florida Statutes, as amended, until a public hearing has been held pursuant to Section 380.06(19), Florida Statutes, as amended, to determine if a substantial deviation has occurred.

(d) In addition to the required elements of the biennial report, the Applicant/Developer shall include:

(i) The cumulative number of units developed through the land use, tradeoff mechanism.

(ii) The cumulative number of units (dus by type, square feet of retail, etc.) with site plan approval (preliminary plan, construction plan, and site plan), final plat approval, and COs.

(iii) A synopsis of all DRI and zoning amendments.

(iv) A synopsis of ownership (major parcels).

(v) A list of DRI/DO conditions of approval and whether the Applicant/Developer has met the conditions including consistency with the required provision, implementation and continuance of the various studies, plans and programs identified in the TBRPC Final Report and this DO.

(e) All applicable monitoring reports as identified in this DO for groundwater, stormwater, transportation, and environmental issues.

(2) Amendments/Substantial Deviations

Proposed changes to this DO are subject to review pursuant to the provisions of Section 380.06(19), Florida Statutes, as amended, prior to implementation of such changes. Application to amend any provision of this DO shall be made on the required form (NOPC to a Previously Approved DRI), and shall be provided by the Applicant/Developer to the TBRPC, FDCA, and the County.

(3) Notice of Adoption

(a) A Notice of Adoption of this resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(14)(a), Florida Statutes, as amended.

(b) The Clerk of the Board of County Commissioners shall return five (5) signed and certified copies of this DO and the Notice of Adoption to the Planning and Growth Management Department. The Planning and Growth Management Department shall then send copies of each document to the FDCA, TBRPC, and to attorneys of record in these proceedings.

(c) The DO shall be deemed rendered upon transmittal of copies to all recipients identified in Chapter 380, Florida Statutes.

(4) Severability

Each provision of this DO is material to the Board of County Commissioners approval of this DO. Accordingly, the provisions are not severable. In the event any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid by a body with jurisdiction to make such determination, the remainder of the resolution shall be suspended until such time that the Board of County Commissioners modifies the DO to address the illegal or invalid provision; provided, however, that such suspension shall not exceed nine (9) months in duration and such determination shall not affect the validity of 1) DRI entitlements for which a complete application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plan, Building Permit, or CO; or 2) any DRI mitigation committed to or performed as of the date the determination is made. Notwithstanding the foregoing, the resolution shall not be suspended if the Applicant/Developer and all affected successors or assigns agree to abide by all of the provisions of the resolution until an NOPC is adopted to modify the DO in order to address the illegal or invalid provision. NOPCs to the DO shall not be considered challenges to the DO, and decisions by the Board of County Commissioners regarding any NOPC or the like shall not have the effect of suspending the DO under any circumstances. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this resolution and the challenged portion of the resolution is subsequently declared illegal or invalid, the resolution shall not be suspended and shall remain in full force and effect except for that portion declared illegal or invalid. If any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid as the result of a third party challenge, the Applicant/Developer shall cooperate with the County to amend this resolution to address the portion that has been declared invalid or illegal.

DONE AND RESOLVED this 30th day of March, 2010.



Paula S. O'Neil

PAULA S. O'NEIL, CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

Pat Mulieri

PAT MULIERI, ED.D, CHAIRMAN

APPROVED

MAR 30 2010

BOCC

Exhibits

- Exhibit A** **Application for Development Approval Sufficiency Responses***
- Exhibit B** **Tampa Bay Regional Planning Council Final Report***
- Exhibit C** **Legal Description**
- Exhibit D** **Developer's Commitments**
- Exhibit E** **Land Use Equivalency Matrix**
- Exhibit F** **Map H**
- Exhibit G** **Transportation - Proportionate Share Table and 2009 FDOT Costs**
- Exhibit H** **Development Agreement**
- Exhibit I** **Karst Features (Figure 15-2 of the ADA)**
- Exhibit J** **SunWest Mining Operations (Figure 12.7 of the ADA)**
- Exhibit K** **Urban Land Institute, Planning and Organizing for Successful
Economic Development, An Advisory Services Panel Report for
Pasco County, Cover Page & Coastal Market Area**
- Exhibit L** **FFWCC E-mail dated March 3, 2010**
- Exhibit M** **Zoning Entitlement Table**

*** Incorporated by reference and on file with the Planning & Growth Management Department**

EXHIBIT A

Application for Development Approval
Sufficiency Responses*

*Incorporated by reference and on file with the Planning & Growth Management Department

EXHIBIT B

Tampa Bay Regional Planning Council Final Report*

*Incorporated by reference and on file with the Planning & Growth Management Department

EXHIBIT C

Legal Description

EXHIBIT 5-1

LEGAL DESCRIPTION

PARCEL 1

ALL OF THE W ½ OF SW ¼ LYING NORTH AND WEST OF OLD STATE ROAD 15 AND PRESENT STATE ROAD 595, IN SECTION 1, TOWNSHIP 24 SOUTH, RANGE 16 EAST.

AND

THE SOUTH 40 ACRES OF GOVERNMENT LOT 1; ALL OF GOVERNMENT LOT 2; AND ALL OF GOVERNMENT LOT 3, ALL BEING IN THE NORTH ½ OF SECTION 2; AND ALL OF SOUTH ½ OF SECTION 2, TOWNSHIP 24 SOUTH, RANGE 16 EAST WEST OF OLD DIXIE HIGHWAY.

AND

ALL OF GOVERNMENT LOT 1, GOVERNMENT LOT 2, AND GOVERNMENT LOT 3, IN FRACTIONAL SECTION 3, TOWNSHIP 24 SOUTH, RANGE 16 EAST.

AND

ALL OF GOVERNMENT LOT 1, GOVERNMENT LOT 2, GOVERNMENT LOT 3, AND ALL OF GOVERNMENT LOT 4, LYING NORTHEASTERLY OF A LINE EXTENDING FROM THE EASTERNMOST MEANDER SURVEY POINT AS DETERMINED BY THE 1849 GOVERNMENT SURVEY IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 16 EAST, (WHICH POINT IS N 65° E 4782.5 FEET FROM THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 24 SOUTH, RANGE 16 EAST.) TO A POINT AT RIGHT ANGLES TO OLD STATE ROAD 15; ALL BEING IN SECTION 10, TOWNSHIP 24 SOUTH, RANGE 16 EAST.

AND

ALL OF SECTION 11, TOWNSHIP 24 SOUTH, RANGE 16 EAST, LYING WEST OF THE WESTERLY MAINTAINED RIGHT-OF-WAY OF OLD SR. #15 (OLD DIXIE HIGHWAY) LESS AND EXCEPT ALL OF THE S ½ OF SAID SECTION LYING SOUTH OF A LINE RUNNING FROM THE EASTERNMOST MEANDER POINT AS DETERMINED BY THE 1849 GOVERNMENT SURVEY IN SECTION 10, TOWNSHIP 24S, RANGE 16E, WHICH IS N 65° E 4782.5 FEET FROM THE NW CORNER OF SECTION 15, TOWNSHIP 24S, RANGE 16E, AT RIGHT ANGLES TO SR #15 IN SECTION 14, TOWNSHIP 24S, RANGE 16E.

AND

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL: (848.51 ACRES)

A PARCEL OF LAND LYING AND BEING IN SECTIONS 1, 2, 3, 10 AND 11, TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SECTION 11, TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY FLORIDA; THENCE RUN N89°25'34"W ALONG THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 11 FOR A DISTANCE OF 181.44 FEET TO A POINT OF INTERSECTION WITH THE NORTH BOUNDARY LINE OF PASCO COUNTY PARCEL NUMBER 11-24-16-0000-00800-0000; THENCE

N46°51'26"W ALONG SAID NORTH BOUNDARY LINE A DISTANCE OF 651.94 TO THE POINT OF BEGINNING; THENCE CONTINUEING ALONG SAID NORTH BOUNDARY LINE N46°51'26"W A DISTANCE OF 1,681.00 FEET; THENCE S64°30'48"W A DISTANCE OF 2,385.01 FEET TO A POINT OF INTERSECTION WITH THE MEANDER LINE FROM THE ORIGINAL GOVERNMENT SURVEY AND THE MOST WESTERLY CORNER OF SAID PASCO COUNTY PARCEL NUMBER 11-24-16-0000-00800-0000; THENCE ALONG SAID GOVERNMENT MEANDER LINE THE FOLOWING COURSES NINE (9) COURSES: (1) N89°40'30"W A DISTANCE OF 3,292.96 FEET; (2) N11°32'29"E A DISTANCE OF 2,096.13 FEET; (3) N48°16'26"W A DISTANCE OF 688.38 FEET; (4) N37°36'44"E A DISTANCE OF 1,585.96 FEET; (5) N83°44'11"E A DISTANCE OF 3,706.07 FEET; (6) N26°50'16"W A DISTANCE OF 1,407.99 FEET; (7) S90°00'00"E A DISTANCE OF 784.65 FEET; (8) N84°30'14"E A DISTANCE OF 1,698.13 FEET; (9) N57°13'33"E A DISTANCE OF 2,680.03 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 24 SOUTH, RANGE 16 EAST PASCO COUNTY, FLORIDA; THENCE S00°00'00"W ALONG SAID WEST LINE A DISTANCE OF 1,021.44 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE S90°00'00"E ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2 A DISTANCE OF 1,384.70 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE S00°00'12"W ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 2 A DISTANCE OF 1,316.98 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE N89°34'26"E A DISTANCE OF 604.74 FEET TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD 595; THENCE S16°07'27"W ALONG SAID WESTERLY RIGHT OF WAY A DISTANCE OF 91.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 2,009.88 FEET, A CENTRAL ANGLE OF 09°29'19", A CHORD BEARING OF S12°49'33"W AND A CHORD DISTRANCE OF 332.47 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID EASTERLY RIGHT OF WAY LINE A DISTANCE OF 332.85 FEET; THENCE LEAVING SAID CURVE AND SAID RIGHT OF WAY LINE RUN N85°53'22"W A DISTANCE OF 2,027.04 FEET; THENCE S18°28'07"W A DISTANCE OF 439.05 FEET; THENCE S87°39'12"W A DISTANCE OF 404.54 FEET; THENCE S58°23'27"W A DISTANCE OF 332.77 FEET; THENCE S29°44'46"W A DISTANCE OF 1,394.53 FEET; THENCE S09°01'10"E A DISTANCE OF 616.70 FEET; THENCE S32°19'57"E A DISTANCE OF 421.19 FEET; THENCE S00°38'18"W A DISTANCE OF 631.70 FEET; THENCE S04°08'23"W A DISTANCE OF 502.02 FEET; THENCE S33°45'05"W A DISTANCE OF 383.75 FEET; THENCE S48°15'19"W A DISTANCE OF 525.30 FEET TO THE POINT OF BEGINNING.

PARCEL 1 IN TOTAL CONTAINING 318 ACRES MORE OR LESS

PARCEL 2

A PARCEL OF LAND IN SECTIONS 1, 2, 11, 12, 13, AND 14, TOWNSHIP 24 SOUTH, RANGE 16 EAST BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA; THENCE S.89°25'39"E. ALONG THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 3,347.51 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15), SAME BEING THE POINT OF BEGINNING; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15) THE FOLLOWING THREE (3) COURSES: 1.) N.31°53'41"E., A DISTANCE OF 89.25 FEET; 2.) N.31°51'50"E., A DISTANCE OF 1,161.69 FEET; 3.) N.16°25'36"E., A DISTANCE OF 346.04 FEET; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15) S.87°11'52"E., A DISTANCE OF 1,305.57 FEET; THENCE N.00°57'48"E., A DISTANCE OF 293.72 FEET; THENCE N.89°19'59"W., A DISTANCE OF 1,236.55 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15); THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15) THE FOLLOWING FOUR (4) COURSES: 1.) N.16°26'57"E., A DISTANCE OF 4,470.17 FEET; 2.) S.74°03'48"E., A DISTANCE OF 50.12 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS

POINT LIES S.73°32'13"E., A RADIAL DISTANCE OF 904.95 FEET; 3.) NORTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 45°13'45", A DISTANCE OF 714.36 FEET; 4.) N.61°44'40"E., A DISTANCE OF 129.14 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT OF WAY LINE OF ARIPEKA ROAD (COUNTY ROAD 595), ALSO BEING A POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.69°10'12"E., A RADIAL DISTANCE OF 2,009.88 FEET; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF ARIPEKA ROAD (COUNTY ROAD 595) THE FOLLOWING THREE (3) COURSES: 1.) SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 11°09'06", A DISTANCE OF 391.19 FEET; 2.) S.31°58'03"E., A DISTANCE OF 434.16 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.57°59'22"E., A RADIAL DISTANCE OF 2,964.83 FEET; 3.) SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 12°39'40", A DISTANCE OF 655.16 FEET; THENCE S.39°23'04"W., A DISTANCE OF 831.09 FEET; THENCE S.50°36'30"E., A DISTANCE OF 715.00 FEET; THENCE S.32°51'52"E., A DISTANCE OF 578.97 FEET; THENCE S.67°26'40"E., A DISTANCE OF 383.85 FEET; THENCE N.31°58'19"E., A DISTANCE OF 169.95 FEET; THENCE S.67°23'08"E., A DISTANCE OF 101.38 FEET; THENCE N.31°57'32"E., A DISTANCE OF 306.14 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N.17°18'01"E., A RADIAL DISTANCE OF 3,609.83 FEET; THENCE EASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 06°44'43", A DISTANCE OF 424.97 FEET; THENCE S.79°34'25"E., A DISTANCE OF 895.44 FEET; THENCE S.23°34'17"W., A DISTANCE OF 554.99 FEET; THENCE S.67°20'31"E., A DISTANCE OF 350.01 FEET; THENCE N.23°23'42"E., A DISTANCE OF 193.02 FEET; THENCE S.75°25'39"E., A DISTANCE OF 971.64 FEET TO THE POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF U.S.HIGHWAY NO. 19, THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S.HIGHWAY NO. 19 THE FOLLOWING FOUR (4) COURSES: 1.) S.23°35'12"W., A DISTANCE OF 1,221.63 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES N.66°25'33"W., A RADIAL DISTANCE OF 5,629.58 FEET; 2.) SOUTHWESTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 16°19'52", A DISTANCE OF 1,604.61 FEET; 3.) S.40°02'29"W., A DISTANCE OF 495.36 FEET TO THE POINT OF INTERSECTION THE NORTHERLY LINE OF SCI FUNERAL SERVICES, INC. PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3542, PAGE 1780 RECORDED IN THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, THENCE ALONG SAID NORTHERLY LINE OF SCI FUNERAL SERVICES, INC. PROPERTY THE FOLLOWING SEVENTEEN (17) COURSES: 1.) N.50°03'32"W., A DISTANCE OF 584.79 FEET; 2.) N.89°55'45"W., A DISTANCE OF 130.27 FEET; 3.) N.34°42'55"W., A DISTANCE OF 240.61 FEET; 4.) NORTH, A DISTANCE OF 350.16 FEET; 5.) N.45°06'20"W., A DISTANCE OF 352.82 FEET; 6.) N.30°02'15"W., A DISTANCE OF 260.14 FEET; 7.) N.09°01'26"W., A DISTANCE OF 111.75 FEET; 8.) N.45°37'49"E., A DISTANCE OF 180.22 FEET; 9.) N.22°44'18"E., A DISTANCE OF 150.39 FEET; 10.) N.26°04'38"W., A DISTANCE OF 159.72 FEET; 11.) N.20°52'00"W., A DISTANCE OF 566.16 FEET; 12.) N.69°54'34"W., A DISTANCE OF 775.13 FEET; 13.) S.09°24'10"E., A DISTANCE OF 628.37 FEET; 14.) S.19°25'50"E., A DISTANCE OF 699.37 FEET; 15.) S.00°24'43"W., A DISTANCE OF 1,355.01 FEET; 16.) N.89°27'34"W., A DISTANCE OF 119.00 FEET; 17.) S.00°37'09"W., A DISTANCE OF 187.67 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF EMERALD BEACH UNIT ONE AS RECORDED IN PLAT BOOK 7, PAGES 88 AND 89 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY AND WESTERLY LINE OF SAID EMERALD BEACH UNIT ONE, RESPECTIVELY THE FOLLOWING SIX (6) COURSES: 1.) N.89°52'25"W., A DISTANCE OF 543.02 FEET; 2.) S.00°04'57"W., A DISTANCE OF 140.00 FEET; 3.) N.89°38'32"W., A DISTANCE OF 62.79 FEET; 4.) S.00°08'52"W., A DISTANCE OF 50.20 FEET; 5.) N.89°42'54"W., A DISTANCE OF 80.00 FEET; 6.) S.00°14'32"W., A DISTANCE OF 684.35 FEET TO THE POINT OF INTERSECTION WITH THE NORTHERLY LINE OF 2ND REPLAT OF SCHEER COMMERCE CENTER PHASE I AS RECORDED IN PLAT BOOK 27, PAGES 40 THROUGH 42 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY AND WESTERLY LINE OF SAID SCHEER COMMERCE CENTER PHASE I, RESPECTIVELY THE FOLLOWING ELEVEN (11) COURSES: 1.) S.74°24'01"W., A DISTANCE OF 118.99 FEET; 2.) S.73°32'49"W., A DISTANCE OF 263.91 FEET; 3.) S.08°31'00"E., A DISTANCE OF 15.15 FEET; 4.) S.73°32'49"W., A DISTANCE OF 10.92 FEET; 5.) S.82°23'50"W., A DISTANCE OF 341.28 FEET; 6.) S.00°10'31"W., A DISTANCE OF 1,056.52 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S.89°47'27"E., A

RADIAL DISTANCE OF 149.89 FEET; 7.) SOUTHEASTERLY ALONG THE ARC, THROUGH A CENTRAL ANGLE OF 50°15'57", A DISTANCE OF 131.50 FEET; 8.) S.50°05'02"E., A DISTANCE OF 271.20 FEET; 9.) S.39°58'28"W., A DISTANCE OF 444.63 FEET; 10.) S.49°55'57"E., A DISTANCE OF 150.57 FEET; 11.) N.39°52'37"E., A DISTANCE OF 719.83 FEET, S.49°54'15"E., A DISTANCE OF 446.01 FEET TO THE AFORESAID POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF U.S.HIGHWAY NO. 19; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S.HIGHWAY NO. 19, S.39°55'34"W., A DISTANCE OF 1,477.89 FEET; THENCE LEAVING SAID WESTERLY RIGHT OF WAY LINE OF U.S.HIGHWAY NO. 19, N.50°04'26"W., A DISTANCE OF 450.00 FEET; THENCE N.40°35'17"E., A DISTANCE OF 345.78 FEET; THENCE N.00°14'22"E., A DISTANCE OF 169.72 FEET; THENCE N.89°16'50"W., A DISTANCE OF 80.00 FEET; THENCE N.00°35'17"E., A DISTANCE OF 325.00 FEET; THENCE N.89°06'11"W., A DISTANCE OF 1,248.55 FEET; THENCE N.00°01'57"E., A DISTANCE OF 434.13 FEET TO THE NORTHEAST CORNER OF SEA PINES UNIT FOUR AS RECORDED IN PLAT BOOK 9, PG 132 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, THENCE ALONG THE NORTH LINE OF SAID SEA PINES UNIT FOUR, AND ALONG A WITHLACOOCHEE RIVER ELECTRIC CORPORATION PARCEL AS DESCRIBED IN OFFICIAL RECORD BOOK 0791, PAGE 0058 OF THE PUBLIC RECORDS OF PASCO COUNTY, FLORIDA, RESPECTIVELY, N.89°32'53"W., A DISTANCE OF 1,722.36 FEET; THENCE N.89°35'40"W., A DISTANCE OF 329.97 FEET TO AFORESAID POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15), THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE OF OLD DIXIE HIGHWAY (STATE ROAD NO. 15), N.31°53'41"E., A DISTANCE OF 2,595.06 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

COMMENCING AT A POINT A 4"X 4" LIGHTER WOOD POST MARKING THE NORTHWEST CORNER OF SAID SECTION 14, SAME BEING THE SOUTHWEST CORNER OF SAID SECTION 11; THENCE RUN S.89°25'33"E. ALONG THE SOUTH LINE OF SOUTHWEST 1/4 OF SAID SECTION 11, A DISTANCE OF 2708.33 FEET; THENCE RUN S.89°25'34"E. ALONG THE SOUTH LINE OF SOUTHEAST 1/4 OF SAID SECTION 11, A DISTANCE OF 600.16 FEET; TO THE POINT OF BEGINNING; THENCE N.31°52'13"E., A DISTANCE OF 1,261.42 FEET; THENCE N.16°26'07"E., A DISTANCE OF 172.39 FEET; THENCE S.46°51'26"E., A DISTANCE OF 159.35 FEET; THENCE S.38°03'50"E., A DISTANCE OF 237.99 FEET; THENCE S.31°53'41"W., A DISTANCE OF 1,112.05 FEET TO THE POINT OF INTERSECTION WITH SAID SOUTH LINE OF SECTION 11; THENCE CONTINUE SOUTHWESTERLY ALONG SAID LINE, A DISTANCE OF 55.19 FEET; THENCE S.58°06'19"E., A DISTANCE OF 327.96 FEET; THENCE S.31°53'41"W., A DISTANCE OF 180.61 FEET; THENCE S.33°12'16"E., A DISTANCE OF 239.60 FEET; THENCE SOUTH, A DISTANCE OF 275.41 FEET; THENCE S.45°44'27"E., A DISTANCE OF 213.42 FEET; THENCE S.47°44'35"E., A DISTANCE OF 332.91 FEET; THENCE S.08°59'31"E., A DISTANCE OF 124.42 FEET; THENCE S.11°18'58"E., A DISTANCE OF 50.25 FEET; THENCE S.67°57'08"E., A DISTANCE OF 412.00 FEET; THENCE N.67°33'18"E., A DISTANCE OF 252.78 FEET; THENCE S.77°23'53"E., A DISTANCE OF 365.66 FEET; TO A POINT OF INTERSECTION WITH THE WEST LINE OF SECTION SAID SECTION 13; THENCE CONTINUE S.77°23'53"E , A DISTANCE OF 8.99 FEET; THENCE S.00°16'54"E., A DISTANCE OF 153.88 FEET; THENCE N.77°23'53"W., A DISTANCE OF 10.42 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF SAID SECTION 13; THENCE CONTINUE N.77°23'53"W , A DISTANCE OF 351.17 FEET; THENCE S.67°33'18"W., A DISTANCE OF 266.77 FEET; THENCE N.67°57'08"W., A DISTANCE OF 554.19 FEET; THENCE N.11°18'58"W., A DISTANCE OF 134.13 FEET; THENCE N.08°59'31"W., A DISTANCE OF 74.71 FEET; THENCE N.47°44'35"W., A DISTANCE OF 282.78 FEET; THENCE N.45°44'27"W., A DISTANCE OF 279.32 FEET; THENCE NORTH, A DISTANCE OF 293.96 FEET; THENCE N.33°12'16"W., A DISTANCE OF 165.10 FEET; THENCE N.78°12'48"W., A DISTANCE OF 253.43 FEET; THENCE S.49°30'49"W., A DISTANCE OF 260.41 FEET; THENCE S.31°53'41"W., A DISTANCE OF 199.93 FEET; THENCE N.58°03'14"W., A DISTANCE OF 111.49 FEET; THENCE S.31°51'43"W., A DISTANCE OF 100.00 FEET; THENCE N.58°08'17"W., A DISTANCE OF 338.90 FEET; THENCE N.31°57'43"E., A DISTANCE OF 100.18 FEET; THENCE S.58°07'29"E., A DISTANCE OF 142.15 FEET; THENCE N.31°52'10"E., A DISTANCE OF 200.00 FEET; THENCE N.31°52'13"E., A DISTANCE OF 516.63 FEET TO THE POINT OF BEGINNING.

IN TOTAL CONTAINING 650.32 ACRES MORE OR LESS

ADD TO PARCEL 2

A PORTION OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN N 00° 49' 12" EAST, 1644.48 FEET ALONG THE WEST BOUNDARY LINE OF SAID SECTION 12; THENCE N 29° 44' 27" EAST, 2951.44 FEET TO THE POINT OF BEGINNING; THENCE RUN N 50° 35' 00" WEST, 715.00 FEET; THENCE N 39° 25' 00" EAST, 831.10 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 595; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE, 1804.28 FEET ALONG THE ARC OF A 2964.83 FOOT RADIUS CURVE CONCAVE TO THE LEFT, SUBTENDED BY A CHORD DISTANCE OF 1776.57 FEET WHICH BEARS S 62° 03' 51.5" EAST; THENCE S 79° 29' 54" EAST, 1404.75 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE; THENCE S 23° 36' 06" WEST, 1293.01 FEET; THENCE N 67° 22' 10" WEST, 350.05 FEET; THENCE N 23° 36' 06" EAST, 555.24 FEET; THENCE N 79° 29' 54" WEST, 895.30 FEET; THENCE 424.99 FEET ALONG THE ARC OF A 3609.83 FOOT RADIUS CURVE CONCAVED TO THE RIGHT, SUBTENDED BY A CHORD DISTANCE OF 424.75 FEET WHICH BEARS N 76° 07' 32" WEST; THENCE S 32° 00' 00" WEST, 306.45 FEET; THENCE N 67° 22' 10" WEST, 101.35 FEET; THENCE S 32° 00' 00" WEST, 170.00 FEET; THENCE N 67° 22' 10" WEST, 383.81 FEET; THENCE N 32° 55' 28" WEST, 578.95 FEET TO THE POINT OF BEGINNING.

IN TOTAL CONTAINING 64.980 ACRES MORE OR LESS

ADD TO PARCEL 2

A PORTION OF SECTION 12, TOWNSHIP 24 SOUTH, RANGE 16 EAST, PASCO COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 12; THENCE RUN N 00° 49' 12" EAST, 1644.48 FEET ALONG THE WEST BOUNDARY LINE OF SAID SECTION 12; THENCE N 29° 44' 27" EAST, 2790.47 FEET; THENCE S 67° 22' 10" EAST, 2695.87 FEET; THENCE N 23° 36' 06" EAST, 193.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 23° 36' 06" EAST, 1100.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 595 AS NOW ESTABLISHED; THENCE S 79° 29' 54" E, 985.11 FEET ALONG SAID SOUTHERLY RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY OF U.S. HIGHWAY NO. 19 (STATE ROAD NO. 55) AS NOW ESTABLISHED; THENCE S 23° 36' 06" WEST, 1170.00 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE; THENCE N 75° 28' 29" WEST, 971.64 FEET TO THE POINT OF BEGINNING.

IN TOTAL CONTAINING 24.980 ACRES MORE OR LESS

ADD TO PARCEL 2

A PORTION OF SECTION 14, TOWNSHIP 24 SOUTH, RANGE 16 EAST, BEING FURTHER DESCRIBED AS:
COMMENCE AT THE SOUTHEAST CORNER OF THE SW ¼ OF SAID SECTION 14; THENCE RUN ALONG THE EAST LINE OF THE WEST ½ OF SAID SECTION 14, NORTH 0°05'02" WEST, A DISTANCE OF 1,417.42 FEET; THENCE SOUTH 89°EAST, A DISTANCE OF 62.55 FEET; THENCE NORTH 0°03'14" EAST, A DISTANCE OF 50 FEET; THENCE NORTH 89°35'46" WEST, A DISTANCE OF 154.91 FEET; THENCE SOUTH 51°39'37" WEST, A DISTANCE OF 72.67 FEET; THENCE A DISTANCE OF 492.55 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 590.96 FEET AND A CHORD OF 478.42 FEET WHICH BEARS NORTH 65°WEST; THENCE NORTH 89°36'01" WEST, A DISTANCE OF 14.06 FEET; THENCE SOUTH 0°23'59" WEST, A DISTANCE OF 15 FEET; THENCE NORTH 89°36'01" WEST, A DISTANCE OF 600 FEET; THENCE NORTH 58°06'46" WEST, A DISTANCE OF 315.68 FEET; THENCE NORTH 31°52'14" EAST, A DISTANCE OF 940.45 FEET FOR A POINT OF BEGINNING;

THENCE NORTH 89°35'46" WEST, A DISTANCE OF 38.69 FEET TO THE CENTERLINE OF SAID OLD DIXIE HIGHWAY, NORTH 31°53'14" EAST, A DISTANCE OF 586.31 FEET; THENCE SOUTH 89°35'46" EAST, A DISTANCE OF 330.00 FEET; THENCE SOUTH 0°24'14" WEST A DISTANCE OF 500.00 FEET; THENCE NORTH 89°35'46" WEST, A DISTANCE OF 597.50 FEET TO THE POINT OF BEGINNING; THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN 33 FEET OF THE CENTERLINE OF OLD DIXIE HIGHWAY BEING SUBJECT TO PUBLIC ROAD RIGHT OF WAY.

(CONTAINING 5.545 ACRES MORE OR LESS MEASURED TO THE CENTERLINE OF OLD DIXIE HIGHWAY)

HUNT PARCEL

THAT PART OF THE NORTH 20 ACRES OF THE SOUTH 50 ACRES OF THAT PORTION OF THE EAST 1/4 OF SECTION 11, TOWNSHIP 24 SOUTH, RANGE 16 EAST. PASCO COUNTY FLORIDA, LYING EAST AND SOUTH OF OLD ROAD 15 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF SAID SECTION 11, RUN NORTH 87 DEG. 12'11" WEST, 1998.16 FEET TO THE CENTERLINE OF OLD ROAD 15; THENCE NORTH 31 DEG. 51'30" EAST ALONG SAID CENTERLINE 1160.74 FEET TO A POINT; AND CONTINUING ALONG SAID CENTERLINE NORTH 16 DEG. 25'51" EAST 345.71 FEET FOR A POINT-OF-BEGINNING; CONTINUE THENCE NORTH 16 DEG. 25'51" EAST, 253.20 FEET M.O.L. TO THE SOUTH BOUNDARY OF THE NORTH 30 ACRES OF THE SOUTH 80 ACRES OF THE EAST 1/4 OF SAID SECTION 11; THENCE SOUTH 89 DEG. 23'05" EAST, 1236.41 FEET TO THE EAST BOUNDARY OF SAID SECTION 11; THENCE SOUTH 00 DEG. 49'12" WEST 293.10 FEET M.O.L.; THENCE NORTH 87 DEG. 12'11" WEST, 1306.17 FEET TO THE POINT-OF-BEGINNING, LESS RIGHT-OF -WAY.

IN TOTAL CONTAINING 7.85 ACRES, MORE OR LESS.

EXHIBIT D

Developer's Commitments

SECTION III - DEVELOPER COMMITMENTS
DRI #267 - SUNWEST HARBOURTOWNE
PASCO COUNTY

The following commitments have been made in the Application for Development Approval (ADA), the First Sufficiency Response (SR1), the Second Sufficiency Response (SR2), Third Sufficiency Response (SR3) and/or Fourth Sufficiency Response (SR4):

GENERAL

1. *Marina operations including boat storage, maintenance and other similar type operations will be separated and buffered from the “Village” area. (SR2/Page 2)*
2. *The (Land Use Equivalency) Matrix evaluates transportation impacts only. It is anticipated that the Development order language describing the process for approval of a land use exchange will include a requirement to analyze the utility impacts in addition to the transportation impacts for all exchanges. (SR2/Page 38)*
3. *Sunwest Harbourtowne will be built in one phase - 2009 to 2018. (SR3/Page 10.6)*
4. *In no case shall the total residential units exceed 2,500 total units. Further, the only exchanges allowed for residential are between residential unit types (SFD to SFA/TH/Condo and vice versa), so if one is increased, the other one is decreased. (SR3/Page 21.12)*

VEGETATION AND WILDLIFE

1. *... the applicant... will adopt the Manatee Protection Plan currently being developed for the Pasco County Sunwest Park to the south. This Plan provides for the following measures: 1) marking navigational channels in unmarked or poorly marked waterways; 2) designation of slow or idle speed zones in appropriate areas; 3) installation of manatee educational displays; 4) circulation of educational pamphlets to park users; and 5) enforcement of speed zones by law enforcement (ADA/Pages 12.16 & 12.24). [Applicant clarification: The applicant will comply with the Manatee Protection Plan... The Plan will provide...]*
2. *Protection measures for the scrub-jay will include preservation of habitat, protection against domestic pets, discontinued use of pesticides, and protection of nesting sites from human interference and destruction (ADA/Page 12.17). [Applicant clarification: No longer applicable due to removal of the project area where scrub jays were observed, as identified in SR3. Lands to be conveyed to the SWFWMD].*
3. *A combination of on-site preservation and off-site relocation will be utilized to protect the population of gopher tortoises and their commensal species. All gopher tortoises and commensal species outside the preservation area will be relocated to an approved off-site preserve. All appropriate final surveys, permitting, and approvals from USFWS and FFWCC will be received prior to the initiation of construction activities. (ADA/Page 12.24)*

4. *All state and regionally significant rare listed plant species populations documented onsite will be avoided or mitigation shall be provided. (ADA/Page 12.25)*
5. *The Applicant will adhere to all requirements in the recently released Eagle habitat protection guidelines of September 2007 issued by USFWS regarding encroachments within the Protection Zones. (SR1/Page 3)*
6. *No impacts to any natural marine, estuarine, or intertidal habitats are proposed. (SR1/Page 10)*
7. *No hardening of unaltered shorelines or other structural lining of natural waterways or shorelines has been proposed. (SR1/Page 11)*
8. *The conservation of large tracts of regionally significant coastal systems will be utilized to maintain the native plant communities... Emphasis will be placed on large areas of biologically diverse habitat that can be managed in perpetuity (SR1/Page 12).[Applicant clarification: Regionally significant coastal systems have been removed from the DRI boundaries, as identified in SR3. Lands to be conveyed to the SWFWMD]*
9. *As part of construction phase permitting, informational signage will be included, where required, that informs residents and visitors of known listed species within the project area and their natural habitat requirements. This signage will be displayed in public areas available for viewing by both residents and visitors and will be incorporated into any conservation easement language associated with regionally-significant natural resource areas. (SR1/Page 14)*
10. *A public education program, to limit over-use or improper application of fertilizers and pesticides within the Sunwest Harbourtowne development will be part of the program to be implemented. The Wildlife Management Plan will be prepared and finalized during the design and permitting phases of the development process. (SR1/Page 21)*
11. *No residential construction is proposed within the primary or secondary zones of the existing eagles' nest at this time... The final development footprint for Sunwest Harbourtowne will include a 660 foot diameter buffer around the eagles' nest and will comply with recent Eagle Habitat Protection Guidelines regarding encroachment within the Protection Zones issued by USFWS in September 2007. (SR1/Page 117)*
12. *An educational program will be developed for wildlife conservation to provide information to the residents and business owners. The Harbourtowne's preservation of ecologically sensitive lands and its sustainable design will be highlighted in informational materials. (SR2/Page 6)*
13. *The Applicant proposes to install informational signs documenting "listed species, their habitats, and their value to natural systems and man." The informational signage will also highlight the preservation of natural areas proposed by the Applicant that will benefit listed species. The Applicant will provide and maintain the informational signage until the Applicant is no longer in control of the property... Provisions will be made in the homeowners association documents, or*

other legal entity as determined by the Sunwest developers, to transfer the responsibility from the Applicant to the homeowners association at the time of transfer of project ownership. (SR2/Page 8)

14. *It is the intent of the Applicant to further utilize avoidance, followed by minimization, during the final site plan design, engineering, and permitting process to preclude impacts to listed plant species. (SR2/Page 11)*
15. *During the design and permitting phase of the project, a water balance analysis will be performed. The analysis will include a water budget for the various needs and will consider the geohydrology of the site and the stormwater contribution. The goal will be to strike a water balance so that the water budgets will be met and there will be no impact to the Florida aquifer. (SR2/Page 13)*
16. *Planned preservation areas and a proposed wildlife habitat corridor for the Harbourtowne Development will accommodate the black bear (SR2/Page 70). [Applicant clarification: Pursuant to the FFWCC letter dated November 19, 2008, black bear management will be focused north of Aripeka Road, and the wildlife corridor through the project will not be designed to accommodate large mammals.]*
17. *The Harbourtowne Development does not propose impacts to the near shore marine environment. (SR2/Page 71)*
18. *Any Gopher Frog(s) “identified during gopher tortoise relocation activities will be relocated to the gopher tortoise mitigation site” (SR2/Page 74) as well as the Eastern indigo snake (SR3/Page 12.4).*
19. *No construction activities are proposed within the (eagles’) nest buffer. The areas depicted on Map H as Residential will remain undisturbed and be utilized as open space (SR2/Page 97). [Applicant clarification: ... until such time as restrictions are no longer required.]*
20. *No construction activities are proposed within 660 feet of the (eagle) nest, therefore no consultation, monitoring plan, or FFWCC Eagle Permit are required. The Applicant would be amenable to the aforementioned statement being a condition of any development order issued. (SR2/Page 97)*
21. *The Applicant concurs that species-specific nesting surveys should be completed in the nesting season immediately preceding all clearing and construction activities for each potentially affected listed species... The Applicant will ensure that species-specific surveys will follow established survey protocols and guidelines where applicable. The surveys conducted prior to clearing or construction will ensure that development will not negatively impact vital nesting, foraging, and isolated breeding habitat for multiple protected wildlife species and/or sever habitat connectivity within a regionally significant coastal wildlife corridor. (SR2/Page 109)*
22. *The Applicant has decided to relocate any tortoises to be impacted to an off-site recipient area similar in vegetation and soil composition to the parent tract. The recipient site will be determined and permitted through FFWCC during the ERP permitting phase of the Harbourtowne development. (SR2/Page 111)*

23. *The Applicant... is developing a wildlife corridor plan which will provide access through the central core of the future development. The plan clearly identifies critical wildlife crossing points, makes recommendations for crossing types and designs, and includes expanded landscape buffers to be included with the wildlife corridor (SR2/Page 112). [Applicant clarification: The plan will clearly identify critical...]*
24. *Additional small mammal, reptile, and amphibian crossings (small culvert based structures) will be included with the final construction plan designs as they are tied to roadway section design. (SR2/Page 112)*
25. Mitigation for impacts to state and federally listed wildlife and plant resources (if applicable) “will include on-site preservation, purchasing credits for off-site mitigation banks and on-site mitigation (i.e. wetland enhancement, preservation or creation).” (SR3/Page 12.3)
26. *It is anticipated an overall project wide Habitat Management Plan will be developed to address the specifics of the wildlife corridor and address all other wildlife issues. The draft plan will be completed at the design phase, which will maximize the specificity of the plan. A development order condition will be included to require that the plan be submitted for agency review and approval prior to commencement of development. (SR3/Pages 12.8 & 13.3)*
27. *The Habitat Management Plan will incorporate the recommendations detailed in the correspondence from FFWCC provided in this sufficiency response. (SR3/Page 12.8)*
28. *The applicant or its assigns will encourage prospective golf course developers to pursue a voluntary Audubon certification or an equivalent standard. (SR3/Page 12.10)*
29. *There will be no hardening of the shoreline. (SR3/Page 16.1)*

WETLANDS

1. *The project will preserve all regionally significant natural resources identified on the site. (ADA/Pages 10.16 and SR3/Page 10.13)*
2. *Site-specific hydroperiods and seasonal water elevations for each individual wetland within the limits of the proposed development will be established and further defined during the engineering and planning portion of design. (ADA/Page 13.5)*
3. *The following measures will be utilized to minimize impacts on wetlands: (ADA/Pages 13.6-13.7)*
 - *Wetland setbacks (upland buffers) will be established to comply with Pasco County and State regulatory standards to encompass the periphery of each wetland that is proposed for conservation.*
 - *Construction best management practices (BMPs) shall be utilized to minimize negative impacts of erosion and sedimentation within wetlands and aquatic habitats.*
 - *The existing interior haul road network will be used and expanded to limit the creation of additional road crossings through wetlands.*

- *A Stormwater Pollution Prevention Plan will be completed pursuant to National Pollutant Discharge Elimination System requirements to ensure that stormwater and pollution control BMPs are well designed and properly employed.*
 - *Compliance with SWFWMD requirements will ensure that stormwater runoff and groundwater hydrology will be well managed so that preserved wetlands will continue to support existing ecological functions.*
 - *The majority of all wetlands that are proposed for conservation will be perpetually managed through a conservation easement that will be dedicated to the SWFWMD.*
4. *Specific measures such as placement of screens or hay bales will be identified and included as notes on construction plans that are submitted for each development area. (ADA/Page 13.8)*
 5. *There are 23.5 acres of uplands currently identified for mitigation in the form of wetland creation. This mitigation will include removing Brazilian pepper along an existing berm, regrading the berm to match natural grades, and replanting within the creation area with desirable upland and/or wetland vegetation. A final mitigation plan will be prepared and submitted to the SWFWMD during the environmental resource permitting (ERP) process. (ADA/Pages 13.8-13.9)*
 6. *Dredging associated with development of Sunwest Harbourtowne will be limited to areas already disturbed by past mining activities and conducted via dragline under the existing mine permits. The proposed dredging will not impact regionally significant natural resources. (SR1/Page 9)*
 7. *Wetland buffers are proposed to aid in reducing secondary impacts to those wetlands as well as protecting their value and function. (SR1/Page 12)*
 8. *The target species for removal will include those species identified in the Florida Exotic Plant Council Invasive Plant and Noxious Weed Lists (2007). (SR1/Page 12)*
 9. *The Applicant concurs with the recommendation that all acreage identified as Wetlands/Conservation on Map H be designated as Conservation and be afforded protection through the implementation of conservation easements. (SR1/Page 75)*
 10. *The springs are already protected from development because they are located within wetland preservation areas. All wetlands within the central core of the development will be preserved and are part of the proposed wildlife corridor. A conservation easement or similar resource protection mechanism will be provided at the time of acquisition of site development and environmental resources permits. (SR2/Pages 57-58 & 110)*
 11. *The applicant has committed to reclamation of all previously mined areas and the reclamation will include planted littoral zones within reclaimed mine ponds. (SR3/Page 13.2)*
 12. *The applicant will provide a natural buffer between the lot line and areas on the lot that will be graded or improved. Within the buffer, native plants will remain in place undisturbed. There will be no seawalls or structural elements between the homes and the marsh area. (SR3/Page 16.1)*

WATER QUALITY

1. *A water quality monitoring program which details appropriate parameters and methodologies will be developed pursuant to the requirements of the SWFWMD during the Environmental Resource Permit process. (ADA/Pages 14.2-14.3)*
2. *A Stormwater Pollution Prevention Plan will be completed pursuant to National Pollutant Discharge Elimination System requirements to ensure that stormwater and pollution control Construction Best Management Practices (BMPs) are well designed and properly employed during construction activities. Construction BMPs will be utilized to minimize negative impacts of erosion and sedimentation within wetlands and aquatic habitats. (ADA/Page 14.3)*
3. *The use of Low Impact Development techniques in site design to store, infiltrate, and evaporate stormwater runoff on the site will also be utilized to further reduce and improve the efficiency of water use at the site. (SR1/Pages 10 & 112)*
4. *The requirements for a ground water monitoring plan and surface water monitoring plan which includes the parameters stipulated above will be developed in conjunction with the ERP permit process and construction permitting. (SR1/Page 99)*
5. *An Integrated Pest Management Plan will be required by DRI Development Order Conditions. The Plan will describe detailed requirements and will be distributed to developers and homeowners within the development. (SR1/Page 109)*
6. *An educational program will be developed to provide information to residents, guests and business owners regarding non-point source pollution. (SR2/Page 6)*
7. *Development order conditions will be included to require that the golf course be designed in accordance with FDEP's 'Florida Green Industries Best Management Practices for Golf Courses' or equivalent criteria and standards, and requiring that an Environmental Management Plan and an Integrated Pest Management Plan be submitted for review and approval to appropriate agencies. (SR2/Page 10)*
8. *The applicant proposes to interconnect eight of the existing lakes through a canal network to the large "Featured Lake" located west of Old Dixie Highway. There are several natural springs on site that will be protected and used as site amenities. (SR3/Page 10.4)*
9. *Use of fertilizers will be minimized through preparation of landscape plans which will include an analysis of the soil to determine the specific amounts and types of fertilizer necessary to support the proposed landscape materials. Common areas will be maintained by a professional landscaping service with knowledge of proper fertilization methods. The Master Developer will provide information to home owners associations to provide guidance to homeowners in their maintenance and care of their lawns and landscaped areas. (SR3/Page 14.1)*

SOILS

1. *... subsurface investigations will be undertaken prior to development to determine site-specific conditions in proposed construction areas. The site's overall karst condition will also be appropriately addressed in subsequent detailed planning and engineering design of proposed uses and structures. (ADA/Page 15.7)*
2. *Roadway cuts will be limited such that a minimum of 18 inches of existing sandy soil remains above any shallow clayey deposits. Provided that the bottom of the roadway and parking lot pavement base is not less than 18 inches above the seasonal high water table, a flexible conventional pavement section should provide adequate support for the anticipated traffic loading. (ADA/Page 15.7)*
3. *Appropriate erosion control measures will be used for construction activity. Clearing of existing vegetative cover will be limited to the immediate construction site and will occur just prior to development in order to limit exposure of soils to wind and rain. Water erosion will be controlled by planned and effective placement of silt screens, hay bales, mulch and sod prior to site clearing and grading, as well as during and after construction. Disturbed areas will be stabilized with appropriate vegetation. (ADA/Page 15.8)*
4. *Where needed, suitable fill material consisting of inorganic soils or clays will be obtained from the excavation of stormwater facilities throughout the site. Overburden or spoil generated as a result of construction will be used in appropriate areas of the site. (ADA/Page 15.8)*
5. *Currently, there are no proposed impacts to natural springs or their immediate associated spring-sheds. These locations fall within areas proposed for conservation easements. (SR1/Page 7)*
6. *A geotechnical investigation will be conducted at the site, which will include a foundation analysis. Soil borings will be drilled on a minimum of 1,000 foot centers in construction areas and the soil boring logs will be interpreted by a qualified geotechnical engineer or geologist. Any karst features will be identified from the soil boring analysis and recommendations will be made regarding proposed construction in possible karst areas. (SR2/Page 57)*

FLOODPLAINS

1. *Flood plain areas lost due to development will be compensated for by creating new flood storage areas as part of the drainage and grading plan. When this occurs in the permitting and design phase, any potential loss of flood plain will be offset by newly created storage areas resulting in a balance with no net loss of flood plain. (ADA/Page 16.1)*
2. *A Master Drainage Plan will be prepared for the project. This Plan will consider the pre-development conditions and model the proposed development conditions. (ADA/Page 16.2)*
3. *At this conceptual phase of project design, all proposed development is occurring above the mean high water line elevation and there are no direct impacts to any Class III Waters of the State. (SR2/Page 86)*

WATER SUPPLY

1. *On-site wells will be used for golf course irrigation purposes until such time as the reclaimed water service is available to the property... The Sunwest Harbourtowne applicant or its assigns will be responsible for obtaining permits for water withdrawal to serve irrigation needs of the golf course and other properties as they develop... No wells for potable water use are planned. (ADA/Page 17.3)*
2. *The applicant is also committed to incorporating water-efficient strategies into its plan for common areas and landscape features of the development beyond the minimum requirements of local regulations. Such strategies would include use of natural vegetation and xeric landscaping in appropriate areas, zoned planting according to irrigation needs, and installation of irrigation systems that enable watering according to needs of each area as a supplement to rainfall. (ADA/Page 17.5)*
3. *The Applicant will also employ or encourage use of irrigation systems with moisture sensors that can reduce unnecessary watering so as to conserve water as well as energy costs for pumping. (SR1/Page 10)*
4. *The Applicant will agree to include a condition which reflects Policy 4.29 in the SRPP in the DRI Development Order. (SR1/Page 11)*
5. *(Golf) course development will not occur until there is assurance that its irrigation needs can be satisfied from permitted wells and/or other available sources. (SR1/Page 30)*
6. *The applicant acknowledges the procedures noted above regarding other wells that may be found during construction and commits to comply (i.e. “if wells are found during construction, these wells will need to be abandoned properly with a permit or permitted for use). (SR1/Page 110)*
7. *The Applicant is committed to incorporating such technologies (i.e. for water-conserving irrigation technologies such as irrigation time clocks, rainfall sensors, or soil moisture sensors). (SR1/Page 112)*
8. *The Applicant will disseminate “water wise” practices information to visitors, residents and businesses within the proposed development. (SR1/Page 112)*
9. *An educational program will be developed for water conservation to provide information to the residents, guests and business owners. (SR2/Page 6)*
10. *Sunwest Harbourtowne will use the lowest quality of water available for irrigation purposes. (SR3/Page 10.13)*

WASTEWATER MANAGEMENT

1. *No industrial or other major use types that generate special wastes requiring pre-treatment are planned. (ADA/Page 18.2)*

2. *Septic tanks are not proposed for this project. (ADA/Page 18.2)*
3. *A development order condition can be included requiring the Master Utility Plan submittal prior to commencement of development. (SR4/Page 8)*

STORMWATER MANAGEMENT

1. *The Master Stormwater Plan and its permitting with the County and the SWFWMD will be updated based on the final development plan and will include information available from the Hammock Creek Watershed Study... New information on discharge rates from off site, stage elevations and other data will be applied as appropriate to the modeling and calculations for the Master Drainage Plan for the project for the development program that is approved for the DRI. (ADA/Pages 19.3-19.4)*
2. *Privately owned (stormwater) systems will be inspected and maintained by the ownership entity. Publicly owned systems will be inspected and maintained by its ownership entity. (SR1/Page 11)*
3. *The development will not impact sand dunes and mangroves. In addition, all foundations will be anchored to resist flotation, collapse, and lateral movement due to wind and water loads. (SR1/Page 32)*
4. *... the stormwater system could be designed to have an emergency drawdown to the control elevations, if deemed necessary. (SR1/Page 33)*
5. *Additional geotechnical data will be gathered prior to the start of site construction and this information will be utilized to determine appropriate locations for all retention ponds. (SR1/Pages 33 & 110)*
6. *During the design phase, analyses will be performed for collection, treatment and attenuation of stormwater events. (SR1/Page 114)*
7. *The proposed Harbourtowne Development residential lots and maintained lawns will be channeled through pretreatment swales in conjunction with more conventional stormwater management systems to provide for an increased level of stormwater treatment. The lakes will additionally include expanded, extensively planted littoral shelves (up to 14 feet wide) to further promote nutrient uptake. (SR2/Page 12)*
8. *Stormwater runoff from developed areas into existing spring areas will be minimized. If additional springs and/or sinkholes (karst features) are discovered on the property, the following best management practices will be employed: (SR2/Page 107)*
 - *Inclusion of karst features into pervious open space areas.*
 - *Use of landscape design principles to incorporate features as aesthetic elements*
 - *Pretreatment of stormwater runoff, in accordance with applicable county and water management district regulations, prior to discharge to karst areas*
 - *Prohibit discharge of wastewater effluent to karst features.*
 - *Perimeter buffering around features to maintain natural features, edge vegetation, and structural protection.*

SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

FWC recommended that educational signage and brochures detailing the black bear should be incorporated into active and passive recreational facilities for use by residents and resort visitors of Sunwest Harbortowne. In addition, it was recommended that all permanent trash receptacles should also be “bear proof” and include locking enclosures. FWC-approved educational signage and brochures will also be made available to resort residents, guests and visitors (SR1/Page 20). The Applicant will adopt the FFWCC’s recommendation to develop a wildlife-friendly, solid waste management program (SR2/Page 113).

TRANSPORTATION

- 1. The Applicant will request abandonment of portions of the existing alignment of Old Dixie Highway that fall within the DRI boundary. It is proposed by the Applicant that an alternative north/south collector road be constructed as shown conceptually on revised Map H. This new roadway will provide for a continuation of existing north-south travel and support the County’s roadway network... If the abandonment were not to be approved by the County, the internal road network would be revised. (SR1/Page 5)*
- 2. The Applicant will work with the appropriate agencies during DRI negotiations to determine potential mitigation for these (Hernando County) impacts. (SR2/Page 8)*
- 3. A new internal roadway network will be developed to serve Sunwest and also provide access to the future County Park that will be developed on property adjacent to Sunwest. The main park access roadway from U.S. 19 will also provide access to the Mike Sugar Subdivision, whose residents currently utilize an existing mine road for subdivision access. (SR3/Pages 10.1-10.2)*

AIR QUALITY

The project will reduce fugitive dust emissions by using such measures as clearing and grading only areas immediately being prepared for construction; re-vegetating immediately after construction; watering unpaved construction road/sites; and adding agents to unpaved construction road/sites and similar areas of vehicular use to retard erosion. (SR3/Page 10.14)

HURRICANE PREPAREDNESS

- 1. The Applicant will work with Pasco County to determine appropriate (hurricane) mitigation. While alternative mitigation measures could be accepted by Pasco County, the project mitigation fee of \$662,145.00 has previously been determined by Pasco County staff [i.e. \$654,637.50/shelter mitigation + \$7,507.50/evacuation mitigation]. (SR1/Page 57)*
- 2. [Being located entirely within the Coastal High Hazard Area] the Project does not require and will not request the expenditure of public funds for infrastructure improvements in the area, nor does the project propose the construction of hospitals, nursing homes or similar institutions... As discussed in detail in the response to Question 23, the project’s impacts to evacuation routes and shelter space will be analyzed and, if appropriate, mitigation will be identified. (SR3/Page 10.12)*

3. *The applicant is willing to include development order conditions requiring the “all hazards” plan and a fuel management and spill contingency plan as noted. (SR3/Page 23.1)*

AFFORDABLE HOUSING

After consultation with TBRPC staff, the Applicant proposes the following cash mitigation payments to be payable to Pasco County at the time of Certificate of Occupancy: (SR2/Pages 27-28)

USE	UNIT TYPE	RATE
Residential	Unit	\$100.00
Retail	Square Foot	\$ 0.35
Office	Square Foot	\$ 0.25
Golf	Hole	\$608.00
Marina	Slip	\$ 12.00
Hotel	Room	\$204.00

POLICE & FIRE PROTECTION

Educational materials regarding continuing maintenance and methods to reduce fire risk will be provided to the residents along with other educational materials. (SR2/Page 7)

RECREATION AND OPEN SPACE

1. *All open space and park facilities within the project limits, other than the property owned by the SWFWMD, will be maintained by the Developer or successors such as Homeowner’s Association(s) or Community Development District(s). (ADA/Page 26.2)*
2. *Assuming the DRI is approved, the provision of a multi-use trail corridor within Sunwest Harbourtowne will be provided for in conjunction with the proposed north/south roadway as shown on the revised Map H. This requirement can be made a condition of the DRI Development Order or be assured by separate instrument with the County. (SR1/Page 55)*
3. *The owners of Sunwest have agreed to contribute \$3,000,000 to the County to be used for developing the park facilities and will use a portion of Sunwest property to meet all the stormwater needs associated with development of the County Park site. (SR3/Page 10.3)*
4. *An extensive golf cart network and multi-use trails are planned throughout the community connecting residential areas to the various on-site amenities. (SR3/Page 10.4)*

5. *The required 25% open space acreage will be maintained regardless of whether or not a golf course is constructed. A Development Order condition requiring demonstration of adequate open space for conversion of the golf course is appropriate as noted. (SR3/Page 21.4)*

ENERGY

1. *Xeriscape landscaping will be recommended wherever possible to reduce irrigation and energy needs by relying on plants most suitable to the climate and conditions of west central Florida. (ADA/Page 29.2)*
2. *A 5 +/- acre commercial site is proposed just north of the private cemetery entrance on U.S. 19. This site by prior agreement with Withlacoochee Power Corporation will include a utilities substation that will be moved from its current location along Old Dixie Highway. (SR3/Page 10.3)*

HISTORICAL AND ARCHAEOLOGICAL

1. *The Applicant will work with the Division of Historical Resources to determine what level of protection is warranted and will work with the department to minimize or mitigate impacts to the sites and to provide the necessary level of protection. (ADA/Page 30.2)*
2. *It is acknowledged that their [Division of Historical Resources] evaluation and recommendations need to be included in the Council's Final Report and the applicant will work with DHR to incorporate their requests into development order conditions. (SR4/Page 4)*

PORTS AND MARINAS

1. *One boat lift area is proposed to allow the Harbourtowne residents to access the adjoining channel through Fillman Bayou to the Gulf of Mexico... No boat launch ramp or trailer spaces are proposed. (ADA/Pages 37.4-37.5)*
2. *The domestic waste disposal needs of boats will be handled through sewage pump outs and waste dump receptacles. (ADA/Page 37.6)*
3. *The applicant intends to develop all boating facilities to conform to the Clean Marina Program; including Marina Environmental Measures and Best Management Practices. (ADA/Pages 37.6 & 37.8, SR1/Pages 15, 51, 96, 97 & 101)*
4. *A site specific Manatee Protection Plan (MPP) has been prepared for the adjoining Pasco County Sunwest Park. This Plan will also be adopted by Sunwest Harbourtowne... This proposed MPP addresses four components critical to the protection and management of the manatee in the tidal waters of Fillman Bayou including 1) construction best management practices while the park and channel dredging is under construction; 2) restricted speed zones; 3) public education; and 4) enforcement. (ADA/Pages 37.6-37.7)*

5. In addition to the enforcement of “Slow Speed/Minimum Wake” zones by appropriate governmental law enforcement agencies, *aids to navigation (e.g. red/green and square/triangle signs on pilings) will additionally be installed in the main entrance channel. In addition, regulatory manatee signs will be installed within the main entrance channel, along the canal, and along the perimeter of the regulated area.* (ADA/Page 37.7)
6. *The Applicant will develop a petroleum spill recovery plan and petroleum control & containment plan for its inland high and dry marina and marina village dockage in accordance with best management practices outlined in the FDEP’s Clean Marina Program (SR1/Page 14). The above noted plans will be provided to TBRPC for review as requested (SR2/Page 9).*
7. *The Sunwest Harbourtowne DRI does not rely on, nor does the DRI/ADA include, any proposed canal or channel improvements. Should the channel improvements not be permitted, the Sunwest Harbourtowne project would be redesigned to eliminate the boat lift.* (SR1/Page 45)
8. *The proposed marina will be entirely located within the upland cut freshwater basins (former mine lakes) which are not directly connected to marine waters occupied by the West Indian Manatee.* (SR1/Page 52)
9. *The Applicant will additionally provide public educational materials and signage at its boat launch points to inform the Sunwest Harbourtowne residents and guests of the restricted areas, manatee protection, “no-wake designation”, and penalties for infractions.* (SR1/Page 76)
10. *Boater information, including the location and nature of the channel (depth, width) and its associated marking will be displayed at the boat lift and at high and dry storage facility. The signage will also include information of Pasco County’s proposed 2,545 acre Fillman Bayou Resource Protection Area which provides for non-motorized vessel zone, anchoring restrictions, and seagrass protection zones.* (SR2/Page 12)
11. *The development proposed only one travel lift with a maximum of 45 launches per day to the Gulf access canal.* (SR2/Page 12)
12. *Best management practices will be instituted in regards to pollution prevention including the following boating practices:* (SR2/Page 93)
 - *Limit engine operation at full throttle*
 - *Eliminate unnecessary idling*
 - *Avoid spilling gasoline*
 - *Use a gas container you can handle easily and hold securely*
 - *Pour slowly and smoothly*
 - *Use a funnel or a spout with an automatic stop device to prevent overfilling the gas tank*
 - *Close the vent on portable gas tanks when the engine is not in use or when the tank is stored*
 - *Transport and store gasoline out of direct sunlight in a cool, dry place*
 - *Carefully measure the proper amounts of gasoline and oil when refueling*
 - *Follow the manufacturer’s recommended maintenance schedule*
 - *Prepare engines properly for seasonal storage.*

13. *The marina itself will be full service and include 150 wet slips and 350 dry slips plus additional boat trailer and vehicle parking. A boat lift system located at the southern tip of the large feature lake adjacent to the existing saltwater boating channel will be used to transport vessels over land from fresh to salt water to allow for access to the Gulf. (SR3/Page 10.4)*
14. *As indicated throughout this document, the proposed marina will cause no degradation of water quality, hydrology, and marina life. (SR3/Page 10.14)*

EXHIBIT E

Land Use Equivalency Matrix

SunWest Harbourtowne DRI Land Use Equivalency/Exchange Matrix

Change To:	SF Detached (du/du)	SF Attached/TH/Condos (du/du)	Hotel (rooms/du or ksf or slip or hole)	Retail (sf/du or slip or hole)	Office
Change From:					
SF Detached	N/A	2.71	1.48	156	642
SF Attached/TH/Condos	0.37	N/A	0.55	58	236
Hotel	N/A	N/A	N/A	N/A	N/A
Retail	N/A	N/A	9.5	N/A	411
Office	N/A	N/A	N/A	N/A	N/A
Boat Slips	N/A	N/A	0.30	31	128
Golf	N/A	N/A	4.25	447	1838

Exchange Example Convert 100 SFD to Hotel 100*1.48= 148 Hotel Rooms
 Convert 300 SFA to Retail 300*58= 17,270 Retail Square Feet

Trip Rates used in Exchange are based on PM peak two-way trip generation as shown below			
<u>Land Use</u>	<u>Units/Sq Ft</u>	<u>PM Peak Trips</u>	<u>Trip Rate</u>
SF Detached	350	331	0.95
SF Attached/TH/Condos	2,150	744	0.35
Hotel	250	160	0.64
Retail	250,000	1519	6.08
Office	50,000	74	1.48
Boat Slips*	850	162	0.19
Golf Holes	18	49	2.72
<i>Total PM Peak Trips</i>		3039	

Land Use Exchanges are based on PM peak hour two-way trip generation. Use of this matrix shall be limited to the following minimums and maximums so that a mix of uses is maintained. Exchanges from hotel and office are not permitted (Minimum = Approved). Exchanges from non-residential to residential are not permitted. In no case shall the total residential units exceed 2,500 total units.

<u>Land Use</u>	<u>Minimum</u>	<u>Approved</u>	<u>Maximum</u>
SF Detached	0	350	400
SF Attached/TH/Condos	1,000	2,150	2,500
Hotel	250	250	1,000
Retail	50,000	250,000	275,000
Office	50,000	50,000	200,000
Boat Slips	50	500*	500
Golf Holes	0	18	18

*The number of boat slips assumed in the traffic study was 850; however, due to environmental constraints, the project is restricted to 500.

EXHIBIT F

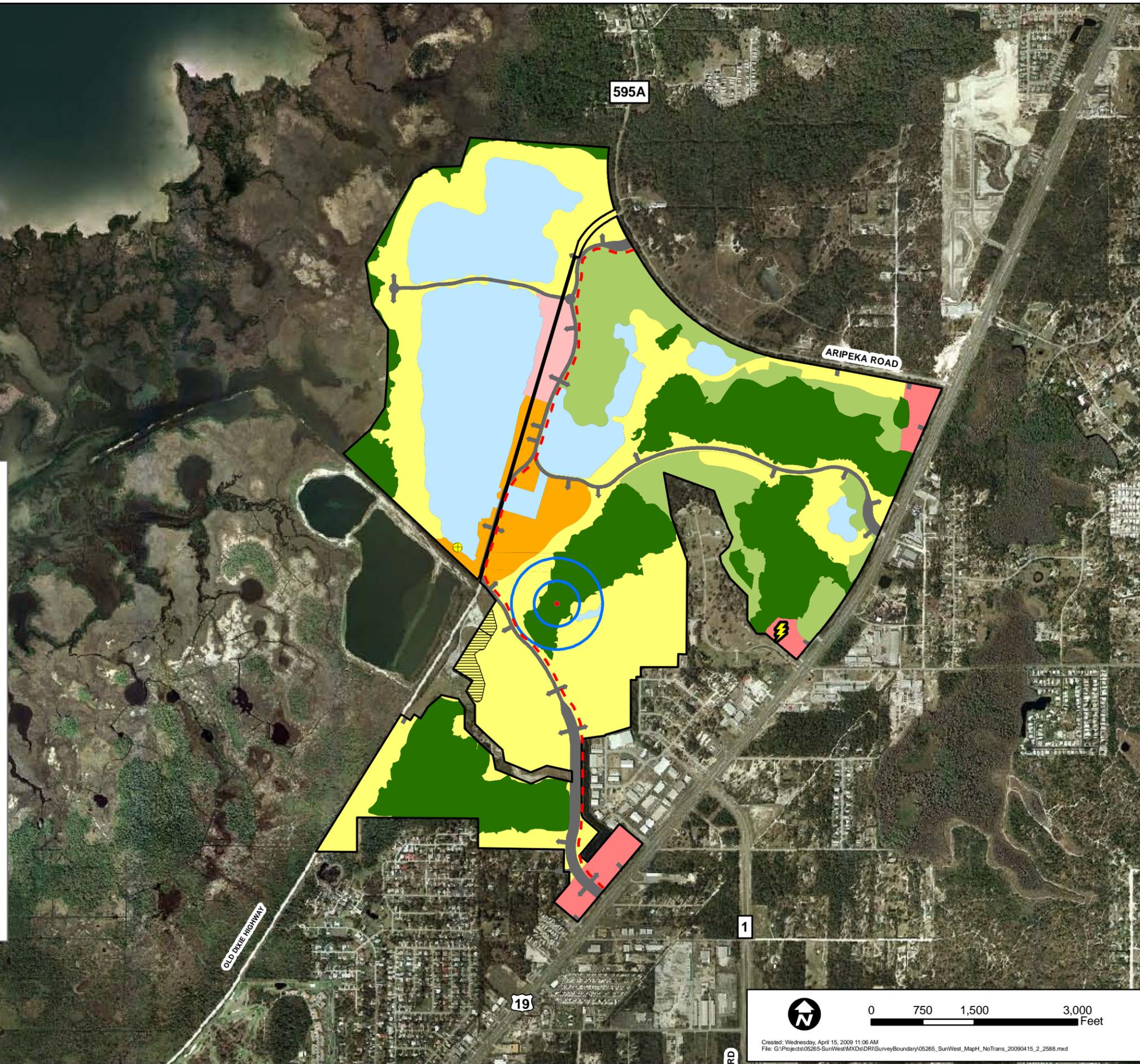
Map H

-  SunWest Harbortowne DRI Boundary
-  Multi-Use Trail
-  Stormwater Facility
-  Boat Lift
-  Substation
-  Eagle Nest Location
-  Eagle Nest Buffer

- Conceptual Land Uses**
-  Commercial (Retail/Office) - 26.2 +/- Acres
 -  Lakes - 229.4 +/- Acres
 -  Marina / Village (Retail/Office/Residential/Marina) - 40.9 +/- Acres
 -  ROW - 38.2 +/- Acres
 -  Recreation / Golf - 120.0 +/- Acres
 -  Residential - 350.2 +/- Acres
 -  Resort Hotel (Hotel/Meeting Facilities/Spa/Residential) - 15.3 +/- Acres
 -  Wetlands / Conservation - 251.5 +/- Acres

Development and Phasing Schedule

Land Use	2009 - 2018
Residential (dwelling units)	
Single Family Detached	350 units
Single Family Attached (Townhomes/Condominiums)	2,150 units
Total	2,500 units
Commercial (square feet)	
Retail	250,000 s.f.
Office	50,000 s.f.
Resort Hotel	250 Rooms
Recreation	
Golf Course	18 Holes
Boat Slips (Marina Basin)	350 dry slips 150 wet slips



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- CONSULTANT TEAM**
- WilsonMiller
Planning
Master Planning
 - Tommye Dawson Realty
Marketing
 - BCPeabody Consulting
Environmental Planning
 - Figurski & Harrill
Legal
 - PBS&J
The Environmental
Communications
and Marketing Group
Public Relations

*A Pasco County Development of Regional Impact
by SunWest Acquisition Corporation*



**MAP H
MASTER
DEVELOPMENT
PLAN**

APRIL 2009

EXHIBIT G

Transportation - Proportionate Share Calculations

TABLE 21-13 (revised 9/25/2009)
SunWest Harbourtowne DRI
PASCO COUNTY AND FDOT PROPORTIONATE SHARE

<i>Roadway</i>	<i>From</i>	<i>To</i>	<i>2018 Peak Hour Project Trips</i>	<i>Existing # of Lanes</i>	<i>PM Peak Hour Capacity Before Improvement</i>	<i>Required # of Lanes</i>	<i>PM Peak Hour Capacity After Improvement</i>	<i>Percent Contribution</i>	<i>Length (in miles)</i>	<i>Cost Per Mile</i>	<i>Ref. Notes</i>	<i>Total Cost</i>	<i>Proportionate Share</i>
US19	1/4 mile south of Beacon Woods	1/3 mile north of Beacon Woods	427	6DL	4950	8DL	6280	32.11%	0.6	\$34,887,369	(1)	\$20,932,421	\$6,720,409
County Line Road	East Road	1/4 mile east of Shady Hills	134	2UL	1390	4DL	2950	8.59%	3.5	\$16,507,404	(2)	\$57,775,915	\$4,962,803

Source: FDOT District 7 June 2009 Transportation Costs*

Links **\$78,708,337** **\$11,683,212**

Intersections **\$256,288,351** **\$17,272,747**

Total **\$334,996,687** **\$28,955,959**

	<i>Scope Contingency</i>	<i>Subtotal Construction Column from FDOT Tables</i>	<i>TOTAL CONSTRUCTION</i>	<i>ROW*</i>	<i>DESIGN & CEI</i>	<i>TOTAL</i>
(1) Add 2 lane to existing 6 lane (State Road Costs)	\$2,016,518	\$8,066,073	\$10,082,591	\$21,780,000	\$3,024,777	\$34,887,369
(2) Add 2 lane to existing 2 lane (State Road Costs)	\$1,460,832	\$5,843,329	\$7,304,161	\$7,011,995	\$2,191,248	\$16,507,404

*ROW estimated based on \$50/sq ft; Assumes 7 acres per mile for Ponds and 3 acres per mile for Flood Plain Compensation

*ROW estimated based on 'Subtotal Construction Column from FDOT Tables' x 120%

TABLE 21-12 (revised 9/25/2009)
SunWest Harbourtowne DRI
PASCO COUNTY AND FDOT PROPORTIONATE SHARE - INTERSECTIONS

	Improvement	Project Traffic	Before Capacity	After Capacity (with Improvements)	Capacity Increase	% Contribution	Total Cost	Ref. Notes	Proportionate ShareCost
US 19 @ SR 52	Tight Urban Diamond Interchange	353	7,930	17,492	9,562	3.69%	\$ 86,399,050	13	\$ 3,189,591
US 19 @ Beacon Woods Dr	NB/SB Thru Lane plus Receiving Lane* WBL	398	8,773	9,621	848	100.00%	N/A \$ 269,118	* 4	N/A \$ 269,118
US 19 @ Hudson Ave	EBL and EBR EB/WB Thru Lane plus Receiving Lane (1/2 mile) WBL NB/SB Thru Lane plus Receiving Lane (1/2 mile) SBL	645	5,721	10,265	4,544	14.19%	\$ 836,534	4, 3	\$ 118,742
							\$ 8,253,702	8	\$ 1,171,575
							\$ 269,118	4	\$ 38,200
							\$ 17,443,684	7	\$ 2,476,051
US 19 @ New York Ave	WBL	782	8,072	9,169	1,097	71.29%	\$ 269,118	4	\$ 191,841
US 19 @ Little Road	WB Rt Free-Flow Receiving Lane on US 19 (1/3 mile) SBLT Flyover	408	5,768	11,283	5,515	7.40%	\$ 269,118	4	\$ 19,909
							\$ 4,787,116	6	\$ 354,151
							\$ 44,000,000	15	\$ 3,255,122
US 19 @ Aripeka Rd (CR 595)	EBL Traffic Signal	663	8,953	8,851	-102	100.00%	\$ 154,802 \$ 456,672	2 11	\$ 154,802 \$ 456,672
US 19 @ County Line Road	2WBL & WBR NB/SB Thru Lane plus Receiving Lane (1/2 mile) NBR SBL	754	7,104	11,388	4,284	17.60%	\$ 1,105,651	4, 3	\$ 194,599
							\$ 17,443,684	7	\$ 3,070,154
							\$ 567,416	3	\$ 99,867
							\$ 269,118	4	\$ 47,366
US 19 @ Spring Hill Drive	Single-Point Urban Interchange	370	7,842	24,501	16,659	2.22%	\$ 69,617,525	14	\$ 1,546,220
County Line Rd @ Shady Hills/Mariner	EBL EB/WB Thru Lane plus Receiving Lane* NB/SB Thru Approach Lanes Only (1/4 mile)	202	4,971	7,074	2,103	9.61%	\$ 154,802	2	\$ 14,869
							N/A	*	N/A
							\$ 1,748,637	9	\$ 167,962
Little Road @ Hudson Ave	EBR NBL w/ Receiving Lane (1/4 mile)	270	3,992	5,149	1,157	23.34%	\$ 567,416 \$ 1,136,954	3 4, 5	\$ 132,413 \$ 265,322
Total							\$ 256,288,351		\$ 17,272,747

Notes:

Source: FDOT District 7 June 2009 Cost Tables unless otherwise noted
 Proportionate Share payments will be adjusted for inflation based on actual year improvement is to be constructed
 Before/After Capacities from Synchro Lane Group Capacities for all movements at respective intersections
 For Grade-separated intersections additional capacity was added to Synchro results (Flyover = 1900; Six Through Lanes = 8,810 from FDOT Quality/LOS Table 4-4 for an uninterrupted roadway)
 * Improvement Costs for through lanes accounted for on Roadway Links Proportionate Share Table

Turn Lanes

(1) Total Improvement Cost for 300 feet exclusive right turn lane (No ROW)	\$326,390
(2) Total Improvement Cost for 300 feet exclusive left turn lane (No ROW)	\$154,802
(3) Total Improvement Cost for 300 feet exclusive right turn lane w/ ROW @ 120% of CST	\$567,416
(4) Total Improvement Cost for 300 feet exclusive left turn lane w/ROW @ 120% of CST	\$269,118

Through Lanes/Receiving Lanes at Intersections

(5) Total Cost for 1 mile of receiving lane (outside - No ROW)	\$3,471,347
(6) Total Cost for 1 mile of receiving lane (outside - w/ ROW for Ponds and FPC)	\$14,361,347
(7) Total Cost per mile for adding 2 lanes to existing 6 lanes (State w/ ROW for Ponds and FPC)	\$34,887,369
(8) Total Cost per mile for adding 2 lanes to existing 2 lane (State w/ ROW @ 120% of CST)	\$16,507,404
(9) Total Cost per mile for adding 2 lanes to existing 2 lane (County Methodology - No ROW)	\$6,994,548

Traffic Signals

(10) Total Cost for signal installation (6-lane roadway intersecting 6-lane roadway)	\$508,871
(11) Total Cost for signal installation (4-lane roadway intersecting 6-lane roadway)	\$456,672
(12) Total Cost for signal installation (4-lane roadway intersecting a 4-lane roadway)	\$404,472

Interchanges/Flyovers

(13) US 19/SR 52 (from US 19 PD&E Study - includes road & average pond ROW)	\$86,399,050
(14) Estimated from US 19 PD&E Study (Used 50% of ROW from US 19/SR 52)	\$69,617,525
(15) Single Lane Flyover cost w/ ROW @ 120% of CST	\$44,000,000

Roadway Cost Per Centerline Mile
Revised June 2009

	Construction Cost From LRE	MOT *	Mobilization *	Subtotal	Scope Contingency (25%)	Total Construction Cost	PE Design (15%)	CEI (15%)	Total Project Cost **
Rural Arterial									
New Construction (2-Lane Roadway) with 5' Paved Shoulders	\$4,524,370	\$452,437	\$497,681	\$5,474,488	\$1,368,622	\$6,843,110	\$1,026,466	\$1,026,466	\$8,896,042
New Construction (4-Lane Roadway) with 5' Paved Shoulders	\$6,991,163	\$699,116	\$769,028	\$8,459,307	\$2,114,827	\$10,574,133	\$1,586,120	\$1,586,120	\$13,746,373
New Construction (6-Lane Roadway) with 5' Paved Shoulders	\$8,805,269	\$880,527	\$968,580	\$10,654,375	\$2,663,594	\$13,317,969	\$1,997,695	\$1,997,695	\$17,313,359
Milling and Resurfacing (4-Lane Roadway) with 5' Paved Shoulders	\$1,180,057	\$118,006	\$129,806	\$1,427,869	\$356,967	\$1,784,836	\$267,725	\$267,725	\$2,320,286
Milling and Resurfacing (6-Lane Roadway) with 5' Paved Shoulders	\$1,715,672	\$171,567	\$188,724	\$2,075,963	\$518,991	\$2,594,953	\$389,243	\$389,243	\$3,373,439
Add Lanes (2 to 4 Lanes) with 5' Paved Shoulders (Includes milling and resurfacing of existing pavement)	\$4,829,198	\$482,920	\$531,212	\$5,843,329	\$1,460,832	\$7,304,162	\$1,095,624	\$1,095,624	\$9,495,410
Add Lanes (4 to 6 Lanes) with 5' Paved Shoulders (Includes milling and resurfacing of existing pavement)	\$5,297,756	\$529,776	\$582,753	\$6,410,285	\$1,602,571	\$8,012,856	\$1,201,928	\$1,201,928	\$10,416,713
Add Lanes (4 to 8 Lanes) with 5' Paved Shoulders (Includes milling and resurfacing of existing pavement)	\$7,070,561	\$707,056	\$777,762	\$8,555,379	\$2,138,845	\$10,694,224	\$1,604,134	\$1,604,134	\$13,902,491
Add Lanes (6 to 8 Lanes) with 5' Paved Shoulders (Includes milling and resurfacing of existing pavement)	\$6,666,176	\$666,618	\$733,279	\$8,066,073	\$2,016,518	\$10,082,592	\$1,512,389	\$1,512,389	\$13,107,369
Add 1 Through Lane on Inside (To Existing) with 5' Paved Shoulders	\$1,148,617	\$114,862	\$126,348	\$1,389,826	\$347,457	\$1,737,283	\$260,592	\$260,592	\$2,258,468
Add 1 Through Lane on Outside (To Existing) with 5' Paved Shoulders	\$1,765,466	\$176,547	\$194,201	\$2,136,213	\$534,053	\$2,670,267	\$400,540	\$400,540	\$3,471,347
Add 300' Exclusive Left Turn Lane	\$54,198	\$8,130	\$9,349	\$71,677	\$17,919	\$89,596	\$13,439	\$13,439	\$116,475
Add 300' Exclusive Right Turn Lane	\$132,555	\$19,883	\$22,866	\$175,303	\$43,826	\$219,129	\$32,869	\$32,869	\$284,868
Urban Arterial									
New Construction (2-Lane Roadway) with 5' Sidewalk, and Curb & Gutter	\$6,095,198	\$609,520	\$670,472	\$7,375,189	\$1,843,797	\$9,218,987	\$1,382,848	\$1,382,848	\$11,984,683
New Construction (4-Lane Roadway) with 5' Sidewalk, and Curb & Gutter	\$8,537,780	\$853,778	\$939,156	\$10,330,714	\$2,582,679	\$12,913,393	\$1,937,009	\$1,937,009	\$16,787,411
New Construction (6-Lane Roadway) with 5' Sidewalk, and Curb & Gutter	\$10,447,044	\$1,044,704	\$1,149,175	\$12,640,924	\$3,160,231	\$15,801,154	\$2,370,173	\$2,370,173	\$20,541,501
Milling and Resurfacing (4-Lane Roadway) with 5' Sidewalk, and Curb & Gutter	\$1,259,576	\$125,958	\$138,553	\$1,524,087	\$381,022	\$1,905,109	\$285,766	\$285,766	\$2,476,641
Milling and Resurfacing (6-Lane Roadway) with 5' Sidewalk, and Curb & Gutter	\$1,784,574	\$178,457	\$196,303	\$2,159,335	\$539,834	\$2,699,169	\$404,875	\$404,875	\$3,508,920
Add Lanes (2 to 4 Lanes) with 5' Sidewalk, and Curb & Gutter (Includes milling and resurfacing existing pavement)	\$5,763,328	\$576,333	\$633,966	\$6,973,627	\$1,743,407	\$8,717,034	\$1,307,555	\$1,307,555	\$11,332,144
Add Lanes (4 to 6 Lanes) with 5' Sidewalk, and Curb & Gutter (Includes milling and resurfacing existing pavement)	\$6,349,351	\$634,935	\$698,429	\$7,682,715	\$1,920,679	\$9,603,394	\$1,440,509	\$1,440,509	\$12,484,412
Add Lanes (4 to 8 Lanes) with 5' Sidewalk, and Curb & Gutter (Includes milling and resurfacing existing pavement)	\$8,599,679	\$859,968	\$945,965	\$10,405,612	\$2,601,403	\$13,007,015	\$1,951,052	\$1,951,052	\$16,909,120
Add Lanes (6 to 8 Lanes) with 5' Sidewalk, and Curb & Gutter (Includes milling and resurfacing existing pavement)	\$7,641,191	\$764,119	\$840,531	\$9,245,841	\$2,311,460	\$11,557,301	\$1,733,595	\$1,733,595	\$15,024,491
Add 1 Through Lane on Inside (To Existing) with 5' Sidewalk, and Curb & Gutter	\$1,165,936	\$116,594	\$128,253	\$1,410,782	\$352,696	\$1,763,478	\$264,522	\$264,522	\$2,292,521
Add 1 Through Lane on Outside (To Existing) with 5' Sidewalk, and Curb & Gutter	\$2,585,883	\$258,588	\$284,447	\$3,128,918	\$782,230	\$3,911,148	\$586,672	\$586,672	\$5,084,492
Add 300' Exclusive Left Turn Lane	\$72,032	\$10,805	\$12,426	\$95,263	\$23,816	\$119,078	\$17,862	\$17,862	\$154,802
Add 300' Exclusive Right Turn Lane	\$151,875	\$22,781	\$26,198	\$200,855	\$50,214	\$251,069	\$37,660	\$37,660	\$326,390

* A 15% MOT and Mobilization factor was used for exclusive left and right turn lanes. A 10% factor was used for all other figures.

** Total cost shown is derived from a standard typical section. Costs will need to be adjusted to account for signals, bridges, or any additional item not deemed typical.

Note:

1. Estimates were derived from FDOT LRE system
2. These figures exclude costs for intersections/interchanges, improvements to cross streets, bridges over 20', right-of-way, landscaping, ITS, and traffic signals.
3. The figures are based on market costs for Hillsborough County.
4. Costs shown are present day costs.
5. The costs developed for this report are not project-specific and should be used for preliminary estimating purposes only.

Roadway Cost Per Centerline Mile

Revised June 2009

	Construction Cost From LRE	MOT (10%)	Mobilization (10%)	Subtotal	Scope Contingency (25%)	Total Construction Cost	PE Design (15%)	CEI (15%)	Total Project Cost
Rural Arterial									
Add Lanes (4 to 6 Lanes) with 5' Paved Shoulders, 2 Traffic Signals, Highway Lighting, Fiber Based Communication Backbone, Widening 150' Low Level Bridge, and Milling & Resurfacing Existing 4 Lanes	\$7,366,494	\$736,649	\$810,314	\$8,913,457	\$2,228,364	\$11,141,822	\$1,671,273	\$1,671,273	\$14,484,368
Urban Arterial									
Add Lanes (4 to 6 Lanes) with 5' Sidewalk, Bike Lanes, 2 Traffic Signals, Highway Lighting, Fiber Based Communication Backbone, Widening 150' Low Level Bridge, and Milling & Resurfacing Existing 4 Lanes	\$7,650,770	\$765,077	\$841,585	\$9,257,431	\$2,314,358	\$11,571,789	\$1,735,768	\$1,735,768	\$15,043,326

Note:

1. Estimates were derived from FDOT LRE system
2. These figures exclude costs for intersections/interchanges, cross street improvements, right-of-way, ITS, and landscaping.
3. The figures are based on market costs for Hillsborough County.
4. Costs shown are present day costs.
5. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

Bridge Cost Per Square Foot

Revised June 2009

	Cost Per Square Foot
New Construction	
Low Level	\$135
Mid Level	\$155
High Level	\$185
Overpass (Over Roadway)	\$170
Bascule	\$1,830
Pedestrian Overpass	\$365
Widening	
Low Level	\$165
Mid Level	\$190
High Level	\$220
Overpass (Over Roadway)	\$200
Bridge Removal	
Concrete Bridge	\$55

Note:

1. Figures are for construction costs per square foot of deck area.
2. All figures exclude costs for right-of-way, bridge approaches, and approach slabs.
3. Figures account for recent increases in concrete and steel, and the effects of labor and material shortages in the construction industry.
4. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

Other Roadway Related Costs

Revised June 2009

	Construction Cost From LRE	MOT *	Mobilization (15%)	Subtotal	Scope Contingency (25%)	Total Construction Cost	PE Design (15%)	CEI (15%)	Total Project Cost
Intersection Traffic Signalization (Mast Arm Assembly)**									
2-Lane Roadway Intersecting 2-Lane Roadway	\$167,959	\$25,194	\$28,973	\$222,126	\$55,532	\$277,658	\$41,649	\$41,649	\$360,955
4-Lane Roadway Intersecting 4-Lane Roadway	\$188,208	\$28,231	\$32,466	\$248,906	\$62,226	\$311,132	\$46,670	\$46,670	\$404,472
6-Lane Roadway Intersecting 6-Lane Roadway	\$236,788	\$35,518	\$40,846	\$313,152	\$78,288	\$391,440	\$58,716	\$58,716	\$508,871
Bicycle and Pedestrian Facilities									
Sidewalks Per Mile (5' Width - 1 Side)	\$95,539	\$4,777	\$15,047	\$115,363	\$28,841	\$144,204	\$21,631	\$21,631	\$187,465
Sidewalks Per Mile (6' Width - 1 Side)	\$114,646	\$5,732	\$18,057	\$138,436	\$34,609	\$173,044	\$25,957	\$25,957	\$224,958
Multi-Use Trail Per Mile (12' Width - 1 Side)	\$170,591	\$8,530	\$26,868	\$205,989	\$51,497	\$257,486	\$38,623	\$38,623	\$334,731
Stormwater Retention Facilities									
1 Acre Pond Site (6' Depth)	\$343,782	\$17,189	\$54,146	\$415,116	\$103,779	\$518,895	\$77,834	\$77,834	\$674,564
Median Retrofit									
Convert 14' Center Turn Lane to 14' Raised Median (Per Mile)	\$225,492	\$33,824	\$38,897	\$298,213	\$74,553	\$372,766	\$55,915	\$55,915	\$484,596
Cross Street Improvements									
Widen 1-Leg of Existing Rural 2-Lane Cross Street to Accommodate 2 Receiving Lanes, Dual Left Turn lanes, and Exclusive Right Turn Lane (Approximate Length of 0.25 Miles)	\$1,500,781	\$225,117	\$258,885	\$1,984,783	\$496,196	\$2,480,979	\$372,147	\$372,147	\$3,225,272

* A 15% MOT factor was used for Traffic Signals, Median Retrofit, and Cross Street Improvements. A 5% factor was used for all other figures.

**The cost of traffic signalization assumes the installation of mast arms on all four legs of an intersection. To obtain the cost of signalizing a four-lane roadway intersecting a two-lane roadway, divide the signal cost of a four-lane roadway by two and add this figure to the signal cost of the two-lane roadway divided by two.

Notes:

1. Estimates were derived from FDOT LRE system
2. The figures are based on market costs for Hillsborough County.
3. Costs shown are present day costs.
4. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

Interchange Cost

Revised June 2009

	Construction Cost From LRE	MOT (10%)	Mobilization (10%)	Subtotal	Scope Contingency (25%)	Total Construction Cost	PE Design (15%)	CEI (15%)	Subtotal Project Cost
Single Point Urban Interchange (SPUI)	\$ 25,394,863.74	\$2,539,486	\$2,793,435	\$30,727,785	\$7,681,946	\$38,409,731	\$5,761,460	\$5,761,460	\$49,932,651

Note:

1. Cost was derived from an LRE estimate to modify the existing diamond interchange at I-75/SR 54 to a single point urban interchange.
2. Cost shown is for construction only. Does not include Design, CEI, and right-of-way.

EXHIBIT H

Development Agreement

EXHIBIT I

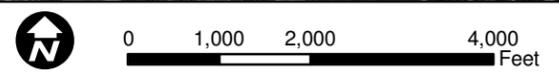
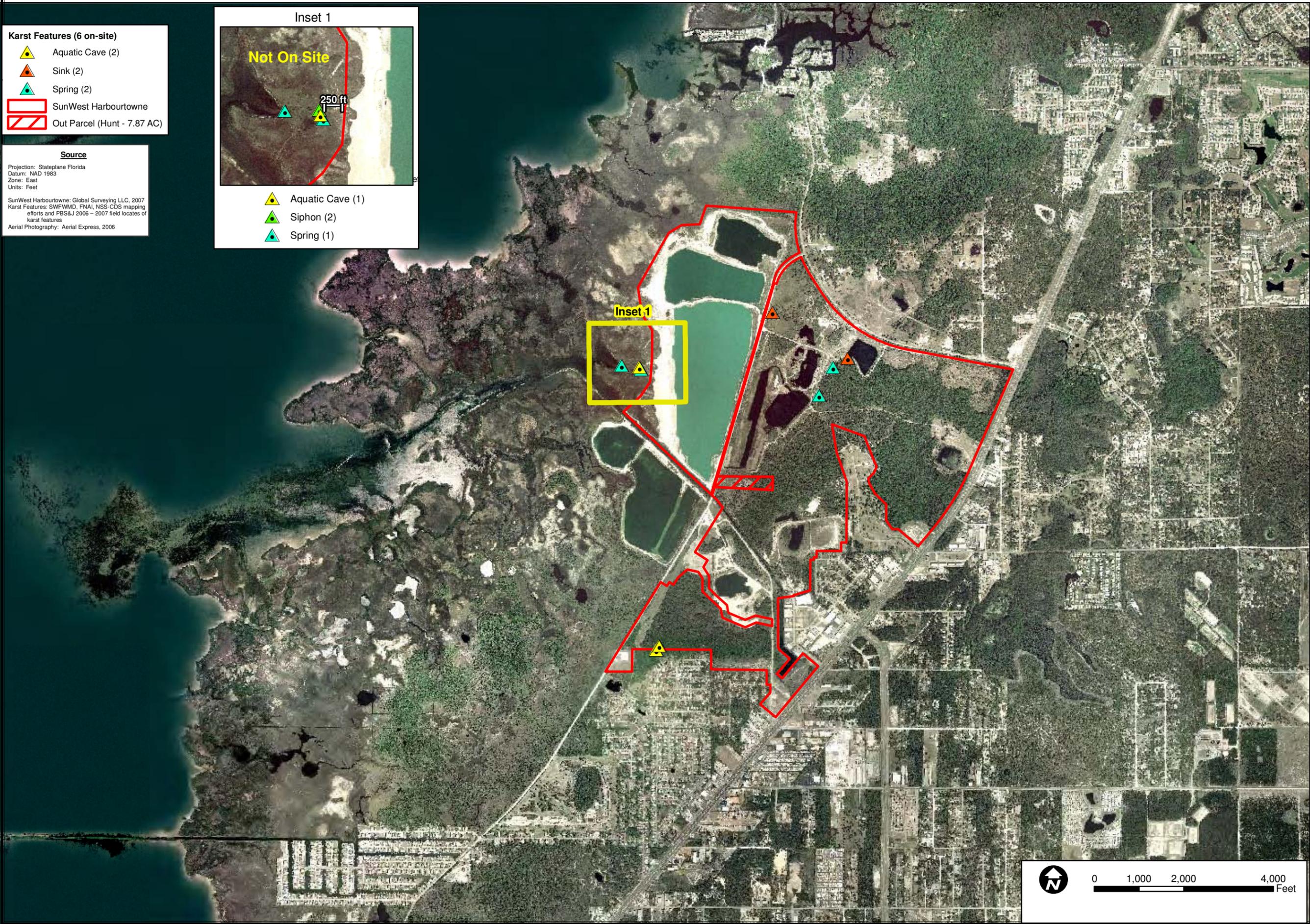
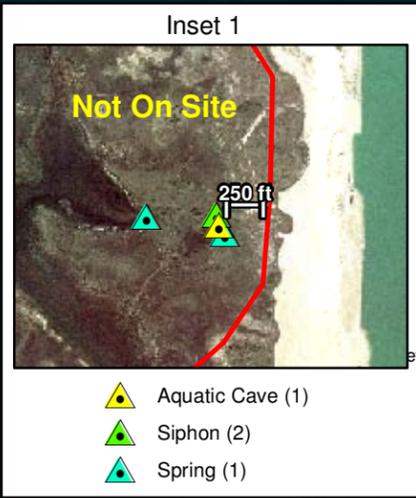
Karst Features

- Karst Features (6 on-site)**
-  Aquatic Cave (2)
 -  Sink (2)
 -  Spring (2)
 -  SunWest Harbortowne
 -  Out Parcel (Hunt - 7.87 AC)

Source

Projection: Stateplane Florida
 Datum: NAD 1983
 Zone: East
 Units: Feet

SunWest Harbortowne: Global Surveying LLC, 2007
 Karst Features: SWFWMD, FNAI, NSS-CDS mapping efforts and PBS&J 2006 - 2007 field locates of karst features
 Aerial Photography: Aerial Express, 2006



CONSULTANT TEAM

WilsonMiller, Inc. BCPeabody Consulting
 Planning P.A.
 Master Planning

Tommie Dawson Realty Figurski & Harrill
 Brokerage Services Legal

PBS&J Tampa Environmental PR Group
 Environmental Public Relations
 Engineering Transportation

SUNWEST HARBOURTOWNE

Pasco County, Florida

A Development of Regional Impact by Sunwest Acquisition Corporation

KARST FEATURES

FIGURE 15-2

NOVEMBER 2008

Exhibit J

SunWest Mining Operations (Figure 12.7 of the ADA)

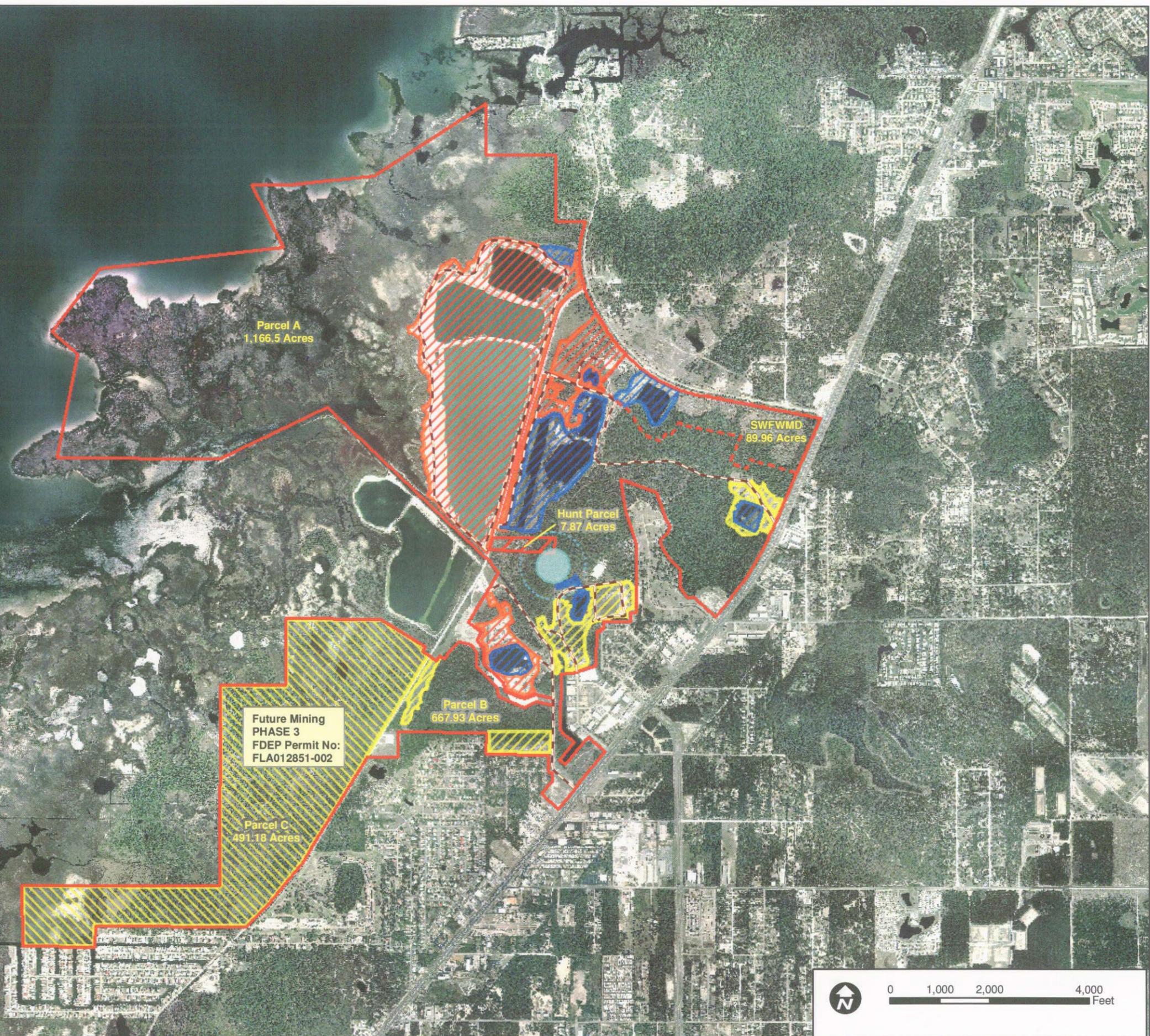
-  Mining Road
-  Bald Eagle: Primary 330 FT Zone
-  Bald Eagle: Secondary 660 FT Zone
- DRI Mining**
-  Historic Mined Area
-  Future Mining - Parcel B
-  Future Mining - Parcel C
-  Existing Mining Operations
-  SunWest Harbortowne
-  Out Parcel (Hunt - 7.87 AC)

Note:

Future mining areas include previously grubbed and cleared areas, and areas delineated under former and existing mine permits. Limits delineated February 2008.

Source

Projection: State Plane Florida
 Datum: NAD 1983
 Zone: West
 Units: Feet
 SunWest Harbortowne: Global Surveying LLC, 2007
 Aerial Photography: Aerial Express, 2006



Parcel A
1,166.5 Acres

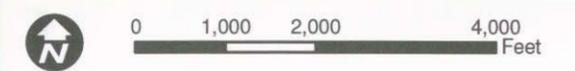
SWFWMD
89.96 Acres

Hunt Parcel
7.87 Acres

Parcel B
667.93 Acres

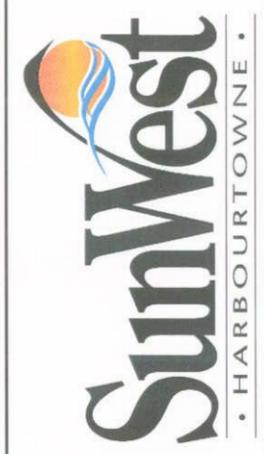
Future Mining
PHASE 3
FDEP Permit No:
FLA012851-002

Parcel C
491.18 Acres



- CONSULTANT TEAM**
- WilsonMiller
Planning
Master Planning
 - BCPeabody Consulting
Environmental
Planning
 - Tommie Dawson Realty
Marketing
 - Figurski & Harrill
Legal
 - PBS&J
The Environmental
Communications
and Marketing Group
 - Environmental
Civil Engineering
Transportation Planning
Public Relations

*A Pasco County Development of Regional Impact
by SunWest Acquisition Corporation*



**SUNWEST
MINING
OPERATIONS**

Figure 12.7

FEBRUARY 2008

P:\PROJECTS\SunWest\mxd\070221_sunwest_mining_080221.mxd GD22125

Exhibit K

Urban Land Institute
Planning and Organizing for Successful Economic Development
An Advisory Services Panel Report for Pasco County
Cover Page & Coastal Market Area

AN ADVISORY SERVICES PANEL REPORT

Pasco County Florida



A significant theme throughout the panel's interviews was the need for improvement in the planning and regulatory system. This includes organizational structure, codes and standards, decision processes, and customer service. Creating a more predictable, fair, and reasonable planning and regulatory system requires prompt and aggressive attention. Organizational structure and system improvements, or lack thereof, will either positively or negatively impact the economic growth forecasts prepared by the panel.

It is also the panel's feeling that the following actions could improve current problem situations:

- Create a position charged as the key change agent to move restructuring to a successful conclusion;
- Create an education and skill development program for planning and regulatory staff that fills new expectations created by existing problems and changes ahead; and
- Initiate a bench-marking effort by examining the successes of a metropolitan edge county that has dealt with planning and regulatory challenges similar to Pasco County.

Market Areas

Pasco County covers a large geographical area and has a very diverse character. The panel has

prepared its assessment and recommendations for five market areas. The five market areas were defined considering cohesive market areas, land use patterns, regional transportation frameworks, and natural resource features. These areas are the Coastal Area, Inland West Area, Central Area, South Area, and East Area. The panel believes this approach best recognizes the diversity and unique opportunities across the county.

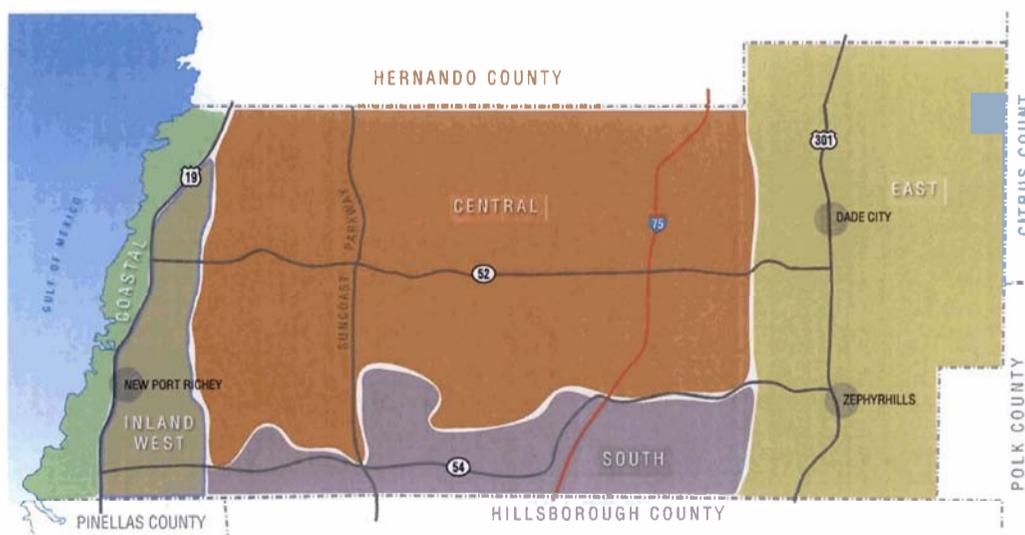
Coastal Market Area

The Coastal Market Area lies between U.S. Highway 19 and the Gulf of Mexico. This area is a unique ecological area that includes portions of both Port Richey and New Port Richey. This area has a very distinctive character that offers opportunities for new vitality. Specific challenges, a vision, and mission provide the context for specific strategies.

Coastal Market Area Challenges

There is no clear consensus on a mission for this area. It is a complex area grounded in an established development pattern. The panel highlighted the following specific problems.

Land use and housing. The U.S. Highway 19 corridor has an aging land use pattern with obsolete strip commercial centers. The housing pattern has been well established and includes high value homes taking advantage of water frontage



The five areas in this illustration were defined with consideration for cohesive market areas, land use patterns, regional transportation frameworks, and natural resource features.

together with a stock of affordable homes. There is a lack of quality commercial space. Tourism opportunities could be exploited to reinvent the area's identity and economic vitality. Existing development and parcel patterns constrain opportunities for redevelopment.

Transportation. There is limited connectivity into the Tampa Market. There are, however, connections into the Central Market Area with State Roads 54 and 52. These connections could be used to improve opportunities for revitalization and redevelopment as the Central Market Area grows. Highway 19 is a congested route that constrains the market potential of the area and severely limits the effectiveness of transit service.

New markets. The Port Richey and New Port Richey areas have as yet unrealized opportunities for revitalization, reinvention, and redevelopment. New residential, retail, and employment markets offer a strong opportunity. However, these markets need to be attracted and supported. Financial, land assembly, and marketing resources are inadequate to the task. The Coastal Market Area, with a focus on Port Richey, New Port Richey, and the ecological resources of the coast can be a strong foundation for branding this area.

Medical. Medical services can be a strong element within a broader reinvention strategy for this area. Medical technology employment offers an opportunity. Finally, services and facilities that serve an aging population will be needed.

Coastal Market Area Vision

In light of the Coastal Market Area features, the following vision elements are suggested:

- Seek to accommodate the potential household, population, jobs, and retail growth forecast over the next 20 years; and
- Emphasize the unique and high-quality dimension of development opportunities, including small-scale retail/restaurants; compact, well-designed development; places with a unique identity; and recreation and ecological features.

Coastal Market Area Mission

The principal goals for the Coastal Market Area are to:

- Reinvent the Coastal Market Area to make it a competitive and unique location with choices for living, working, shopping, doing business, educating, and having leisure time opportunities within an environmentally sound and safe setting;
- Revitalize sound, established locations to use the historic fabric as an asset; and
- Redevelop targeted opportunity areas that will expand opportunity to fulfill population, employment, and household forecasts.

Based on these goals, certain strategies have been identified that emphasize the unique qualities of the area. These have been divided into addressing neighborhood improvements, regional systems, and job enhancement.

Coastal Market Area Neighborhood Improvement Strategies

Neighborhood improvements include branding unique areas, creating community redevelopment area projects, advancing rehabilitation programs, and beautification.

Brand unique areas. The panel believes that certain areas within the Coastal Market Area have unique attributes that can be marketed to draw new users and eventually new development. While the panel spent little time in the Coastal Market Area, it is apparent that a potential branding component is around ecotourism, including the state parks, the marinas, the few beaches, and the river. All have potential under this theme. Distinct images of places give residents distinct experiences in their physical environment not otherwise appreciated. The proposed Sun West DRI, the reprocessing of the obsolete mine, is consistent with the image with a large lake- and water-oriented resort development.

Community redevelopment area projects. Some of the areas within the Coastal Market Area have become blighted and can be subject to specially-mandated programs called community redevelopment areas (CRAs) that address areas with special needs. Once an area has been designated, the tax levels of the existing developments are fixed. Then, once new development is approved, taxes are adjusted upwards to reflect the increased

assessed valuation. As this tax increment becomes predictable, the redevelopment agency is able to float bonds that are paid for from that income stream. This can finance improvements within the CRA that are consistent with the objectives of the program. These funds can be used to purchase existing dilapidated buildings and assemble land for larger-scale development. These projects can act to create a critical mass of new development in order to attract other projects, usually not requiring public funds.

There are two major areas in need of this approach. The first is the retail mall. This mall is currently the only significant retail in the county. However, given the age of the buildings and the two new regional malls under construction in the vicinity of I-75 and State Road 54, this facility and its surrounding retail will need to get a face lift, at a minimum, in order to stay competitive.

The second major area is the need for 1,000 acres of new housing of all types in the Coastal Market Area. People like living on the coast and close to the amenities inherent therein. Coupled with the enhancement of ecotourism, this part of the county could be much sought after. County funds would be one way of expediting all of these critical transitions.

Rehabilitation programs. Some jurisdictions provide information to homeowners and landlords on available public programs to offset costs related to rehabilitating properties that have deferred maintenance or landscaping issues. These can be federal, state, or local informational and funding sources. Some energy companies also provide funds for retrofitting older buildings to make them more energy efficient. The overall desire is to improve the appearance of properties within the coastal zone to make it more attractive to both residents and tourists alike.

Beautification. Other projects that are of relatively little expense related to street beautification can be undertaken with both public and private efforts. Sometimes local garden clubs will take the initiative to buy and plant hanging baskets or flower pots. Others, like scouting organizations, can engage in street clean-up or vacant lot debris removal. All of these relatively modest and

inexpensive efforts can add to the area's quality of life through improved aesthetics.

Coastal Market Area Regional Infrastructure Systems Strategies

Regional infrastructure systems include the regional trail network, transportation upgrades, infrastructure finance, and community college programs.

Regional trail network. Many unique natural resources lie within the Coastal Market Area, but are currently not tied together in a regional trail network. The panel suggests creating links between the natural systems including the Pithlachascotee River, the Robert J. Strickland Memorial Park, the Werner-Boyce Salt Springs State Park, Anclote Key State Park, and similar natural areas. These interconnections create additional attractions for existing residents and tourists, as well as incentives for residents moving into new residential projects and would enhance the ecotourism branding.

Transportation upgrades. Located in the northwestern corner of the county, the medical complex needs improved access for residents in the Coastal and Inland West market areas. The roads along the U.S. Highway 19 corridor need to be improved, not just for convenience, but also for emergency services. In addition, expanded community college offerings could require new campus buildings.

Infrastructure finance. Most areas undergoing significant infrastructure development will need creative means of financing.

Community college programs. In that this area has a large percentage of the population and significant growth is expected, the community college role in this Coastal Market Area should be increased in terms of facilities and course offerings. Due to the number of hospital beds and medical related spin-offs, the community college should consider affiliating with a university to build a teaching hospital to make this a real medical cluster.

Strip development along Route 19 is in need of redevelopment and revitalization.



Coastal Market Area Job Enhancement Strategies

Job enhancement in the Coastal Market Area should include PEDC actions. The PEDC has tended to concentrate on larger employment opportunities within the South and Central market areas. Since a large contingent of residents live in the Coastal Market Area, the panel believes that new employment opportunities should be accelerated near these existing residences along the U.S. Highway 19 corridor. Specifically, the medical services professions should be promoted and new lifestyle centers around or adjacent to the existing mall should be considered. These could be second and third story offices above ground-floor retail. This proximity of jobs and housing within the Coastal Market Area would translate into reduced vehicle miles traveled, less congested highways, reduced automobile-related air pollution, and increased options and quality of life for residents. Additionally, small businesses in this area may need Small Business Administration loans or other sources of capital. The PEDC could organize a structure for these small business expansion loans.

Inland West Market Area

The Inland West Market Area lies east of U.S. Highway 19 and west of the boundary of the Central Market Area. This is an area with significant

affordable neighborhood housing which is worthy of conservation. Specific challenges, a vision, and a mission provide the context for specific strategies.

Inland West Market Area Challenges

There is no clear consensus on a vision for this area. It is a composite of long-established neighborhoods, an aging development pattern, and inadequate services and facilities. Specific problems highlighted by the panel are discussed below.

Land use and housing. This area shares the same land use and housing issues associated with an aging area built for a bygone era. The housing stock requires attention in order to maintain it as a sound, affordable housing option that cannot be built in today's market place. The commercial strip uses are obsolete and compound the traffic congestion problem. There is a lack of quality commercial space to meet today's market conditions. There are limited opportunities for new employment sites and there is a need for open space and recreation facilities.

Transportation. The Inland West and Central market areas would benefit greatly by the completion of the Ridge Road Extension.

New markets. The population, employment, and housing forecasts for this area create an opportunity for significant restoration. There are rehabilitation and redevelopment possibilities that are currently hampered by financial constraints, land

EXHIBIT L

FFWCC E-mail dated March 3, 2010

**SunWest Harbourtowne DRI
Development Order
Exhibit L
FFWCC E-mail dated March 3, 2010**

From: Telesco, David [mailto:david.telesco@MyFWC.com]
Sent: Wednesday, March 03, 2010 4:24 PM
To: Cynthia D. Spidell
Cc: Poole, MaryAnn
Subject: RE: Black bears

Cynthia,

While FWC does have methods to calculate mitigation for habitat loss for panthers and other species, we do not currently have a standard method for mitigating bear habitat loss. We have discussed the issue and I will be meeting tomorrow to further explore how this process could be formulated. I will keep in touch with you as we move forward.

Thanks,

Dave

Dave Telesco
Bear Management Program Coordinator
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street 6A
Tallahassee, FL 32399-1600
(850) 922-4330

EXHIBIT M

Zoning Table

SunWest DRI
Development Density/Intensity Analysis

Zoning Entitlement Calculation

Within DRI Boundary

Owner	Units	Building S.F.
SWFWMD	276	386,309
Withlacoochie	28	0
SunWest	118	3,719,072
Total	422	4,105,382

Lands under SunWest Ownership

Location	Units	Building S.F.
Inside DRI	118	3,719,072
Outside DRI*	1,020	32,539
Total	1,138	3,751,612

*To be conveyed to SWFWMD per DO, Subarea policies and Exchange Agreement

Maximum Allowed under current FLU Classifications

Location	Units	Building S.F.
Within DRI Boundary	2,536	4,622,184
Lands owned by SunWest	3,255	6,870,283

Requested DRI Entitlements

	Units	Building S.F.
Total	2,500	462,500

SunWest DRI
Zoning Entitlement Calculation
Lands within DRI Boundary

PARCELID	Acreage	NAME	WET_UP	Zoning	FLU	Density	# Units	FAR	Intensity
1624110000001000030	0.0782	SUN WEST ACQUISITION	UPLAND	AC	**NONE**	.025 DU	0.0020		
1624110000004000010	5.8372	HUNT BILL	UPLAND	AC	C/L	.025 DU	0.1459	.23 FAR	58,481.96
1624020000003000010	46.8653	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	1.1716	.23 FAR	469,533.63
1624020000003000010	0.6186	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0155	.23 FAR	6,197.54
1624020000003000010	0.0382	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0010	.23 FAR	382.58
16240100000034000000	6.0876	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.1522	.23 FAR	60,990.15
16240100000037000000	3.1335	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0783	.23 FAR	31,394.19
1624110000001000030	0.0302	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0008	.23 FAR	302.45
1624110000001000030	18.8707	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.4718	.23 FAR	189,062.17
1624110000003000000	0.0424	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0011	.23 FAR	424.97
1624110000003000000	10.8025	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.2701	.23 FAR	108,228.20
1624110000007000000	6.2836	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.1571	.23 FAR	62,954.53
1624110000006000000	6.5046	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.1626	.23 FAR	65,168.06
1624110000004000000	24.8093	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.6202	.23 FAR	248,559.03
16241400000012000020	1.7204	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0430	.23 FAR	17,235.88
1624140000003000000	26.0555	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.6514	.23 FAR	261,044.85
16241400000012000000	13.3257	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.3331	.23 FAR	133,507.80
16241400000030000010	2.2369	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0559	.23 FAR	22,411.02
1624120000001000070	0.0323	FOREST PROPERTIES LLC	UPLAND	AC	IL	N/A	0.0032	.3 FAR	422.59
16240100000037000010	0.1834	FOREST PROPERTIES LLC	UPLAND	AC	RES-6	.1 DU	0.0183	N/A	N/A
1624120000001000040	1.0084	FOREST PROPERTIES LLC	UPLAND	AC	RES-6	.1 DU	0.1008	N/A	N/A
1624120000001000000	2.8974	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	RES-6	.1 DU	0.2897	N/A	N/A
1624120000001000081	0.0283	SOUTHWEST FLORIDA WATER	UPLAND	AC	ROR	.1 DU	0.0028	.3 FAR	369.33
1624120000001000081	0.0932	SOUTHWEST FLORIDA WATER	UPLAND	AC	ROR	.1 DU	0.0093	.3 FAR	1,217.42
1624120000001000080	0.0482	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	ROR	.1 DU	0.0048	.3 FAR	629.37
1624120000001000000	0.9568	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	ROR	.1 DU	0.0957	.3 FAR	12,503.25
1624120000002000040	0.3840	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	ROR	.1 DU	0.0384	.3 FAR	5,017.92
1624120000001000051	0.0393	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	ROR	.1 DU	0.0039	.3 FAR	513.12
1624120000001000050	1.3973	SUCCESSFUL INVESTMENTS LLC	UPLAND	AC	ROR	.1 DU	0.1397	.3 FAR	18,259.62
1624110000002000000	0.0472	FOREST PROPERTIES LLC	UPLAND	AR	C/L	.025 DU	0.0012	.23 FAR	473.01
1624110000002000000	26.1144	FOREST PROPERTIES LLC	UPLAND	AR	C/L	.025 DU	0.6529	.23 FAR	261,635.39
1624110000002000000	0.2496	FOREST PROPERTIES LLC	UPLAND	AR	C/L	.025 DU	0.0062	.23 FAR	2,500.58
1624110000002000000	0.0622	FOREST PROPERTIES LLC	UPLAND	AR	C/L	.025 DU	0.0016	.23 FAR	622.91
1624120000001000041	4.5703	BRANFORD INVESTMENTS LLC	UPLAND	AR	RES-6	1 DU	4.5703	N/A	N/A
16240100000037000010	15.2576	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	15.2576	N/A	N/A
16240100000037000010	0.1671	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	0.1671	N/A	N/A
1624110000002000000	0.0306	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	0.0306	N/A	N/A
1624110000002000000	0.1038	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	0.1038	N/A	N/A
1624120000002000010	27.3530	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	27.3530	N/A	N/A
1624120000001000040	52.4659	FOREST PROPERTIES LLC	UPLAND	AR	RES-6	1 DU	52.4659	N/A	N/A
1624120000001000000	4.5710	SUCCESSFUL INVESTMENTS LLC	UPLAND	AR	RES-6	1 DU	4.5710	N/A	N/A
1624120000001000000	1.4636	SUCCESSFUL INVESTMENTS LLC	UPLAND	AR	ROR	1 DU	1.4636	.5 FAR	31,877.97
1624120000001000051	0.7826	SUCCESSFUL INVESTMENTS LLC	UPLAND	AR	ROR	1 DU	0.7826	.5 FAR	17,045.66
16240100000037000010	8.2796	FOREST PROPERTIES LLC	UPLAND	C2	RES-6	N/A	N/A	.5 FAR	31,877.97
1624120000001000000	0.0290	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	RES-6	N/A	N/A	.5 FAR	17,045.66
1624120000001000030	0.1565	SOUTHWEST FLORIDA WATER	UPLAND	C2	RES-9	N/A	N/A	.5 FAR	180,328.68
16241300000010000010	0.5950	BRANFORD INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	15,551.31
1624130000004000000	0.9904	BRANFORD INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	25,883.92
16241300000050000010	1.9900	BRANFORD INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	52,010.88
16241300000011000000	4.3138	BRANFORD INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	112,744.78
1624130000003000000	4.8096	DIAL ONE LC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	125,703.39
1624120000001000081	14.6965	SOUTHWEST FLORIDA WATER	UPLAND	C2	ROR	N/A	N/A	.6 FAR	384,107.00
1624120000001000000	0.0305	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	797.14
1624120000001000000	2.9690	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	77,598.96
1624120000001000000	1.0102	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	26,402.73
1624120000001000000	5.0509	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	132,010.55
1624120000001000000	1.7006	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	44,447.88
1624120000001000051	5.0882	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	132,986.24
1624120000002000050	1.7119	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	44,741.01
1624120000002000000	6.5856	SUCCESSFUL INVESTMENTS LLC	UPLAND	C2	ROR	N/A	N/A	.6 FAR	172,122.50
1624130000001000030	1.2664	SUN WEST ACQUISITION	UPLAND	C2	ROR	N/A	N/A	.6 FAR	33,097.92
1624130080000000240	0.1856	SUN WEST ACQUISITION	UPLAND	C2	ROR	N/A	N/A	.6 FAR	4,850.30
1624130080000000220	1.0166	SUN WEST ACQUISITION	UPLAND	C2	ROR	N/A	N/A	.6 FAR	26,569.57
1624130000001000010	9.2902	FOREST PROPERTIES LLC	UPLAND	C3	IL	N/A	N/A	.5 FAR	4,041.92
1624130000008000000	2.6734	BRANFORD INVESTMENTS LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	22,141.31
16241300000080000010	0.9940	BRANFORD INVESTMENTS LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	202,339.89
16241300000011000010	2.4732	BRANFORD INVESTMENTS LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	58,226.75
1624130000001000011	0.6093	BRANFORD INVESTMENTS LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	21,650.19
1624120000001000070	45.6060	FOREST PROPERTIES LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	53,865.34
1624130000001000010	8.7386	FOREST PROPERTIES LLC	UPLAND	I1	IL	N/A	N/A	.5 FAR	13,270.53
16240100000037000000	0.1312	SUN WEST ACQUISITION	UPLAND	R2	C/L	.025 DU	0.0033	N/A	N/A
16241400000030000010	8.1242	SUN WEST ACQUISITION	UPLAND	R2	C/L	.025 DU	0.2031	N/A	N/A
16241400000030000010	0.0434	SUN WEST ACQUISITION	UPLAND	R2	RES-6	4.6 DU	0.1995	N/A	N/A

SunWest DRI
 Zoning Entitlement Calculation
 Lands within DRI Boundary

1624140030000000011	0.7572	SUN WEST ACQUISITION	UPLAND	R2	RES-6	4.6 DU	3.4829	N/A	N/A
1624140000012000000	0.0452	SUN WEST ACQUISITION	UPLAND	R4	C/L	.025 DU	0.0011	N/A	N/A
1624140000001000011	4.6734	WITHLACOCHEE RIVER ELEC CORP	UPLAND	R4	RES-6	6 DU	28.0402	N/A	N/A
1624120000002000010	0.0827	FOREST PROPERTIES LLC	UPLAND	RMH	RES-9	8.8 DU	0.7273	N/A	N/A
1624120000001000030	31.3875	SOUTHWEST FLORIDA WATER	UPLAND	RMH	RES-9	8.8 DU	276.2097	N/A	N/A

Subtotal Upland

421.3349

4,105,381.51

10 % Bonus for Wetlands in C/L

1624110000001000030	3.0994	SUN WEST ACQUISITION	WETLAND	AC	**NONE**				
1624110000004000010	1.8848	HUNT BILL	WETLAND	AC	C/L	10% Bonus	0.0047		
1624110000004000010	0.0623	HUNT BILL	WETLAND	AC	C/L	10% Bonus	0.0002		
1624110000004000010	0.0554	HUNT BILL	WETLAND	AC	C/L	10% Bonus	0.0001		
1624020000003000010	6.8132	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0170		
1624020000003000010	0.9506	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0024		
1624020000003000010	0.1741	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0004		
1624010000034000000	2.2527	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0056		
1624110000001000030	9.8700	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0247		
1624110000003000000	1.5523	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0039		
1624110000006000000	0.9339	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0023		
1624110000004000000	11.2747	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0282		
1624110000004000000	1.8392	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0046		
1624110000004000000	0.0778	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0002		
1624110000004000000	0.9428	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0024		
1624110000004000000	2.6298	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0066		
16241400000012000020	0.1246	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0003		
1624140000003000000	2.8727	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0072		
1624140000003000000	0.4102	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0010		
1624140000003000000	0.0376	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0001		
1624140000003000000	1.0658	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0027		
1624140000003000000	0.0851	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0002		
1624140000003000000	2.7841	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0070		
1624140000012000000	41.1718	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.1029		
1624140000003000010	21.2668	SUN WEST ACQUISITION	WETLAND	AC	C/L	10% Bonus	0.0532		
1624120000001000040	1.8182	FOREST PROPERTIES LLC	WETLAND	AC	RES-6				
1624120000001000000	4.9548	SUCCESSFUL INVESTMENTS LLC	WETLAND	AC	RES-6				
1624120000001000030	0.0241	SOUTHWEST FLORIDA WATER	WETLAND	AC	RES-9				
1624120000001000080	5.6724	SUCCESSFUL INVESTMENTS LLC	WETLAND	AC	ROR				
1624120000001000000	0.0406	SUCCESSFUL INVESTMENTS LLC	WETLAND	AC	ROR				
1624120000002000040	1.3816	SUCCESSFUL INVESTMENTS LLC	WETLAND	AC	ROR				
1624110000002000000	0.5388	FOREST PROPERTIES LLC	WETLAND	AR	C/L	10% Bonus	0.0013		
1624110000002000000	0.0472	FOREST PROPERTIES LLC	WETLAND	AR	C/L	10% Bonus	0.0001		
1624110000002000000	0.1500	FOREST PROPERTIES LLC	WETLAND	AR	C/L	10% Bonus	0.0004		
1624110000002000000	0.0822	FOREST PROPERTIES LLC	WETLAND	AR	C/L	10% Bonus	0.0002		
1624110000002000000	0.0602	FOREST PROPERTIES LLC	WETLAND	AR	C/L	10% Bonus	0.0002		
1624120000001000070	0.0213	FOREST PROPERTIES LLC	WETLAND	AR	IL				
1624120000001000041	0.9885	BRANFORD INVESTMENTS LLC	WETLAND	AR	RES-6				
1624120000001000041	1.1374	BRANFORD INVESTMENTS LLC	WETLAND	AR	RES-6				
1624120000001000041	0.0810	BRANFORD INVESTMENTS LLC	WETLAND	AR	RES-6				
1624010000037000010	0.0456	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000002000010	2.0352	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000002000010	0.0356	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000002000010	4.9991	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000002000010	0.0688	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000002000020	0.4462	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000001000040	15.9271	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000001000040	13.3313	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000001000040	1.3113	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000001000040	24.6065	FOREST PROPERTIES LLC	WETLAND	AR	RES-6				
1624120000001000000	15.4365	SUCCESSFUL INVESTMENTS LLC	WETLAND	AR	RES-6				
1624120000001000000	0.2429	SUCCESSFUL INVESTMENTS LLC	WETLAND	AR	RES-6				
1624120000002000030	12.3852	FOREST PROPERTIES LLC	WETLAND	AR	RES-9				
1624120000002000030	0.0303	FOREST PROPERTIES LLC	WETLAND	AR	RES-9				
1624120000001000030	0.0705	SOUTHWEST FLORIDA WATER	WETLAND	AR	RES-9				
1624010000037000010	0.8993	FOREST PROPERTIES LLC	WETLAND	C2	RES-6				
1624120000001000030	0.1055	SOUTHWEST FLORIDA WATER	WETLAND	C2	RES-9				
1624120000001000081	1.2941	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000081	6.0351	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000081	2.4272	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000000	0.1134	SUCCESSFUL INVESTMENTS LLC	WETLAND	C2	ROR				
1624120000001000000	1.0469	SUCCESSFUL INVESTMENTS LLC	WETLAND	C2	ROR				
1624120000001000000	1.2558	SUCCESSFUL INVESTMENTS LLC	WETLAND	C2	ROR				
1624120000002000050	1.0274	SUCCESSFUL INVESTMENTS LLC	WETLAND	C2	ROR				
1624120000002000000	7.5156	SUCCESSFUL INVESTMENTS LLC	WETLAND	C2	ROR				
1624130000008000000	1.4212	BRANFORD INVESTMENTS LLC	WETLAND	I1	IL				
1624130000008000010	0.1730	BRANFORD INVESTMENTS LLC	WETLAND	I1	IL				

SunWest DRI

Zoning Entitlement Calculation

Lands within DRI Boundary

1624130000011000010	0.0386	BRANFORD INVESTMENTS LLC	WETLAND I1	IL			
1624120000001000070	20.3224	FOREST PROPERTIES LLC	WETLAND I1	IL			
1624130000001000010	0.1180	FOREST PROPERTIES LLC	WETLAND I1	IL			
1624140000003000010	2.5925	SUN WEST ACQUISITION	WETLAND R2	C/L	10% Bonus	0.0065	
1624120000002000030	0.0786	FOREST PROPERTIES LLC	WETLAND RMH	RES-9			
1624120000002000030	0.0821	FOREST PROPERTIES LLC	WETLAND RMH	RES-9			
1624120000001000030	1.9273	SOUTHWEST FLORIDA WATER	WETLAND RMH	RES-9			
1624120000001000030	21.2417	SOUTHWEST FLORIDA WATER	WETLAND RMH	RES-9			
1624120000001000030	1.5877	SOUTHWEST FLORIDA WATER	WETLAND RMH	RES-9			
1624020000003000010	9.1987	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0230	
1624020000003000010	0.0694	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0002	
1624020000003000010	46.3288	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.1158	
1624020000003000010	23.0526	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0576	
1624020000003000010	0.2426	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0006	
16240100000034000000	0.9570	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0024	
1624110000001000030	54.8422	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.1371	
1624110000003000000	0.0253	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0001	
1624110000003000000	28.2637	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0707	
1624110000007000000	1.8902	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0047	
1624110000006000000	25.4163	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0635	
1624140000003000000	8.2272	SUN WEST ACQUISITION	OSW AC	C/L	10% Bonus	0.0206	
1624110000002000000	32.3984	FOREST PROPERTIES LLC	OSW AR	C/L	10% Bonus	0.0810	
1624110000002000000	0.0633	FOREST PROPERTIES LLC	OSW AR	C/L	10% Bonus	0.0002	
1624110000002000000	0.0419	FOREST PROPERTIES LLC	OSW AR	C/L	10% Bonus	0.0001	
16240100000037000010	0.0282	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000002000010	1.1102	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000002000010	2.5488	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000002000010	7.2949	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000002000010	4.1467	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000001000040	0.0792	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000001000040	11.2283	FOREST PROPERTIES LLC	OSW AR	RES-6			
1624120000001000000	0.8728	SUCCESSFUL INVESTMENTS LLC	OSW AR	RES-6			
1624120000001000000	0.0761	SUCCESSFUL INVESTMENTS LLC	OSW AR	ROR			
1624120000001000051	0.0820	SUCCESSFUL INVESTMENTS LLC	OSW AR	ROR			
1624130000005000010	0.0559	BRANFORD INVESTMENTS LLC	OSW C2	ROR			
1624130000011000000	0.0228	BRANFORD INVESTMENTS LLC	OSW C2	ROR			
1624120000001000000	2.6934	SUCCESSFUL INVESTMENTS LLC	OSW C2	ROR			
1624120000001000051	1.5729	SUCCESSFUL INVESTMENTS LLC	OSW C2	ROR			
1624130000011000010	0.1750	BRANFORD INVESTMENTS LLC	OSW I1	IL			
1624130000011000011	0.1524	BRANFORD INVESTMENTS LLC	OSW I1	IL			
1624120000001000070	4.5189	FOREST PROPERTIES LLC	OSW I1	IL			
1624120000001000070	1.8838	FOREST PROPERTIES LLC	OSW I1	IL			
1624130000001000010	0.6749	FOREST PROPERTIES LLC	OSW I1	IL			
1624120000001000030	7.9134	SOUTHWEST FLORIDA WATER	OSW RMH	RES-9			
Total	1,063.4070					422.20	4,105,381.51

Notes:

Density limits are based on Zoning classification, subject to underlying FLU classification

Any parcel within C/L FLU, .025 Density limit controls

SunWest DRI
 Zoning Entitlement Calculation
 Lands Outside DRI

PARCELID	Acreage	NAME	WET_UP	Zoning	FLU	Density	# Units	FAR	Intensity
1624020000003000010	0.0376	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0009	.23 FAR	376.82
1624020000003000010	0.0214	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0005	.23 FAR	213.91
16240100000034000000	3.0483	SUN WEST ACQUISITION	UPLAND	AC	C/L	.025 DU	0.0762	.23 FAR	30,540.18
1624140000001000000	0.0543	SUN WEST ACQUISITION	UPLAND	AC	RES-6	.1 DU	0.0054	N/A	N/A
1624150000002000000	0.3478	SUN WEST ACQUISITION	UPLAND	AC	RES-6	.1 DU	0.0348	N/A	N/A
1624150000001000000	0.0769	SUN WEST ACQUISITION	UPLAND	AC	RES-6	.1 DU	0.0077	N/A	N/A
1624150000001000000	1.7280	SUN WEST ACQUISITION	UPLAND	AC	RES-6	.1 DU	0.1728	N/A	N/A
1624220000001000090	6.9229	SUN WEST ACQUISITION	UPLAND	AC	RES-6	.1 DU	0.6923	N/A	N/A
16240100000034000000	0.1406	SUN WEST ACQUISITION	UPLAND	R2	C/L	.025 DU	0.0035	.23 FAR	1,408.43
1624140000001000000	49.1665	SUN WEST ACQUISITION	UPLAND	R4	RES-6	6 DU	294.9993	N/A	N/A
1624140000001000000	0.0993	SUN WEST ACQUISITION	UPLAND	R4	RES-6	6 DU	0.5957	N/A	N/A
1624150000002000000	11.3579	SUN WEST ACQUISITION	UPLAND	R4	RES-6	6 DU	68.1476	N/A	N/A
1624150000001000000	21.3653	SUN WEST ACQUISITION	UPLAND	R4	RES-6	6 DU	128.1920	N/A	N/A
1624220000001000090	17.5643	SUN WEST ACQUISITION	UPLAND	R4	RES-6	6 DU	105.3855	N/A	N/A
Subtotal Upland							598.3143		32,539.35
25% Bonus for class 1 wetlands									
NOT IN PARCELS	29.5756	**NOT IN PARCELS**	WETLAND	**NONE	**NONE**				
1624030000001000000	0.1045	SUN WEST ACQUISITION	WETLAND	**NONE	**NONE**				
NOT IN PARCELS	20.3332	**NOT IN PARCELS**	WETLAND	**NONE	C/L	25% Bonus	0.1271		
NOT IN PARCELS	14.0547	**NOT IN PARCELS**	WETLAND	**NONE	CON				
1624020000003000010	10.1136	SUN WEST ACQUISITION	WETLAND	AC	**NONE**	25% Bonus	0.0632		
1624030000001000000	66.4024	SUN WEST ACQUISITION	WETLAND	AC	**NONE**	25% Bonus	0.4150		
1624100000002000010	0.0340	SUN WEST ACQUISITION	WETLAND	AC	**NONE**	25% Bonus	0.0002		
1624100000002000010	80.8102	SUN WEST ACQUISITION	WETLAND	AC	**NONE**	25% Bonus	0.5051		
1624110000001000030	24.9170	SUN WEST ACQUISITION	WETLAND	AC	**NONE**	25% Bonus	0.1557		
1624020000003000010	332.3581	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	2.0772		
1624020000003000010	0.2386	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0015		
1624030000001000000	0.2453	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0015		
1624030000001000000	32.3428	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.2021		
1624030000001000000	75.7227	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.4733		
16240100000034000000	1.3187	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0082		
16240100000034000000	0.2717	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0017		
1624100000002000010	0.0659	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0004		
1624100000002000010	0.0225	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0001		
1624110000001000030	0.2160	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.0014		
1624110000001000030	68.9480	SUN WEST ACQUISITION	WETLAND	AC	C/L	25% Bonus	0.4309		
1624030000001000000	0.0380	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624030000001000000	0.0620	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	4.4492	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	3.2531	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	6.2827	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	13.3943	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	0.3460	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	32.3629	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624100000002000010	26.0846	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624220000001000090	0.0562	SUN WEST ACQUISITION	WETLAND	AC	CON				
1624140000001000000	11.0504	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.2763		
1624150000002000000	1.1534	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.0288		
1624150000001000000	1.0084	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.0252		
1624150000001000000	5.5231	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.1381		
1624220000001000090	0.0842	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.0021		
1624220000001000090	0.4236	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.0106		
1624220000001000090	11.6178	SUN WEST ACQUISITION	WETLAND	AC	RES-6	25% Bonus	0.2904		
1624020000003000010	0.2684	SUN WEST ACQUISITION	WETLAND	R2	C/L	25% Bonus	0.0017		
1624020000003000010	0.2351	SUN WEST ACQUISITION	WETLAND	R2	RES-6	25% Bonus	0.2703		
1624220000001000090	2.0716	SUN WEST ACQUISITION	WETLAND	R4	**NONE**	25% Bonus	3.1074		
1624140000001000000	132.4387	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	198.6581		
1624140000001000000	0.0437	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	0.0655		
1624140000001000000	0.2563	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	0.3845		
1624140000001000000	0.0500	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	0.0749		
1624140000001000000	0.0228	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	0.0341		
1624150000002000000	27.2684	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	40.9027		
1624150000001000000	50.6606	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	75.9909		
1624220000001000090	10.6968	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	16.0452		
1624220000001000090	52.4101	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	78.6152		
1624220000001000090	1.3428	SUN WEST ACQUISITION	WETLAND	R4	RES-6	25% Bonus	2.0142		
Total	1153.0505						1,019.72		32,539.35

In R4 zoning with RES-6 FLU, Verification that FLU density (6 DU/acre) with 25% bonus is less than 14.6 DU/acre on upland only

SunWest DRI

Zoning entitlement calculations

PARCELID	Acreage	NAME	WET_UP	Zoning	FLU	Density	# Units	FAR	Intensity
1624120000001000081	0.0283	SOUTHWEST FLORIDA WATER	UPLAND	AC	ROR	.1 DU	0.0028	.3 FAR	369.33
1624120000001000081	0.0932	SOUTHWEST FLORIDA WATER	UPLAND	AC	ROR	.1 DU	0.0093	.3 FAR	1,217.42
1624120000001000030	0.1565	SOUTHWEST FLORIDA WATER	UPLAND	C2	RES-9	N/A	N/A	.5 FAR	615.55
1624120000001000081	14.6965	SOUTHWEST FLORIDA WATER	UPLAND	C2	ROR	N/A	N/A	.6 FAR	384,107.00
1624120000001000030	31.3875	SOUTHWEST FLORIDA WATER	UPLAND	RMH	RES-9	8.8 DU	276.2097	N/A	N/A
1624120000001000030	0.0241	SOUTHWEST FLORIDA WATER	WETLAND	AC	RES-9				
1624120000001000030	0.0705	SOUTHWEST FLORIDA WATER	WETLAND	AR	RES-9				
1624120000001000030	0.1055	SOUTHWEST FLORIDA WATER	WETLAND	C2	RES-9				
1624120000001000081	1.2941	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000081	6.0351	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000081	2.4272	SOUTHWEST FLORIDA WATER	WETLAND	C2	ROR				
1624120000001000030	1.9273	SOUTHWEST FLORIDA WATER	WETLAND	RMH	RES-9				
1624120000001000030	21.2417	SOUTHWEST FLORIDA WATER	WETLAND	RMH	RES-9				
1624120000001000030	1.5877	SOUTHWEST FLORIDA WATER	WETLAND	RMH	RES-9				
1624120000001000030	7.9134	SOUTHWEST FLORIDA WATER	OSW	RMH	RES-9				
SWFWMD Total							276.2219		386,309.30
1624140000001000011	4.6734	WITHLACOOCHEE RIVER ELEC CC	UPLAND	R4	RES-6	6 DU	28.0402	N/A	N/A

**NOTICE OF ADOPTION OF THE DEVELOPMENT ORDER
FOR THE SUNWEST HARBOURTOWNE
DEVELOPMENT OF REGIONAL IMPACT NO. 267**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No_____, dated March 30, 2010, has adopted the development order (DO) for a Development of Regional Impact. The above-reverenced DO constitutes a land development regulation applicable to the property described in Exhibit "C" of the DO.

A legal description of the property covered and the DO may be examined upon request at the Office of the Clerk to the Board of County Commissioners of the Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in the above-mentioned Exhibit C or actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

DONE AND RESOLVED this 30th day of March, 2010.

(SEAL)

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

ATTEST:

PAULA S. O'NEIL, CLERK AND COMPTROLLER

PAT MULIERI, ED.D, CHAIRMAN