

RESOLUTION NO. R2016-7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, ADOPTING THE AMENDED AND RESTATED DEVELOPMENT ORDER OF THE WILDWOOD SPRINGS DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Wildwood adopted the Development Order of the Wildwood Springs Development of Regional Impact via Resolution 1028 on October 30, 2008; and,

WHEREAS, the Wildwood Springs Development of Regional Impact has complied with the requirements of Chapter 380, Florida Statutes, with regard to the Development of Regional Impact; and,

WHEREAS, the City Commission of the City of Wildwood has determined that the Wildwood Springs Development of Regional Impact will benefit the City of Wildwood; and

WHEREAS, the City Commission of the City of Wildwood Florida passed and ordained Ordinances O2016-12 and O2016-13 on March 28, 2016, thereby amending the land use and zoning for the Wildwood Springs DRI to allow for active adult communities while reducing their non-residential entitlements; and,

WHEREAS, the City now wishes to Amend and Restate Resolution 1028 in its entirety by enacting this Resolution R2016-07; and

WHEREAS, it is the intention of the City for this amendment and restatement to supersede Resolution 1028.

NOW THEREFORE, BE IT RESOLVED, by the City Commission of the City of Wildwood, Florida:

SECTION 1. The Amended and Restated Development Order of the Wildwood Springs Development of Regional Impact, attached hereto, is hereby adopted.

SECTION 2. This Resolution shall take effect immediately upon its final adoption by the City Commission of the City of Wildwood, Florida.

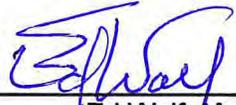
PASSED AND RESOLVED, this 28th day of March, 2016.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: 

Alice J. Borrack, Senior Deputy City Clerk

BY: 

Ed Wolf, Mayor

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

February 11, 2016

Linda Loomis Shelley, Esq.
Buchanan Ingersoll & Rooney PC
101 North Monroe Street
Tallahassee, FL 32301

Re: Wildwood Springs DRI – ADA #005-2007-030

Dear Ms. Shelley:

In your letter dated January 15, 2016, you request a determination of whether certain proposed changes to the Wildwood Springs DRI may be reviewed and adopted as a non-substantial changes to the development order without the need for submittal of a notice of proposed change (NOPC) pursuant to sections 380.06(19)(e)2.g., k., and l., Florida Statutes (F.S.).

The proposed amendments would place an age restriction on 2,600 of the 3,000 residential units in the DRI; reduce retail/office uses from 225,000 square feet to 160,000 square feet; change from two residential land use categories to one; delete development of residential uses in the Mixed Use Commercial area; delete unnecessary and duplicative planning requirements, some or all of which may be addressed in permitting programs; delete a requirement for a water balance study; delete the requirement to donate a one-acre parcel for a fire/EMS facility; adjust transportation requirements; adjust phasing; eliminate the requirement to participate in a regional transit study conducted by the Lake Sumter MPO; correct references to the applicable regional planning council; delete unnecessary historical references to a Department of Community Affairs' appeal of the development order and related comprehensive plan amendment; and adjust commencement and buildout dates based on statutory time extensions. By letter dated February 8, 2016, to Bradley Arnold, Sumter County Administrator, the Florida Department of Transportation advised that it agrees to or does not oppose the proposed changes as they relate to transportation impacts, including dissolving the existing proportionate share agreement in favor of an agreement between the developer and Sumter County to utilize impact fees paid to Sumter County for remaining transportation projects needed to support the development program.

Section 380.06(19)(e)2.g., F.S., provides that changes to eliminate an approved land use that do not create additional regional impacts are not substantial deviations. Section 380.06(19)(e)2.k, F.S., provides that changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project are not substantial deviations. Finally, section 380.06(19)(e)2.l., F.S., provides that any changes other than those enumerated in this section that are similar in nature, impact, or character to the changes enumerated in this section and do not create the likelihood of additional regional impacts are not substantial deviations.

The Department agrees that the proposed changes reflected in your letter of January 15, 2016, and identified in the draft development order amendment dated January 22, 2016, are non-substantial

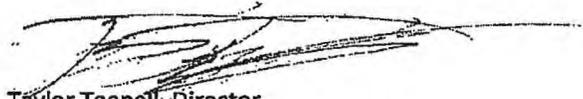
Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax
www.floridajobs.org | www.twitter.com/FIDEO | www.facebook.com/FIDEO

Linda Loomis Shelley, Esq.
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deviations pursuant to sections 380.06(19)(e)2.g., k., and l., F.S. Therefore, the City of Wildwood may review the proposed changes pursuant to its local development review procedures without the developer filing an NOPC. If the City approves the proposed changes, it must render the amended Development Order to the Department once it is adopted.

Thank you for the opportunity to review these proposed changes. If you have any questions or concerns, please contact Ana Richmond, Chief, Bureau of Community Planning, by email at Ana.Richmond@deo.myflorida.com or by telephone at (850) 717-8509.

Sincerely,



Taylor Teepell, Director
Division of Community Development

TT/ss

cc: Melanie Peavy, City of Wildwood
Hugh Herling, Executive Director, East Central Florida Regional Planning Council

**SECOND AMENDED AND RESTATED DEVELOPMENT ORDER
WILDWOOD SPRINGS DEVELOPMENT OF REGIONAL IMPACT
CITY OF WILDWOOD, FLORIDA**

THIS SECOND AMENDED AND RESTATED DEVELOPMENT ORDER is entered into and made as of the 28th day of March, 2016, by and between **CITY OF WILDWOOD, FLORIDA**, a Florida municipal corporation (hereinafter called "City") and **WILDWOOD SPRINGS, LLC**, a Florida limited liability company with a mailing address of 5850 T.G. Lee Boulevard, Suite 200, Orlando, FL 32822 (hereinafter called "Owner" or "Developer").

WHEREAS, the Owner owns approximately 1,047.51 acres located in the City of Wildwood, Sumter County, which is legally described in Exhibit "A" attached hereto and made a part hereof (the "Property"); and,

WHEREAS, the Owner intends to develop itself or to sell, bargain, transfer, succeed or assign its interests in the Property to a land developer to develop the Property in accordance with this Second Amended and Restated Development Order; and,

WHEREAS, § 380.06, Fla. Stat., mandates that developments of a certain size, density and intensity shall undergo development of regional impact review; and,

WHEREAS, in May 2007, an Application for Development Approval ("ADA") for the Wildwood Springs Development of Regional Impact ("Wildwood Springs DRI") was filed with the City; and,

WHEREAS, it is proposed that the Property may be developed as set forth herein; and,

WHEREAS, the proposed development is not located in an area of critical state concern as designated pursuant to Chapter 380, Fla. Stat.; and,

WHEREAS, the City issued an Amended and Restated Development Order on April 11, 2011 to conform the terms and conditions of approval applicable to the Wildwood Springs DRI Amended and Restated Development Order to amended provisions of the City's comprehensive plan so that the Amended and Restated Development Order would be consistent with the comprehensive plan, as amended; and

WHEREAS, the Developer has proposed amendments to the comprehensive plan to simplify the provisions applicable to the Wildwood Springs DRI, which amendments are scheduled for hearing immediately before the hearing on the proposed amendments to the Wildwood Springs DRI Development Order; and

WHEREAS, the Developer has proposed amendments to the Wildwood Springs DRI Development Order to simplify the provisions applicable to the project and eliminate unnecessary requirements that are duplicated in the permitting process or the local land development approval process; and

WHEREAS, the Department of Economic Opportunity as the state land planning agency has agreed, pursuant to Section 380.06(19)(e)2, Fla. Stat., that the proposed changes do not constitute a substantial deviation or require the filing of a Notice of Proposed Change; and

WHEREAS, notice of this hearing date was provided in accordance with law; and,

WHEREAS, at the public hearing on this matter, any member of the general public requesting to do so was given the opportunity to present written or oral communications; and,

WHEREAS, during the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues and submit rebuttal evidence; and,

WHEREAS, this Second Amended and Restated Development Order shall be recorded in the Public Records in Sumter County, Florida, and shall run with the land.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WILDWOOD CITY COMMISSIONERS, CITY OF WILDWOOD, FLORIDA, IN PUBLIC MEETING DULY CONSTITUTED AND ASSEMBLED THIS 28th DAY OF MARCH, 2016 THAT THE APPLICATION FOR DEVELOPMENT APPROVAL FOR THE WILDWOOD SPRINGS DEVELOPMENT OF REGIONAL IMPACT, SUBMITTED BY WILDWOOD SPRINGS, LLC, AS AMENDED HEREIN, IS HEREBY ORDERED APPROVED SUBJECT TO THE TERMS BELOW:

SECTION I. DEFINITIONS

1. ACOE — U.S. Army Corps of Engineers.
2. ADA — The Application for Development Approval for the Wildwood Springs DRI dated May 31, 2007, as supplemented by the Wildwood Springs Development of Regional Impact First Sufficiency Response dated October 1, 2007, as supplemented by the Transportation Addendum dated October 18, 2007, as supplemented by the Wildwood Springs Development of Regional Impact Second Sufficiency dated February 1, 2008, as supplemented by the Wildwood Springs Development of Regional Impact Third Sufficiency dated May 2, 2008.
3. ADT's — Average Daily Trips.
4. City — City of Wildwood, Florida.
5. City Commission — The City Commission of the City of Wildwood, Florida.
6. DEO or Department — Florida Department of Economic Opportunity.
7. Developer — Wildwood Springs, LLC, a Florida limited liability company; provided, however, the term "Developer" may refer to that person, persons, entity or entities which has lawfully acquired the rights to develop the Property through sale, bargain, donation, transfer, succession, assignment or combination thereof and regardless of whether same was voluntary or involuntary (i.e. insolvency, liquidation, bankruptcy).

8. Development Order — This Second Amended and Restated Development Order for the Wildwood Springs DRI, as same may be amended from time to time hereafter.
9. FDEP — Florida Department of Environmental Protection.
10. FFWCC — Florida Fish and Wildlife Conservation Commission.
11. Map H — The master development plan for the Wildwood Springs DRI, a copy of which is dated February 24, 2016, and is attached hereto as Exhibit "B" and incorporated herein.
12. Property — The real property subject to this Second Amended and Restated Development Order consisting of approximately 1,047.51 acres located in the City of Wildwood and being legally described in Exhibit "A" attached hereto and made a part hereof.
13. SWFWMD — Southwest Florida Water Management District.
14. USFWS — US Fish and Wildlife Service.
15. Wildwood Springs DRI — The Wildwood Springs Development of Regional Impact.
16. ECFRPC- East Central Florida Regional Planning Council.

SECTION II. FINDINGS OF FACT

1. The Developer filed the ADA with respect to the Property pursuant to Section 380.06, Fla. Stat.
2. The Property does not lie within an Area of Critical State Concern, according to DCA, authorized by Section 380.05, Fla. Stat.
3. The Wildwood Springs ADA was reviewed by, and recommendations were received from, the Withlacoochee Regional Planning Council and the City.
4. All public hearings as required by Section 380.06, Fla. Stat., were duly noticed and held, and on October 30, 2008, the City Commission adopted the Development Order for the Wildwood Springs DRI, adopted the Amended and Restated Development Order on April 11, 2011, and adopted this Second Amended and Restated Development Order on March 28, 2016.
5. This Second Amended and Restated Development Order constitutes approval of the Wildwood Springs DRI.
6. The City has processed and approved an application to amend its Comprehensive Plan in conjunction with consideration of this Second Amended and Restated Development Order.

7. The above recitals are incorporated herein by reference and made a part hereof.

8. Except for terms defined herein, the definitions contained in Chapter 380, Fla. Stat., and Chapter 9J-2 Fla. Admin. Code, shall govern and apply to this Second Amended and Restated Development Order.

9. Whenever this Second Amended and Restated Development Order provides for or otherwise necessitates reviews, approvals, or determinations of any kind subsequent to its issuance, the right to review, approve and determine includes all directly affected governmental agencies and departments set forth under applicable laws and rules.

10. Notice of the hearing date for adoption of this Second Amended and Restated Development Order was published in accordance with law.

11. In each instance where the Developer is responsible for ongoing maintenance of privately owned facilities or infrastructure, the Developer may assign any or all of its responsibilities to improve and maintain those facilities to an appropriate entity able to fulfill such responsibility consistent with statutory and rule requirements and the conditions of this Second Amended and Restated Development Order.

12. The following representations and informational statements are incorporated into this Second Amended and Restated Development Order and made a part hereof:

A. Name: The name of the development is "Wildwood Springs." The development of regional impact, as approved by this Second Amended and Restated Development Order, may be referred to as the "Wildwood Springs DRI" or as the "Development" (as the context dictates).

B. Authorized Agent: The Developer may designate one or more authorized agents to act on its behalf. The Developer's authorized agents are, and any and all correspondence and communication may be made to the Developer at the following addresses:

Linda Loomis Shelley
Buchanan Ingersoll & Rooney PC
101 North Monroe Street, Suite 1090
Tallahassee, FL 32301

Dean Barberree
Wildwood Springs, LLC
5850 T.G. Lee Boulevard, Suite 200
Orlando, FL 32822

C. Principal Entities:

1. The name of the Developer is Wildwood Springs, LLC, a Florida limited liability company, who is also the current owner of the Property and is the principal entity pursuing the ADA for the Wildwood Springs DRI.

2. Wildwood Springs, LLC, has represented, and the City has materially relied upon said representations:

- a. That it is the current owner of the Property;
- b. The developer of the Property may be some person(s) or entity(ies) other than Wildwood Springs, LLC;
- c. Wildwood Springs, LLC, understands and agrees that this Second Amended and Restated Development Order shall be binding upon it and its heirs, successors and/or assigns, as accepted and agreed to on the last page hereof; and
- d. This Second Amended and Restated Development Order shall be recorded and shall run with the land.

D. ADA: The ADA for the Wildwood Springs DRI is hereby approved subject to the terms of this Second Amended and Restated Development Order.

E. Development Description: The Wildwood Springs DRI will be developed as a residentially-based mixed use development with supporting retail/office uses. The proposed development consists of up to 3,000 residential units of which a minimum of 2,600 will be age-restricted and up to 160,000 square feet of retail/office uses. Through the use of the equivalency table contained herein, the maximum number of residential units may increase to 3,700 of which a minimum of 2,600 will be age-restricted. All residential units in excess of 3,000 are required to be located within one-half mile of County Road 468.

F. Required Specific Findings of Fact

1. Legal Description: The legal description of the Property is contained in Exhibit A.
2. Monitoring Procedures: The monitoring procedures are set forth in Section 4 below.
3. Documents/Materials Incorporated Herein By Reference:
 - a. The ADA is hereby incorporated into this Second Amended and Restated Development Order by reference and made a part hereof.
 - b. Revised Map H is attached as Exhibit B to this Second Amended and

Restated Development Order and is hereby incorporated into this Second Amended and Restated Development Order by reference and made a part hereof.

c. The Developer's Annexation Agreement between the City of Wildwood, Florida, and Bigham Farms, Inc., and Wildwood Springs, LLC, dated June 30, 2006, as amended by the Amendment to the Developer's Annexation Agreement between the City of Wildwood, Florida, and Wildwood Springs, LLC, dated May 23, 2007, is hereby incorporated into this Second Amended and Restated Development Order by this reference.

G. Compliance Dates:

1. The Wildwood Springs DRI was originally required to commence development within five (5) years after April 11, 2011, the date that the Amended and Restated Development Order became effective. Pursuant to Section 380.06(19)(c)2 (2011), the Wildwood Springs DRI was granted a 4-year extension, and an additional ten-month extension was granted in 2011 pursuant to Section 252.363 based on Executive Order Numbers 11-128, 11-172, and 11-202. In addition, pursuant to Section 252.363 and Executive Order Number 15-173, an additional extension of eight months has been granted in 2016. Accordingly, the revised commencement date for the Wildwood Springs DRI is October 11, 2021. The phrase "commence development" for purposes of this Second Amended and Restated Development Order shall mean that the Developer shall have constructed or cause to be constructed any site grading or clearing, infrastructure, roadways, or vertical development.

2. This Second Amended and Restated Development Order shall expire on July 1, 2036, unless extended by an act of the Legislature or an amendment to this Second Amended and Restated Development Order duly enacted by the City Commission.

3. The attached Revised Map H sets forth the approved uses for the Wildwood Springs DRI, and all development of the Wildwood Springs DRI shall be in accordance therewith.

4. The restriction on down-zoning is contained below.

SECTION III. CONCLUSIONS OF LAW

Based upon the Findings of Fact, the City Commission hereby makes the following Conclusions of Law:

1. The City Commission's review of the ADA for the Wildwood Springs DRI has been conducted pursuant to the provisions of § 380.06, Fla. Stat.

2. The City Commission specifically finds that the Wildwood Springs DRI does not unreasonably interfere with the achievement of the objectives of the adopted state land development plan for the portion of the City of Wildwood where the Property is located.

3. The City Commission specifically finds that the Wildwood Springs DRI is consistent with the State Comprehensive Plan as contained in Chapter 187, Fla. Stat. (2008).

4. The City Commission specifically finds that the Wildwood Springs DRI to be consistent with the City's adopted Comprehensive Plan, as amended, and with the City's land development regulations, subject to the terms of this Second Amended and Restated Development Order.

5. The ADA for the Wildwood Springs DRI, as modified by this Second Amended and Restated Development Order, is hereby deemed in substantial compliance with the requirements of § 380.06, Fla. Stat. and Rule Chapter 9J-2, Fla. Admin. Code.

6. This Second Amended and Restated Development Order constitutes final approval for the Developer to develop the Property subject to and in strict accordance with the terms of this Second Amended and Restated Development Order and as provided on Revised Map H.

7. Pursuant to § 380.06(15), Fla. Stat., the development approved under this Second Amended and Restated Development Order is further conditioned upon the Developer being financially responsible for ensuring the adequate provision for the public facilities needed to accommodate the impacts of the Development.

SECTION IV. CONDITIONS OF APPROVAL

1. General.

A. ADA

The Wildwood Springs DRI shall be developed in accordance with the information, data, plans and commitments contained in the Wildwood Springs ADA/DRI and supplemental information incorporated herein by reference, unless otherwise provided by the conditions of this Second Amended and Restated Development Order. This Second Amended and Restated Development Order shall prevail over any conflicting information, data, plan or commitments.

B. Phasing

The Property shall be developed in accordance with the phasing schedule below, also shown on Map H.

Wildwood Springs DRI Phasing Plan			
Land Use	Phase 1	Phase 2	Total
Year (End of Phase)	2024	2029	
Single Family (Age Restricted Active Adult)	2,600	0	2,600 units
Multi Family	160	240	400 units
Office	5,000	0	5,000 SF
Retail Commercial	115,000	35,000	150,000 SF
Med/Dental Office	5,000	0	5,000 SF

* To allow for the future potential that more intense development patterns are viable in the market, residential units in excess of the 3,000 units will be permitted provided appropriate modification of the DRI or use of the conversion matrix is completed. All residential units in excess of the 3,000 originally authorized units are required to be located within one-half mile of County Road 468.

C. Land Use Conversion Matrix

The Developer may increase or decrease the amount of a particular land use within the approved development program by using the Land Use Conversion Matrix attached as Exhibit "C" and incorporated herein. Use of the conversion matrix may increase or decrease the total amount of each land use by no more than the amount allowed for in the substantial deviation criteria identified in Chapter 380.06(19)(b), Fla. Stat., unless this Second Amended and Restated Development Order is amended to accommodate such a change. It is specifically acknowledged that use of the conversion matrix in such a manner that the minimum and maximum thresholds set forth therein are not exceeded shall not constitute a substantial deviation nor require the filing of a Notice of Proposed Change, although such use of the matrix shall be reflected in the next Notice of Proposed Change. Greater changes than those discussed above, considered cumulatively, shall be subject to the normal development order amendment process. Any time the conversion matrix is used, the DEO, ECFRPC, and the City must be provided notice of the proposal at least thirty (30) days in advance of the change. Use of the conversion matrix will be reported on an individual and cumulative basis and project impacts documented in the biennial report.

D. Owner's Associations and Special Districts

Nothing herein shall be construed as precluding Developer from creating owner's associations, such as homeowner's associations and property owner's associations, and/or special districts, such as community development districts, in order to provide for the financing, management and control of common areas or infrastructure for the Development or for any other purpose allowed by law. Any community development district for the Wildwood Springs DRI that may be approved by the City or the Florida Land and Water

Adjudicatory Commission pursuant to Chapter 190, F.S., shall have such powers and the ability to perform any function set forth in Chapter 190, F.S., as may be amended from time to time, including, but not limited to, the power to finance and construct transportation improvements identified in this Second Amended and Restated Development Order, within or without the boundaries of the community development district. Construction or funding by any such community development district of any project, facility, service or function required by this Second Amended and Restated Development Order or necessary to serve the development approved by this Second Amended and Restated Development Order, within or without the boundaries of such district, is expressly approved. If the Developer is required or authorized by this Second Amended and Restated Development Order to fund or otherwise provide or cause to be provided any infrastructure, project, system or facility set forth in Chapter 190, F.S., then the community development may independently satisfy such obligation. To the extent any such obligation under this Second Amended and Restated Development Order is met or performed by the community development district, then the Developer shall no longer be subject to the obligation.

E. Areas of Development and Conservation

The Wildwood Springs DRI shall provide for a mix of residential and nonresidential uses; and shall preserve the natural features of the DRI Property. To accomplish this, Wildwood Springs DRI will consist of three distinct areas : Mixed Use Commercial Area, Residential Area and Conservation Areas.

1. Mixed Use Commercial Area (MUC): The MUC shall be located near the intersection of U.S. 301 and C.R. 468. The MUC shall provide pedestrian connection and vehicular access to U.S. 301 and C.R. 468. The MUC shall provide an area to accommodate a future transit stop along U.S. 301 or C.R. 468. The MUC shall have a maximum of 100 acres, and shall consist of a minimum of 75,000 square feet of nonresidential.

2. Residential Area (RA): The RA shall promote unique and interesting neighborhoods. The RA area shall consist of integrated and connected neighborhoods. The RA area will include a minimum of 300 acres. Non-contiguous NR areas comprising increments smaller than the overall minimum acreage for the overall district shall be permitted whether in common or separate ownership.

3. Conservation Area: The Conservation Area shall consist of approximately 169 acres of wetlands, 100-year floodplain, and environmentally sensitive land. No development other than permitted impacts for access, passive recreation areas, permitted mitigation areas or other such permitted passive use areas shall occur in the Conservation Area.

F. Development Standards

1. The following development standards shall apply within the Wildwood Springs DRI:

- a. **Neighborhood Standards.** Within the RA Area Neighborhoods shall have open space such as a central area made up of preservation land, stormwater ponds, or other such areas that can be used for passive recreation and enjoyment or civic area such as a central recreation facility. Parks, open areas or civic areas will be designed based on neighborhood needs, and may include formal or informal landscaped and preserved areas, and structured hardscape and programmed amenity elements. Adjustments will be made where necessary to preserve unique natural features and respond to special site constraints.
- b. The total site will maintain a minimum of 25% open space. Open space shall be defined consistent with the definition in the City of Wildwood comprehensive plan.
- c. There shall be a minimum of six (6) vehicular and pedestrian connections: four (4) to C.R. 468; one (1) connection to the Eastern boundary; and one (1) connection to the south along C.R. 505. Additional connections will be provided at the Developer's option based on site constraints and compatibility of adjacent land uses. All connections to a County maintained road will require approval and permitting by Sumter County.
- d. Local and residential streets, pedestrian paths, and bike paths shall be included within a system of connected routes within the community. Design standards shall discourage high speed vehicular traffic. Golf Cart paths shall be permitted at the Developer's option and are not required to be interconnected to adjacent properties.

G. Environment and Natural Resources

1. The following environment and natural resources standards shall apply within the Wildwood Springs DRI:

- a. **Best Management Practices:** In addition to meeting all requirements of the regulatory agencies, the Developer shall utilize BMPs to control siltation and prevent turbidity during construction activities. These standards can be achieved by utilizing the best available construction techniques for erosion and sedimentation control, as well as meeting the minimum standards for National Pollution Discharge Elimination System (NPDES) permitting.
- b. **Drainage, Stormwater and Groundwater**

- i. Stormwater/drainage retention areas (DRA's), including either 'wet' or 'dry' DRAs shall be designed and constructed according to normal and accepted engineering practices and all applicable regulatory standards.
- ii. Stormwater management facilities shall adhere to SWFWMD criteria for design, construction, operation, treatment standards and maintenance of such facilities in hydrologic and karst sensitive areas as determined by SWFWMD. Where reasonably feasible, the development shall utilize Low Impact Development (LID) methods to reduce the impact of nutrients on natural wetland systems. These LID methods may include low impact stormwater design consisting of vegetated swales in buffers to eliminate concentrated runoff prior to discharge of treated stormwater; an integrated treatment and conveyance approach to managing stormwater, including the use of curb cuts and swales and/or the reduction of curb where appropriate; rain gardens; pervious pavement; conserving natural areas and wetlands; minimizing development impacts; attempting to maintain site runoff rates; the use of integrated management practices; the implementation of pollution prevention; and proper maintenance and public education.
- iii. On-site stormwater treatment for all basins that discharge into the spring head and spring run shall be elevated to 1.5 times normal prior to discharge. Direct concentrated runoff and discharge into the spring head and spring run will be avoided. Where appropriate, vegetated spreader swales will be utilized within the spring head and spring run buffers to reduce impacts of concentrated runoff and to provide a final level of water quality treatment.
- iv. No building permit shall be issued for development unless and until the Developer provides evidence to the satisfaction of the City that adequate drainage/storm water management facilities will be available concurrent with the impacts of each phase or sub-phase of the Wildwood Springs DRI at the levels of service adopted in the City of Wildwood Comprehensive Plan and all applicable City codes and SWFWMD regulations.

- v. Periodic Inspections. Once the on-site surface water management system is certified to the SWFWMD as being in compliance with all permit requirements, the Developer shall conduct regular engineering inspections of the on-site surface water management system as required by local and state regulations to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the permitted level of stormwater storage/treatment for which it was designed and intended. The results of the regular inspections shall be signed and sealed by the appropriate professional as required by SWFWMD.

c. Soils and Erosion

- i. Grading Plan. The Developer shall develop a grading plan that utilizes pre-development topography to the maximum extent feasible. The grading plan shall be provided to the City at the time of and in connection with each application for site plan or preliminary plan of subdivision approval.

- ii. Site Disturbance/Erosion.

(1) The Development will be designed to complement the topography and minimize site disturbance and erosion by construction phasing and limited site clearance, while maximizing retention of existing vegetation, timely re-vegetation of cleared areas and preservation of existing grades and slopes in project design and construction.

(2) The Developer will protect on site surface waters from construction impacts through various measures, including the use of staked hay bales and silt screen fences, reducing both erosion and sediment transport into wetland areas.

(3) The Developer will minimize wind erosion from clearing and grubbing operations by performing such operations only on individual parcels of land where construction is scheduled to proceed.

(4) The Developer will minimize fugitive dust through sodding, water sprinkling, seeding, mulching or

planting of landscaped material in cleared and disturbed areas.

(5) The Developer shall use BMPs (those BMPs generated by SWFWMD and FDEP) to control soil erosion.

(6) Should any noticeable soil slumping or sinkhole formation become evident before or during construction activities the Developer shall comply with permit conditions of the SWFWMD to develop a plan of action and corrective measures to correct the problem. Once a plan of action and corrective measures are determined, the Developer shall complete the required action/measures in accordance with any permit requirements.

d. Site development related activities shall not result in the harming, pursuit or harassment of species classified as Endangered, Threatened or a Species of Special Concern by either the state or federal government in contravention of applicable state or federal laws. Should such species be at any time determined to be residing on, or be otherwise significantly dependent upon the project site, the Developer shall immediately notify the City, the FFWCC and the USFWS and, to the extent required by laws and regulations, the Developer shall cease all activities which might negatively affect that individual or population. The Developer shall provide proper protection, to the satisfaction of all agencies with jurisdiction.

i. "Harming" and "harassment" as used in this condition shall be defined in the same manner as "harm" and "harass" respectively are defined in 50 C.F.R. §17.3 (2008).

ii. The Developer shall:

(1) Provide for the protection of gopher tortoise populations through relocation, in phases corresponding to construction schedules, to acceptable on or off-site location(s). Gopher tortoises shall be mitigated in accordance with FFWCC regulations.

(2) Provide for the incorporation or relocation of listed plant species, under the supervision of a qualified professional, into habitat preservation areas where reasonably feasible.

(3) Provide for management of commonly held landscaped areas included as part of the wildlife mitigation or habitat enhancement program, including implementing BMP's for irrigation, fertilizer and pesticide applications;

e. Wetlands

- i. The Developer shall protect preserved wetland areas through a combination of: (1) Best Management Practices; (2) SWFWMD Environmental Resource Permit ("ERP") permitting criteria; (3) compliance with the rules and regulations of the U.S. Environmental Protection Agency (EPA); (4) NPDES compliance; (5) no net functional wetland loss; (6) a wetland/upland buffer with a minimum width of one hundred and fifty feet (150') around the Fenney Spring head and fifty feet (50') around the associated Shady Brook/Warm Spring Hammock run measured from the Ordinary High Water Mark; (7) a buffer with a minimum 15', average 25' width, for all other jurisdictional wetlands; (8) the provision of augmentation of wetland buffers by native plantings, as appropriate; and (9) conservation easements.
- ii. The Developer shall protect on-site surface waters from construction impacts through various measures, including the use of staked hay bales and silt screen fences, in order to protect wetlands from erosion and sediment transport.
- iii. In forested wetlands, existing forest should be encompassed within the buffer to preserve habitat value and nutrient uptake.
- iv. Management and design of the Project shall be planned to retain wetlands as low maintenance areas. Low maintenance areas could be habitat management areas or buffers, but generally should be free of the turf management practices used for residential lawn areas.
- v. Wetlands, spring head and spring run buffers are to remain undisturbed with the following exceptions, as approved by the applicable agency: vegetated swales (in select areas to eliminate concentrated water run off); boardwalks; pervious nature trails; pervious picnic

and observation areas; and pervious trails and boardwalks for bicycles or jogging. Such improvements must be located as to minimize harm to any of the potential plant and animal species for which these areas have been set aside to protect. No exotic species of plants shall be allowed within the buffers.

- vi. Unless otherwise approved by SWFWMD, no artificial lighting shall be placed within any wetland buffer and no artificial lighting shall be directed toward any buffer or protected wetland.
- vii. The Developer will utilize Best Management Practices, and look to resources such as the Fertilizer Task Force and the University of Florida Institute for Food and Agricultural Services, to develop a fertilizer management plan for the community. Such a plan shall be designed to reduce nitrate loading to Fenney Spring and groundwater resources and shall include the creation of a fertilizer free zone over the following: wetlands and wetland buffers, including Fenney Spring and spring head buffer and the associated Shady Brook/Warm Spring Run and spring run buffer; ponds (including stormwater ponds) located on the Property, and the area extending ten feet beyond the edge of such pond(s); and preserved karst features and preserved karst buffers on the Property. The fertilizer management plan shall also contain a requirement that all commercial landscape maintenance providers within the community be certified by a program that provides fertilizer BMP practices education and that homeowners will be provided education materials regarding proper fertilization usage.

f. Flood Plains

- i. The Developer shall comply with the SWFWMD flood regulations.
- ii. The Developer shall use the best available data regarding floodplains/flood prone areas, as authorized by law and accepted by the SWFWMD at the time of construction plans approval.

- iii. The Developer shall not locate any dwelling units within post-development flood-prone areas.

g. Archeological Resources

- i. In the event any archaeological artifacts are discovered during construction, the Developer shall stop construction in that area and immediately notify the City, the ECFRPC, DEO and the Division of Historical Resources of the Florida Department of State. Proper protection measures, under the supervision of a qualified professional, shall be undertaken to the satisfaction of the City, DEO and the Division of Historical Resources and shall be provided by the Developer, consistent with Rule 9J-2.043, Florida Administrative Code.
- ii. A minimum 30 foot buffer shall be maintained adjacent to the Adamsville Church and Historic Cemetery located on the northern project boundary, as shown on Map H.

H. Energy

1. The Developer shall provide educational and promotional programs to encourage sustainable development and green building practices to the home builders and home owners. Construction standards endorsed through these programs shall include those that meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) program, the Florida Green Building Coalition, the Green Building Initiatives Green Globes program, or any other nationally recognized green building system that is approved by the Department of Management Services (DMS). This program will not mandate or enforce specific sustainable development and green building practices, but rather encourage these practices through communication and education. A primary focus for developer education shall be the importance of planning for green development at the initial stages of development to minimize costs. This educational promotional program may include:

- a. Green Building Handbook;
 - b. Sales Center Display;
 - c. Web Based Content;
 - d. Cost/benefit analysis information and education for both builders and potential homeowners.
2. Equipment and appliances shall meet Energy Star standards.

3. New homes shall, at a minimum, be designed to meet the water conservation measures contained in City of Wildwood Ordinance No. 612 and shall also provide water efficient options for homes and landscapes that can assist home owners in meeting Water Star certification standards.

I. Public Facilities

1. Water, Wastewater and Reuse

The City of Wildwood shall provide water, wastewater, and, when available, reuse water to the Wildwood Springs DRI in accordance with the Developer's Annexation Agreement between the City and Developer, as amended. The City and the Developer agree to enter into a separate Agreement to further address the provision of water, wastewater and reuse water to the Project.

2. Water Conservation

The Developer shall utilize all of the following water conservation techniques.

- a. Low flush volume toilets will be standard in residential and non-residential construction.
- b. Water-saver shower heads will be offered for residential construction, and used where applicable in non-residential construction.
- c. Automatic shutoff faucets will be used where applicable in non-residential construction.
- d. Rain or soil moisture sensors will be installed on residential and non-residential irrigation systems.
- e. To the extent it is available in reliable and sufficient quantities, non-potable water, including reclaimed and stormwater, shall be used for irrigation purposes within the Project.
- f. Low volume irrigation spray heads as well as drip systems will be used where appropriate for both residential and non-residential landscaping. Residents will be encouraged to use water-conserving devices for additions they might make to their irrigation systems.
- g. A minimum of 75% of all new plant material used in landscaping areas throughout the Development shall be Florida Friendly, as defined by the Florida Yards and Neighborhoods Program.
- h. The use of high maintenance sodded or landscaped common areas shall

be minimized.

- i. Where feasible, the Developer will eliminate the use of the current varieties of St. Augustine Turf (Floritam) in exchange for more drought tolerant turf types including zoysia, bahia, paspalum or other such turf types classified as drought tolerant.
- j. The Developer shall ensure that irrigation systems operated for the project's common or controlled areas utilize and maintain computerized irrigation based on weather station information, moisture sensing systems to determine existing soil moisture, evapotranspiration rates and/or zone control, to ensure water conservation.
- k. The Developer shall provide for the installation of reuse infrastructure necessary to serve all irrigated areas within the Project at the time of the installation of utility infrastructure for the Project.

3. Wastewater and Effluent Reuse

a. The Developer shall utilize wastewater resources for irrigation of common areas and individual residential lots when available and make plans for the provision of a tiered secondary irrigation system in the development design and engineering documents.

b. Effluent Reuse. The Developer, to the maximum extent available, shall utilize reuse effluent to irrigate common area landscaping. However, nothing herein is intended to prevent the use of effluent, to the extent excess effluent is available, for residential and commercial irrigation within the Development.

c. The Developer shall model and monitor groundwater characteristics to ensure that potable water resources are not degraded by the land application of treated wastewater. Said modeling and monitoring shall be reported in the biennial report.

4. Refuse Services

The Developer shall provide the City of Wildwood a first right of refusal to provide construction waste services to all development within the Project. All other refuse services shall be provided by the City or City's contracted refuse service provider.

5. Hurricane Preparedness

The Developer should cooperate with the Sumter County Emergency Management Director in maintaining an Emergency Plan and decision-making guide.

6. Workforce Housing

As adequate affordable housing exists for this Project, no mitigation for workforce housing shall be required.

7. Public Schools

In the event that Developer makes application for school concurrency and there is a determination that there is insufficient capacity for the development that is the subject of said application, the Developer and the Sumter County School Board may enter into a written agreement for mitigation as required by the Public Schools Facilities Element of the Wildwood Comprehensive Plan.

8. Recreational Facilities

The Project shall contain active recreation, such as parks, and passive recreation, such as wetland buffers and conservation areas, as part of the Development's open space. Bicycle lanes or paths shall be located within the Development. These lanes or paths will connect the residential areas with the retail, office and amenity areas and may be interconnected with C.R. 468.

9. Police and Fire/Rescue

The Developer shall coordinate with the City of Wildwood and Sumter County to ensure that acceptable emergency response times and the County's ISO rating is maintained.

10. Transportation

a. The Wildwood Springs DRI shall mitigate its offsite transportation impacts by any lawful means or measure authorized by the City of Wildwood and Sumter County.

b. Transportation Phasing — For the purposes of transportation conditions, the development of the Property shall be divided into the following traffic phases identified in Table 1 based on reaching any of the following: (1) the final year of the traffic phase; (2) the cumulative net external daily trip level; or (3) the cumulative net external PM peak hour trip level.

Table 1

Phase	Net External Daily Trip Generation*	Cumulative Net External Daily Trip Generation*	Net External PM Peak Trip Generation*	Cumulative Net External PM Peak Trip Generation*
Phase 1	11,569	11,569	900	900
Phase 2	1,932	13,501	165	1,075

* Includes internal capture and pass-by trips

c. Monitoring and Modeling

- i. Methodology — A Traffic Monitoring and Modeling Study ("M&M") shall be performed prior to the initiation of development that cumulatively exceeds 900 net external PM peak hour trips. The M&M shall commence with a methodology meeting, which may be initiated once development exceeds 80 percent of 900 net external PM peak hour trips or one (1) year prior to the end of Phase 1, whichever occurs last.

The M&M shall ascertain the level of service on facilities where the Wildwood Springs DRI is estimated to contribute a significant volume of traffic greater than or equal to 5 percent of the roadway adopted LOS service volume. The City of Wildwood Development Services, Lake-Sumter Metropolitan Planning Organization (MPO), the Florida Department of Transportation (FDOT), the East Central Florida Regional Planning Council (ECFRPC), the Florida Department of Economic Opportunity (DEO), Sumter County, and the Developer shall agree upon the methodology for the M&M. The scope of each monitoring and modeling effort is expected to be similar to that required for an Application for Development Approval. In the event that all parties cannot come to an agreement on the methodology, the City of Wildwood shall be the final arbiter on City facilities, the FDOT shall be the final arbiter on state facilities, Sumter County shall be the final arbiter on Sumter County facilities, and Lake County shall be the final arbiter on Lake County facilities if any. The methodology shall not require the Developer to be held responsible for the additional cost of reducing or eliminating deficiencies.

As part of the M&M, the project's net external trip generation shall be counted to determine if observed project trips are consistent with Institute of Transportation Engineers (ITE) trip rates. If the observed trip rates are not found to be reasonably consistent with ITE trips rates, then adjustments to the trip rates used in the M&M may be made, as agreed upon by the Developer and the reviewing agencies.

The City of Wildwood shall be the administrator of the M&M process unless otherwise agreed to by the City, Developer, and other agencies. The City of Wildwood, ECFRPC, FDOT, MPO, Sumter County and DEO shall have the right to make reasonable requests for additional information from the Developer to verify adherence to these provisions. The Developer shall provide information toward compliance with these requests.

- d. Monitoring/Modeling Results/Mitigation — Except as may be otherwise provided for in this Second Amended and Restated Development Order, the Wildwood Springs DRI shall not commence beyond Phase 1 (an equivalent of 910 net external PM peak hour trip ends) into Phase 2 when service levels are below the minimum service level adopted in the applicable local government's comprehensive plan during the PM peak hour and the Project contributes, or is projected to contribute with the next phase of traffic, five percent or more of the adopted LOS service volume of the roadway or intersection as determined by traffic monitoring in the preceding condition, unless mitigation measures and/or improvements are secured and committed during the phase in which the impacts occur, or unless an alternate mechanism is implemented. The schedule of required improvements shall be tied to the development level that the improvement is needed within each phase based upon the results of each M&M. The Second Amended and Restated Development Order shall be amended, as needed, to incorporate these needs and the commensurate trip level by which the improvement is needed to support project development.
- e. For purposes of this Second Amended and Restated Development Order, adequate mitigation measures shall include one of the following:
 - i. A roadway improvement scheduled for construction within the first three (3) years of the appropriate local government's adopted comprehensive plan capital improvement element (or as otherwise provided in the applicable jurisdiction's capital improvement element) a roadway improvement scheduled for construction within the first three (3) years of the Florida Department of Transportation's Five-Year Work Program.
 - ii. A binding financially secured and irrevocable commitment by the Developer or other appropriate persons or entities for the design, engineering, land acquisition, and actual construction of the necessary improvements (with the posting of a cash bond, surety bond, irrevocable letter of

credit, escrow amount or other security in a form acceptable to the agency of jurisdiction) within the next three (3) years and incorporated by reference into the Second Amended and Restated Development Order at the next Notice of Proposed Change.

- iii. Any other mitigation option specifically provided for in this Second Amended and Restated Development Order or authorized by the City of Wildwood and Sumter County such as an amended Proportionate Share Agreement or payment of impact fees per agreement with Sumter County.
- iv. Any other mitigation option permitted by law, including a local government development agreement consistent with Chapter 163, F.S., which ameliorates the impact and is incorporated into the Second Amended and Restated Development Order by amendment.
- v. Subject to a binding agreement, the Developer seeks and obtains the implementation of alternate improvements or mechanisms which shall either maintain the adopted LOS at any impacted link, intersection, or interchange junction or implement a reduced LOS standard and/or achieve the adopted LOS standard over an established period of time. The applicable FDOT procedure shall be followed if a reduced LOS standard is sought for a State facility.
- vi. Detailed operational analyses of intersection and arterial/corridor level of service can be performed to the satisfaction of the agency with jurisdiction of the impacted facilities that reasonably demonstrates that projected traffic conditions will meet the adopted LOS.

11. Interconnectivity and Transit

- a. In coordination with the Lake-Sumter MPO and Sumter County, the Wildwood Springs DRI will provide areas for bus stops and transit provisions on CR 468.
- b. The Developer shall provide bicycle/pedestrian facilities throughout the development. Pedestrian facilities may include facilities which accommodate golf carts. The Developer shall also provide design guidelines for internal bicycle/pedestrian facilities/amenities, including

connections to and parking facilities at various commercial sites as part of its overall design guidelines to be developed prior to the initial development phase preliminary plan approval process and approved by the City of Wildwood. These multi-modal trails will be maintained by either a homeowner's association or a community development district, but are not the obligation of the City.

- c. The Developer shall consider during the site planning stage of the development, future bicycle and pedestrian facilities.
- d. The Developer shall provide roadway connections as shown on Map H.
- e. The Developer agrees to construct primary access points and principal internal circulation roadways with sufficient geometry to accommodate vehicular transit.

12. Mitigation of Transportation Impacts

Transportation improvements the Wildwood Springs DRI required to mitigate the transportation impacts of the project through build-out of Phase 1 shall be paid for by the Developer or its successor or assigns by payment of transportation impact fees collected by Sumter County.

13. Right of Way Dedication

- a. The Developer agrees to dedicate right-of-way to Sumter County sufficient for the widening of CR 468 to a right-of-way width of up to 160 feet, in areas where right-of-way has not already been dedicated from the Property. Where the Property abuts only one side of CR 468, Developer shall be responsible for only one half of the right-of-way width, as measured from the centerline of the existing road.
- b. Developer shall maintain the vehicular connection of CR 505 to the north and south of the Property. The Developer may alter the alignment and configuration of CR 505 through the Property, provided it maintains access and connection of this corridor to CR 468. CR 505 shall remain a two-lane road through the Property and Developer shall dedicate right-of-way as necessary to accommodate any alteration to the alignment or configuration of CR 505 made by Developer.
- c. Nothing contained herein shall be construed as precluding Developer from obtaining impact fee credits for the dedication of any right-of-way when such credits are otherwise allowed by law.

14. Site Access Analysis

- a. The Developer shall provide any needed site access improvements or modifications necessary to accommodate access to the Development.

SECTION V. LOCAL MONITORING

1. The City shall have the primary responsibility for enforcing the provisions of this Second Amended and Restated Development Order.

2. Compliance with the terms and conditions of this Second Amended and Restated Development Order shall be monitored through the provisions of the established review and approval process for development pursuant to the City's monitoring procedures. The City Manager, or his/her authorized designee, shall be the official responsible for monitoring compliance by the Developer with this Second Amended and Restated Development Order.

SECTION VI. COMPLIANCE DATES

The Developer and the City of Wildwood estimate that approximately twenty years will be required to complete the development described in the Second Amended and Restated Development Order. Accordingly, this Second Amended and Restated Development Order shall terminate on December 31, 2036.

SECTION VII. RESTRICTIONS ON DOWN ZONING

Until December 31, 2036, the approved development described in this Second Amended and Restated Development Order shall not be subject to down zoning, unit density reduction or intensity reduction unless the City can demonstrate that substantial changes in the conditions underlying the approval of this Second Amended and Restated Development Order have occurred, or that this Second Amended and Restated Development Order was based upon substantially inaccurate information provided by the Developer, or that the change is clearly established by the City to be essential to the public health, safety or welfare.

SECTION VIII. BIENNIAL REPORTING REQUIREMENTS

1. The Developer shall submit a biennial report on or before October 30, 2018 and each alternating year thereafter throughout the term of this Amended and Restated Development Order or until such time as Developer confirms buildout. The biennial report shall be submitted on the appropriate form to the City, ECFRPC, DEO, and all affected permitting agencies. The contents of the biennial report shall comply with the relevant conditions of approval of this Second Amended and Restated Development Order, Subsection 380.06(18), Fla. Stat., and Rule 9J-2.025(7), Florida Administrative Code, including the following:

2. Any changes in the plan of development or in the representations contained in the ADA.
3. A summary comparison of development activity proposed and actually conducted for the year.
4. Identification of undeveloped tracts of land other than individual single family lots that have been sold by the Developer to a separate entity or developer.
5. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the Property since the original Development Order was issued.
6. An assessment of the Developer's and the County's compliance with the conditions of approval contained in this Second Amended and Restated Development Order and the commitments, obligations, covenants, liabilities and responsibilities which are contained in the ADA and which have been identified by the City, WRPC, or DCA as being significant.
7. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year or which are to be filed during the next year.
7. Any indication of a change in local government jurisdiction for any portion of the Wildwood Springs DRI since this Second Amended and Restated Development Order was issued.
8. A list of significant local, State and Federal permits which have been obtained or which are pending or for which application has been made by agency, type of permit, permit number and purpose of each.
9. A statement that all persons or entities have been sent copies of the biennial report in conformance with Section 380.06(15)(f), Fla. Stat.
10. A copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to Section 380.06(15)(f), Fla. Stat.
11. If the City does not receive the biennial report or receives notification that the ECFRPC, DEO, or any affected permitting agency has not received a report, the City shall request in writing that the Developer submit the report within 30 days. The failure to submit the report after 30 days shall result in the temporary suspension of this Second Amended and Restated Development Order by the City.

SECTION IX. SUBSTANTIAL DEVIATIONS

1. No change shall be made to this Second Amended and Restated Development Order or to

the approved land uses, unless and until the City has approved and authorized the change.

2. The Developer shall fully comply with Subsection 380.06(19), Fla. Stat., regarding "substantial deviations."

SECTION X. RECORDING

This Second Amended and Restated Development Order or any subsequent modification of this Second Amended and Restated Development Order shall be recorded by the Developer in accordance with Section 28.222, Fla. Stat., with the Clerk of the Circuit Court for Sumter County, Florida, at the Developer's expense immediately after the Effective Date of this Amended and Restated Development Order or any subsequent modification of this Second Amended and Restated Development Order in compliance with Section 380.06(15)(f), Fla. Stat.. The recording of this Second Amended and Restated Development Order shall not constitute a lien, cloud, or encumbrance on the Property, or actual or constructive notice of any such lien, cloud, or encumbrance on the Property.

SECTION XI. EFFECT OF SECOND AMENDED AND RESTATED DEVELOPMENT ORDER

This Second Amended and Restated Development Order governs all conditions and requirements for development of the Property. This Second Amended and Restated Development Order shall not become effective until the Comprehensive Plan Amendment associated herewith becomes effective and all applicable appeals periods have expired. The filing of a Notice of Appeal pursuant to Section 380.07, Fla. Stat., will also stay the effectiveness of this Second Amended and Restated Development Order.

SECTION XII. OWNER/DEVELOPER CONSENT

The Owner and Developer, by executing this Second Amended and Restated Development Order, acknowledge that this Second Amended and Restated Development Order is binding upon the Property, and the conditions of approval contained herein apply to and control all further development of the Property.

ADOPTED THIS 28th DAY OF MARCH, 2016.

CITY OF WILDWOOD, FLORIDA

BY: _____
Ed Wolf
Mayor

ATTEST

Alice J. Borrack, Senior Deputy City Clerk
Date: _____

"Owner" and "Developer"
WILDWOOD SPRINGS, LLC, a
Florida limited liability company
By: Reader & Partners, a Florida limited
liability company LLC, its manager

By: _____
Dean Barberree
As Its: President

State of _____
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____ 2016,
by _____ of _____, as _____ of _____, on
behalf of the company, who has produced _____ as identification or is
personally known to me.

Notary Public, State of _____
Commission

My Commission Expires:

EXHIBIT A

LEGAL DESCRIPTION - WILDWOOD SPRINGS PARCELS

THE EAST 1/2 OF THE EAST 1/2 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

AND

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

AND

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 ALL IN SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

AND

THE SOUTH 325 YARDS OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4, LESS THE NORTHEAST 1/4 OF THE NORTHEAST OF THE NORTHWEST 1/4; AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, LESS 5 ACRES IN THE NORTHWEST CORNER AND LESS BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, RUN SOUTH 466 FEET 8 INCHES FOR POINT OF BEGINNING, THENCE RUN SOUTH 210 FEET, THENCE EAST 210 FEET, THENCE NORTH 210 FEET, THENCE WEST 210 FEET TO THE POINT OF BEGINNING; ALL IN SECTION 32, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

AND

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 33, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

LESS ROAD RIGHT-OF-WAYS LYING WITHIN THE ABOVE DESCRIBED PARCELS.

AND LESS THOSE PARCELS DESCRIBED IN DEED TO SUMTER COUNTY, FLORIDA RECORDED IN O.R. BOOK 950, PAGE 54, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.

AND

THE NORTH 330 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 19 SOUTH, RANGE 23 EAST, LESS AND EXCEPT RIGHT OF WAY FOR CR 505, SUMTER COUNTY, FLORIDA, CONSISTING OF 10 ACRES, MORE OR LESS, BEING A DIVISION OF PARCEL #G33-022, AS RECORDED IN O.R. BOOK 784, PAGES 206-209, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.

AND

NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LESS THE NORTH 278.68 FEET OF THE WEST 163.00 FEET OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; LESS THE RIGHT OF WAY FOR COUNTY ROAD NO. 468 ACROSS THE NORTH SIDE THEREOF.

AND

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA. LESS RIGHT OF WAY FOR HIGHWAY 468.

AND

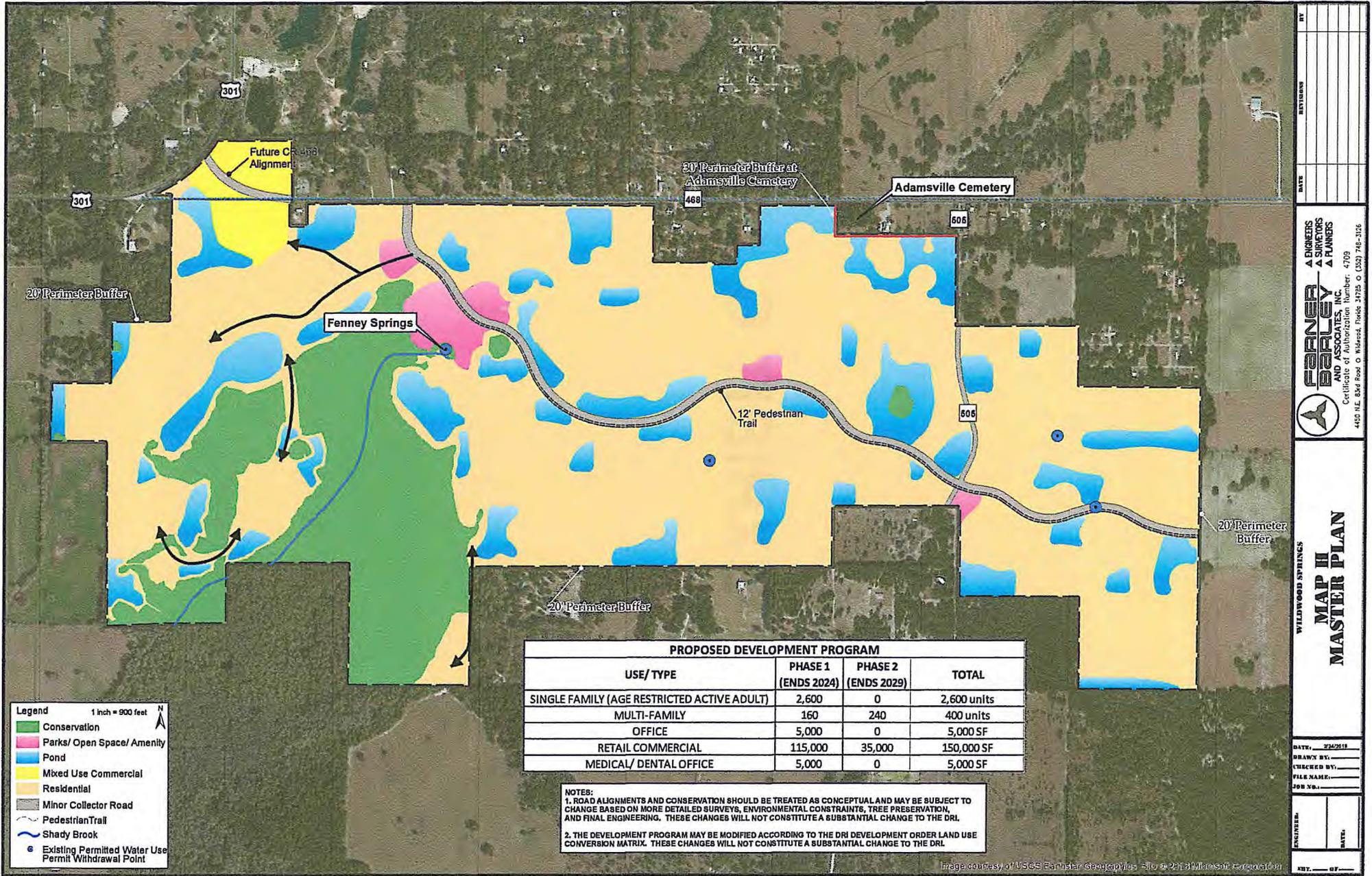
FROM THE SOUTH QUARTER CORNER OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, RUN NORTH 0°07'02" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 34.05 FEET TO THE NORTH RIGHT OF WAY OF HIGHWAY 468 AND THE POINT OF BEGINNING; THENCE SOUTH 89°54'25" WEST 942.29 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY OF HIGHWAY 468 AND THE SOUTHEASTERLY RIGHT OF WAY OF HIGHWAY 301; THENCE BY THE SOUTHEASTERLY RIGHT OF WAY OF HIGHWAY 301, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1486.18 FEET, 1022.51 FEET TO A POINT; THENCE RUN NORTH 89°58'05" EAST 162.41 FEET; THENCE RUN SOUTH 00°07'02" WEST 630.01 FEET TO THE POINT OF BEGINNING.

LESS THAT PORTION CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY DEED RECORDED JUNE 25, 1990 IN OFFICIAL RECORDS BOOK 401, PAGE 26 DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; RUN NORTH 0°02'01" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 33.65 FEET TO THE NORTHERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 468; THENCE NORTH 89°59'20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE 942.26 FEET TO THE INTERSECTION OF SAID NORTHERLY RIGHT OF WAY LINE AND THE

SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF STATE ROAD 35 (U.S. 301) FOR THE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A CURVE ALONG STATE ROAD 35 CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1482.70 FEET AND A CHORD BEARING OF NORTH 69°34'18" EAST; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°25'58" A DISTANCE OF 62.96 FEET FOR THE END OF SAID CURVE; THENCE, DEPARTING THE SOUTHEASTERLY EXISTING RIGHT OF WAY LINE OF STATE ROAD 35, SOUTH 01°26'29" WEST 21.99 FEET TO THE NORTHERLY EXISTING RIGHT OF WAY LINE OF COUNTY ROAD 468; THENCE NORTH 89°59'20" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE 58.44 FEET TO THE POINT OF BEGINNING.

EXHIBIT B



PROPOSED DEVELOPMENT PROGRAM			
USE / TYPE	PHASE 1 (ENDS 2024)	PHASE 2 (ENDS 2029)	TOTAL
SINGLE FAMILY (AGE RESTRICTED ACTIVE ADULT)	2,600	0	2,600 units
MULTI-FAMILY	160	240	400 units
OFFICE	5,000	0	5,000 SF
RETAIL COMMERCIAL	115,000	35,000	150,000 SF
MEDICAL/ DENTAL OFFICE	5,000	0	5,000 SF

NOTES:
 1. ROAD ALIGNMENTS AND CONSERVATION SHOULD BE TREATED AS CONCEPTUAL AND MAY BE SUBJECT TO CHANGE BASED ON MORE DETAILED SURVEYS, ENVIRONMENTAL CONSTRAINTS, TREE PRESERVATION, AND FINAL ENGINEERING. THESE CHANGES WILL NOT CONSTITUTE A SUBSTANTIAL CHANGE TO THE DRI.
 2. THE DEVELOPMENT PROGRAM MAY BE MODIFIED ACCORDING TO THE DRI DEVELOPMENT ORDER LAND USE CONVERSION MATRIX. THESE CHANGES WILL NOT CONSTITUTE A SUBSTANTIAL CHANGE TO THE DRI.

- Legend** 1 inch = 900 feet
- Conservation
 - Parks/ Open Space/ Amenity
 - Pond
 - Mixed Use Commercial
 - Residential
 - Minor Collector Road
 - Pedestrian Trail
 - ~ Shady Brook
 - Existing Permitted Water Use Permit Withdrawal Point

REVISIONS	DATE	BY
 FARNER BABILEY AND ASSOCIATES, INC. <small>Certificate of Authorization Number: 4709 440 N.E. 834 Road O. Wilkes, Florida 34725 © (352) 748-3125</small>		
WILLOW SPRINGS MAP II MASTER PLAN		
DATE: 2/24/2018	DRAWN BY:	ENGINEER:
CHECKED BY:	FILE NAME:	DATE:
JOB NO.:	JOB NO.:	DATE:
DATE:	DATE:	DATE:

Image courtesy of USGS Earthstar Geographics, LLC & 2013 Microsoft Corporation.

EXHIBIT C

Wildwood Springs DRI - Land Use Conversion Matrix

Change To:	Active Adult SF	Residential MF	Office	Med.-Den. Office	Retail	Residential SF	Ind. Living Facility	Assisted Living Facility
Change From:								
Active Adult SF	N/A	0.34 du/du	0.012 ksf/du	0.05 ksf/du	0.059 ksf/du	0.2 du/du	1.20 du/du	0.71 bed/du
Residential MF	2.94 du/du	N/A	0.036 ksf/du	0.147 ksf/du	0.175 ksf/du	0.6 du/du	3.53 du/du	2.08 bed/du
Office	83 du/ksf	28.1 du/ksf	N/A	4.125 ksf/ksf	4.907 ksf/ksf	16.9 du/ksf	99.25 du/ksf	58.41 bed/du
Med.-Den. Office	20 du/ksf	6.81 du/ksf	0.242 ksf/ksf	N/A	1.190 ksf/ksf	4.10 du/ksf	24.06 du/ksf	14.16 bed/ksf
Retail	16.8 du/ksf	5.72 du/ksf	0.204 ksf/ksf	0.841 ksf/ksf	N/A	3.44 du/ksf	20.23 du/ksf	11.9 bed/ksf
Residential SF	4.88 du/du	1.66 du/du	0.059 ksf/du	0.244 ksf/du	0.290 ksf/du	N/A	5.87 du/du	3.46 bed/du
Ind. Living Facility	0.83 du/du	0.28 du/du	0.010 ksf/du	0.042 ksf/du	0.049 ksf/du	0.17 du/du	N/A	.589 bed/du
Assisted Living Facility	1.41 du/bed	0.48 du/bed	0.017 ksf/bed	0.071 ksf/bed	0.084 ksf/bed	0.29 du/bed	1.70 du/bed	N/A

Exchange Examples:

Add 12 square feet of Office space by reducing Active Adult Single Family by 1 unit

Add 5.72 Multi-Family Dwelling Units by reducing Retail by 1,000 square feet

Trip rates used in exchange are based on Net External PM peak two-way trip generation					
<u>DRI Land Uses</u>	<u>ITE Code</u>	<u>Units/Sq Ft</u>	<u>Ext PM Pk Trips</u>	<u>Trip Rate</u>	
Active Adult SF	251	2,600	404	0.16	
Residential MF	220	400	186	0.47	
Office	710	5,000	66	13.20	
Med.-Den. Office	720	5,000	16	3.20	
Retail	820	150,000	403	2.69	
			1075		
<u>Potential Land Uses</u>	<u>ITE Code</u>			<u>Trip Rate</u>	
Residential SF	210			0.781	
Ind. Living Facility	253			0.133	
Assisted Living Facility	254			0.226	