

PROVENCES

DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT REPORT



TREASURE COAST REGIONAL PLANNING COUNCIL
INDIAN RIVER - MARTIN - ST. LUCIE - PALM BEACH

**A DEVELOPMENT OF REGIONAL IMPACT
ASSESSMENT REPORT**

FOR

PROVENCES

ST. LUCIE COUNTY, FLORIDA

MARCH 2007

PREPARED BY:

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ABBREVIATIONS

The following abbreviations may be used in this report:

ADA	Application for Development Approval
BMP	Best Management Practice
CIE	Capital Improvement Element
COE	United States Army Corps of Engineers
Council	Treasure Coast Regional Planning Council
CRA	Community Redevelopment Area
CSA	School District's Concurrency Service Area
DO	Development Order
DRI	Development of Regional Impact
EPA	United States Environmental Protection Agency
FAC	Florida Administrative Code
FDEP	Florida Department of Environmental Protection
FFWCC	Florida Fish and Wildlife Conservation Commission
FDOT	Florida Department of Transportation
FIAM	Fiscal Impact Analysis Model
FIHS	Florida Interstate Highway System
FLUM	Future Land Use Map
FPL	Florida Power and Light Company
FS	Florida Statutes
FSUTMS	Florida Standard Urban Transportation Model Structure
GPD	Gallons per Day
HCM	Highway Capacity Manual
HUD	United States Department of Housing and Urban Development
IFAS	Institute of Food and Agricultural Sciences
ITE	Institute of Transportation Engineers
LOS	Level of Service
MGD	Million Gallons per Day
NCD	New Community Development District
NGVD	National Geodetic Vertical Datum
NOPC	Notice of Proposed Change
NPDES	National Pollutant Discharge Elimination System
NPV	Net Present Values
SF	Square Feet
SFWMD	South Florida Water Management District
SRPP	Strategic Regional Policy Plan
SIS	Strategic Intermodal System
TAZ	Traffic Analysis Zone
TPS	Traffic Performance Standards
USB	Urban Service Boundary
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service

**PROVENCES DRI
REPORT AND RECOMMENDATIONS
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INTRODUCTION

This assessment of the Provinces Development of Regional Impact (DRI) has been prepared by the Treasure Coast Regional Planning Council (Council) as required by Section 380.06(12), Florida Statutes and 9J-2.024(1), Florida Administrative Code (FAC). The primary purpose of the assessment report is to identify the regional impacts, both positive and negative, that can reasonably be expected to occur should the proposed project be approved. In carrying out this objective, the report suggests opportunities to eliminate or mitigate negative impacts expected to occur and where possible to enhance positive features of the proposed development.

The Provinces Application for Development Approval (ADA) was originally submitted on January 26, 2006 and was supplemented with additional information dated June 19, 2006; September 14, 2006; and January 3, 2007. On September 26, 2006 the County and the applicant were notified that the ADA for the Provinces DRI had been reviewed by Council and found to have completed the informational sufficiency process pursuant to Section 380.06(10), Florida Statutes. The County was notified that the public hearing may be set for the proposed DRI pursuant to Section 380.06(11), Florida Statutes, and that Council will prepare the regional assessment report.

The series of recommendations contained in the Provinces assessment report are based on the goals, strategies, and policies of the Strategic Regional Policy Plan (SRPP), adopted pursuant to Section 186.508, Florida Statutes. The recommendations of the Council are provided to assist the County in creating a development order (DO) for the DRI, consistent with 9J-2.025, FAC. This report and the recommendations are primarily directed at regional systems and facilities and do not necessarily address all local concerns. The recommendations do not foreclose or abridge the legal responsibility of the local government to act pursuant to applicable local laws or ordinances.

Once Council adopts the Provinces DRI assessment report it is transmitted to the County. From there the County shall hold the public hearing that has been set for the proposed Provinces DRI. At the hearing the County shall approve, deny or approve with conditions, restrictions, or limitations taking into consideration whether and the extent to which:

1. the development is consistent with the local comprehensive plan and local land development regulations;
2. the development is consistent with the report and recommendations of the regional planning council; and
3. the development is consistent with the State Comprehensive Plan.

The County is required to render a decision on the proposed Provinces DRI within 30 days after the hearing unless an extension is requested by the developer.

PROJECT INFORMATION

Project Name: Provinces

Applicant: Willow Lakes, LLC; Midway Properties, LLC; Red River, LLC

Jurisdiction: St. Lucie County

Size: 735.5 acres

Location: Adjacent to the northwest side of the I-95 and Midway Road Interchange

Population: 10,308 persons

Employment: 7178 permanent jobs

Uses: 4,443 residential dwelling units
 1,435,706 SF retail
 1,000,000 SF office
 240,000 SF conference center
 350 rooms hotel

Buildout Date: 2020

Phases: 3 phases as described in the following table:

Phase ¹	Years	Residential (DU)	Office (SF)	Retail (SF)	Conference Center (SF)	Hotel (rooms)
1	2006-2010	1,194	0	687,792	0	0
2	2011-2015	1,249	0	747,914	0	350
3	2016-2020	2,000	1,000,000	0	240,000	0
Total	2006-2020	4,443	1,000,000	1,435,706	240,000	350

¹ This phasing table is based on information provided in Table 21.A.1 included in the answer to Question 21 – Transportation, of the Application for Development Approval.

GENERAL PROJECT DESCRIPTION

The Provinces DRI is a proposed multi-use development on approximately 735.5 acres in St. Lucie County, Florida. The project site is located immediately adjacent to the northwest side of the I-95 and Midway Road Interchange. The site is bounded by the agricultural land to the west; the Ten Mile Creek Water Preserve Area reservoir to the north, I-95 to the east, and a Florida Power and Light substation and LTC Ranch DRI to the south. The properties to the south of the project are located in the City of Port St. Lucie. Location maps and Map H, Master Development Plan, are included in the following pages.

The Master Development Plan proposes several components, including a Town Center, a Community Retail, Medical and Professional Office, Residential (single and multifamily), public school site, internal recreation/neighborhood community centers, and wetland and upland preserve area. The plan proposes a total of 4,443 residential dwelling units, 1,000,000 SF of office, 1,435,706 SF of retail, 240,000 SF of conference center, and a 350-room hotel. Development is proposed to occur in three five-year phases with buildout in 2020. This project is expected to provide housing for 10,308 people and provide 7,178 permanent jobs. Potable water supply is to be provided by the Fort Pierce Utilities Authority in the short term and St. Lucie County Utilities in the long term. Water quality treatment will be provided within stormwater treatment ponds. Off-site discharges will be directed into the North St. Lucie River Water Control District system, which ultimately outfalls into Ten Mile Creek.

The site contains improved pasture, citrus grove, a 20-acre lake, wetlands, and native upland communities. The property is almost entirely within St. Lucie County's urban service area, with the exception of an approximately 40-acre parcel in the northwest corner of the project site. This 40-acre parcel is designated as Agriculture-2.5 (AG-2.5) on the St. Lucie County Future Land Use Plan. The balance of the property is classified as Midway/Glades Activity Area (MXD), which encompasses three levels of intensity: High Intensity in the southeast portion of the site; Medium Intensity in the northeast portion of the site; and Low intensity in the western portion of the site. These land use designations would allow a range of approximately 3,416 to 5,729 residential units, or 20,287,525 SF of nonresidential space, or a mix of these uses. The application indicates that certain text amendments to the St. Lucie County Comprehensive Plan may be required to facilitate the final County DO. The applicant intends to request these amendments as part of the normal DRI approval process.

Project Location Regional View



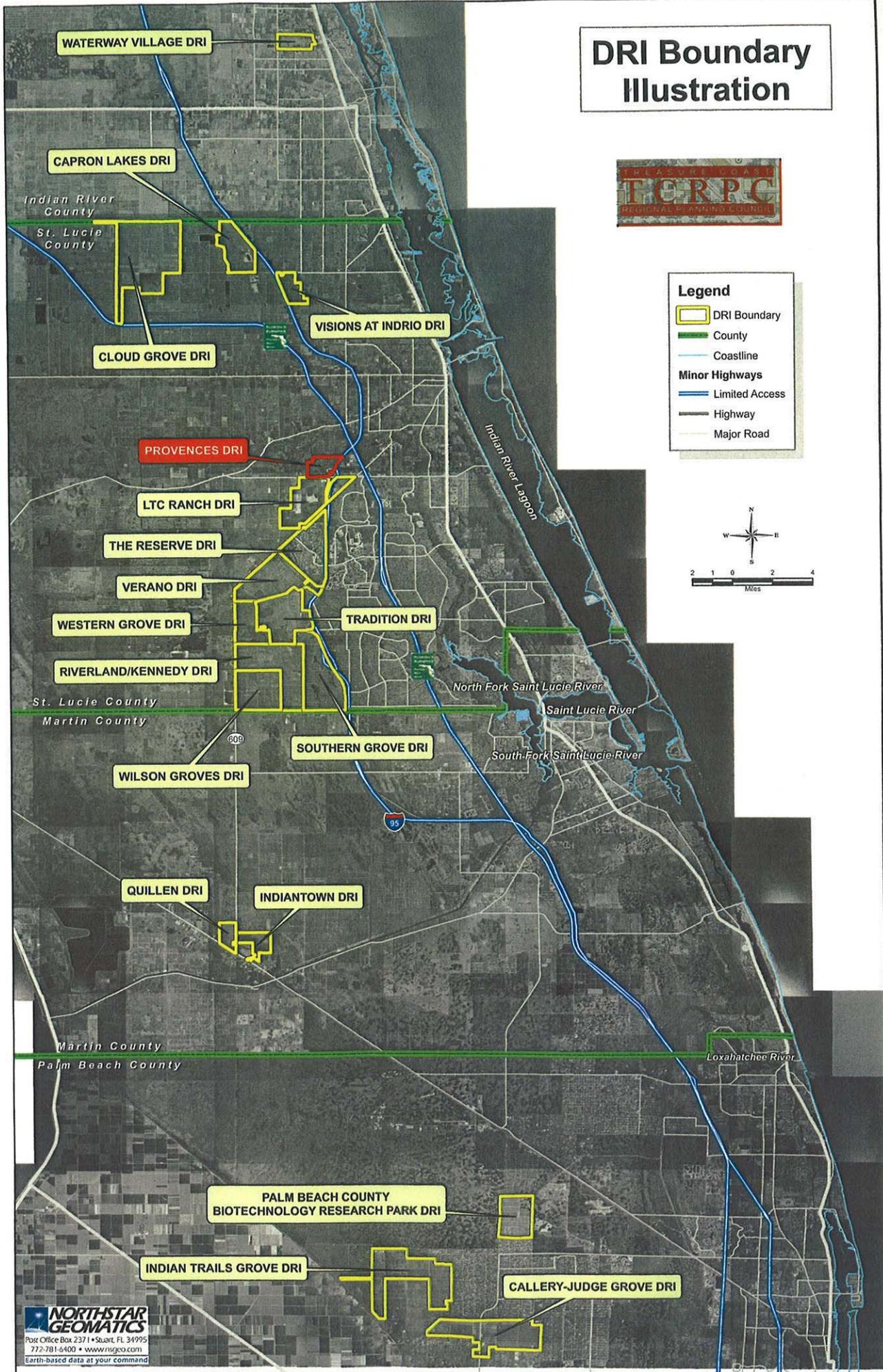
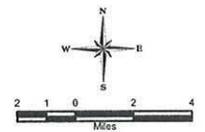
Project Location

DRI Boundary Illustration



Legend

- DRI Boundary
- County
- Coastline
- Minor Highways**
- Limited Access
- Highway
- Major Road

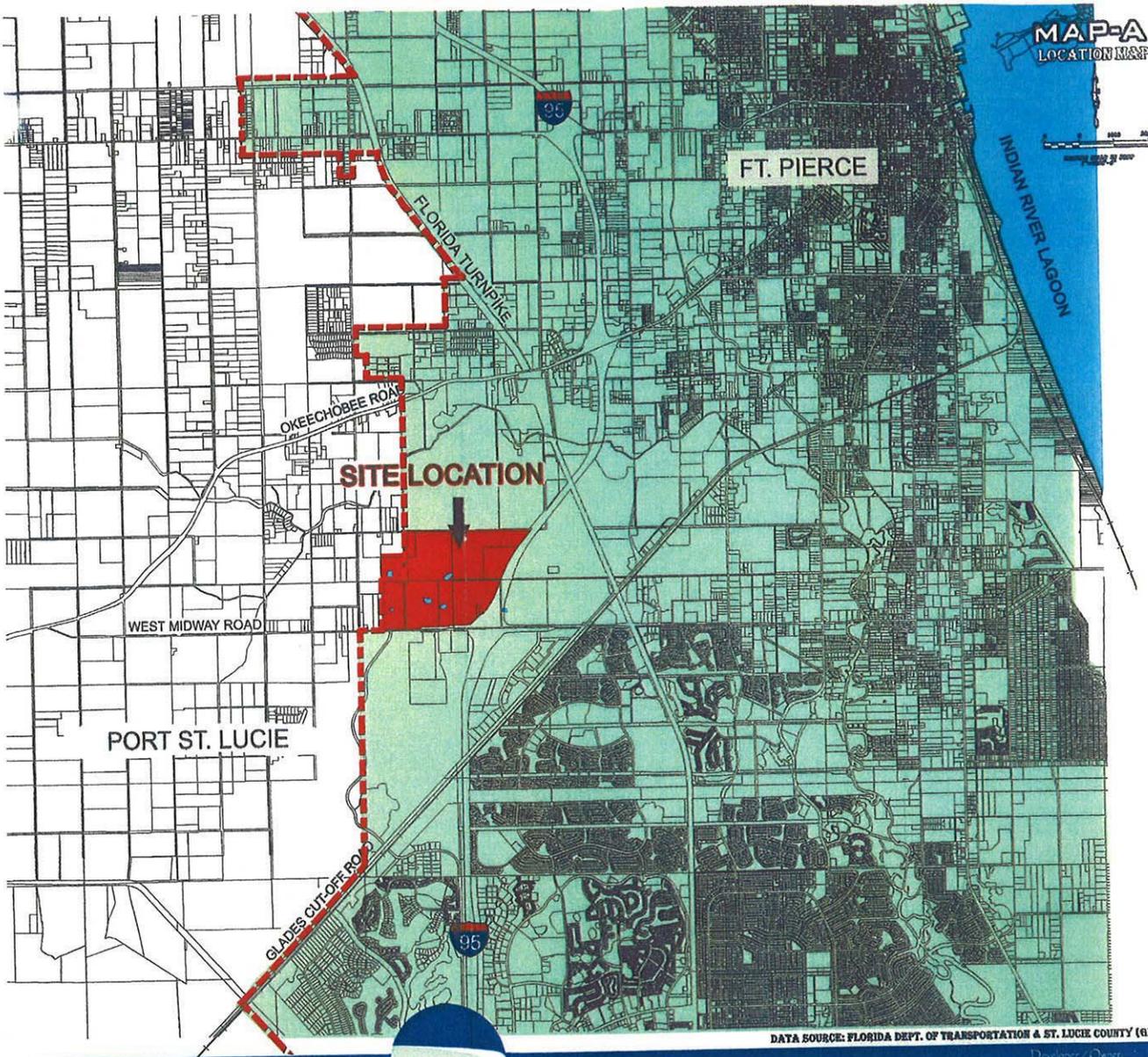


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Project Location Map - Regional Context

Summary of New and Recently Approved DRIs in the Treasure Coast Region

County/Project	Status	Acres	Residential Units	Hotel Rooms	Retail SF	Industrial SF	Office SF
Indian River County							
Waterway Village	Approved	696	1,740	0	30,000	0	0
County Subtotal		696	1,740	0	30,000	0	0
St. Lucie County							
Cloud Grove (fka Adams Ranch Stewardship)	Submitted	5,944	12,000	0	100,000	0	500,000
Capron Lakes (fka Indrio)	Submitted	1,938	5,078	0	900,000	0	750,000
LTC Ranch	Approved	2,455	6,500	0	725,000	1,960,200	1,508,500
Verano (fka Montage)	Approved	3,000	6,000	350	250,000	0	0
Provinces	Submitted	735	4,443	350	1,435,706	0	1,000,000
Reserve	Approved	2,690	4,100	250	390,000	1,600,000	100,000
Riverland/Kennedy	Approved	3,845	11,700	0	892,668	1,361,250	1,361,250
Southern Grove	Approved	3,606	7,388	500	2,164,061	1,999,404	2,073,238
Tradition	Approved	2,522	7,245	300	675,512	0	1,295,567
Visions at Indrio	Submitted	780	2,605	240	750,000	0	250,000
Western Grove	Submitted	1,593	4,062	0	365,904	0	250,906
Wilson Groves	Approved	2,499	7,700	0	765,000	1,361,250	1,583,250
County Subtotal		31,607	78,821	1990	9,413,851	8,282,104	10,672,711
Martin County							
Indiantown	Submitted	804	1,650	0	10,000	0	20,000
Quillen	Submitted	582	2,250	0	150,000	0	0
County Subtotal		1,386	3,900	0	160,000	0	20,000
Palm Beach County							
Callery-Judge Grove	Submitted	3,872	10,000	150	1,400,000	3,000,000	600,000
Indian Trail Groves	Submitted	4,932	12,325	0	207,500	0	42,500
Palm Beach Co. Biotech. Research Park	Approved	1,919	2,000	0	430,000	8,500,000	0
County Subtotal		10,723	24,325	150	2,037,500	11,500,000	642,500
Regional Total		44,512	108,786	2,140	11,641,351	19,782,104	11,335,211



Project Location Map – General Location

DATA SOURCE: FLORIDA DEPT. OF TRANSPORTATION & ST. LUCIE COUNTY (GIS DATA)



PROVINCES
St. Lucie County, Florida

Developer/Owner
WILLOW LAKES LLC
222 South U.S. Highway One
Boronia, FL 34909
Tel: 888-744-3341
Fax: 888-744-3356

MIDWAY PROPERTIES, LLC
250 S. Central Blvd
Jupiter Florida 33458
Tel: 888-346-0000
Fax: 561-524-0114



MAP-B
VERTICAL AERIAL

AERIAL DATE: 12.13.04

OWNERSHIP INDEX

- 1A - MIDWAY PROPERTIES, LLC
- 1B - WILLOW LAKES, LLC
- 1C - NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT (NSLRWCD)
- 2 - RED RIVER LLC
- 3A - RED RIVER LLC
- 3B - RED RIVER LLC

DATA SOURCE: SRS, AND AERIAL PHOTOGRAPHY, CURPETER & TRAMER, INC. REVISED DEC. 22 2008

WILLOW LAKES, LLC
MIDWAY PROPERTIES, LLC

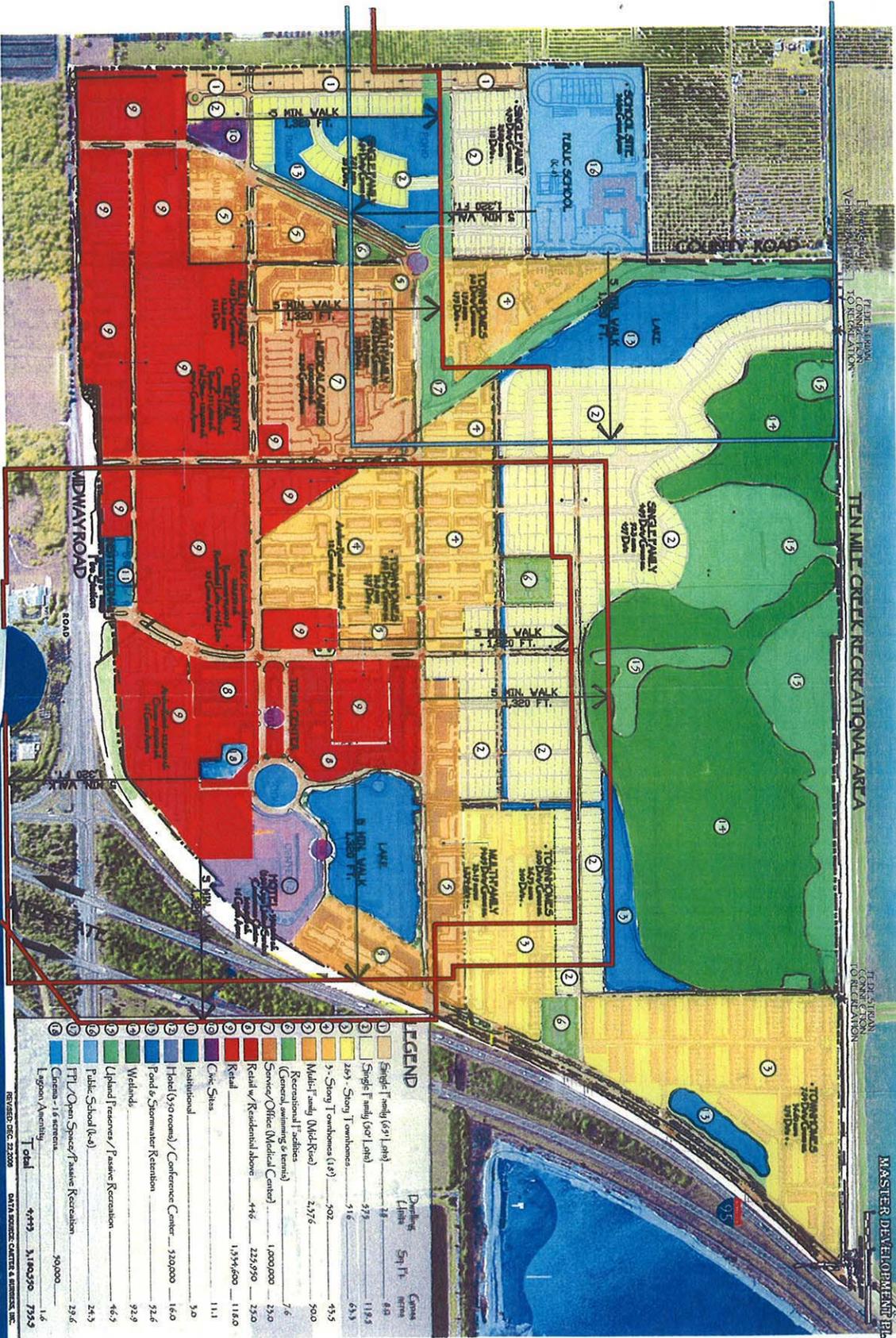


PROVENCES

St. Lucie County, Florida

Carter Burgess

Project Location Map – Immediate Vicinity



LEGEND

Zone Number	Description	Dwelling Units	Sq Ft	Cost \$ mil
1	Single Family (60' Lot)	22	88	8.0
2	Single Family (90' Lot)	977	118.5	11.85
3	2-3, -Strong Townhomes	716	633	6.33
4	3-5 Strong Townhomes (12')	302	455	4.55
5	Multi-Family (Mid-Rise)	2,376	900	9.00
6	Recreational Facilities (General, swimming & tennis)		7.6	7.6
7	Service/Office (Medical Center)		1,000,000	25.0
8	Retail w/ Residential Above	446	225,890	25.0
9	Retail		1,355,600	116.0
10	Cine Sites			11.1
11	Institutional			3.0
12	Hotel (310 rooms) / Conference Center			320,000
13	Pond & Stormwater Retention			32.6
14	Wetlands			92.9
15	Upland Preserves / Passive Recreation			46.3
16	Public School (K-4)			24.3
17	FTL Open Space/Passive Recreation			20,000
18	Cinema - 16 screens			29.6
19	Legion Avenality			1.4
Total		4,749	3,180,390	735.9

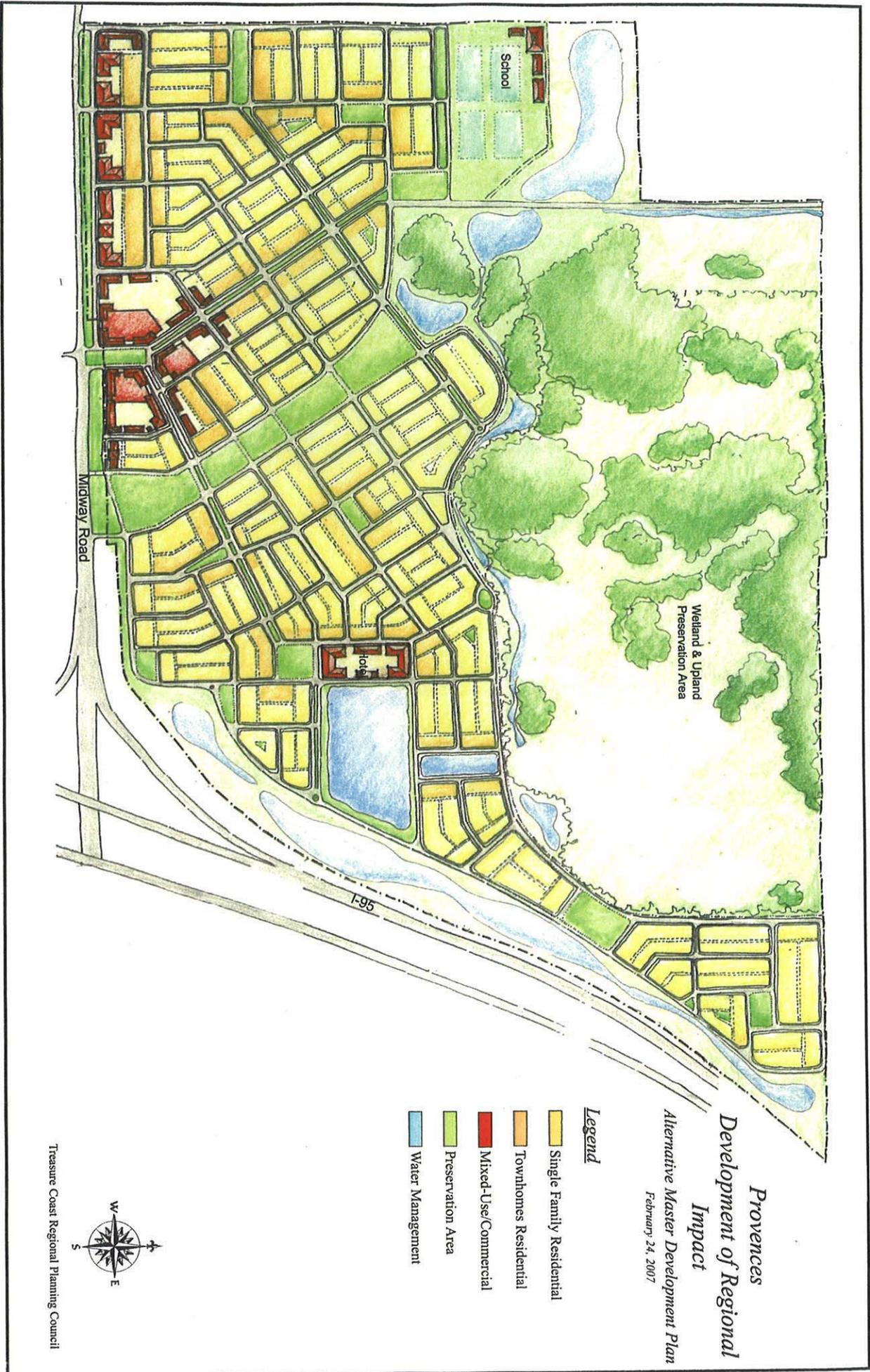
REVISED PERC 22-2009 DATA SOURCE: CARTER & BURGESS, INC.

WILLOW LAKES LLC
 DWAY PARTNERS, LLC

PROVENCES



Carter Burgess



OVERVIEW OF PROVENCES DRI

The proposed development program for the 735-acre Provinces DRI includes: 4,443 residential units, 1,435,706 square feet of retail, 1,000,000 square feet of office, 240,000 square foot of conference center, and a 350 room hotel. The project represents the northernmost extent of a much larger suburbanizing rural area of County and City lands extending north along the Midway Road corridor, west to Range Line and Shinn Roads, east to I-95, and south to the St. Lucie County/Martin County line (see Regional Context map and key).

The development program for this property is an ambitious proposal that to accomplish will require a high percentage of the residential development to occur in three to six-story building types and a variety of multi-story nonresidential buildings with structured parking. The quantity and type of development proposed represents an opportunity to establish a truly urban node of development at this location. If this is the County's intent, then it is not so much the quantity of development which should concern the County as much as: 1) how these uses are arranged and organized in the landscape to define its urban form; 2) how its relationship with the surrounding community and natural environment can be improved; and 3) whether there will be adequate public facilities and roadway infrastructure to support this and other development in this rapidly suburbanizing area.

Council's impact assessment report for the Provinces DRI includes a comprehensive evaluation of these and several other regional issues. The report includes 77 recommended DO conditions of approval. These conditions are designed to: 1) minimize or eliminate unfavorable impacts on state and regional resources and facilities; 2) strengthen and detail the master plan to address some fundamental regional planning and urban design issues; 3) mitigate affordable housing and environmental impacts; and 4) assure that adequate public facilities and infrastructure related to transportation, schools, emergency public shelters, water, sewer, police and fire protection, solid waste disposal, water management, and parks and recreation are provided to support this development.

Growth is coming to St. Lucie County and the Treasure Coast Region. Where the next 25-year increment of this growth is located and the form it takes will have a profound affect on whether regional impacts and issues can be addressed, and on the quality of life for future generations.

CONCLUSION

The Provinces DRI could be designed and further detailed to be consistent with all elements of the SRPP and still deliver the positive fiscal and social impact the County and developer hope to achieve. There is a great opportunity for the County to minimize environmental impacts and ensure there is a regular network of streets and blocks if a detailed plan is prepared that results in self-contained, walkable neighborhoods and mixed-use districts that connect all the important components of public and private life (sites for homes, shopping, parks, jobs, schools, churches, civic use, etc.). In other words, correcting the problems of urban form, community design, balance and serviceability that plague many areas of the County.

Council, through the DRI process, can identify and quantify regional impacts and suggest to local governments the various ways in which those impacts can be minimized and mitigated. It can even report to local government on urban design and regional planning issues and suggest how local governments can further the goals, strategies and policies of the SRPP by making DRIs become more compact, connected and complete. But what it cannot do, is tell a local government how it should look, feel, and function; or what kind of quality of place or life a local government should provide for its citizens.

Beyond design and mitigating the regional impacts associated with the Provinces DRI, the cumulative effects of all the development in this large suburbanizing area has reached a point where the level of road building to support it may not be feasible or desirable. For this area, it is a fundamental policy question for the County and City to answer together.

RECOMMENDATION

The Provinces DRI assessment report contains a series of advisory recommendations for St. Lucie County based on the goals, strategies, and policies of the SRPP. These recommendations are made in response to the Provinces master plan within the context of the SRPP. They are provided to address urban form issues, minimize project-related regional impacts, improve the project's capacity and ability to address regional issues, and to further implement the SRPP.

In its current form and given the current level of planning, the Provinces DRI cannot be determined to be consistent with the SRPP. In response to this situation, the Provinces assessment report makes suggestions for how the Provinces master plan can be further detailed and improved to be consistent with the SRPP and further its implementation.

As proposed, the Provinces DRI will also place additional demands and have regional impacts on the regional transportation system and other urban services, public facilities and infrastructure. Incorporation of conditions into a DO will provide assurance that regional impacts are mitigated.

If St. Lucie County chooses to approve the Provinces DRI, it is recommended that, at a minimum, the conditions of approval contained in Council's DRI Assessment Report be included in the DO issued by St. Lucie County.

SUMMARY OF REGIONAL IMPACTS

During review of the proposed Provinces DRI, Council identified several issues that will have significant impact on St. Lucie County and the Region. These issues are related to: 1) the master development plan, 2) transportation, 3) environmental and natural resources, 4) affordable housing, and 5) human resources. This section summarizes the impacts. The proposed general conditions of approval contained in this report are designed to reduce or mitigate the impacts to the Region.

MASTER DEVELOPMENT PLAN

“Until one is committed there is hesitancy, the chance to draw back, always ineffectiveness and underachievement”

- Johann Wolfgang von Goethe

The most significant element of the SRPP is the Future of the Region or vision/urban form section. This element focuses on community structure and organization, urban form and patterns of development that do not sprawl (see Appendix G - *A Brief Summary of the Strategic Regional Policy Plan: Its History, Preferred Forms and Patterns of Development, and its Vision for the Future of the Region*). The reason for this is based on Council's conclusion that regional issues related to location, balance, mix and organization of residential types, work places and services (i.e. the built environment) will be critical to address if the Region is to accomplish its goals and sustain a high quality of life for its citizens. For example, urban form and development patterns have a profound regional effect on: 1) how often and how far we drive; 2) how much energy we use; 3) how long and well the regional roadway network will function; 4) how much air and water pollution we generate; 5) how much the public must spend on public facilities and infrastructure; 6) how much land and water we consume; 7) the extent to which upland and wetland systems are impacted; 8) whether there is an adequate supply of affordable housing; 9) how successful we are at infill and redevelopment of our established towns and cities; 10) how competitive we are in attracting business and economic development; 11) the region's ability to minimize crime and emergency response times; 12) how much public money we have to spend on education and care of the elderly and children; 13) how well we respond and recover from natural disasters; 14) how successful we are in implementing the Comprehensive Everglades Restoration Plan and restoring the Loxahatchee River, St. Lucie River, and Indian River and Lake Worth Lagoon systems; and many other important regional issues and concerns.

The Provinces Master Development Plan provides a good foundation for achieving consistency with the SRPP. During the review period, the developer has made various modifications to its master plan. This was done in response to Council staff recommendations and to better address traditional neighborhood and town planning principles contained in the SRPP. It is encouraging that the current conceptual master plan does address some of the fundamental principles of traditional planning and urban

design. At the same time, issues such as a clear neighborhood structure, integration of building types and uses within neighborhoods, compactness and walkability, parking and building placement, and distribution of parks, greens and civic sites within neighborhoods are not as well-addressed. Given the somewhat urban nature of the development program, further work on the plan and these details are recommended.

In response to this situation, the Provinces assessment report contains recommended DO conditions and an Alternative Master Plan that suggest how the Provinces master plan can be further detailed and improved to be consistent with the SRPP and further its implementation. These recommendations are made in response to the Provinces master plan within the context of the SRPP. They are provided to address urban form issues, minimize project-related regional impacts, improve the project's capacity and ability to address regional issues, and to further implement the SRPP.

TRANSPORTATION

"The cities will be part of the country; I shall live 30 miles from my office in one direction, under a pine tree; my secretary will live 30 miles away from it too, in the other direction, under another pine tree. We shall both have our own car. We shall use up tires, wear out road surfaces and gears, consume oil and gasoline. All of which will necessitate a great deal of work ... enough for all."

-Le Corbusier, The Radiant City (1967)

"...we shall solve the City Problem by leaving the City."

-Henry Ford (1922)

Provinces DRI is a proposed multi-use development to be located in the northwest quadrant of the intersection of Midway Road and Interstate 95 in St. Lucie County, Florida. The proposed development includes 4,443 residential units, a 350-room hotel, 1,435,706 square feet of commercial development, 1,000,000 square feet of medical office development, a 16-screen movie theater, a 1,500 student middle school, a 5,000 square feet day care, and a fire station with 8 employees. The project is to be developed in three phases with buildout in the year 2020.

The traffic study included in the ADA includes several DRIs which have either been approved or are currently going through the approval process. While all DRIs within the Western Annexation Area in the City of Port St. Lucie have been approved by the local government, it is anticipated that development will not proceed as aggressively as presented in their ADAs. Therefore, some of the transportation improvements may be needed at a later date than identified in the traffic study. In addition, two of the DRIs included as "committed developments" in the traffic study for the Provinces DRI have recently, within the last month, withdrawn the application for development approval. These are the Indrio Groves DRI and Orchard Park DRI. Due to these factors, traffic projections are likely to be overestimated. A summary of the traffic study is presented in Appendix F.

Transportation impacts related to the Provinces DRI and other growth expected in the area will require mitigation through widening of roadways, expansion of intersections, and the provision of adequate lane geometry to ensure that an acceptable level of service can be maintained on the regional roadway network. As such, new roadway construction and expansions are being recommended.

In addition to many other roadway improvements, the following roadway segments will need to be widened to eight lanes in order to maintain adopted levels of service:

- Crosstown Parkway from I-95 to California Boulevard (Year 2016)
- Crosstown Parkway from Cashmere Boulevard to Bayshore Boulevard (Year 2016)
- Crosstown Parkway from Champion Way to Commerce Center Parkway (Year 2016)
- Midway Road from Commerce Center Parkway to I-95 (Year 2019)
- Okeechobee Road from I-95 to Jenkins Road (Year 2019)

The improvements identified above are not currently included in the St. Lucie County Comprehensive Plan or the Metropolitan Planning Organization Long Range Plan.

Given the close proximity to Interstate 95, the development has significant impact along several segments of the interstate which require widening to maintain adopted levels of service. As such, the following expansion of I-95 is being recommended:

- I-95 between Indrio Road and Orange Avenue, widening to six lanes (Year 2016).
- I-95 between Orange Avenue and Okeechobee Road, widening to six lanes (Year 2020).
- I-95 between Okeechobee Road and Crosstown Parkway (West Virginia Drive), widening to eight lanes (Year 2018).

Ramp improvements are also necessary in order to maintain adopted levels of service. Additional improvements have been recommended at both ramps and intersections with the main roads.

Close coordination with the Florida Department of Transportation is essential as improvements to the interstate require studies to justify them. Additionally, funding for design and construction needs to be secured and the improvements need to be programmed into the Florida Department of Transportation Improvements Work Program.

Some factors may affect government's ability to maintain an acceptable level of service on the regional roadway network. Changes to the Florida Department of Transportation

Adopted Transportation Improvement Work Program may expedite or delay construction of the required improvements to maintain adequate level of service on the regional roadway network. Rule 9J-2.045(7)(1)(b), FAC, requires an assessment and report of the guaranteed improvements on no less than a biennial basis. This report needs to identify the timing of improvements to assure they will be constructed according to schedule. This kind of report is being recommended as a condition of approval for this project.

Rule 9J-2.045, FAC, defines acceptable methods of guaranteeing identified roadway improvements:

“1. Scheduling of Facility Improvements

- a) A schedule which specifically provides for the mitigation of impacts from the proposed development on each significantly impacted roadway which will operate below the adopted level of service standard at the end of each project Phase’s build out, or alternatively, a subset stage of that Phase. The schedule shall ensure that each and every roadway improvement which is necessary to achieve the adopted level of service standard for that project stage or Phase shall be guaranteed to be in place and operational, or under actual construction for the entire improvement, at build out of each project stage or Phase that creates the significant impact.

This guarantee shall be in the form of:

- I. A clearly identified, executed and recorded local government development agreement, consistent with Sections 163.3220 through 163.3243, F.S., that is attached as an exhibit to the development order, and which ensures, at a minimum, that all needed roadway improvements will be available concurrent with the impacts of development, consistent with paragraph 163.3180(2)(c), F.S.;
- II. A binding and enforceable commitment in the development order by the local government to provide all needed roadway improvements concurrently with the development schedule approved in the development order;
- III. A local government commitment in the current year of their local government comprehensive plan Capital Improvement Element (CIE) to provide all needed roadway improvements, or a local government commitment in the current three years of their CIE to provide all needed roadway improvements when the local government has specifically adopted an in-compliance Rule 9J-5.0055(2)(c), F.A.C., concurrency management system in their plan;
- IV. A Florida Department of Transportation commitment in the current three years of the Adopted Work Program to provide all needed roadway improvements;

- V. A binding and enforceable commitment in the development order by the developer to provide all needed roadway improvements concurrently with the development schedule approved in the development order; or
- VI. Any combination of guarantees I through V above that ensures that all needed roadway improvements will be provided concurrently with the development schedule approved in the development order.”

Along with including the recommended conditions in the DO, St. Lucie County needs to provide a form of guarantee as stated above to meet the minimum criteria for insuring DCA will not appeal the DO. In accordance with the Transportation Standard Rule, St. Lucie County should attach an executed and recorded local government development agreement as an exhibit to the development order, if applicable. A condition specifying compliance with this agreement as a circumstance underlying approval of the project is recommended.

ENVIRONMENTAL AND NATURAL RESOURCES

Uplands

Improved pasture and forested upland communities are the main upland land covers on the 735.5-acre project site. The property contains 165.3 acres of pine flatwoods, the only native upland community identified (see Appendix A, Vegetation Associations). The applicant is proposing to protect 46.5 acres of pine flatwoods in the Wetland and Upland Preserve Area on the north side of the project, as shown on Map H, Master Development Plan. This represents protection of approximately 28.1 percent of all native upland plant communities on site, which is consistent with Council policy. The proposed plan exceeds Council’s recommendation that a minimum of 25 percent of the native upland communities be protected on site. The recommended D conditions include provisions for installing temporary fencing around the Wetland and Upland Preservation Area prior to commencing site clearing; preparation of a Preserve Area Management Plan; and removal of nuisance and invasive exotic vegetation.

Wetlands

The Provinces DRI site contains approximately 186 acres of wetlands, including hydric pine flatwoods (116.1 acres), wet prairie (45.8 acres), freshwater marsh (21.2 acres), exotic wetland hardwoods (2.0 acres), emergent aquatic vegetation (0.5 acres), and mixed wetland hardwoods (0.4 acres) (see the Vegetation Associations map and Wetland map in Appendix A). The applicant is proposing to protect and enhance about 92.9 acres of wetlands, including 76.5 acres of hydric pine flatwoods and 16.4 acres of freshwater marsh, in the 139.4-acre Wetland and Upland Preservation Area shown on Map H, Master Development Plan. The proposed plan will eliminate approximately 93 acres of the existing wetlands on the project site in order to accommodate urban development.

The South Florida Water Management District (SFWMD) issued Environmental Resources Permit No. 56-02538-P on December 14, 2006, authorizing the elimination of these wetlands subject to a number of conditions (see Appendix D). The conditions include a provision to preserve and manage the Wetland and Upland Preservation Area shown on Map H, Master Development Plan. The conditions also include a provision for wetland mitigation through the purchase of 4.4 freshwater forested wetland mitigation credits and 35.9 freshwater herbaceous wetland mitigation credits at the Bluefield Ranch Mitigation Bank in western St. Lucie County.

Some of the wetlands proposed for elimination and mitigation are high quality wetland systems. The wetland protection policies in the Strategic Regional Policy Plan require the protection of most high quality wetlands, rather than elimination and mitigation as authorized in the SFWMD permit (see **Policy 6.6.1.1** on page C-7 of Appendix C). However, Section 380.06(12)(b), Florida Statutes, states that when water management district and Florida Department of Environmental Protection (FDEP) permits have been issued pursuant to chapter 373 or chapter 403, the regional planning council may comment on the regional implications of the permits but may not offer conflicting recommendations.

The US Environmental Protection Agency (EPA) has expressed concerns over the elimination of high quality wetland systems on the Provinces DRI site (see correspondence from EPA on page B-28 in Appendix B). The EPA has recommended that the project be redesigned to achieve further avoidance and minimization of impacts, as well as preserve the most valuable wetland habitat on-site. The EPA indicates that the large mosaic of natural communities in the northern portion of the project should be preserved in perpetuity and could possibly serve as mitigation for unavoidable impacts to low quality wetlands in the southern portion of the site. The Alternative Master Development Plan offered in this report represents one way that the vision offered by the EPA could be achieved.

The recommended DO conditions can and only include provisions that are consistent with the SFWMD permit. The recommended conditions address protection and enhancement of wetlands and upland natural communities located within the Wetland and Upland Preservation Area, removal of exotic species, and preparation of a Preserve Area Management Plan to provide maintenance and management procedures for the preserved wetlands on the project site.

Listed Species

Listed species identified on the project site include the Florida Sandhill Crane (state listed – Threatened), White Ibis (state listed – Species of Special Concern), and American alligator (state listed – Species of Special Concern). Active and inactive Florida Sandhill Crane nests were found in several of the wetlands on the project site (see Appendix A, Wildlife). After the property is developed, habitat for Florida Sandhill Cranes and other

wildlife will be provided on site in the Wetland and Upland Preservation Area identified on the Provinces DRI Map H, Master Development Plan.

The recommended Development Order conditions include special provisions to protect the listed species identified on the project site. In order to protect Florida Sandhill Cranes, the developer is to maintain foraging habitat within the Wetland and Upland Preservation Area identified on the Provinces DRI Map H, Master Development Plan, and comply with all Florida Fish and Wildlife Conservation Commission recommendations regarding the maintenance and management of foraging habitat for this species. The details of all protection measures for listed species are to be provided in a Preserve Area Management Plan.

Stormwater Management

The existing surface water features on the project site include a series of isolated wetlands and several man-made lakes. Currently, stormwater runoff is collected and conveyed through the canal system of the North St. Lucie River Water Control District. The west half of the project site flows west to the C-93 canal. The east half of the project flows east to the C-102 canal or north to the C-96 canal. All of these canals ultimately outfall into Ten Mile Creek (see Appendix A, Existing Drainage).

The proposed surface water management system will consist of a network of inlets, culverts, stormwater treatment ponds, control structures, and wetlands (see Appendix A, Post-Development Drainage). Water quality treatment will be provided within stormwater treatment ponds in five basins. Off-site discharges will be directed into the North St. Lucie River Water Control District canal system, which ultimately outfalls into Ten Mile Creek. All operation and maintenance of the stormwater management system will be provided by a Community Development District and/or private Homeowners Association within the project.

The recommended DO conditions provide for the retention of maximum volumes of water on the project site; establishment of a water quality monitoring system to demonstrate that the North St. Lucie River Water Control District canal system, Ten Mile Creek, and adjacent properties will not be impacted by water from the project site in violation of state water quality standards; and the use of Best Management Practices to minimize the impact of chemical runoff associated with lawn and landscape maintenance.

Water Supply

Potable water will be supplied to the Provinces Development of Regional Impact by the Fort Pierce Utilities Authority (FUUA) in the short term and St. Lucie County Utilities (SLCU) in the long term. The applicant has projected that the total water demand of the project will be 2.60 million gallons per day (MGD) at buildout. The water demand is broken down between potable water demand of 1.89 MGD and non-potable water demand of 0.72 MGD. The SFWMD indicates SLCU do not have adequate permitted

water allocations to meet the project's potable water demands. Amendments to the St. Lucie County and City of Fort Pierce comprehensive plans may be necessary to demonstrate there is an adequate supply of potable water, treatment and delivery facilities to meet the needs generated by the project and that the necessary capital facilities are available or have been planned to meet the needs of the proposed development (see SFWMD report in Appendix B).

The applicant intends to meet the project's non-potable (landscape irrigation) demands by withdrawals from surface and/or groundwater sources, until such time that reclaimed water becomes available. Currently, there are no existing or proposed wells located on the project site. The application indicates on-site surficial wells may be installed, subject to SFWMD approvals, to facilitate the recharge of on-site stormwater detention areas. The recommended DO conditions include provisions requiring the use of treated wastewater effluent when it becomes available to the site, xeriscape landscaping, and other water conservation devices and methods.

Wastewater Management

Wastewater generated by the project at buildout is estimated to be 1.886 MGD. St. Lucie County Utilities will provide off-site wastewater treatment. Septic tanks are not proposed for the project. The recommended DO conditions include provisions requiring that prior to approval of a development parcel, adequate capacity for wastewater treatment is in place, reuse water infrastructure is available to serve the project, and the necessary wastewater system extensions are in place.

Solid Waste and Hazardous Materials

The project as proposed, according to the St. Lucie County Solid Waste Division calculations, will generate approximately 1,612 tons/year during Phase 1; 12,185 tons/year during Phase 2; 3,033 tons/year during Phase 3; and 2,724 tons/year during Phase 4 which is primarily commercial construction, totaling 19,554 tons/year at project build-out. St. Lucie County Glades Road Landfill has indicated that it has capacity to provide the necessary services for the proposed development. Calculations by St. Lucie County Solid Waste Division indicate that sufficient capacity exists or will exist to support this project. However, Class 1 landfill capacity is projected to end in 2044. Similarly, construction and demolition debris landfill capacity is projected to end in 2020.

In addition some storage and warehouse facilities and medical offices may be developed that are anticipated to store, utilize or generate hazardous waste. Medical offices will utilize bio-hazardous waste collection and disposal methods as defined by the Small Quantity Generators Program and the FDEP rules and regulations.

Air Quality

The FDEP reviewed the Provinces DRI application and found that an air quality analysis for the roadway intersections will not be required. However, insufficient parking data was provided to determine if air quality modeling would be necessary to address parking concerns. To address this issue, FDEP recommended two DO conditions included in this report to ensure that National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project.

The recommended DO conditions also include provisions requiring soil treatment techniques appropriate for controlling unconfined particulate emissions during land clearing and site preparation. The purpose of this is to minimize dust production and soil erosion during land clearing and to prevent soil particulates from becoming airborne between the time of clearing and construction. The development is to comply with all National Pollutant Discharge Elimination System requirements.

HUMAN RESOURCE ISSUES

Revenue Generation Summary

The Provinces DRI is expected to generate ongoing revenue benefits to St. Lucie County. The projected revenues generated by the DRI include ad valorem taxes, sales taxes, utility taxes, gas taxes, permits, licenses, and impact fees. At project buildout (2020), the project is estimated to generate over \$20.0 million in recurring ad valorem tax revenue. Annual school board tax receipts will exceed \$12.2 million at buildout.

Development of the project is expected to generate a need for approximately \$36.0 million in capital facility outlays for water and wastewater facilities. These capital outlays are the responsibility of the developer. Capital cost impacts for transportation facilities have not yet been determined.

Total annual sales tax, transit tax and utility services taxes and fees are estimated at \$8.82 million.

Fiscal Impacts

At buildout, the Provinces DRI is estimated to have a taxable value of approximately \$1.9 billion. Fiscal impact analysis of the project estimates annual expenditures made by St. Lucie County on behalf of the residents and employees of the development to be \$2.3 million by 2010 and \$11.5 million annually at buildout. These expenditures include general government services, police and transportation. These expenditures are contrast with projected revenues of \$4.7 million by 2010 and \$25.4 million at buildout, generating a positive net fiscal operating impact of \$2.5 million in 2010 and a positive impact of \$13.8 million at buildout. The present value of the net total fiscal impact of the project

for St. Lucie County over a twenty year time period is estimated at \$47.7 million (see Appendix K, Fiscal Impact Analysis).

Housing

The Provinces DRI is designed as a 4,443 dwelling unit master-planned mixed-use development. The project encompasses a town center, community retail, medical and professional office, single and multifamily residential components. The applicant indicates the residential portion of the total project will include housing of various densities and price ranges including single family, townhomes and multi-family for sale units. No rental housing units are proposed for the development. Higher residential densities will be focused in the Town Center.

The Provinces DRI is expected to create approximately 7,178 new full-time jobs on site by 2020. This level of permanent employment will, in turn, generate a demand for some 4,045 housing units spread across very low, low and moderate income households as illustrated. The applicant’s analysis suggests worker households can afford to purchase a home or rent an apartment based upon the following affordability thresholds:

Applicant’s Housing Demand and Affordability Thresholds

Income Group	Demand	Maximum Income Limits ¹	Affordability Thresholds ²	
			Purchase Price	Rent
Very-low	1,132	\$24,450	\$81,173	\$535
Low	1,786	\$38,020	\$131,608	\$900
Moderate	1,126	\$58,530	\$199,142	\$1,387
Total	4,045			

¹ HUD FY 2005 Median Family Income of \$52,450 for Fort Pierce-Port St. Lucie MSA.

² Affordability limits for home prices (for-sale housing) and maximum rental rates by income group.

Staff has reviewed the analysis and has adjusted the affordability thresholds to reflect the HUD 2006 Income Limits for Port St. Lucie – Fort Pierce MSA, which incorporates St. Lucie County. These adjusted affordability thresholds are:

TCRPC Housing Demand and Adjusted Affordability Thresholds

Income Group	Demand	Maximum Income Limits ¹	Affordability Thresholds ²	
			Purchase Price	Rent
Very-low	1,132	\$27,300	\$51,300	\$683
Low	1,786	\$43,680	\$115,250	\$1,092
Moderate	1,126	\$65,520	\$202,000	\$1,638
Total	4,045			

¹ HUD FY 2006 Median Family Income of \$54,600 for Fort Pierce-Port St. Lucie MSA.

² Affordability limits for home prices (for-sale housing) and maximum rental rates by income group.

The applicant has indicated generally, in the ADA the following average value per type of dwelling unit:

Single Family Units:

Detached Units \$368,400
 Townhome Units: \$285,500

Multi-Family Units:

Condominiums \$196,500

If provided, the for-sale multi-family dwelling units would offset some of the affordable housing demand generated for moderate income worker households created by the Provinces DRI. Very-low and low income housing demand cannot be met at these suggested price levels.

The applicant concluded in its affordable housing needs analysis the supply of off-site available for sale and for rent housing units more than offsets the affordable housing demand generated by the non residential portion of the Provinces DRI. The applicant's analysis also indicates the proposed project will generate a significant need for housing affordable to very-low income households. The following table shows the applicant's estimates for very low income (VLI), low income (LI), and moderate income (MI) adequate housing need for the project at project buildout:

	Housing Demand	Housing Supply	Housing Surplus (+) Housing Need (-)
VLI	1,132	592	-540
LI	1,786	2,043	+257
MI	1,126	3,036	+1,910

In the applicant's affordable housing supply analysis, 110 very low income units out of the total estimated supply of 592 came from a proximate DRI – Tradition. Staff has discounted this allocation of 110 units from the overall supply as no evidence was provided to indicate these units had not already been accounted for in other DRI affordable housing needs studies. The adjusted housing supply of 482 units then creates an unmet housing demand of 650 very low income housing units.

The Provinces DRI project will generate an adequate housing need for six hundred and fifty (650) units of very-low income housing which cannot be accommodated on site or within a reasonable proximity to the development. The applicant should therefore mitigate for this unmet housing demand by providing six hundred and fifty units of workforce housing in some combination of rental and/or for sale units at the TCRPC adjusted affordability thresholds for for-sale units and for rental units. Council's *Attainable Housing Toolkit* (Appendix J) may be referenced as a guide for the creation of workforce housing.

Schools

The Provinces DRI proposes an entirely new residential and mixed-use development upon property currently utilized for agricultural purposes or maintained as native habitat. According to data provided in the ADA, the project proposes 4,443 new dwelling units. Based on the student generation rate provided by the St. Lucie County School District, the project is expected to generate a total of roughly 1,039 new students as follows:

727 K-8 students
312 high school students

Based on the anticipated student generation from the proposed DRI, the School District indicates the need for one K-8 school site of not less than twenty acres, provided stormwater treatment would be handled off-site and integrated into a master stormwater drainage system for the project, proportionate share payments of 45.5% of one new K-8 school (sized for 1,600 students) and 12.5% of one new high school (sized for 2,500 students) (see correspondence dated March 5, 2007 from the St. Lucie County School District included in Appendix B).

Based on this recommendation, the developer would be required to enter into a development agreement with the St. Lucie County School District with the responsibility to fund approximately \$26.7 Million in construction and equipment costs for the project's proportionate costs of new educational facilities and the dedication of not less than twenty acres for one new K-8 school site. These recommendations are detailed in the conditions contained in this report.

Police and Fire Protection

The applicant has estimated the total population of the project at buildout to be approximately 10,308 persons. The St. Lucie County Sheriff's Office has confirmed in a response letter dated May 1, 2006 to the applicant that their office is currently fifty five patrol deputies short. The Sheriff's Office has indicated it will lack manpower to respond appropriately and fully to residents needs. The recommended DO conditions include a provision that no building take place until such time as the applicant receives written confirmation from the St. Lucie County Sheriff's Office that it has adequate facilities and personnel to serve the Provinces DRI.

The application indicates that a 3.0-acre fire station site will be dedicated adjacent to Midway Road as illustrated on Map H, Master Development Plan. The St. Lucie County Fire District has indicated their intention to negotiate a development agreement with the applicant providing for all necessary facilities and equipment to meet the demand of the project.

Hurricane Preparedness

The proposed development is not within the Coastal High Hazard and Storm Surge zone within St. Lucie County. The Provinces DRI projects 4,443 residential units (estimated 10,308 persons) at buildout. These figures show an increased need for public and special needs shelter space capacity. In the event of a significant hurricane (Category 3 or above), the proposal describes a strategy to lessen impacts on County shelter resources by encouraging residents to “shelter in place” and by the construction of an on-site K-8 school building providing a hurricane hardened “auditeria”. The proposed DRI indicates that the building will provide 8,921 SF of hurricane shelter space (446 spaces) to off-set the public shelter space deficit identified by St. Lucie County Division of Emergency Management. According to the 2003 Treasure Coast Regional Hurricane Evacuation Study, a worst case scenario estimates up to twenty percent (2,061 persons) of the development’s non-vulnerable population is expected to evacuate. Approximately twenty percent (412 persons) of this group of evacuees will seek public shelter locally. St. Lucie County Division of Emergency Management records indicate that 4678 persons stayed at shelters countywide during the 2004 season. In addition, 569 evacuees were sheltered at special needs shelters. Dividing the special needs number of evacuees by the number of regular shelter evacuees produces .122 special needs evacuees that occurred for every regular shelter evacuee. The estimated special needs population is 50 persons at project build-out and will impact County special needs shelters significantly. Special needs shelter space has been increased from 50 square feet to a provision of 60 square feet to accommodate the client as well as space allowance for caregivers, medical staff and equipment.

Parks and Recreation

The Provinces DRI application indicates that the proposed project will include three neighborhood parks, measuring 2.25 acres, 2.65 acres, and 2.15 acres. The 7.6 acres of neighborhood parks are shown on Map H, Master Development Plan. These parks are planned to provide general recreation, tennis, and swimming facilities. The parks are to be maintained by a Master Homeowners Association and/or the Community Development District.

The St. Lucie County Comprehensive Plan indicates that the desired outdoor recreation standard for neighborhood parks is 0.5 acres per 1000 population. The plan also indicates that the standard for community parks, which may contain athletic fields and accommodate a wider range of recreational activities, is 5.0 acres per 1000 population. Based on these standards, the projected population of 10,308 persons will generate the need for approximately 5 acres of neighborhood parks, and 50 acres of community parks. The recommended DO includes a condition calling for the developer to provide a plan approved by St. Lucie County for the provision of neighborhood and community recreational sites and facilities to meet the demand created by residential development in the project.

Historic and Archaeological Sites

An archaeological survey of the Provinces property was conducted in August, 2005. There was a modern Seminole Indian camp (circa 1960s to 1990s) on the parcel's southwestern corner, but the campsite was determined to not be significant because it is less than 50 years old. No other historic or archaeological resources were discovered during this survey. The Florida Department of State, Division of Historical Resources, has concluded that the proposed development is unlikely to affect cultural resources. In the event that archaeological artifacts are discovered during construction, the recommended DO conditions include a provision requiring construction to stop. Proper protection is to be provided to the satisfaction of St. Lucie County and the Division of Historical Resources, Florida Department of State.

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GENERAL CONDITIONS OF APPROVAL

The Florida Department of Community Affairs rules require the Development Order to incorporate the Application for Development Approval by reference, recite the quantities of uses approved, phasing and buildout dates, provide a termination date, and provide for biennial reports. The expiration date should be set to allow reasonable time for completion of all development and compliance with all conditions in the Development Order. Enough time should be allowed between the buildout date and the expiration date for the developer to request any needed extension to the buildout date. These requirements can be met by including the following conditions in the Development Order:

Application for Development Approval

1. The Provinces Development of Regional Impact Application for Development Approval is incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval, as modified by Development Order conditions, is a condition for approval. Prior to final approval of any site plan application for the Provinces Development of Regional Impact, the developer shall revise the Application for Development Approval to ensure that the phasing schedule and development plan are internally consistent within all sections of the Application for Development Approval and Development Order.

For purposes of this condition, the Application for Development Approval shall include the following items:

- a) Application for Development Approval dated January 26, 2006; and
- b) Supplemental information dated June 19, 2006; September 14, 2006; and January 3, 2007.

Commencement and Process of Development

2. In the event the developer fails to commence significant physical development within three years from the effective date of the Development Order, development approval shall terminate and the development shall be subject to further Development of Regional Impact review by the Treasure Coast Regional Planning Council, Florida Department of Community Affairs, and St. Lucie County pursuant to Section 380.06, Florida Statutes. However, this time period shall be tolled during the pendency of any appeal pursuant to Section 380.07, Florida Statutes. For the purpose of this paragraph, construction shall be deemed to have initiated after placement of permanent evidence of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation or land clearing, such as the construction of roadways or other utility infrastructure.

Phasing

3. The phasing of the Provinces Development of Regional Impact is approved as follows:

Phase ¹	Years	Residential (DU)	Office (SF)	Retail (SF)	Conference Center (SF)	Hotel (rooms)
1	2006-2010	1,194	0	687,792	0	0
2	2011-2015	1,249	0	747,914	0	350
3	2016-2020	2,000	1,000,000	0	240,000	0
Total	2006-2020	4,443	1,000,000	1,435,706	240,000	350

¹ This phasing table is based on information provided in Table 21.A.1 included in the answer to Question 21 – Transportation, of the Application for Development Approval.

Buildout Date

4. The Provinces Development of Regional Impact shall have a buildout date of December 31, 2020, unless otherwise amended pursuant to the conditions of this Development Order and Section 380.06, Florida Statutes.

Termination Date

5. This Development Order shall expire on December 31, 2027, unless extended as provided in Section 380.06(19)(c), Florida Statutes.

Transfer of Approval

6. Notice of transfer of all or a portion of the subject property shall be filed with the St. Lucie County Board of County Commissioners. Prior to transfer, the transferee shall assume in writing on a form acceptable to the County Attorney, any and all applicable commitments, responsibilities, and obligations pursuant to the Development Order. The intent of this provision is to ensure that subsequent property transfers do not jeopardize the unified control, responsibilities, and obligations required of the project as a whole.

Biennial Report

7. The biennial report required by subsection 380.06(18), Florida Statutes, shall be submitted every two years on the anniversary date of the adoption of the Development Order to St. Lucie County, Treasure Coast Regional Planning Council, Florida Department Community Affairs, and such additional parties as may be appropriate or required by law. The contents of the report shall include those items required by this Development Order and Rule 9J-2.025(7), Florida Administrative Code. The St. Lucie County Growth Management Director shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order.

General Provisions

8. Any modifications or deviation from the approved plans or requirements of this Development Order shall be made according to and processed in compliance with the requirements of Section 380.06(19), Florida Statutes and Rule 9J-2, Florida Administrative Code.
9. The definitions found in Chapter 380, Florida Statutes shall apply to this Development Order.
10. Reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as a successor in interest to, or which otherwise possesses the powers and duties to any referenced governmental agency in existence on the effective date of this Development Order.
11. This Development Order shall be binding upon the developer and its assignees or successors in interest.

REGIONAL PLANNING

Master Development Plan

12. Prior to final approval of any site plan application for the Provinces Development of Regional Impact, the developer should continue to revise and detail Map H, Master Development Plan, to further address the neighborhood and town planning principles contained and illustrated in: 1) Appendix I of the Treasure Coast Regional Planning Council Assessment Report for the Provinces Development Regional Impact, Components of the Traditional Urban Neighborhood – Authentic Mixed Use for DRIs; and 2) the Alternative Master Development Plan for the Provinces DRI, dated February 24, 2007.

At a minimum, the Map H, Master Development Plan, should provide for: 1) a more clearly defined neighborhood and district structure; 2) each neighborhood to include a mix of all housing ranges and types, and an interconnected network of streets, sidewalks and public open space; 3) commercial and civic uses integrated into the neighborhoods; and 4) good connectivity between neighborhoods and districts.

The intent of providing an Alternative Master Development Plan for the Provinces Development of Regional Impact is to illustrate a more compact and integrated mix of land uses that: 1) establishes the neighborhood as the fundamental unit of development for creating the plan; 2) provides for a highly interconnected network of walkable streets; 3) reduces land consumed for development; 4) minimizes the public cost for providing services; 5) reduces dependency on the automobile; 6) encourages and accommodates public transit; 7) addresses the special needs of children and the elderly; 8) incorporates a well-located system of parks, greens and civic sites; 9) reduces impacts on the natural environment; 10) creates a comprehensive system for

water management; 11) reduces the need to consume energy; 12) provides for a variety of housing types to support residents of diverse ages, incomes, family sizes, and lifestyles; 13) integrates commercial and residential uses; 14) focuses development within the County's Urban Service Boundary; and 15) demonstrates complementary and compatible land use relationships to adjacent properties related to height, scale, use, street networks, water management systems, and public open space and park systems.

The Alternative Master Development Plan suggests one way in which the Provinces Development of Regional Impact can address the objectives listed above and become more consistent with the goals, strategies and policies of the Strategic Regional Policy Plan. It illustrates one of many possible plans and development programs for the property that could be achieved consistent with traditional neighborhood and town planning principles and the Strategic Regional Policy Plan. Special factors that will affect and influence the master planning of the project include: two large electrical power line rights-of-way, the urban service boundary, proximity to I-95 ramps and set alignments with a planned north-south arterial roadway, existing South Florida Water Management District environmental resources permit, and multiple property ownership patterns with the Development of Regional Impact.

Town Planning

13. To assure a mixed-use, compact, and pedestrian/bicycle-friendly environment, ready to accommodate various modes of public transportation, the developer should provide the following to St. Lucie County prior to approval of the final site plan for each phase of development within the Provinces Development of Regional Impact:
 - a) A Compendium of Street Sections similar to the example provided in Appendix H of the Treasure Coast Regional Planning Council Assessment Report for the Provinces Development of Regional Impact should be established for this property to regulate allowable shapes and sizes of streets; placement of parking, street trees, street lights and furniture, buildings and utilities, and pavement and sidewalk widths; and to ensure that streets do not become physical barriers between neighborhoods.
 - b) Detailed neighborhood plans depicting appropriate block sizes and the location and types of the building types proposed: commercial, office, mixed use, apartment/condominium house, single family rear and side yard, and row houses.
 - c) The applicant, subject to local government approval, can make modifications to Map H, Master Development Plan, that will not trigger a Notice of Proposed Change such as the location, size, arrangement and design of neighborhoods and districts, buildings, squares, parks, greens, civic sites and uses, trails, local streets and driveways, aesthetic features, edge treatments, water bodies, and other design components that: 1) do not substantially change the character or impacts of the project; and 2) are consistent with the town planning and urban design principles

outlined in Components of the Traditional Urban Neighborhood – Authentic Mixed Use for DRIs provided in Appendix I of the Treasure Coast Regional Planning Council Assessment Report for the Provinces Development of Regional Impact.

To the extent that the foregoing provisions are included in any applicable St. Lucie County Regulations for the property, such additional plans are not required.

TRANSPORTATION

Rights of Way

14. No building permits for Provinces Development of Regional Impact shall be issued until right-of-way within the project along Midway Road, and all intersections thereof, has been dedicated free and clear of all liens and encumbrances to St. Lucie County as necessary and consistent with the roadway network contained in the St. Lucie County Comprehensive Plan.

External Roadways

15. No building permits shall be issued for development that generates more than the net external two-way p.m. peak hour trip threshold identified in Table 1 or after December 31 of the estimated year of failure identified in Table 1, whichever comes last, until either:
 - a) contracts have been let for the roadway widening or construction projects identified in Table 1 under “Improvements;” or
 - b) a local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or
 - c) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or
 - d) the required improvement has been included in the first three years of the St. Lucie County Five-Year Road Program or the Florida Department of Transportation Five-Year Work Program.

**Table 1
Provinces DRI
External Roadway Improvements**

Road Segment	Trip * Threshold	Estimated Year of Failure	Improvement
Midway Road - I-95 to Project/Commerce Center Pkwy.	104	2008	4LD
Midway Road - East Torino Pkwy. to Selvitz Rd.	478	2008	4LD
Midway Road - 25th St. to Oleander Ave.	716	2008	4LD
Commerce Center Parkway - Glades Cut-Off Rd. to St. Lucie W. Blvd.	476	2011	4LD
Midway Road - Selvitz Rd. to 25th St.	969	2011	4LD
Midway Road - Oleander Ave. to US-1	1,089	2011	4LD
Kings Highway - Indrio Rd. to St. Lucie Blvd.	2,092	2011	4LD
Kings Highway - St. Lucie Blvd. to Angle Rd.	2,092	2011	4LD
Okeechobee Road - Delaware Ave. to 13th St.	2,465	2011	4LD
Okeechobee Road - 13th St. to US-1	3,698	2011	4LD
Indrio Road - I-95 to Johnston Rd.	4,184	2011	4LD
Indrio Road - Emerson Ave. to Kings Hwy.	4,184	2011	4LD
Kings Highway - Winter Garden Pkwy. to Indrio Rd.	4,184	2011	4LD
Okeechobee Road - Kings Hwy. to I-95	4,428	2011	6LD
Kings Highway - Angle Rd. to Orange Ave.	1,660	2012	4LD
Midway Road - I-95 to Project/Commerce Center Pkwy.	277	2014	6LD
Commerce Center Parkway - Midway Rd. to Glades Cut-Off Rd.	209	2015	6LD
Crosstown Parkway - I-95 to California Blvd.	2,716	2016	8LD
Crosstown Parkway - Cashmere Blvd. to Bayshore Blvd.	4,264	2016	8LD
Crosstown Parkway - Champion Way to Commerce Center Pkwy.	7,481	2016	8LD
Indrio Road - Johnston Rd. to Emerson Ave.	7,660	2016	4LD
Okeechobee Road - Virginia Ave. to 25th St.	1,915	2017	6LD
Glades Cut-Off Road - Commerce Center Pkwy. to Range Line Rd.	970	2018	4LD
St. Lucie West Boulevard - NW Peacock Blvd. to California Blvd.	3,329	2018	6LD
Midway Road - I-95 to Project/Commerce Center Pkwy.	374	2019	8LD
Okeechobee Road - I-95 to Jenkins Rd.	1,982	2019	8LD
St. Lucie West Boulevard - California Blvd. to Cashmere Blvd.	5,277	2019	6LD

* Net external two-way p.m. peak hour trips

Intersections

16. No building permits shall be issued for development that generates more than 478 net external two-way p.m. peak hour trips or after December 31, 2008, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and East Torino Parkway
Add second eastbound thru lane

The intersection improvements above shall be done at the same time as improvements to Midway Road included in Table 1.

- 17. No building permits shall be issued for development that generates more than 716 net external two-way p.m. peak hour trips or after December 31, 2008, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and Oleander Avenue
Add second eastbound thru lane
Add second westbound thru lane

The intersection improvements above shall be done at the same time as improvements to Midway Road included in Table 1.

- 18. No building permits shall be issued for development that generates more than 946 net external two-way p.m. peak hour trips or after December 31, 2009, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and US-1
Add second westbound thru lane
Add second northbound left-turn lane

- 19. No building permits shall be issued after December 31, 2010 until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Okeechobee Road and Kings Highway
Add northbound right-turn lane
- b) St. Lucie West Boulevard and Cashmere Boulevard
Add second northbound left-turn lane

20. No building permits shall be issued for development that generates more than 969 net external two-way p.m. peak hour trips or after December 31, 2011, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and Selvitz Road
Add second eastbound thru lane
Add second westbound thru lane

- b) Midway Road and 25th Street
Add second eastbound thru lane
Add second westbound thru lane

The intersection improvements above shall be done at the same time as improvements to Midway Road included in Table 1.

21. No building permits shall be issued for development that generates more than 2,092 net external two-way p.m. peak hour trips or after December 31, 2011, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Indrio Road and Kings Highway
Add southbound right-turn lane

The intersection improvements above shall be done at the same time as improvements to Kings Highway included in Table 1.

22. No building permits shall be issued for development that generates more than 4,428 net external two-way p.m. peak hour trips or after December 31, 2011, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Okeechobee Road and Kings Highway
Add second eastbound left-turn lane

The intersection improvements above shall be done at the same time as improvements to Okeechobee Road included in Table 1.

23. No building permits shall be issued for development that generates more than 1,660 net external two-way p.m. peak hour trips or after December 31, 2012, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Orange Avenue and Kings Highway
Add second southbound left-turn lane

The intersection improvements above shall be done at the same time as improvements to Kings Highway included in Table 1.

24. No building permits shall be issued for development that generates more than 2,570 net external two-way p.m. peak hour trips or after December 31, 2013, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) St. Lucie West Boulevard and NW Peacock Boulevard
Add third eastbound thru lane
Add third westbound thru lane
- b) St. Lucie West Boulevard and California Boulevard
Add third eastbound thru lane
Add third westbound thru lane

25. No building permits shall be issued after December 31, 2015 until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Prima Vista Boulevard and Bayshore Boulevard
Add third eastbound thru lane
Add third westbound thru lane

26. No building permits shall be issued for development that generates more than 209 net external two-way p.m. peak hour trips or after December 31, 2015, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida

Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Glades Cut-Off Road and Commerce Center Parkway
 - Add northeastbound left-turn lane (Glades Cut-Off Road)
 - Add southwestbound left-turn lane (Glades Cut-Off Road)
 - Add southeastbound right-turn lane (Commerce Center Parkway)
 - Add southeastbound left-turn lane (Commerce Center Parkway)
 - Add northwestbound left-turn lane (Commerce Center Parkway)
 - Signalize

The intersection improvements above shall be done at the same time as improvements to Commerce Center Parkway included in Table 1.

27. No building permits shall be issued for development that generates more than 969 net external two-way p.m. peak hour trips or after December 31, 2016, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and Selvitz Road
 - Add eastbound right-turn lane

28. No building permits shall be issued for development that generates more than 1,089 net external two-way p.m. peak hour trips or after December 31, 2016, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and US-1
 - Add northbound right-turn lane

29. No building permits shall be issued for development that generates more than 1,660 net external two-way p.m. peak hour trips or after December 31, 2016, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Angle Road and Kings Highway
Add second northbound thru lane
Add second southbound thru lane

- b) Orange Avenue and Kings Highway
Add second northbound thru lane
Add second southbound thru lane

30. No building permits shall be issued for development that generates more than 4,184 net external two-way p.m. peak hour trips or after December 31, 2016, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Indrio Road and Kings Highway
Add second northbound thru lane
Convert southbound right-turn lane to thru lane

31. No building permits shall be issued for development that generates more than 2,604 net external two-way p.m. peak hour trips or after December 31, 2017, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Okeechobee Road and Jenkins Road
Add second northbound left-turn lane
Add second southbound left-turn lane

32. No building permits shall be issued for development that generates more than 3,329 net external two-way p.m. peak hour trips or after December 31, 2018, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) St. Lucie West Boulevard and NW Peacock Boulevard
Add second eastbound left-turn lane
Add westbound right-turn lane
Add second southbound left-turn lane

The intersection improvements above shall be done at the same time as improvements to St. Lucie West Boulevard included in Table 1.

33. No building permits shall be issued for development that generates more than 5,277 net external two-way p.m. peak hour trips or after December 31, 2019, whichever comes last, until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) St. Lucie West Boulevard and Cashmere Boulevard
Add third eastbound thru lane
Add third westbound thru lane

The intersection improvements above shall be done at the same time as improvements to St. Lucie West Boulevard included in Table 1.

Interstate 95

34. No building permits shall be issued for development that generates more than 4,381 net external two-way p.m. peak hour trips or after December 31, 2016, whichever comes last, for the roadway widening or construction projects identified below, until either: 1) contracts have been let for the roadway widening or construction projects; or 2) local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or 3) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or 4) the required improvement has been included in the first three years of the Florida Department of Transportation Five-Year Work Program:

- a) Interstate 95 from Indrio Road to Orange Avenue – Widen to six lanes.

35. No building permits shall be issued for development that generates more than 1,775 net external two-way p.m. peak hour trips or after December 31, 2018, whichever comes last, for the roadway widening or construction projects identified below, until either: 1) contracts have been let for the roadway widening or construction projects; or 2) local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or 3) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or 4) the required improvement has been included in the first three years of the Florida Department of Transportation Five-Year Work Program:

- a) Interstate 95 from Midway Road to St. Lucie West Boulevard – Widen to eight lanes.

36. No building permits shall be issued for development that generates more than 1,870 net external two-way p.m. peak hour trips or after December 31, 2018, whichever comes last, for the roadway widening or construction projects identified below, until either: 1) contracts have been let for the roadway widening or construction projects; or 2) local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or 3) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or 4) the required improvement has been included in the first three years of the Florida Department of Transportation Five-Year Work Program:

- a) Interstate 95 from St. Lucie West Boulevard to Crosstown Parkway – Widen to eight lanes.

37. No building permits shall be issued for development that generates more than 2,391 net external two-way p.m. peak hour trips or after December 31, 2020, whichever comes last, for the roadway widening or construction projects identified below, until either: 1) contracts have been let for the roadway widening or construction projects; or 2) local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or 3) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or 4) the required improvement has been included in the first three years of the Florida Department of Transportation Five-Year Work Program:

- a) Interstate 95 from Orange Avenue to Okeechobee Road – Widen to six lanes.

38. No building permits shall be issued after December 31, 2010 until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

- a) Midway Road and Interstate 95 West Ramp
Add southbound right-turn lane
- b) Midway Road and Interstate 95 East Ramp
Signalize

39. No building permits shall be issued after December 31, 2013 until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

a) Midway Road and Interstate 95 East Ramp

Add second eastbound left-turn lane

Add second northbound left-turn lane

40. No building permits shall be issued after December 31, 2018 for the roadway widening or construction projects identified below, until either: 1) contracts have been let for the roadway widening or construction projects; or 2) local government development agreement consistent with Sections 163.3220 through 163.3243, Florida Statutes, has been executed and attached as an exhibit to the development order; or 3) the developer has paid or has entered into a binding agreement to pay its proportionate fair share pursuant to Section 163.3180(12), Florida Statutes, or Chapter 9J-2.045(7)(a)3, Florida Administrative Code, as applicable; or 4) the required improvement has been included in the first three years of the Florida Department of Transportation Five-Year Work Program:

a) Interstate 95 from Okeechobee Road to Midway Road – Widen to eight lanes.

b) Crosstown Parkway Interchange with Interstate 95 – Widen southbound I-95 off-ramp to two lanes.

c) Midway Road Interchange with Interstate 95 – Widen southbound I-95 on-ramp to two lanes.

41. No building permits shall be issued after December 31, 2018 until contracts have been let for the following intersection improvements. Surety shall be provided to the satisfaction of either St. Lucie County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection improvements, including signalization modifications as warranted by County and/or State criteria:

a) Midway Road and Interstate 95 West Ramp

Add second westbound left-turn lane

Add second southbound left-turn lane

b) Midway Road and Interstate 95 East Ramp

Add third westbound thru lane

Access Driveways

42. At a minimum, Provinces Development of Regional Impact shall have three connections to Midway Road consistent with Map H, Master Development Plan, included in the application for development approval.
43. At a minimum, the following lane geometry and signalization shall be provided at the following intersections at the time of construction of the roadways within the project by the year 2010:
- a) Midway Road and West Project Entrance/Commerce Center Parkway
 - Eastbound left-turn lane
 - Westbound left-turn lane
 - Southbound left-turn lane
 - Southbound thru lane
 - Northbound approach lane
 - Signalize
 - b) Midway Road and Center Project Entrance
 - Eastbound left-turn lane
 - Westbound right-turn lane
 - Southbound approach lane
 - Signalize
 - c) Midway Road and East Project Entrance
 - Eastbound left-turn lane
 - Westbound right-turn lane
 - Southbound approach lane
 - Signalize
44. At a minimum, the following lane improvements shall be provided at the following intersections prior to the year 2015:
- a) Midway Road and West Project Entrance/Commerce Center Parkway
 - Add second westbound left-turn lane
 - Add second southbound left-turn lane
 - Add northbound right-turn lane
 - b) Midway Road and Center Project Entrance
 - Add second eastbound thru lane
 - Add second westbound thru lane
 - Add two southbound left-turn lanes
 - c) Midway Road and East Project Entrance
 - Add second eastbound left-turn lane
 - Add two southbound left-turn lanes

45. At a minimum, the following lane improvements shall be provided at the following intersections prior to the year 2020:

a) Midway Road and West Project Entrance/Commerce Center Parkway

- Add second eastbound thru lane
- Add second westbound thru lane
- Add third westbound left-turn lane
- Add westbound right-turn lane
- Add second southbound through lane
- Add third southbound left-turn lane
- Add second northbound thru lane

b) Midway Road and Center Project Entrance

- Add second eastbound left-turn lane
- Add third westbound thru lane

c) Midway Road and East Project Entrance

- Add third eastbound thru lane
- Add third westbound thru lane
- Add second southbound right-turn lane
- Add third southbound left-turn lane

Other Issues

46. A trip generation analysis shall be prepared by the applicant and approved by St. Lucie County prior to each site plan approval. The trip generation analysis shall present calculations for the p.m. peak hour and shall be performed using trip generation rates included in the latest available Institute of Transportation Engineers Trip Generation Report as well as land uses included in the application for development approval. The trip generation analysis shall include internal capture and passer-by, if appropriate, to determine net trips generated by the development. The trip generation shall be cumulative and include all previous site plan approvals. Development Order conditions shall be evaluated using the trip generation analysis to determine triggering of any transportation conditions.

47. During the site plan approval process, a traffic study shall be submitted to St. Lucie County to determine, as a minimum:

- a) Lane geometry for internal roadways and their intersections
- b) Timing of signalization improvements, if appropriate.

48. The Biennial Report required by subsection 380.06(18), Florida Statutes, shall be submitted every two years on the anniversary of the adoption of the development order and continued every other year thereafter. The Biennial Status Report shall indicate the status (schedule) of guaranteed transportation network improvements.

This Biennial Status Report shall be submitted to St. Lucie County, Florida Department of Transportation, Treasure Coast Regional Planning Council and the Department of Community Affairs as part of the Development of Regional Impact Biennial Report.

The Biennial Status Report shall list all roadway improvements needed to be constructed, the guaranteed date of completion for the construction of each needed improvement, the party responsible for the guaranteed construction of each improvement, and the form of the binding commitment that guarantees construction of each improvement. Additionally, this report shall include a trip generation study determining new external traffic during the p.m. peak hour due to the existing development. The trip generation shall be used to evaluate triggering of any transportation conditions.

No further building permits for Provinces Development of Regional Impact shall be issued at the time the Biennial Status Report reveals that any needed transportation improvements included in the Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is not guaranteed to be in place and operational, or under actual construction for the entire modification consistent with the timing criteria established in this Development Order.

49. Extensions to the buildout date for Provinces Development of Regional Impact, subject to the requirements in subsection 380.06(19)(c), Florida Statutes, shall not apply to any of the transportation conditions unless:
- a) A traffic study has been prepared to identify mitigation measures and/or modifications to the roadway network to ensure both roadways and intersections significantly impacted by project traffic will perform at the adopted level of service at the proposed buildout extension; and
 - b) The Development Order has been amended to include these mitigation measures and/or modifications to the roadway network.

The methodology for this traffic study shall be agreed upon by St. Lucie County, Florida Department of Transportation and the Treasure Coast Regional Planning Council.

ENVIRONMENTAL AND NATURAL RESOURCES

Wetland and Upland Preservation

50. The developer shall protect and enhance wetlands and upland natural communities located within the Wetland and Upland Preservation Area identified on the Provinces Development of Regional Impact Map H, Master Development Plan. The intent of this condition is to provide protection of wetland and upland natural communities, to provide habitat for wildlife, and to assist in improving water quality on the project site and within the watershed. The continued viability and maintenance of the

Wetland and Upland Preserve Area shall be assured through a Conservation Easement with St. Lucie County or the South Florida Water Management District. The easement shall be properly executed and recorded prior to issuance of building permits for any portion of the project.

51. The developer shall install temporary fencing around the Wetland and Upland Preservation Area prior to commencing site clearing adjacent to the preserve area. The fencing shall clearly identify and designate the boundaries of the preserve area and minimize the potential disturbance of the preserve area during land clearing and construction. The temporary fencing shall be established at least 10 feet outside of the boundaries of the preserve areas and shall remain in place until the completion of the finish grading on the area adjacent to the fencing.
52. The developer shall prepare a Preserve Area Management Plan for the Wetland and Upland Preservation Area identified on the Provinces Development of Regional Impact Map H, Master Development Plan. The plan shall: 1) identify locations in the preservation area where wetland or upland natural communities will be created, enhanced, or restored; 2) identify management procedures and provide a schedule for their implementation; 3) include procedures for maintaining suitable habitat for state and federally listed species; 4) include methods to remove nuisance and exotic vegetation and any other species that are determined to threaten the natural communities; 5) include plans to permanently mark the preserve area and provide access for passive recreation, education, or scientific study; and 6) identify a permanent funding source and define a responsible entity for the maintenance and implementation of the management plan in perpetuity. The management plan shall be approved by St. Lucie County in consultation with the U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, and South Florida Water Management District prior to the initiation of site clearing activities.

Listed Species

53. In order to protect Florida Sandhill Cranes on the project site, the developer or an authorized entity shall maintain foraging habitat within the Wetland and Upland Preservation Area identified on the Provinces Development of Regional Impact Map H, Master Development Plan. The developer or an authorized entity shall comply with all Florida Fish and Wildlife Conservation Commission recommendations regarding the maintenance and management of foraging habitat for this State listed threatened species. Details of the Florida Sandhill Crane protection measures and methods to provide foraging habitat shall be provided in the Preserve Area Management Plan.
54. In the event that it is determined that any additional representative of a state or federally listed plant or animal species is resident on, or otherwise significantly dependent upon the project site, the developer shall cease all activities which might negatively affect that individual population and immediately notify St. Lucie County. The developer shall provide proper protection to the satisfaction of the St. Lucie

County, U.S. Fish and Wildlife Service, and Florida Fish and Wildlife Conservation Commission.

Exotic Species

55. Prior to obtaining building permits for any future structure located on a particular development parcel, the developer of such parcel shall remove from that parcel all Melaleuca, Brazilian pepper, Old World climbing fern, Australian pine, downy rose-myrtle, and any other nuisance and invasive exotic vegetation listed under Category I of the Florida Exotic Pest Plant Council's "2005 List of Invasive Species." Removal shall be in a manner that minimizes seed dispersal by any of these species. There shall be no planting of these species on site. Methods and a schedule for the removal of exotic and nuisance species should be approved by St. Lucie County. The entire site, including wetlands and conservation areas, shall be maintained free of these species in perpetuity, in accordance with all applicable permits.

Stormwater Management

56. The developer of each development parcel shall design and construct a stormwater management system within such development parcel to retain the maximum volumes of water consistent with South Florida Water Management District and North St. Lucie River Water Control District criteria for flood control. At a minimum, all discharged water from the surface water management system shall meet the water quality standards of Florida Administrative Code Rule 17-3.
57. All elements of the stormwater management system shall be designed to meet state water quality standards. The developer shall establish a permanent water quality monitoring system to demonstrate that the North St. Lucie River Water Control District canal system, Ten Mile Creek, and adjacent properties will not be impacted by water from the project site in violation of state water quality standards. The proposed plans for the water quality monitoring system shall be approved by St. Lucie County in consultation with South Florida Water Management District prior to the construction of the surface water management system. Results of the water quality monitoring shall be included in the Development of Regional Impact biennial reports.
58. The developer shall work with St. Lucie County to minimize the amount of impervious surface constructed for automobile parking on the project site. The developer and the County should consider the use of pervious parking lot materials where feasible.
59. The surface water management system shall utilize Best Management Practices to minimize the impact of chemical runoff associated with lawn and landscape maintenance. The developer shall coordinate with the South Florida Water Management District to formulate and implement Best Management Practices to reduce the use of pesticides and fertilizers throughout the project.

60. Maintenance and management efforts required to assure the continued viability of all components of the surface water management system shall be the financial and physical responsibility of the developer, a community development district, or other entity acceptable to St. Lucie County. Any entities subsequently replacing the developer shall be required to assume the responsibilities outlined above.

Water Supply

61. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has provided written confirmation from the South Florida Water Management District and the St. Lucie County Utilities (or other approved service provider) that: 1) adequate capacity of treated potable water is available to serve the development parcel; 2) adequate potable water treatment and delivery facilities are available to meet the project's needs; 3) the necessary capital facilities are available or have been planned to meet the needs of the project; and 4) the developer or others have provided the necessary water system extensions (or provided surety for same in a form acceptable to St. Lucie County) to serve the development parcel.
62. The preferred source of irrigation water shall be treated wastewater effluent at such time as this source is made available to the site. The project shall be equipped with an irrigation water distribution system to provide reclaimed water to all domestic residential lots when it becomes available. No individual home wells shall be constructed on the project site. Prior to availability of a sufficient supply of reclaimed water, other water supply sources may be used for landscape irrigation subject to meeting South Florida Water Management District permitting criteria in effect at the time of permit application.
63. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques, and other water conserving devices and/or methods specified in the Water Conservation Act, Section 553.14, Florida Statutes. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to St. Lucie County Utilities (or other approved service provider) by the South Florida Water Management District.

Wastewater Management

64. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has provided written confirmation from the South Florida Water Management District and the St. Lucie County Utilities Department (or other approved service provider) that: 1) adequate capacity for wastewater treatment is available to serve such development parcel; 2) the developer has provided the necessary reuse water infrastructure to serve the project; and 3) the developer or others have provided the necessary wastewater system extensions (or

provided surety for same in a form acceptable to St. Lucie County) to serve the development parcel.

Solid Waste and Hazardous Materials

65. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has provided written confirmation from St. Lucie County that adequate solid waste disposal services and facilities will be available when needed for that development parcel. Development shall only occur concurrently with the provision of adequate solid waste disposal services and facilities.

Air Quality

66. No later than 180 days prior to the issuance of the first certificate of occupancy or as soon as parking facilities have been finalized, the developer shall contact the Florida Department of Environmental Protection if any surface parking areas produce 1500 vehicle trips per hour or any parking garages produce 750 vehicle trips per hour. At that time parameters for a Carbon Monoxide Air Quality Analysis based on the latest Florida Department of Environmental Protection guidelines shall be developed.
67. No later than 90 days prior to the issuance of the first certificate of occupancy the developer shall submit said Carbon Monoxide Air Quality Analysis to the Florida Department of Environmental Protection for their review and approval. The analysis shall demonstrate that the National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project and if necessary, shall include mitigation measures for which the developer shall be responsible.
68. During land clearing and site preparation, soil treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken. If construction on a parcel will not begin within thirty days of clearing, the soil shall be stabilized until construction of the parcel begins. Cleared areas may be sodded, seeded, landscaped, mulched, or stabilized by other means as may be permitted by St. Lucie County. Minimal clearing for access roads, survey lines, fence installation, or construction trailers and equipment staging areas is allowed without the need for soil stabilization. The purpose of this condition is to minimize dust production and soil erosion during land clearing and to prevent soil particulates from becoming airborne between the time of clearing and construction. The development shall comply with all National Pollutant Discharge Elimination System requirements.

HUMAN RESOURCE ISSUES

Housing

69. The developer shall provide 650 workforce housing units on the Provences Development of Regional Impact affordable to very low, low, and moderate income worker households at the following affordability thresholds illustrated in the following table:

Affordability¹ Threshold Calculation for Workforce Housing Units

Income Level	Income	(Rent)/Mortgage ²	Affordability Thresholds ³	
			Purchase Price	Rent
Very Low (< 50%)	\$27,300	(\$683) \$308	\$51,300	\$683
Low (50-80%)	\$43,680	(\$1,092) \$692	\$115,250	\$1,092
Moderate (80-120%)	\$65,520	(\$1,638) \$1,213	\$202,000	\$1,638

¹ Housing that is affordable to families earning from 50% to 120% of the Area Median Income. Area Median Income is based on the most recent figures for the Port St. Lucie-Fort Pierce Metropolitan Statistical Area as reported annually by the United States Department of Housing and Urban Development. For 2006 the Port St. Lucie-Fort Pierce Area Median Income was \$54,600.

² Assumes 5% down, 6.5% interest, 30-year mortgage, and sliding scale for taxes and insurance at \$375, \$400 and \$425 per month, respectively, for very low, low, and moderate income households.

³ 2006 affordability limits for home prices (for-sale housing) and maximum rental rates by income group based on a family of four. The sales prices and rental rates for workforce housing units should be recalculated annually for each household income level.

The required number of workforce housing units to be provided for each income level to meet the projected demand of 650 units is:

- 182 Very Low Income
- 286 Low Income
- 182 Moderate Income
- 650 Total Workforce Housing Units

The mitigation of the significant adequate housing impact can be addressed by the developer in one or more of the following ways:

- a) The developer shall construct 650 workforce housing units on site within the affordability threshold for Very Low, Low, and Moderate Income households; or
- b) The developer shall make payment to a housing trust fund to be established by St. Lucie County, sufficient in amount that would result in the construction of a total of 650 affordable housing units on site to meet the adequate housing need for 650

workforce housing units for the project's Very Low, Low, and Moderate Income households; or

- c) The developer shall provide a direct ownership or rental subsidy to the project's Very Low, Low, and Moderate income employees sufficient in amount to satisfy the adequate housing need for the 650 workforce housing units; or
- d) The developer shall participate in a Workforce Housing Program to be established by St. Lucie County by the end of 2007 that will ensure that one third of the project's affordable housing need of 650 workforce housing units by income range will be provided on site by the end of each phase of development.

All workforce housing units provided to satisfy this condition shall be certified as qualified workforce housing units by St. Lucie County and shall be:

- 1. Affordable for a minimum period of 20 years;
- 2. Restricted for sale or resale to income qualified workforce households;
- 3. Subject to resale price restrictions set annually by St. Lucie County; and
- 4. Subject to a formula for shared equity appreciation.

The provision or allowance of accessory apartments on individual building lots shall be counted towards meeting the requirement for the provision of workforce housing. Accessory units shall not be counted against the total number of units proposed for the Provinces Development of Regional Impact.

Schools

70. No residential subdivision plat shall be approved nor final residential site plan approved for any development parcel until the developer has secured a development agreement with the St. Lucie County School District that assures the following activities:
- a) The dedication of one K-8 school site sized and located to the satisfaction of the St. Lucie County School District. The drainage for the school site must be accommodated off-site as part of a larger master stormwater program. The school site must be not less than 20 acres exclusive of any required upland or wetland preservation areas.
 - b) The developer must provide either:
 - (1) A proportionate share of all costs necessary to construct the following school facilities to be built according to current State of Florida and St. Lucie County School Board standards and operated and maintained by the St. Lucie County School District:

- i. 45.5% of all costs necessary to construct one new K-8 school (average size = 1,600 students), including furniture, fixtures, and equipment;
 - ii. 12.5% of all costs necessary to construct one new high school (average size = 2,500 students), including furniture, fixtures, and equipment; or
- (2) A proportionate share of costs to be determined by the St. Lucie County School Board for the construction of school facilities necessitated by the proposed development.

71. If the developer chooses to mitigate part or all of the project's educational impacts with charter school facilities, such facilities shall be chartered with the St. Lucie County School District. All charter schools shall adhere to the following development, operational and design standards, which shall be included in the charter contract:

- a) All charter schools shall be reviewed and approved by the St. Lucie County School Board and all relevant state review authorities.
- b) No charter schools shall be populated and operate in a manner that will negatively affect the desegregation balance in St. Lucie County.
- c) All charter schools shall be built according to the State Requirements for Educational Facilities standards set forth in Florida Statutes.
- d) All charter schools shall follow the building policies and practices of the St. Lucie County School Board, including but not limited to architecture, building materials, and an Enhanced Hurricane Protection Area required for public schools or structural hardening.
- e) All charter schools shall be available and subject to inclusion in the inventory of emergency shelters for St. Lucie County.
- f) The core facilities for all charter schools, including but not limited to cafeteria, media center, administrative offices, and land area available for recreational uses, parking areas, and stormwater retention, shall be sized to accommodate the standard educational facility sizes as adopted by the St. Lucie County School Board.
- g) All charter schools shall be located along publicly-owned roadways, with safe bicycle and pedestrian access for students, and accessible to any member of the general public.

Police and Fire Protection

72. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has received written confirmation from the St. Lucie County Sheriff's Office indicating that adequate facilities and police protection are in place to serve the development parcel. The methodology used to determine the demand created as a result of the project and the standards used to determine adequate police protection shall be approved by the St. Lucie County Sheriff's Office.
73. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has entered into a Development Agreement with the St. Lucie County Fire District for improvements necessary to provide Fire and Emergency Medical Services to the project. The methodology used to determine the demand created as a result of the project and the standards used to determine adequate fire rescue services shall be approved by the St. Lucie County Fire District.

Hurricane Preparedness

74. The developer shall mitigate emergency public shelter impacts through providing a combination of safe spaces within each home encouraging sheltering-in-place by residents and/or constructing community hurricane shelter spaces or dual use of a facility constructed or retrofitted to State of Florida hurricane code within the development. The hurricane shelter mitigation techniques provided shall be approved by St. Lucie County Division of Emergency Management and be consistent with Chapter 9J-2.0256(5) (a), Florida Administrative Code and with Red Cross Standards 4496.
75. The developer shall pay a proportionate share payment to the St. Lucie County to mitigate the projected demand and impact on special needs shelter space. The amount of special needs public hurricane evacuation shelter space (3,000 square feet) shall be recalculated to the satisfaction of St. Lucie County and St. Lucie County Division of Emergency Management if age restrictions are established in any part of the Provinces Development of Regional Impact. The special needs hurricane shelter mitigation techniques provided shall be approved by the St. Lucie County and St. Lucie County Division of Emergency Management and be consistent with Chapter 9J-2.0256(5) (a), Florida Administrative Code. If the Development Order is changed to allow an alternate number of residential units, then the numbers in this condition would change proportionately.

Parks and Recreation

76. No residential subdivision plat shall be recorded nor final site plan approved for any development parcel until the developer has provided a plan approved by St. Lucie County for the provision of neighborhood and community recreational sites and facilities to meet the demand created by residential development in the project. Neighborhood parks should serve as prominent visual and social focal points of each

neighborhood, and provide for informal, non-programmed recreational activities. At a minimum, 5 acres of neighborhood parks and one 50-acre community park should be established to serve area residents of the Provinces Development of Regional Impact. The community park should include recreational facilities as described in the Recreational Element of the St. Lucie County Comprehensive Plan. Neighborhood and community recreational facilities shall be available to serve projected demand in accordance with the plan approved by the St. Lucie County Parks and Recreation Department.

Historic and Archaeological Sites

77. In the event of discovery of any archaeological artifacts during construction of the project, construction shall stop in the area of discovery and immediate notification shall be provided to St. Lucie County and the Division of Historical Resources, Florida Department of State. Proper protection shall be provided to the satisfaction of the St. Lucie County and the Division of Historical Resources.

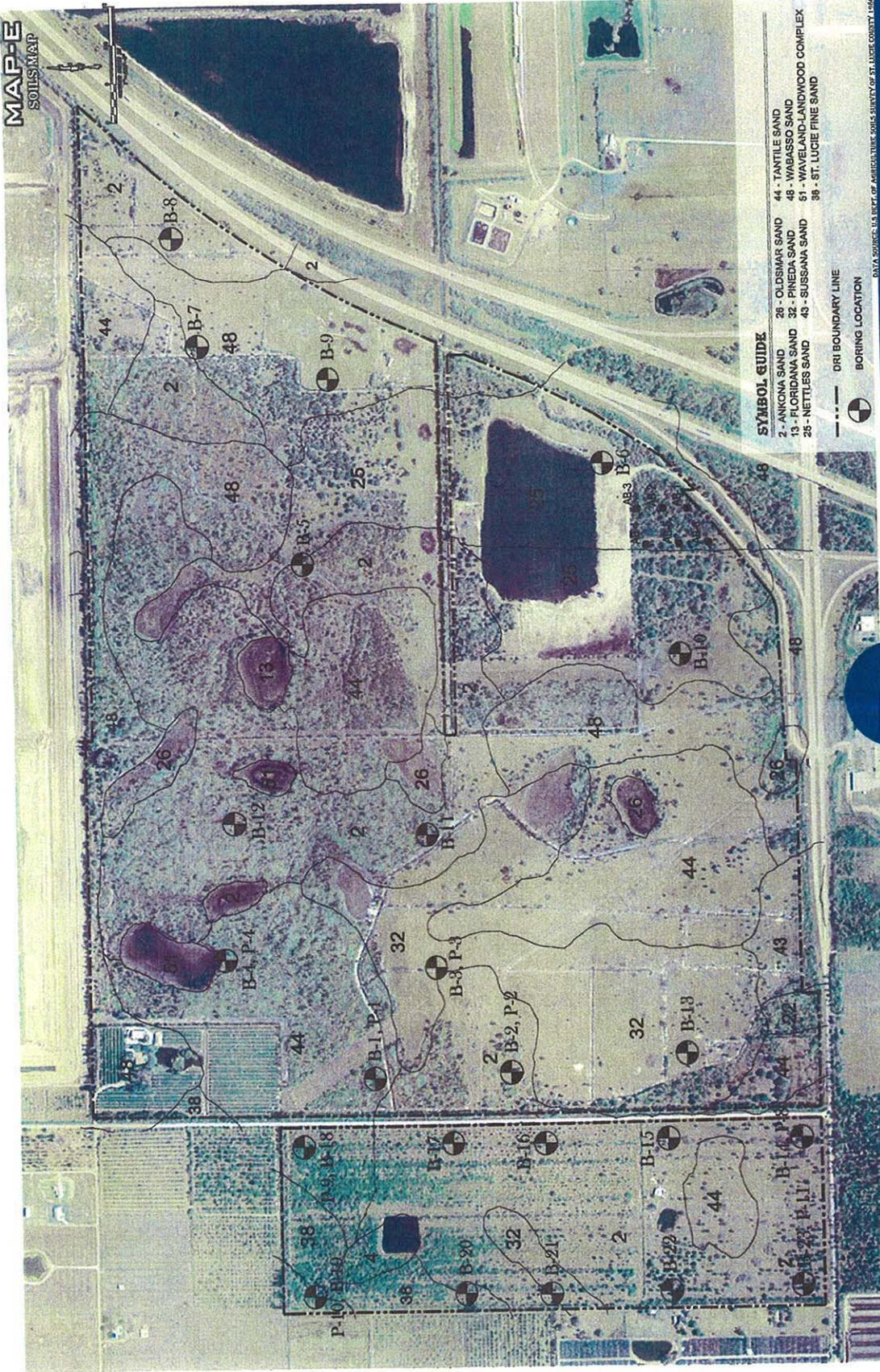
APPENDIX A

Maps

This appendix contains the following maps related to the Provinces DRI:

Land Use	A-2
Soils.....	A-3
Vegetation Associations.....	A-4
Wetlands	A-5
Wildlife	A-6
Existing Drainage.....	A-7
Post-Development Drainage	A-8
Water Management Facilities	A-9
Illustrative Phasing Plan	A-10
Bicycle and Pedestrian Corridors.....	A-11
Existing Highway Network.....	A-12

MAP-E
SOILS MAP



SYMBOL GUIDE

- 2 - ANKONA SAND
- 13 - FLORIDIANA SAND
- 25 - NETTLES SAND
- 26 - OLDSMAR SAND
- 32 - PINEDA SAND
- 38 - SUSSANA SAND
- 43 - ST. LUCIE FINE SAND
- 44 - TANTILE SAND
- 48 - WABASSO SAND
- 51 - WARELAND-LANDWOOD COMPLEX

- DRI BOUNDARY LINE
- BORING LOCATION

DATA SOURCE: U.S. DEPT. OF AGRICULTURE, SOILS SURVEY OF ST. LUCIE COUNTY, 1969


WILLOW LAKES
 LLC
 222 West 13th Street, Ocala, FL 34476
 Phone: 352.349.1111
 Fax: 352.349.1111


PROVINCES
 St. Lucie County, Florida


Carter Burgess

MAP-F
VEGETATION ASSOCIATIONS MAP

TEN MILE CREEK RECREATIONAL AREA

COUNTY ROAD

MIDWAY ROAD

INTERSTATE 199

LEGEND

- 111 - FIXED SINGLE FAMILY UNITS (2.0 AC.)
- 211 - IMPROVED PASTURES (199.4 AC.)
- 224 - CITRUS GROVES (15.9 AC.)
- 224 - ABANDONED GROVES (114.4 AC.)
- 411 - PINE FLATWOODS (165.3 AC.)
- 422 - BRAZILIAN PEPPER (1.6 AC.)
- 523 - LAKES > 10 AC. < 100 AC. (20.6 AC.)
- 524 - LAKES < 10 AC. (3.6 AC.)
- 617 - MIXED WETLAND HARDWOODS (0.4 AC.)
- 619 - EXOTIC WETLAND HARDWOODS (2.0 AC.)
- 625 - HYDRIC PINE FLATWOODS (116.1 AC.)
- 641 - FRESHWATER MARSHES (21.1 AC.)
- 643 - WET PRAIRIES (46.7 AC.)
- 644 - EMERGENT AQUATIC VEGETATION (0.5 AC.)
- 740 - DISTURBED LAND (27.0 AC.)

TOTAL: 735.5 AC.

DATA SOURCE: EW CONSULTANTS 12/28/06

WILLOW LAKES
L.L.C.

DWAY
PROPERTIES, LLC

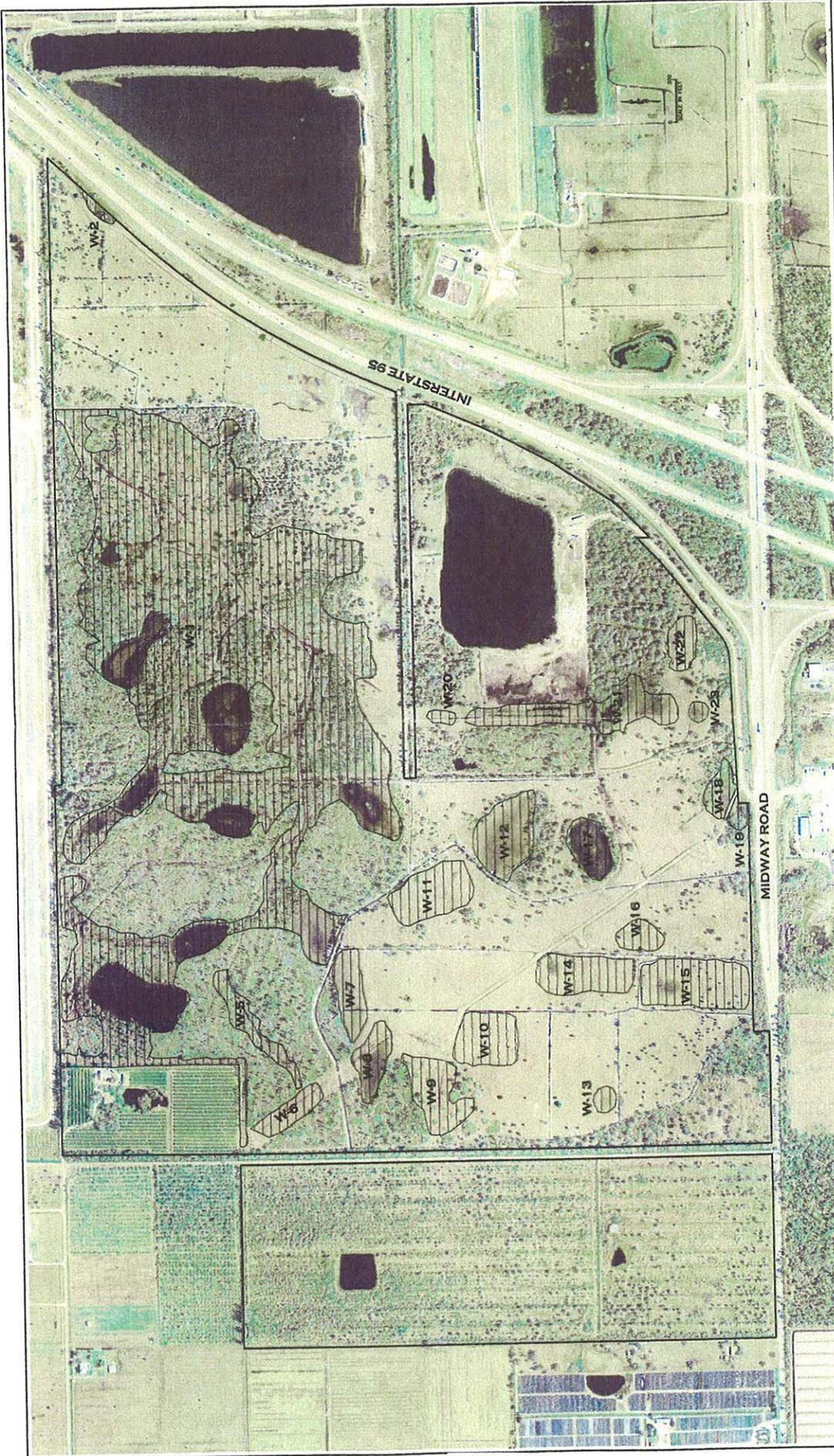
1000 S. W. 10th St.
Stuart, FL 34986
888.333.3333
888.333.3333

EW CONSULTANTS, INC.
2081 SE OCEAN BOULEVARD, SUITE 2B
STUART, FLORIDA 34986
772-287-8771 FAX 772-287-2888
WWW.EWCONSULTANTS.COM

Carter-Burgess



PROVINCES



WETLAND MAP
PROVINCES
ST. LUCIE COUNTY, FLORIDA
 EW CONSULTANTS, INC.
 2001 S. COUNTY ROAD 34000
 FT. PIERCE, FLORIDA 34903
 WWW.EWCONSULTANTS.COM

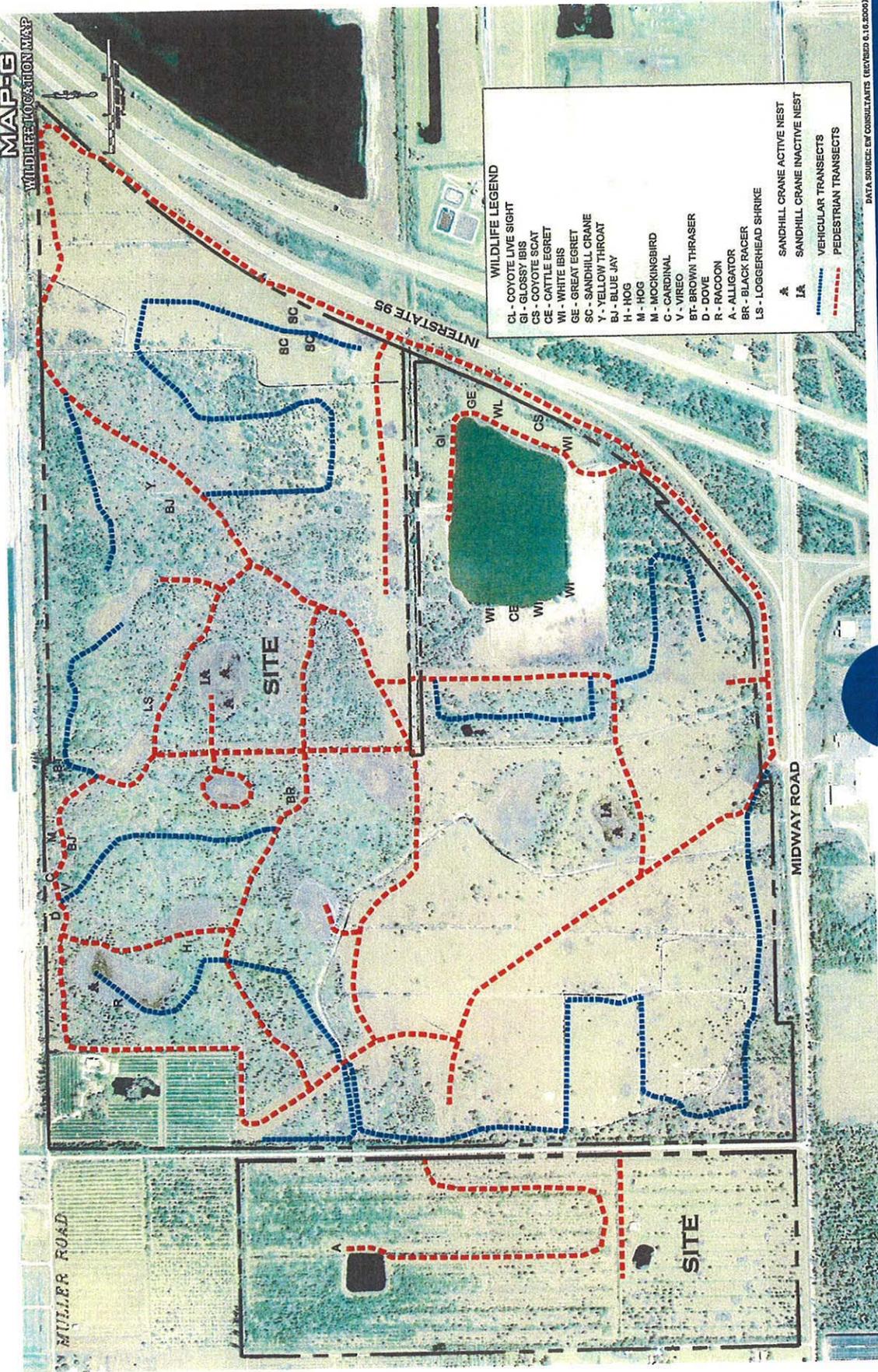
DATE: DEC 06
 FIGURE

LEGEND

WETLAND

ST LUCIE COUNTY AERIAL DATED 2006

MAP-6
WILDLIFE LOCATION MAP



WILDLIFE LEGEND

CL - COYOTE LIVE SIGHT	SC - SANDHILL CRANE
GI - GLOSSY IBIS	Y - YELLOW THROAT
CS - COYOTE SCAT	BJ - BLUE JAY
CE - CATTLE EGRET	H - HOG
WI - WHITE IBIS	M - MOCKINGBIRD
GE - GREAT EGRET	M - MCKINGBIRD
SC - SANDHILL CRANE	C - CARDINAL
Y - YELLOW THROAT	BT - BROWN THRASHER
BJ - BLUE JAY	V - VIREO
H - HOG	D - DOVE
M - MOCKINGBIRD	R - RACCOON
M - MCKINGBIRD	A - ALLIGATOR
C - CARDINAL	BR - BLACK RACER
BT - BROWN THRASHER	LS - LOGGERHEAD SHRIKE
V - VIREO	▲ SANDHILL CRANE ACTIVE NEST
D - DOVE	IA SANDHILL CRANE INACTIVE NEST
R - RACCOON	— VEHICULAR TRANSECTS
A - ALLIGATOR	— PEDESTRIAN TRANSECTS
BR - BLACK RACER	
LS - LOGGERHEAD SHRIKE	

DATA SOURCE: EW CONSULTANTS (REVISED 6.16.2009)

WILLOW LAKES
L.L.C.

MIDWAY
PROPERTIES, L.L.C.

2001 SE OCEAN BLVD. SUITE 201
STUART, FLORIDA 34986
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PROVINCES

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STUART, FLORIDA 34986
772-287-8771 | FAX 772-287-2988
WWW.EWCONSULTANTS.COM

MAP I-1
EXISTING DRAINAGE



DATA SOURCE: CARTER & BURGESS, INC. (REVISED DEC 02 2006)

WILLOW LAKES
L.L.C.

MIDWAY
PROPERTIES, LLC

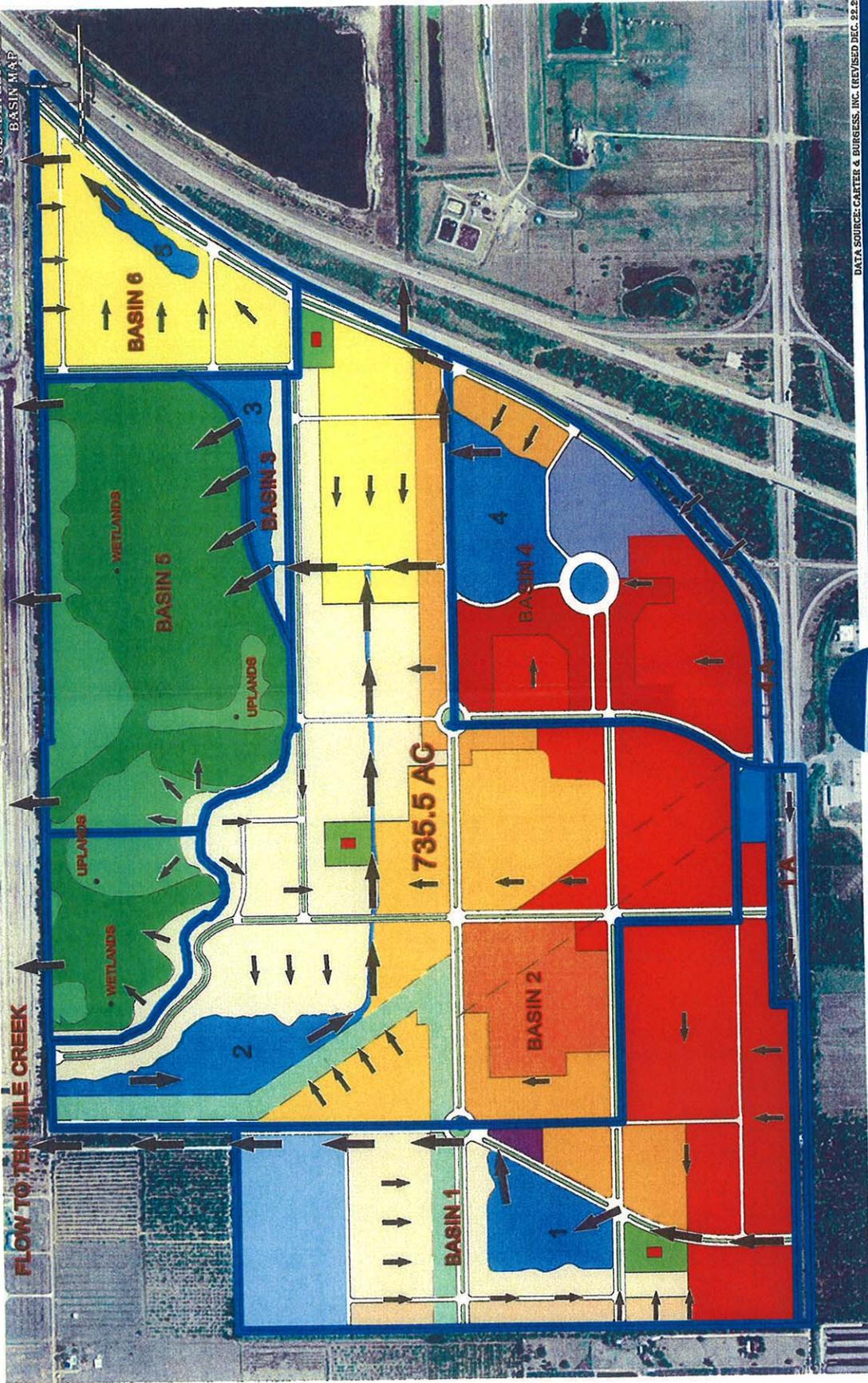
207 Highway 27, Providence, RI 02902
401-863-1000
www.willowlakesllc.com



PROVINCES

Carter & Burgess

MAP-1
POST DEVELOPMENT
BASIN MAP



DATA SOURCE: CARTER & BURGESS, INC. (REVISED DEC. 22, 2006)

WILLOW LAKES
LLC
A COMMUNITY DEVELOPMENT PROJECT

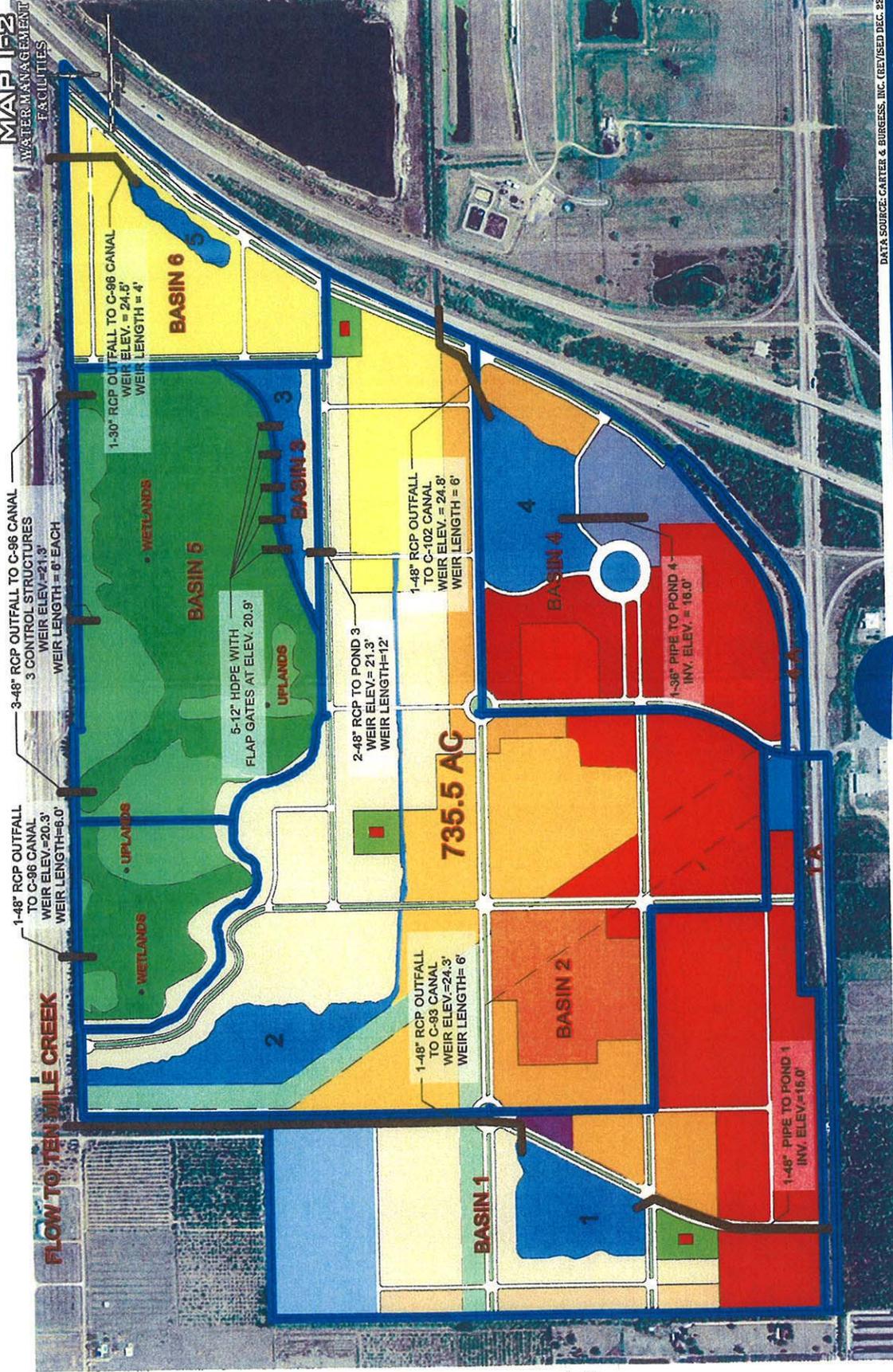
MIDWAY
PROPERTIES, LLC

PROVENCES

Carter Burgess

MAP I-2

WATER MANAGEMENT FACILITIES



DATA SOURCE: CARTER & BURGESS, INC. (REVISED DEC. 22, 2006)

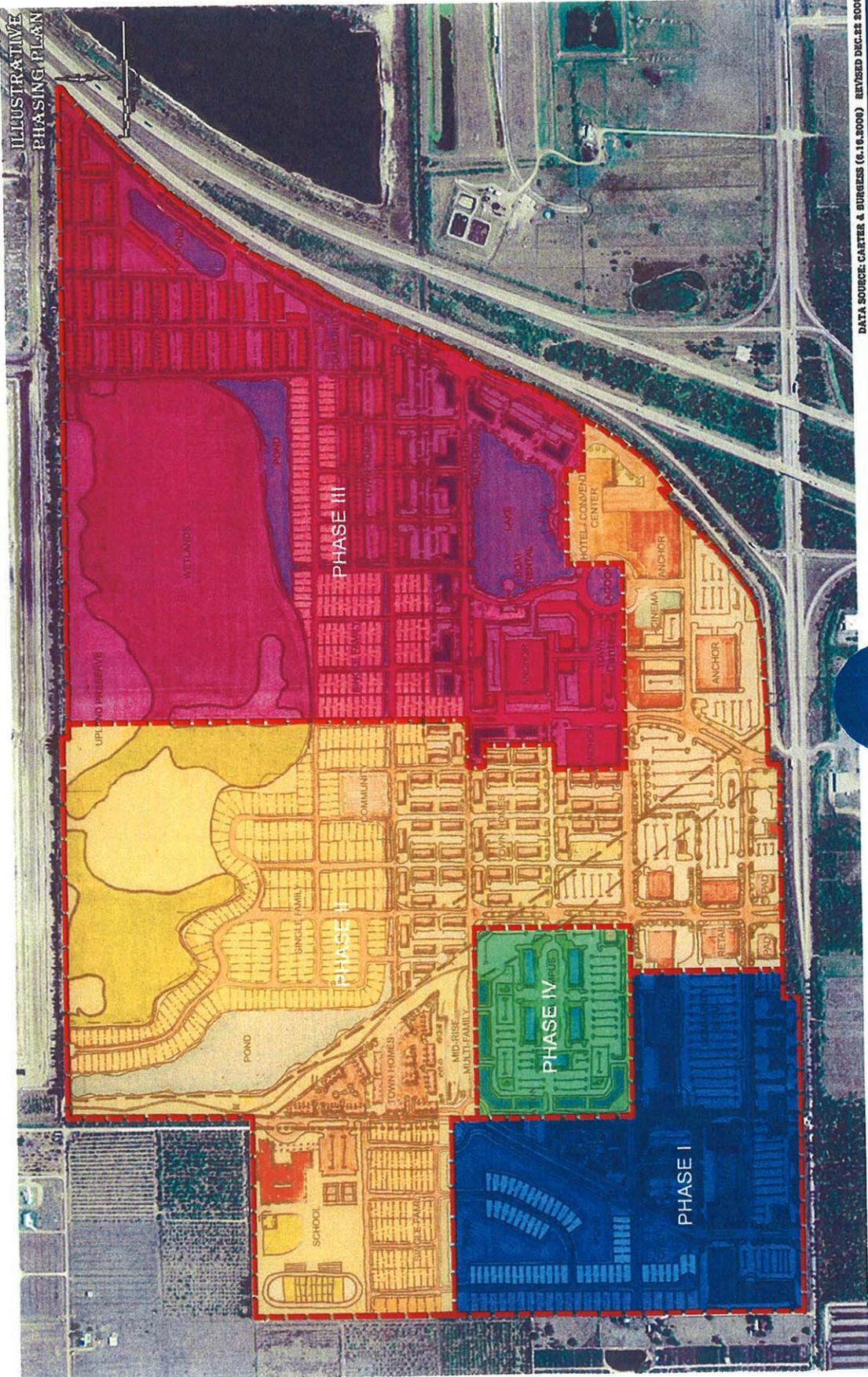
WILLOW LAKES, L.L.C.

MIDWAY PROPERTIES, L.L.C.

PROVENCES

Carter Burgess

ILLUSTRATIVE PHASING PLAN



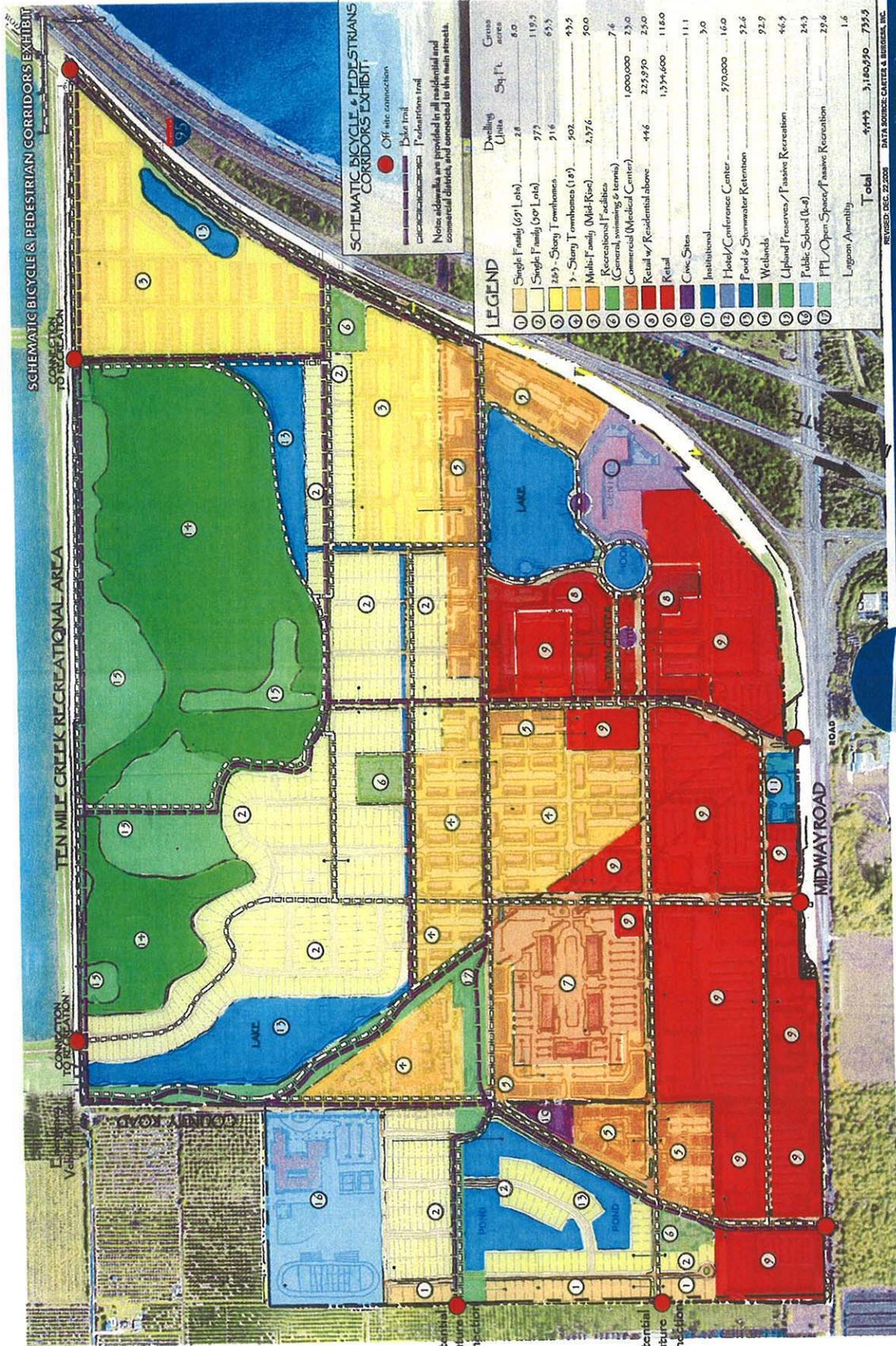
DATA SOURCE: CARTER & BURGES (6.16.2006) REVISED DECEMBER 2008

WILLOW LARKS, L.L.C.
MIDWAY PROPERTIES, LLC



PROVENCES

Carter Burgess



SCHMATIC BICYCLE & PEDESTRIAN CORRIDORS EXHIBIT

● Off-site connection
— Bike trail
— Pedestrian trail

Notes: sidewalks are provided in all residential and commercial districts and connected to the main streets.

LEGEND

Dwelling Units	Sq. Ft.	Gross acres
1 Single Family (50' Lots)	28	6.0
2 Single Family (50' Lots)	377	119.9
3 2-3 Story Townhomes	516	65.5
4 3-5 Story Townhomes (18')	502	49.9
5 Multi-Family (Mid-Rise)	2,376	50.0
6 Recreational Facilities (General, swimming & tennis)	1,000,000	23.0
7 Commercial (Medical Center)	225,970	23.0
8 Retail w/ Residential above	446	116.0
9 Retail	1,374,600	116.0
10 Civic Sites		11.1
11 Institutional		3.0
12 Hotel/Conference Center	370,000	16.0
13 Pond & Stormwater Retention		52.6
14 Wetlands		92.9
15 Upland Preserves/Passive Recreation		46.5
16 Public School (K-4)		24.3
17 PFI/Open Space/Passive Recreation		29.6
18 Logson Amenities		1.6
Total	4,443	3,180,950
		735.9

REVISIONS: DEC. 22, 2006 DATA SOURCE: CARTER & BURGESS, INC.

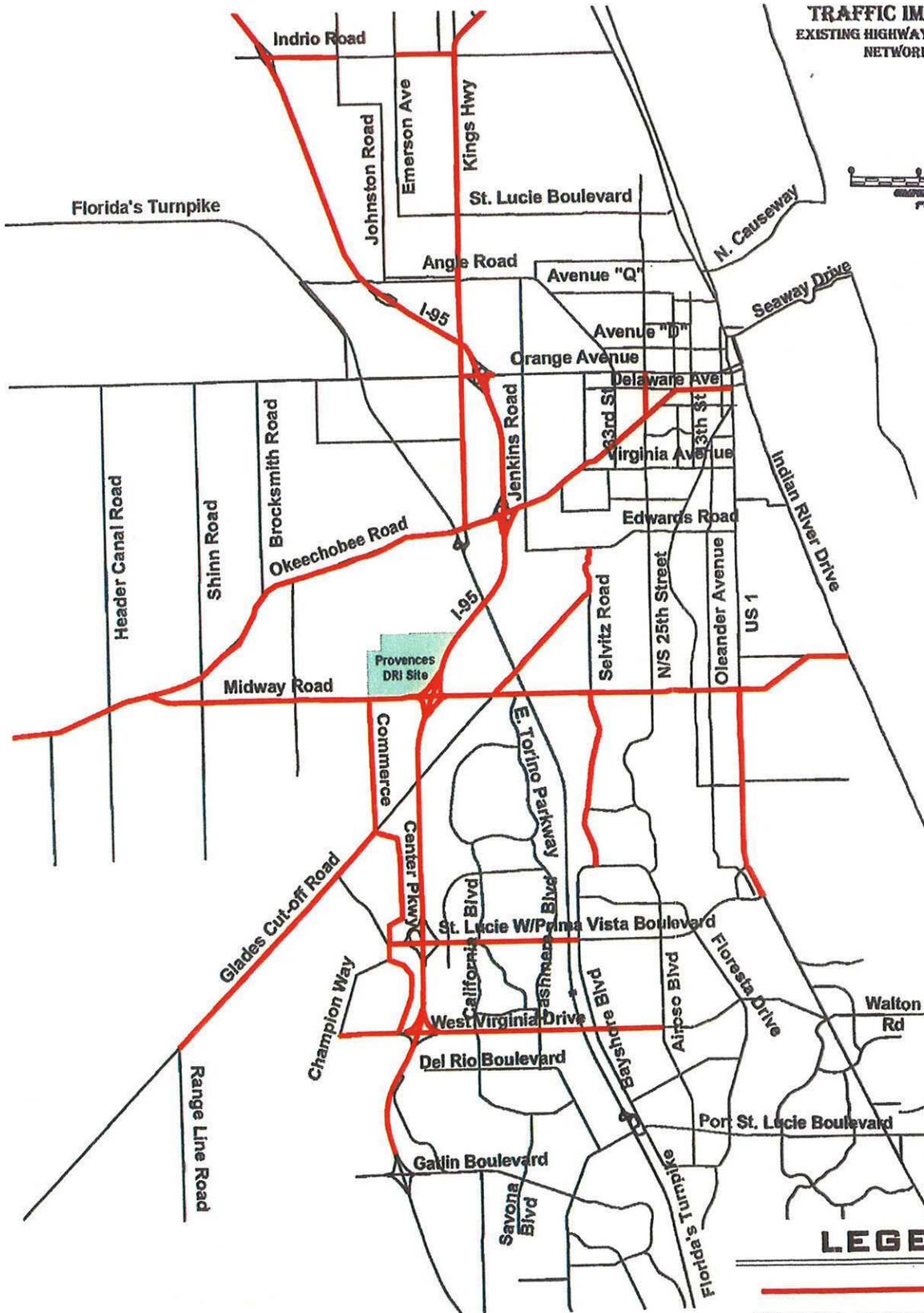
June 19, 2006

WILLOW LAKES
L.L.C.

MIDWAY
PROPERTIES, LLC

Carter Burgess

PROVENCES



LEGEND

**2020 SIGNIFICANTLY
IMPACTED LINKS**

(REVISED 6.19.2006)

DATA SOURCE: CARTER & BURGESS, FDOT

APPENDIX B

Correspondence

This appendix contains correspondence related to the Provinces DRI:

South Florida Water Management District.....	B-2
Florida Department of State.....	B-14
St. Lucie County	B-15
City of Port St. Lucie	B-26
United States Environmental Protection Agency	B-28
School Board of St. Lucie County	B-32



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

LAN 01

January 31, 2007

Mr. Michael Busha, Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, FL 34994

Michael
Dear Mr. Busha:

Subject: Provinces, DRI No. 06-486

Enclosed is a copy of the District's Impact Assessment Report for the above subject project. The report is a general technical assessment of the project based on information provided by the applicant and does not constitute final finding agency action.

We appreciate this opportunity to participate in the review process. If you have any questions concerning our review of this project, please give me a call at (561) 682-6862.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim".

James J. Golden, AICP
Senior Planner
Environmental Resource Regulation

/jjg

Enclosure

c: Brett A. Nein, Carter & Burgess, Inc.

RECEIVED
FEB 02 2007
TREASURE COAST
REGIONAL PLANNING COUNCIL

IMPACT ASSESSMENT REPORT

Prepared by

South Florida Water Management District

Issued January 31, 2007

I PROJECT SUMMARY

Project:	Provinces
Developers:	Willow Lakes, LLC Midway Properties, LLC Red River, LLC
SFWMD ID No:	06-486
Location:	S2,3,34&35/T35&36S/R39E, St. Lucie County
Size:	±735.5 acres
Existing Land Use:	Agricultural/Undeveloped
Proposed Land Use:	Mixed-use, including Residential (4,443 dwelling units), Town Center (1,438,950 square feet, including 350 room hotel), Community Retail (741,600 square feet), Office (1,000,000 square feet), Elementary School (1,500 students)
DRI Threshold:	Exceeds mixed-use threshold, pursuant to Chapter 380.0651(3)(i), F.S.

II GENERAL PROJECT-RELATED INFORMATION

The Provinces DRI is a proposed ±735.5 acre mixed-use development located in east-central St. Lucie County at the northwest corner of I-95 and Midway Road (see Exhibit 1).

The Master Development Plan (see Exhibit 2) proposes the following land uses: Residential (4,443 dwelling units), Town Center (1,438,950 square feet, including 350 room hotel), Community Retail (741,600 square feet), Office (1,000,000 square feet), Elementary School (1,500 students). Development is scheduled to occur in four phases with build-out in 2020.

On October 25, 2005, the Florida Department of Community Affairs (DCA) entered into a Preliminary Development Agreement with the applicant, pursuant to Sections 380.032(3) and 380.06(8), F.S., and Rule 9J-2.185, F.A.C. The PDA authorizes construction of a portion of the proposed DRI development on 101.34 acres, including 532 residential dwelling units, 225,000 gross square feet of retail, a community park and clubhouse, a site for civic uses, and related infrastructure improvements.

III POTENTIAL FOR ADVERSE REGIONAL IMPACTS SUMMARY

Category	Minimal	Significant	Major
Water Use - Potable		X	
Water Use - Non Potable	X		
Surface Water Management - Quantity	X		
Surface Water Management - Quality	X		
Wetlands/Other Surface Waters - Functions	X		

IV CONCLUSIONS AND RECOMMENDATIONS

On December 14, 2006, the District issued a Conceptual Authorization for the entire DRI project site (Environmental Resource Permit No. 56-02538-P). No construction activities are authorized by this permit.

Pursuant to issuance of Permit No. 56-02538-P, the applicant has adequately addressed issues related to surface water management and impacts to wetlands/other surface waters. However, there are remaining unresolved issues concerning the project's potable and non-potable water supply that will need to be addressed during the permit application review process, as well as potentially during the comprehensive plan amendment review process and the local government approval process (see text below, the Water Use summary section below, and the Water Supply and Development checklist and footnotes on pages 5 and 6 for additional details).

Prior to issuance of a Development Order for this DRI, it appears that amendments to the St. Lucie County and City of Ft. Pierce comprehensive plans may be necessary to demonstrate that there is an adequate supply of potable water available at the source, adequate potable water treatment and delivery facilities available to meet the needs created by the proposed development, and that the necessary capital facilities are available or have been planned in a financially feasible manner to meet the needs of the proposed development. Improvements needed to maintain the adopted level of service standards within the next five years should be scheduled in a financially feasible five-year schedule of capital improvements. If the developer is going to pay for the improvements, an executed agreement will need to be provided demonstrating financial feasibility and be reflected in the Capital Improvements Element of the County and City comprehensive plans.

In addition to the above, any development order issued by St. Lucie County for this DRI will need to make adequate provisions for the water supply-related public facilities needed to accommodate the impacts of the proposed development, pursuant to Section 380.06(15)(e)2, F.S.

Water Use

Potable water supply is proposed to be provided by the Ft. Pierce Utility Authority (FPUA) in the short term and St. Lucie County Utilities (SLCU) in the long-term. The short-term supply will be provided by the FPUA through an interim bulk users agreement is has with SLCU. The utilities currently do not have adequate permitted allocations to meet the project's potable water demands. The applicant is proposing to meet the project's non-potable (landscape irrigation) demands by

withdrawals from surface and/or ground water sources, until such time that reclaimed water becomes available.

For additional details concerning the above as well as permitting requirements, see "Permits" below and the Water Supply and Development Checklist and Footnotes on pages 5 and 6.

The District is recommending a Development Order Condition (see page 4) requiring that specific conservation measures be incorporated into the project design.

Surface Water Management

Existing surface water features on the project site include a series of isolated wetlands and several man-made lakes. The project site lies within the jurisdictional boundaries of the North St. Lucie River Water Control District (NSLRWCD).

The proposed surface water management system will consist of a network of inlets, culverts, stormwater treatment ponds, control structures, and wetlands. Water quality treatment will be provided within the stormwater treatment ponds. Off-site discharges will be directed into the NSLRWCD system which ultimately outfalls into Ten Mile Creek.

For additional details concerning the proposed surface water management system design, see "Permits" below and the Surface Water Management Checklist on page 7.

Please note that the SFWMD has initiated rule-making to address potential water quality and quantity impacts from new projects that ultimately discharge to Lake Okeechobee, the Caloosahatchee Estuary and/or the St. Lucie Estuary. Under the proposed Rule, applicants may be required to demonstrate a reduction in the amount of nutrients and volume of water discharged from the proposed development. The current schedule for adoption of this rule, subject to change, is the end of 2007.

Wetlands/Other Surface Waters-Functions

The project site contains approximately 185.9 acres of wetlands, the majority of which are hydric pine flatwood wetlands. A lesser acreage of wet prairie, freshwater marsh, exotic wetland hardwood, emergent aquatic vegetation, and mixed wetland hardwood wetlands also occur on-site. Pursuant to Permit No. 56-02538-P, the District has authorized impacts to 94.99 acres (51%) of the on-site wetlands.

For additional details concerning the above, see the Environment Checklist and Footnotes on pages 8 and 9.

Permits

This project will require the following District permits prior to commencement of construction:

1. Environmental Resource Permit – a modification to Permit No. 56-02538-P for construction and operation of the surface water management system for the proposed development.
2. Water Use Permit – for the proposed surface and/or ground water withdrawals for landscape irrigation.

This project may require the following District permit prior to commencement of construction:

3. Water Use Permit - for certain dewatering activities proposed for the construction of project lakes, utilities and/or road or building foundations.

The applicant must meet District criteria in effect at the time of permit application.

Recommended Development Order Condition

1. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques, and other water conserving devices and/or methods. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to St. Lucie County Utilities (or other approved service provider) by the South Florida Water Management District.

V DISCLAIMER

This review has been performed by the South Florida Water Management District to provide the Treasure Coast Regional Planning Council with a general technical assessment of the water-related impacts of this project from the District's perspective. It is a technical review of the project based on the information provided by the DRI applicant. It is not a permit under Chapter 373, F.S., nor is it a commitment for said permits. This review does not constitute final agency action and it is not binding on this agency. Permit evaluation, pursuant to Chapter 373, F.S., will be based upon the criteria in effect and the information available at the time of permit application. Consequently, the applicant is advised that this could result in a change in the District's technical assessment from that which is contained in this review.

Further, this review is not intended to restrict any formal District comments and/or objections that may be issued on the proposed comprehensive plan amendments associated with this DRI. During the formal plan amendment review process, pursuant to Chapter 9J-5, F.A.C., the District will perform a detailed evaluation of all water resource-related issues associated with this proposal and will provide its formal comments and/or objections to the Florida Department of Community Affairs (DCA).

SUBJECT: WATER SUPPLY AND DEVELOPMENT - Provinces, DRI No. 06-486

Proposed Potable Water Sources: St. Lucie County Utilities (SLCU) & Ft. Pierce Utilities (FPU) [see footnote 1]

Permit No.: 56-00406-W (SLCU) & 56-00085-W (FPU)
 Expiration Dates: October, 2009 (SLCU) & July, 2006 (FPU)
 Permitted Allocations: 0.166 MGD/60.6 MGY (SLCU) & 11 MGD/4007 MGY (FPU)
 Current Usages: 0.14 MGD/51 MGY (SLCU) & 9.4 MGD/3476 MGY (FPU) [2006 data]
 Projected Demand of DRI: 1.886 MGD/688.4 MGY

Proposed Non-Potable Water Source: Surface and/or ground water [see footnote 2]
 Projected Demand of DRI: 0.718 MGD/262.07 MGY

	ACCEPTABLE RESPONSE IN APPLICATION	RESOLVABLE AT PERMIT TIME		MAJOR REGIONAL ISSUES
		MINOR	MAJOR	

I. PROJECTED DEMANDS OF PROJECT

A. POTABLE WATER

1. Use Generation Rates	X			
2. Conservation Practices	X(3)			

B. NON-POTABLE WATER

1. Use Generation Rates				
2. Conservation Practices		X(3)		
3. Wastewater Reuse	X(3)			

II. WATER USE IMPACTS

A. ON-SITE

1. Proposed Sources				
a. Groundwater		X(2)		
b. Surface Water		X(2)		
c. Wastewater Reuse	X(3)			
d. Reverse Osmosis		X(2)		
2. Resource Capability				
		X(2)		
3. Impacts				
a. Salt Water Intrusion		X(2)		
b. Pollution/Contamination		X(2)		
c. Environmental		X(2)		

B. OFF-SITE

1. Verification of Availability				
from Utility			X(1)	
2. Resource Capability				
			X(1)	
3. Impacts				
a. Salt Water Intrusion			X(1)	
b. Pollution/Contamination			X(1)	
c. Environmental			X(1)	
d. Other Legal Users			X(1)	

FOOTNOTES: See following page.

WATER SUPPLY AND DEVELOPMENT FOOTNOTES:

- (1) The project's initial potable water supply will be provided by the Ft. Pierce Utilities Authority (FPUA) through an interim bulk users agreement it has with St. Lucie County Utilities (SLCU), until such time that a new SLCU wellfield is developed.

The FPUA and SLCU have submitted applications to the District for renewal and modification of their public water supply Water Use Permits, including an increase in their permitted allocations. The FPUA application includes the interim bulk water service agreement with SLCU.

- (2) The ADA indicates that the project's landscape irrigation demands will be met by withdrawals from on-site lakes or wells, until such time that reclaimed water becomes available from SLCU. The potential source of the well withdrawals was not specified in the ADA (i.e., Surficial or Floridan aquifers).

At the time of application for a water use permit for the proposed landscape irrigation withdrawals, the applicant will need to demonstrate that the proposed withdrawals are reasonable-beneficial, will not interfere with any existing legal users of water, are in the public interest, and will not result in any harm to wetlands and/or other surface water functions. An impact assessment will be required, pursuant to Section 1.7.5 of the Water Use Basis of Review. In addition, the applicant is advised that the irrigation demand projections submitted with the permit application should be consistent with the modified Blaney-Criddle Equation, pursuant to Section 2.3.2 of the Water Use Basis of Review (Supplemental Irrigation Requirement).

- (3) The applicant is proposing to use reclaimed water when it becomes available. However, the ADA did not address specific proposed water conservation measures.

The District is recommending a Development Order Condition (see page 4) requiring that specific conservation measures be incorporated into the project design. In addition, the District will require the applicant to address specific non-potable water conservation methods/techniques during the Water Use Permit application review process.

SUBJECT: **SURFACE WATER MANAGEMENT** - Provinces, DRI No. 06-486

Drainage Basins: North St. Lucie

Receiving Bodies: North St. Lucie River Water Control District Canal System

	ACCEPTABLE RESPONSE IN APPLICATION	RESOLVABLE AT PERMIT TIME		MAJOR REGIONAL ISSUES
		MINOR	MAJOR	

I. SYSTEM DESIGN

A. QUANTITY CONSIDERATIONS

1. Discharge method, location and route to receiving water	X			
2. Floodplain encroachment	N/A			
3. Net basin storage	X			
4. Stage/storage	X			
5. Control elevations	X			
6. Water management areas	X			
7. Minimum drainage	X			
8. Overdrainage	X			
9. Outparcels	X			
10. Exfiltration	X			
11. Floor and road protection	X			
12. Passage of upstream flows	X			
13. Capacity of receiving water (pre vs. post)	N/A			

B. QUALITY CONSIDERATIONS

1. Standard BMP's	X			
2. Special BMP's				
a. Sensitive receiving waters	N/A			
b. On-site use of wastewater	N/A			
c. Location of on-site percolation ponds	N/A			
d. Proximity of on-site perco- lation ponds to SWM system	N/A			
3. Use of natural system	N/A			
4. Hazardous materials				
a. Use/generation	X			
b. Management/disposal	X			
5. Exfiltration systems	X			

SUBJECT: ENVIRONMENT - Provinces, DRI No. 06-486

WETLANDS ACREAGE SUMMARY*

Total Existing	Presently Impacted	Proposed To Be Preserved	Proposed To Be Altered/Destroyed	Proposed To Be Mitigated	Resulting Net Gain/Loss
185.9	0	90.91	94.99	94.99	0

* Applicant estimates (subject to verification during permit review)

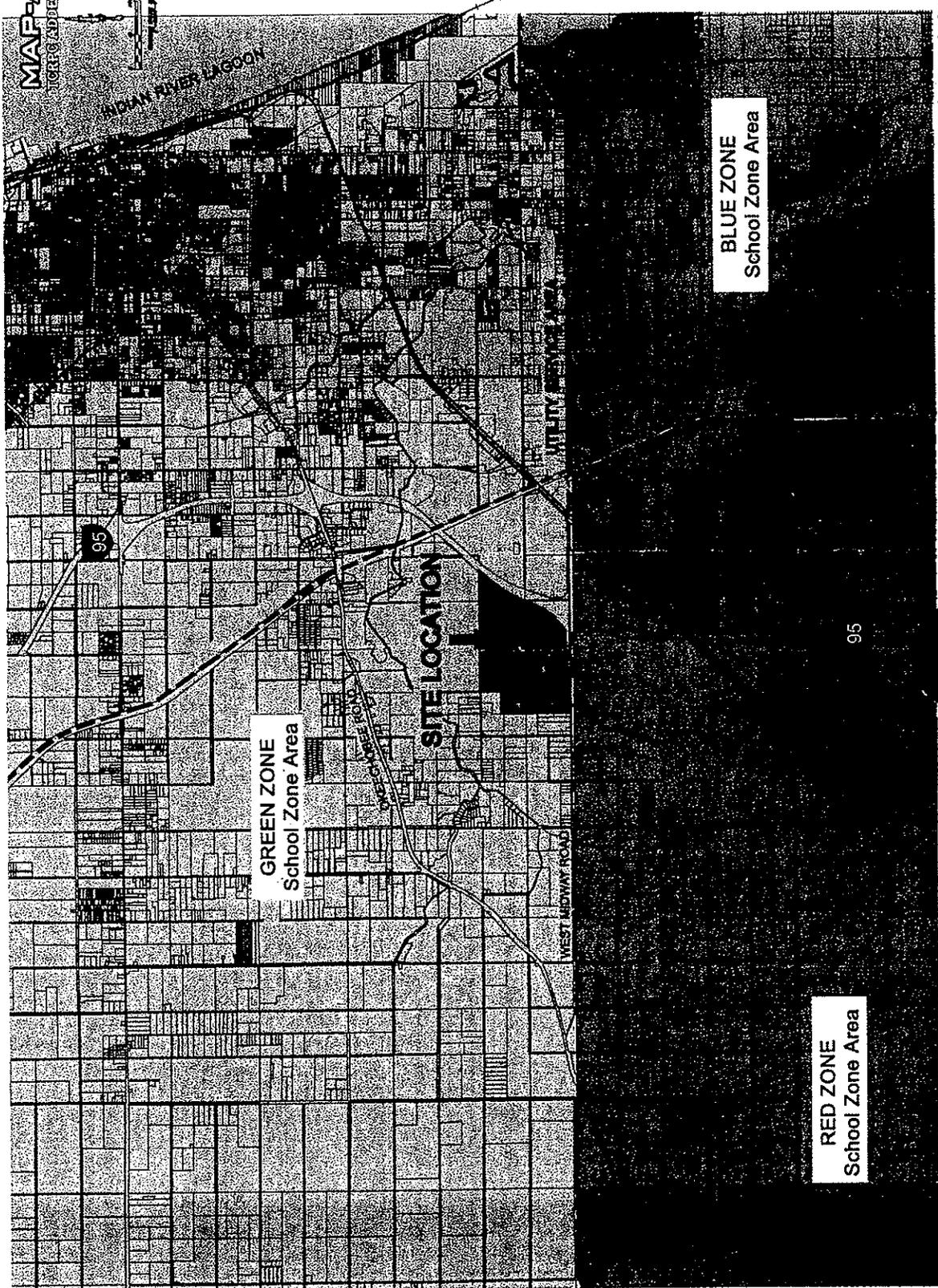
	ACCEPTABLE RESPONSE IN APPLICATION	RESOLVABLE AT PERMIT TIME		MAJOR REGIONAL ISSUES
		MINOR	MAJOR	
I. <u>EXISTING SENSITIVE LANDS</u>				
A. <u>WETLANDS</u>				
1. Quantity	X			
2. Quality	X(1)			
B. <u>UNIQUE HABITAT</u>				
	X			
C. <u>ENDANGERED SPECIES</u>				
	X(2)			
D. <u>OTHER (Save Our Rivers; OFWs; aquifer recharge areas; etc.)</u>				
	X(3)			
II. <u>IMPACTS OF PRESERVATION/MITIGATION</u>				
A. <u>QUANTITY</u>				
	X(4)			
B. <u>QUALITY</u>				
	X(2)			
C. <u>MANAGEMENT SCHEME (managed elevations, buffers, littoral zones; etc.)</u>				
	X(5)			
D. <u>ENDANGERED SPECIES/HABITAT</u>				
	X(2)			
III. <u>COMPATIBILITY OF PROPOSED LAND USE AND NATURAL CHARACTERISTICS</u>				
	X(5)			

FOOTNOTES: See following page.

ENVIRONMENT FOOTNOTES:

- (1) District staff has performed a qualitative assessment of the existing onsite wetlands and proposed onsite/offsite mitigation. The applicant has proposed a 127.11-acre onsite preservation area consisting of wetlands and uplands in combination with the purchase of 4.4 freshwater forested wetland mitigation credits and 35.9 freshwater herbaceous wetland mitigation credits at the Bluefield Ranch Mitigation Bank.
- (2) Because of the documented use of the site by listed species, efforts were made to increase the value of the preserved areas to those species. The applicant is also proposing to establish a 400-foot protection zone around any Sandhill Crane nests located in areas proposed for or adjacent to development during nesting season, in accordance with the Ecology of the Sandhill Crane, Nongame Wildlife Technical Report No. 15 (FGFWFC, 1997). However, it is still the permittee's responsibility to coordinate site development with the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service.
- (3) The District has received correspondence from the Florida Department of State, Division of Historical Resources indicating that they have no objections to the District's issuance of Permit No. 56-02538-P.
- (4) Staff has determined that the proposed project will not result in a net loss of wetland function.
- (5) The applicant has demonstrated that the hydrologic condition of the preserved wetland areas will be maintained in the post-development condition. District staff has verified the normal pool elevations of the onsite wetlands, and the control elevations of the wetlands and the basins they are located in are based on the normal pool water elevations within the onsite wetlands.

MAP-A1
SUPPLEMENT



DATA SOURCE: FLORIDA DEPT. OF TRANSPORTATION & ST. LOOSE COUNTY - GIS DATA (REVISED 6/14/2008)

Carter Burgess

PROVENCES
St. Johns County, Florida

WILLOW LAIKES
LLC

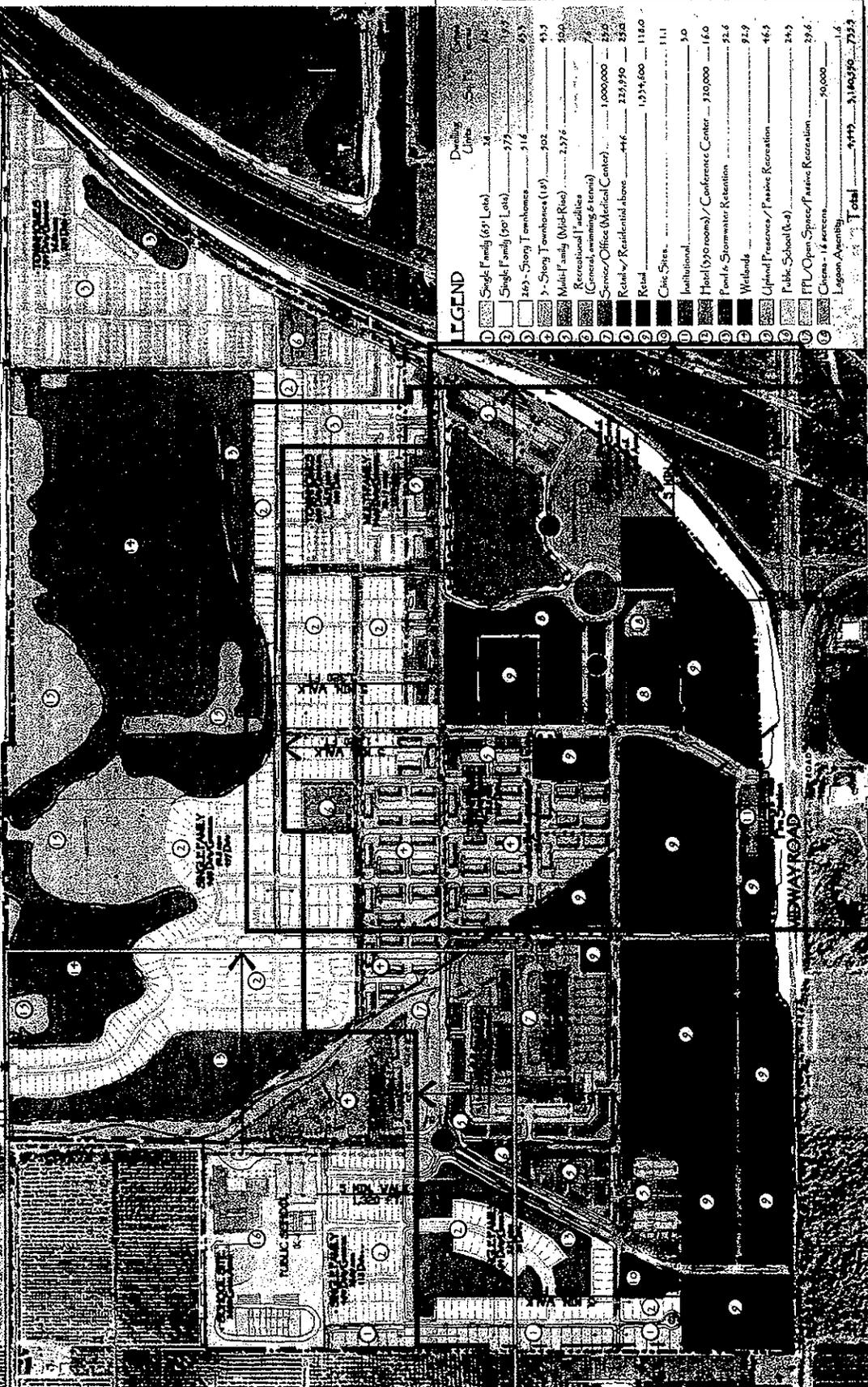
DWAY
PROPERTIES, LLC

MAPH
MASTER DEVELOPMENT PLAN

INTERNATIONAL AVENUE
SOLICITATION

WILLOW LAKES
SOLICITATION

WILLOW LAKES
SOLICITATION



LEGEND

Symbol	Description	Area (Acres)	Value
1	Single Family (60' Lot)	34	34
2	Single Family (90' Lot)	279	279
3	2-3 Story Townhomes	216	216
4	3-Story Townhomes (1st)	202	202
5	Multi-Family (Mid-Rise)	2,376	2,376
6	Recreational Facilities (General, swimming & tennis)	1,000,000	250
7	Specialty Office (Medical Center)	1,000,000	250
8	Retail/Residential above	446	223,950
9	Retail	1,234,600	118.0
10	Cine/Store	111	111
11	Institutional	30	30
12	Hotel (500 rooms)/Conference Center	310,000	16.0
13	Ponds/Stormwater Retention	22.6	22.6
14	Wetlands	92.9	92.9
15	Upland Preserves/Passive Recreation	46.3	46.3
16	Public School (K-4)	24.5	24.5
17	PTL/Open Space/Passive Recreation	29.6	29.6
18	Cinema - 14 screens	90,000	90,000
19	Legion Assembly	1.6	1.6
Total		9,913	3,160,350

REVISED DEC. 22, 2008 DATA SOURCE: CARTER & BURGESS, INC.

Carter Burgess

WILLOW LAKES
111

DWAY
PROPERTIES, LLC

PROVENCES
5th Floor, Century, Florida



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

RECEIVED
FEB 23 2007
TREASURE COAST
REGIONAL PLANNING COUNCIL

Mr. Michael Busha
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

February 19, 2007

RE: DHR Project File No.: 2007-898
Received by DHR: February 9, 2007
Development of Regional Impact – Final Agency Comments
Provinces DRI
St. Lucie County

Dear Mr. Busha:

Our office received and reviewed the above referenced project in accordance with this agency's responsibilities under Section 380.06, *Florida Statutes*. The State Historic Preservation Officer is to advise in the identification of historic properties (listed or eligible for listing in the *National Register of Historic Places*, or otherwise of historical or architectural significance), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

Based on the information provided, it is the opinion of this agency that Question 30 of the ADA is complete and sufficient and the proposed development is unlikely to affect cultural resources.

For any questions concerning our comments, please contact April Westerman, Historic Preservationist, by electronic mail amwesterman@dos.state.fl.us, or by phone at 850-245-6333 or 800-847-7278. We appreciate your continued interest in protecting Florida's historic properties.

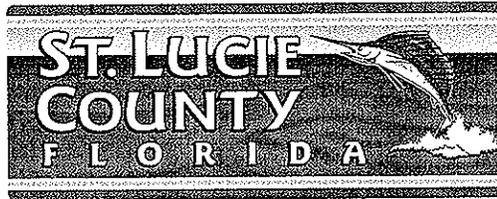
Sincerely,

Frederick P. Gaske, Director, and
State Historic Preservation Officer

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office (850) 245-6300 • FAX: 245-6435
 Archaeological Research (850) 245-6444 • FAX: 245-6452
 Historic Preservation (850) 245-6333 • FAX: 245-6437
 Historical Museums (850) 245-6400 • FAX: 245-6433
 Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476
 St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044
 Tampa Regional Office (813) 272-3843 • FAX: 272-2340

BOARD OF
COUNTY
COMMISSIONERS



GROWTH
MANAGEMENT

RECEIVED

MAR 17 2007

TREASURY COUNTY
REGIONAL PLANNING COUNCIL

February 28, 2007

Mr. Michael J. Busha
Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Subject: Provinces Development of Regional Impact
Final Comments (TCRPC)

St. Lucie County Development Review Committee has reviewed the above referenced Development of Regional Impact (DRI) and Application for Development Approval (ADA), and would like to submit the following Final comments:

ENVIRONMENTAL RESOURCES DEPARTMENT (Vanessa Bessey)

As proposed, the Provinces DRI will impact 92.92 acres (50%) of the 185.9 acres of wetlands found on site and will only preserve 22.8% of the native upland habitat found on site. Please respond to the following and revise the site plan to incorporate more of the wetland areas and native upland habitat or justify why this cannot be accomplished. At a minimum, staff recommends the preservation of wetland 1 and the associated uplands in their entirety.

- 1) All wetlands found on this site are classified as Category I wetlands according to Comprehensive Plan Policy 8.1.14.1.
10/20/2006 – Please provide written documentation from the Army Corps of Engineers indicating that they will not be taking jurisdiction over any of the wetlands found on site with the exception on Wetland #1. Staff disagrees with the applicants contention that the remaining wetlands are isolated and have reduced quality. Staff further disagrees that all of the remaining wetlands (exclusive of Wetland #1) are Category III wetlands. Please provide justification for these classifications.

- 2) According to the St. Lucie County Comprehensive Plan Policy 8.1.14.2, "The County shall not permit development in a Category I wetland or any wetland buffer associated with these wetlands, except as follows:
- a. Clearing and/or construction of walking trails;
 - b. Construction of boardwalks/catwalks for direct access to water bodies; construction of wildlife management shelters, footbridges, observation decks and similar structures not requiring a dredge or fill for their placement; and
 - c. Clearing and/or construction of electric/ cable utility, stormwater management, water or wastewater infrastructure as needed to provide public service that does not impair the long term viability of the wetland system.
 - d. Alteration is also permissible within Category I wetlands, and the required wetland buffer, as necessary for the above activities if:
 - i. No other reasonable alternative exists and avoidance cannot be achieved;
 - ii. Such activity is consistent with other policies of the Comprehensive Plan;
 - iii. Such activity complies with the requirements of all Federal, State and Local agencies claiming jurisdiction over wetland alteration and adequate mitigation of any adverse hydrological and physical alterations is provided;
 - iv. No more than 1 percent of any Category I wetland is impacted, except as noted in Policy 8.1.14.3;
 - v. No more than 15 percent of any Category II wetland is impacted, except as noted in Policy 8.1.14.3;
 - vi. Appropriate mitigation is provided."

10/20/2006 – Once the classification of wetlands found on site is agreed upon, a waiver to this provision will be necessary as more than 1% of Category I and more that 15% of Category II wetlands is being proposed. (Please see response to #1 where staff disagrees with the applicants classification of the on-site wetlands.) In addition, staff will be unable to support any request for waiver until the applicant has demonstrated that avoidance and minimization has been achieved.

- 3) Please demonstrate how this site plan accomplishes Objective 8.1.4.6 of the SLC Comprehensive Plan, which requires that wetlands be protected and maintained through reduced paving, conservation easements, cluster site planning and the micro-siting of buildings.
10/20/2006 Applicant's response is acknowledged. Please note that this comment will be made on all future development review packages associated with this project.
- 4) Please provide a minimum 50 foot buffer between the Category I wetland and the new development activity in order to protect water quality, preserve natural functions, and preserve wildlife habitat as per SLC Comprehensive Policy 8.1.14.5. The buffer, measured landward from the approved jurisdictional line, shall be maintained in a natural vegetative state and be free of exotic and nuisance species as defined by the Florida Pest Council. Any areas within the

buffer that are currently bare or are left bare from exotic removal shall be planted with appropriate native vegetation. Further Comprehensive Plan Policy 8.1.4.4 requires a buffer zone of native upland edge (ie, transitional) vegetation to be planted or maintained around wetland and deepwater habitats which are constructed or preserved on new development site. The buffer zone may consist of preserved or planted vegetation but shall include canopy, understory, and ground cover of native species only. The edge habitat shall begin at the upland limit of any wetland or deepwater habitat. As a minimum, ten square feet of such buffer shall be provided for each linear foot of wetland or deepwater habitat perimeter that lies adjacent to uplands. This upland edge habitat shall be located such that no less than 50 percent of the total shoreline is buffered.

10/20/2006 – Once the classification of wetlands found on site is agreed upon, this shall be a requirement of all wetlands to which these policies apply. In addition the upland buffer shall be required around all preserved or created deepwater habitat on site.

- 5) Please be advised that according to the St. Lucie County Comprehensive Plan Policy 8.1.14.3, "Any provision of this Comprehensive Plan or the land development code related to the preservation of a Category I or II wetland that precludes all economically viable use of the property or would prohibit a reasonable public use of the property and which if applied would result in a compensable taking of the property may be waived to the extent necessary to provide the minimum reasonable use, public or private, of the property. These provisions shall only be waived following the review and approval of the Board of County Commissioners, or their designee, in a manner set forth in the Land Development Code".
10/20/2006 – Acknowledged.
- 6) Prior to site plan approval, please provide supporting documentation that South Florida Water Management District and the Army Corps of Engineers have been contacted and accept the jurisdictional wetland lines, approve of the wetland impacts, and approve of the proposed method of mitigation.
10/20/2006 – SFWMD jurisdictional determination was not attached for review. Staff is still requesting documentation from the SFWMD and ACOE for this project due to the extent of impacts proposed for the overall DRI.
- 7) Please demonstrate how the proposed development complies with Comprehensive Plan Objective 1.1.9. The applicant stated that the communities found within the project area are typical of those founding East Central Florida. Staff disagrees with this statement as hydric pine flatwoods are not common to our area and are more likely found in Southern Florida. Staff further disagrees with the applicants statement that a majority of the wetlands found on site will be preserved in their existing state. As presented, the applicant is proposing to impact 50% of the on site wetlands.
- 8) Please demonstrate how the proposed development complies with Comprehensive Plan Policies 8.1.4.12 and 8.1.4.13 regarding wetland preservation.

10/20/2006 – Staff disagrees that the proposed DRI has been designed in a way to reduce and minimize the impacts to the on site natural resources. Although the Comprehensive Plan does allow for offsite mitigation for impacts, it first and foremost requires avoidance and minimization. ERD staff will recommend that the Board of County Commissioners deny the application for a waiver to impact wetlands and further request that the Board deny the DRI application as submitted for this project based on the above reasons.

- 9) The applicant is proposing to impact Wetland 17 which contains an active sandhill crane nest. Please demonstrate why this wetland along with its associated upland buffers cannot be preserved and maintained in perpetuity. In addition, please demonstrate how the proposed development complies with Comprehensive Plan Policies 8.1.8.2 and 8.1.8.5 regarding listed species.
10/20/2006 – Please provide documentation that the applicants consultants have had consultations with State and Federal agencies with regard to listed species.
- 10) State protected species are resident on or are otherwise significantly dependent upon the subject parcel of land, therefore the person undertaking development shall consult with the Florida Fish and Wildlife Commission, U.S. Fish and Wildlife Service, and the County. Per Comprehensive Plan Policy 8.1.8.10 appropriate protection to the satisfaction of all parties shall be provided **prior to approval of the development.** Please provide copies of the habitat management plans for all of the listed species found on the subject parcel.
10/20/2006 –Staff will make this a condition found in any development order that may be presented to the Board of County Commissioners.
- 11) The submitted material indicates that 162.9 acres of pine flatwoods exist on the site and the applicant is proposing to preserve 37.3 acres (22.8%). Please demonstrate why additional native upland habitat cannot be incorporated into the proposed site plan.
10/20/2006 – Not addressed. At a minimum, staff recommends preservation of 25% of the native upland habitat found on site so that the DRI is in compliance with TCRPC policy.
- 12) As the applicant is seeking approval of a site plan covering an area greater than ten acres in size, an environmental impact report is required per section 11.02.09 A 5. The environmental impact report shall contain the following information:
- a. A vegetation and substrate survey including:
 - i. Extent and acreage of all marsh and mangrove forest areas, including substrate conditions.
 - ii. Extent and acreage of all upland hammock forests.
 - iii. Extent and acreage of wetlands.
 - b. The required first floor elevation, and whether all floor elevations will be above this level.
 - c. An assessment of the impacts upon onsite vegetation and wildlife, and onsite and off-site natural resources; a description of the planned approach that will be used to minimize these impacts; a description of the

proposed alterations or disturbances to any of the areas identified in response to Sections 11.02.09(A)(5)(b)(1)(c) and (d) above; and the mitigation that will be provided.

10/20/2006 – Acknowledged. This will be a requirement for each individual PUD/PNRD or site plan for this project.

- 13) How will tree mitigation requirements for impacts to county protected vegetation be handled? Please refer to Chapter 6.02.00 of the Land Development Code for options to handle these requirements. As mentioned in comment 11, ERD recommends that additional pine flatwoods existing on site be incorporated into the site plan.

10/20/2006 – See response to #12 above.

- 14) It is assumed that the residential areas found within the proposed development will be reviewed on an individual basis as PUD's. Please demonstrate how the development as proposed meets the requirements for native habitat preservation (7.01.03 I (1)) found within PUD's.

10/20/2006 – Acknowledged.

- 15) Please submit a Preserve Area Monitoring and Management Plan. The plan, at a minimum, should address exotic removal in all preserves, silt fencing and protection barricades during construction, proposed monitoring program, proposed replanting plan of native vegetation in any impacted areas, signage for preserve area boundaries, explanation of who will be responsible for future maintenance, etc.

10/20/2006 – See response to #12 above.

- 16) The Indian River Lagoon-South (IRL-S) Comprehensive Everglades Restoration Project includes a Stormwater Treatment Area and Reservoir situated north of the proposed development. The purpose of these features is to benefit the Indian River Lagoon and St. Lucie River by reducing the negative impacts associated with poor water quality and excess stormwater runoff. We recommend that stormwater storage and treatment be maximized on-site so that this development can ideally augment, and at least not detract from, the benefits provided by the restoration project. We also recommend that the HOA documents provide guidance on proper and minimal use of fertilizers, pesticides, and irrigation by attaching a copy of the Florida Yards and Neighborhoods Handbook to the HOA document and by providing new homeowners with this handbook as well. As further information, homeowners could be provided with SFWMD brochures describing the purpose and features of the IRL-S project.

10/20/2006 – ERD staff is requesting that the applicant go a step farther than the minimum requirements of SFWMD. Staff continues to recommend and request that the HOA documents provide guidance on proper and minimal use of fertilizers, pesticides, and irrigation by attaching a copy of the Florida Yards and Neighborhoods Handbook to the HOA document and by providing new homeowners with this handbook as well.

- 17) Preserve areas shall be covered by a conservation easement, per Policies 8.1.4.13 and 8.1.12.8 of the Conservation Element of the St. Lucie County

Comprehensive Plan. Please provide the following information in order to process the conservation easement: 1) signed draft conservation easement, 2) site plans or map of conservation easement areas, and 3) legal description and number of acres of conservation easement. Please note that prior to the issuance of a Vegetation Removal Permit, an executed (signed) copy of the easement document must be provided. Also, within 60 days of issuance of a permit a recorded copy of the easement document will be required to be submitted.

10/20/2006 – Please note that at the time of individual site plan approval for projects within this DRI will require conservation easements over preserve areas as described in policies 8.1.4.13 and 8.8.12.8.

- 18) Cabbage palms may be used by the caracara for nesting, while improved pastures are typically used for foraging, according to the US Fish and Wildlife Service's (FWS) Multi-Species Recovery Plan (FWS 1999). As both of these features occur on-site and caracara have been documented in the vicinity of the project, the U.S. Fish and Wildlife Service (FWS) should be contacted regarding survey requirements and impact avoidance measures for this federally-listed species. Completion of consultation with the FWS regarding the above-mentioned species and adherence to the FWS recommendations will be conditions of approval by St. Lucie County.

10/2/2006 – See response to #9 above. The applicant should be coordinating with the USFWS regarding Cara cara in the DRI planning stage. Please provide documentation that this has taken place.

- 19) Please demonstrate how the applicant will comply with the State Comprehensive Plan Policies regarding Energy. Staff recommends requiring builders to use energy efficient design and operations of buildings such as those referenced in the Florida Green Building Code to the greatest extent possible. Staff further recommends the use of solar energy technologies and passive solar design techniques.

10/20/2006 – Staff appreciates that applicable building codes will be followed. However, we are requesting specific information regarding how the proposed DRI will comply with the State Comprehensive Plan Policies regarding Energy. Please provide information as to how provisions found within Florida Green Building Codes and solar energy technologies will be utilized in this DRI.

Further questions or comments may be forthcoming based on resubmitted materials.

Code Compliance (Mike Halter)

- 1) A St. Lucie County Stormwater Permit is required in accordance with Sections 7.07.00 and 11.05.07 of the S.L.C. Land Development Code prior to any construction or development activity on site. Contact the Code Compliance Division for applications and fees at (772) 462-1553 or go to www.co.st-lucie.fl.us for on-line permit applications.

- 2) A South Florida Water Management District Environmental Resource Permit is required.
- 3) A North St. Lucie River Water Control District drainage connection permit is required.
- 4) A North St. Lucie River Water Control District canal crossing permit is required.

School Board of St. Lucie County (Marty Sanders)

Approved - We have no concerns with the text amendments.

Growth Management (Andrew Riddle)

- 1) The application does not demonstrate consistency with Policy 1.1.2.4, SLC Comprehensive Plan. Please demonstrate that the project is consistent with the following:
 - a. is compatible with adjacent land uses;
 - b. maintains the viability of continued agricultural uses on adjacent lands;
 - c. contains soils suitable for urban use as defined by the St. Lucie County soil survey;
 - d. is suitable with existing site-specific land characteristics;
 - e. is consistent with comprehensive development plans;
 - f. will have available the necessary infrastructure concurrent with the anticipated demands for development;
 - g. will avoid the extension of the urban services boundary to create any enclaves, pockets, or finger areas; and,
 - h. Could not be feasibly located on non-agricultural land.
- 2) The City of Port St. Lucie recently approved over 50,000 residential dwelling units through the DRI process. Please indicate how the future growth of the county will require additional housing units by 2020 from the Provinces DRI, in relation to the existing development activity within the urban areas and the approved DRI applications. Please demonstrate principles, guidelines, and standards for orderly and balanced growth. The application does not outline any legitimate public purpose to convert the existing rural land area to the proposed urban residential densities.
- 3) The Provinces DRI is located in an area surrounded by agricultural land and is not adjacent to the urban core of the municipalities. The growth pattern illustrated by Provinces DRI encourages sprawl by avoiding and bypassing areas with existing and/or permitted urban densities and intensities to isolated areas (Leapfrog). (9J-5.006(5)(g)(1-13), F.A.C. and Goal 2.1; Objectives 1.1.5; 6A.1.1; 6D.1.1; and Policies 12.4.2.3; 6A.1.1.1; 6A.1.1.1b; 6D.1.1.1; 6D.1.1.1b; 2.2.1.4, St. Lucie County Comprehensive Plan).
- 4) The proposed project is located within the Midway/Glades Mixed Use Activity Area. The Wal-Mart regional distribution center is also located within this MXD activity area. The Tropicana plant is located to the east of the proposed DRI

property, separated by I-95. The Provinces DRI program does not include industrial uses consistent with the existing activities in the area.

- 5) According to the Future Land Use Element of the St. Lucie County Comprehensive Plan, land areas located along I-95/Florida Turnpike could potentially be suitable for employment and housing centers. Staff, however, is concerned with the potentially negative effects of the proposed densities and land use intensities that may significantly impact the municipalities. Presently, there is a lack of interest in quality infill and redevelopment within the municipalities. The Provinces DRI does not encourage private sector investment in the preservation and improvement of the urban areas within the cities.
- 6) Map "H" depicts the housing types segregated, with single-family dominating the wetland and upland preserve area and multi-family buffering the negative characteristics of Interstate 95. Staff recommends the mixing of housing types that encourages economic and social integration. Staff encourages the applicant to create an affordable housing ("workforce housing") tool kit for the development. Staff discourages the use of gates, walls, and fences between uses. Staff recommends that the school site be located central to the residential component to enable more children to walk/bike to school.
- 7) With the current trend of supply disruption of fuel, it is imperative to encourage alternative modes of transportation. The St. Lucie County Comprehensive Plan and the Urban Area MPO Transit Development Plan (Map 6-1) does not include bus transit stops on the Midway Road, I-95 and US1 corridor. The site location is within the ten year service expansion plan. The development plan should provide transit ready accommodations such as park & ride facilities, bus stop locations, and roadway connections (Policy 5.1.3.3, SLC Comprehensive Plan). Public transportation, Transportation Enhancements program, housing proximity to employment and essential services are examples of ways to reduce the dependency on the automobile. Identification of the current and future target areas of employment and the estimated cost for residents to commute to employment is a critical factor in determining the livability of the development. Traffic circulation plans shall include the mitigation of all potential project impacts on the roadway system (Policy 2.1.2.2, SLC Comprehensive Plan). Transportation improvements and mitigation must be secured with committed funds (Chapter 5, St. Lucie County Land Development Code and Policy 2.1.1.5, SLC Comprehensive Plan). Periodic monitoring should be performed to evaluate transportation concurrency throughout the development phases.
- 8) Staff recommends that the applicant provide a network of greenways, parks, and trails within the development that could potentially interconnect to the metropolitan and regional system creating a latticework of parks, natural open spaces, bikeways, and trails. Staff recommends providing a green area surrounding the site to buffer the proposed residential uses from the existing agricultural uses adjacent to the project, consistent with Policy 1.1.2.6 of the SLC Comprehensive Plan.

- 9) Staff is concerned with the conurbation resulting from the numerous DRI applications along the Urban Service Boundary. Staff requests detailed projections and demand analysis for the proposed urban expansion, the connection with the Provinces DRI to the other DRIs in the area, and the relationship between the Provinces DRI to the municipalities. A justification statement describing the public benefits resulting from the conversion of a largely agricultural land area to the proposed densities and intensities is recommended.

Growth Management (Diana Waite)

- 1) Policy 8.1.1.2: St. Lucie County shall facilitate development that maximizes energy efficiency and sustainability. This should include techniques that will reduce the total fossil fuel energy required to build and maintain urban land uses. This shall include standards that promote mixed land use patterns, urban infill, public transit and provide non-motorized interconnections between land use types to reduce auto dependence and vehicle miles traveled.

Please include component in the site plans to mitigate this projects impact on Midway Road, SR 70 and the interstate highway system and maximize efficiency and sustainability in furtherance of the above policy. Suggested facilities include Park & Ride facilities and transit facilities. Of particular importance in the project location could be the siting of park and ride facilities that allow ride sharing for commuters. Site plan components should include interconnectivity between uses for all modes of transportation, transit infrastructure, internal paths (for pedestrian and cyclists), and external connectivity.

- 2) The South Florida Water Management District Ten Mile Creek Water Preserve Area lands are located along this projects northern boundary. The developer should coordinate with local and regional management staff to provide a linked recreational trail connecting existing and proposed recreational lands to this project and West Midway Road. FDOT and SFWMD own up to this project's property line providing an opportunity for a local road linking State Route 70 (SR 70) to West Midway Road. This connection would provide an alternative route to SR 70, distribute traffic, and provide access to public facilities associated with the Ten Mile Creek Water Preserve Area for the residents of the DRI and the general public. Any existing right of way within the eastern portion of this project should be maintained, supplement and improved. At a minimum access to these recreational facilities should be provided, either via a roadway or a greenway with multi-use trail facilities.

St. Lucie County Sheriffs Department (Gary Gonsalves)

Based on the current growth in the area and no funding source for expansion of personnel, law enforcement service response may be delayed to this project, others pending and current residents of the area.

St. Lucie County Airport (Diana Lewis)

I have no comments on this DRI. It is outside our noise impact zone and not within any school construction prohibited areas.

St. Lucie County Utilities (Ray Murankus)

St. Lucie County Utilities has the Provinces DRI memo dated February 7, 2007. We would like to remind the Treasure Coast Regional Planning Council that St. Lucie County Utilities will be serving the water and wastewater utility needs of this project. To date the Provinces DRI project has not signed a St. Lucie County Utilities Standard Development Agreement (SDA) for these services as required by the St. Lucie County Uniform Extension Policy (UEP). The Provinces DRI project must have the SDA in place prior to moving forward.

St. Lucie County Parks and Recreation (Debbie Brisson)

Staff concurs with the TCRPC conditions; no changes or additions at this time.

St. Lucie County Community Services (Sebastian Gomez)

Transit:

In order to promote public transit and reduce vehicle usage please consider an internal people mover/trolley system. The system could service the residential, commercial, industrial and civic/public areas and with limits, possibly service schools. The system could also serve as a shuttle to and from park and ride lots and bus stops. Additionally, due to the proximity to I-95, the applicant may want to consider a future transit terminal/transfer facility in order to facilitate transit, from all directions, to and from the Provinces. The applicant may want to consider public awareness and the benefits of public transit as a theme of the Provinces.

Pedestrian Movement and Safety:

Another way to reduce vehicle usage is to encourage walking and bicycle usage. Florida has one of the highest rates of pedestrian fatalities in the country. Therefore, pedestrian safety is very important. Features such as audio and visual cross walk signals at signalized intersections, respite islands, longer crossing times and no right turns on red, pedestrian cross over bridges and mid block crosswalks, are conducive to pedestrian safety. Clearly marked on or off road bicycle paths and the convenient placement of bicycle racks/storage would encourage bicycle usage. Another part of pedestrian safety is the compliance with the American with Disabilities Act Accessibility Guidelines (ADAAG).

Affordable/Workforce Housing:

Affordable housing is one of the functions of Community Services and encourages the applicant to make it a priority of the Provinces.

Thank you for providing the opportunity to comment on the development application for the Provinces DRI. If you have any questions, please give me a call at 772-462-2822.

Sincerely,



Andrew Riddle
Planner

Provinces DRI 070221.doc

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MAR 07 2007

TREASURE COAST
REGIONAL PLANNING COUNCIL

February 21, 2007

Engineering/Public Works Comments & Questions

1. All proposed roads to be dedicated to the County must meet minimum ROW requirements as defined in the LDC. Specifically the main road must have 160' of ROW. Design speeds shall be for the maximum possible speed. Posted speeds may be lower.
2. There is a proposed school located on the main north-south road. The developer with the school board shall insure that a school zone is not created on the north south road, if the developer expects the County to accept the road. Ensuring that there is enough distance between the sidewalks along the road and that the entrances are placed on side streets can easily do this. The developer will need to consult applicable laws and regulation to comply with this requirement.



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPARTMENT
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, Florida 34984-5099
(772) 871-5212
(772) 871-5124 Fax

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TREASURE COAST
REGIONAL PLANNING COUNCIL

TDD (772) 873-6339

February 27, 2007

Michael J. Busha, AICP
Treasure Coast Regional Planning Council
301 East Ocean Boulevard Suite 300
Stuart, FL 34994

Subject: Provinces Development of Regional Impact

Dear Mr. Busha:

Thank you, for provided the subject application to the City of Port St. Lucie for review. After our review of the application, we have identified the following concerns. We request that the applicant respond to all of the identified issues in this letter. Additionally, we reserve the right to comment on future resubmittals.

Comments from Parks and Recreation Department:

1. Where will the residents of this community find adequate recreation areas to fulfill their need for active recreation? The proposed 3 parcels in their development will not meet these needs due to lack of space that is required for active sports such as: soccer, baseball, football, lacrosse, tennis, to name a few.
2. Are there provisions for pedestrian access/connectivity to all recreation areas? Do major connectors have separate bike paths adjoining them?

Comments from Engineering:

1. This project will have significant impact on the City's roadway infrastructure. The City reserves the right to further comment on the DO.

February 27, 2007
Provinces DRI

If you have any questions about the contents of this letter, please contact me at
(772) 871-5213.

Sincerely,



Daniel Holbrook, AICP
Assistant Director of Planning and Zoning

CC: Donald B. Cooper, City Manager
Jerry Bentrott, Assistant City Manager
Cheryl Friend, Director of Planning and Zoning
Roger Orr, City Attorney
Walter England, City Engineer
Jesus Merejo, Utilities Director
Chuck Proulx, Parks and Recreation Director

Stephanie Heidt

From: Foster.Victoria@epamail.epa.gov
Sent: Wednesday, February 28, 2007 8:40 AM
To: mbusha@tcrpc.org
Cc: Charles_Kelso@fws.gov; Penny.Cutt@saj02.usace.army.mil
Subject: Provinces DRI

Attachments: EPA Letter Provinces DRI.pdf



EPA Letter
rovinces DRI.pdf (

Michael,

This is in response to the final request for agency comments regarding the proposed Provinces/Willow Lakes DRI in St. Lucie County (ACOE application 2005-4527). EPA provided a letter on this project (a copy is attached) in response to the initial DRI application on 02/21/06 informing the applicant that wetland impacts should be reduced in order to comply with Clean Water Act Section 404 (CWA 404) criteria in the federal permitting process. While it appears that additional upland area has been preserved during revisions made to the project over the last year, there is no indication that additional avoidance and minimization of wetlands has occurred.

The large wetland mosaic in the northern section of the parcel is comprised of marshes and hydric pine flatwoods interspersed with upland pine forest. This natural community has high ecological value within the landscape and is becoming rare due to development impacts throughout south Florida. According to staff reports by the SFWMD and the ACOE, this area is of very high quality and function. Impacts to these areas should be avoided. If wetland impacts are not further reduced, EPA foresees potential elevation of this project during the Federal permit review.

In order to achieve further avoidance and minimization of impacts, as well as preserve the most valuable habitat on-site, we recommend that development be clustered in the far northeast corner and the southern areas of the site within existing uplands and previously impacted pasture areas, and that the northernmost portion of single-family housing be eliminated. This large mosaic of natural communities should be preserved in perpetuity and could possibly serve as mitigation for unavoidable impacts to wetlands in the southern portion of the site.

Many communities in other areas have incorporated preserve areas as amenities and have found that residents are willing to pay more to live close to natural areas. If the applicant wishes to provide access to the recreational area to the north of the parcel, a passive use recreation trail that crosses the natural area would be more appropriate.

Thank you for the opportunity to reiterate our concerns with this project. We request that the Council take the above items into consideration while drafting recommendations on this DRI. If you have any questions, please feel free to contact me. Once the Council has a final set of recommendations and development orders (DO), please forward copies of those to me for my reference.

Sincerely,

Victoria Foster
FWS Fish and Wildlife Biologist/EPA Liaison EPA South Florida Office 400 North Congress Avenue, Suite 120 West Palm Beach, FL 33401
Phone: 561-616-8878
Fax: 561-615-6959
E-mail: Foster.Victoria@epa.gov

(See attached file: EPA Letter Provinces DRI.pdf)

PS. Penny - I am cc'ing you on this since it was Brandon's project and I am unsure who it was reassigned to. Thanks.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
WATER MANAGEMENT DIVISION
SOUTH FLORIDA OFFICE
400 NORTH CONGRESS AVE., SUITE 120
WEST PALM BEACH, FLORIDA 33401

FEB 21 2006

Michael J. Busha, AICP
Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

SUBJECT: Provinces Development of Regional Impact (DRI)
Application for Development Approval (ADA)

Dear Mr. Busha:

This letter is in response to the ADA submitted by Carter & Burgess, Inc., on behalf of Midway Properties, LLC, Willow Lakes, LLC, and Red River, LLC, for the project currently known as Provinces DRI. The applicant proposes a mixed use community, including housing, commercial, educational, and retail space, to be placed on a 733-acre parcel that is currently in use as agricultural grazing land and pine plantations. The purpose of the project is to construct a new community in the western central portion of St. Lucie County. The site is located at the northwest corner of I-95 and Midway Road, and is bounded on the north by the Ten Mile Creek Recreational Area.

The U.S. Environmental Protection Agency (EPA) has reviewed the ADA provided as it relates to wetlands and surface waters regulated under the Clean Water Act (CWA), specifically in relation to the CWA Section 404(b)(1) Guidelines (Guidelines), which prohibit avoidable or significant adverse impacts to the aquatic environment. EPA provides comments during the public notice period that takes place as part of the CWA 404 permit process administered by the Army Corps of Engineers (ACOE). While we are aware that this process has not yet been initiated, we would like to take the opportunity to comment at this time while the project is still in the planning phase. It is our hope that, at this stage of project development, there is more flexibility in the project design, wherein our comments can be considered and result in a higher level of environmental protection and stewardship. These comments are also provided as a benefit to the applicants, so that they have the opportunity to consider them early on in the process. Therefore, EPA wishes to provide the following comments and recommendations on this project for consideration during the DRI process.

A. Based on the information provided in Question 13, it appears that 185.9-acres (25.4%) of the site are wetlands and 24.0-acres (3.3%) are other jurisdictional surface waters. The project description states that 93-acres (50.03%) of wetlands are to be impacted. Please be advised that the EPA is required through the direction in the Guidelines to ensure that every practicable alternative to avoid or minimize impacts is assessed before considering compensatory mitigation. We appreciate the avoidance and minimization effort demonstrated by preserving the majority of the high quality wetlands in the northern portion of the parcel. However, given the large size of the site (733-acres), it seems feasible that the project could be designed in such a way that impacts to the majority of the vegetated wetlands could be avoided. During the CWA 404 permit process, EPA will request justification for any remaining impacts to wetlands.

B. Based on the location of the current wetlands and the soils maps, it appears that this site historically had wetlands occurring along the property's centerline from north to south. In the conceptual

plan, it does not appear that any wetlands are proposed to remain south of the northern preserve area. We recommend evaluating the potential for enhancement and restoration of wetlands along the center of the property as well as in the boundary areas currently proposed for mitigation. Specifically, please ask the applicant to consider modifying the site design so that wet prairie areas (FLUCCS Code 643) are avoided and preserved as well as other wetland habitat types. Wet prairie areas provide excellent forage habitat for wading birds, including the endangered wood stork (*Mycteria americana*).

C. Since this area is rapidly developing, please provide a regional map that shows your DRI as well as any other known DRIs located within the same vicinity. Is this parcel adjacent to any other DRI parcels? If so, EPA recommends joint planning of project design between adjacent DRI projects, specifically in relation to wetlands preservation and enhancement, surface water management, and mitigation. Rather than view each DRI project as an independent piece, multiple DRIs occurring within the same regional area have the potential to come together and create ecologically significant corridors of wetlands and open space.

In some cases, applicants choose to coordinate with ACOE staff during the DRI process. We request that they include the federal partner agencies (EPA, National Marine Fisheries Service [NMFS], and US Fish and Wildlife Service [FWS]) in any site visits and pre-application meetings.

Thank you for the opportunity to participate in the DRI process and provide comments on this ADA. If you or the applicant should have any questions, please contact Victoria Foster at the address shown on the letterhead, by e-mail at Foster.Victoria@epa.gov, or by telephone at 561-616-8878.

Sincerely,


Richard M. Harvey, P.E.
Director

cc: ACOE, Palm Beach Gardens, FL – Alisa Zarbo
FWS, Vero Beach, FL – Chuck Kelso
NMFS, Miami, FL – Jocelyn Karazsia



Excellence in Education
The School Board of St. Lucie County

4204 Okeechobee Road
Fort Pierce, Florida 34947 • (772) 429-3600

Board Members
Dr. John Carvelli, Chairman
Carol A. Hilson, Vice Chairman
Kathryn Hensley
Troy Ingersoll
Dr. Judi Miller
Superintendent
Michael J. Lannon

March 5, 2007

Kim DeLaney, Ph. D.
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, FL 34994

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MAR 07 2007
TREASURE COAST
REGIONAL PLANNING COUNCIL

SUBJECT: Provinces DRIs- School Needs

Dear Ms. DeLaney:

As a part of the intergovernmental coordination we have reviewed the school needs for the project and the draft conditions for the project as prepared by you. The draft, as amended and transmitted to you by electronic mail on March 3, 2007 does address the development related school impacts.

As requested, the developers have worked together to provide an overall planning for schools in the project. We have met with the developer representatives and they have agreed to site 5 K-8 schools and one high school within the western annexation area as follows:

We truly appreciate the interaction with the TCRPC and asking for our input at the planning stage. Because of the timing of the review, we have not presented the issues to the School Board and this should not be constructed as School Board approval of the project. Please call me at (772) 429-3640 if you have any questions.

Sincerely,

Marty E. Sanders, P.E.
Executive Director Growth Management, Land Acquisitions & Inter-Governmental Relations

MES/mtf

LOMv Document\Gis_1\001111\RPC\DRP\Provinces ICRPC letter DRIs school needs 3-5-2007.doc

cc: School Board Members
Michael Lannon, Superintendent
Dan Harrell, School Board Attorney



APPENDIX C

Goals, Strategies and Policies

This appendix contains a summary of the goals, strategies and policies in the SRPP that are most relevant to the project. Please refer to the SRPP for a more complete discussion of regional issues and additional goals, strategies, and policies.

Future of the Region

MASTER PLAN

Goal 4.1: Future development should be part of existing or proposed cities, towns, or villages.

Goal 6.1: Create new neighborhoods and communities.

Goal 10.1: Neighborhoods and communities which are served by a variety of transportation modes.

Goal 15.1: Preferred forms of development which result in downtown redevelopment and infill, the containment of suburban sprawl and the creation of new cities, towns, and villages.

Goal 16.1: The formation of new towns, cities and villages.

Strategy 6.1.1: Encourage the formation of sustainable neighborhoods and communities.

Strategy 7.1.3: Promote improved community planning and urban design.

Strategy 7.2.1: Promote patterns of development which provide better opportunities for the transportation disadvantaged.

Strategy 7.3.1: Reduce vulnerability to natural and man-made disaster events through better transportation, land use and community planning.

Strategy 12.1.1: Encourage patterns of development and programs which improve the independence and self-sufficiency of children.

Strategy 13.1.1: Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

Strategy 16.1.1: Encourage and facilitate preferred forms of development.

Policy 6.1.1.1: New neighborhoods and districts should contain a balanced, well-planned, compatible mix of land uses appropriately located so that State, local and regional goals are achieved.

Policy 6.1.1.2: New neighborhoods and districts should have compact designs, with a mix of building types.

Policy 6.1.2.3: Require that an urban design study be prepared to evaluate development proposals in the countryside.

Policy 7.1.1.4: Urban design and architectural studies should be performed when evaluating residential and commercial projects. Such studies should analyze building typology and compatibility, land use mix and the overall impact of the project on the surrounding neighborhood or district.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

Policy 7.2.1.1: Encourage patterns and forms of development and redevelopment and street design that will improve mobility opportunities for transit dependent groups especially the poor, handicapped and young.

Policy 7.3.1.2: Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide central locations for public shelters and emergency relief centers.

Policy 8.1.1.3: Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

Policy 9.1.1.1: Encourage patterns of development and programs which reduce dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

Policy 10.1.1.1: Plan and design development to effectively accommodate alternative modes of transportation.

Policy 12.1.1.1: Consider the special mobility needs of children in all development proposals.

Policy 12.1.1.2: Encourage the location and provision of schools, parks, recreational and other uses (e.g., retail, civic uses, etc.) within biking or walking distance.

Policy 12.1.1.4: Provide sites for civic uses such as schools, parks and libraries within neighborhoods.

Policy 15.1.3.13: Make non-preferred forms of development occurring in undeveloped areas responsible for the full and true infrastructure costs to support the development through buildout.

Policy 16.1.1.1: Local governments should identify appropriate locations for preferred forms of development.

Policy 16.1.1.2: Future land use plans should be prepared for locations considered appropriate for new towns, cities, villages, neighborhoods and districts.

Transportation

RIGHTS OF WAY

Policy 7.1.1.1: Reserve and protect sufficient road right-of-way on the regional roadway network to provide for an efficient multi-modal transportation system.

EXTERNAL ROADWAY IMPROVEMENTS

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

INTERSECTION IMPROVEMENTS

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

ACCESS DRIVEWAYS

Goal 7.1: A balanced and integrated transportation system.

Strategy 7.1.3: Promote improved community planning and urban design.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

ANNUAL REPORTING AND MONITORING

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effective.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

NEIGHBORHOOD IMPACTS

Policy 7.1.2.1: Assist public and private agencies and entities in implementing TDM strategies that reduce congestion, energy use and the number of single-occupant auto trips.

Policy 7.1.2.2: Give consideration during the planning of transportation system expansion to providing incentives for use of high-occupancy vehicles and alternative modes of transportation (e.g., car pools, van pools, buses, bicycles, etc.).

Policy 7.1.2.3: Increase land use densities and the mix of land uses around commuter rail stations and at strategic locations along designated public transportation corridors where consistent with other local and regional goals and strategies.

Policy 7.1.2.4: Develop and redevelop downtowns and strategic locations along designated public transportation corridors. In order to improve the feasibility of public transportation, residential densities should be no less than 8 units per acre.

Policy 7.1.2.5: Develop a regional roadway system of predictably spaced and interconnected east-west, north-south streets. Ideally, streets should be spaced every one-quarter to one-half mile to offer multiple route choices, disperse traffic, and discourage local travel on interstates and arterials.

Policy 7.1.3.2: Suggests planning development to provide interconnections for pedestrians and public transportation within and between residential areas, schools, employment and retail centers, recreational areas and other public facilities.

Policy 7.1.3.3: An urban design study should be prepared prior to the development and redevelopment of building sites or changes to the street network.

Policy 7.1.3.5: Orient buildings toward streets to create better pedestrian environments.

Policy 7.1.3.6: Locate buildings so they are as convenient and accessible to public transportation facilities and sidewalks as they are to auto parking.

Policy 7.1.3.7: Locate parking to the sides and backs of buildings so that pedestrian access and access from public transportation does not require walking through large parking lots to reach building entrances.

Policy 7.1.3.9: Design and locate parking lots and garages to enhance pedestrianism and the character and attractiveness of the area, and to encourage use of alternate modes of transportation.

Strategy 7.1.4: Encourage public transportation alternatives.

Policy 7.1.4.1: Review and where necessary amend public policy governing parking requirements to support “transit first” policies and to promote public transit as a viable alternative in high density areas, designated public transportation corridors, and central business districts.

Policy 7.1.4.2: Have new development or redevelopment provide transit ridership amenities (shelters, route information, and schedules) and appropriate and effective incentives whenever transit use is assumed or required to maintain acceptable roadway level of service.

Policy 7.1.4.4: Support requests for lower levels of service and establishment of transportation concurrency exception areas in higher density areas, downtowns, and along designated public transportation corridors where it can be demonstrated that levels of mobility and convenience will be maintained or increased through other modes of transportation or land use corrections.

Policy 7.1.4.5: Support development and implementation of corridor management plans which are consistent with the SRPP.

Human Resource Issues

HOUSING

Goal 2.1: An adequate supply of safe and affordable housing to meet the needs of the very low, low, and moderate-income residents of the Region.

Goal 2.2: A range of housing types and affordabilities in proximity to employment and services.

Strategy 2.1.1: Create a planning/regulatory climate which is conducive to the production of affordable housing.

Strategy 2.1.2: Create and expand public/private partnerships among all entities involved in the provision of affordable housing including financial institutions, developers, contractors, government agencies, social service and other non-profit organizations, churches and realtors.

Strategy 2.2.1: Ensure that all areas have a reasonable mix of housing, employment opportunities, and services.

Policy 2.1.1.1: Local governments should reduce unnecessary regulatory barriers which make it more difficult to build affordable housing. Examples of such barriers are large lot sizes, minimum unit size and floor space, and setbacks.

Policy 2.1.1.2: Local governments should allow zero lot line development, cluster development, accessory apartments, high-density zoning, mixed-use buildings, modified site improvement standards, alternate construction techniques, etc.

Policy 2.1.1.4: Local governments should consider the enactment of incentives such as density bonuses, linkage programs, and inclusionary housing policies.

Policy 2.1.1.5: Local governments should designate adequate sites where affordable housing can be developed.

Policy 2.1.2.1: Work closely with non-profit organizations who are interested in sponsoring housing projects which serve very low, low and moderate-income residents.

Environment and Natural Resources

UPLAND PRESERVATION

Strategy 1.1.1: Preserve and manage complete natural systems as a network of connected nature preserves.

Strategy 6.1.1: Preserve and manage natural systems as a network of connected nature preserves and promote the establishment of greenway systems in the region.

Policy 6.7.1.2: Development plans should be designed to maximize the amount of protected habitat. Protected natural communities and ecosystems should be preserved in viable condition with intact canopy, under-story, and ground cover. Where possible, preserve areas should be designed to interconnect with other natural areas that have been set aside for preservation. A restoration and management plan for the protected areas should be developed.

As a minimum baseline measure for consistency with the SRPP, Council strives to achieve protection of 25 percent of upland natural communities in the evaluation of development plans. Council supports the maximum protection of natural communities,

and recommends that more than 25 percent of the upland habitat be preserved where appropriate.

Policy 6.7.1.9: Preserve areas should be designed to protect integrated systems of uplands and wetlands.

Strategy 6.8.1: Preserve areas should be designed and established to protect endangered and potentially endangered species.

Policy 7.1.2.6: Redirect development patterns away from interstates and major arterials to town and neighborhood centers along collector and minor arterials.

Policy 8.1.1.3: Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

LISTED SPECIES

Strategy 1.1.1: Preserve and manage complete natural systems as a network of connected nature preserves.

Strategy 6.8.1: Preserve areas should be designed and established to protect endangered and potentially endangered species.

Policy 6.8.1.2: All endangered and potentially endangered plant and animal populations should be protected and all habitat of significant value to existing populations of endangered and threatened species should be preserved and protected.

WETLANDS

Policy 6.6.1.1: No activity should be allowed that results in the alteration, degradation, or destruction of wetlands and deepwater habitats, except when:

1. Such an activity is necessary to prevent or eliminate a public hazard;
2. Such an activity would provide direct public benefits which would exceed those lost to the public as a result of habitat alteration, degradation, or destruction;
3. Such an activity is proposed for habitats in which the functions and values currently provided are significantly less than those typically associated with such habitats and cannot be reasonably restored;
4. Such an activity is water dependent or, due to the unique geometry of the site, minimal impact is the unavoidable consequence of development for uses, which are appropriate given site characteristics.

Policy 6.6.1.2: Whenever any wetland or deepwater habitat is degraded or destroyed, mitigation should be provided through the creation of new wetland and deepwater habitat, through the restoration of degraded habitat, or through the enhancement of functions and values provided by existing habitats.

Policy 6.6.1.3: A buffer zone of native upland edge vegetation should be provided and maintained around wetland and deepwater habitats, which are constructed or preserved on new development sites. The buffer zone may consist of preserved or planted vegetation but should include canopy, under-story, and ground cover of native species only. The edge habitat should begin at the upland limit of any wetland or deepwater habitat.

EXOTIC SPECIES

Policy 6.7.1.4: All nuisance and invasive exotic vegetation listed by the Florida Exotic Pest Plant Council should be removed and where appropriate replaced with plant species adapted to existing soil and climatic conditions. Removal should be in such a manner that avoids seed dispersal by any such species. State and federal agencies and local governments should coordinate and assist in the removal and replacement of nuisance exotic pest species.

STORMWATER MANAGEMENT

The following strategy and policies in the SRPP apply to the project:

Strategy 1.1.2: Promote compatibility of urban areas, regional facilities, natural preserves and other open spaces.

Policy 6.3.1.1: All new, reconstructed or substantially expanded storm and surface water management systems should be designed and constructed to meet state water quality standards. Where feasible, retention is the preferred method for treatment of stormwater, recharging the aquifer, and protecting the region's estuaries.

Policy 6.3.1.2: A vegetated and functional littoral zone should be established as part of new surface water management systems where possible. Prior to construction of the surface water management system for any phase of a project, the developer should prepare a design and management plan for the wetland/littoral zone that will be established as part of these systems. The littoral zone established should consist entirely of native vegetation and should be maintained permanently as part of the water management system.

Policy 6.3.1.6: Design drainage systems that maintain the natural discharge pattern of stormwater from a site.

WATER SUPPLY

Goal 8.1: Public facilities which provide high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of the necessary infrastructure and services.

Goal 6.2: A regional water supply managed to provide for all recognized needs on a sustainable basis.

Strategy 6.2.1: Develop and implement water conservation programs.

Policy 6.2.1.1: Use reclaimed wastewater for irrigation and other suitable purposes when such use is determined to be feasible.

Policy 6.2.1.3: Protect natural communities on development sites as a method to reduce the need for irrigation.

Policy 6.2.1.4: In order to protect and conserve the water resources of the Region and southern Florida to ensure the availability for future generations:

1. All landscaping material used on the primary dune system should be composed of native plants adapted to soil and climatic conditions occurring on-site. In all other locations the majority of landscaped areas should be composed of native or drought tolerant plants adapted to soil and climatic conditions occurring on-site.
2. The lowest acceptable quality water should be used to meet nonpotable water demands.
3. Potable water rates should be structured to encourage conservation.
4. All new and expanding wastewater treatment facilities should make reclaimed wastewater available for use in irrigation. Where possible, all new development should rely on wastewater reuse for irrigation.
5. Use of water saving device, irrigation systems, and plumbing fixtures should be required to the maximum extent justified. Where appropriate, existing systems should be retrofitted to make use of the most cost efficient water saving devices.
6. Leak detection programs should be developed and implemented.

WASTEWATER MANAGEMENT

Goal 8.1: Public facilities which provide high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of the necessary infrastructure and services.

HURRICANE PREPAREDNESS

Goal 5.2: Reduced vulnerability to disasters.

Strategy 5.2.1: Utilize land use, transportation, and community planning processes to address vulnerability issues.

Policy 5.2.1.1: Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide natural central locations for public shelters and emergency relief centers.

Regional Goal 5.3: Adequate and safe shelter within the Region for residents in coastal high hazard and floodplain areas.

Strategy 5.3.1: Provide shelter space for residents of areas susceptible to flooding from the effects of hurricanes and other storms.

Policy 5.3.1.10: In accordance with State, local, and regional hurricane evacuation studies and emergency evacuation plans, require new developments to fully mitigate impacts on existing public shelter capacities by providing additional shelter space which can safely accommodate the development's residents who are likely to seek public shelter locally during a hurricane event.

SOLID WASTE AND HAZARDOUS MATERIALS

Goal 6.3: Protection of water quality and quantity.

Goal 8.1: Public facilities which provide a high quality of life.

Policy 8.1.1.1: All development should take place concurrent with or after the provisions of necessary infrastructure and services.

AIR QUALITY

Goal 13.1: Maintenance of acceptable air quality levels

Strategy 13.1.1: Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce

vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

Policy 13.1.1.1: Implement practices, which minimize airborne dust and particulate emission.

Strategy 7.1.3: Promote improved community planning and urban design.

Policy 7.1.3.1: Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

Policy 7.1.3.4: Reduce VMT per capita by private automobile within the Region through a combination of the following:

- (1) provision of public transportation alternatives;
- (2) provision of housing opportunities in proximity to employment opportunities;
- (3) provision of essential services and recreational opportunities in proximity to demand;
- (4) concentration of commercial and other essential services;
- (5) provision of a street network designed for the pedestrian the disabled, the automobile and transit;
- (6) provision of parking in ways that will encourage pedestrianism and public transportation alternatives;
- (7) provision of incentives encouraging infill and downtown redevelopment;
- (8) support of public and private sector efforts to carry out TDM strategies that will reduce congestion; and
- (9) expansion of commuter rail and intermodal connections.

POLICE AND FIRE PROTECTION

Goal 8.1: Public facilities which provide a high quality of life.

Strategy 8.1.1: Provide levels of public services necessary to achieve a high quality of life, cost effectively.

Policy 8.1.1.1: All development should take place concurrent with or after the provision of necessary infrastructure and services.

HISTORIC AND ARCHAEOLOGICAL SITES

Strategy 15.1.1: Identify and protect archaeological and historical resources in the Region.

ENERGY

Goal 9.1: Decreased vulnerability of the Region to fuel price increases and supply interruptions.

Strategy 9.1.1: Reduce the Region's reliance on fossil fuels.

Policy 9.1.1.1: Encourage patterns of development and programs, which reduce the dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

Policy 9.1.1.3: Encourage energy efficient buildings. Strategies should include: 1) proper siting according to solar orientation; b) design of passive architectural systems; c) site designs that provide shade to buildings; d) use of sustainable building materials; and e) use of solar mechanical systems.

ECONOMIC AND FISCAL IMPACTS

Policy 8.1.1.3: Encourage patterns of development, which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

Policy 8.1.2.2: Give high priority to restoring or establishing new public facilities only in areas that have been designated as locations that will be built following preferred development form principles.

Strategy 3.4.1: Promote patterns of development, which allow public services and facilities to be provided more cost effectively.

Policy 3.4.1.3: Non-preferred forms of development, which occur in undeveloped areas should be responsible for and bear the full and true infrastructure costs to support the development through build out.

Policy 3.4.1.4: Develop a tiered system of impact fees which recognizes cost differences of providing public services to the development based on the size, type, form, location and service demands of the development proposed.

APPENDIX D

**South Florida Water Management District
Environmental Resource Permit No 56-02538-P
Issued December 14, 2006**



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 ENVIRONMENTAL RESOURCE PERMIT NO. 56-02538-P
 DATE ISSUED: DECEMBER 14, 2006**

FORM 60156
REV. 02/05

**PERMITTEE: WILLOW LAKES L.L.C.
 MIDWAY PROPERTIES L.L.C.
 RED RIVER L.L.C.
 (PROVENCES)**

See attached
for address

PROJECT DESCRIPTION CONCEPTUAL AUTHORIZATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 733.08-ACRE PROJECT KNOWN AS PROVENCES. (NO CONSTRUCTION IS AUTHORIZED BY THIS PERMIT.)

PROJECT LOCATION: ST LUCIE COUNTY, SECTION 34,35 TWP 36S RGE 39E
SECTION 2,3 TWP 36S RGE 39E

PERMIT DURATION: See Special Condition No:1. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit is issued pursuant to Application No. 060323-13, dated March 18, 2006. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351(1), (2), and (4), F.A.C.

This Permit shall be subject to the General Conditions set forth in Rule 40E-4.381, F.A.C., unless waived or modified by the Governing Board. The Application, and the Environmental Resource Permit Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit. All activities authorized by this Permit shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.381 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

- SEE PAGES 2 - 5 OF 8 (33 SPECIAL CONDITIONS).
- SEE PAGES 6 - 8 OF 8 (19 GENERAL CONDITIONS).

SOUTH FLORIDA WATER MANAGEMENT DISTRICT, BY ITS GOVERNING BOARD

On _____ ORIGINAL SIGNED BY: _____

By ELIZABETH VEGUILLA
DEPUTY CLERK

PERMIT NO: 56-02538-P
APPL NO: 060323-13

WILLOW LAKES L.L.C.
(PROVENCES)
222 S U.S. HIGHWAY 1 STE 209,
TEQUESTA, FL 33469

MIDWAY PROPERTIES L.L.C.
(PROVENCES)
250 S CENTRAL BLVD STE 207,
JUPITER, FL 33458

RED RIVER L.L.C.
(PROVENCES)
250 S CENTRAL BLVD STE 207,
JUPITER, FL 33458

SPECIAL CONDITIONS

1. The conceptual phase of this permit shall expire on December 14, 2008.
2. Operation of the surface water management system shall be the responsibility of the Provences Property Owners Association. Within one year of permit issuance the permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association.

3. Discharge Facilities:

Basin: 1

1-6' WIDE SHARP CRESTED weir with crest at elev. 24.3' NGVD.
1-6' W X .5' H RECTANGULAR NOTCH with invert at elev. 20.8' NGVD.

Receiving body : C-93
Control elev : 20.8 feet NGVD.

Basin: 2 (Internal Structure)

1-1.16' W X 2.1' H RECTANGULAR NOTCH weir with crest at elev. 20.8' NGVD.

Receiving body : Basin 3
Control elev : 20.8 feet NGVD.

Basin: 4

1-.5' W X 4' H RECTANGULAR NOTCH weir with crest at elev. 20.8' NGVD.

Receiving body : Canal C-102
Control elev : 20.8 feet NGVD.

Basin: 5A (Wetland)

3-2' W X .5' H RECTANGULAR NOTCH weirs with crest at elev. 20.8' NGVD.

Receiving body : Canal C-96
Control elev : 20.8 feet NGVD.

Basin: 6

1-2' WIDE SHARP CRESTED weir with crest at elev. 24.5' NGVD.
1-.25' W X .75' H RECTANGULAR NOTCH with invert at elev. 20.8' NGVD.

Receiving body : Canal C-96
Control elev : 20.8 feet NGVD.

Basin: 5B (wetland)

1-1' W X .5' H RECTANGULAR NOTCH weir with crest at elev. 19.8' NGVD.

Receiving body : Canal 96
Control elev : 19.8 feet NGVD.

4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.
8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
10. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
11. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
12. Minimum building floor elevation: ALL DEVELOPED BASINS: - 26.30 feet NGVD.
13. Minimum road crown elevation: ALL DEVELOPED BASINS: - 24.80 feet NGVD.
14. Minimum parking lot elevation: ALL DEVELOPED BASINS: - 24.80 feet NGVD.
15. All commercial/industrial parcels shall provide a minimum dry pre-treatment volume of 1/2 inch of runoff prior to discharge into the master surface water management system.
16. The following exhibits for the permit are incorporated by reference herein and are located in the permit file:
 - Exhibit No. 10, Environmental Assessment
 - Exhibit No. 11, Cumulative Impact Assessment
 - Exhibit No. 12, Hydrographic Analysis
 - Exhibit No. 13, Functional Assessment
 - Exhibit No. 14, St. Lucie County Upland Preserve Requirements Letter
 - Exhibit No. 15, Florida Department of State, Division of Historical Resources Letters
 - Exhibit No. 16, St. Lucie County Utilities Letter
 - Exhibit No. 17, Ft. Pierce Utilities Letter
7. At the time of application for any phase of construction, the permittee shall provide an original letter of credit in the

amount of \$577,115.00 to ensure the permittee's financial ability and commitment to complete the proposed mitigation, monitoring and maintenance as shown on Exhibit No. 5. The letter of credit shall utilize the form attached as Exhibit No. 7. The letter of credit shall remain in effect for the entire period of the mitigation and monitoring program. Notification of the District by the financial institution that the letter of credit will not be renewed or is no longer in effect shall constitute non-compliance with the permit.

18. Within 30 days of conceptual authorization and in accordance with the work schedule in Exhibit No. 8, the permittee shall submit a sketch and legal description of the proposed conservation easement area identified on Exhibit No. 6 to the District's Environmental Resource Compliance Division Staff in the Martin/St. Lucie Service Center.

Within 30 days of conceptual authorization and in accordance with the work schedule in Exhibit No. 8, the permittee shall submit an executed mortgage joinder, consent and subordination form as identified on Exhibit No. 6 to the District's Environmental Resource Compliance Division Staff in the Martin/St. Lucie Service Center.

The permittee must submit the recorded conservation easement along with sketch and legal description prior to the start of any construction activities and within 30 days of receiving construction authorization by the District. The recorded easement shall be in accordance with Exhibit No. 6.

19. A mitigation program for Provinces shall be implemented in accordance with Exhibit No. 5. The permittee shall preserve 136.41 acres of wetlands/ upland compensation and upland buffer areas.
20. Any future proposed work within the conservation easement shall require a modification to this permit and will be subject to evaluation of wetland impacts and potential mitigation requirements in accordance with the environmental criteria in effect at the time of the application for any such proposed work.
21. Permanent physical markers designating the preserve status of the wetland preservation areas and buffer zones shall be installed in the locations shown in Exhibit 5. These markers shall be maintained in perpetuity.
22. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibits 2 and 6 may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to: construction or placing of buildings on or above the ground; dumping or placing soil or other substances such as trash; removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic vegetation removal; excavation, dredging, or removal of soil materials; diking or fencing; and any other activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation.
23. A structural buffer consisting of a fence in combination with planted native upland vegetation as shown in Exhibits 2 and 4 shall be maintained between the proposed development and mitigation/preservation areas.
24. Upon submittal of an application for construction approval, the permittee shall implement a monitoring plan in accordance with Exhibit No. 5. Monitoring shall be conducted in perpetuity as identified in Exhibit 5.
25. At the time of application for construction approval, the permittee shall stake and rope the wetlands and associated upland buffer zones, within the proposed phase construction area(s). The staking and roping shall be subject to the approval of the District Environmental Resource Compliance staff. The permittee shall modify the staking and roping if the District staff determines it is insufficient. Staking and roping shall remain in place until all adjacent construction activities are complete.
26. A maintenance program shall be implemented in accordance with Exhibit No. 5 for the preserved wetland and upland areas on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity as identified in Exhibit 5.
27. Endangered species, threatened species and/or species of special concern have been observed onsite and/or the project contains suitable habitat for these species. It shall be the permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations and/or necessary permits to avoid impacts to listed species.

28. After construction authorization is granted and prior to the commencement of construction, wildlife surveys shall be conducted during the Sandhill Crane (*Grus canadensis*) nesting season (approximately January 1 to August 1) to locate any nests. Should any nests be identified, District staff shall be notified, and a 400 foot protection zone marked with construction barrier fencing shall be installed and maintained around any Sandhill Crane nests located in areas proposed for or adjacent to development. Construction activities shall not occur within the 400 foot protection zone until the chicks are fully fledged and the parents and chicks have left the nest for the season.
29. In order to receive full credit for the proposed onsite mitigation, the applicant shall provide St. Lucie County tree mitigation in accordance with Section 6.00.05.D.2, St. Lucie County Land Development Code. The applicant shall not pursue the mitigation alternative to tree mitigation allowed by St. Lucie County in Section 6.00.05.D.3.b.1, St. Lucie County Land Development Code.
30. Prior to commencement of construction, the permittee shall submit documentation from the Bluefield Ranch Mitigation Bank indicating that 4.4 freshwater forested and 35.9 freshwater herbaceous credits have been deducted from the ledger for Bluefield Ranch Mitigation Bank.
31. The areas to be temporarily disturbed by the installation of control structures in wetlands will be backfilled and replanted in accordance with Exhibit No. 5 within 30 days of installation. Monitoring of the replanted areas shall consist of photos taken from fixed point photostations as shown on Exhibit No. 5. Monitoring of temporary impact areas shall be done concurrently with other required monitoring for Provinces.
32. At the time of application for construction approval, the applicant shall provide documentation demonstrating that sufficient potable water and waste water service infrastructure will be in place concurrent with the proposed construction. If onsite consumptive water use withdrawals are also proposed for which a District water use permit is required, the environmental resource and water use permits must be processed simultaneously.
33. At the time of application for construction approval and prior to receipt of construction authorization, the applicant must obtain all necessary Water Use authorizations for any activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, F.A.C.

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved

responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(3), F.A.C., also known as the "No Notice" Rule.
4. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
5. Any delineation of the extent of a welland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
6. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
7. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding

or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit,

or

2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416, 373.419, 373.426 F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-88, 4/20/94, 10-3-95

CONSULTANTS, INC.



PROVENCES ON SITE MITIGATION AREA

HABITAT MANAGEMENT PLAN

PREPARED FOR:

PROVENCES

PREPARED BY:

EW Consultants, Inc.
2081 SE Ocean Blvd., Ste. 2B
Stuart FL 34996

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EXHIBIT 5.01

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EXHIBIT 5.02

1. INTRODUCTION

This management plan is for the 136.4 +/- acre Provenances On Site Mitigation Area within the 733 +/- acre Provenances project. The Provenances project is a mixed use residential, commercial and educational development with associated roads, and stormwater management system. As part of the project, a 136.4 +/- acre on site mitigation area has been established.

Historically, the 733 +/- acre Provenances property contained freshwater marshes and pine flatwoods. The land has been intensely altered to accommodate cattle, citrus and logging operations. There is significant vehicular use of the property for the purposes of cattle management and hunting.

Historically, the 136.4 +/- acre on site mitigation area was comprised of pine flatwoods and freshwater marsh wetlands. The area currently contains mesic pine flatwoods, hydric pine flatwoods and freshwater marsh wetlands. There has been significant vehicular use of this area for hunting and this area was logged within the last decade.

1.1 - SITE LOCATION

The Provenances On Site Mitigation Area is located in central St. Lucie County, Florida in Sections 34 & 35, Township 35 South, Range 39 East. It is bounded on the north by the 10-Mile Creek Water Preserve Area, on the east by I-95, and on the south and west by the Provenances project. See Figure 1 for a Location Map.

1.2 - SITE DESCRIPTION

The 733 +/- acre site currently contains a residence, twenty-one freshwater marsh, wet prairie and hydric pine flatwoods wetlands, improved pasture, mesic pine flatwoods, lakes, disturbed areas and abandoned or active citrus grove. The site contains, but is not dominated by, exotic vegetation. For more detail, see Figure 2 for a Soils Map and Figure 3 for a FLUCCS Map- Pre-Development Condition.

1.3 - PURPOSE

The 136.4 +/- acre on site mitigation area is part of the overall mitigation requirement for the Provenances project.

2. STRUCTURES AND IMPROVEMENTS

2.1 - EXISTING AND PROPOSED PHYSICAL IMPROVEMENTS

There are currently numerous trails throughout the on site mitigation area. Some of these trails can be accessed by a vehicle and some are pedestrian trails. There are also deer feeders and tree stands utilized by hunters.

EXHIBIT 5.03

There is no major construction proposed within the on site mitigation area. As part of the surface water management system construction for the Provenches project, several control structures will be installed in the on site mitigation area. These structures will tie the wetlands in the on site mitigation area to the surface water management system of the Provenches project. Runoff will be treated within the project site and discharged to the wetlands in the on site mitigation area. The system has been designed to preserve and enhance the hydrology of the wetlands. Monitoring activities and reports will ensure the system has been properly designed.

2.1.1 - FENCING AND SIGNS

In order to prevent encroachment by residents/occupants of the Provenches project, the perimeter of the on site mitigation area will be fenced. The fence will have its lowest element at least 1 foot above, but no more than 18 inches above, the water control elevation for the on site mitigation area. This will ensure that lawn, lake or road maintenance equipment will not clear vegetation in the on site mitigation area and motorized vehicles cannot access the on site mitigation area. At the same time, this fence will not restrict wildlife movement. The minimum total height of the fence will be 3 feet tall.

Signs will be installed on the perimeter fence at regular intervals. The signs will identify the area as a mitigation area and list prohibited activities, such as dumping, clearing or mowing. Signs will be installed by the developer of Provenches and maintained in perpetuity by the property owners association. Please see Figure 4 for the locations of the fence and signs.

2.1.2 - TRAILS

The existing trails within the site will be allowed to revegetate through natural recruitment, but in some cases will be maintained by hand for maintenance and monitoring access. The upland portion of the on site mitigation area will be divided into 5 management units for the purposes of forested habitat management. Please see Section 3.2 for further details.

Trails will not be maintained or created for public recreational access. The on site mitigation area is not intended to be a community recreational resource, however residents wishing to hike in the on site mitigation area will not be forbidden to do so.

2.1.3 - TEMPORARY IMPACTS

There may be temporary impacts associated with the installation of control structures in wetland areas. Prior to and during construction, silt fence will be installed at the limits of construction. Upon completion of construction the area will be re-graded, if necessary, to its original grade and re-planted in accordance with Figure 5.

EXHIBIT 5.04

2.2 - EASEMENTS

A conservation easement will be placed over the on site mitigation area. The conservation easement will be granted in favor of the SFWMD. As stated above, residents will not be forbidden to enter the on site mitigation area on foot. This is consistent with the provisions and terms of the conservation easement. However, the conservation easement specifically does not grant access to the general public. In addition, prohibited activities are listed in the property owners association documents. If the residents, occupants or any other entity perform any activity that is inconsistent with the terms, provisions and restrictions of the conservation easement, then the SFWMD has the authority to enforce those terms, provisions and restrictions.

2.3 - PUBLIC ACCESS

As stated above, no right of access is granted to the public. Residents are not forbidden to utilize the on site mitigation area in a manner consistent with the terms, provisions and restrictions of the conservation easement.

3. KEY MANAGEMENT ACTIVITIES

3.1 - EXOTIC AND NUISANCE VEGETATION CONTROL

The Florida Exotic Pest Plant Council publishes a list of exotic and nuisance vegetation. See Appendix A for the 2005 List of Invasive Species. The developer of the Provinces project will be responsible for initial eradication of all Category I and II invasive vegetation on the list. After that, the property owners association will be responsible for the perpetual maintenance of the on site mitigation area.

The criteria for exotic and nuisance vegetation control are:

- All eradication will be through herbicide application, hand clearing and where appropriate removal of the material off-site.
- The criterion for acceptance of eradication for all exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.
- Cutting/treatment of the trunk and/or stump with an appropriately labeled herbicide will be employed to eradicate all Brazilian pepper, melaleuca and other woody exotics.
- The criterion for completion of the woody exotic eradication will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.
- All eradication of non-woody exotic vegetation will be through application of appropriately labeled herbicide. Any debris removed will be handled in accordance with the disposal specifications.
- The criterion for acceptance of eradication for all non-woody exotic vegetation will be 100 percent kill. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.

EXHIBIT 5.05

The exotic vegetation eradication in the on site mitigation area may generate vegetative debris that requires disposal. There will be a staging and storage area provided outside the limits of the on-site mitigation area.

- Transport of vegetative debris from the wetland and upland area to the staging area will be conducted in a fashion that minimizes the distribution and dispersal of seeds from such debris.
- No living exotic or nuisance vegetative material will be left in the wetland and upland buffer area. This plan allows for killing in place by herbicide application.
- There are two options for disposal of vegetative debris in the event it is removed from the wetland and upland buffer area depending on the prevailing conditions when the work is conducted.

1) Option 1 - All vegetative debris, either whole or chipped/mulched will be hauled off site and disposed of at a landfill or other such appropriately licensed facility.

2) Option 2 - All vegetative debris will be stockpiled on the site and burned in accordance with local Ordinances and requirements for burning of vegetative material.

Herbicides are required for the treatment of all stumps/trunks of woody vegetation to prevent re-growth, and for eradication of non-woody exotic and nuisance vegetation.

- All herbicide application activity will be conducted under the supervision of a Florida Department of Agriculture licensed applicator, licensed for application of aquatic herbicides.
- All herbicides applied within the wetland area must be properly labeled for application in wetlands.
- All herbicide applied must include a visible tracer dye in the mix to facilitate observation of treated vegetation.

The vegetative success criteria for the on site mitigation area includes the requirement for 80 percent coverage of desirable vegetation and areal coverage of exotic vegetation at zero percent and nuisance vegetation limited to five percent or less. After five years, the wetland and upland buffer areas will meet the vegetative success criteria of 80 percent coverage of desirable vegetation and areal coverage of exotic vegetation at zero percent and nuisance vegetation limited to five percent or less.

EXHIBIT S.06

3.2 - NATURAL RESOURCE MANAGEMENT

The goal of this management plan is to enhance and preserve in perpetuity the mesic pine flatwoods, hydric pine flatwoods and freshwater marsh wetlands on site. These resources are valuable in St. Lucie County.

Fire plays an essential role in pine flatwoods ecosystems. Leaf litter is broken down in fires, enriching the soil and many species of plants are stimulated to sprout after fire events. Slash pines are fire tolerant, allowing them to out-compete hardwood species such as oaks, which will not survive fire. It is thought that natural wildfires occurred every 3 - 10 years. The 5 management units in the Provinces on site mitigation area will be managed on a frequency of 5 years. Pine flatwoods are extremely important foraging and nesting habitat for wildlife and have been identified as being of critical and regional importance to the flora and fauna of South Florida. The preservation and enhancement of this area is consistent with and encouraged by the US Fish and Wildlife Service's Multi-Species Recovery Plan for South Florida. The mesic pine flatwoods and hydric pine flatwoods will be preserved and maintained as native habitat as they exist.

The Provinces On Site Mitigation Area has been divided into 5 management units. See Figure 6 for a graphic of the management units. The existing trails were used wherever possible to divide the property into management units. To mimic natural, random fire events, the units will be managed per the management unit graphic and the schedule in Section 5. The month of June was chosen for these management events because most lightning strikes in Florida occur in early summer and it has been documented that the largest number of acres burn naturally in early summer. Two months prior to scheduled management events, an assessment will be conducted to determine the intensity of the management activity necessary to meet the goals of the management plan. See Section 4.2 for more detail on the pre-management assessment.

Natural slash pine canopy coverage in hydric pine flatwoods is between 10 - 20% and 10 - 50% in mesic pine flatwood areas. A percentage of 20% will be the target for the hydric pine and 40% will be the target percentage for the mesic pine. To accomplish this, trees will be hand-cut as part of scheduled maintenance unit activities. The goal and purpose of the canopy control program is to thin the canopy to maintain open sunny areas to allow groundcover vegetation to thrive. All trees will be hand-cut and will be left on the ground near where they stood.

Due to the mitigation area's proximity to I-95 and the Provinces project, it is extremely unlikely that a prescribed burning program would ever be permitted by state and local entities. Instead, the use of mowing and roller chopping to control the understory and groundcover vegetation will be used. The goals of the mechanical control of understory vegetation are to keep the fuel load down, return nutrients to the soil, and allow for new trees, shrubs and groundcover to establish and thrive. Understory vegetation will be roller chopped down to a height between 1 and 2 feet high. Hydric pine flatwoods typically contain cabbage palm, wax myrtle, dahoon holly, red bay, buttonbush and red maple. Mesic pine flatwoods typically contain saw palmetto, fetterbush, tarflower, rusty lyonia, cabbage palm and wax myrtle. Groundcover vegetation will be mowed down to a height of 2 to 3 inches. Hydric pine flatwoods typically contain groundcover species

EXHIBIT 5.07

from the following list: *Andropogon*, *Panicum*, *Paspalum*, *Carex*, *Dichramena*, *Fleocharis*, *Fimbristylis*, *Rhynchospora*, *Xyris*, *Eriocaulon*, *Lachnocaulon*, *Commelina*, *Juncus*, *Polygonum*, *Drosera*, *Polygala*, *Hypericum*, etc. Mesic pine flatwoods typically contain groundcover species from the following list: *Andropogon*, *Panicum*, *Asimina*, *Licania*, and a large variety of wildflowers (*Aster*, *Chrysopsis*, *Emilia*, *Eupatorium*, *Liatris*, *Solidago*, etc). Lowering the height of the vegetation will reduce the risk of wildfire. There is currently an approximate 90% coverage by native groundcover. Since management activities will not remove vegetation (other than exotic or nuisance), it is not expected that the coverage of native groundcover or understory vegetation will decrease.

The freshwater marsh wetlands on site will be preserved and maintained as native habitat as they exist. The surface water management system of the Provinces project is designed to ensure proper hydrology of the wetlands. The monitoring program established (see Section 4.1) will ensure this. The marsh wetlands will be kept free of exotic and nuisance vegetation.

3.5 - LISTED SPECIES

The data and field observations indicate that the property hosts a variety of wildlife species. The table below lists the species that were directly observed, photographed, or evidence of their presence was noted through indirect means, such as scat or prints.

Common Name	Scientific Name	On-Site Locations	Legal Status	Occurrence
Raccoon	<i>Procyon lotor</i>	Throughout site	Not listed	Indirectly observed
Hog	<i>Sus scrofa</i>	Throughout site	Not listed	Indirectly observed
Coyote	<i>Canis latrans</i>	Eastern portion of site	Not listed	Directly observed
Black Racer	<i>Coluber constrictor</i>	Throughout site	Not listed	Directly observed
Double-Crested Cormorant	<i>Phalacrocorax auritus</i>	Lake	Not listed	Directly observed
Florida Sandhill Crane	<i>Grus canadensis pratensis</i>	In/around wetlands and lake	State - Threatened	Directly observed
Great Egret	<i>Ardea alba</i>	In/around wetlands and lake	Not listed	Directly observed
White Ibis	<i>Eudocimus albus</i>	Near lake	Species of Special Concern - State	Directly observed
Cattle Egret	<i>Bubulcus ibis</i>	In/around ditches and in open pasture areas	Not listed	Directly observed

EXHIBIT 5.08

Mourning Dove	<i>Zenaidura macroura</i>	Throughout site	Not listed	Directly observed
Northern Mockingbird	<i>Mimus polyglottus</i>	Throughout site	Not listed	Directly observed
Brown Thrasher	<i>Toxostoma rufum</i>	Pine flatwoods	Not listed	Directly observed
Northern Cardinal	<i>Cardinalis cardinalis</i>	Pine flatwoods	Not listed	Directly observed
Blue Jay	<i>Cyanocitta cristata</i>	Throughout site	Not listed	Directly observed
Yellowthroat	<i>Geothlypis trichas</i>	Pine flatwoods	Not listed	Directly observed
Red-Tailed Hawk	<i>Buteo jamaicensis</i>	Throughout site	Not listed	Directly observed
Black Vulture	<i>Coragyps atratus</i>	Throughout site	Not listed	Directly observed
Turkey Vulture	<i>Calhartes aura</i>	Throughout site	Not listed	Directly observed

While their presence was not detected either directly or indirectly, a number of other species may occur in association with the habitat mosaic present on the site. In particular, the pine flatwoods and wetlands may provide habitat for a number of species of concern, which are outlined in the below table.

Common Name	Latin Name	Likely Location	Legal Status	Occurrence
Roseate Spoonbill	<i>Ajaia ajaja</i>	In/around wetlands and lake	Species of Special Concern - State	Not directly observed, but suitable habitat is present
Snowy Egret	<i>Egretta thula</i>	In/around wetlands and lake	Species of Special Concern - State	Not directly observed, but suitable habitat is present
Reddish Egret	<i>Egretta rufescens</i>	In/around wetlands and lake	Species of Special Concern - State	Not directly observed, but suitable habitat is present
Little Blue Heron	<i>Egretta caerulea</i>	In/around wetlands and lake	Species of Special Concern - State	Not directly observed, but suitable habitat is present
Tricolored Heron	<i>Egretta tricolor</i>	In/around wetlands and lake	Species of Special Concern - State	Not directly observed, but suitable habitat is present

EXHIBIT 5.09

Southeastern American Kestrel	<i>Falco sparverius paulus</i>	In/around open areas	Threatened - State	Not directly observed, but suitable habitat is present
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	In pine flatwoods; gopher tortoise commensal	Threatened - State and Federal	Not directly observed, but suitable habitat is present
Gopher Frog	<i>Rana capito</i>	In pine flatwoods; gopher tortoise commensal	Species of Special Concern - State	Not directly observed, but suitable habitat is present
American Alligator	<i>Alligator mississippiensis</i>	In ditches and lake	State - Species of Special Concern, Federal - Threatened	Not directly observed, but suitable habitat is present

Sandhill cranes were observed nesting on site during a helicopter survey of the property in July 2006. The preservation of the wetlands in the on site mitigation area will facilitate the continued use of the area by nesting pairs of sandhill cranes. A sandhill crane nest survey will be conducted prior to any construction planned for the months of December through June taking place within a 400-foot boundary of the marsh wetlands in the on site mitigation area. In order to avoid adverse impact to nesting activities, no construction will occur within 400 feet of an active sandhill crane nest.

4. MONITORING AND MAINTENANCE

4.1 - FIRST FIVE YEARS

The preserve area will be monitored for five years following permit issuance and will be maintained free of exotic and nuisance vegetation in perpetuity by the property owners, association. This mitigation area monitoring plan includes transects established throughout the mitigation area. Data collection stations have been established along the transect lines in order to document vegetative coverage and hydrologic conditions. Additionally, automatic water level data recording devices will be installed to document water levels daily within the mitigation area. A single tipping bucket recording rain gage will also be installed in the wetland mitigation area to collect daily rainfall data. The data loggers from the water level recording equipment as well as the rain gage will be checked and downloaded on a monthly basis to ensure continued operation and protect from loss of data. Photos stations have been established as well. Please see Figure 7 for additional detail.

Reports will contain the following information:

- 1) Vegetative coverage at the data collection stations shown on Figure 7. The vegetative coverage will be measured as absolute coverage within an area of

EXHIBIT 5.10

approximately 2,500 square feet at each data collection station. The vegetation will be measured in percent coverage of the canopy, understory and ground cover levels. The total percent cover will not exceed 100 percent, and each species documented will be reported in both common and Latin names. The coverage will be measured by visual observation in each of four quadrants from the fixed monitoring point. Observations will extend approximately 50 feet from the observer in each direction thus covering approximately 2,500 square feet at each station. The data from each quadrant observation will be combined to calculate the vegetative coverage. Station locations will be permanently marked with PVC pipe to ensure consistency in data collection;

- 2) Photographs will be taken from each of the established photo stations to provide documentation of vegetative coverage;
- 3) The data downloaded from the automatic water level recording devices and the single tipping bucket recording rain gauge;
- 4) Any observed wildlife utilization or indicators of wildlife (i.e. tracks, scat, etc.).

The monitoring will be conducted in accordance with the schedule in Section 5. Reports will be provided to SFWMD Compliance staff on an annual basis so that maintenance activity can be closely tracked. Each monitoring report will include recommendations for maintenance if necessary. The threshold for maintenance requirements will be any area that has five percent or more total vegetative coverage by nuisance or exotic vegetation at any time during the monitoring period.

4.2 - IN PERPETUITY

The freshwater marsh areas will be maintained free of exotic vegetation in perpetuity.

Each year, one of the management units will be monitored and monitored in accordance with Section 3.2 and the schedule in Section 5.

Pre- and post-management assessments will be conducted and contain the following information:

- 1) The percent canopy coverage in each the hydric and mesic areas;
- 2) The percent coverage of exotic and nuisance species per Appendix B in the entire management unit area;
- 3) The composition and density of the understory in each the hydric and mesic areas;
- 4) The composition and density of the groundcover layers in each the hydric and mesic areas;
- 5) Photos taken at the photo stations shown on Figure 8 to document pre- and post-management conditions.

The pre- and post-management assessments will be compiled into one report and submitted to the South Florida Water Management District Compliance Division in accordance with the schedule in Section 5.

EXHIBIT 5.11

5. SCHEDULE

<u>Activity</u>	<u>Complete Date</u>
Exotic/Nuisance Control:	
Initiate Exotic/Nuisance Eradication	February 2007
Complete Exotic/Nuisance Eradication	April 2007
Monitoring and Maintenance:	
Conduct/Submit Baseline Monitoring	February 2007
Conduct/Submit Time Zero Monitoring	April 2007
Submit First Annual Monitoring Report	July 2007
First Maintenance Event	August 2007
Submit Second Annual Monitoring Report	July 2008
Second Maintenance Event	August 2008
Submit Third Annual Monitoring Report	July 2009
Third Maintenance Event	August 2009
Submit Fourth Annual Monitoring Report	July 2010
Fourth Maintenance Event	August 2010
Submit Fifth Annual Monitoring Report	July 2011
Fifth Maintenance Event	August 2011
Maintain area free of Exotic/Nuisance Vegetation	In Perpetuity
Forested Management Activities (to occur in perpetuity):	
Unit 1	
Conduct unit assessment	April 2008
Conduct management activities	June 2008
Conduct assessment/Submit report to SFWMD	July 2008
Conduct unit assessment	Every five years
Conduct management activities	Every five years
Conduct assessment/Submit report to SFWMD	Every five years
Unit 2	
Conduct unit assessment	April 2009
Conduct management activities	June 2009
Conduct assessment/Submit report to SFWMD	July 2009
Conduct unit assessment	Every five years
Conduct management activities	Every five years
Conduct assessment/Submit report to SFWMD	Every five years
Unit 3	
Conduct unit assessment	April 2010
Conduct management activities	June 2010
Conduct assessment/Submit report to SFWMD	July 2010
Conduct unit assessment	Every five years
Conduct management activities	Every five years
Conduct assessment/Submit report to SFWMD	Every five years

EXHIBIT 5.12

Unit 4	
Conduct unit assessment	April 2011
Conduct management activities	June 2011
Conduct assessment/Submit report to SFWMD	July 2011
Conduct unit assessment	Every five years
Conduct management activities	Every five years
Conduct assessment/Submit report to SFWMD	Every five years

Unit 5	
Conduct unit assessment	April 2012
Conduct management activities	June 2012
Conduct assessment/Submit report to SFWMD	July 2012
Conduct unit assessment	Every five years
Conduct management activities	Every five years
Conduct assessment/Submit report to SFWMD	Every five years

6. REFERENCES

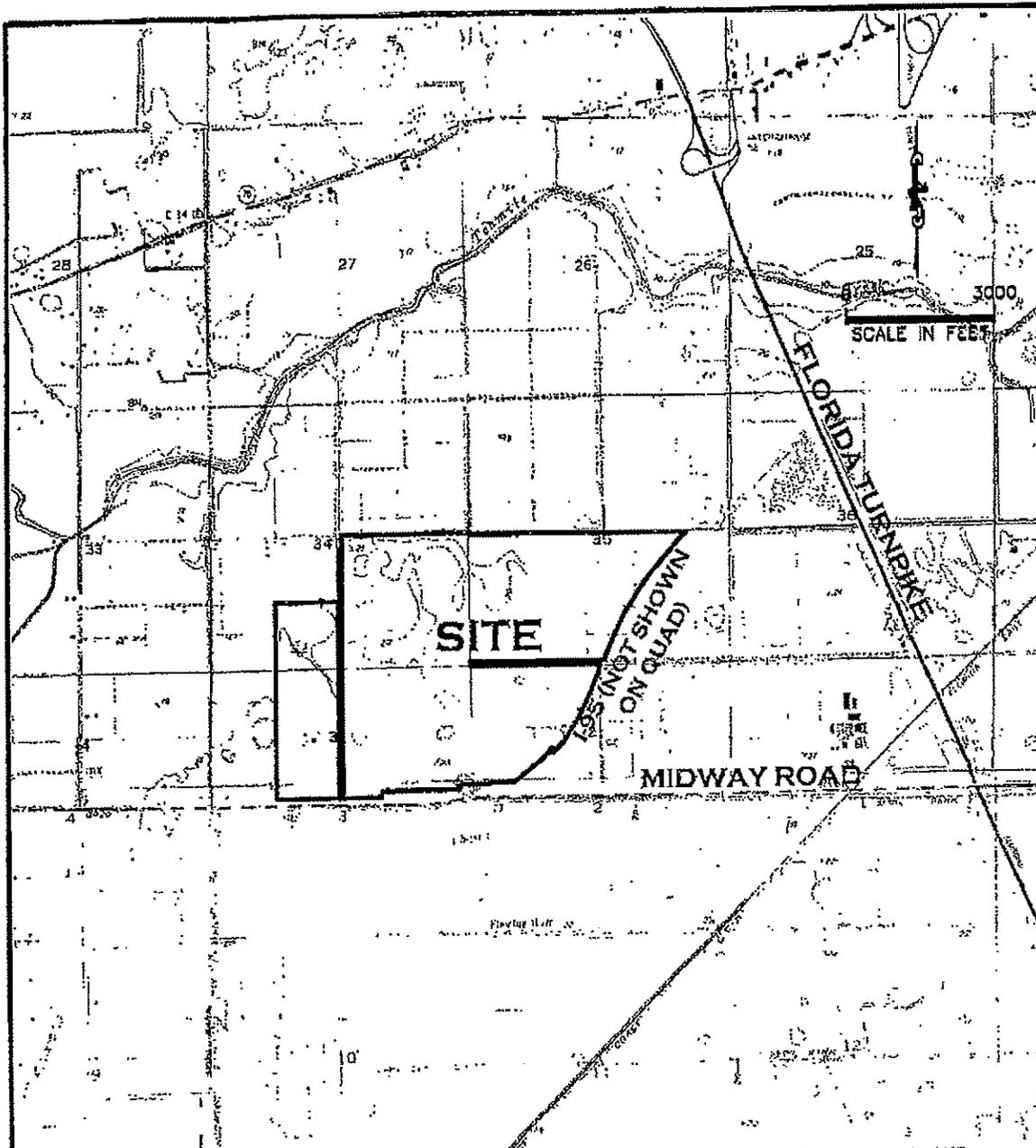
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FIGURES

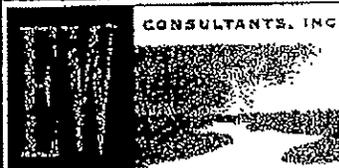
EXHIBIT 5.14



USGS QUAD MAP "FORT PIERCE NW", SECTIONS 34 & 35, TOWNSHIP 35 SOUTH, RANGE 39 EAST, AND SECTIONS 2 & 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA, LAT. 27°22'53", LONG. 80°25'05"

PROVENCES LOCATION MAP

PROVENCES.dwg LOCATION



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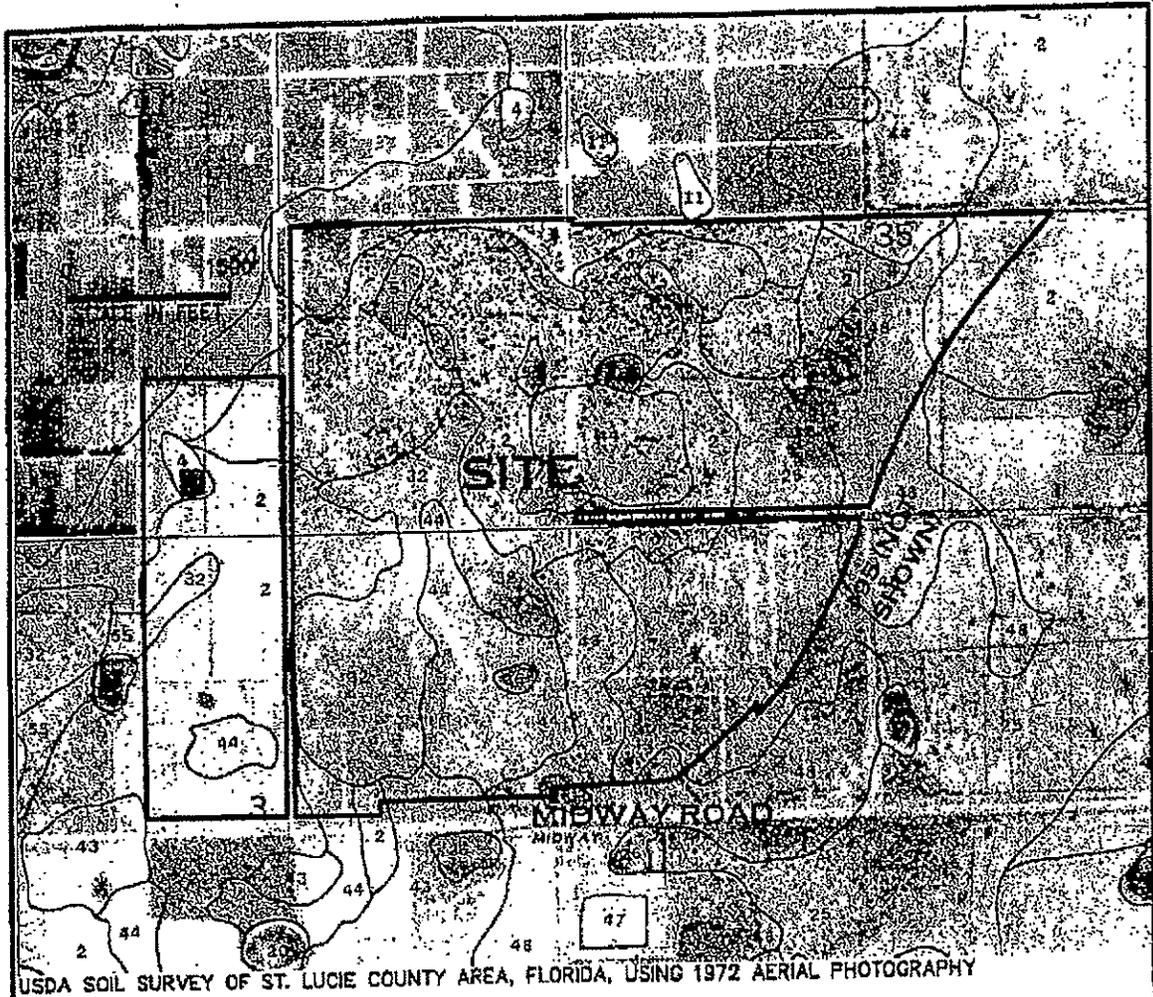
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OCT 06

FIGURE

1

EXHIBIT S.15



USDA SOIL SURVEY OF ST. LUCIE COUNTY AREA, FLORIDA, USING 1972 AERIAL PHOTOGRAPHY

- LEGEND**
- | | |
|----------------------------|--------------------------------|
| 2 - ANKONA SAND | 38 - RIVIERA FINE SAND |
| 4 - ARENTS, 0 TO 5% SLOPES | 43 - SUSANNA SAND |
| 13 - FLORIDANA SAND | 44 - TANTILE SAND |
| 25 - NETTLES SAND | 48 - WABASSO SAND |
| 26 - OLDSMAR SAND | 51 - WAVELAND-LAWNWOOD COMPLEX |
| 32 - PINEDA SAND | 55 - WINDER LOAMY SAND |

**PROVENCES
SOILS MAP**

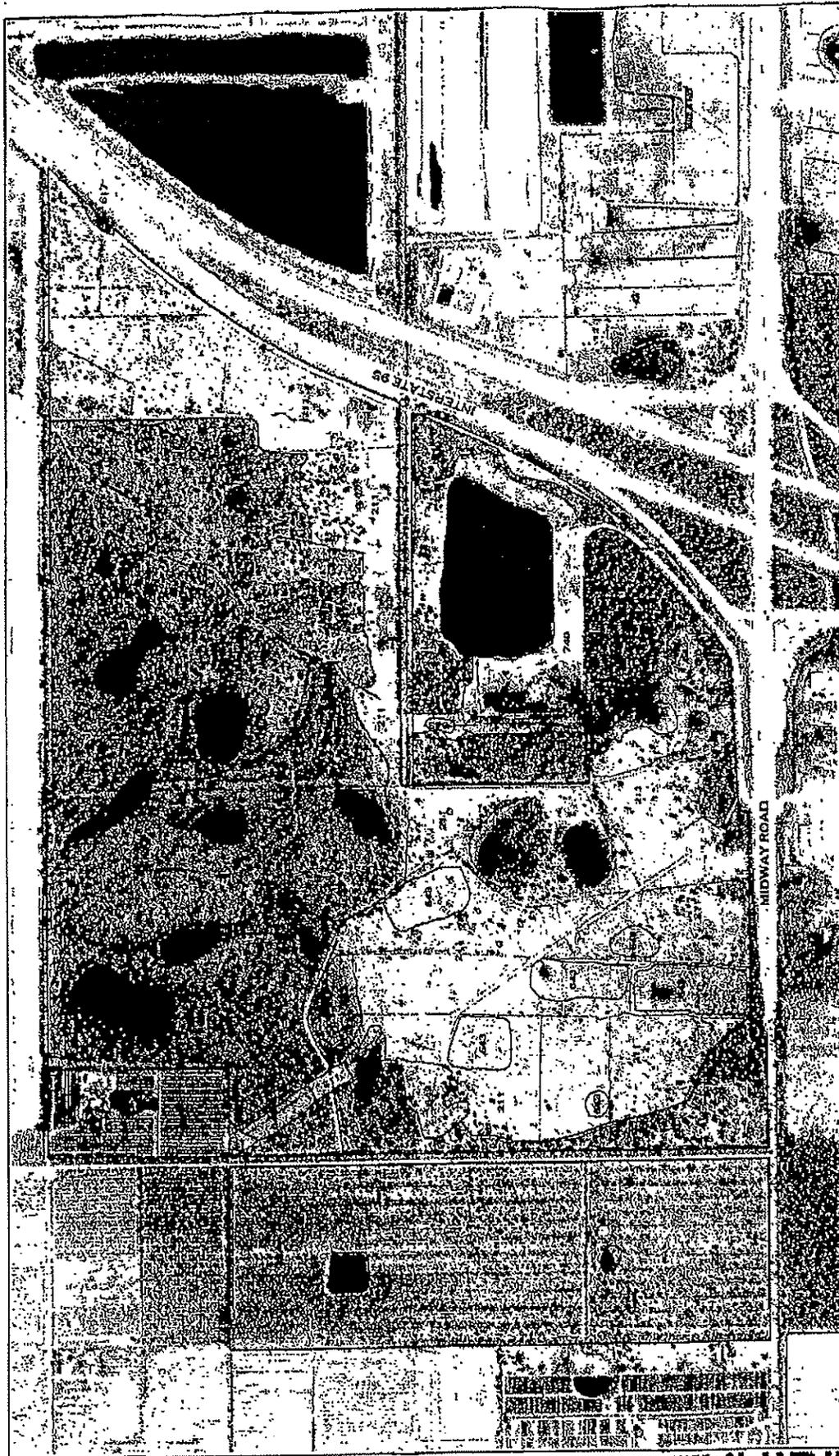
PROVENCES.dwg EDS



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 2081 SE OCEAN BOULEVARD, SUITE 28
 STUART, FLORIDA 34996
 772-287-8771 FAX 772-287-2988
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OCT 06
FIGURE
2

EXHIBIT 5.16

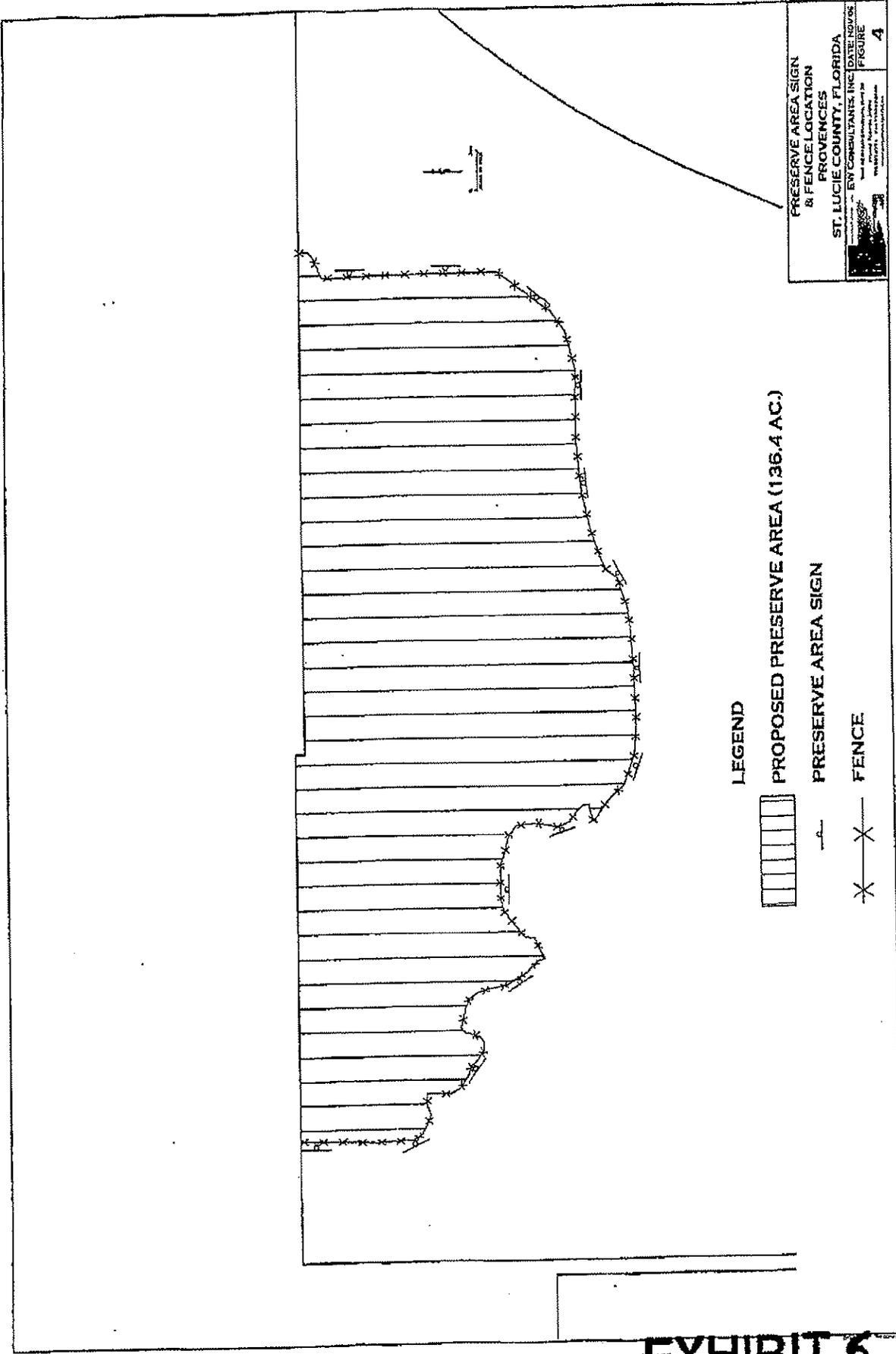


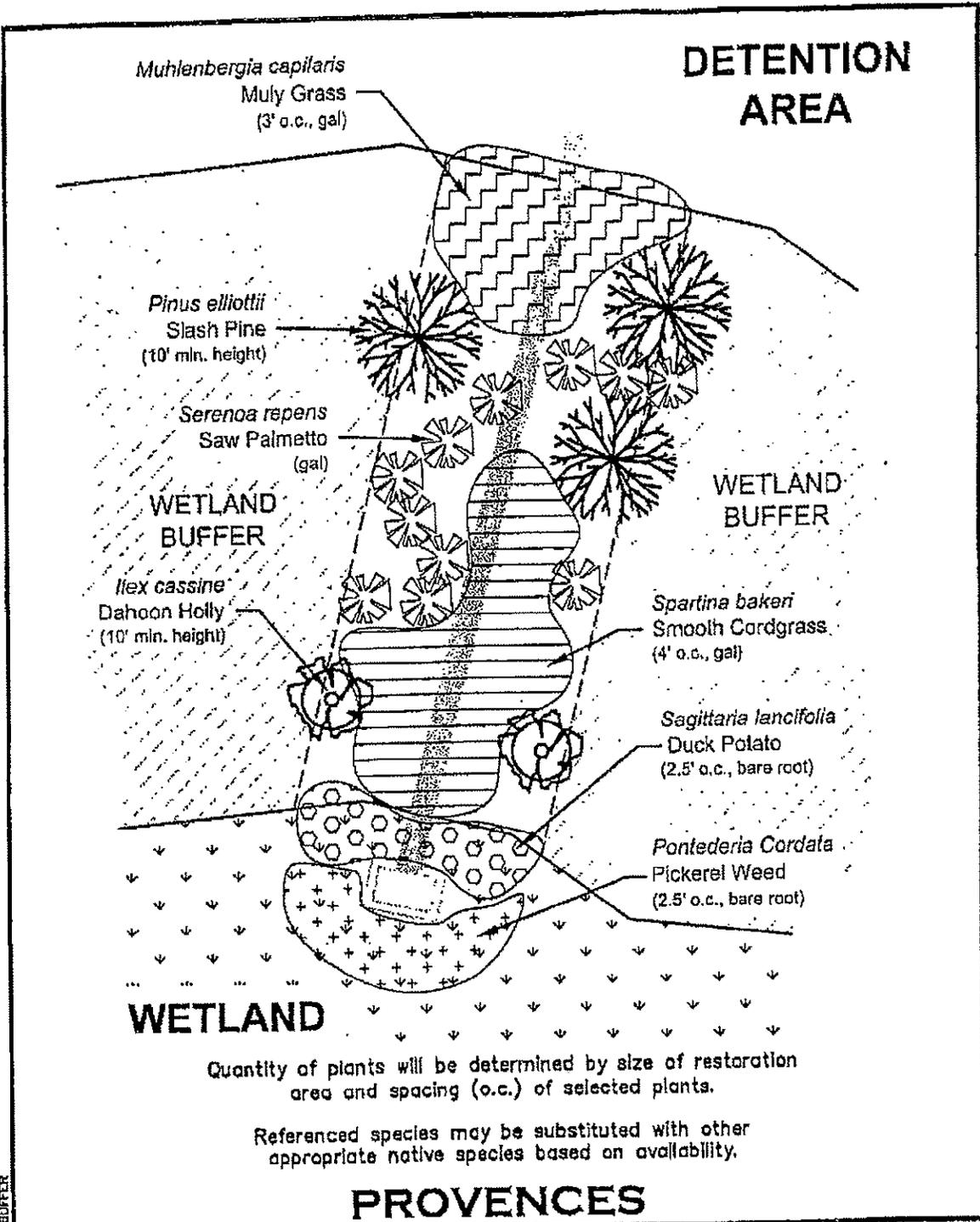
**FLUCCS MAP
PROVENCES
ST. LUCIE COUNTY, FLORIDA**

- 617 - MIXED WETLAND HARDWOODS (0.4 AC)
- 618 - MIXED WETLAND HARDWOODS (2.4 AC)
- 625 - HYDRIC PINE FLATWOODS (116.1 AC)
- 641 - FRESH-WATER MARSHES (21.2 AC)
- 643 - WET PRAIRIES (26.9 AC)
- 644 - EMERGENT AQUATIC VEGETATION (0.5 AC)
- 700 - DISTURBED LAND (27.6 AC)

- 111 - IMPROVED SINGLE FAMILY UNITS (2.0 AC)
- 211 - IMPROVED PASTURES (129.2 AC)
- 221 - CITRUS GROVES (15.8 AC)
- 224 - ABANDONED GROVES (14.4 AC)
- 411 - PINE FLATWOODS (116.3 AC)
- 422 - BRAZILIAN PEPPER (1.6 AC)
- 524 - LAWNS (1.0 AC)
- 524 - LAWNS (1.0 AC)
- 524 - LAWNS (1.0 AC)

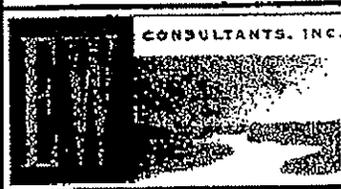
DATE: 02/20/06
FIGURE: 3





PROVENCES REVIS DETAIL.dwg

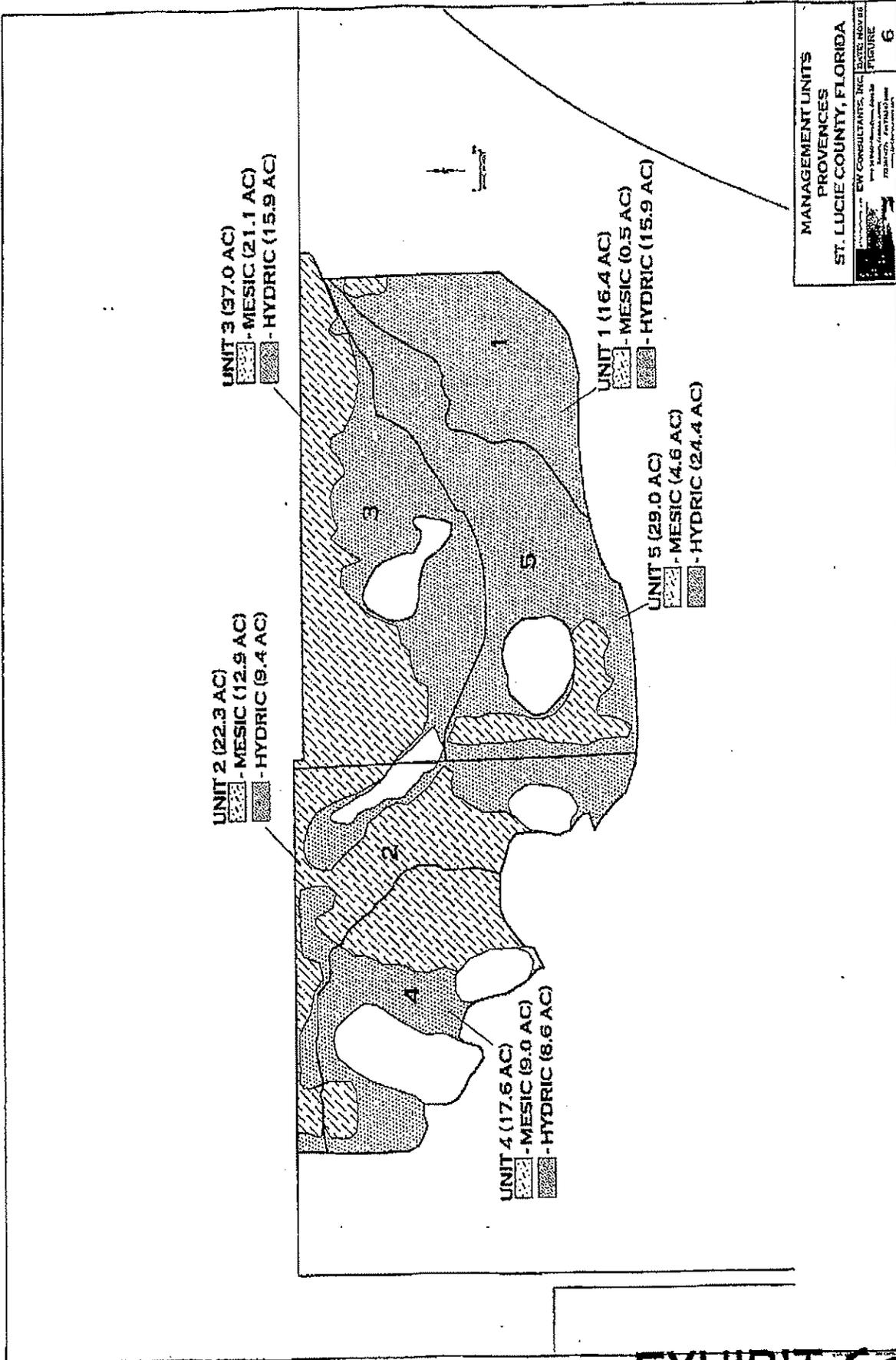
PROVENCES
TYPICAL WETLAND BUFFER

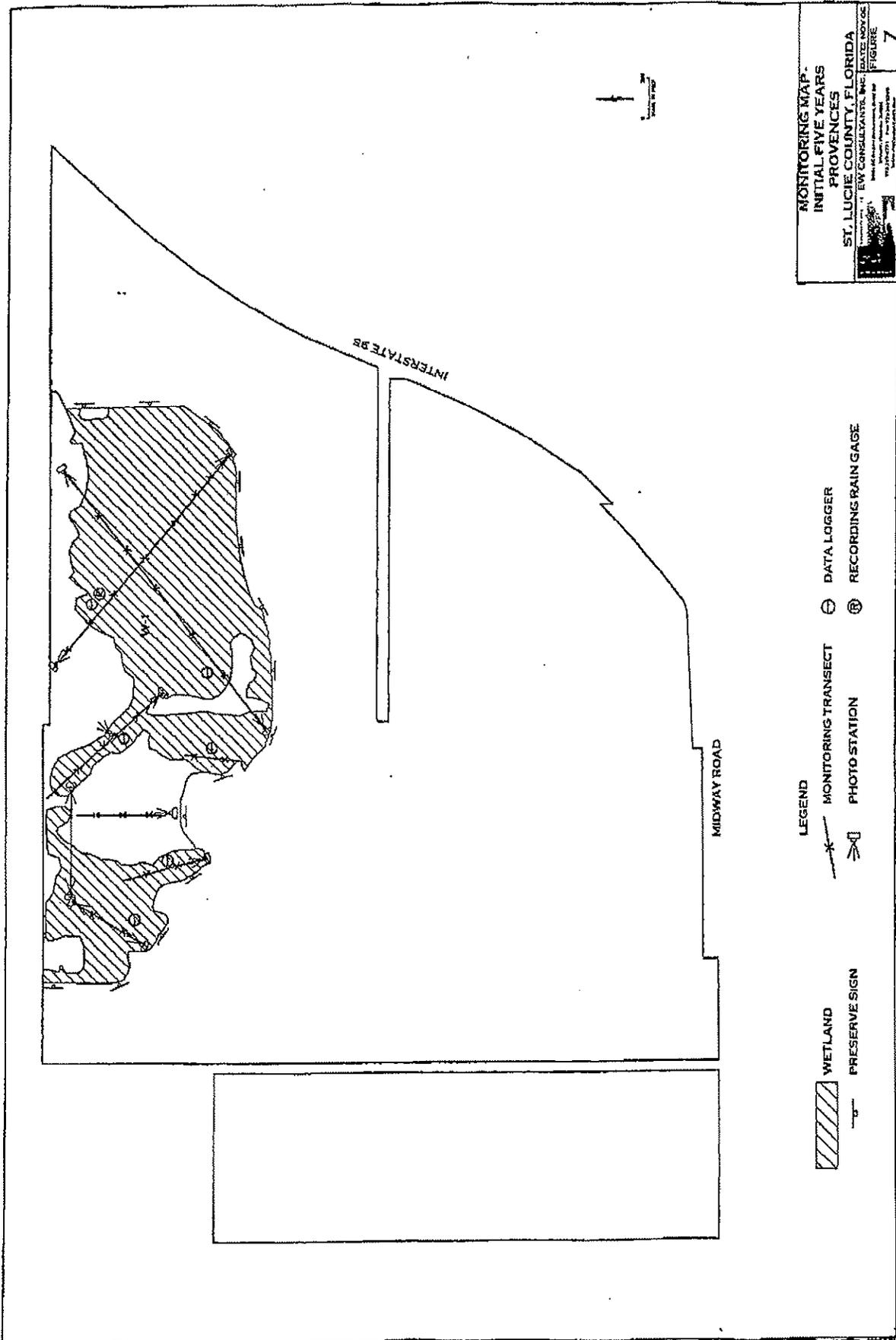


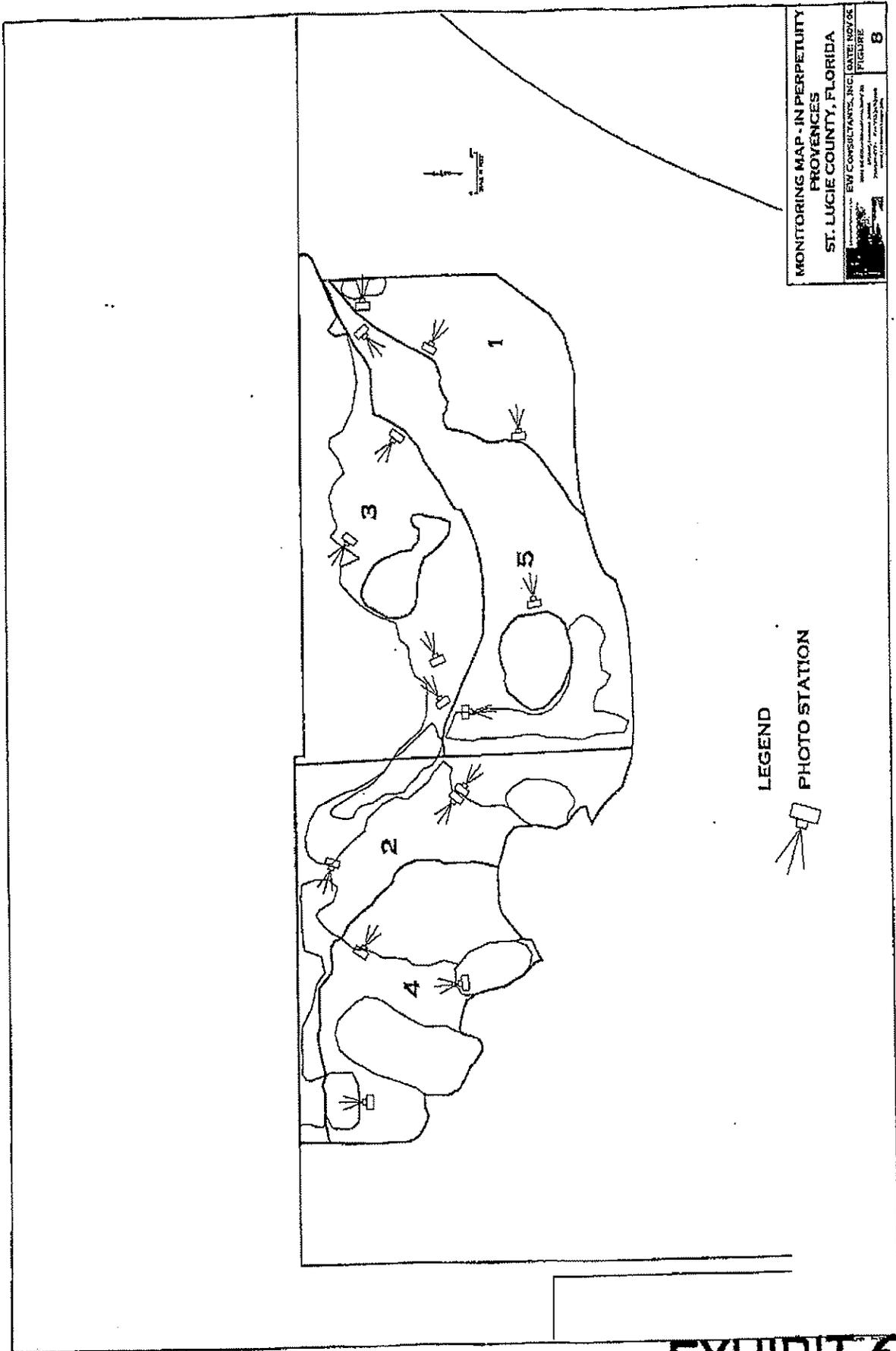
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FIGURE
5

EXHIBIT 5.19







APPENDIX A

EXHIBIT 5.23

Florida Exotic Pest Plant Council's
2005

List of Invasive Species

Purpose of the List: *To focus attention on --*

- the adverse effects exotic pest plants have on Florida's biodiversity and plant communities,
- the habitat losses from exotic pest plant infestations,
- the impacts on endangered species via habitat loss and alteration,
- the need to prevent habitat losses through pest-plant management,
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DEFINITIONS: *Exotic*—a species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida. *Native*—a species whose natural range included Florida at the time of European contact (1500 AD). *Naturalized exotic*—an exotic that sustains itself outside cultivation (it is still exotic; it has not "become" native). *Invasive exotic*—an exotic that not only has naturalized but is expanding on its own in Florida plant communities.

Abbreviations used:

for "Gov. list": P = Prohibited by Fla. Dept. of Environmental Protection, N = Noxious weed listed by Fla. Dept. of Agriculture & Consumer Services, U = Noxious weed listed by U.S. Department of Agriculture.

for "Reg. Dis.": N = north, C = central, S = south, referring to each species' current distribution in general



regions of Florida (not its potential range in the state). See following map.

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EXHIBIT 5.24

Category I - Invasive exotics that are altering native plant communities by displacing native species, changing community structures or ecological functions, or hybridizing with natives. *This definition does not rely on the economic severity or geographic range of the problem, but on the documented ecological damage caused.*

Scientific Name	Common Name	EPPC Cat.	Gov. list	Reg. Dist.
<i>Abrus precatorius</i>	rosary pea	I		C, S
<i>Acacia auriculiformis</i>	earleaf acacia	I		S
<i>Albizia julibrissin</i>	mimosa, silk tree	I		N, C
<i>Albizia lebbek</i>	woman's tongue	I		C, S
<i>Ardisia crenata</i> (= <i>A. crenulata</i>)	coral ardisia	I		N, C
<i>Ardisia elliptica</i> (= <i>A. humilis</i>)	shoebutton ardisia	I		S
<i>Asparagus aethiopicus</i> (= <i>A. sprengeri</i> ; <i>A. densiflorus</i> misapplied)	asparagus-fem	I		C, S
<i>Bauhinia variegata</i>	orchid tree	I		C, S
<i>Bischofia javanica</i>	bischofia	I		C, S
<i>Calophyllum antillanum</i> (= <i>C. calaba</i> ; <i>C. inophyllum</i> misapplied)	santa maria (names "mast wood," "Alexandrian laurel" used in cultivation)	I		S
<i>Casuarina equisetifolia</i>	Australian pine	I	P	N, C, S
<i>Casuarina glauca</i>	suckering Australian pine	I	F	C, S
<i>Cinnamomum camphora</i>	camphor-tree	I		N, C, S
<i>Colocasia esculenta</i>	wild taro	I		N, C, S
<i>Colubrina asiatica</i>	lather leaf	I		S
<i>Cupartopsis macaroides</i>	carrotwood	I	N	C, S
<i>Dioscorea alata</i>	winged yam	I	N	N, C, S
<i>Dioscorea bulbifera</i>	air-potato	I	N	N, C, S
<i>Eichhornia crassipes</i>	water-hyacinth	I	P	N, C, S
<i>Eugenia uniflora</i>	Surinam cherry	I		C, S
<i>Ficus microcarpa</i> (<i>F. nitida</i> and <i>F. retusa</i> var. <i>nitida</i> misapplied)	laurel fig	I		C, S
<i>Hydrilla verticillata</i>	hydrilla	I	P, U	N, C, S
<i>Hydrophila polysperma</i>	green hygro	I	P, U	N, C, S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	I		C, S
<i>Imperata cylindrica</i> (<i>I. brasiliensis</i> misapplied)	cogon grass	I	N, U	N, C, S
<i>Ipomoea aquatica</i>	waterspinach	I	P, U	C
<i>Jasminum dichotomum</i>	Gold Coast jasmine	I		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine	I		C, S

EXHIBIT 5.25

<i>Lantana camara</i>	lantana, shrub verbena	I		N, C, S
<i>Ligustrum lucidum</i>	glossy privet	I		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		N, C, S
<i>Lonicera japonica</i>	Japanese honeysuckle	I		N, C, S
<i>Lygodium japonicum</i>	Japanese climbing fern	I	N	N, C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	I	N	C, S
<i>Macfadyena unguis-cati</i>	cat's claw vine	I		N, C, S
<i>Manilkara zapota</i>	sapodilla	I		S
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	P, N, U	C, S
<i>Mimosa pigra</i>	catclaw mimosa	I	P, N, U	C, S
<i>Nandina domestica</i>	nandina, heavenly bamboo	I		N, C
<i>Nephrrolepis cordifolia</i>	sword fern	I		N, C, S
<i>Nephrrolepis multiflora</i>	Asian sword fern	I		C, S
<i>Neyraudia reynaudiana</i>	Burma reed, cane grass	I	N	S
<i>Paederia cruddasiana</i>	sewer vine, onion vine	I	N	S
<i>Paederia foetida</i>	skunk vine	I	N	N, C
<i>Panicum repens</i>	torpedo grass	I		N, C, S
<i>Pennisetum purpureum</i>	Napier grass	I		C, S
<i>Pistia stratiotes</i>	waterlettuce	I	P	N, C, S
<i>Psidium cattleianum</i> (=P. littorale)	strawberry guava	I		C, S
<i>Psidium guajava</i>	guava	I		C, S
<i>Pueraria montana</i> var. <i>lobata</i> (=P. <i>lobata</i>)	kudzu	I	N, U	N, C, S
<i>Rhodomirtus tomentosa</i>	downy rose-myrtle	I	N	C, S
<i>Rhoeo spathacea</i> (see <i>Tradescantia spathacea</i>)				
<i>Rhynchosyris repens</i>	Natal grass	I		N, C, S
<i>Ruellia tweediana</i> (= <i>R. brittoniana</i>)	Mexican petunia	I		N, C, S
<i>Sapium sebiferum</i> (= <i>Triadaca sebifera</i>)	popcorn tree, Chinese tallow tree	I	N	N, C, S
<i>Scaevola taccada</i> (= <i>Scaevola sericea</i> , <i>S. frutescens</i>)	scaevola, halfflower, beach naupaka	I		C, S
<i>Schefflera actinophylla</i> (= <i>Brassia actinophylla</i>)	schefflera, Queensland umbrella tree	I		C, S
<i>Schinus terebinthifolius</i>	Brazilian pepper	I	P, N	N, C, S
<i>Senna pendula</i> var. <i>glabrata</i> (= <i>Cassia coluteoides</i>)	climbing cassia, Christmas cassia, Christmas senna	I		C, S
<i>Solanum tampicense</i> (= <i>S. houstonii</i>)	wetland night shade, aquatic soda apple	I	N, U	C, S
<i>Solanum viarum</i>	tropical soda apple	I	N, U	N, C, S

EXHIBIT 5.26

<i>Syngonium podophyllum</i>	arrowhead vine	I		C, S
<i>Syzygium cumini</i>	jambolan, Java plum	I		C, S
<i>Tectaria incisa</i>	incised halberd fern	I		S
<i>Thespesia populnea</i>	seaside mahoe	I		C, S
<i>Tradescantia fluminensis</i>	white-flowered wandering jew	I		N, C
<i>Tradescantia spathacea</i> (= <i>Rhoeo spathacea</i> , <i>Rhoeo discolor</i>)	oyster plant	I		S
<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i>)	Pará grass	I		C, S

Category II - Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category I species. *These species may become ranked Category I, if ecological damage is demonstrated.*

Scientific Name	Common Name	EPPC Cat.	Gov. list	Reg. Dist.
<i>Adenanthera pavonina</i>	red sandalwood	II		S
<i>Agave sisalana</i>	sisal hemp	II		C, S
<i>Aleurites fordii</i> (= <i>Vernicia fordii</i>)	tung oil tree	II		N, C
<i>Alstonia macrophylla</i>	devil-tree	II		S
<i>Alternanthera philaxeroides</i>	alligator weed	II	P	N, C, S
<i>Antigonon leptopus</i>	coral vine	II		N, C, S
<i>Aristolochia littoralis</i>	calico flower	II		N, C
<i>Asystasia gangetica</i>	Ganges primrose	II		C, S
<i>Begonia cucullata</i>	wax begonia	II		N, C
<i>Blechnum pyramidatum</i>	green shrimp plant, Browne's blechnum	II		N, C, S
<i>Broussonetia papyrifera</i>	paper mulberry	II		N, C
<i>Collista fragrans</i>	inch plant, spironema	II		C, S
<i>Casuarina cunninghamiana</i>	Australian pine	II	P	C, S
<i>Cecropia palmata</i>	trumpet tree	II		S
<i>Cestrum diurnum</i>	day jessamine	II		C, S
<i>Chamaedorea seifrizii</i>	bamboo palm	II		S
<i>Clematis terniflora</i>	Japanese clematis	II		N, C
<i>Cryptostegia madagascariensis</i>	rubber vine	II		C, S
<i>Cyperus involucreatus</i> (<i>C. alternifolius</i>)	umbrella plant	II		C, S

EXHIBIT 5.27

misapplied)				
<i>Cyperus prolifer</i>	dwarf papyrus	II		C
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	II		C, S
<i>Elaeagnus pungens</i>	thorny oleagnus	II		N, C
<i>Epipremnum pinnatum</i> cv. Aureum	pothos	II		C, S
<i>Ficus altissima</i>	else banyan, council tree	II		S
<i>Flacourtia indica</i>	governor's plum	II		S
<i>Hemarthria altissima</i>	limpo grass	II		C, S
<i>Hibiscus tiliaceus</i>	mahoe, sea hibiscus	II		C, S
<i>Ipomoea fistulosa</i> (= <i>I.</i> <i>carnea</i> ssp. <i>fistulosa</i>)	shrub morning-glory	II	P	C, S
<i>Jasminum sambac</i>	Arabian jasmine	II		S
<i>Kalanchoe pinnata</i>	liê plant	II		C, S
<i>Koeleria elegans</i> ssp. <i>formosana</i> (= <i>K.</i> <i>formosana</i> ; <i>K.</i> <i>paniculata</i> misapplied)	flamegold tree	II		C, S
<i>Leucaena leucocephala</i>	lead tree	II		N, C, S
<i>Linnophila sessiliflora</i>	Asian marshweed	II	P	N, C, S
<i>Livistona chinensis</i>	Chinese fan palm	II		C, S
<i>Melia azedarach</i>	Chinaberry	II		N, C, S
<i>Merremia tuberosa</i>	wood-rose	II		S
<i>Murraya paniculata</i>	orange-jessamine	II		S
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	II	P	N, C, S
<i>Nymphalides cristata</i>	snowflake	II		C, S
<i>Panicum maximum</i>	Guinea grass	II		C, S
<i>Passiflora biflora</i>	two-flowered passion vine	II		S
<i>Pennisetum setaceum</i>	green fountain grass	II		S
<i>Phoenix reclinata</i>	Senegal date palm	II		C, S
<i>Pittosporum pentandrum</i>	Philippine pittosporum, Taiwanese cheesewood	II		S
<i>Phyllostachys aurea</i>	golden bamboo	II		N, C
<i>Pteris vittata</i>	Chinese brake fern	II		N, C, S
<i>Ptychosperma elegans</i>	solitary palm	II		S
<i>Ricinus communis</i>	castor bean	II		N, C, S
<i>Sansevieria</i> <i>hyacinthoides</i>	bowstring hemp	II		C, S
<i>Scleria lacustris</i>	Wright's nutrush	II		C, S
<i>Sesbania punicea</i>	purple sesban, rattlebox	II		N, C, S
<i>Solanum diphyllum</i>	Two-leaf nightshade	II		N, C, S
<i>Solanum jamaicense</i>	Jamaica nightshade	II		C
<i>Solanum torvum</i>	susumber, turkey berry	II	N, U	N, C, S
<i>Sphagneticola trilobata</i>	wedella	II		N, C, S

EXHIBIT 5.28

(= <i>Wedelia trilobata</i>)				
<i>Stachytarpheta urticifolia</i> (= <i>S. cayennensis</i>)	nettle-leaf porterweed	II		S
<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i>)	queen palm	II		C, S
<i>Syzygium jambos</i>	rose-apple	II		C, S
<i>Terminalia catappa</i>	tropical almond	II		C, S
<i>Terminalia muelleri</i>	Australian almond	II		C, S
<i>Tribulus cistoides</i>	puncture vine, burr-nut	II		N, C, S
<i>Urena lobata</i>	Caesar's weed	II		N, C, S
<i>Vitex trifolia</i>	simple-leaf chaste tree	II		C, S
<i>Washingtonia robusta</i>	Washington fan palm	II		C, S
<i>Wedelia</i> (see <i>Sphagneticola</i> above)				
<i>Wisteria sinensis</i>	Chinese wisteria	II		N, C
<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	II		N, C, S

Citation example:

FLEPPC. 2005. List of Florida's Invasive Species. Florida Exotic Pest Plant Council. Internet: <http://www.fleppc.org/05list.htm>

The 2005 list was prepared by the FLEPPC Plant List Committee:

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EXHIBIT 5.30

APPENDIX E

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<i>Albizia lebbek</i>	woman's tongue	I		C, S
<i>Ardisia crenata</i> (= <i>A. crenulata</i>)	coral ardisia	I		N, C
<i>Ardisia elliptica</i> (= <i>A. humilis</i>)	shoebutton ardisia	I		S
<i>Asparagus aethiopicus</i> (= <i>A. sprengeri</i> ; <i>A. densiflorus</i> misapplied)	asparagus-fern	I		C, S
<i>Bauhinia variegata</i>	orchid tree	I		C, S
<i>Bischofia javanica</i>	bischofia	I		C, S
<i>Calophyllum antillanum</i> (= <i>C. calaba</i> ; <i>C. inophyllum</i> misapplied)	santa maria (names "mast wood," "Alexandrian laurel" used in cultivation)	I		S
<i>Casuarina equisetifolia</i>	Australian pine	I	P	N,C,S
<i>Casuarina glauca</i>	suckering Australian pine	I	P	C, S
<i>Cinnamomum camphora</i>	camphor-tree	I		N,C,S
<i>Colocasia esculenta</i>	wild taro	I		N,C,S
<i>Colubrina asiatica</i>	lather leaf	I		S
<i>Cupaniopsis anacardioides</i>	carrotwood	I	N	C, S
<i>Dioscorea alata</i>	winged yam	I	N	N,C,S
<i>Dioscorea bulbifera</i>	air-potato	I	N	N,C,S
<i>Eichhornia crassipes</i>	water-hyacinth	I	P	N,C,S
<i>Eugenia uniflora</i>	Surinam cherry	I		C, S
<i>Ficus microcarpa</i> (<i>F. nitida</i> and <i>F. retusa</i> var. <i>nitida</i> misapplied)	laurel fig	I		C, S
<i>Hydrilla verticillata</i>	hydrilla	I	P, U	N,C,S
<i>Hygrophila polysperma</i>	green hygro	I	P, U	N,C,S
<i>Hymenachne amplexicaulis</i>	West Indian marsh grass	I		C, S
<i>Imperata cylindrica</i> (<i>I. brasiliensis</i> misapplied)	cogon grass	I	N, U	N, C, S
<i>Ipomoea aquatica</i>	waterspinach	I	P, U	C
<i>Jasminum dichotomum</i>	Gold Coast jasmine	I		C, S
<i>Jasminum fluminense</i>	Brazilian jasmine	I		C, S

<i>Lantana camara</i>	lantana, shrub verberna	I		N,C,S
<i>Ligustrum lucidum</i>	glossy privet	I		N, C
<i>Ligustrum sinense</i>	Chinese privet, hedge privet	I		N,C,S
<i>Lonicera japonica</i>	Japanese honeysuckle	I		N,C,S
<i>Lygodium japonicum</i>	Japanese climbing fern	I	N	N,C, S
<i>Lygodium microphyllum</i>	Old World climbing fern	I	N	C, S
<i>Macfadyena unguis-cati</i>	cat's claw vine	I		N,C, S
<i>Manilkara zapota</i>	sapodilla	I		S
<i>Melaleuca quinquenervia</i>	melaleuca, paper bark	I	P, N, U	C, S
<i>Mimosa pigra</i>	catclaw mimosa	I	P, N, U	C, S
<i>Nandina domestica</i>	nandina, heavenly bamboo	I		N, C
<i>Nephrolepis cordifolia</i>	sword fern	I		N,C,S
<i>Nephrolepis multiflora</i>	Asian sword fern	I		C, S
<i>Newaudia revnaudiana</i>	Burma reed, cane grass	I	N	S
<i>Paederia cruddasiana</i>	sewer vine, onion vine	I	N	S
<i>Paederia foetida</i>	skunk vine	I	N	N,C
<i>Panicum repens</i>	torpedo grass	I		N,C,S
<i>Pennisetum purpureum</i>	Napier grass	I		C, S
<i>Pistia stratiotes</i>	waterlettuce	I	P	N,C,S
<i>Psidium cattleianum</i> (= <i>P. littorale</i>)	strawberry guava	I		C, S
<i>Psidium guajava</i>	guava	I		C, S
<i>Pueraria montana</i> var. <i>lobata</i> (= <i>P.</i> <i>lobata</i>)	kudzu	I	N, U	N,C, S
<i>Rhodomirtus tomentosa</i>	downy rose-myrtle	I	N	C, S
<i>Rhoeo spathacea</i> (see <i>Tradescantia spathacea</i>)				
<i>Rhynchelytrum repens</i>	Natal grass	I		N, C, S
<i>Ruellia tweediana</i> (= <i>R. brittoniana</i>)	Mexican petunia	I		N, C, S
<i>Sapium sebiferum</i> (= <i>Triadeca sebifera</i>)	popcorn tree, Chinese tallow tree	I	N	N, C, S
<i>Scaevola taccada</i> (= <i>Scaevola sericea</i> , <i>S. frutescens</i>)	scaevola, halfflower, beach naupaka	I		C, S
<i>Schefflera actinophylla</i> (= <i>Brassaia actinophylla</i>)	schefflera, Queensland umbrella tree	I		C, S
<i>Schinus terebinthifolius</i>	Brazilian pepper	I	P, N	N, C, S
<i>Senna pendula</i> var. <i>glabrata</i> (= <i>Cassia coluteoides</i>)	climbing cassia, Christmas cassia, Christmas senna	I		C, S
<i>Solanum tampicense</i> (= <i>S. houstonii</i>)	wetland night shade, aquatic soda apple	I	N, U	C, S
<i>Solanum viarum</i>	tropical soda apple	I	N, U	N, C, S

<i>Syngonium podophyllum</i>	arrowhead vine	I		C, S
<i>Syzygium cumini</i>	jambolan, Java plum	I		C, S
<i>Tectaria incisa</i>	incised halberd fern	I		S
<i>Thespesia populnea</i>	seaside mahoe	I		C, S
<i>Tradescantia fluminensis</i>	white-flowered wandering jew	I		N, C
<i>Tradescantia spathacea</i> (= <i>Rhoeo spathacea</i> , <i>Rhoeo discolor</i>)	oyster plant	I		S
<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i>)	Pará grass	I		C, S

Category II - Invasive exotics that have increased in abundance or frequency but have not yet altered Florida plant communities to the extent shown by Category I species. *These species may become ranked Category I, if ecological damage is demonstrated.*

Scientific Name	Common Name	EPPC Cat.	Gov. list	Reg. Dist.
<i>Adenanthera pavonina</i>	red sandalwood	II		S
<i>Agave sisalana</i>	sisal hemp	II		C, S
<i>Aleurites fordii</i> (= <i>Vernicia fordii</i>)	tung oil tree	II		N, C
<i>Alstonia macrophylla</i>	devil-tree	II		S
<i>Alternanthera philoxeroides</i>	alligator weed	II	P	N, C, S
<i>Antigonon leptopus</i>	coral vine	II		N, C, S
<i>Aristolochia littoralis</i>	calico flower	II		N, C
<i>Asystasia gangetica</i>	Ganges primrose	II		C, S
<i>Begonia cucullata</i>	wax begonia	II		N, C
<i>Blechnum pyramidatum</i>	green shrimp plant, Browne's blechnum	II		N, C, S
<i>Broussonetia papyrifera</i>	paper mulberry	II		N, C
<i>Callisia fragrans</i>	inch plant, spironema	II		C, S
<i>Casuarina cunninghamiana</i>	Australian pine	II	P	C, S
<i>Cecropia palmata</i>	trumpet tree	II		S
<i>Cestrum diurnum</i>	day jessamine	II		C, S
<i>Chamaedorea seifrizii</i>	bamboo palm	II		S
<i>Clematis terniflora</i>	Japanese clematis	II		N, C
<i>Cryptostegia madagascariensis</i>	rubber vine	II		C, S
<i>Cyperus involucratus</i> (<i>C. alternifolius</i>)	umbrella plant	II		C, S

misapplied)				
<i>Cyperus proliifer</i>	dwarf papyrus	II		C
<i>Dalbergia sissoo</i>	Indian rosewood, sissoo	II		C, S
<i>Elaeagnus pungens</i>	thorny eleagnus	II		N, C
<i>Epipremnum pinnatum</i> cv. Aureum	pothos	II		C, S
<i>Ficus altissima</i>	false banyan, council tree	II		S
<i>Flacourtia indica</i>	governor's plum	II		S
<i>Hemarthria altissima</i>	limpo grass	II		C, S
<i>Hibiscus tiliaceus</i>	mahoe, sea hibiscus	II		C, S
<i>Ipomoea fistulosa</i> (= <i>I.</i> <i>carnea</i> ssp. <i>fistulosa</i>)	shrub morning-glory	II	P	C, S
<i>Jasminum sambac</i>	Arabian jasmine	II		S
<i>Kalanchoe pinnata</i>	life plant	II		C, S
<i>Koelreuteria elegans</i> ssp. <i>formosana</i> (= <i>K.</i> <i>formosana</i> ; <i>K.</i> <i>paniculata</i> misapplied)	flamegold tree	II		C, S
<i>Leucaena leucocephala</i>	lead tree	II		N, C, S
<i>Limnophila sessiliflora</i>	Asian marshweed	II	P	N, C, S
<i>Livistona chinensis</i>	Chinese fan palm	II		C, S
<i>Melia azedarach</i>	Chinaberry	II		N, C, S
<i>Merremia tuberosa</i>	wood-rose	II		S
<i>Murraya paniculata</i>	orange-jessamine	II		S
<i>Myriophyllum spicatum</i>	Eurasian water-milfoil	II	P	N, C, S
<i>Nymphoides cristata</i>	snowflake	II		C, S
<i>Panicum maximum</i>	Guinea grass	II		C, S
<i>Passiflora biflora</i>	two-flowered passion vine	II		S
<i>Pennisetum setaceum</i>	green fountain grass	II		S
<i>Phoenix reclinata</i>	Senegal date palm	II		C, S
<i>Pittosporum pentandrum</i>	Philippine pittosporum, Taiwanese cheesewood	II		S
<i>Phyllostachys aurea</i>	golden bamboo	II		N, C
<i>Pteris vittata</i>	Chinese brake fern	II		N, C, S
<i>Ptychosperma elegans</i>	solitary palm	II		S
<i>Ricinus communis</i>	castor bean	II		N, C, S
<i>Sansevieria</i> <i>hyacinthoides</i>	bowstring hemp	II		C, S
<i>Scleria lacustris</i>	Wright's nutrush	II		C, S
<i>Sesbania punicea</i>	purple sesban, rattlebox	II		N, C, S
<i>Solanum diphyllum</i>	Two-leaf nightshade	II		N, C, S
<i>Solanum jamaicense</i>	Jamaica nightshade	II		C
<i>Solanum torvum</i>	susumber, turkey berry	II	N, U	N, C, S
<i>Sphagneticola trilobata</i>	wedelia	II		N, C, S

(= <i>Wedelia trilobata</i>)				
<i>Stachytarpheta urticifolia</i> (= <i>S. cayennensis</i>)	nettle-leaf porterweed	II		S
<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i>)	queen palm	II		C, S
<i>Syzygium jambos</i>	rose-apple	II		C, S
<i>Terminalia catappa</i>	tropical almond	II		C, S
<i>Terminalia muelleri</i>	Australian almond	II		C, S
<i>Tribulus cistoides</i>	puncture vine, burr-nut	II		N, C, S
<i>Urena lobata</i>	Caesar's weed	II		N, C, S
<i>Vitex trifolia</i>	simple-leaf chaste tree	II		C, S
<i>Washingtonia robusta</i>	Washington fan palm	II		C, S
<i>Wedelia</i> (see <i>Sphagneticola</i> above)				
<i>Wisteria sinensis</i>	Chinese wisteria	II		N, C
<i>Xanthosoma sagittifolium</i>	malanga, elephant ear	II		N, C, S

Citation example:

FLEPPC. 2005. List of Florida's Invasive Species. Florida Exotic Pest Plant Council. Internet: <http://www.fleppc.org/05list.htm>

The 2005 list was prepared by the FLEPPC Plant List Committee:

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APPENDIX F

Transportation Methodology Provinces DRI

The Provinces Development of Regional Impact (DRI) is a proposed mixed-use development located at the northwest quadrant of the I-95/Midway Road interchange in un-incorporated St. Lucie County, Florida. The project includes three phases with buildout in 2010, 2015 and 2020. Density and intensity for the proposed land uses assumed for each development phase are summarized in the following table. All phases are cumulative: include the land use density and intensity of previous phases.

Proposed Development Program

Land Use	Phase 1 Year 2010	Phase 2 Year 2015	Phase 3 Year 2020
Single-Family Homes	300 d.u.	603 d.u.	603 d.u.
Multi-Family Homes	894 d.u.	1,840 d.u.	1,976 d.u.
Condominiums	-	-	1,864 d.u.
Hotel	-	350 rooms	350 rooms
Medical Office	-	-	1,000,000 s.f.
Retail (*)	687,792 s.f.	1,435,706 s.f.	1,435,706 s.f.
Cinemas	-	16 screens	16 screens
Fire Station	8 employees	8 employees	8 employees
Elementary/Middle School	-	1,500 students	1,500 students
Pre-School	-	5,000 s.f.	5,000 s.f.

(*) Gross Leasable Area

Trip Generation, Distribution and Assignment

Trip generation for Provinces DRI was estimated using the trip generation data published in the *Institute of Transportation Engineers' Trip Generation Report (7th Edition)*. Table TR-1 presents the estimated trip generation for the development.

Given the mixed-use nature of the project, a portion of the project trips is anticipated to remain internal within the boundaries of the project. The internal capture analysis was prepared using the internal trip-making procedures outlined in Chapter 7 of the *Multi-Use Development of The Institute of Transportation Engineers' Trip Generation Handbook, 2nd Edition*. The following table summarizes internal capture percentages for each phase of development.

Internal Capture

Time Period	Phase 1 Year 2010	Phase 2 Year 2015	Phase 3 Year 2020
Daily	14%	12%	10%
AM Peak Hour	-	6%	4%
PM Peak Hour	16%	15%	12%

It is recognized that a portion of the commercial related trips will consist of trips that are already “passing by” the site and consequently decide to stop at the commercial land uses as part of their primary trip. These trips are know as “pass-by” trips and are deducted from the total trips as they are already traveling along the adjacent facilities, Midway Road and the I-95 off-ramps. Reductions for pass-by were applied based upon the most conservative of these two methods: a) 25% of the external retail trips or, b) 10% of the non-project adjacent street traffic. Since 25% of the external retail trips is greater than 10% of the non-project traffic traveling along Midway Road and the I-95/Midway Road northbound and southbound off-ramps for each development phase, 10% of the non-project traffic traveling on the adjacent facilities was estimated as pass-by.

The following table presents a summary of trip generation by phase including gross trips, internal capture, pass-by traffic, and net external trips.

Trip Generation

Trips	Phase 1 Year 2010	Phase 2 Year 2015	Phase 3 Year 2020
Daily			
Gross	30,832	74,990	122,295
Internal	(4,446)	(8,674)	(11,982)
Pass-by	(1,365)	(1,900)	(2,018)
Net	25,021	64,416	108,295
AM Peak Hour			
Gross	1,021	3,095	6,000
Internal	0	(182)	(246)
Pass-by	0	0	0
Net	1,021	2,913	5,754
PM Peak Hour			
Gross	2,891	5,683	8,907
Internal	(456)	(868)	(1,100)
Pass-by	(128)	(144)	(147)
Net	2,307	4,671	7,660

Traffic distribution and assignment was estimated using the *Treasure Coast Regional Planning Model*. The assignment obtained from the model was then revised based on local knowledge of the area. Figures TR-1 through TR-3 depict traffic assignment for each development phase.

Significant Impact

Roadway improvements were determined based on the Department of Community Affairs’s Transportation Standard Rule for Developments of Regional Impact (Rule 9J-2.045, FAC). Based on this rule, roadway improvements are recommended for roadway sections significantly impacted by project traffic which meet the following criteria:

- Project traffic consumes five percent (5%) or more of the adopted peak-direction/peak-hour adopted service volume; and
- Total traffic exceeds the adopted level of service (LOS).

Committed Roadways

Roadway improvements which are included in the first three years of the current Florida Department of Transportation Work Program are “committed”. These committed roadway improvements are assumed to be in place when preparing the traffic study. The following committed roadway improvements were included in the traffic study:

- Interstate 95 from Okeechobee Road to Indian/St. Lucie County Line – Six lane construction is scheduled for commencement in the year 2010.
- Okeechobee Road (SR 70) from Okeechobee/St. Lucie County Line to McCarty Road – Four lane construction is scheduled for commencement in the year 2006/2009.
- US 1 from Prima Vista Boulevard to Midway Road – Six lane construction is scheduled for commencement in the year 2006.

In addition to the projects identified above, the traffic study also assumed Crosstown Parkway (fka West Virginia Drive) between Champion Way and Airoso Boulevard to be in place in the year 2010 with a six lane cross-section.

Committed Developments

There are many developments either approved or in the approval process within near proximity to Provinces. All these developments were included in the traffic study as “committed” per the methodology agreement.

The City of Port St. Lucie has recently approved the following four DRIs within its western annexation area: Western Grove, Southern Grove, Riverland/Kennedy, and Wilson Groves. These projects, which have not commenced development, include a very aggressive schedule with near 31,000 residential dwelling units and more than 15,000,000 square feet of non-residential development to be built by the year 2025.

Other projects which are going through the approval process have also been included in the traffic study. These are: Indrio Groves DRI, Visions at Indrio DRI , Orchard Park DRI, and Creekside PUD. Of these projects, Indrio Groves and Orchard Park have recently withdrawn their DRI application for development approval.

Traffic Projections

Background traffic conditions on the surrounding roadway network were developed for the years 2010, 2015 and 2020. They were developed as the sum of existing traffic, ambient growth in the area, and traffic from the committed developments discussed above. A 0.5% growth rate, compounded annually, was used on all significantly impacted links which were also impacted by committed developments. All other

roadway links significantly impacted by project traffic used a 2% annual growth rate, compounded annually.

Project traffic was added to background traffic to estimate total traffic for each phase of development. Tables TR-2 through TR-4 present the determination of total traffic during the p.m. peak hour.

Recommended Improvements

Based on the analysis results, roadway and intersection improvements are recommended to maintain adopted levels of service. Figure TR-4 depicts roadway links which require improvements.

In addition to many other roadway improvements, the following roadway segments are recommended to be widened to eight lanes in order to maintain adopted levels of service:

- Crosstown Parkway from I-95 to California Boulevard (year 2016)
- Crosstown Parkway from Cashmere Boulevard to Bayshore Boulevard (year 2016)
- Crosstown Parkway from Champion Way to Commerce Center Parkway (year 2016)
- Midway Road from Commerce Center Parkway to I-95 (year 2019)
- Okeechobee Road from I-95 to Jenkins Road (year 2019)

The improvements identified above are not currently included in the St. Lucie County Comprehensive Plan or the Metropolitan Planning Organization Long Range Plan. Therefore, both plans need to be amended accordingly. The processes to amend these plans need to start as soon as possible as they are time consuming.

Given the close proximity to Interstate 95, the development has significant impact along several segments of the interstate which require widening to maintain adopted levels of service. Interstate 95 is part of the Florida Intrastate Highway System (FIHS) and the Strategic Intermodal System (SIS). Therefore, the Florida Department of Transportation has established statewide minimum level of service standards. Interstate 95 between Indrio Road and Orange Avenue is projected to exceed the adopted service volume by the year 2016. Therefore, widening to six lanes has been recommended. In addition, the sections between: a) Midway Road and St. Lucie West Boulevard; b) St. Lucie West Boulevard and Crosstown Parkway (fka West Virginia Drive); and c) Okeechobee Road and Midway Road are projected to exceed the adopted service volume in Phase 3. Therefore, widening to eight lanes has been recommended in the year 2018. The segment between Orange Avenue and Okeechobee Road also requires widening to six lanes at buildout of the project in the year 2020. Ramp improvements are also necessary in order to maintain adopted levels of service. Additional improvements have been recommended at both ramps and intersections with the main roads.

Conclusions

The study has evaluated traffic conditions for the years 2010, 2015 and 2020. These conditions present the roadway network necessary to support development of not only Provinces traffic, but several other projects which are either approved and being built (Tradition DRI , Verano DRI, The Reserve DRI, etc.), approved but haven't commence development (Western Grove DRI, Wilson Groves DRI, Southern Grove DRI, etc.), and in the approval process (Indrio Groves DRI, Visions at Indrio DRI, Orchard Park DRI, etc.).

The following factors have an impact of the recommended improvements:

- a) Development schedule for many of the projects mentioned above is very aggressive and poses the question of feasibility. Is the market available to support these developments in the proposed time frame? It seems unlikely. Therefore, traffic projections included in the traffic study would be overestimated. While the traffic impact of these developments will be in the roads at some time in the future, it is likely that will take longer than planned.
- b) Both Orchard Park DRI and Indrio Groves DRI have withdrawn their DRI applications for development approval. Since traffic impact from these projects was included in the traffic study as committed developments, traffic projections are overestimated on roadway links where these projects had traffic impact.

Due to the above mentioned factors, roadway improvements included in the traffic study may be required at a later time than that presented in the conditions of development, and some others may not be required.

**TABLE TR-1
Trip Generation Summary
PROVENCES DRI**

Phase 1 (Year 2010)								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
SF Homes	300 D.U.	2,857	219	55	164	288	181	107
Townhouse	894 D.U.	4,131	298	51	247	362	243	119
Retail ¹	687,792 SF	23,784	498	304	194	2,235	1,073	1,162
Fire Station ²	8 employees/shift	60	6	4	2	6	2	4
Sub-Total =		30,832	1,021	413	608	2,891	1,499	1,392
Internal Trips		-4,446	0	0	0	-456	-228	-228
Pass-by Trips		-1,365	0	0	0	-128	-64	-64
Phase 1 External Trips		25,021	1,021	413	608	2,307	1,207	1,100
Phase 2 (Year 2015)								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
SF Homes	603 D.U.	5,430	432	108	324	540	340	200
Townhouse	1,840 D.U.	7,630	531	90	441	655	439	216
Hotel ³	350 rooms	3,122	243	141	102	240	118	122
Retail ¹	1,435,706 SF (leasable)	38,373	774	472	302	3,633	1,744	1,889
Cinemas ⁵	16 screens	17,549	88	70	18	324	130	194
Middle School ⁶	1,500 students	2,430	957	526	431	225	117	108
Pre-School	5,000 SF	396	64	34	30	60	28	32
Fire Station ²	8 employees/shift	60	6	4	2	6	2	4
Sub-Total =		74,990	3,095	1,445	1,650	5,683	2,918	2,765
Internal Trips		-8,674	-182	-91	-91	-868	-434	-434
Pass-by Trips		-1,900	0	0	0	-144	-72	-72
Phase 2 External Trips		64,416	2,913	1,354	1,559	4,671	2,412	2,259
Phase 3 (Year 2020)								
Land Use	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total Trips	Inbound	Outbound	Total Trips	Inbound	Outbound
SF Homes	603 D.U.	5,430	432	108	324	540	340	200
Townhouse	3,840 D.U.	14,260	956	163	793	1,197	802	395
Hotel ³	350 rooms	3,122	243	141	102	240	118	122
Medical Office ⁴	1,000,000 SF	40,675	2,480	1,959	521	2,682	724	1,958
Retail ¹	1,435,706 SF (leasable)	38,373	774	472	302	3,633	1,744	1,889
Cinemas ⁵	16 screens	17,549	88	70	18	324	130	194
Middle School ⁶	1,500 students	2,430	957	526	431	225	117	108
Pre-School	5,000 SF	396	64	34	30	60	28	32
Fire Station ²	8 employees/shift	60	6	4	2	6	2	4
Sub-Total =		122,295	6,000	3,477	2,523	8,907	4,005	4,902
Internal Trips		-11,982	-246	-123	-123	-1,100	-550	-550
Pass-by Trips		-2,018	0	0	0	-147	-74	-73
Phase 3 External Trips		108,295	5,754	3,354	2,400	7,660	3,381	4,279

Sources: ITE Trip Generation Manual (7th Edition), ITE Trip Generation Handbook (2nd Edition), and Carter & Burgess, Inc. (August 2006).

¹ The retail land use includes anchors, retail space, pad sites, restaurants, town center police station, and town center post office. 92% of the gross floor area was used for the leasable area.

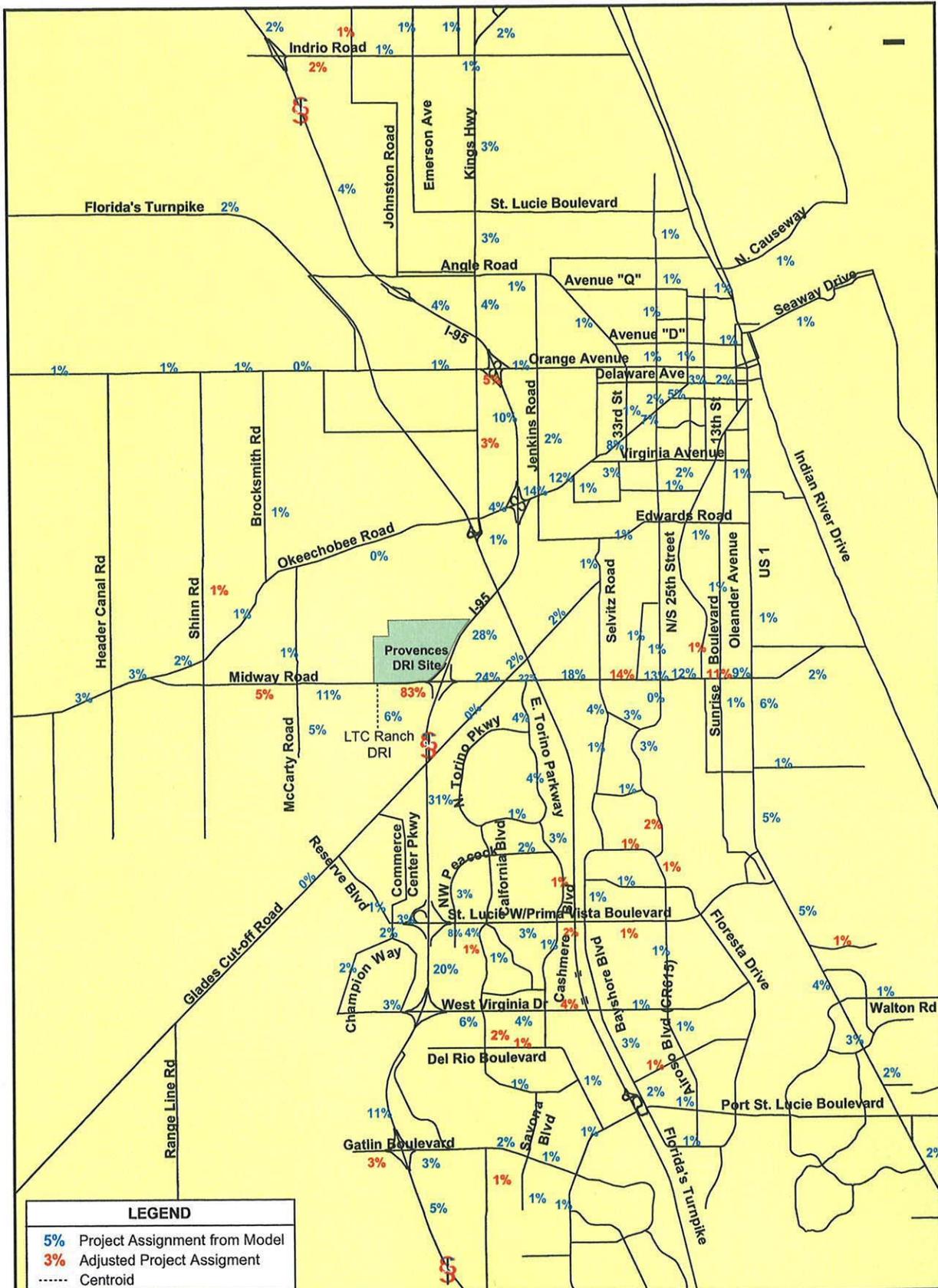
² The staffing requirements for the fire station (6,500 SF) is 5 employees/shift. On a daily basis, it was assumed there would be 2.5 trips/employee/shift, 8 employees/shift, and 3 shifts/day. It was assumed that 10% of the daily trips would occur during both the AM and PM peak hours.

³ The trip generation associated with the civic center is assumed to be included in the trip generation of the hotel land use.

⁴ The Medical-Dentist Office Building land use was used to determine all traffic associated with the office land use.

⁵ The ITE Trip Generation report (7th Edition) does not publish a direct relationship between the number of screens and number of weekday trips. This weekday rate was obtained by using the total number of trips observed to occur on a Friday along with the daily variation information contained within the description for this land use. ITE does not contain data for this land use on an AM peak hour basis, therefore it was assumed that approximately 0.5% of the daily trips would occur during the AM peak hour.

⁶ The middle school land use is a higher generator than the elementary school land use on a daily, AM peak hour, and PM peak hour basis. Therefore, the middle school land use data was used to determine the trip generation associated with the school.



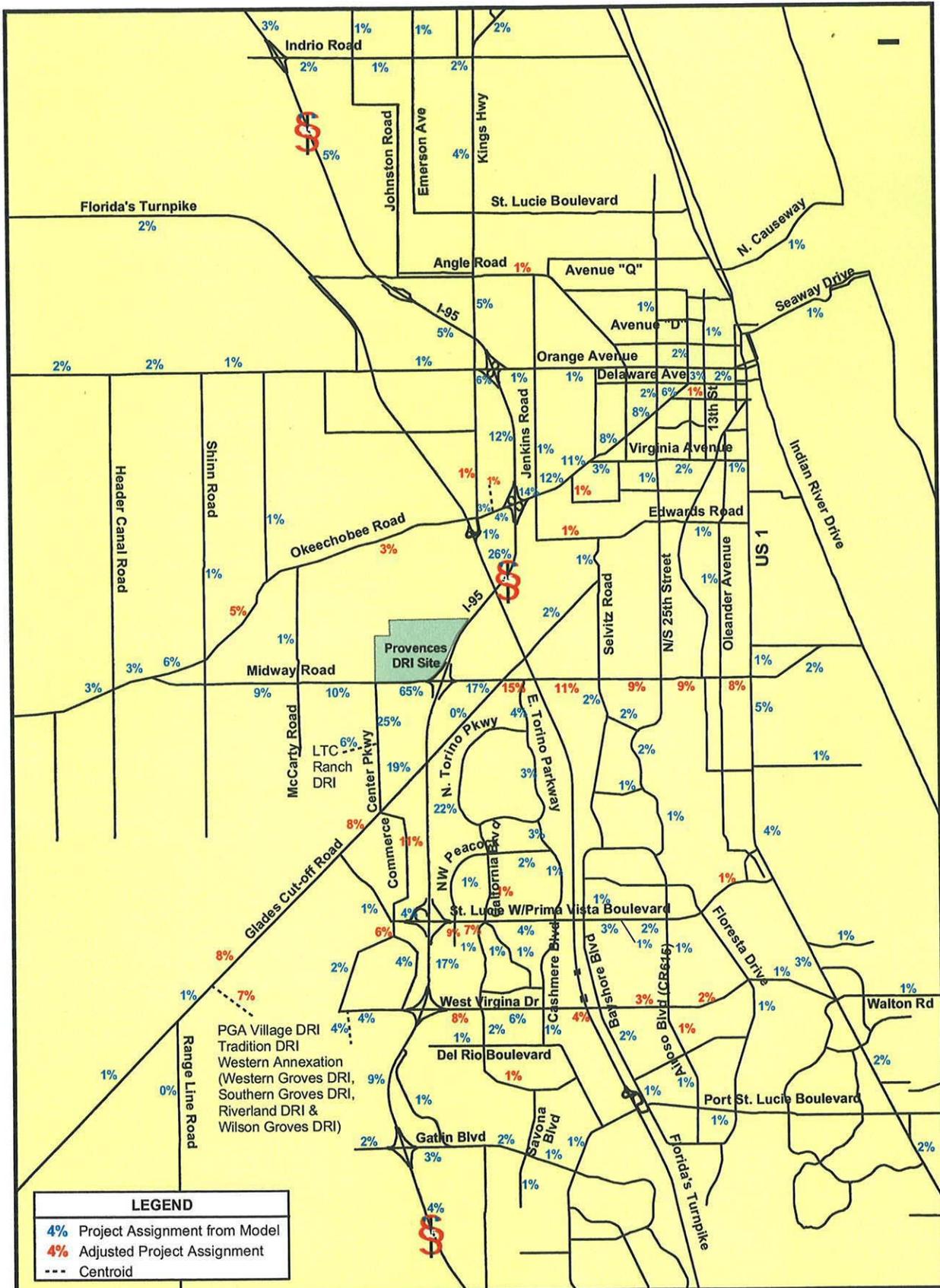
LEGEND	
5%	Project Assignment from Model
3%	Adjusted Project Assignment
-----	Centroid

Carter Burgess
 6363 NW 6 Way, Suite 300
 Fort Lauderdale, Florida 33309

**Project Traffic Assignment (with Adjustments)
 Year 2010**

Source: Treasure Coast Regional Planning Model (TCRPM) 2003 Validation Model
 Treasure Coast Regional Planning Model 2010

FIGURE TR-1
 Provinces DRI
 St. Lucie County, Florida



LEGEND	
4%	Project Assignment from Model
4%	Adjusted Project Assignment
---	Centroid

Carter Burgess
 6363 NW 6 Way, Suite 300
 Fort Lauderdale, Florida 33309

**Project Traffic Assignment (with Adjustments)
 Year 2015**

Source: Treasure Coast Regional Planning Model (TCRPM) 2003 Validation Model
 Treasure Coast Regional Planning Model 2015

**FIGURE TR-2
 Provinces DRI
 St. Lucie County, Florida**



LEGEND

- 5% Project Assignment from Model
- 5% Adjusted Project Assignment
- Centroid

Carter Burgess
 6363 NW 6 Way, Suite 300
 Fort Lauderdale, Florida 33309

**Project Traffic Assignment (with Adjustments)
 Year 2020**

Source: Treasure Coast Regional Planning Model (TCRPM) 2003 Validation Model
 Treasure Coast Regional Planning Model 2020

**FIGURE TR-3
 Provinces DRI
 St. Lucie County, Florida**

TABLE TR-2 (Page 1 of 2)
**TOTAL TRAFFIC CONDITIONS (Year 2010), With Provenances DRI
 PROVENANCES DRI**

From:	Roadway Link To:	Direction	No. Lanes	Total (2010) Background Traffic	Total Provenances Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
Okeechobee Rd (SR 70) / Delaware Ave I-95	Jenkins Rd	EB	3	1,765	154	1,919	2,790	Yes	---	---	---
		WB	3	2,060	169	2,229	2,790	Yes	---	---	---
Jenkins Rd	Virginia Ave	EB	3	1,481	132	1,613	2,790	Yes	---	---	---
		WB	3	1,835	145	1,980	2,790	Yes	---	---	---
Virginia Ave	33rd St South/ Angle Rd	EB	2	973	88	1,061	1,860	Yes	---	---	---
		WB	2	1,512	97	1,609	1,860	Yes	---	---	---
Midway Rd (CR 712) McCarty Rd	Future Commerce Center Pkwy / Project Site (1)	EB	1	194	133	327	1,300	Yes	---	---	---
		WB	1	246	121	367	1,300	Yes	---	---	---
Future Commerce Center Pkwy / Project Site (1)	I-95	EB	2	298	913	1,211	1,860	Yes	---	---	---
		WB	2	323	1002	1,325	1,860	Yes	---	---	---
I-95	Glades Cut-Off Rd	EB	2	726	264	990	1,860	Yes	---	---	---
		WB	2	767	290	1,057	1,860	Yes	---	---	---
Glades Cut-Off Rd	East Torino Pkwy	EB	2	671	242	913	1,860	Yes	---	---	---
		WB	2	640	266	906	1,860	Yes	---	---	---
East Torino Pkwy	Selvitz Rd	EB	1	763	198	961	890	No	2	1,860	B
		WB	1	803	217	1,020	890	No	2	1,860	B
Selvitz Rd	25th St South	EB	1	718	154	872	890	Yes	---	---	---
		WB	1	714	169	883	890	Yes	---	---	---
25th St South	Oleander Ave	EB	1	792	132	924	890	No	2	1,860	B
		WB	1	960	145	1,105	890	No	2	1,860	B
Oleander Ave	US 1 South	EB	1	696	99	795	890	Yes	---	---	---
		WB	1	760	109	869	890	Yes	---	---	---
St. Lucie West Blvd / Prima Vista Blvd I-95	NW Peacock Blvd	EB	2	1,291	88	1,379	1,860	Yes	---	---	---
		WB	2	1,306	97	1,403	1,860	Yes	---	---	---
Kings Hwy (SR 713) Angle Rd	Orange Ave	NB	1	663	44	707	860	Yes	---	---	---
		SB	1	761	48	809	860	Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council
 (1) Future Commerce Center Parkway is anticipated to align with the west Provenances driveway. Previous submittals assumed the future Commerce Center Parkway connected to Midway Road further to the west.

TABLE TR-2 (Page 2 of 2)
TOTAL TRAFFIC CONDITIONS (Year 2010), With Provenances DRI
PROVENANCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total (2010) Background Traffic	Total Provenances Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
Interstate 95 (SR 9)											
Okeechobee Rd	Midway Rd	NB	3	2,360	308	2,668	4,550	Yes	---	---	---
		SB	3	2,819	338	3,157		Yes	---	---	---
Midway Rd	St. Lucie West Blvd	NB	3	2,251	374	2,625	4,550	Yes	---	---	---
		SB	3	3,292	341	3,633		Yes	---	---	---
St. Lucie West Blvd	West Virginia Dr ⁽²⁾	NB	3	2,666	241	2,907	4,180	Yes	---	---	---
		SB	3	2,852	220	3,072		Yes	---	---	---
Selvitz Rd											
Midway Rd	Bayshore Blvd	NB	1	181	48	229	890	Yes	---	---	---
		SB	1	374	44	418		Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

(2) Addition of West Virginia Dr Interchange reduces interchange spacing to less than 2 miles, resulting in a service volume of 4,180.

TABLE TR-3 (Page 1 of 4)
**TOTAL TRAFFIC CONDITIONS (Year 2015), With Provinces DRI
 PROVENCES DRI**

From:	Roadway Link To:	Direction	No. Lanes	Total 2015 Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
Indrio Rd (SR 614)											
I-95	Johnston Rd	EB	1	1,636	45	1,681	860	No	2	1,860	C
		WB	1	1,491	48	1,539		No	2		C
Emerson Ave	Kings Hwy	EB	1	1,132	48	1,180	860	No	2	1,860	B
		WB	1	1,098	45	1,143		No	2		B
Orange Ave (SR 68)											
Kings Hwy	I-95	EB	2	1,207	145	1,352	1,860	Yes	---	---	---
		WB	2	860	136	995		Yes	---	---	---
Okeechobee Rd (SR 70) / Delaware Ave											
Midway Rd	Shinn Rd	EB	2	369	136	505	2,230	Yes	---	---	---
		WB	2	328	145	473		Yes	---	---	---
Shinn Rd	McCarty Rd	EB	2	362	113	475	2,300	Yes	---	---	---
		WB	2	404	121	525		Yes	---	---	---
Kings Hwy	I-95	EB	2	2,003	96	2,099	1,810	No	3	2,720	B
		WB	2	2,381	90	2,472		No	3		C
I-95	Jenkins Rd	EB	3	1,961	316	2,277	2,790	Yes	---	---	---
		WB	3	2,275	338	2,612		Yes	---	---	---
Jenkins Rd	Virginia Ave	EB	3	1,642	271	1,913	2,790	Yes	---	---	---
		WB	3	2,015	289	2,304		Yes	---	---	---
Virginia Ave	33rd St South/ Angle Rd	EB	2	1,037	181	1,218	1,860	Yes	---	---	---
		WB	2	1,594	193	1,787		Yes	---	---	---
33rd St South	25th St South	EB	2	1,037	181	1,218	1,860	Yes	---	---	---
		WB	2	1,593	193	1,786		Yes	---	---	---
25th St South	Delaware Ave	EB	2	1,013	136	1,148	1,860	Yes	---	---	---
		WB	2	1,569	145	1,714		Yes	---	---	---
Delaware Ave	13th St	EB	1	544	68	612	760	Yes	2	1,860	C
		WB	1	812	72	885		No	2		C
13th St	US 1 South	EB	1	520	45	565	760	Yes	2	1,860	C
		WB	1	788	48	836		No	2		C

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

TABLE TR-3 (Page 2 of 4)
TOTAL TRAFFIC CONDITIONS (Year 2015), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total 2015 Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
	Midway Rd (CR 712)										
	Okeechobee Rd	EB	1	217	217	434	1,300	Yes	---	---	---
	McCarty Rd	WB	1	254	203	457	---	Yes	---	---	---
	Commerce Center Pkwy / Project Site ⁽¹⁾	EB	1	237	241	478	1,300	Yes	---	---	---
		WB	1	287	226	513	---	Yes	---	---	---
	Commerce Center Pkwy / Project Site ⁽¹⁾	EB	2	322	1468	1,790	1,860	Yes	3	2,790	B
		WB	2	350	1568	1,917	---	No	3	---	B
	I-95	EB	2	819	384	1,203	1,860	Yes	---	---	---
	Glades Cut-Off Rd	WB	2	871	410	1,281	---	Yes	---	---	---
	Glades Cut-Off Rd	EB	2	757	339	1,096	1,860	Yes	---	---	---
	East Torino Pkwy	WB	2	723	362	1,084	---	Yes	---	---	---
	East Torino Pkwy	EB	1	827	248	1,076	890	No	2	1,860	B
	Selvitz Rd	WB	1	861	265	1,127	---	No	2	---	B
	25th St South	EB	1	775	203	978	890	No	2	1,860	B
		WB	1	767	217	984	---	No	2	---	B
	25th St South	EB	1	847	203	1,051	890	No	2	1,860	B
	Oleander Ave	WB	1	1,017	217	1,234	---	No	2	---	B
	Oleander Ave	EB	1	745	181	925	890	No	2	1,860	B
	US 1	WB	1	808	193	1,001	---	No	2	---	B
	Indian River Dr	EB	1	696	45	741	890	Yes	---	---	---
		WB	1	506	48	554	---	Yes	---	---	---
	St. Lucie West Blvd / Prima Vista Blvd										
	West of I-95	EB	1	588	96	684	890	Yes	---	---	---
		WB	1	587	90	677	---	Yes	---	---	---
	I-95	EB	2	1,546	203	1,749	1,860	Yes	---	---	---
	NW Peacock Blvd	WB	2	1,549	217	1,766	---	Yes	---	---	---
	NW Peacock Blvd	EB	2	1,595	158	1,753	1,860	Yes	---	---	---
	California Blvd	WB	2	1,584	169	1,753	---	Yes	---	---	---
	California Blvd	EB	2	1,575	90	1,665	1,860	Yes	---	---	---
	Cashmere Blvd	WB	2	1,675	96	1,771	---	Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

(1) Future Commerce Center Parkway is anticipated to align with the west Provinces driveway. Previous submittals assumed the future Commerce Center Parkway connected to Midway Road further to the west.

TABLE TR-3 (Page 3 of 4)
TOTAL TRAFFIC CONDITIONS (Year 2015), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total 2015 Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
West Virginia Dr ^{(2) (3)}											
I-95	California Blvd	EB	3	3,148	181	3,329	3,348	Yes	---	---	---
		WB	3	2,438	193	2,631		Yes	---	---	---
Commerce Center Pkwy ⁽²⁾											
Midway Rd	Glades Cut-Off Rd	NB	1	534	603	1,137	530	No	3	1,750	D
		SB	1	1,019	565	1,584		No	3		D
	St. Lucie West Blvd	NB	1	278	265	543	530	No	2	1,140	C
		SB	1	277	248	525		Yes	2		C
	West Virginia Dr	NB	2	941	145	1,086	1,140	Yes	---	---	---
		SB	2	700	136	836		Yes	---	---	---
Kings Hwy (SR 713)											
North of Indrio Rd		NB	1	936	45	981	860	No	2	1,860	B
		SB	1	853	48	901		No	2		B
Indrio Rd	St. Lucie Blvd	NB	1	817	90	907	860	No	2	1,860	B
		SB	1	667	96	763		Yes	2		B
St. Lucie Blvd	Angle Rd	NB	1	934	90	1,024	860	No	2	1,860	B
		SB	1	959	96	1,055		No	2		B
Angle Rd	Orange Ave	NB	1	729	113	842	860	Yes	2	1,860	B
		SB	1	830	121	951		No	2		B
Interstate 95 (SR 9)											
Orange Ave	Okeechobee Rd	NB	2	2,403	271	2,674	2,940	Yes	---	---	---
		SB	2	2,085	289	2,374		Yes	---	---	---
Okeechobee Rd	Midway Rd	NB	3	2,555	587	3,142	4,550	Yes	---	---	---
		SB	3	3,014	627	3,641		Yes	---	---	---
Midway Rd	St. Lucie West Blvd	NB	3	2,711	531	3,242	4,550	Yes	---	---	---
		SB	3	3,744	497	4,241		Yes	---	---	---
St. Lucie West Blvd	West Virginia Dr ⁽⁴⁾	NB	3	3,313	410	3,723	4,180	Yes	---	---	---
		SB	3	3,451	384	3,835		Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

(2) Commerce Center Parkway & West Virginia Drive Existing Background Traffic: Peak Direction = (Model Vol. w/Provinces x K x D x MOCF) - Provinces Vol.

Non-Peak Direction = (Model Vol. w/Provinces x K x (1-D) x MOCF) - Provinces Vol.

increase.

(4) Addition of West Virginia Dr Interchange reduces interchange spacing to less than 2 miles, resulting in a service volume of 4,180.

TABLE TR-3 (Page 4 of 4)
TOTAL TRAFFIC CONDITIONS (Year 2015), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total 2015 Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
	Glades Cut-Off Rd (CR 709)										
	Selvitz Rd	NB	1	364	45	409	760	Yes	---	---	---
	Midway Rd	SB	1	401	48	449		Yes	---	---	---
	Commerce Center Pkwy	NB	1	479	193	672	760	Yes	---	---	---
	Range Line Rd	SB	1	493	181	674		Yes	---	---	---
	Selvitz Rd										
	Midway Rd	NB	1	189	48	237	890	Yes	---	---	---
	Bayshore Blvd	SB	1	385	45	430		Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

**TABLE TR-4 (Page 1 of 5)
TOTAL TRAFFIC CONDITIONS (Year 2020), With Provinces DRI
PROVINCES DRI**

From:	Roadway Link To:	Direction	No. Lanes	Total (2020) Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
I-95	Johnston Rd	EB	1	1,719	86	1,805	860	No	2	1,860	C
		WB	1	1,622	68	1,690		No	2		C
Johnston Rd	Emerson Ave	EB	1	1,274	43	1,317	860	No	2	1,860	B
		WB	1	1,365	34	1,399		No	2		B
Emerson Ave	Kings Hwy	EB	1	1,216	68	1,284	860	No	2	1,860	B
		WB	1	1,150	86	1,236		No	2		B
Orange Ave (SR 68)											
Kings Hwy	I-95	EB	2	1,223	135	1,358	1,860	Yes	---	---	---
		WB	2	871	171	1,042		Yes	---	---	---
Okeechobee Rd (SR 70) / Delaware Ave											
West of Sneed Rd		EB	2	468	101	569	2,230	Yes	---	---	---
		WB	2	1,104	128	1,232		Yes	---	---	---
Sneed Rd	Header Canal Rd	EB	2	468	101	569	2,230	Yes	---	---	---
		WB	2	1,104	128	1,232		Yes	---	---	---
Header Canal Rd	Midway Rd	EB	2	587	101	688	2,230	Yes	---	---	---
		WB	2	603	128	731		Yes	---	---	---
Midway Rd	Shinn Rd	EB	2	408	428	836	2,230	Yes	---	---	---
		WB	2	362	338	700		Yes	---	---	---
Shinn Rd	McCarty Rd	EB	2	371	385	756	2,300	Yes	---	---	---
		WB	2	414	304	718		Yes	---	---	---
McCarty Rd	Kings Hwy	EB	2	1,136	342	1,478	2,300	Yes	---	---	---
		WB	2	1,244	270	1,514		Yes	---	---	---
Kings Hwy	I-95	EB	2	2,033	257	2,290	1,810	No	3	2,720	B
		WB	2	2,418	203	2,621		No	3		C
I-95	Jenkins Rd	EB	3	1,999	685	2,684	2,790	Yes	4	3,540	B
		WB	3	2,319	541	2,860		No	4		B
Jenkins Rd	Virginia Ave	EB	3	1,674	642	2,316	2,790	Yes	---	---	---
		WB	3	2,055	507	2,562		Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

TABLE TR-4 (Page 2 of 5)
TOTAL TRAFFIC CONDITIONS (Year 2020), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
Okeechobee Rd (SR 70) / Delaware Ave	Virginia Ave	EB	2	1,061	471	1,532	1,860	Yes	3	2,790	B
	33rd St South/ Angle Rd	WB	2	1,632	372	2,004		No	3		B
33rd St South	25th St South	EB	2	1,061	428	1,489	1,860	Yes	3	2,790	B
		WB	2	1,632	338	1,970		No	3		B
25th St South	Delaware Ave	EB	2	1,037	300	1,337	1,860	Yes	---	---	---
		WB	2	1,607	237	1,844		Yes	---	---	---
Delaware Ave	13th St	EB	1	557	171	728	760	Yes	2	1,620	C
		WB	1	832	135	967		No	2		C
13th St	US 1 South	EB	1	533	86	619	760	Yes	2	1,620	C
		WB	1	808	68	876		No	2		C
Midway Rd (CR 712)											
Okeechobee Rd	McCarty Rd	EB	1	235	440	675	1,300	Yes	---	---	---
		WB	1	276	556	832		Yes	---	---	---
McCarty Rd	Commerce Center Pkwy / Project Site (1)	EB	1	256	473	729	1,300	Yes	---	---	---
		WB	1	309	599	908		Yes	---	---	---
Commerce Center Pkwy / Project Site (1)	I-95	EB	2	331	2867	3,198	1,860	No	4	3,540	C
		WB	2	362	2265	2,627		No	4		B
I-95	Glades Cut-Off Rd	EB	2	830	813	1,643	1,860	Yes	---	---	---
		WB	2	910	642	1,552		Yes	---	---	---
Glades Cut-Off Rd	East Torino Pkwy	EB	2	802	685	1,487	1,860	Yes	---	---	---
		WB	2	748	541	1,289		Yes	---	---	---
East Torino Pkwy	Selvitz Rd	EB	1	890	556	1,446	890	No	2	1,860	B
		WB	1	908	440	1,348		No	2		B
Selvitz Rd	25th St South	EB	1	826	428	1,254	890	No	2	1,860	B
		WB	1	802	338	1,140		No	2		B
25th St South	Oleander Ave	EB	1	899	428	1,327	890	No	2	1,860	B
		WB	1	1,060	338	1,398		No	2		B
Oleander Ave	US 1 South	EB	1	775	342	1,117	890	No	2	1,860	B
		WB	1	830	270	1,100		No	2		B
US 1 South	Indian River Dr	EB	1	722	86	808	890	Yes	---	---	---
		WB	1	523	68	591		Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council
 (1) Future Commerce Center Parkway is anticipated to align with the west Provinces driveway. Previous submittals assumed the future Commerce Center Parkway connected to Midway Road further to the west.

TABLE TR-4 (Page 3 of 5)
TOTAL TRAFFIC CONDITIONS (Year 2020), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total (2020) Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
St. Lucie West Blvd / Prima Vista Blvd	West of I-95	EB	1	495	135	630	890	Yes	---	---	---
		WB	1	499	171	670	---	Yes	---	---	---
I-95	NW Peacock Blvd	EB	2	1,694	300	1,994	1,860	No	3	2,790	B
		WB	2	1,630	237	1,867	---	No	3	---	B
NW Peacock Blvd	California Blvd	EB	2	1,728	214	1,942	1,860	No	3	2,790	B
		WB	2	1,687	169	1,856	---	Yes	3	---	B
California Blvd	Cashmere Blvd	EB	2	1,673	171	1,844	1,860	Yes	3	2,790	B
		WB	2	1,749	135	1,884	---	No	3	---	B
Cashmere Blvd	Bayshore Blvd	EB	3	1,900	171	2,071	2,790	Yes	---	---	---
		WB	3	1,903	135	2,038	---	Yes	---	---	---
West Virginia Dr ^{(2) (3)}	Commerce Center Pkwy	EB	3	3,039	135	3,174	3,348	Yes	4	4,248	B
		WB	3	3,893	171	4,064	---	No	4	---	C
I-95	California Blvd	EB	3	3,349	471	3,820	3,348	No	4	4,248	C
		WB	3	2,591	372	2,963	---	Yes	4	---	B
California Blvd	Cashmere Blvd	EB	3	2,757	342	3,099	3,348	Yes	---	---	---
		WB	3	2,124	270	2,394	---	Yes	---	---	---
Cashmere Blvd	Bayshore Blvd	EB	3	3,105	300	3,405	3,348	No	4	4,248	B
		WB	3	2,364	237	2,601	---	Yes	4	---	B
Bayshore Blvd	Airosa Blvd	EB	3	3,126	171	3,297	3,348	Yes	---	---	---
		WB	3	2,358	135	2,493	---	Yes	---	---	---
Commerce Center Pkwy ⁽²⁾	Glades Cut-Off Rd	NB	1	527	642	1,169	530	No	3	1,750	D
		SB	1	816	813	1,629	---	No	3	---	D
Glades Cut-Off Rd	St. Lucie West Blvd	NB	1	271	270	541	530	No	2	1,140	C
		SB	1	261	342	603	---	No	2	---	D
St. Lucie West Blvd	West Virginia Dr	NB	2	558	135	693	1,140	Yes	---	---	---
		SB	2	687	171	858	---	Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council
 (2) Commerce Center Parkway & West Virginia Drive Existing Background Traffic: Peak Direction = (Model Vol. w/Provinces x K x D x MOCF) - Provinces Vol.
 Non-Peak Direction = (Model Vol. w/Provinces x K x (1-D) x MOCF) - Provinces Vol.
 (3) Per FDOT, West Virginia Drive will be analyzed as a controlled access facility, hence the service volume has been adjusted to reflect a 20% increase.

TABLE TR-4 (Page 4 of 5)
TOTAL TRAFFIC CONDITIONS (Year 2020), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total (2020) Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS
Kings Hwy (SR 713)	North of Indrio Rd	NB	1	982	128	1,110	860	No	2	1,860	B
		SB	1	889	101	990		No	2		B
Indrio Rd	St. Lucie Blvd	NB	1	840	214	1,054	860	No	2	1,860	B
		SB	1	689	169	858		Yes	2		B
St. Lucie Blvd	Angle Rd	NB	1	958	257	1,215	860	No	2	1,860	B
		SB	1	985	203	1,188		No	2		B
Angle Rd	Orange Ave	NB	1	747	257	1,004	860	No	2	1,860	B
		SB	1	852	203	1,055		No	2		B
Orange Ave	Okeechobee Rd	NB	1	639	128	767	860	Yes	---	---	---
		SB	1	653	101	754		Yes	---	---	---
Interstate 95 (SR 9)	North of Indrio Rd	NB	2	1,577	171	1,748	2,020	Yes	---	---	---
		SB	2	1,679	135	1,814		Yes	---	---	---
Indrio Rd	Orange Ave	NB	2	2,751	257	3,008	2,940	No	3	4,550	B
		SB	2	2,439	203	2,642		Yes	3		B
Orange Ave	Okeechobee Rd	NB	2	2,474	471	2,945	2,940	No	3	4,550	B
		SB	2	2,165	372	2,537		Yes	3		B
Okeechobee Rd	Midway Rd	NB	3	2,612	1070	3,682	4,550	Yes	---	---	---
		SB	3	3,083	845	3,928		Yes	---	---	---
Midway Rd	St. Lucie West Blvd	NB	3	2,898	778	3,676	4,550	Yes	4	6,150	B
		SB	3	3,841	984	4,825		No	4		C
St. Lucie West Blvd	West Virginia Dr ⁽⁴⁾	NB	3	3,595	676	4,271	4,180	No	4	5,700	C
		SB	3	3,554	856	4,410		No	4		C
West Virginia Dr	Gatlin Blvd	NB	3	3,392	270	3,662	4,550	Yes	---	---	---
		SB	3	3,296	342	3,638		Yes	---	---	---
Glades Cut-Off Rd (CR 709)	Midway Rd	NB	1	384	128	512	760	Yes	---	---	---
		SB	1	417	101	518		Yes	---	---	---
Commerce Center Pkwy	Range Line Rd	NB	1	530	237	767	760	No	2	1,620	C
		SB	1	520	300	820		No	2		C

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council
 (4) Addition of West Virginia Dr Interchange reduces interchange spacing to less than 2 miles, resulting in a service volume of 5,700 for an eight-lane freeway facility.

TABLE TR-4 (Page 5 of 5)
TOTAL TRAFFIC CONDITIONS (Year 2020), With Provinces DRI
PROVENCES DRI

From:	Roadway Link To:	Direction	No. Lanes	Total (2020) Background Traffic	Total Provinces Traffic	Total Traffic	Service Volume	Meets LOS Standard	No. Lanes Required to Meet LOS	Service Volume	LOS	
Selvitz Rd (CR 611)	Edwards Rd	NB	1	334	86	420	890	Yes	---	---	---	
		SB	1	564	68	632	890	Yes	---	---	---	
	Midway Rd	NB	1	193	101	294	890	Yes	---	---	---	
		SB	1	395	128	523	890	Yes	---	---	---	
25th St (SR 615 / CR 615)	Orange Ave	NB	2	1,098	128	1,226	1,860	Yes	---	---	---	
		SB	2	1,107	101	1,208	1,860	Yes	---	---	---	
	US 1 (SR 5)	Midway Rd	NB	3	2,156	169	2,325	2,790	Yes	---	---	---
			SB	3	2,572	214	2,786	2,790	Yes	---	---	---

Sources: St. Lucie County, FDOT, and Treasure Coast Regional Planning Council

APPENDIX G

**A BRIEF SUMMARY OF THE STRATEGIC
REGIONAL POLICY PLAN:
ITS HISTORY, PREFERRED FORMS AND
PATTERNS OF DEVELOPMENT,
AND ITS VISION FOR THE FUTURE
OF THE REGION**

APPENDIX G

A BRIEF SUMMARY OF THE STRATEGIC REGIONAL POLICY PLAN: ITS HISTORY, PREFERRED FORMS AND PATTERNS OF DEVELOPMENT, AND ITS VISION FOR THE FUTURE OF THE REGION

STRATEGIC REGIONAL POLICY PLAN FOR THE TREASURE COAST REGION

Most comprehensive plans do not differentiate between acceptable and preferable development forms. Most take a regulatory approach to growth management, setting minimum standards and focusing on preventing the worst things from happening. This philosophy has often failed to result in sustainable or complete communities, has unnecessarily compromised the function and value of state and regional resources and facilities, and limited the Region's ability to accomplish regional goals and resolve regional issues.

Although most comprehensive plans include outstanding policies to address development processes and impacts, no picture or vision was established for the community. No desired or preferred form of development was prescribed. This is a weakness which has partially undermined the intended effect of the policies to resolve problems and achieve goals identified by the community.

The SRPP is different. Council made a conscious decision that its plan for the Treasure Coast Region would overcome this inherent weakness and commit to a different approach. The Council was clear in that the Region should state a vision for the future, advocating ways to address its particular challenges and opportunities through the application of time-tested regional and town planning and urban design principles at all scales of development. Because of the magnitude and pace of growth expected in the Region, the Council established a principle focus for its regional planning and visioning efforts on the form, organization and location of future development as the primary way to reduce or eliminate unfavorable impacts on state and regional resources and facilities.

The most significant element of the SRPP is the Future of the Region or vision/urban form section. The plan contains six other elements which are directly wired to the Future of the Region element and include goals, strategies and policies designed to support and help accomplish the "vision." These elements are:

- ☐ Affordable Housing
- ☐ Economic Development
- ☐ Education
- ☐ Emergency Preparedness
- ☐ Natural Resources of Regional Significance
- ☐ Regional Transportation

Briefly stated the SRPP describes the "vision" for the future of the Region as follows:

Future growth should follow a preferred development form. Preferred development should address the following regional issues:

1. Preservation of the natural environment and countryside.
2. Revitalization of existing urban areas.
3. The creation of new towns (see Exhibits A, B, C and D).

Future development should not sprawl because it is expensive and it degrades the Region's quality of life (see Exhibit E, F and G).

Preferred development concepts will be implemented by regional strategies which:

1. state the preferred form of development.
2. suggest incentives to encourage and foster preferred forms of development

In addition, implementation will depend on county and municipal strategies which:

1. delineate where new development should or should not occur.
2. apply and expand the preferred form of development concepts.
3. encourage redevelopment and revitalization.
4. devise public investment programs favoring development of preferred forms and patterns of development.
5. send constructive economic signals to investors.

The "vision" as stated suggests the Treasure Coast Region is ready to set standards that reach beyond the provision of basic services and propose the creation of complete, authentic communities. The "vision" as stated also reflects the particular challenges and opportunities the Region must respond to and exploit in order to accommodate high levels of growth while maintaining a high quality of life and attractiveness for continued future investment

The Plan recognizes that the "vision" can never be implemented or built overnight. It will take patient piecemeal growth, designed in such a way that every planning decision sanctioned by local government is always helping to create or generate preferred patterns and forms of development on a small and large scale. This should, slowly and surely over the years, result in a Region that contains preferred patterns of development. The end result is intended to achieve a more sustainable future for the future for the Treasure Coast Region.

The goal of the Plan is to keep the Region on course towards a more healthy and sustainable future. The SRPP is not merely a plan for the regional planning council, it is a plan for the Region and all those who are active participants in shaping its future. At the same time the Plan is not intended to be a mandate or dictum to local governments, special districts and citizens of the Region. It is an instruction manual to be used for guidance in building a more healthy, sustainable Region.

CITIES, TOWNS AND VILLAGES

Cities, Towns and Villages refer to the form of development that results when land uses are mixed to form complete neighborhoods and districts. Neighborhoods are complex areas that include several types of housing and some commercial and workplace uses. Although diverse, neighborhoods may be predominantly residential. Well-designed neighborhoods minimize the need to drive cars for routine trips and provide outstanding public spaces within their boundaries. Neighborhoods attempt to be fairly self-contained and provide locations for most daily activities. Districts, on the other hand tend to be specialized. A downtown or an industrial area would be a district. While districts may also include a variety of uses, they are not self-sufficient. Instead, they provide a place for activities that would not fit well within a neighborhood. Districts are well connected and easily accessible to surround neighborhoods.

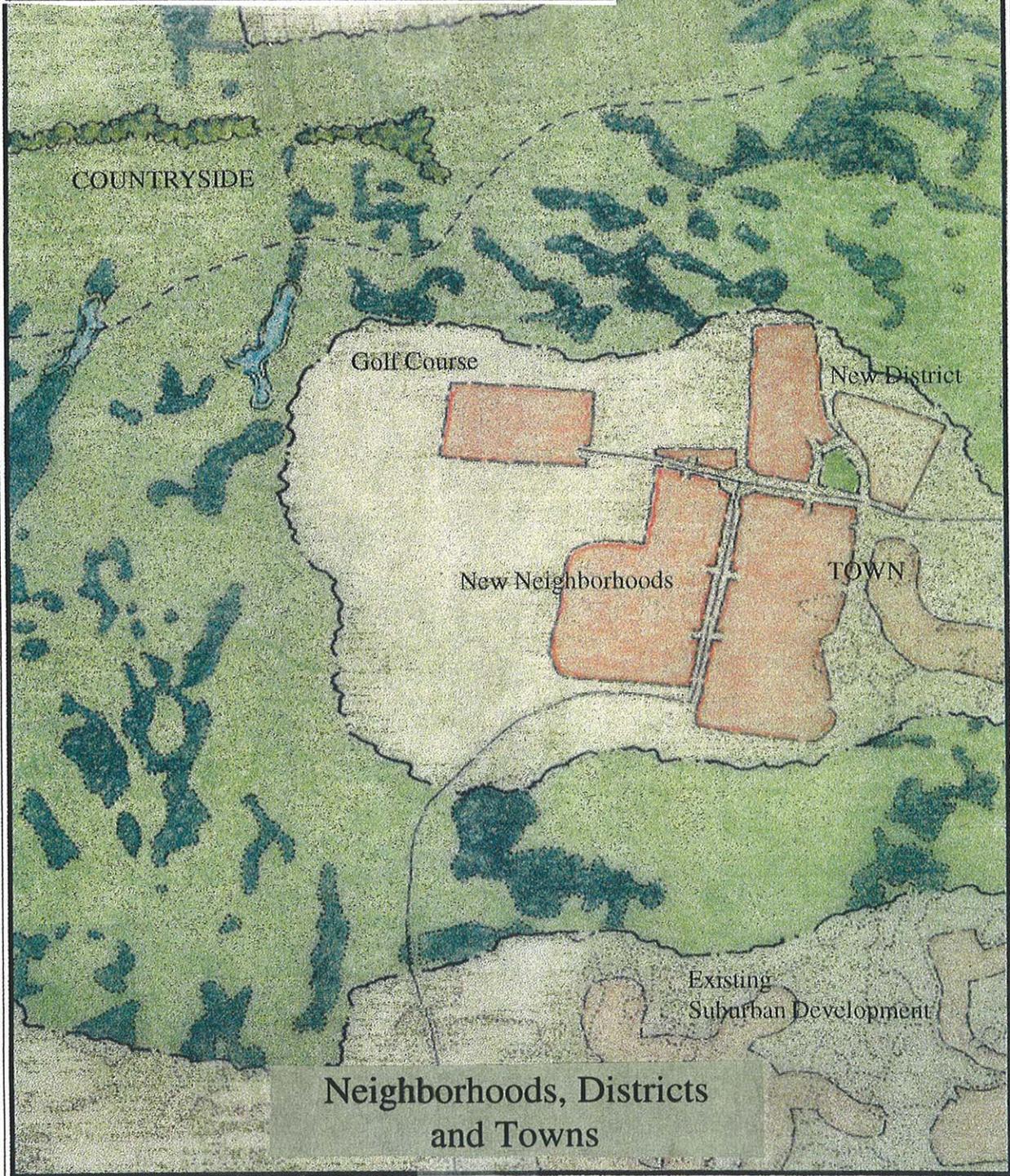


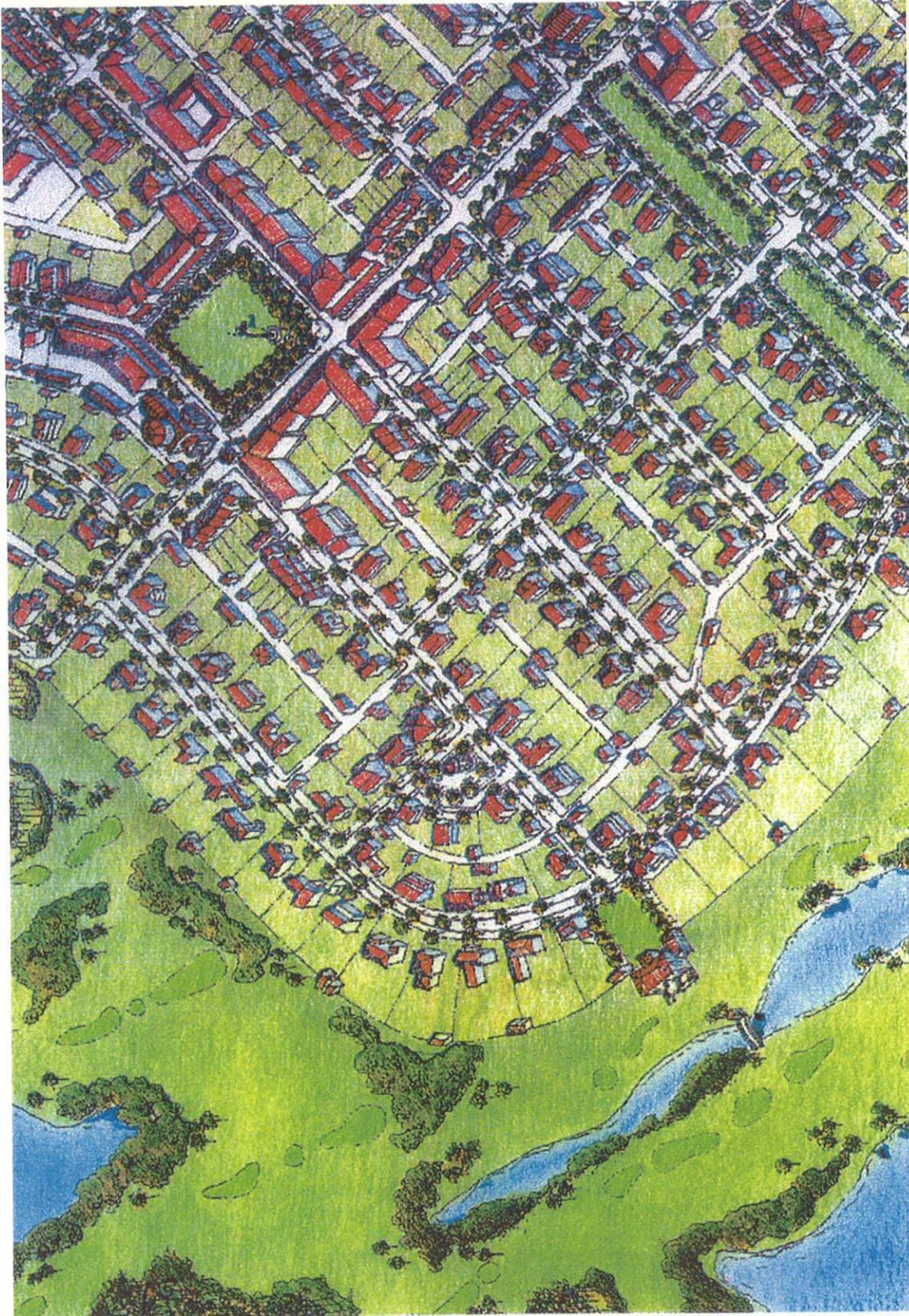
EXHIBIT B



AN AUTHENTIC VILLAGE IN THE COUNTRYSIDE



Neighborhoods and Connections



NEIGHBORHOOD STRUCTURE

TREASURE COAST REGIONAL PLANNING COUNCIL
Indian River - Martin - Palm Beach - St. Lucie

EXHIBIT E

Excerpt from the SRPP

Contemporary planning has centered on the fight against sprawl. Sprawl has been universally denounced as destructive and expensive. Yet little has been done to prevent it, because it has also been perceived as the inevitable consequence of market forces. Surprisingly, this debate has gone on without a practical definition of sprawl and, more importantly, without any preferable development alternatives.

DEFINITION OF SPRAWL

Sprawl is any type of development that does not create cities, towns and villages composed of neighborhoods and districts. Examples of sprawl are: isolated housing subdivisions; strip commercial development; schools disconnected from the urban areas they serve; isolated office and industrial parks; and isolated gated and walled development.

Sprawl occurs when historic development forms are not respected, existing plats are not continued and excessive amounts of land are opened to development before complete communities can form in older areas. Sprawl tends to be expensive for the long-time residents, as their taxes increase to finance ever-expanding roads, sewer and water lines, sheriff and fire services, schools and other costs created by inefficient subdivisions and PUD's. The best way to prevent sprawl is to focus growth in ways that create better urban areas.

Future growth should not sprawl. Sprawl is undesirable because it is too costly and it decreases quality of life in the Region.

EXHIBIT F

Excerpt from the SRPP

EFFECTS AND COSTS OF SPRAWL

The problems with sprawl can be summarized under two categories:

- A. Sprawl is expensive.
- B. Sprawl decreases the region's quality of life.

A. SPRAWL IS EXPENSIVE

Sprawl is more expensive than alternative patterns of development. The following costs are the direct result of sprawl and would be avoided by using an alternative development form.

COSTS TO THE TAXPAYERS

Building and maintaining highways.

Highways built to support inefficient development patterns place an avoidable burden on public finances. Every dollar wasted on poorly planned roads that service sprawling subdivisions could have been spent on schools, parks, libraries, shade trees along sidewalks, public art, public transit or it could have simply been returned to the taxpayers in the form of lower taxes.

Building poorly located schools and transporting children to class.

The poor layout of sprawl subdivisions increases transportation costs, as longer and less direct routes are necessary. In addition, children who could walk to school in a well-planned neighborhoods are unable to reach schools located within sprawl projects. Many times, there are no sidewalks or bike lanes. Often, traffic conditions (also a result of the poor design of sprawl projects) are unsafe. Therefore, more children must be bused longer distances, an expense that if prevented could be allocated to other educational activities.

Costs of social problems resulting from neglected or abandoned neighborhoods.

Sprawl may not cause social problems, but it does aggravate them.

Environmental costs.

Sprawl causes the unnecessary destruction of the natural environment. The destruction of wetlands and uplands that serve as habitat to endangered species has an effect on the quality of life of the region. The destruction of land that recharges the aquifers affects the region's ability to sustain a high quality, affordable water supply.

COSTS TO BUSINESSES

Sprawl makes the Region less desirable.

The business climate is affected by the physical development of an area. When an area is poorly planned, it is less attractive to investors. In addition to taking into account direct costs, businesses relocate to areas that provide a good quality of life to employees. Sprawl may compete by providing less expensive land, but that is insufficient to attract quality businesses to an area.

Increase of direct business costs.

The mismatch of land uses and long distances increase transportation costs.

High labor costs

Jobs and workers are not close to each other. This is a particularly difficult problem for low skill service jobs in suburbia. The people who want those jobs live somewhere else and often cannot afford the transportation costs to get to the jobs.

Waste of investment in older areas

Public investments in utilities and water and sewer are underused. Private investments in older areas are abandoned.

COST TO SUBURBAN RESIDENTS

Cost of car use and ownership.

Multiple car ownership is an avoidable expense. The absolute need of an automobile for every trip (job, school, grocery store, movies, visit of friends, etc.) is a direct result of sprawl. Two and three car families are the norm. Such an extraordinary expense affects the affordability of housing.

Costs of new infrastructure

Sprawl requires new roads, water, sewer, power lines, etc. As concluded in several analyses, (RECC 1974, Roberts 1979, Frank 1989, Duncan et. al, 1989 and Burchell, 1992), and confirmed by more recent experience in a number of communities, there are substantial differences in infrastructure costs between "compact" and "sprawl" development patterns, with more compact higher-density development resulting in an overall cost reduction of as much as 44 to 50 percent. Most of those costs are passed on to the house buyer, decreasing the affordability of housing by keeping taxes high. Still, most residential projects do not pay their own costs. Impact fees are kept artificially low, and taxes from non-residential projects are used to help offset some of the infrastructure costs.

COSTS TO RESIDENTS OF OLDER NEIGHBORHOODS

Loss of jobs

Downtown employers move out, as it becomes increasingly difficult to compete with sprawl locations. Jobs relocate far away from housing, increasing costs for every one.

Loss of economic stability

When sprawl competes unfairly with older neighborhoods, long time businesses close and unemployed workers relocate. These effects accelerate the decline of established cities.

Waste of existing infrastructure

When existing infrastructure is underused, it becomes more expensive to maintain. Some times, maintenance is deferred, which compounds the decay over time. As downtowns sit empty, new infrastructure continues to be built to service sprawl projects.

COSTS TO AGRICULTURE

Loss of land

Sprawl consumes enormous quantities of land. This is inevitable because the primary amenities a sprawl project delivers are land and low densities. Neighborhoods, on the other hand, deliver complete communities and do not need as much land. If sprawl is unchecked, excessive amounts of land are developed for suburban uses and less land remains for agriculture.

Loss in productivity

As sprawl appears next to agricultural fields, normal farming practices are affected. For example, sprawl residents often object to the spraying of groves adjacent to their property.

Loss of water

Sprawl projects consume water in locations where it could be used for agriculture or for natural systems.

Long-term uncertainty

The random conversion of agricultural land to sprawl projects affects agriculture.

COSTS TO THE ENVIRONMENT

Loss of land

As development impacts compound, new sprawl projects require increasing amounts of land to preserve a suburban life style. For example, in development that follows a sprawling pattern, lower housing densities translate into lesser traffic impacts. Therefore, in order to meet concurrency requirements, more and more land is needed to accommodate people at increasingly lower densities.

Pollution of air

Sprawl maximizes automobile dependence. Currently, more than half of the air pollution of the Region comes from cars. The inefficient layout of sprawl projects make residents drive longer distances more often.

Waste of water

Unless special open space and landscaping procedures are utilized, sprawling development consumes a great deal of water. If large lawn areas are utilized in yards, rights-of-way, median areas, etc., a great deal of water is necessary for irrigation.

Waste of energy

Sprawl maximizes auto dependency, increases trip length, severely limits public transit options, and increases vehicle miles traveled in the Region. Compact urban forms of development are 30 percent more energy efficient over the long term than sprawling patterns of development. The United States consumes more petroleum for transportation alone than it produces in total. This increases the Region's vulnerability to fuel price increases and supply interruptions. It also assures that the security of United States oil imports will continue to require political and military expenditures.

B. SPRAWL DEGRADES THE REGION'S QUALITY OF LIFE

EFFECTS ON CHILDREN

Children must be driven everywhere.

A child's life is severely limited in a sprawl area. Most of the time, he cannot go to school, library, park, visit friends, etc. by himself. This creates an uncomfortable dependency that is disliked by the child and by the driver, who is often a working parent.

Busing

Because sprawl does not create complete communities, children must be bused to distant schools. Busing severs friendships (children who live in close proximity to each other are often bused to different schools) impedes after school activities (children cannot miss the bus) and disconnects parents from the educational process (schools are large bureaucratic establishments located far away from a neighborhood).

In addition, busing wastes the children's time. During the average school year (180 days) a child who spends one hour in a bus to go to school and one hour to return (not unusual times, taking into account that the bus must make several stops along the way) will spend 360 hours or 45 eight hour days on the bus. Assuming the child is bused for 12 years, the total amount of time wasted in a bus will be 4,320 hours or about 1.5 years of eight-hour days. Those wasted 4,000 hours occur at prime times: early in the morning, when parents are home and could interact with the child, and early in the afternoon, when the child could expand his school day with extracurricular activities.

The social problems busing attempts to correct are directly traceable to sprawl. Generally, children who live in stable urban areas are not bused as much because their neighborhoods tend to be more balanced racially.

EFFECTS ON THE ELDERLY

Older people must drive.

Life in sprawl is unthinkable without a car. When people retire, many are sufficiently young and healthy to function in sprawl. As their strength and eye sight weaken, they must hold to their driving license as long as they can. Once they are unable to drive, their quality of life plummets. As there is no public transportation, moving around becomes a major ordeal. This is a serious problem in the Region: about 30 percent of the population in the region is at least 60 years old and 28, 800 people were over 85 in 1993.

Older people must move to other types of communities.

When older people cannot drive, they must move. This can have a devastating effect on their quality of life.

EFFECTS ON GENERAL POPULATION

Waste of valuable time during commute and errands.

The time before and after business hours is very valuable for a family. That is when children are at home (only the very young, school-age children are on the bus) . That is when parents are in their cars, commuting to work or running errands. The loss of several hours a week of interaction with children is a direct consequence of poor planning.

EFFECTS ON EXISTING CITIES, TOWNS AND VILLAGES

Sprawl kills older urban cores.

Sprawl has contributed to the decline of urban America. Towns have always been complex entities which included a variety of land uses: houses, stores, offices, schools, civic buildings, churches, apartments above the store, small inns, restaurants, parks and squares, etc. Sprawl breaks apart the town's components and optimizes those that are most profitable. Public and civic uses become superfluous, and design options only follow business criteria. Sprawl competes on unequal terms, destroys the town and delivers a vastly inferior product.

EFFECTS ON SUBURBIA

Sprawl destroys the suburban ideal.

Suburbia enjoyed a long history before it was overtaken by sprawl. Originally, suburbs were designed as complete neighborhoods (Forest Hills, NY, Camden Hill, NJ, Coral Gables, FL, etc.). Those early suburban projects are desirable places to live that function efficiently. Sprawl is very different.

Sprawl creates slums.

Although urban decay is generally associated with the older cities, suburbia is beginning to show similar effects. Abandoned shopping centers and unkempt vacant single family houses are typical conditions within older sprawl projects.

Sprawl makes siting "locally unpopular land use" (e.g., landfills, wastewater treatment plants, major electrical utility transmission lines, recycling facilities, etc.) unpopular and more difficult .

Sprawl consumes excessively large amounts of land, spread out over vast areas, and creates no clear division or break between "town" and "country". Locally unpopular land uses (LULUS) are often best relegated to sites that are away from people. Because sprawling patterns of development scatter people across the countryside and often unnecessarily leap into unpopulated rural areas, LULU sites are becoming increasingly difficult and expensive to find. As a result, LULUS often have to be sited at less than ideal locations which either impact the quality of life of existing residents or increase the cost to provide services.

EXHIBIT G

TWO WAYS TO GROW

If what you are selling is privacy and exclusivity, then every new house is a degradation of the amenity. However, if what you are selling is community, then every new house is an enhancement of the asset.

-Vince Graham, *Addressing the National Association of Home Builders* (1997)

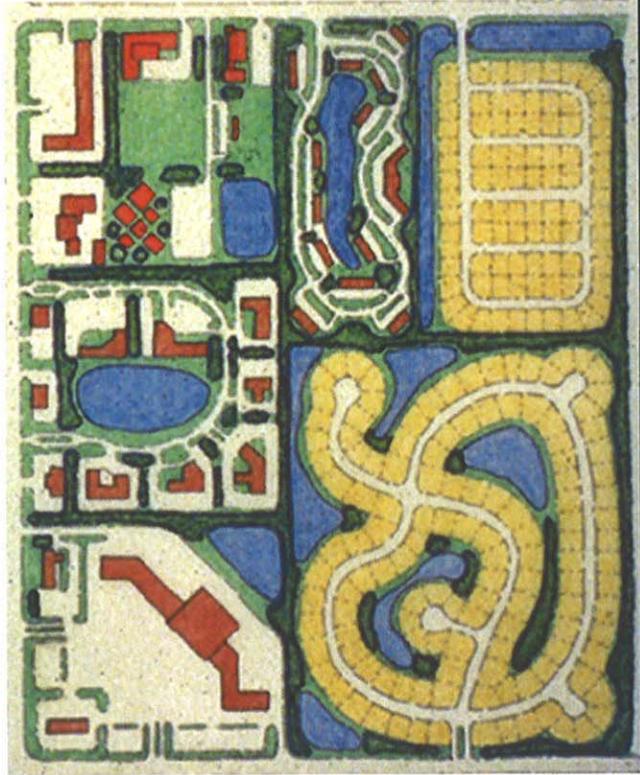
There are basically two different models of urban growth: the traditional neighborhood and suburban sprawl. They are polar opposites in appearance, function, and character: they look different, they act differently, and they affect us in different ways.

The traditional neighborhood was the fundamental form of European settlement on this continent through the Second World War, from St. Augustine to Seattle. It continues to be the dominant pattern of habitation outside the United States, as it has been throughout recorded history. The traditional neighborhood – represented by mixed-use, pedestrian-friendly communities of varied population, either standing free as villages or grouped into town and cities – has proved to be a sustainable form of growth. It allowed us to settle the continent without bankrupting the country or destroying the countryside in the process.

Suburban sprawl, now the standard North American pattern of growth, ignores historical precedent and human experience. It is an invention, conceived by architects, engineers, and planner, and promoted by developers in the treat *sweeping aside of the old* that occurred after the Second World War. Unlike the traditional neighborhood model, which evolved organically as a response to human needs, suburban sprawl is an idealize artificial system, it is not without a certain beauty: it is rational, consistent, and comprehensive. Its performance is largely predictable. It is an outgrowth of modern problem solving; a system for living. Unlike the traditional neighborhood, sprawl is not healthy growth; it is essentially self-destructive. Even at relatively low population densities, sprawl tends not to pay for itself financially and consumes land at an alarming rate, while producing insurmountable traffic problems and exacerbating social inequity and isolation. These particular outcomes were not predicted. Neither was the toll that sprawl exacts from America's cities and towns, which continue to decant slowly into the countryside. As the ring of suburbia growth around most of our cities, so growth the void at the center. Even while the struggle to revitalize deteriorated downtown neighborhoods and business districts continues, the inner ring of suburbs is already at risk. Losing residents and businesses to fresher locations on the new suburban edge.

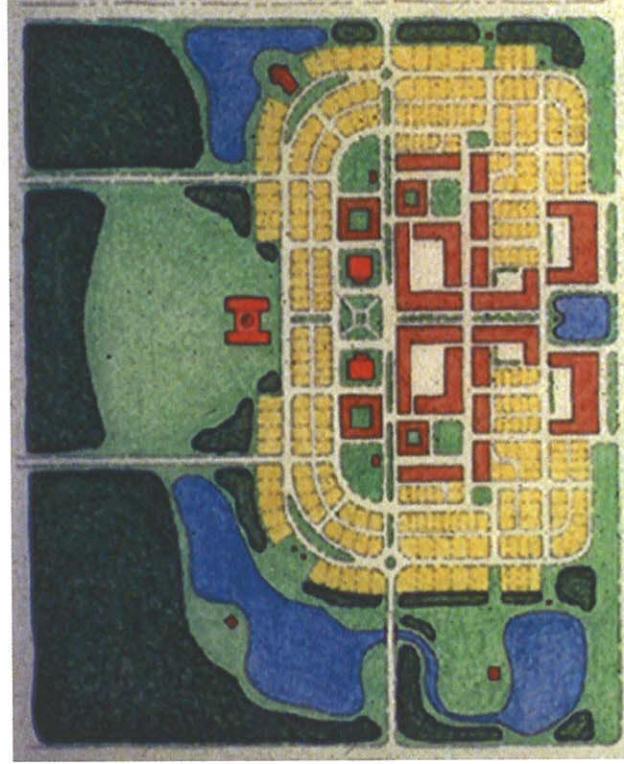
Regional Impacts of Sprawl

Sprawl



- 30% more energy used
- 2 to 4 times poorer water quality
- 25% to 50 % more time in our cars
- 30% to 40% more land used
- Public transportation is not an option
- 20% to 25% of your income spent on cars
- Kids won't be able to walk to school

Preferred Form

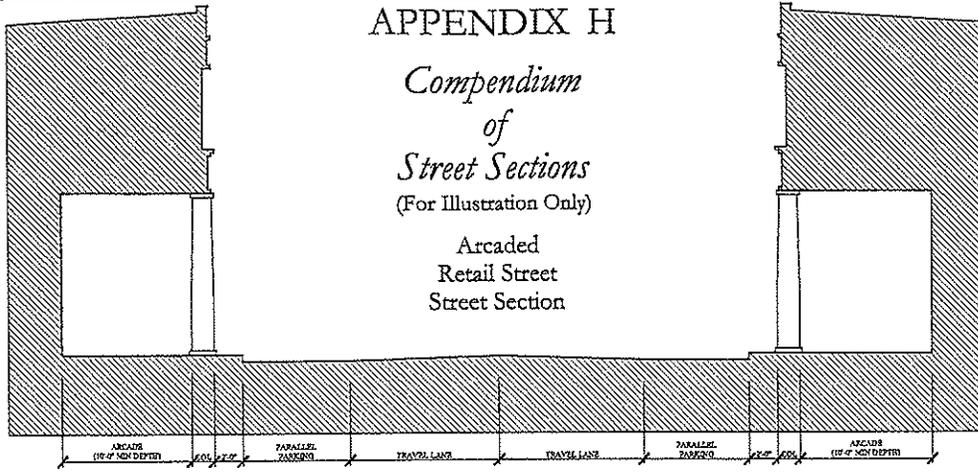


- Sprawl housing products underperform comparable New Urbanist products on sales price and absorption
- Road building will take priority over the arts, culture, care of the elderly and education of your children
- Additional fiscal impact of \$606 million through 2025
- Additional capital costs of \$4.19 billion required through 2025

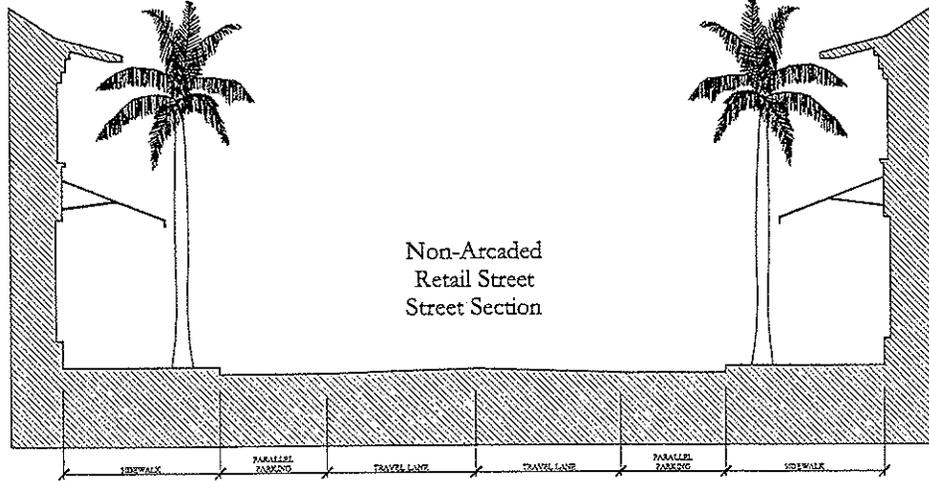
APPENDIX H

*Compendium
of
Street Sections*
(For Illustration Only)

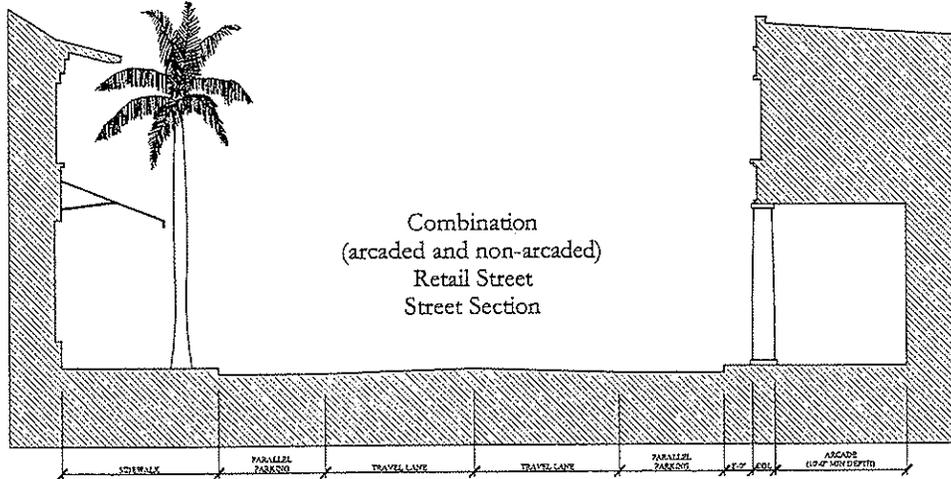
Arcaded
Retail Street
Street Section



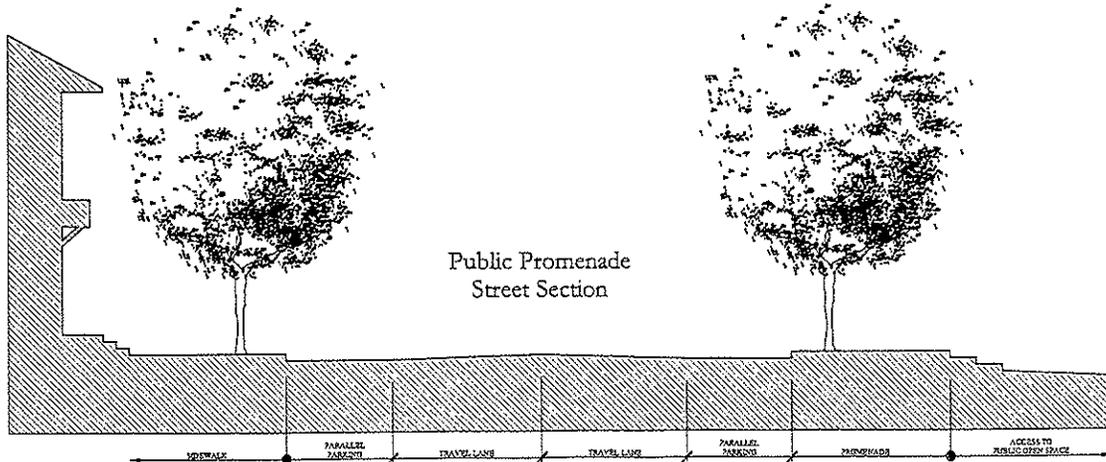
Non-Arcaded
Retail Street
Street Section



Combination
(arcaded and non-arcaded)
Retail Street
Street Section

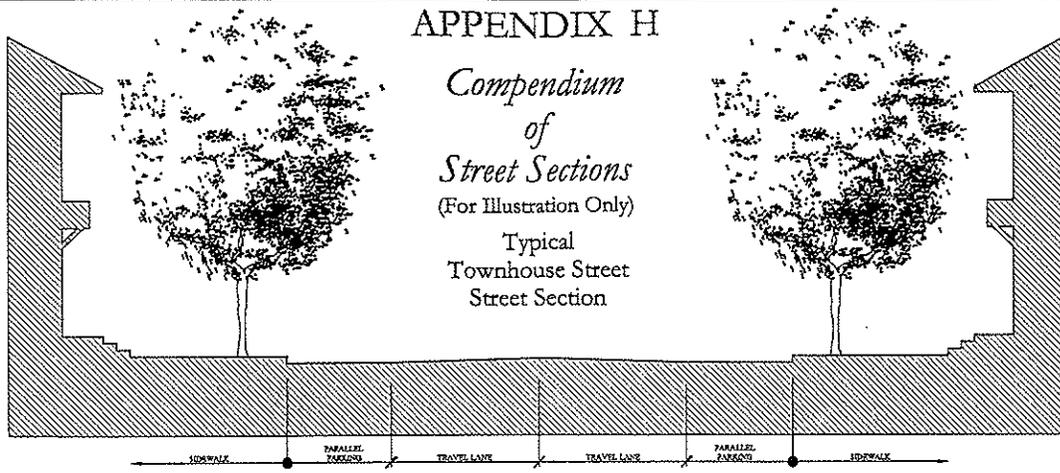


Public Promenade
Street Section

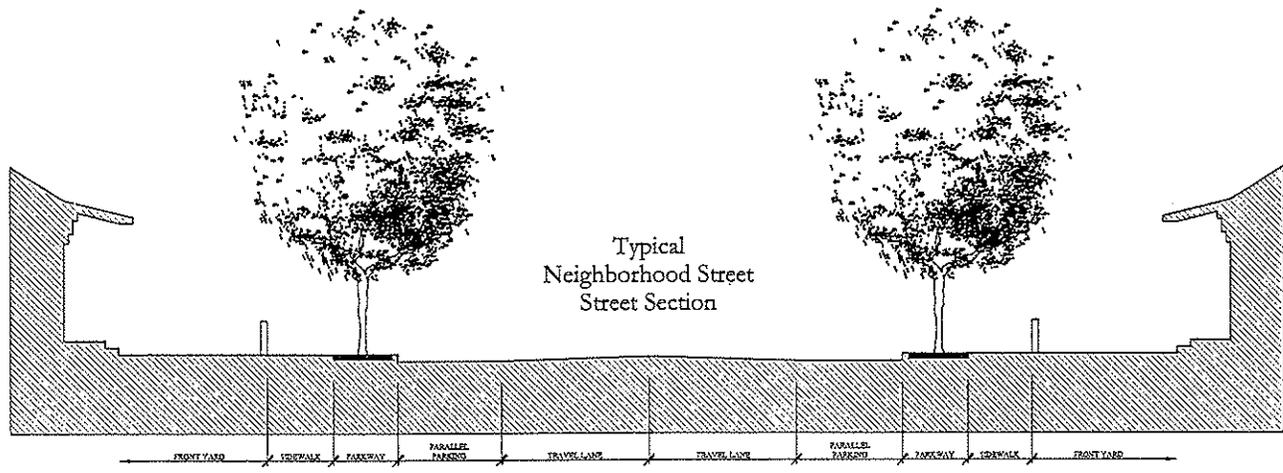


APPENDIX H

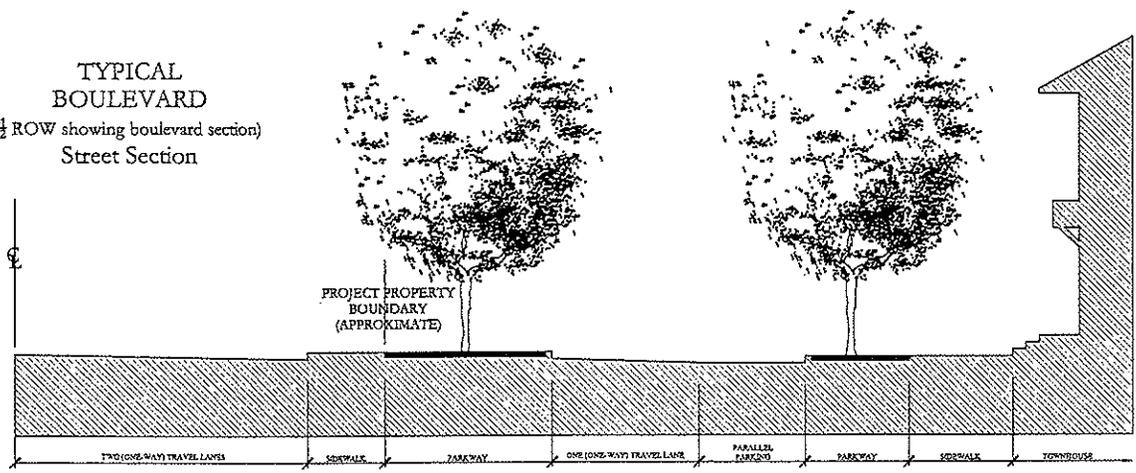
*Compendium
of
Street Sections*
(For Illustration Only)
Typical
Townhouse Street
Street Section



Typical
Neighborhood Street
Street Section

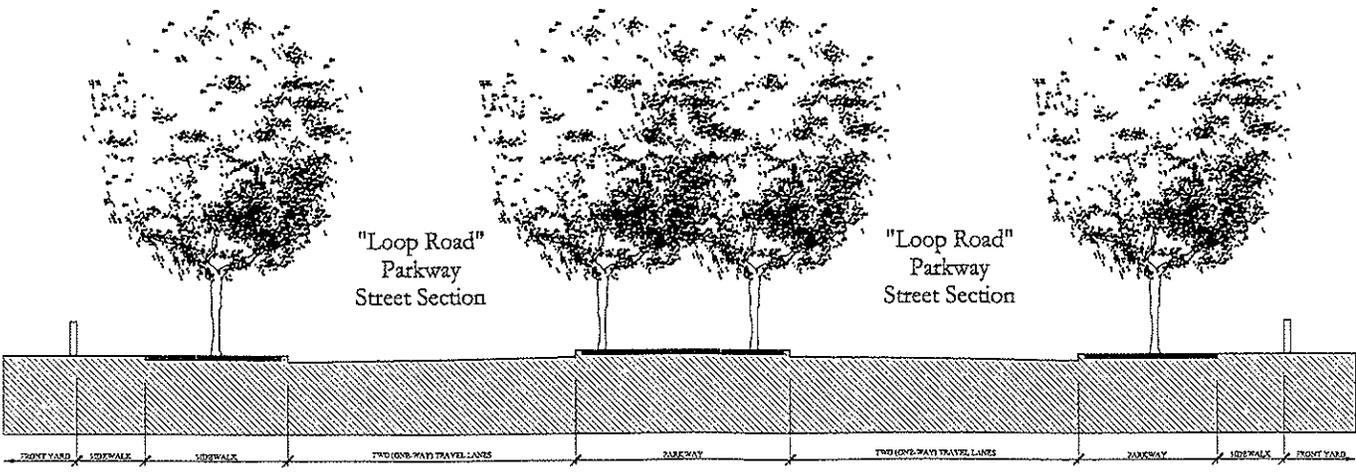


TYPICAL
BOULEVARD
(1/2 ROW showing boulevard section)
Street Section

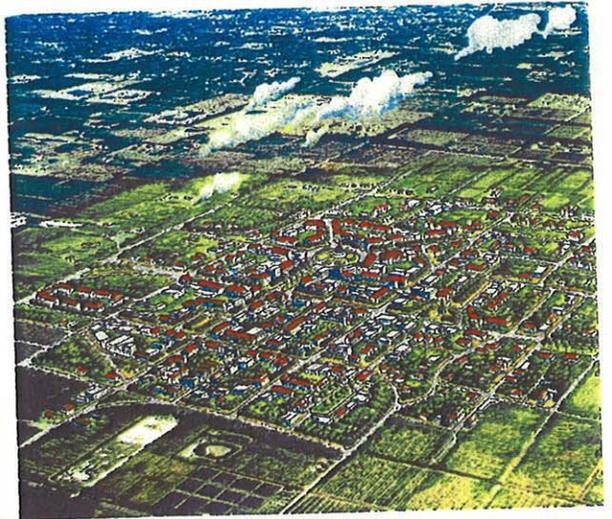
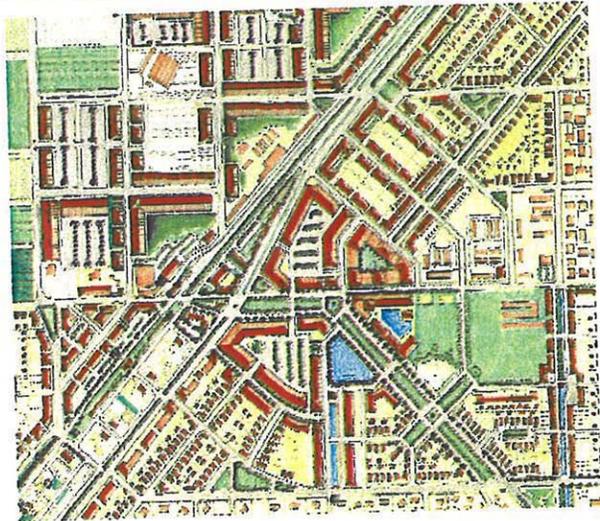
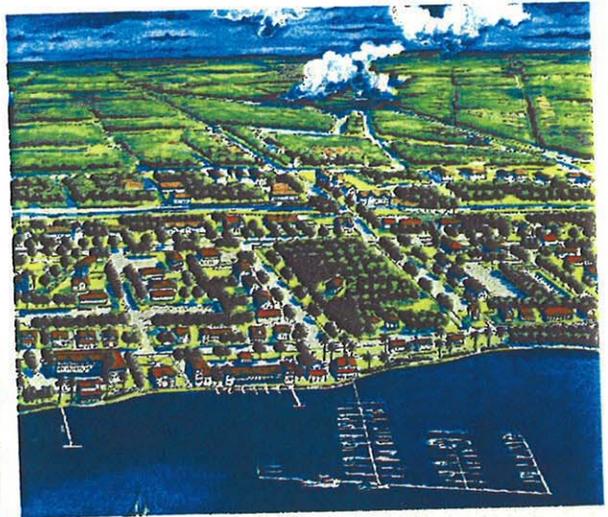
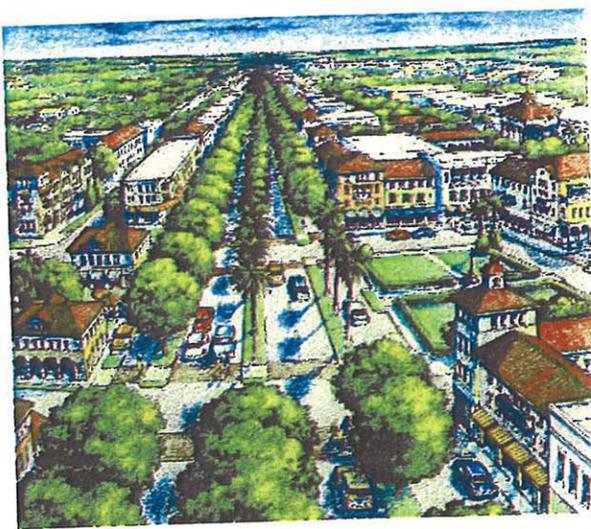


"Loop Road"
Parkway
Street Section

"Loop Road"
Parkway
Street Section



APPENDIX I
COMPONENTS OF THE
TRADITIONAL
URBAN NEIGHBORHOOD
AUTHENTIC MIXED USE FOR DRIs



May 2004

TREASURE COAST REGIONAL PLANNING COUNCIL

COMPONENTS
Of the
TRADITIONAL URBAN
NEIGHBORHOOD

American neighborhoods and cities are organisms, which are as complex and unique as the individuals who reside in them. Like people, places grow at different times, at different scales, with differing values and a varying sense of purpose. While it is impossible to generically characterize the human ethos and spirit, there are consistent basic needs like food, water, and shelter, which are fundamental to human existence.

Cities, towns and neighborhoods also require basic elements if they are to provide a memorable and sustainable habitat for their residents. These elements, while they may vary in scale and character from place to place, are consistently found in traditional development patterns. Listed below are the basic components which make up the traditional urban neighborhood.

I. Neighborhood Size

- a. The neighborhood is scaled upon a five-minute walking radius (1,350 feet) as measured from the approximate center of the neighborhood.
- b. In general, the neighborhood has well-defined edges, and should range between 40 - 150 acres in size. This size may vary depending upon physical and geological conditions.
- c. Adjacent neighborhoods are connected with a series of streets detailed to encourage pedestrian and bicycle traffic.

II. Neighborhood Center

- a. Each neighborhood has a recognizable center in the form of a public square, a park, a green, or a plaza.
- b. The neighborhood center is faced by the fronts of buildings, which are sited to best define the public open space. A minimum of 80% of these buildings has a minimum height of 2 stories in order to achieve adequate spatial definition.

III. Streets, Blocks, and Alleyways

- a. The basic building blocks of the neighborhood are the street, the block, and the alleyway. Each neighborhood has a fine-grained network of streets and blocks. Alleyways are encouraged in residential areas (especially where higher densities occur) and are provided in the mixed-use areas of the neighborhood.

- b. Streets are detailed with sidewalks, on-street parallel parking, regularly spaced street trees and pedestrian-scaled lighting. Street trees are placed between the pedestrian and the roadway in parkways or in tree grates.
- c. Blocks are scaled to accommodate a variety of building types and encourage pedestrian traffic. Typical block dimensions range between 300' – 500' on a block face and do not exceed 600' on any single block face. Single blocks do not exceed a total perimeter distance of 2,000'.
- d. Alleyways provide access for rear-loaded parking, municipal services, loading and unloading of goods, and allows the street face to be inhabited by buildings and people. In residential areas, alleyways provide private entrances and parking for rental units located behind single-family homes.
- e. Streets, blocks, and alleyways provide a continuous network of vehicular, pedestrian, and bicycle circulation and are designed to accommodate each in a meaningful way.
- f. A hierarchy of streets is provided in the neighborhood. Larger streets have larger buildings and sidewalks; smaller streets have smaller buildings and sidewalks.
- g. Streets are designed so the buildings facing a street are proportional to the width of that street. The preferred ratio of height to width proportion is 1:1.5 (1 unit in height to 1.5 units in width).
- h. Sidewalks are continuous, provided on both sides of every street, and are a minimum dimension of 5'-0" wide on residential streets and a minimum of 10'-0" on mixed-use streets.

IV. Public Open Spaces

- a. Each neighborhood has at least one primary, centrally located public plaza, green, park, or square. This space is faced by the fronts of buildings and is detailed with pedestrian-scaled street lighting, regularly spaced street trees, and street furnishings such as benches and fountains.
- b. Streets and public open spaces are accessible to the public.
- c. Public open spaces, including waterfronts, parkways and golf courses have public edges so these amenities are not wholly privatized.
- d. Each neighborhood has a series of secondary and tertiary public open spaces, which are linked to one another by streets and parkways. Every residential unit is within a five-minute walk of a neighborhood park, green, square, or plaza.

V. Civic and Public Buildings

- a. Civic and public buildings are sited on locations of high public visibility and importance. These locations include street terminations, parkways and greens, squares, important intersections, and other special sites.
- b. Civic and public buildings include, but are not limited to, municipal buildings, places of worship, meeting halls, hotels and clubhouses, gazebos and other forms of garden architecture.

VI. Mix of Uses

- a. Neighborhoods accommodate a mix of uses to support the daily needs of the neighborhood. Varying uses can occur in mixed-use buildings or within walkable distances of each other; not every building must have multiple uses. However, proximity alone is not enough. Streets must be detailed so that pedestrians will walk to different uses.
- b. Mixed-use buildings are designed so they can accommodate a variety of uses over time as the local market dictates.

VII. Mix of Housing Prices

- a. Neighborhoods provide a variety of housing opportunities to accommodate varying housing prices.
- b. The neighborhood provides home-ownership as well as rental housing opportunities in an integrated manner. Rental housing is not concentrated in segregated areas; they are dispersed and filtered into the general neighborhood fabric in a compatible way.
- c. The use of accessory or "out" buildings to provide dispersed rental housing, or other accessory uses, within the single-family fabric is critical to the overall sustainability of the neighborhood.

VIII. Building Types

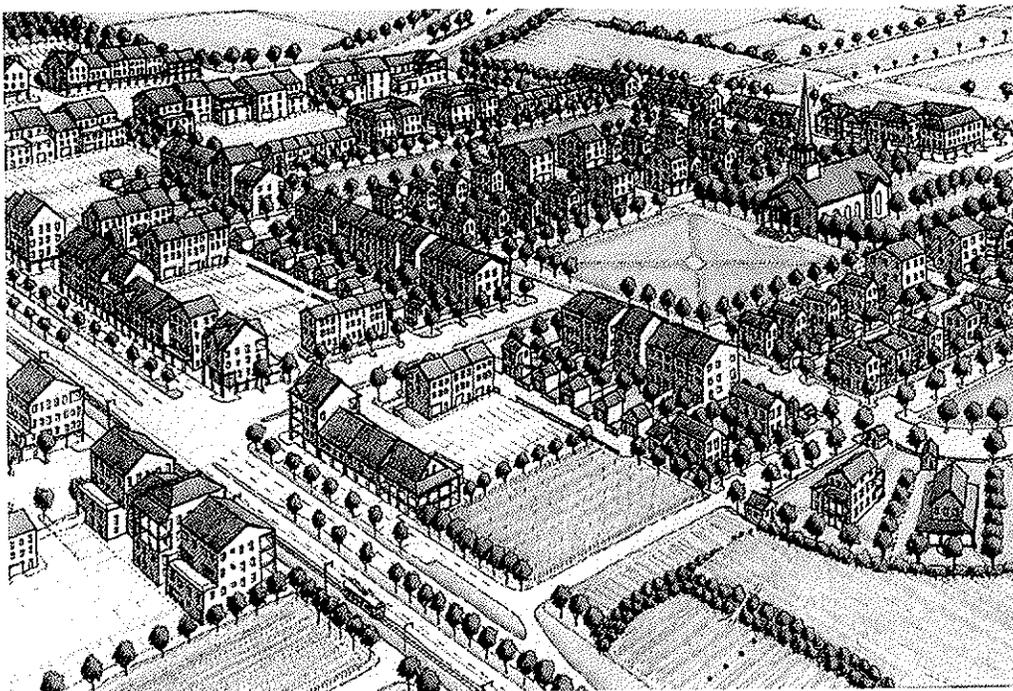
- a. Housing types are defined by building typologies (single family, multi-family, townhouse, mixed-use, etc) so that they can be logically and fairly distributed throughout the neighborhood.
- b. Building types of like scale, massing, and uses face one another on any given street. Differing building types may be placed back-to-back on a single block.
- c. The primary entrance of every building directly faces a street, a square, a park, a plaza, or a green.

IX. Parking

- a. All streets have on-street parking, which should be counted towards meeting parking requirements.
- b. All surface parking lots are screened from the street view with buildings, garden walls, and/or landscaping.
- c. Parking structures are located to the interior of the block and are completely screened by buildings with habitable uses for all floors.
- d. All on-site parking is located behind the primary building façade. Civic, cultural, and clubhouse buildings are exempted from this provision.
- e. For residential lots 50' wide or less, parking is accessed from the rear alleyway.

APPENDIX J

**ATTAINABLE WORKFORCE
HOUSING TOOLKIT**



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December 2006

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Executive Summary

This *Attainable Workforce Housing Toolkit* is a compendium of leading attainable housing policies and programs in effect in communities across the country. The policies and programs are grouped into the categories of Housing Development, Housing Preservation and Financial Tools and Resources. In the Housing Development category, for example, the strategies illustrated are intended to help facilitate the establishment of new attainable workforce housing units through the adoption of flexible planning and zoning tools and developer incentives. The section on Housing Preservation reflects two key strategies intended to help preserve a community's existing affordable housing stock. The Financial Tools and Resources section highlights how various financial tools and resources are being adopted to help defray the costs of providing attainable housing, even in high-growth or high-cost communities.

These select strategies are designed to help communities make better informed decisions about the policies and programs they may want to consider adopting locally. The *Toolkit* provides a brief description of each policy or program, followed by a discussion of prospective benefits and key policy considerations. In some cases, a detailed program description is provided as an exhibit. A strategy that may work well for a community focused on redevelopment would not necessarily be effective in a high growth community. Local governments looking at a range of policy and program options should consider the larger demographic and market context in which their potential programs would operate. Ultimately, a local government should consider a range of options to promote attainable housing.

A summary of attainable workforce housing strategies adopted or under consideration in communities across the Treasure Coast Region is presented in Section IV. The summary provides a snapshot of the respective policy or program, suggests actions to implement the strategy and provides resources for more information. The *Toolkit* and the summary section will be periodically updated to reflect the most current information available.

Attainable Workforce Housing Toolkit

In October 2005 the Treasure Coast Regional Planning Council published a report entitled *Workforce Housing: Defining Issues and Trends in the Treasure Coast Region*. The report provides background information to policymakers in the Treasure Coast Region on the subject of workforce housing. Topics covered include a definition of workforce housing, an overview of regional workforce housing issues and initial policy considerations. The report is the first part of a Workforce Housing work program designed to provide a comprehensive overview of workforce housing issues in the Region and suggest pragmatic courses of action to address the issues raised. Part II of the Workforce Housing work program was represented by a workforce housing summit that took place in December, 2005. *Achieving Results: A Symposium on Workforce Housing* brought together national and local experts on the subject of smart growth and workforce housing, highlighted best practices and provided an array of possible actions that local governments could take to provide workforce housing solutions in their communities. Part III of the work program, this *Attainable Workforce Housing Toolkit* suggests strategies – both public and private that can be undertaken along with current efforts underway to meet the demand for workforce housing across the Region.

The Treasure Coast Regional Planning Council's *Attainable Workforce Housing Toolkit* is a compilation of leading policies and planning tools that local governments can use to preserve and promote attainable workforce housing in their communities. It provides information on a wide array of community-based workforce housing strategies aimed at helping to increase and preserve the attainable housing stock in the Treasure Coast Region.

The toolkit is divided into four sections. Section I provides an overview of programs and policies designed to encourage the development of attainable workforce housing. Section II discusses approaches to help preserve existing attainable housing units. Section III highlights financial tools and resources that can be adopted to help spur workforce housing development. A summary of attainable workforce housing strategies adopted or under consideration in communities across the Treasure Coast Region is presented in Section IV.

How to Use the Toolkit

The purpose of this toolkit is to provide information on a wide range of workforce housing development and preservation strategies, highlight benefits of those strategies and illustrate key policy issues. The toolkit provides examples of policies in action and links to additional resources. For the purposes of this report, the terms “workforce housing”, “attainable housing” and “affordable housing”, are used interchangeably.

Ultimately, local governments working on ways to provide workforce housing for essential services personnel in their communities will need to consider a variety of complementary options. The Toolkit is not intended to represent an entire array of possible approaches to help promote and preserve affordable housing. It includes

approaches being used nationwide, some of which are being considered as policies and programs by local governments in the Region.

As local governments adopt policies and programs to address workforce housing, the toolkit will be updated to reflect local success stories. Ideally, a coherent and integrated workforce housing program would be the outcome of a carefully vetted public private process that has reached consensus on mutually beneficial approaches.

What is Workforce Housing and Why is it a Problem?

The cost of housing in the Treasure Coast Region is soaring. Middle-income households are finding it increasingly difficult to locate housing they can afford in proximity to where they work. According to business and community leaders, many moderate income families are seeking housing they can afford outside of the Region's major job centers.

A lack of affordable workforce housing in our communities negatively affects the Region's economy due to increased commute times to work and congested roads. Hardships are created for employers who find it increasingly difficult to find employees to fill much-needed entry and mid-level positions in industries such as Professional Services, Retail Trade, Education and Health Services. "Workforce Housing" can generally be defined as housing designed to be affordable to those earning between 60 and 120% of Area Median Income (AMI). That is housing that is moderately priced and addresses the demand for new homes generated by households with annual incomes ranging between \$32,000 and \$75,000.

Council's Strategic Regional Policy Plan highlights the chief dimensions of the affordable housing problem in the Region:

- Rapid population growth has stressed the ability of the private sector to provide a range of affordable housing concurrent with need;
- The cost of housing in much of the Region is much higher than the ability of workers to pay;
- An increasing proportion of the population earns low wages;
- There is a lack of rental housing of alternative types for low-income residents;
- There is a lack of housing in proximity to employment opportunities;
- Many local codes and subdivision regulations prohibit historic methods and means for naturally providing a range of housing affordabilities within existing and new communities; and
- Large lot, low density forms of development do not include a range of building types and lot sizes necessary to accommodate affordable housing.

What are Workforce Households?

The term "workforce households" is defined here as "households, with at least one full-time worker, whose members earn incomes that are too low for them to afford to pay market prices for homes or apartments in the communities where they work but, by most definitions, too high to enable them to qualify for significant federal housing subsidies." The target group includes teachers, police officers, fire fighters, and other municipal employees, as well as health care workers, retail clerks, administrative personnel, and other moderate income workers, all of whom are essential to the economic vitality of a city or a region and the success of its corporations, institutions, and governmental functions.

Urban Land Institute, 2003
*Encouraging Workforce
Housing in the Chicago
Region, Atlanta, and
the District of Columbia*

Policy and Program Considerations

Council's report *Workforce Housing: Defining Issues and Trends in the Treasure Coast* noted that no single solution exists to the problem of meeting an increasing demand for affordably-priced workforce housing. This is a point that cannot be overemphasized. "There are numerous and varied program and policy responses to meet the challenge of providing workforce housing in the Treasure Coast Region... people ask why the market can't fix the problem or why local governments can't mandate a solution. The problem, however, is housing markets are inherently complicated. They are influenced by diverse factors such as local demographics and geography, the price of land, types of housing available, mobility of the workforce, interest rates, and land use regulations. Access to and availability of moderately priced housing for working households is determined by two conditions – market and non-market."

Market conditions such as a strong demand for housing, a limited supply of land, high land prices and higher profit margins for the construction of high-end housing all contribute to where and how much workforce housing is built.

Non-market conditions such as regulatory policies and practices at the local level often discourage the construction of moderately-priced homes even if market conditions make this type of development feasible. Regulatory barriers to workforce housing include:

- Large lot zoning;
- Restrictions on attached and manufactured units;
- Exclusionary zoning;
- Building codes;
- Lack of regulatory and program coordination.

Local governments, through their SHIP programs, recent FEMA hurricane relief funding and other initiatives have attempted to provide affordable housing for their residents. But, the demand for affordably priced housing continues to exceed supply. Additional measures being adopted and/or reviewed by local governments include:

- ✓ Adoption of inclusionary zoning;
- ✓ Developing community land trusts;
- ✓ Sponsoring a regional housing trust fund;
- ✓ Brownfields redevelopment;
- ✓ Density bonuses for affordable units;
- ✓ Allowing granny flats/accessory apartments;
- ✓ Mixed-income, mixed-use development;
- ✓ Traditional neighborhood development.

It is worth noting however, that no single solution exists to the problem of meeting an increasing demand for affordably-priced workforce housing. Most local governments are working on the problem and will need to consider a number of options. There are

demand-side and supply-side strategies to consider. Demand side initiatives typically focus on the cost of housing and seek to alleviate barriers such as subsidizing the down payment on a home purchase. Employer assisted housing is an example of a demand-side solution. Supply-side solutions seek to correct inadequacies in the housing market by increasing the supply of housing units provided. Sample programs include inclusionary housing and housing trust funds.

In an analysis of regional workforce housing issues the East Central Florida Regional Planning Council noted that

...virtually all communities are faced with the challenge of providing adequate and affordable housing to their residents. How they go about meeting that challenge, however, is as individual as each community itself. The suitability and effectiveness of solutions will depend on unique local circumstances—what works in one community, or even in part of one community, may not work in another. There is no one-size-fits-all solution to the affordable housing issue—a combination of strategies is necessary to effectively address this challenge.

Local governments looking at policy and program options to create and preserve workforce housing in their communities should consider the larger demographic and market context in which their potential programs would operate.

In its *Workforce Housing Toolkit*, the East Central Florida RPC also noted that attainable housing policies need to work within the larger demographic and land use context of their respective communities.

In *rapidly growing communities* with strong housing markets, inclusionary zoning could be an effective strategy for increasing the supply of affordable housing. Policies to diversify the housing stock to include townhomes, smaller homes and higher-density rental housing also could be appropriate strategies for housing the current and expected future population in these areas. In *established communities*, particularly if they are landlocked, the focus might be on redevelopment and adaptive reuse in downtown areas, rehabilitation of housing in older areas and increasing density around transit. If *first-ring suburbs* in the community have problems with aging housing stock and loss of economic opportunity, then strategies such as economic development or community land trusts might be appropriate. *Older communities* might be faced with losing rental units to expiring federal subsidies, while new suburban communities often face opposition to the development of higher-density and rental housing.

SECTION I: HOUSING DEVELOPMENT

Housing development strategies refer to options to help create new attainable workforce housing units. They are a combination of community-based policies and programs that encourage the development of attainable housing through the adoption of flexible planning and zoning tools and developer incentives to help defray the cost of providing affordably priced housing to essential services personnel.

Planning and Zoning Tools

Many local government codes and subdivision regulations prohibit historic methods and means for naturally providing a range of housing types, tenures and affordabilities within existing and new communities. Large lot, low density forms of development do not include a range of building types and lot sizes necessary to accommodate affordable housing.

The following strategies are designed to remove regulatory barriers and encourage the development of attainable housing:

- Accessory Dwelling Units
- Expedited Permitting
- Inclusionary Zoning
- Infill Housing Development
- Special Area Plans

I.1. Accessory Dwelling Units

Description

Accessory dwelling units (ADUs) are most commonly understood to be a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. They are usually subordinate in size, location, and appearance to the primary unit.

In its first year of implementation in 2003, the City of Santa Cruz, California's Accessory Dwelling Unit Development Program helped to produce thirty five accessory dwelling units. Over the next five years, the City estimated that between 40 and 50 new accessory dwelling units were built per year. The program has been so successful that eighty cities throughout California have requested copies of the implementing ordinance and ADU manual. A program summary is attached as Appendix 1.

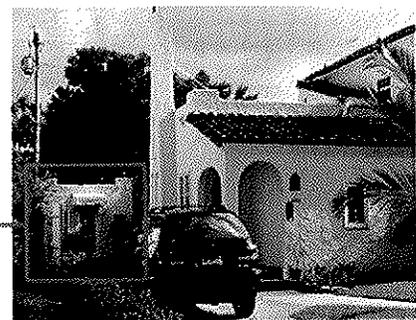
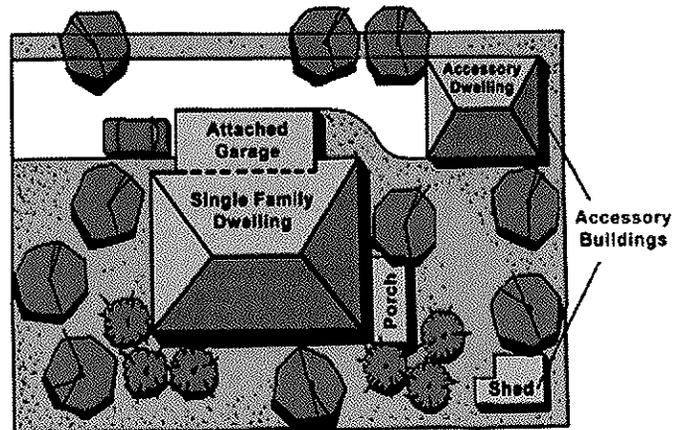


This ADU is built over a detached garage in Kirkland, Washington.

Benefits

In its research report, *Affordable Housing Techniques: A Primer for Local Government Officials*, the Municipal Research and Services Center of Washington (MRSC) suggests that by allowing ADUs communities can provide more affordable housing opportunities without the necessity of local government expenditures or subsidies. This is important in light of declining federal support for the construction of new affordable housing units. Compared to the costs of constructing new government-subsidized apartments, the lower cost of converting existing units, which are paid for by the homeowner, can be an attractive option for most communities. MRSC also found that:

- If allowed, accessory apartments are a relatively easy way to obtain a source of affordable housing.
- Generally, rents for accessory apartments are lower than rents for comparably sized non-accessory apartments.
- Accessory dwelling units provide an additional income stream to elderly



Accessory Dwelling

Source: Palm Beach County Unified Land Development Code

residents who are living on fixed incomes and can use the added income to offset the costs of rising property taxes and utility bills, thus allowing them to stay in their homes.

- First-time home buyers can use the extra income to help pay their mortgage payment.
- Accessory apartments use surplus space in large older homes, thus making the most efficient use of the existing housing stock.
- Accessory apartments offer renters affordable housing located in more desirable single-family neighborhoods.

Key Policy Issues

Neighborhood opposition to accessory dwelling units usually arises from concerns about declining property values, exterior appearance of accessory units, and impacts on parking and traffic from increased density.

Regulations designed to address community concerns are usually devised to deal with such issues as the size of units, exterior appearance, off-street parking, and concentration of units. The challenge to policy-makers is to address the concerns of residents opposed to the concept of accessory units without making conversions too difficult or expensive for homeowners.

I.2. Expedited Permitting / Reducing Regulatory Barriers

Description

Uncertainties and time delays in the development review process increase the costs of development. If local governments can better define the development process, strive to decrease the length of the approval process and streamline permitting, affordable housing projects can be more attractive to developers. Expedited permitting is a cost-efficient and effective way of reducing developer costs. Fast-tracking review and permitting of affordable housing projects reduces developer costs at little cost to local jurisdictions.

U.S. Department of Housing and Urban Development (HUD) research suggests, in some communities, inflexible local development rules and regulations can account for as much as a third of the cost of a new home. HUD's website, *Regulatory Barriers Clearinghouse* at www.regbarriers.org suggests ten main areas that local governments can review for potential barriers to affordable housing development:

- [Administrative Processes & Streamlining](#)
- [Building & Housing Codes](#)
- [Fair Housing & Neighborhood Deconcentration](#)
- [Fees & Dedications](#)
- [Planning & Growth Restrictions](#)
- [Redevelopment/Infill](#)
- [Rent Controls](#)
- [State & Local Environmental & Historic Preservation Regulations/Enforcement Process](#)
- [Tax Policies](#)
- [Zoning, Land Development Construction & Subdivision Regulations](#)

Jaimie Ross, Affordable Housing Director for 1000 Friends of Florida cites in her analysis of expedited permitting in Florida, ...”Expedited permitting is required for all affordable housing land use decisions in every Florida county. Fast track permitting for this housing also is required in every SHIP entitlement city. Some local governments, such as in Pinellas County, have been fast tracking land use permits for affordable housing for years. Others, however, continue to expedite only building permits, with the result that zoning requests and variances for affordable housing are regularly treated the same as those for market rate homes...”

The Pinellas County Land Development Code, for example, provides incentives to encourage the provision of affordable housing (See Appendix 2). These incentives include:

- Expedited Permit Processing
- Density Bonuses
- Impact and Review Fee Relief
- Accessory Structures
- Reduced Parking Requirements
- Reduced Setbacks
- Housing in Commercial Zones

- Street Design Modifications
- Donation of Publicly Owned Land
- Zero Lot Lines
- Identifying Qualified Renters or Buyers

Benefits

According to the Washington Area Housing Partnership's *Toolkit for Affordable Housing Development*, expedited permitting is a cost-efficient and very effective way of reducing developer costs. Fast-track review and permitting of affordable housing projects can:

- Be administered with little or no cost to local governments.
- Provide meaningful incentives to developers of affordable housing.

Key Policy Issues

Local governments seeking to remove regulatory barriers to affordable housing in their communities need to conduct a comprehensive review of current rules and regulations to identify those which inhibit affordable housing development.

I.3. Inclusionary Zoning

Description

Inclusionary zoning ordinances are designed to require new residential developments over a certain size to set aside a certain number of affordable housing units within the development. The number of affordable units to be included in the new development is based on a percentage of the total number of proposed units in the development (generally 12% - 15%). In exchange, local governments may provide certain benefits such as a density bonus, fast-track permitting and waivers of certain municipal fees. In some cases, inclusionary zoning ordinances allow the developer to build the units off-site or make a contribution to a housing trust fund. A model inclusionary housing ordinance developed by the Florida Housing Coalition is attached as Appendix 3.

Benefits

Inclusionary zoning programs do not generally require the expenditure of local tax dollars to fund affordable housing development.

In 2000, in response to rapidly rising housing costs and the ineffectiveness of the voluntary inclusionary housing program, Boulder passed a mandatory inclusionary housing ordinance. The new program



Boulder, Colorado

required 20% of housing in new developments to be priced affordably for low-income households, which Boulder now defines as households earning less than 80% of the area median income.²⁶ The comprehensive mandatory ordinance covers all residential developments regardless of size (with the exception of developments of a single lot with one owner and total floor area of less than 1,600 feet).

Source: *Success in Affordable Housing: The Metro Denver Experience*. Business and Professional People for the Public Interest. Chicago, 2005.

Proactive ordinances with built-in developer incentives, such as density bonus programs, offer a positive alternative to mandatory programs that may be resisted by local developers. Voluntary programs allow developers to determine for themselves whether participation will be cost effective.

Inclusionary programs avoid the problems of overconcentration, isolation, and stigmatization of affordable housing units, by integrating them into housing developments located throughout the community. This enhances the concept of mixed-income communities.

Inclusionary zoning can be flexible, since the provision for affordable housing can either be regulated or encouraged by developer incentives.

Key Policy Issues

MRSC suggest that mandatory requirements of inclusionary housing programs should be relatively modest (10 -15 percent of total units) if there are no compensating developer incentives.

Inclusionary programs will require some ongoing administrative oversight to provide for the collection and management of fees paid by developers who opt to pay into a housing trust fund. These programs will also require staff time and resources to ensure that attainable housing units that are constructed will be maintained as attainable housing for the foreseeable future and will be available to income eligible workforce households.

I.4. Infill Development

Description

Infill refers to development that makes use of vacant or underutilized land and buildings in downtown or suburban areas.

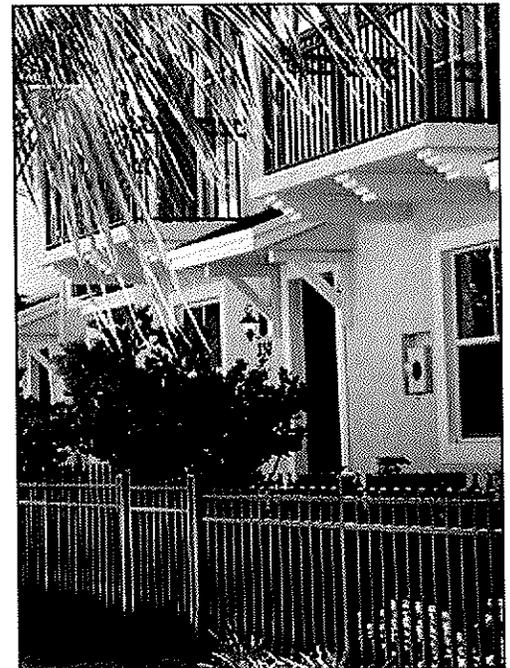
Interest in infill development stems from a desire to concentrate development into areas already served by public facilities, including police, fire, utilities, schools, and transit, to make more efficient use of existing land and public facilities.

Community redevelopment agencies are one of the main vehicles used by local governments to encourage infill development as part of a strategy to revitalize and bring new activity to older neighborhoods and downtown areas. Infill development provides more affordable housing opportunities for smaller households, helps to discourage urban sprawl, utilizes existing infrastructure and encourages pedestrian friendly-neighborhoods.

In their publication, *Successful Infill Development*, the Northeast-Midwest Institute suggests that successful infill development looks and feels different from typical suburban development, "...Successful infill looks, feels, and functions differently from development that is single use, low density, and dominated by automobiles and highways. It creates neighborhoods and districts that embrace a mix of uses and incomes, where a wide variety of citizens live, work, and play. It serves pedestrians and cyclists as well as autos."

Benefits

- The trend towards smaller households can be readily served by infill development.
- Infill sites already served by infrastructure services can reduce a developer's upfront costs and may help to reduce the cost of the housing unit.
- Infill development can help to revitalize communities and downtowns.
- Infill redevelopment can help to reduce urban sprawl and encourage pedestrian-friendly neighborhoods.



Atlantic Grove Delray Beach

Atlantic Grove is a mixed-use, mixed-income redevelopment project, consisting of fifty-five (55) for-sale townhouses and two (2), 3-story, commercial buildings, with retail on the first floor, offices on the second floor, and twenty (20) residential lofts on the third floor, overlooking Atlantic Avenue.

It is the first major private development on West Atlantic Avenue, located just west of the world-class Delray Beach Tennis Center, and one quarter of a mile west of downtown Delray Beach.

Key Policy Issues

If infill sites are located on higher cost urban land, multi-family housing and/or mixed-use projects, with lower per-unit development costs, may be the most appropriate type of development.

Where land costs may be particularly high, incentives such as density bonuses or allowance of mixed uses, may add to a project's overall feasibility.

Infill redevelopment projects should be carefully designed to ensure compatibility with existing neighborhoods, surrounding buildings and architecture, and minimize parking, and traffic problems. This will help to increase neighborhood acceptance.

I.5. Special Area Plans

Description

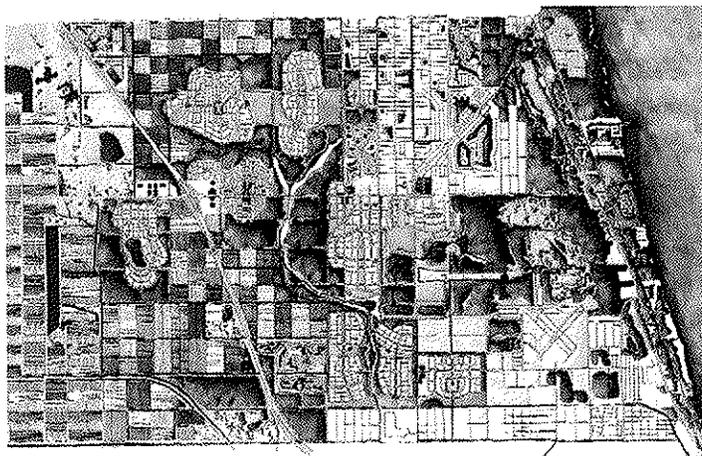
Unique problems or issues in a community require extra consideration and attention. In high growth communities, the threatened loss of open space and agricultural lands may be a primary issue. There could be a critical need for private sector reinvestment to occur in an underutilized corridor or downtown area. A community might choose to develop a special area plan to address these concerns. Examples of special area plans include plans for a downtown or industrial district, waterfront or agricultural area. Special area plans offer carefully considered land use, open space and development strategies to guide the growth and development of the area in question.

Benefits

- Provide a comprehensive analysis of issues and opportunities.
- Strategies are tailored to address the issues of the special planning area.
- Special land use, developer and financial incentives can be developed to help implement the special area plan.

The principles set forth in the recently adopted Towns, Villages and Countryside Element (TVC) constitutes a pro-active plan for future growth in St. Lucie County. The planning approach outlined in this element contains a strategy for development in the existing rural

NORTH ST. LUCIE COUNTY
CHARRETTE
A CITIZENS' MASTER PLAN



prepared by

TREASURE COAST REGIONAL
PLANNING COUNCIL

With and for the citizens of St. Lucie County

Acknowledgements

County Commission Chair Paula Lewis,
Commissioners Cliff Barnes, John Brink,
Doug Conrad and Frankie Hutchinson; members
of the Charrette Steering Committee; and
St. Lucie County staff.

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agricultural areas that will ensure that future growth is sustainable, predictable, protects and enhances the natural environment, and improves the citizens' quality of life. The TVC preserves and enhances existing private property rights while providing incentive-based options to landowners intended to achieve these goals. Importantly, the TVC Element establishes workforce housing policies that require each Town and Village created within the TVC area to provide a minimum of 8% of the proposed number of dwellings as workforce housing. The Workforce Housing section of the TVC Land Development Regulations also specify affordability and resale provisions for workforce housing units to ensure that long-term affordability is maintained.

Key Policy Issues

Developing special area plans requires a good deal of public participation, staff time and resources. There may be conflicting issues and needs expressed by constituencies and landowners located within the special planning area. These diverse issues and needs must be addressed fairly and comprehensively in the final plan that is developed.

Developer Incentives

The cost of producing a housing unit is typically passed on to the purchaser of the home in the form of the final purchase price. The higher the costs to the developer to build housing the higher the prices that local households will pay for the housing. Developer incentives in the form of density bonuses and impact fee reductions or waivers can help to reduce the overall cost of housing and make affordable housing more likely. This section of the toolkit focuses on the following programs:

- Density Bonuses
- Impact Fee Strategies (reduction, waiver, alternative methods of payment, delayed payment)

I.6. Density Bonuses

Description

A density bonus allows a developer to build more units within a project than would otherwise be permitted under normal density limits in a community. A developer who commits to providing a certain percentage of below market attainable housing units may be allowed to reduce lot sizes or increase the number of houses on a lot, thereby reducing land cost per unit.

Benefits

- Bonuses can be provided at little or no cost to local governments.

Features

Zoning and subdivision regulations could be modified by a local government to allow density bonuses. Density bonuses may be used in conjunction with an open space development or planned unit development where the community desires to preserve open space and have lower municipal costs (street, water, and sewer).

Key Policy Issues

Density bonuses alone may not be sufficient, depending on market conditions, as an incentive to developers. Local governments may want to consider additional incentives such as reduced setbacks, street frontages, and other cost reducing inducements.

Policy makers need to consider what level of additional density will be allowed in exchange for a specified number of affordable units. Density bonuses are usually expressed as a percentage of the density allowed under normal zoning regulations.

An understanding of market conditions and context is important in designing a density bonus program. Programs must be designed on the basis of a thorough understanding of the real estate market to determine feasibility and to develop appropriate regulations. If current zoning allows enough density to satisfy current market demand, developers may have no interest in using a density bonus.

Careful attention should be given to the location and design of affordable housing units within proposed projects to ensure project quality.

1.7. Impact Fee Strategies

Description

Like all other development costs, impact fees add to the final cost of housing. Some local governments seeking to promote affordable housing development as part of market-rate residential projects have waived a portion or all of impact fees on these types of projects.

Benefits

- Helps to promote attainable housing development by lowering development costs.
- Helps to make attainable housing more feasible in high-cost communities.

Key Policy Issues

In order to develop an impact fee reduction and/or waiver program, communities need to review all current impact fees and exaction requirements to determine where reductions and/or waivers for affordable housing projects may be appropriate.

Impact fee reductions and/or waivers can be combined with other affordable housing techniques such as density bonuses or inclusionary zoning requirements to promote the construction of affordable housing.

Affordable Housing Impact Fee Grant

The City of Orlando currently reimburses the amount of City impact fees to certified developers of affordable housing within the City of Orlando. A developer utilizing this program would pay the impact fees when building permits are pulled, but would be reimbursed for the amount of the sewer impact fee and the transportation impact fee when certificates of occupancy are issued. The developer would also be reimbursed 25% of the school impact fees if developing rental housing and 62% if developing owner occupied housing. The current amount of impact fees are as follows:

Transportation Impact Fee	
Single Family	\$1,192
Sewer Benefit Fee	
Single Family	\$3,007.60
School Impact Fee (County)	
Single Family	\$7,000
Multi-Family	\$3,807

Actual amount reimbursed for school impact fee is \$951.75 for Rental Multi-Family; \$2,360.34 for Owner-Occupied Multi Family; and \$4,340 for owner Occupied Single Family.

In order to qualify for this incentive, the project must be certified as an affordable housing project under the Affordable Housing Certification Process.

Source: City of Orlando, Housing Department Website accessed on 10/10/2006.

SECTION II: HOUSING PRESERVATION

In many communities across the country affordable housing is lost through conversion of existing attainable units to market rate units. Through a variety of means such as condominium conversions of apartment buildings or replacement of mobile home parks with new development, affordable housing units are lost. Housing preservation strategies are designed to help preserve affordable housing stock that already exists in communities.

The following strategies can be used to help preserve affordable housing units:

- Adaptive Reuse
- Community Land Trusts

II.1. Adaptive Reuse

Description

Adaptive reuse programs involve converting surplus and/or outmoded buildings into new economically viable uses. Adaptive reuse projects could involve the conversion of old buildings such as hospitals, schools, warehouses and train stations and other outmoded buildings to new productive uses including housing.

The Flower Street Lofts (inset graphic) is an example of a former industrial use building, located in downtown Los Angeles, that was converted to residential uses under the City's Adaptive Reuse Program. Introduced in 2003, the City of Los Angeles's program is so successful it has helped to create over 10,000 housing units. The Adaptive Reuse Ordinance works by significantly reducing the time required to obtain a building permit (See Appendix 4).

Number of Units:
91

Number of Stories:
4

Status:
Completed

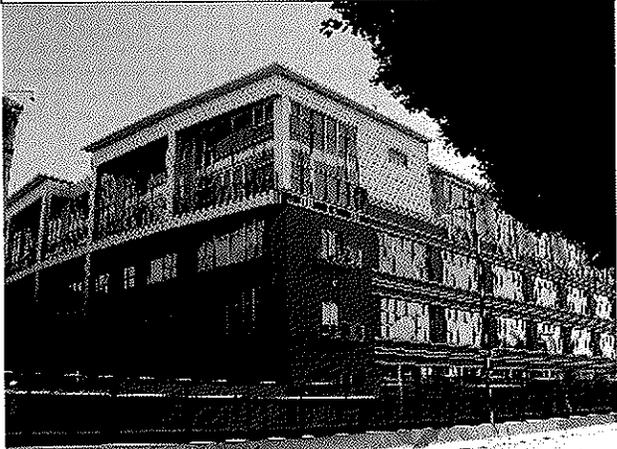
Neighborhood:
South Park

Building Floor Area:
156,416

Housing Type:
Loft-style Condominiums

Total Project Cost:
\$35,000,000

Flower Street Lofts
1130-1140 S. Flower Street
Los Angeles, CA, 90015



The Lee Group spearheaded the Flower Street Lofts, downtown's first for-sale adaptive reuse project. In September, 2003, the United Parcel Service's central operations facility was reborn, with a newly constructed floor, as 91 loft-style condominium homes. At a record pace, the project sold out, proving there's a vibrant condominium market in downtown Los Angeles. Flower Street Lofts is located in South Park, across the street from the Staples Center, and next to the Palm Restaurant. With the Harbor freeway and the Blue Line close by, transportation access couldn't be more convenient to its homeowners.

Benefits

Adaptive reuse is a good way to introduce housing into non-residential areas.

Many older buildings which may be converted to housing uses are located in downtown areas and may therefore offer new residents convenient access to transportation, shopping and employment.

In some cases adaptive reuse of previously vacated or deteriorated buildings can be less expensive than new construction since infrastructure and other site improvements are already in place. This may help to reduce the cost of producing affordable housing units.

Adaptive reuse is a good tool to facilitate the revitalization of previously declining or blighted areas by rehabilitating deteriorating buildings and by bringing in new residents.

Key Policy Issues

Communities can facilitate adaptive reuse projects by adopting flexible zoning policies, such as mixed-use zoning, or by allowing residences as a permitted or conditional use in appropriate commercial and industrial zones.

Successful adaptive reuse involves extensive partnerships and coordination activities, and may involve many steps, including making inventories of potential adaptive reuse sites, amending local zoning regulations, arranging for possible property transfers of publicly-owned buildings, and providing funding assistance such as loans, grants and rent subsidies.

II.2. Community Land Trusts

Description

Community land trusts (CLTs) are typically organized and formed as nonprofit organizations to preserve long-term housing affordability. CLTs maintain housing units as affordable by separating ownership of the land and the homes built upon it. Buyers of land trust homes agree that when they move they will sell their home to an income-qualified low- or moderate-income family at an affordable price. By establishing resale prices of the CLT homes, the community land trust ensures long-term affordability.

There are 211 active community land trusts across the country, ten of which are located in Florida. See Table 1.

Table 1
Community Land Trusts in Florida

Name	City	Status
Boynton Beach CLT	Boynton Beach	Actively being planned
Gulf County CLT	Port St. Joe	Actively being planned
South Florida Regional Smart Growth land Trust	Miami	Active and still growing
Community Housing Trust of Sarasota County	Sarasota	No property yet
Lee County Community Land Trust	Ft. Meyers	Actively being planned
Bahama Conch CLT of Key West	Key West	Actively managing property
Delray Beach CLT	Delray Beach	No property yet
Escambia County CLT	Pensacola	Active and still growing
Hannibal Square CLT	Winter Park	Active and still growing
Middle Keys CLT	Marathon	Active and still growing

Source: Burlington Associates website accessed 10/11/2006.

Benefits

- Helps to ensure long-term affordability of housing
- Helps to ensure the public investment in attainable housing will last a lifetime

Key Policy Issues

Community land trusts can be used in communities which are experiencing differing rates of growth, investment and/or disinvestment. In its *Workforce Housing Toolkit* the East Central Florida Regional Planning Council illustrated how CLTs can be used to accomplish different goals based upon the community setting and context.

In **fast-growing areas**, where the price of real estate is escalating rapidly. They can be used in gentrifying areas to preserve a community's character, and limits on resale prices ensure that some housing remains affordable even in these areas.

In **disinvested neighborhoods**, CLTs can be used to increase owner occupancy, decrease absentee ownership, improve the physical condition of housing and stabilize the community. Such CLTs assist not only the buyers of the CLT's homes, but also existing homeowners in the area, who likely are lower income families.

In expensive **resort communities**, CLTs can provide housing for the community's workers.

In addition to residential uses, CLTs have constructed community facilities, businesses, parks and other types of facilities. CLTs can be located on a contiguous site or can be jurisdiction-wide.

Pros/cons of CLTs

- Pro: CLT is a flexible strategy—it can be used in different kinds of areas, as noted above. All kinds of housing types can be provided in a CLT—owner or rental housing, single family or multi-family. CLTs also can be used to provide economic development opportunities for the neighborhood

- Con: Some believe that a negative of CLTs is that the owner does not realize the full benefit of building equity—the equity is shared with the land trust because the owner does not own the land. There are many responses to this concern, depending on the particular CLT. If the CLT is in a gentrifying area (such as Winter Park), home appreciation likely will happen at a faster rate than a home the buyer could purchase on the market. In the Winter Park CLT, the buyers purchased the homes at a price far below the market value, so the equity they build should be commensurate with their investment.

SECTION III: FINANCIAL TOOLS AND RESOURCES

The cost of residential development, especially in high-growth or high-cost communities can be high. There are however, financial tools and resources that can be used to help defray pre-development and development costs and ultimately help make attainable housing affordable to workforce households. This section illustrates how the following mechanisms can be used to promote attainable housing development and preservation:

- Donation of public land
- Down payment assistance
- Employer-assisted housing
- Housing trust funds
- Linkage fees

III.1. Donation of Public Land

Description

The identification and donation of surplus government owned land can be used to help reduce the cost of developing attainable housing. Donations of land to a non profit affordable housing developer is the typical mechanism.

The Florida Legislature recently passed House Bill 1363 requiring each local government (county and municipality) to prepare an inventory list of all real property it owns within its jurisdiction that is appropriate for use as affordable housing (First Inventory due July 1, 2007). Local governments have three options if they choose to use any of the properties for affordable housing:

1. The land may be offered for sale to generate funds to a local government to purchase land for affordable housing or the proceeds can be put into a local affordable housing trust fund; or
2. The land may be sold with a restriction that requires the development of the property as permanent affordable housing; or
3. The land may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

Benefits

- Little or no cost to local governments
- Can work in conjunction with housing trust funds and other programs

Key Policy Issues

Local governments will have to task staff to identify, inventory and dispose of surplus or other underutilized government-owned property.

III.2. Down Payment Assistance

Description

Down payment assistance programs typically provide interest-free and low-interest loans to qualified low to moderate income homebuyers, which may be used for down payment or closing costs. In many instances, the loans can be forgiven provided the homeowner resides in the home for a certain number of years.

The Florida Housing Finance Corporation's First Time Homebuyer Program provides low-interest 30 year fixed-rate loans that can be used for down payment and closing costs associated with a home purchase. Eligible applicants could receive up to \$25,000 in assistance in certain high cost counties. Essential services personnel such as teachers, firefighters, healthcare workers, police officers, as well as active duty and veteran military personnel could be eligible for lower interest rates through the Community Loan Program. The State of Florida's affordable housing programs are presented in Appendix 5.

The State Housing Initiatives Partnership (SHIP) Program, established in the 1992 Sadowski Affordable Housing Act, allocates funds to each of Florida's 67 counties on a population-based formula. SHIP funds can be used to help produce and preserve affordable homeownership and multifamily housing for income-qualified households. Current 2006/2007 funding for SHIP is \$166,400,000.

The Florida Housing Finance Corporation notes in their description of the SHIP program that higher construction costs and purchase prices for housing have required significant changes to many local SHIP programs. Some of those changes are:

- Development of strategies to assist specific employment categories (teachers, nurses, first responders) to address the needs of the local community.
- The need to provide deeper subsidies from SHIP for down payment assistance to make home purchasing possible for low to moderate income households (see Table 2 below).

Table 2

MSA	1995				2005			
	Income for Typical SHIP Homebuyer (70% of Median Income)	Mortgage Amount Qualified For	SHIP Eligible Home Price	Subsidy Needed to Afford SHIP Eligible Home Price	Income for Typical SHIP Homebuyer (70% of Median Income)	Mortgage Amount Qualified For	SHIP Eligible Home Price	Subsidy needed to Afford SHIP Eligible Home Price
Daytona Beach	\$23,730	\$62,912	\$66,600	\$2,355	\$34,055	\$72,360	\$190,800	\$114,625
Fort Myers	\$26,250	\$72,138	\$74,700	\$1,067	\$37,870	\$79,077	\$229,500	\$145,833
Ft. Lauderdale	\$30,170	\$86,214	\$88,200	\$221	\$40,670	\$98,740	\$216,900	\$113,822
Fort Pierce-St. Lucie	\$27,510	\$76,366	\$72,000	\$0	\$36,715	\$76,066	\$220,500	\$140,023
Fort Walton Beach	\$25,410	\$67,392	\$77,400	\$8,460	\$38,605	\$98,245	\$187,200	\$85,210
Jacksonville	\$27,580	\$77,094	\$78,300	\$0	\$40,495	\$116,870	\$163,800	\$43,654
Lakeland	\$23,170	\$61,420	\$62,550	\$0	\$33,320	\$80,319	\$154,800	\$70,385
Miami	\$24,990	\$62,930	\$85,500	\$20,860	\$32,445	\$51,370	\$225,000	\$169,130
Naples	\$31,290	\$86,694	\$103,500	\$14,736	\$44,310	\$76,705	\$333,000	\$249,635
Ocala	\$20,790	\$50,893	\$61,200	\$9,082	\$30,170	\$74,639	\$126,000	\$48,841
Orlando, FL	\$28,000	\$78,338	\$81,000	\$1,041	\$38,570	\$90,944	\$207,000	\$111,915
Pensacola, FL	\$24,290	\$64,126	\$71,100	\$5,551	\$35,490	\$96,930	\$144,000	\$44,191
Punta Gorda	\$23,240	\$58,957	\$72,000	\$11,602	\$34,405	\$82,953	\$166,500	\$80,217
Sarasota-Bradenton	\$26,390	\$70,841	\$81,000	\$8,538	\$39,130	\$85,564	\$230,400	\$140,228
Tallahassee	\$28,280	\$80,847	\$77,400	\$0	\$40,390	\$123,415	\$144,000	\$17,704
Tampa-St. Pete	\$25,480	\$69,202	\$71,100	\$476	\$36,505	\$91,745	\$173,700	\$78,481
West Palm Beach	\$31,150	\$86,041	\$103,500	\$15,389	\$43,470	\$98,354	\$260,100	\$156,543

Source: Florida Housing Coalition

Key Policy Issues

A dedicated revenue source is needed to ensure the program's long-term viability as well as dedicated staff resources for program oversight.

III.3. Employer-Assisted Housing

Description

Employer-assisted housing (EAH) programs are designed to enable employers to help their employees achieve homeownership. EAH programs include low-interest loans, grants for down payment assistance, homeownership education and other savings plans to help employees become homeowners.

The Metropolitan Planning Council of Chicago has conducted extensive research on Employer Assisted Housing and has helped to launch a regional employer-assisted housing program in the Chicago metropolitan area.

Employer-Assisted Housing in Action

Since the Council first introduced employer-assisted housing to one Chicago-area manufacturer in 2000, that successful program and partnerships with REACH Illinois housing counseling agencies and Housing Action Illinois have yielded impressive results.

The State of Illinois provides matching funds and tax credits for employer-assisted housing initiatives, more than 50 employers have signed on and saved on their recruitment and training costs, and 1,200 employees have been counseled, with over 500 successful buyers. An estimated \$1.35 million in employer dollars went to help employees purchase homes in Illinois in 2005.

Benefits

- Little or no cost to local governments
- Improved employee retention for employers
- Reduced recruitment and training costs for employers
- Shorter commute time for employees
- Effective home purchase counseling for employees

Key Policy Issues

EAH programs are typically implemented through public-private partnerships and the cooperation of local area employers. Local governments wishing to implement such a program need to dedicate staff time and resources to facilitate the creation of the partnership. Employers need to be convinced of the merits of the program.

III.4. Housing Trust Funds

Description

Housing trust funds are locally established accounts, like bank accounts, that may receive dedicated public funding and/or private sector contributions and distribute those funds toward development, rehabilitation and preservation of affordable housing units. Because they are established locally, housing trust funds can be customized to address a community's specific housing needs. The funds may have a variety of revenue sources which may include developer contributions, sale of municipal owned property, local government appropriations and inclusionary zoning payments in lieu of providing on-site units.

Benefits

- Dedicated funding source for affordable housing development or preservation.

Key Policy Issues

Housing Trust Funds generally are established through an ordinance or legislation passed by a county, city or state legislature. The legislation accomplishes at least two necessary steps in the creation of a Housing Trust Fund. First, it dedicates a revenue source to the Housing Trust Fund or establishes other obligations (e.g., developer exactions) that create revenue. Second, it establishes the Housing Trust Fund as a separate and distinct entity that can receive and disburse funds and defines its purposes and operation.

PROFILE: THE HOUSING TRUST OF SANTA CLARA COUNTY

THE HOUSING TRUST OF SANTA CLARA COUNTY'S MONTHLY ELECTRONIC FACT SHEET

Progress

ONLINE
OCTOBER, 2006

OUR PROGRESS TO DATE

TOTAL HTSCC INVESTMENT	TOTAL LEVERAGE	TOTAL HOUSING OPPORTUNITIES
\$23.6 million	\$1.067 billion	5,945 created

HOMELESS W/SPECIAL NEEDS HOUSING

As of October 1, 2006 the Housing Trust of Santa Clara County has invested \$5.973 million (as 23 loans to 16 developments) in the creation of shelters and housing programs for people who are homeless with special needs. These developments contain 823 units of shelter and housing, and are valued at more than \$159 million. In addition, the Trust has invested \$470,013 in 21 emergency homeless prevention grants, assisting 2,199 individuals.

A full listing of developments appears below.

INVESTMENT	\$6.39 million
LEVERAGE	\$159 million
LOANS/GRANTS	44
PEOPLE HELPED	3,022

FIRST-TIME HOMEBUYER ASSISTANCE

As of October 1, 2006 the Housing Trust has helped 1,665 families buy their first home in Santa Clara County through our closing cost loans, Homeownership Venture Fund program, HomeStart program and SuperFlex loans. The average household income of our loan recipients is \$70,433; average household size is 2 people. The average home purchased with the Housing Trust's assistance sold for \$354,636, with total valuation of more than \$567 million.

INVESTMENT	\$11.73 million
LEVERAGE	\$567 million
FAMILIES HELPED	1,665

MULTIFAMILY RENTAL HOUSING

As of October 1, 2006 the Housing Trust has invested more than \$5.46 million (15 loans) in affordable multifamily rental developments, creating 1,258 units of new rental housing in 16 developments located throughout Santa Clara County. The total value of these developments is more than \$341 million.

A full listing of developments appears below.

INVESTMENT	\$5.46 million
LEVERAGE	\$341 million
LOANS	15
HOUSING UNITS	1,258

Source: The Housing Trust of Santa Clara County website accessed on 10/11/06.

Mr. Carl Guardino, President and CEO of the Silicon Valley Leadership Group and Mr. Taylor Dial, Executive Director of the Housing Trust of Santa Clara County, participants at Council's Workforce Housing Symposium held in December, 2005 indicated just how powerful a catalyst for the creation of attainable housing their housing trust fund had become. Since its inception, the Housing Trust Fund has made some \$23.6 million in investments. These investments have leveraged over \$1.1 billion in additional investment and have helped to create affordable housing opportunities for almost 6,000 families.

III.5. Linkage Fees

Description

Linkage fees are fees or other requirements that local governments place on new industrial, commercial and office developments to offset the impact that new employment has on housing needs within a community. In the same way that local governments require residential developers to offset the school impacts caused by their development, businesses are required to mitigate the increased demand for moderately priced housing from workers in newly created jobs.

Local governments wishing to enact a linkage fee ordinance must first conduct a study (often called a “nexus study”) which demonstrates the need for such fees and determines an appropriate amount to be charged that is reasonably proportional to a business development’s impact. Local governments then use the linkage fees collected to support affordable housing development within their own jurisdictions.

Linkage fees vary widely—both by jurisdiction and by business type. The nexus study helps determine what that difference should be by business type. The fee should be designed to adjust to inflation, typically done by indexing the fee to the Consumer Price Index. Many jurisdictions have a threshold minimum project size that triggers the policy. The Florida Housing Coalition has developed a model Linkage Fee ordinance (see Appendix 6).

Benefits

- Linkage programs do not generally require the expenditure of local tax dollars to fund the construction of affordable housing units.
- Can provide substantial funding to support affordable housing development with minimal administrative burden.

Key Policy Issues

Voluntary/incentive-based linkage programs offering benefits to developers in exchange for housing are more likely to avoid or withstand legal challenges.

Linkage programs will be more successful in a strong commercial office market where developments are more numerous and developers are more willing to take advantage of development incentives.

Local governments seeking to establish a linkage fee program need to consider which types of development will pay the fee, how much each type of development will pay, and the geographic boundaries that are to apply.

SECTION IV: SUMMARY OF WORKFORCE HOUSING STRATEGIES

The final section of the report provides a summary of all of the programs and policies highlighted in the Toolkit. Where applicable, policies and programs adopted or under consideration for adoption by a local government(s) is noted. The Toolkit will be periodically updated with the most current information available.

**Summary of Attainable Workforce Housing Strategies
Treasure Coast Regional Planning Council**

Tool	Goal	Implementing Entity	Implementing Actions	Models	Resources	Local Examples
Accessory Dwelling Units	Increase the amount of affordable housing development.	City/County Governments	Review and adjust zoning / land development code, as necessary.	Santa Cruz, California - Accessory Dwelling Unit Development Program	Smart Growth Online -- Smart Growth in Action www.smartgrowth.org	Palm Beach County – Unified Land Development Code
Expedited Permitting	Facilitate affordable housing development.	City/County Governments	Review codes, internal processes and set clear standards for timing of affordable housing development.	Pinellas County – Affordable Housing Incentives offered through the Pinellas County Land Development Code	U.S. HUD – Regulatory Barriers Clearinghouse www.regbarriers.org	Required in all Florida counties and SHIP entitlement communities.
Inclusionary Housing	Increase the amount of affordable housing development.	City/County Governments	Develop and adopt an inclusionary housing ordinance.	Montgomery County, Maryland - Moderately Priced Dwelling Unit (MPDU) Program	Florida Housing Coalition – Model Inclusionary Housing Ordinance (see Appendix 3) Smart Growth America – <i>Making the Case for Mixed Income and Mixed Use Communities</i> www.smartgrowthamerica.org	Palm Beach County – Interim Workforce Housing Program
Infill Housing Development	Promote affordable housing development.	City/County Governments	Identify important infill sites / locations, facilitate infrastructure, create design guidelines.	The City of Portland's Living Smart Program http://www.livingsmartpdx.com	<i>Strategies for Successful Infill Development</i> – a publication of the Northeast-Midwest Institute	City of Delray Beach – Infill Workforce Housing Area
Special Area Plans	Guide growth and development in a specific area.	City/County Governments	Adopt implementing ordinance, Comprehensive plan amendment(s).	St. Lucie County - Towns, Villages and Countryside Element	www.tcrpc.org	St. Lucie County - Towns, Villages and Countryside Element
Density Bonuses	Increase the amount of affordable housing development.	City/County Governments	Adopt implementing ordinance.	City of Sarasota -Downtown Density Bonus and Attainable Housing Policy	Downtown Density Bonus and Attainable Housing Policy: Recommended Comprehensive Plan Amendment, prepared by ERA for City of Sarasota, FL, March 2006 http://www.cityoflando.net/housing/default.htm	City of Delray Beach
Impact Fee Strategies	Promotes affordable housing development by lowering development costs.	City/County Governments	Adopt implementing ordinance.	City of Orlando – Affordable Housing Impact Fee Grant		

Treasure Coast Regional Planning Council

Tool	Goal	Implementing Entity	Implementing Actions	Models	Resources	Local Examples
Adaptive Reuse	Promotes affordable housing development.	City/County Governments	Adaptive reuse ordinance and design guidelines	City of Los Angeles – Adaptive Reuse Program	City of Los Angeles – <i>Adaptive Reuse Program Handbook</i> (see Appendix 4)	
Community Land Trusts	Create affordable housing in perpetuity.	Private, Non-Profit Corporation, can be sponsored and seeded by City/County Governments	Require extensive financial and technical assistance to establish.	Institute for Community Economics www.iceclt.org As originator of the <u>CLT model</u> ICE has worked with groups in a wide variety of communities around the country to establish local CLTs. ICE has also developed a \$13 Million Revolving Loan Fund to provide critical project financing to CLTs and other innovative community organizations across the country. See Florida HB 1363.	Florida Community Land Trust Institute	Delray Beach CLT Boynton Beach CLT
Donation of Public Land	Increase the amount of affordable housing development by reducing associated costs.	City/County Governments	Identify, inventory and self/donate surplus public land for affordable housing purposes.			
Down Payment Assistance	Increase homeownership opportunities.	Florida Housing Finance Corporation	n/a	SHIP Program	Florida Housing Finance Corporation (see Appendix 5)	All 67 Florida counties and 50 CDBG entitlement cities.
Employer-Assisted Housing	Help employees live near their workplaces.	City/County Government or public-private partnership		Reach Illinois Employer-Assisted Housing	Metropolitan Planning Council – Technical Assistance for Employer-Assisted Housing www.housingtrustscc.org	City of Orlando EAH Program – <i>Housing Opportunities for Florida's Workforce</i> TBD
Housing Trust Funds	Create a dedicated revenue source for attainable housing.	City/County Governments or private non-profit entity	Often works in tandem with inclusionary housing ordinance as “in-lieu” fee.	Housing Trust Fund of Santa Clara County		
Linkage Fees	Create a dedicated revenue source for attainable housing.	City/County Governments	Implementing ordinance and nexus study.	City of Winter Park Linkage Fee Program (\$0.50 per square foot for non-residential development)	See Appendix 6	

Appendix 1

Accessory Dwelling Unit Development Program Santa Cruz, California

SMART GROWTH IN ACTION

Accessory Dwelling Unit Development Program

SANTA CRUZ, CALIFORNIA



Like many communities in northern California, Santa Cruz has seen its housing costs increase dramatically. These rising costs mean the city is struggling to retain teachers, police officers, and service workers. To address these challenges, Santa Cruz created an Accessory Dwelling Unit (ADU) Development Program. Accessory units create separate residences by converting all or part of a garage or by building new structures on a homeowner's property.

The city's program aims to create more housing opportunities by making it easier for homeowners to build accessory units. For example, the city revised its zoning ordinance to eliminate a covered parking requirement for single-family homes, which freed up space for accessory units. In addition, the revision included design elements that ensure the accessory units complement the surrounding homes. Seven architects designed compact building prototypes (500 square feet) that address a variety of site needs. These plans have been pre-reviewed by city departments, which helps homeowners by reducing processing time, planning fees, and design costs.

The city also released an ADU "How To" manual to help residents navigate the development process. The manual packages all the information homeowners need to develop an accessory unit, including guidance on making an accessory unit "neighbor-friendly," managing a construction project, and being a good landlord. Over 175 manuals and prototype plan sets have been sold. To encourage affordable housing, homeowners get financial assistance through accessory unit loan and fee waiver programs if the unit will be rented at an affordable level.

The program has broadened the range of available housing opportunities. In 2003, the program's first full year, 35 accessory units were built, which is a significant increase over the eight units built in 2001. Over the next five years, the city estimates that between 40 and 50 new accessory units will be built per year. The program has been so successful that more than 80 cities throughout California have requested copies of the ADU manual and ordinance. The EPA awarded it the Policies and Regulations Smart Growth Achievement Award (http://www.epa.gov/smartgrowth/sg_awards_publication_2004.htm#policies_reg) in 2004, and the program has also been recognized by the state chapters of the American Planning Association (www.planning.org) and the American Institute of Architects (www.aia.org).

"...as my parents reached retirement age and found that they could no longer climb the stairs to the second story bedroom, they began looking for alternative ways of staying in the neighborhoodWith the help of the city's revised accessory dwelling unit ordinance, the design workshops, and the ADU loan program, we are now building the 'granny unit' of my parents' dreams."

— David A. Foster, Homeowner, Santa Cruz

QUICK FACTS

Contact: Carol Berg, Housing and Community Development Manager
City of Santa Cruz, Dep't of Housing & Community Development
831-420-5108
cberg@ci.santa-cruz.ca.us

Location: Santa Cruz, California
Website: www.ci.santa-cruz.ca.us/pl/hcd/ADU/adu.html

Implemented: 2003

SMART GROWTH PRINCIPLES ACCESSORY DWELLING UNITS

- | | | |
|-----|------------------------------------|---|
| #1 | Includes Mixed Land Uses | |
| #2 | Exhibits Compact Building Design | ★ |
| #3 | Provides Range of Housing Types | ★ |
| #4 | Promotes Walkable Neighborhoods | ✓ |
| #5 | Exhibits a Distinct Sense of Place | |
| #6 | Preserves Open Space | ✓ |
| #7 | Utilizes Existing Development | ✓ |
| #8 | Provides Transportation Choices | ✓ |
| #9 | Practices Fair Decision-making | ★ |
| #10 | Promotes Stakeholder Participation | ✓ |

Additional Smart Growth Initiatives can be found at www.smartgrowth.org.

Appendix 2

Pinellas County Land Development Code Affordable Housing Incentives

AFFORDABLE HOUSING INCENTIVES

offered through the

PINELLAS COUNTY LAND DEVELOPMENT CODE



**Pinellas County Community Development
600 Cleveland Street, Suite 800
Clearwater, Florida 33755**

Affordable Housing Incentives offered through the Pinellas County Land Development Code

Purpose and Intent

Section 138-1346 of the Pinellas County Land Development Code describes the procedure for certification of Affordable Housing Developments ("AHD"), specifies incentives available to developers of AHD's, and provides for a review process for approval of these incentives. Affordable Housing Development is defined as owner-occupied housing development in which at least 20 % of the units are affordable to households at or below 80% of Area Median Income ("AMI") or rental housing development in which 20% of the units are affordable to households at or below 60% of AMI. Income limits are updated periodically and are available from the Community Development Department upon request.

Incentives to Encourage Provision of Affordable Housing

The incentives listed below are made available by the Board of County Commissioners in order to encourage development of affordable housing in unincorporated Pinellas County. These incentives are fully described in the Appendix to this document and in the Pinellas County Land Development Code.

- Expedited Permit Processing
- Impact and Review Fee Relief
- Reduced Parking Requirements
- Housing in Commercial Zones
- Donation of Publicly Owned Land
- Identifying Qualified Renters or Buyers
- Density Bonuses
- Accessory Structures
- Reduced Setbacks
- Street Design Modifications
- Zero Lot Lines

The Community Development Department administers the AHD certification process, provides relief of impact and review fees, and enforces mechanisms to ensure affordability of assisted units and compliance with applicable regulations. The Development Review Services Department processes all requests for modification of development standards.

Owner-Occupied Housing

Builders and developers of affordable homes for sale to income-eligible households may seek expedited permit processing; relief from County impact, connection, and review fees; and modification of development standards. Impact and connection fee relief is provided only for the number of units that serve eligible residents and may be limited to 20% of the total units in a development. The price of the home may be restricted by the source of funds used to pay the fees or by local policy. Maximum house prices are determined annually and are available from the Community Development Department. To be eligible for fee relief, the builder or developer must be certified as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement. Fee relief for owner-occupied housing is available only to the extent that budgeted funds remain available at the time of certification. Impact and connection fee relief is also available to an owner or builder building a single stand-alone affordable unit.

Rental Housing Development

Developers building affordable units for rent to income-eligible households may seek expedited permit processing; relief from County impact, connection, and review fees; and other incentives provided through modification of development standards. Applicants for fee relief must sign a Land Use Restriction Agreement pledging to rent to eligible households at affordable rents for the period required by the funding source or by local policy. To be eligible for fee relief, the developer must

apply for certification as an Affordable Housing Development prior to applying for permits. There can be no waiver of this requirement. Impact and connection fee relief is provided only for the number of units that will serve eligible households and is limited to 20% of the total units. Rental housing fee relief is available only to the extent that budgeted funds remain available at the time of certification.

Within a rental community, affordable units may not be substantively different from market rate units in size, amenities, or condition. Affordable rents are determined annually and are available from the Community Development Department. Owners may adjust rental rates as maximum rents change and must give residents at least 30 days written notice before increases are implemented. Residents whose incomes increase above program limits are not required to move. However, the next available unit must be rented to an eligible household.

Administrative Procedures

Builders and developers may submit applications for AHD certification to the Community Development Department at any time. If certified as an AHD, the developer is issued a voucher specifying the amount of impact and connection fee relief, if any, for which the project is eligible and the time limit on the use of the voucher. The voucher also serves as documentation of AHD certification and is submitted with permit and review applications. The applicant will immediately be entitled to permit and review fee waivers and expedited permit processing.

If a certified AHD is seeking modification of development standards, the developer must provide a concept plan and an explanation of why the requested modifications are needed. The developer also submits plans and specifications where appropriate. The Development Review Administrator serves as an ombudsman to shepherd the AHD through the review

and permitting process and is responsible for coordinating all County review comments, questions, and responses. This ombudsman will provide the developer with a single point of contact for all questions concerning the review process.

Certain modifications of development standards are awarded through administrative action. Other modifications require action of the Board of Adjustment. Development Review Services prepares all recommendations to the Board of Adjustment. Modifications are recommended for approval based on local housing needs and compatibility with the surrounding neighborhood. Staff and the Boards reserve the right to review architectural designs and specifications and, where appropriate, make recommendations that would enhance the development and the neighborhood. If the request for modifications is approved, the developer will be issued a variance or special exception. The developer shall insure that all housing is constructed and operated in accordance with the plans reviewed and approved by the County.

Impact and connection fees are prepaid by the developer and reimbursed once the Community Development Department receives documentation of compliance with the applicable criteria. Funds for fee relief are limited and available on a first-come, first-serve basis

Summary

The intent of Section 138-1346 of the Pinellas County Land Development Code is to provide private sector builders and developers with regulatory and financial incentives to produce affordable housing in Pinellas County. This section is intended to be a tool to both spur construction and to engage the creativity of our development community. It is our goal that all your interactions with Pinellas County government be simple and straightforward. We need your feedback on how we're

doing and where you see opportunities for improvement. Your comments and suggestions are always welcomed.

For further information, contact Bernie Carnevale in the Pinellas County Community Development Department at (727) 464-8241, bcarneva@co.pinellas.fl.us.

Appendix

Pinellas County Land Development Code Section 138-1346 Affordable Housing

The following is excerpted directly from Section 138-1346 of the Pinellas County Land Development Code.

(a) Purpose and Intent. The purpose and intent of this section is to provide a permitting procedure for the construction of affordable housing in keeping with the affordable housing incentive plan (Resolution 94-60) adopted by the board of county commissioners pursuant to the state housing initiatives partnership (SHIP) program pursuant to F.S. § 420.9072. This section will describe procedures and criteria for the certification of affordable housing developments (AHD's), describe the package of incentives which may be made available to developers of AHD's and provide a review process for the approval of AHD's. This section may also provide reference to other county ordinances and regulations effecting the development of AHD's.

(b) Incentives. The following incentives may be made available to encourage the provision of affordable housing:

(1) *Expedited permit processing.* The county administrator shall provide a review process that gives AHD's priority in the permit review process. A two-week turnaround time shall be the desired goal for the processing of a site plan for such development. To assist in achieving this goal a pre-application meeting will be required between the applicant and county site plan review staff. The development review administrator will serve as an ombudsman to assist the applicant in achieving an expeditious review.

(2) *Impact and other review fees may be waived or paid by the county.* The county administrator is authorized to waive all fees for affordable housing units, except where "bond covenants" (i.e. on water, sewer connection fees) or other legal constraints prevent such waiving. Subsidies for payment of fees may be provided in the form of deferred payment or low interest loans. The department of community development shall administer a program to assist the applicant subject to available funds.

(3) A density bonus of up to 50 percent above the normal density permitted by this chapter may be provided as a special exception pursuant to article II division 7 of this chapter. Such bonus shall be subject to compatibility with the surrounding natural and physical environment, site constraints, concurrency management requirements and shall be in keeping with the purpose and intent of this chapter.

(4) Parking requirements may be reduced where it can be shown that such reduction will be compatible with the surrounding neighborhood and not cause an adverse impact to the neighborhood. Such reduction shall be reviewed by the board of adjustment pursuant to section 138-240(23).

(5) Setback requirements may be reduced up to 25 percent provided such reductions are not permitted for structures along the periphery of the AHD. Reductions along the periphery or in excess of the 25 percent limitation may be considered by the board of adjustment.

(6) Zero lot line configuration will be permitted in all single-family residential districts as follows:

a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is the normal requirement of the district in which the AHD is located. All other requirements must be met including article 4 division 11 of this chapter shall be applicable.

b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.

(7) *Street design.* Modifications in street layout and design may be permitted subject to site constraints, type and intensity of development, and compatibility with surrounding development. The county public works director or his designee may recommend such modifications as deemed appropriate to achieve the intent of this section. However, such recommendation will be in keeping with standard, safe engineering practice and construction standards generally shall not be modified.

(8) *Donation of publicly owned land.* County ordinance 88-47 currently permits donations of escheated property to nonprofit organizations. Using state or federal housing funds, the county may also make deferred payment or low-interest loans to both nonprofits and for-profits for the purchase of property when the use meets the requirements of the funding source.

(9) *Guest cottages.* Will be permitted in all areas permitting single-family homes subject to size limits, design

guidelines, parking and that the primary unit be owner-occupied (see section 138-1).

(10) *Identifying qualified buyers or renters.* Existing sources will be identified and made available to AHD's to provide assistance in locating a qualified pool of homebuyers and renters for the affordable units. The department of community development will make this information available.

(11) *Affordable housing development.* Up to ten units per acre shall be permitted in commercial zoning districts provided all development standards of the zoning district are adhered to. Where residential development is provided as upper floors above commercial uses, the allowable floor area permitted for the commercial use shall not be reduced.

Appendix 3

Florida Housing Coalition Model Inclusionary Housing Ordinance

APPENDIX 3

MODEL INCLUSIONARY HOUSING ORDINANCE

The model inclusionary housing ordinance that follows is only a starting place. It must be modified to conform to your local government's needs.

AFFORDABLE HOUSING INCLUSIONARY ORDINANCE

AN ORDINANCE OF _____ COUNTY, FLORIDA,

ESTABLISHING THE COUNTY'S AFFORDABLE HOUSING INCLUSIONARY DEVELOPMENT ORDINANCE; DESCRIBING THE INTENT AND PURPOSE OF THE ORDINANCE; PROVIDING APPLICABILITY, PROVIDING PAYMENT IN LIEU OPTION, PROVIDING FOR EXEMPTIONS, PROVIDING FOR DEVELOPMENT INCENTIVES; PROVIDING FOR ADMINISTRATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION I. CREATION

The _____ County Affordable Housing Inclusionary Development Ordinance is hereby created as follows:

SECTION II. PURPOSE AND INTENT

The purpose and intent of the Inclusionary Development Ordinance is as follows:

1. To implement the goals, policies, and objectives of the _____ Comprehensive Plan to increase the supply of housing that is available and affordable to very-low, low, and moderate income persons; and
2. To provide a range of housing opportunities for those who work in _____ County and who provide the community with essential services but may be unable to pay market rents or housing prices in the community; and
3. To ensure that affordable housing opportunities are available throughout the entire community; and
4. To ensure that such housing remains in the affordable housing stock; and
5. To mitigate the impacts of market-rate housing on the supply and cost of very-low, low and moderate income housing, due to the decreasing available supply of developable sites in _____ County and the upward pressure on the pricing of all housing in the county; and
6. To provide incentives to developers of residential developments providing inclusionary housing; and
7. To provide alternative methods for compliance with the intent of this Ordinance, including payment in lieu to a Housing Trust Fund.

SECTION III. DEFINITIONS

The following words and phrases, as used in this Section, have the following meanings:

1. Affordable Housing Units (*either refer to the definition in the local SHIP ordinance. or draft a definition such as*):
Affordable Units are housing for which monthly mortgage payments (including taxes and insurance), or monthly rents (including utilities), do not exceed thirty percent (30%) of that amount which represents the percentage of the median adjusted gross annual income for the households qualifying under the definitions of very-low, low, and moderate income persons, as provided by the U.S. Department of Housing and Urban Development data provided annually to _____ County by the Florida Housing Finance Corporation.
2. Developments of Regional Impact - as defined in Part II, Chapter 380.06, Florida Statutes

3. Eligible Households - *(you may want to redefine, or refer to the definition in the local SHIP ordinance)*
4. Inclusionary Housing Trust Fund - a trust fund established by _____ County to support the development and preservation of affordable housing *(you should establish a trust fund separate from the local SHIP trust fund)*

SECTION IV. APPLICABILITY

1. The provisions of this Section shall apply to all developments seeking subdivision approval, special permits with site plan review such as Developments of Regional Impact (DRIs) or Planned Unit Developments (PUDs) that propose to develop 50 or more dwelling units of new construction, (hereinafter sometimes referred to as Inclusionary Development). Developments shall not be segmented or phased in a manner to avoid compliance with these provisions.

For the purposes of this policy two or more developments shall be aggregated and considered as one development, if they are no more than 1/4 mile apart and any two of the following criteria are met:

- (i) There is a common interest in two or more developments.
 - (ii) The developments will undergo improvements within the same five-year period.
 - (iii) A master plan exists submitted to a governmental body addressing two or more of the developments.
2. Developments having more than 50 units, shall provide a minimum of fifteen percent (15%) of the total number of permitted dwelling units on-site as Affordable Units as follows: Ten percent (10%) of the Affordable Units shall be affordable to moderate income families (those earning less than 120% of area median income) and five percent (5%) of the Affordable Units shall be affordable to low income families (those earning less than 80% of the area median income). Where the application of this formula results in a fractional dwelling unit, that fractional unit shall be considered as one Affordable Unit.

3. All Affordable Housing Units shall remain affordable in perpetuity though the use of a deed restriction that shall be recorded in the public records of _____ County.

4. All Affordable Housing Units shall be initially and subsequently certified as to unit and income household eligibility by the _____ County Housing Office, based on the current SHIP income guidelines provided annually by the Florida Housing Finance Corporation; and, in the event of rental units, shall be monitored at least annually thereafter.

SECTION V. DEVELOPER INCENTIVES

1. All eligible households shall have the benefit of additional downpayment and closing cost assistance, provided specifically for housing produced pursuant to this inclusionary housing ordinance, within the _____ County SHIP Local Housing Assistance Plan;

2. All Inclusionary Developments providing inclusionary units shall have the benefit of a density bonus as provided pursuant to _____ Ordinance without further review or approval.

3. All Affordable Units constructed pursuant to this Ordinance shall have fees waived for building permits....*(whatever fees the local government may be able to waive to provide further incentives to the developer)*

All PUD developments developed in accordance with this inclusionary housing ordinance shall have the benefit of PUD pre-application fee and PUD application fee waiver.

SECTION VI. PAYMENT IN LIEU OPTION

1. Although it is intended that Affordable Units be included on-site, _____ County may allow the requirements of this ordinance to be met through the payment of a fee in lieu of construction for Developments with less than 100 residential units, as follows:

a) The fee in lieu of construction shall be equivalent to 25% of the difference between the average proposed selling price of units within a PUD, the current phase of a DRI, and the maximum affordable housing sales price allowed under the _____ County SHIP Home Buyer Program at the time of payments. In no event shall the fee exceed \$50,000.

b) A request may be made to the Board of County Commissioner to accept an alternative to the payment in lieu option, in the event some equal or greater contribution is proposed that would further the goals of this ordinance. Examples include, but are not limited to, the donation of developable land in an area that would provide housing choice and accessibility to employment opportunities, or the provision of infrastructure in specific areas where the County plans to build or rehabilitate affordable housing.

c) The Affordable Housing In Lieu Fee shall be deposited in the Inclusionary Housing Trust Fund of _____ County.

Example

80-Unit Development
15% Reserved for Low and Moderate Income Buyers

10% Mod.	8 units
5% Low	4 units
Total =	12 units

With a mean (average) proposed sales price of \$175,000:

\$175,000
-106,017 (maximum SHIP sales price for _____ County, new construction)
68,983
<u> x .25</u>
\$17,245.75 per unit
<u> x 12</u>
\$206,949 payment in lieu due to County

SECTION VII. EXEMPTIONS

The following developments shall be exempt from this Ordinance:

1. Developments intended to accommodate the construction of less than fifty residential units;
2. Residential development provided as part of the County's affordable housing program, or any federal, or state affordable housing and community development programs;

- 3. Residential development in census tracts where the median family income is equal to or less than the median family income for _____ County, except for Developments of Regional Impact. This Ordinance applies to Developments of Regional Impact having a residential component wherever located.
- 4. Nursing homes, assisted care living facilities, and retirement homes;
- 5. School dormitories; and
- 6. Mobile home and manufactured home parks and subdivisions.

SECTION VIII. ADMINISTRATION

The implementation of the Ordinance shall be administered by the Department of Community Development, (or *whenever the appropriate local office, such as SHIP office is called in your area*) or its successor in interest. Among other things, this Department shall be responsible for certifying the eligibility of applicants before certifies of occupancy or their equivalent are issued inclusionary units and for certifying eligibility of tenants for rental units. (*In this Ordinance or in the ordinance establishing the Inclusionary Trust Fund you may want to provide that a certain portion of the funds may be used for administration.*)

SECTION IX. SEVERABILITY

If any work, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed as a separate, district and independent provision and such holding shall not affect the validity of the remaining portion of the Ordinance.

EFFECTIVE DATE

This Ordinance shall become effective according to law.

DULY PASSED AND ADOPTED THIS _____ DAY OF _____, 2001.

By: _____

Board of County Commissioners

ATTEST:

Clerk of the Circuit Court

BY: _____

APPROVED AS TO FORM

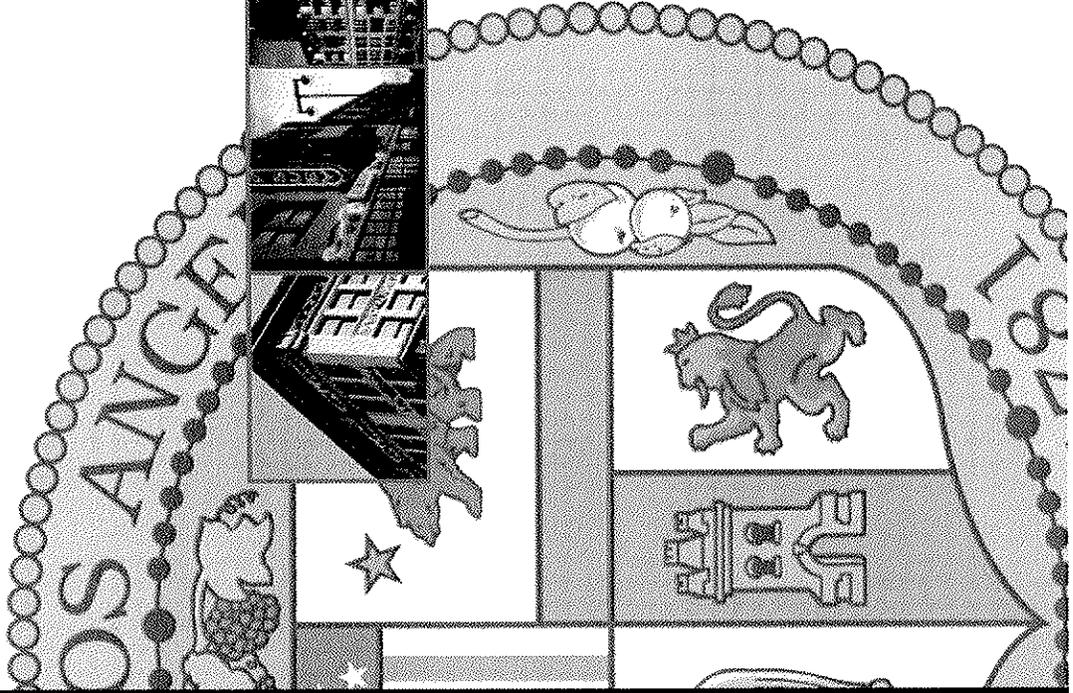
County Attorney

Appendix 4

City of Los Angeles Adaptive Reuse Program Summary

MAYOR JAMES K. HAHN'S

Adaptive Reuse Program



- Creates new housing opportunities
- Revitalizes neighborhoods
- Preserves historic architecture
- Encourages community development
- Stimulates economic investment
- Facilitates mixed-use growth models



MAYOR HAHN'S OFFICE OF ECONOMIC DEVELOPMENT
LAS Housing and Business Team
200 North Spring Street, Los Angeles, CA 90012
(213) 378-0600 Fax: (213) 978-0780
<http://www.lacity.org/mayor/fmoed/arp>

PHOTO CREDITS:

Interior of Sanjeev Court - Gary Leonard - Standard Hotel Doors, Interior and rooftop pool - Jim Strout/Porter
All other photos by Jeff Malin except Far East Cafe and Interior of Flower Street Lofts

Publication funded by a grant from the State of California Department of Housing & Community Development under the Downtown Rebound Planning Grant program. The grant was administered by the Los Angeles Housing Department and included studies in several areas. To access the studies, please visit LAHD's web site: <http://www.lahd.org/ahd>

ABOUT ADAPTIVE REUSE

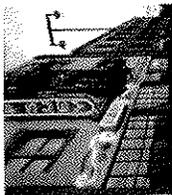
Adaptive Reuse is the conversion of existing vacant or underutilized buildings into new residential and live/work spaces

In 1999, the City adopted landmark legislation to encourage the conversion of downtown's mostly historic office buildings into lofts, apartments, condominiums, and hotels. The *Adaptive Reuse Ordinance's* mission was to attract residents and visitors who would bring vitality to the urban core, while addressing the City's housing crisis. Restaurants, stores and nightlife venues would follow, and downtown Los Angeles would once again become a 24-hour central city.

By any measure, the new ordinance has been a spectacular success. Media attention has been widespread. Starting with the Old Bank District, a 230-unit project at 4th and Main, over 2,100 units have been completed. Almost 8,000 additional units are either under construction or in the development pipeline. The new residents come from all over the city, attracted by Downtown's unmatched cultural venues, transit and subway access, and business and government centers.



Santee Court



Far East Café

The *Adaptive Reuse Ordinance* works by significantly reducing the time required to obtain a building permit. Changing an industrial or a commercial building to a new residential use would normally require compliance with numerous rules and regulations. The ordinance works by cutting through this red tape. The advantage has been significant, enabling the City to leverage an extraordinary amount of private sector investment with a minimum of public subsidy.

Encouraged by the success in downtown, the City expanded the *Adaptive Reuse Ordinance* to cover the historic suburbs of Hollywood, Chinatown, Lincoln Heights, and Wilshire Center business districts. New adaptive reuse projects in these areas are already in the works. Effective on December 1, 2003, the ordinance was expanded citywide, providing a streamlined process for revitalizing neighborhoods and providing much needed housing throughout the City of Los Angeles.

Overview

"Adaptive reuse" means adapting existing, economically obsolete buildings for new, more productive purposes. The changes are substantial, physical alterations that modify the building's original, intended use. For the City of Los Angeles Adaptive Reuse Program, an adaptive reuse project means converting existing buildings to new apartments, condominiums, live/work spaces, or hotel rooms.

Incentive Areas

The City of Los Angeles has designated the following as adaptive reuse incentive areas:

Downtown Los Angeles (Central City community plan area and the Figueroa Corridor economic development strategy area)

Hollywood redevelopment project area
Wilshire Center/Koreatown redevelopment project area (certain portions only)

Central Avenue (between Vernon Avenue and the Santa Monica Freeway)

Adaptive reuse projects outside these designated incentive areas may be approved on a case-by-case basis by the Department of City Planning.

Standards

Apartments, Condominiums and Live/Work Spaces: The minimum size for each unit is 450 square feet. The minimum average size for all units in a single building (or group of buildings) is 750 square feet.

Hotel Rooms: Each hotel room must include a toilet and bathing facilities. There is no required minimum size or minimum average size for hotel rooms.

Program Incentives

Density: Underlying density restrictions are waived. There is no limit on the number of apartments, condos, live/work spaces, or hotel rooms permitted, so long as the project complies with the standards specified above.

Exceptions: When an existing building is converted to an adaptive reuse project, non-conforming floor area, setbacks and height are "grandfathered in." A variance is not required.

Mezzanines: Loft spaces may be added, so long as they do not exceed one-third the size of the floor below and comply with the program's fire/life safety requirements.

Loading Space: Not required.

Parking: No new parking spaces are required. However, existing parking spaces must be maintained, but may be used for any on-site or off-site use.

Fire/Life Safety: Flexibility is provided in meeting the following requirements: building code, disabled access, electrical code, fire code, mechanical code and seismic upgrade.



Los Angeles has always been a city of innovation, the place where new ideas get their start. Today, our city is transforming itself again. How? By turning its historic commercial and industrial buildings into beautiful lofts, apartments, condominiums, and even hotels.

The process is called adaptive reuse, a trend taking hold in communities all across the city, from downtown to Hollywood, from San Pedro to the San Fernando Valley.

Adaptive reuse is an important part of my comprehensive plan for building needed housing and revitalizing neighborhoods. This brochure explains my adaptive reuse program and how it has helped produce thousands of housing units citywide.

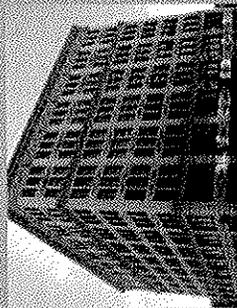
By reclaiming the rich cultural legacy of our past, we can create a vibrant future for Los Angeles. Take a look at some of the older buildings around the city and imagine what they will become in the next few years thanks to adaptive reuse.



JAMES K. EAKIN
Mayor

Flower Street Lofts

Case Study #1
The Old Bank District Lofts



The San Fernando

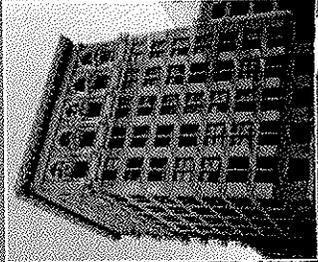
The Old Bank District, located just south of City Hall, first started the downtown residential boom. Gilmore Associates led the redevelopment of three historic buildings: the San Fernando, the Hellman, and the Continental. For years, these once-empty structures were considered a nuisance. Today, they're the center of a thriving new residential community.

The eight-story San Fernando was the first to be redeveloped. This 1906, Renaissance revival style building was originally six stories. Then, in 1911, two stories were added. At one time, the basement included a café, a billiards room, and even a Turkish bath. Today, the building features 70 lofts, the award-winning Pete's Café, Bank Art Gallery, Victor's History Store, the Banquette Coffee Shop, and a yoga studio.

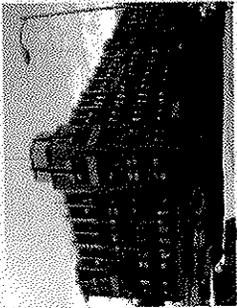
The seven-story Hellman, with its perplexing configuration, fronts on Fourth, Main, and Spring streets. The building was constructed over three phases, from 1905 to 1914 for Los Angeles's first banker, Isaias W. Hellman. Today, this Beaux-Arts style building houses 104 lofts, a Quizno's, the Old Bank District General Store, and the Waring Indonesian Café.

The thirteen-story Continental was Los Angeles' first skyscraper. This Beaux-Arts style building was designed in 1904 by renowned architect John Parkinson—the same architect that designed City Hall twenty-four years later. Today, the Continental has found a new life as 56 lofts.

The Hellman



The Continental



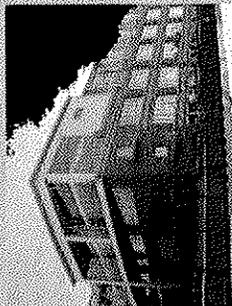
Santee Court

At the beginning of the 20th century, Michael J. Connell developed the first garment manufacturing buildings in an area that became and is known today as downtown's Fashion District. Designed by architects Arthur Angel and Carl Leonard, the Connell, the Bailey Hat, and the Brownstein-Louis buildings were constructed between 1911 and 1912. All three buildings have been locally designated as historic monuments.

MJW Investments converted these buildings into 165 loft-style apartments, completing the first phase of downtown's largest adaptive reuse project, Santee Court. Twenty percent of the lofts are affordable units. Amenities include a rooftop garden, a basketball court, and a swimming pool. There's even a rooftop mini driving range and a hot tub.

The buildings are connected by a landscaped, pedestrian promenade (complete with outdoor tables and chairs) that was originally a service alley. The promenade is anchored by Rite Aid and also features a Subway eatery. Other retail tenants will include a market and a food court.

Casa Study #4
Flower Street Lofts

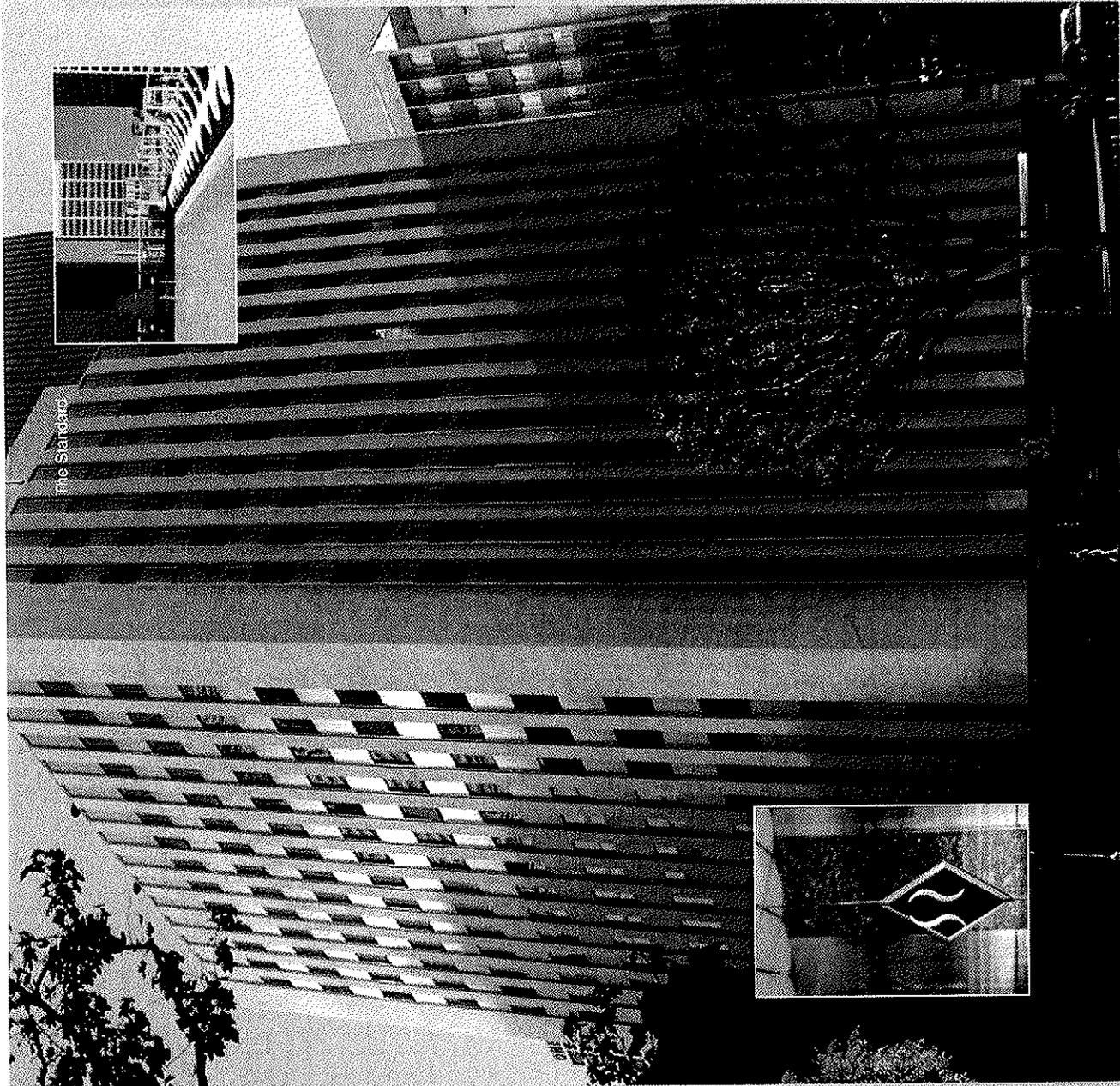


The Lee Group spearheaded the Flower Street Lofts, downtown's first for-sale adaptive reuse project. In September, 2003, the United Parcel Service's central operations facility was reborn, with a newly constructed floor, as 91 loft-style condominium homes. At a record pace, the project sold out, proving there's a vibrant condominium market in downtown Los Angeles.

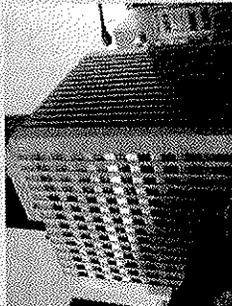
Flower Street Lofts is located in South Park, across the street from the Staples Center, and next to the Palm Restaurant. With the Harbor freeway and the Blue Line close by, transportation access couldn't be more convenient to its homeowners.



The Standard



The Standard of Finance



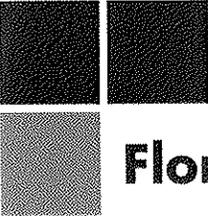
The Superior Oil Company once occupied this historic office building, which now holds 207 of the most artistic hotel rooms in the City. The Columbia Development Group completed the hotel, which provides an ideal option for business travelers and visitors who want to experience the essence of downtown Los Angeles.

Located in the Financial District and famous for its newfangled rooftop bar, where patrons can take in the view of downtown's glittering skyline, the Standard is a popular gathering spot where hotel guests can escape to its stylish lounge and rooftop infinity pool.



Appendix 5

Florida Housing Finance Corporation Affordable Housing Programs



Florida Housing's Affordable Housing Programs

HOMEOWNERSHIP PROGRAMS

First Time Homebuyer Program

Florida Housing issues bonds under the Single Family Mortgage Revenue Bond Program and the proceeds from these bonds are used to originate 30-year mortgage loans through the First Time Homebuyer Program. First-time homebuyers then benefit from lower mortgage interest rates due to the tax-exempt status of the bonds. Eligible borrowers have to meet certain criteria such as the first-time homebuyer requirement, as defined by the Internal Revenue Code, credit worthiness, and an appropriate income level, not exceeding program limits.

Down Payment Assistance Programs

Funds for down payment assistance and closing costs are often provided in conjunction with the First Time Homebuyer Program through the Homeownership Assistance Program (HAP), the HOME Investment Partnerships program, the Homeownership Assistance for Moderate Income (HAMI) program and Three Percent Cash Assistance.

Homeownership Pool Program

Florida Housing Finance Corporation, in response to the recognized need to enhance the ability and process of Developers to match qualified homebuyers with purchase assistance, has created the HOMEOWNERSHIP POOL ("HOP") PROGRAM. The "HOP" Program is designed to be a noncompetitive and on-going program, where Developers, by way of an online system have the ability to reserve funds for eligible homebuyers to provide purchase assistance on a first-come, first-served basis.

Mortgage Credit Certificate

A Mortgage Credit Certificate (MCC) allows the homebuyer to claim a tax credit for some portion of the mortgage interest paid per year. It is a dollar for dollar reduction against their federal tax liability. An MCC may be issued to homebuyers at tax credit rates varying from 10 percent to 50 percent based on the mortgage interest paid per year capped at \$2,000 annually. Florida Housing determines the tax credit rate. The credit is non-refundable but may be carried forward for a period up to three (3) years.

MULTIFAMILY DEVELOPMENT PROGRAMS

Multifamily Mortgage Revenue Bonds

The Multifamily Mortgage Revenue Bond program uses both taxable and tax-exempt bonds to provide below market rate loans to nonprofit and for-profit developers who set aside a certain percentage of their apartment units for low income families. Proceeds from the sale of these bonds are used to construct or acquire and rehabilitate multifamily rental properties. The Bond program's application scoring and ranking criteria encourage increased set asides for low-income households. Special consideration is given to properties that target specific geographic areas such HOPE VI communities.

Florida Affordable Housing Guarantee

The Florida Affordable Housing Guarantee Program encourages affordable housing lending by issuing guarantees on financing for affordable housing. This program provides guarantees on taxable and tax-exempt bonds, and creates a security mechanism that allows lenders to sell affordable housing loans in the secondary market. It also encourages affordable housing lending activities that would not otherwise have taken place.

HOME Investment Partnerships

The HOME program provides non-amortizing, low interest rate loans to developers of affordable housing who acquire, rehabilitate, or construct housing for low income families. Loans are offered through the annual Universal Cycle at the simple interest rate of zero percent to nonprofit applicants and three percent to for-profit applicants. Florida Housing's HOME program is designed for smaller developments in rural areas.

Florida Housing's Affordable Housing Programs

Elderly Housing Community Loan

A portion of State Apartment Incentive Loan funds is set aside to fund the Elderly Housing Community Loan (EHCL) program. This program provides up to \$750,000 in loans to make substantial improvements to existing affordable elderly rental housing. The EHCL program generally has one competitive funding cycle each year and the application period is open for a minimum of 60 days. These funds are available for the purpose of making building preservation, sanitation repairs or improvements required by federal, state or local regulation codes, and for life safety or security related improvements.

Low Income Housing Tax Credits

The competitive Housing Credit program provides for-profit and nonprofit organizations with a dollar-for-dollar reduction in federal tax liability in exchange for the acquisition and substantial rehabilitation, substantial rehabilitation or new construction of affordable rental housing units. Special consideration is given to properties that target specific demographic groups such as the elderly, homeless people, farmworkers and commercial fishing workers. Consideration is also given to properties that target specific geographic areas such as the Florida Keys, rural areas, urban infill areas, and Front Porch Florida communities.

State Apartment Incentive Loan Program

The State Apartment Incentive Loan (SAIL) program provides low-interest loans on a competitive basis to developers of affordable rental housing each year. SAIL funds provide gap financing that allows developers to obtain the full financing needed to construct affordable multifamily units. SAIL dollars are available to individuals, public entities, and nonprofit or for-profit organizations for the construction or substantial rehabilitation of multifamily units. Special consideration is given to properties that target specific demographic groups such as the elderly, homeless people, farmworkers, and commercial fishing workers.

SPECIAL PROGRAMS

Predevelopment Loan Program

The Predevelopment Loan Program (PLP) assists nonprofit and community based organizations, local governments, and public housing authorities with planning, financing, and developing affordable housing. Eligible organizations may apply for a loan of up to \$500,000 for predevelopment activities such as rezoning, title searches, legal fees, impact fees, administrative costs, soil tests, engineering fees, appraisals, feasibility analyses, audit fees, earnest money deposits, insurance fees, commitment fees, administrative costs, marketing expenses, and acquisition expenses. Technical assistance is also provided.

State Housing Initiatives Partnership

The State Housing Initiatives Partnership (SHIP) program provides funds to local governments on a population-based formula as an incentive to produce and preserve affordable housing for very low, low, and moderate income families. These funds are derived from the collection of documentary stamp tax revenues, which are deposited into the Local Government Housing Trust Fund. SHIP funds are distributed on an entitlement basis to all 67 counties and 50 Community Development Block Grant entitlement cities in Florida. The minimum allocation per county is \$350,000. SHIP dollars may be used to fund emergency repairs, new construction, rehabilitation, downpayment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. Each participating local government may use up to ten percent of their SHIP funds for administrative expenses.

Demonstration Loans

Florida Housing issues Demonstration Loans under authority of 420.507, F.S. Demonstration Loans are issued through a request for proposals (RFP) process one or more times throughout the year. Each RFP is developed to address a certain type of special needs housing. Demonstration Loans have been approved for housing for homeless people and elders, farmworkers, persons with disabilities and victims of domestic violence.

Affordable Housing Catalyst Program

The Affordable Housing Catalyst Program provides on-site and telephone technical assistance and training on the State Housing Initiatives Partnership Program (SHIP), the HOME Investment Partnerships Program and other affordable housing programs. This technical assistance includes assisting agencies in leveraging those dollars with other public and private funding sources, training on forming local and regional public/private partnerships, working effectively with lending institutions, implementing regulatory reform, training for boards of directors, implementing rehabilitation and emergency repair programs, developing volunteer programs, assisting with the design and establishment of fiscal and program tracking systems, and compliance requirements of state and federally funded housing programs. Workshops are conducted throughout the year at locations around the state.

Florida Housing's Affordable Housing Programs

HURRICANE HOUSING RECOVERY PROGRAMS

The eight hurricanes that hit Florida in 2004 and 2005 damaged approximately one million homes. As part of Florida's response, Governor Bush created the Hurricane Housing Work Group, which made recommendations in February 2005 for the appropriation of hurricane housing recovery funds. During the 2005 legislative session, the Florida Legislature approved \$250 million in funding for some of these recommendations, including a locally-administered Hurricane Housing Recovery Program (HHRP), funded at \$208 million, and the Rental Recovery Loan Program (RRLP), funded at \$42 million.

In 2006, the legislature appropriated another \$92.9 million for RRLP and \$15 million to fund two additional hurricane housing recovery programs recommended by the Hurricane Housing Work Group, the Farmworker Housing Recovery Program (FHRP) and the Special Housing Assistance and Development Program (SHADP).

Hurricane Housing Recovery Program

The \$208 million Hurricane Housing Recovery Program was established to enable local governments impacted by the 2004 hurricanes to develop and implement long-term affordable housing strategies for their communities. The Work Group identified 28 counties that would be eligible for funding through this program and recommended various funding levels for each of those counties. The Legislature made those funds available on July 1, 2005. Local governments developed and submitted disaster recovery plans to Florida Housing that outlined how their funding would be spent. Local governments are currently in varying stages of rebuilding and recovery using HHRP funds.

Hurricane Housing Recovery Program Fast Facts:

- HHRP was developed to assist households earning incomes up to 120% of area median income (AMI), with 30 percent of program funds reserved for extremely low-income households.
- Eligible Activities include:
 - ▶ Repair and replacement of site built housing;
 - ▶ Land acquisition;
 - ▶ Construction and development financing;
 - ▶ Down payment, closing costs, and purchase price assistance for site-built and post-1994 manufactured homes where the wind load rating is sufficient for the location;
 - ▶ The acquisition of building materials for home repair and construction;
 - ▶ Housing re-entry assistance, such as security deposits, utility deposits, and temporary storage of household furnishings, rental assistance; and
 - ▶ Community collaboration activities to develop affordable housing.

Rental Recovery Loan Program

The Rental Recovery Loan Program has made funds available to affordable housing developers in 2005 and 2006 as a means of leveraging existing federal rental financing programs, such as Multifamily Mortgage Revenue Bonds. One of the goals of this program is to facilitate the production of additional affordable rental housing stock in areas hurt by the hurricanes.

Rental Recovery Loan Program Fast Facts:

- At least 70% of the units must be set aside for those at or below 60% of area median income (AMI), and a minimum of 15% set-aside for extremely low income (ELI).
- Units must be set aside as affordable for at least 50 years.
- There is a supplemental forgivable loan provided for each ELI unit that a developer commits to set aside for at least 20 years.
- Rents for all units financed through this program are restricted at the appropriate income level using the restricted rents applicable for the Low Income Housing Tax Credit program.

Florida Housing's Affordable Housing Programs

Farmworker Housing Recovery Program

The Farmworker Housing Recovery Program (FHRP) provides one-time funds to finance the construction and/or rehabilitation of housing for farmworkers, with special targeting to migrant farmworkers. Funds will be awarded on a competitive basis through an application process to finance housing provided by non-profits, public housing authorities and other housing providers. Based on the Hurricane Housing Work Group's recommendations, the FHRP encourages partnerships with nonprofits, farmers, growers, local governments, trade associations or other organizations that can share in the cost of providing this housing. For farmworkers unaccompanied by their families, rents may be based on "beds" as necessary and paid daily, weekly, or monthly. Loans may be forgivable in certain situations. FHRP is targeted to agricultural areas of the state impacted by the 2004 and 2005 storms and proximate to services.

Special Housing Assistance and Development Program

The Special Housing Assistance and Development Program (SHADP) is designed to target smaller rental developments for hard-to-serve populations such as persons with a disability, frail elders and people who are homeless. Funds will be awarded on a competitive basis through an application process to finance housing provided by non-profits, public housing authorities and other housing providers. Based on the Hurricane Housing Work Group's recommendations, SHADP provides flexible loans which may be forgivable in certain situations.

The Hurricane Housing Work recommended that funding be targeted to developments in Tier I and II counties. Based on combined impacts from the 2004 and 2005 storms, those counties are:

- Tier I: Brevard, Broward, Charlotte, DeSoto, Escambia, Hardee, Hendry, Indian River, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, Polk, St. Lucie and Santa Rosa.
- Tier II: Collier, Franklin, Glades, Highlands, Lee, Orange, Osceola and Volusia.

WORKFORCE HOUSING

Community Workforce Housing Innovation Pilot Program

The 2006 Florida Legislature passed House Bill 1363 (Ch. 2006-69, s. 27, Laws of Fla.), a housing bill focused on addressing some of the affordable housing challenges the State currently faces. HB 1363 includes \$50 million for an affordable housing pilot program called the Community Workforce Housing Innovation Pilot Program (CWHIP). Florida Housing will administer CWHIP, and these funds will be awarded on a competitive basis through a Request for Proposals (RFP) process to public-private entities seeking to build affordable housing for Florida's workforce.

CWHIP promotes the creation of public-private partnerships to finance, build and manage workforce housing and requires the coordinated efforts of all levels of government as well as private sector developers, financiers, business interests and service providers. The program requires that 50 percent of the units built using CWHIP funds be targeted to "essential services personnel," to be defined in local SHIP plans. In addition, 80 percent of the units built using CWHIP must be available to households earning incomes up to 140 percent of area median income (AMI). This program may serve a broad range of incomes up to 140 percent of AMI.

Eligible Counties:

- High cost counties (relative cost to purchase home compared to incomes).
- High growth counties.
- Counties willing to make regulatory changes and financial investments in affordable housing.

Eligible Developments:

- Homeownership and rental housing, which may be in a mixed use and/or scattered site setting.
- Developments that have at least 15 percent of the total development costs granted or donated.
- Developments in neighborhoods close to employers, services, transportation.

Appendix 6

Florida Housing Coalition Model Linkage Fee Ordinance

APPENDIX 4
MODEL LINKAGE FEE ORDINANCE

AN ORDINANCE OF THE CITY/COUNTY OF _____, FLORIDA, TO ESTABLISH A LINKAGE FEE TO INCREASE THE SUPPLY OF AFFORDABLE HOUSING, PROVIDING FOR THE PURPOSE AND INTENT, PROVIDING DEFINITIONS, PROVIDING THE ESTABLISHMENT OF AN AFFORDABLE HOUSING LINKAGE FEE, PROVIDING FOR EXEMPTIONS, ESTABLISHING AN AFFORDABLE HOUSING TRUST FUND, PROVIDING FOR IMPLEMENTATION, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE CITY/COUNTY OF _____

SECTION I. Creation

The Code of Ordinances of the City/County of _____ is hereby amended to adopt a linkage fee program to read as follows:

1. The City/County Commission of _____ has determined that the public health, safety and general welfare requires the implementation of an affordable housing program for the following purposes:

- a. To implement the goals, policies and objectives of the _____ Comprehensive Plan,
- b. To provide housing opportunities for lower income families in order to meet the existing and anticipated housing needs of such persons and to maintain a socio-economic mix in the community,
- c. To satisfy the community's obligation to provide that a fair share of the community's housing production is affordable to lower income families,
- d. To provide for a range of housing opportunities for those who work in _____ and who provide the community with essential services but cannot afford to live in the community,
- e. To provide that developments which create additional affordable housing demand within _____ share in the responsibility to provide affordable housing.

SECTION II. Definitions

Affordable Housing. (A definition consistent with the definition in the local SHIP program may be appropriate)

Residential Construction. Enclosed building and floor areas used for living and habitation including screened porches, recreation rooms, guest houses, but excluding garages, carports, open balconies, screen pool enclosures, cabanas, attics and storage sheds.

Square Footage. Square footage shall be calculated in the same method as defined and utilized within the zoning code as calculated for floor area or floor area ratio.

Non-residential Construction. Enclosed building and floor areas used for non-residential purposes, but excluding parking decks or garages, carports or covered parking, attics, external mechanical or storage buildings.

SECTION III. Affordable Housing Fee Established

1. In order to implement an affordable housing program, an affordable housing fee is hereby established, to be paid at the time of the issuance of building permits, based on the following schedule:

- a. For residential construction the fee shall be \$.50 per square foot of construction.
- b. For non-residential construction, the fee shall be \$3.00 per square foot of construction.

2. The affordable housing fee shall be assessed for all new construction, building additions and on the renovation of existing

buildings and building space when the building permit value of the renovation or improvement exceeds fifty (50%) percent of the replacement cost of the building or building space at the time of the construction.

SECTION IV. Exemptions

1. The following buildings constructed within the City/County of _____ shall be exempt from the affordable housing fee:
 - a. Residential buildings constructed as part of the City's affordable housing program.
 - b. Residential building projects which contain a set-aside of housing units(s) which qualify under the definition of affordable housing or residential units which are constructed such that they qualify as affordable housing, as defined herein.
 - c. Non-residential building construction that constitutes the exempt use of property for education, literary, scientific, religious, charitable or governmental use, as defined by Chapter 196, Florida Statutes, or that is used for such purposes by organizations which qualify for exemption from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.
 - d. Nursing homes or assisted living facilities, but not including retirement homes.
2. Whenever questions arise as to the applicability of these exemptions, such interpretations may be requested from the City Commission by the City Manager or by the affected party.

SECTION V. Affordable Housing Linkage Fee Trust Fund

There is hereby established an Affordable Housing Linkage Fee Trust Fund. All fees collected under these ordinance provisions shall be deposited within this fund, and shall be expended only for those purposes budgeted and authorized by the City/County Commission.

SECTION VI. Affordable Housing Program Implementation

The City/County of _____ shall use the funds deposited within the Affordable Housing Linkage Fee Trust Fund for the following purposes:

(Put in eligible uses of funds or tie to an existing program)

SECTION VII. Reference in Building Code

Reference to the Affordable Housing Linkage Fee shall be included within the Building Code, Section ____ Permits; schedule of permit fees.

SECTION VIII. Conflicts

All ordinances or portions of ordinances in conflict herewith shall be hereby repealed.

SECTION IX. Effective Date

This ordinance shall become effective on _____

ADOPTED at a meeting of the City/County Commission of _____, Florida _____ on this _____ day of _____ 2001.

Mayor/County Commission Chair

ATTEST:

City/County Clerk

**ATTAINABLE WORKFORCE HOUSING TOOLKIT
REFERENCE MATERIAL**

East Central Florida Regional Planning Council. *Central Florida Workforce Housing Toolkit.*

Municipal Research and Services Center of Washington. *Affordable Housing Techniques A Primer for Local Government Officials*, March 1992 – Report No.. 22

The Washington Area Housing Partnership. *Toolkit for Affordable Housing Development.*
<http://www.wahpdc.org>

Business and Professional People for the Public Interest. *Success in Affordable Housing: The Metro Denver Experience.* February 2005.
http: www.bpichicago.org

Northeast – Midwest Institute Congress For The New Urbanism. *Strategies For Successful Infill Development.* <http://www.nemw.org/>

Southwest Florida Community Housing Subcommittee. *Housing Policies and Local Initiatives.*

Florida House of Representatives. *House Interim Workgroup on Affordable Housing.* September 20, 2006.

Regional Affordable Housing Initiative of Business and Professional People for the Public Interest. *A Community Guide to Creating Affordable Housing.*
www.bpichicago.org

Interim Workforce Housing Program

Broward Housing Partnership. “*Listing of Potential Affordable Housing Tools*”.

APPENDIX K

Fiscal Impact Analysis

Background

The purpose of fiscal impact analysis is to estimate the impact of a development or a land use change on the costs and revenues to local governments serving the development. Fiscal impact analysis is a tool that enables local governments to estimate the difference between the costs of providing services to a new development and the revenues—taxes and user fees, for example—that will be generated by the development. It is important to realize fiscal impact analysis only deals with the public costs and revenues associated with a project and does not take into account the fiscal impact on the private sector. This type of analysis only seeks to quantify the cumulative effect on a local government's revenues and expenses that are affected by a development.

The Florida Department of Community Affairs has developed a Fiscal Impact Analysis Model (FIAM) by contractual arrangement with Fishkind & Associates, Inc. The model has been made available to local governments in the Treasure Coast Region and throughout the State of Florida. FIAM is designed to serve as the prototype fiscal impact assessment tool for local governments in Florida. FIAM provides estimates for the effects of land use decisions on both the operating budget and capital budget of the local government. The FIAM model is designed to be calibrated with local budget and demographic data for the county that is the subject of the analysis. For this project, the FIAM model is calibrated with current St. Lucie County data.

This analysis uses FIAM to indicate whether the Provinces DRI project would have a positive or negative fiscal impact for the County. Presented here is a summary of total revenues and costs for operating and capital budget items. Results are given in terms of net present values (NPV). The net present value calculation displays how much a future investment is worth in today's dollars. A project's overall NPV is calculated by summing the net capital impact and the net operating impact. A positive NPV generally indicates a good investment.

Summary

The fiscal impact analysis was based upon development of the Provinces DRI property with 603 single family residences, 3,840 multi-family units, 1,000,000 square feet of office space, 1,435,706 square feet of commercial retail space and 240,000 square feet of conference space. The project is estimated to realize higher operating revenues than expenditures over its entire buildout period (Figure 1).

On the capital side, the project's capital revenues are expected to be less than capital outlays over the buildout period (Figure 2). The project's net total fiscal impact is estimated to be \$47.7 million (present value), over the next 20 years.

Figure 1
Project Operating Revenues vs. Operating Expenditures
2006-2020

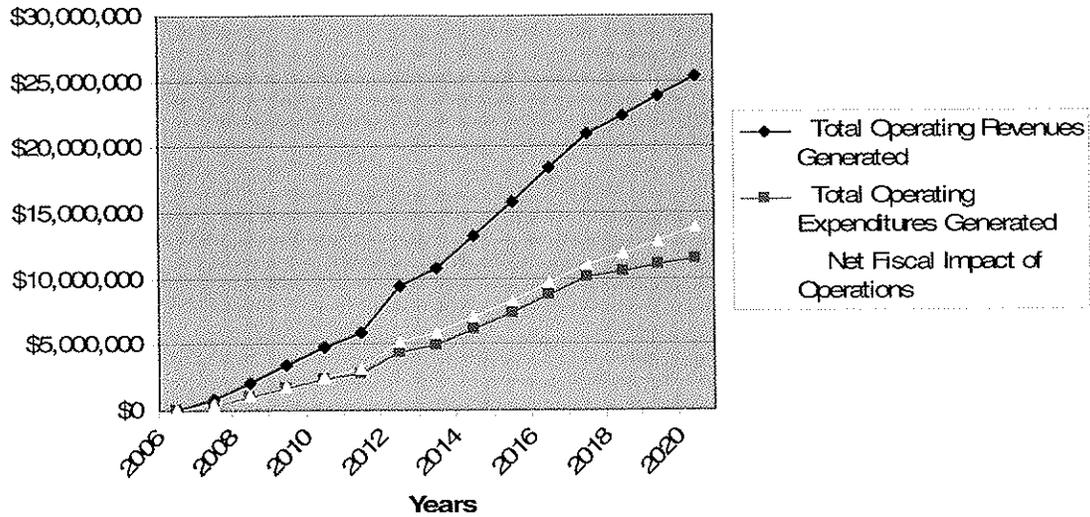
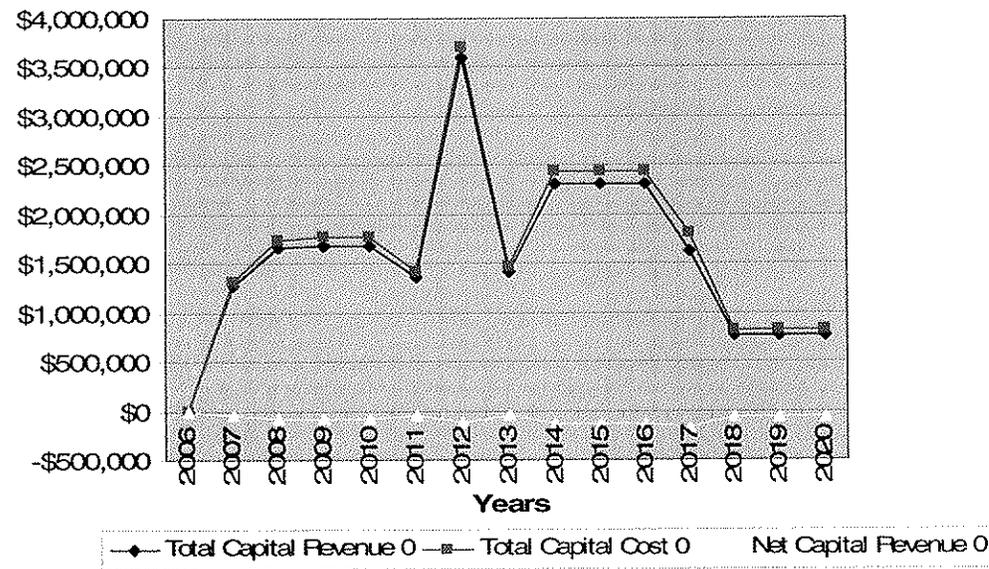


Figure 2
Project Capital Revenues vs. Capital Expenditures
2006-2020



The key fiscal impact analysis assumptions and summary results are presented on the following pages.

**St. Lucie County
Provinces DRI
FIAM Summary**

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Summary of Proposed Development

<u>Land Uses</u>	<u>Units</u>	<u>Volume</u>	<u>Average Value</u>
Single-family	Units	603	\$368,400
Multifamily	Units	3,840	\$241,000
Mobile Home	Units	0	\$0
Hotel	Rooms	350	\$78,125
Retail	Sq. Ft.	1,435,706	\$95
Office	Sq. Ft.	1,000,000	\$120
Warehouse	Sq. Ft.	0	\$0
Industrial	Sq. Ft.	0	\$0
Instutional/Gov't	Sq. Ft.	0	\$0
Golf Course	Holes	0	\$0
Specialty Recreation	Sq.Ft.	240,000	\$140

Summary of Fiscal Impacts

	<u>5 Year Total</u>	<u>10 Year Total</u>	<u>20 Year Total</u>
Operating - Revenue	\$10,954,723	\$66,034,812	\$316,911,161
Operating - Cost	\$5,272,937	\$30,732,163	\$144,775,270
Operating - Net Impact	\$5,681,786	\$35,302,648	\$172,135,891
Operating Present Value	\$3,860,656	\$17,241,706	\$48,268,624
Capital - Revenue	\$6,288,674	\$17,274,425	\$23,501,658
Capital - Cost	\$6,572,421	\$18,019,005	\$24,737,371
Capital - Net Impact	-\$283,747	-\$744,580	-\$1,235,713
Combined Net Impact	\$5,398,040	\$34,558,068	\$170,900,178
Combined Present Value	\$3,661,291	\$16,833,614	\$47,710,142

Table 6
St. Lucie County
Fiscal Impact Assumptions

Taxable Assessment Ratio	96%	(from input data)
Homestead Exemption	\$25,000	(from input data)
% Single-Family with Homestead	90%	(from input data)
% Multifamily with Homestead	50%	(from input data)

Millage

St. Lucie County	4.1248	Mills
Fine & Forfeiture	3.3178	Mills
Erosion Control	0.1000	Mills
Mosquito	0.2757	Mills
Unincorp (Comm. Develop, Law, Storm, Transport)	1.3821	Mills
Parks Capital	0.2500	Mills
FIRE DISTRICT (not part of COUNTY)	2.7806	Mills

		Equivalent Factor	Full-Time Equivalent
Population-Working Residents	20,833	0.7619	15,873
Population-Non-Working Residents	205,383	1.0000	205,383
Population- Seasonal	<u>23,383</u>	<u>0.34615</u>	8,094
Population (peak season)	249,599		229,350
Population (total)	226,216		
(FI Population Studies, 2004)			
Employment (total)	63,131	0.2381	15,031
(State of Florida ES-202, 2004)			
County Population (unincorporated)	71,389		
(FI Population Studies, 2004)			

Persons per Household - Single Family *	2.47
Persons per Household - Multifamily	2.47

* (FI Population Studies, 2004)

Total Households	90,289	(FI Population Studies, 2004)
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Property Sales Value Assumptions

Single-Family – High Range	\$368,400	(Developer)	350,000 (Defaults)
Multifamily-For Townhouse/Condo	\$241,000	(Developer)	225,000
Retail-Community	\$95	(Developer)	135
Office	\$120	(Developer)	145
Specialty Recreation	\$140	(Developer)	145

APPENDIX L

Educational Facilities Policy Analysis Provinces DRI

The purpose of this section is to provide a policy analysis of educational issues for the proposed Provinces DRI. This roughly 736-acre project proposes 4,443 new dwelling units in the central St. Lucie County. Based on the St. Lucie County School District student generation rate (0.405 for single-family and 0.207 for multi-family units), the project is expected to generate roughly 1,039 new students as follows: 727 K-8 students and 312 high school students. This is a significant departure from the School District's student populations historically associated with this area. According to current local and state policies, this will generate the demand for approximately 46% of a new K-8 school (for 1,600 students) and 13% of a new high school. These new school facility demands represent unanticipated construction costs of approximately \$26.7 Million in addition to land and infrastructure costs, according to current School District estimates. The project impacts are summarized below.

Provinces DRI (St Lucie County) - Projected Educational Impacts (at Build-Out)				
# Units		St Gen Rate (K-12)	Total # New Students	Total Size (ac)
603	SF units	0.405	244	736
3,840	MF units	0.207	795	
4,443	total units		1,039	
Student Breakdown		New Students	School Size	% New School
K-8	70%	727	1,600	45.46%
High	30%	312	2,500	12.47%
	<i>total</i>	1,039		
New School Costs		% New Schools from Project		Project School Costs
K-8	\$41,000,000	45.46%		\$18,638,767
High	\$65,000,000	12.47%		\$8,104,941
		<i>total new school costs</i>		\$26,743,708
# Units		Impact Fees	Total Impact Fees	
603	SF units	\$4,956	\$2,988,468	
3,840	MF units	\$2,536	\$9,738,240	
4,443	total units		\$12,726,708	
Provinces DRI - Net Educational Facilities Assessment				
	# DU's	School Costs	Impact Fees	Net Unfunded Costs
Build-Out	4,443	\$26,743,708	\$12,726,708	\$14,017,000

ST. LUCIE COUNTY SCHOOL DISTRICT – REVIEW SUMMARY

The proposed DRI will require significant and extensive modifications for the School District's current plans and projections for this area. The School District's adopted Capital Construction Plan does not anticipate the impacts of the proposed development, and as a result, it has no funding sources for the planning, design, construction, or infrastructure provision for any of the new school sites necessary to support the impacts of the development in an appropriate manner. The School District indicates the following conditions would be satisfactory to off-set the project's educational impacts at the time of DRI review: (1) dedication of one approximately K-8 school site (not less than twenty net buildable acres with off-site stormwater treatment); proportionate share payment of 45.5% of all costs associated with construction of one new K-8 school (typical size 1,600 students) and 12.5% of all costs associated with construction of one new high school (typical size 2,500 students); and pre-payment of impact fees (see correspondence from School Board of St. Lucie County dated March 5, 2007).

ST. LUCIE COUNTY COMPREHENSIVE PLAN – REVIEW SUMMARY

In its Comprehensive Plan, St. Lucie County anticipates the need for well-planned, sustainable development patterns, and relevant policies are included in the Future Land Use and Capital Improvements Elements. Within the Future Land Use Element, St. Lucie County emphasizes the importance of its urban service boundary. The plan notes all future land use amendments require developers to provide necessary services at no cost to local government, and further, new development activities shall only be authorized in conjunction with the availability of public services to support that development. Several policies in the Future Land Use Element relate to the timing and provision of public school facilities commensurate with the impacts of growth. Policy 1.1.4.2 requires that new development be designed and planned in a manner that does not place an unanticipated economic burden upon the services and facilities of St. Lucie County. Policy 1.1.5.9 requires all development outside the Urban Service Area pay the entire cost of its fiscal impacts on public facilities and services. Policy 1.1.12.2 requires that the timing of residential development be concurrent with the provision of supporting community facilities, including public schools as well as other standard facilities.

The Capital Improvements Element also includes relevant policies on the topic of schools. Policy 11.1.2.3 directs the County to allocate the costs of new public facilities on the basis of the benefits received by existing and future residents so that current residents will not subsidize new development. Policy 11.1.2.4 requires future development to pay for 100% of the capital improvements needed to address the impact of such development, including proportionate share costs of new facilities, to be offset by other payments by future development. Policy 11.1.2.6.C requires all development orders issued by the County which require public facilities to be financed by debt to be either (1) conditioned on the issuance of the debt, or (2) substituted with a comparable amount of non-debt revenues.

STRATEGIC REGIONAL POLICY PLAN – REVIEW SUMMARY

The Strategic Regional Policy Plan (SRPP) includes several pertinent strategies on the issue of schools. Strategies 4.3.2 and 4.3.9 address the coordination school facilities with the impacts of development. The School District has suggested the combination of impact fees and future ad valorem revenues will allow compliance with these strategies at the DRI approval stage.

CHARTER SCHOOLS

Florida Statutes provides individuals the opportunity to create and operate charter schools in lieu of the traditional public school system. While some charter schools are able to maintain operational capacities, others have been successful initially, but failed to maintain adequate enrollment, thereby leading to their abandonment and conveyance (by default) to local school districts. In these instances, local school districts have “received” both the charter school population (students) as well as the charter school itself (buildings and facilities) if funded with impact fees. While state statutes provide strict regulation for public schools, no such regulation applies to charter school facilities. To prevent disproportionate expenditures of future school district capital funds, all charter school facilities funded with impact fees should be designed to meet the statutory State Requirements for Educational Facilities (SREF) standards. Further, to maintain operating efficiencies for local school districts, such facilities should be designed at their core (common areas, cafeteria, administrative facilities, media center, infrastructure) for the standard operating capacities for various types of schools operated by the local school district (e.g., St. Lucie County School District sizes K-8 schools for 1,600 students, and high schools for 2,500 students).

CONCLUSION

As requested by the St. Lucie County School District, a development agreement between the St. Lucie County School District and the developer which assigns acreage, proportionate-share payments, and pre-payment of impact fees as described above, combined with the future and timely collection of ad valorem revenues anticipated by the School District, would adequately address educational impacts of the proposed DRI.

TREASURE COAST REGIONAL PLANNING COUNCIL

STAFF

EMPLOYEE

TITLE

Kathryn Boer	Emergency Programs Coordinator
Marlene Brunot	Regional Planner
Michael J. Busha	Executive Director
Marcela Camblor	Urban Design Coordinator
Kim Delaney	Growth Management Coordinator
Sandy Gippert	Accounting Manager
Elizabeth Gulick	Administrative Supervisor
Wynsum Hatton	Planning Technician
Stephanie Heidt	Administrative Assistant
Terry L. Hess	Deputy Director
Diane Hodel	Office Clerk
Trayce Jones	Administrative Assistant
Peter G. Merritt	Regional Ecologist
Penny Myszkowski	Secretary/Receptionist
Gregory Vaday	Economic Development Coordinator
Joan Young	Accounting Clerk

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