

After Recording Return to:

City of Palm Coast Clerk
160 Lake Avenue
Palm Coast, Florida 32164

**MASTER PLANNED DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF PALM COAST AND
RAYDIENT PALM COAST LLC
WESTWARD EXPANSION
[June 30, 2026]**

THIS MASTER PLANNED DEVELOPMENT AGREEMENT, (“Development Agreement”) is made and executed this ____ day of _____, 2026, by and between the **CITY OF PALM COAST**, a Florida municipal corporation (the “City”), whose address is 160 Lake Avenue, Palm Coast, Florida, 32164, and **RAYDIENT PALM COAST LLC**, a Delaware limited liability company, (“Raydient” or “Landowner”) whose address is One Rayonier Way, Wildlight, Florida, 32097.

RECITALS

WHEREAS, the real property subject to the Master Planned Development (“MPD”) rezoning and this Development Agreement is approximately 20,144 acres located generally west of U.S. 1 and north of Espanola as more particularly described in **Exhibit “A”** (the “Property”) and depicted on the MPD conceptual master plan attached hereto as **Exhibit “B”** (the “MPD Master Plan”); and

WHEREAS, for purposes of this Development Agreement the terms “Raydient” and “Landowner” shall be used interchangeably and shall include Raydient’s successors and assigns; and

WHEREAS, Landowner filed an application for rezoning of the Property to MPD and this Development Agreement on March 23, 2026, as subsequently amended; and

WHEREAS, annexation petitions were filed with the City to annex the portion of the Property located within Flagler County, Florida, (the “County”) as of March 2026 into the City and said

annexation has been reviewed pursuant to state law by the City and approved by the City prior to the approval of this MPD rezoning and Development Agreement; and

WHEREAS, the MPD rezoning and this Development Agreement necessitate an amendment to the City’s 2050 Comprehensive Plan (“Comprehensive Plan”) to designate the Property as Master Planned Mixed Use (“MPMU”) on the Future Land Use Map and said amendment has been reviewed and approved by the City pursuant to Chapter 163, Part II, Florida Statutes, prior to the approval of this MPD rezoning and Development Agreement; and

WHEREAS, development of the Property is subject to the Comprehensive Plan, including Future Land Use Element Goal 1.7 and related Objectives and Policies which provide MPMU development parameters for the Property (the “MPMU Comp Plan Provisions”); and

WHEREAS, the approval by the City Council of the City of Palm Coast (“City Council”) of this MPD rezoning and Development Agreement shall rezone the Property to this MPD, subject the Property to this Development Agreement and terminate and supersede the Conceptual Master Plan Development Agreement recorded at Official Records Book 1856, Page 957, of the public records of the County applicable to a portion of the Property; and

WHEREAS, the Landowner requests approval for an MPD and this Development Agreement to allow a mix of uses as set forth herein to be developed and located on the Property subject to the development conditions set forth in this Development Agreement; and

WHEREAS, as a condition of development the development of the Property will meet the adopted level of service standards in the Comprehensive Plan as set forth in Comprehensive Plan Capital Improvements Element Exhibit 8.1 and as discussed in Future Land Use Element Goal 1.3 as are in effect on the Effective Date (as defined herein); and

WHEREAS, the Landowner is in voluntary agreement with the development conditions hereinafter recited, and has agreed voluntarily to its imposition as a condition to development of the Property; and

WHEREAS, a noticed neighborhood meeting for the MPD, this Development Agreement and associated land use applications (e.g. annexation, Comprehensive Plan amendment) was held on April 22, 2026, consistent with the City of Palm Coast Unified Land Development Code (the “LDC”); and

WHEREAS, the City Planning and Land Development Regulation Board (the “PLDR Board”), sitting as the local planning agency, conducted a public hearing duly noticed on July 15, 2026, afforded the public and all affected parties an opportunity to be heard and present evidence and found that the MPD rezoning and this Development Agreement are consistent with the Comprehensive Plan, the Code of Ordinances, City of Palm Coast, Florida, (“Code of Ordinances”) and the LDC and that the conditions and terms set forth herein are necessary for the protection of the public health, safety and welfare of the citizens of the City and recommended approval of the MPD rezoning and this Development Agreement; and

WHEREAS, the City Council conducted a public hearing duly noticed, constituted and assembled on August 4, 2026 and on _____, 2026 and considered at the public hearings the proposed MPD rezoning and this Development Agreement, the report and recommendations from the City staff, comments made before the PLDR Board, and afforded the public and all affected parties an opportunity to be heard and present evidence; and

WHEREAS, the City Council finds that the MPD rezoning and this Development Agreement are consistent with the Comprehensive Plan, the Code of Ordinances and the LDC and that the conditions and terms set forth herein are necessary for the protection of the public health, safety and welfare of the citizens of the City; and

WHEREAS, the City Council has determined that the proposed mix of uses, including those permitted within the Regional Activity Center and Employment Center Sub-Areas (defined herein), are a recognizable and material economic benefit to City residents and such benefit would not be achieved without the collaboration of the parties and this Development Agreement; and

WHEREAS, the Landowner is proposing an approximately 8,501 acre Greenway Overlay which will serve as a critical tool for providing ecological connectivity and recreational opportunities compatible with surrounding natural resources within and adjacent to the Property and the City Council finds that such Greenway Overlay is a substantial benefit to the City from an ecological, recreational and economic standpoint and such benefit far exceeds any similar development conditions in the LDC and is unlikely without this MPD and Development Agreement; and

WHEREAS, the City Council further finds that this Development Agreement is consistent with and an exercise of the City's powers under the Municipal Home Rule Powers Act, Article VIII, Section 2(b) of the Constitution of the State of Florida; Chapter 166, Florida Statutes; the City of Palm Coast Charter; other controlling law; and the City's police powers; and

WHEREAS, this is a statutory Development Agreement subject to and enacted pursuant to the provisions of Sections 163.3220 – 163.3243, Florida Statutes, (the "DA Act").

NOW, THEREFORE, it is hereby resolved and agreed by and between the City and the Landowner that the Landowner's application for an MPD rezoning, including this Development Agreement, is approved subject to the terms and conditions herein.

[The remainder of this page intentionally left blank.]

TABLE OF CONTENTS

<u>Sections</u>	<u>Page</u>
1. Recitals/Findings of Facts and Conclusions of Law	8
a. Recitals	8
b. Findings of Facts and Conclusions of Law	8
2. Representations of Landowner	8
3. Approval of Master Planned Development/Definitions	9
4. Development Plan Review Process	10
a. Overview	10
b. Substantial Compliance	10
c. Technical Site Plan	14
d. Platting	17
e. City Meetings/Hearings	18
f. Landowner Consent	19
g. Resubmittals	19
h. Lot Grading and Drainage Plan and Form	19
i. Architecture	20
5. Sub-Areas/Permitted Uses/Density and Intensity	20
a. Sub-Areas	20
b. Permitted Uses	25
c. Density and Intensity	36
6. Code of Ordinances/LDC Applicability	37
7. Development Standards	38
a. Wetlands	38
b. Wetland Buffer/Building Setback	39
c. Floodplain	39
d. Regional Roadway Network	40
e. Internal Street Network	42
f. Landscaping	48
g. Signage	58
h. Improvements in Public Rights-of-Way	69
i. Site Development Standards	70
j. Alternative Transportation	75
k. Lighting	77
l. Habitat	77
m. Water/Sewer/Reuse Utilities	78
n. Fire Protection/Wildfire Mitigation	79
o. Solid Waste	80
p. Dry Utility Lines/Telephone/Electricity/Fiber Optic	80
q. Hurricane Evacuation	80
r. Water Conservation	80
s. Fencing/Walls	80
t. Building Height	81
u. Architecture	81

v.	Pollution and Environmental Concerns	81
w.	Fill	81
x.	Cultural and Historic Resources	82
y.	Parking and Loading	82
8.	Phasing of Development/Mix of Uses	85
9.	Conversion of Uses	88
10.	Stormwater	88
11.	Parks and Recreation	92
12.	Greenway Overlay/Wetlands/Upland/Open Space	92
a.	Boundaries	92
b.	Silviculture/Agriculture	94
c.	Greenway Overlay	94
d.	Open Space	95
e.	Ownership	95
13.	Amendments/Modifications to this Development Agreement	95
a.	Overview	95
b.	Amendment	96
c.	Minor Modification	97
d.	Application	97
e.	Application Processing	98
14.	Other Approvals	99
15.	Application Fees	99
16.	Agricultural/Silvicultural	99
17.	Community Development District/Unit of Special Purpose Government	101
18.	State Statutory Requirements for Development Agreements	101
19.	Breach/Enforcement	103
20.	Notices	104
21.	Severability	105
22.	Successors and Assigns	106
23.	Deeds	106
24.	Governing Law/Venue/Compliance with Law	107
25.	Effective Date	108
26.	Third Party Rights	108
27.	Compliance/Time is of the Essence	108
28.	Attorney's Fees	109
29.	Force Majeure	109
30.	Captions	110
31.	Exhibits	110
32.	Interpretation/Monitoring Official	110
33.	Further Assurances	111
34.	Counterparts	111
35.	Non-Waiver	111
36.	Entire Agreement/Effect on Prior Agreements	111

Tables

1.	Table 1 – Sub-Areas	25
2.	Table 2 – Permitted Uses	26
3.	Table 3 – Allowable Sign Types	62
4.	Table 4 – Signage Standards	63
5.	Table 5 – Lot and Site Development Standards	71
6.	Table 6 – Pedestrian Access	76
7.	Table 7 – Parking Standards	84
8.	Table 8 – Land Use and Phasing	86

Exhibits

1.	Exhibit A – Property
2.	Exhibit B – MPD Master Plan
3.	Exhibit C – Land Use Conversion Table

SECTION 1. RECITALS/FINDINGS OF FACTS AND CONCLUSIONS OF LAW.

(a). Recitals. The above recitals are true and correct and are incorporated herein by this reference and form a material part of this Development Agreement upon which the City and the Landowner have relied.

(b). Findings of Facts and Conclusions of Law. The City Council hereby makes the following findings of facts and conclusions of law:

- (i). This MPD rezoning and Development Agreement are consistent with the Comprehensive Plan, including the MPMU Comp Plan Provisions and the MPMU future land use map category, and furthers the goals and objectives of the Comprehensive Plan.
- (ii). This MPD rezoning and Development Agreement are consistent with the general intent of the Codes of Ordinances and the LDC.
- (iii). This MPD rezoning and Development Agreement supports the City's economic sustainability and long-term planning goals and as such is not in conflict with or contrary to the public interest.
- (iv). This MPD rezoning and Development Agreement do not create an unreasonable hazard, nuisance or constitute a threat to the general health, welfare or safety of the City's inhabitants.
- (v). The MPD rezoning and this Development Agreement do not impose any financial liability or hardship for the City.

SECTION 2. REPRESENTATIONS OF LANDOWNER.

(a). The Landowner hereby represents and warrants to the City that as of the Effective Date (as defined below) it is the owner of the majority of the Property per the Corrective Special Warranty

Deed recorded at Official Records Book 2854, Page 896 of the public records of the County. The City hereby represents and warrants that as of the Effective Date it is the owner of certain well sites within the Property per the Corrective Special Warranty Deed recorded at Official Records Book 1783, Page 1235, the Special Warranty Deed recorded at Official Records Book 1765, Page 1800 and the Warranty Deed recorded at Official Records Book 566, Page 857 all of the public records of the County (the “City Lands”). For purposes of this Development Agreement and the MPD rezoning, the Landowner is the City’s authorized agent as to the City Lands.

(b). The Landowner represents and warrants to the City that it has the power and authority to enter into and agree to the terms and conditions of this Development Agreement; that all acts, approvals, procedures and similar matters required in order to authorize this Development Agreement have been taken, obtained or followed, each as the case may be; that this Development Agreement and the proposed performance of this Development Agreement by the Landowner is not an *ultra vires* act; and that, upon the execution of this Development Agreement by the parties, this Development Agreement shall be valid and binding upon the parties hereto and their successors and interest, as set forth herein.

(c). The Landowner and the City acknowledge that there are no joinders and consents required for this Development Agreement.

SECTION 3. APPROVAL OF MASTER PLANNED DEVELOPMENT/DEFINITIONS.

(a). The City Council at its regular meeting on _____, 2026, approved an MPD rezoning for the Property subject to the terms and conditions of this Development Agreement, which includes the MPD Master Plan.

(b). For purposes of this Development Agreement, definitions of terms applicable to the Property shall be as set forth in MPMU Comp Plan Provisions Objective 1.7.3 and Policy 1.7.3.1.

SECTION 4. DEVELOPMENT PLAN REVIEW PROCESS.

(a). Overview. The development plan review process applicable to the Property is as set forth in this Section 4 or as otherwise provided in this Development Agreement. The City requirements for a master planned development site plan, subdivision master plan, nonresidential controlling master site plan/development, large scale commercial center and any other applicable site plan or approval in the LDC, including LDC Section 2.10, are not applicable for any portion of the Property provided the development plan review process, which includes approval of a technical site plan, as set forth herein is adhered to by the applicable developer/builder. As part of the review and approval by the City of the MPD rezoning and this Development Agreement, the review criteria in LDC Sections 2.10.04 and 4.15 were considered and deemed satisfied by the MPD Master Plan attached as **Exhibit “B”** and this development plan review process. The development plan review process set forth in this Section 4 applies to residential and nonresidential development of the Property (or portion thereof) with the mix of uses set forth in Section 8 and does not apply to any land management, agricultural, silvicultural or other similar uses as set forth herein.

(b). Substantial Compliance.

(i). Prior to technical site plan approval for any portion of residential or nonresidential development within the Property (or portion thereof) at the densities or intensities set forth herein, a developer and/or builder within the Property shall submit to the City Land Use Administrator (“LUA”) an application for Substantial Compliance with this MPD (“Substantial Compliance”). The purpose of a Substantial Compliance application is to ensure the applicable portion of development is consistent with the MPMU Comp Plan Provisions and this Development Agreement, including the MPD Master Plan.

(ii). The Substantial Compliance application shall consist of a City General Application as provided for in Section VIII of the City Technical Review Manual/Technical Standards Manual (“Technical Manual”) and a site plan drawn to a legible even scale that describes and/or depicts (as applicable), the proposed:

- a. Project name;
- b. Project boundary;
- c. Project data table to include (as applicable):
 - i. Total project area,
 - ii. Number of residential lots/dwelling units,
 - iii. Building area (sq. ft.),
 - iv. Wetland conservation (acreage),
 - v. Upland buffer (acreage),
 - vi. Other upland conservation (acreage),
 - vii. Active recreation (acreage),
 - viii. Open space (acreage),
 - ix. Greenway Overlay, defined herein, (acreage),
 - x. Lot coverage by building(s),
 - xi. Floor Area Ratio (FAR), and/or
 - xii. Impervious surface area;
- d. Nonresidential and multi-family buildings or lot layouts for single family residential units;

- e. Connection points to streets external to the project and internal project vehicular, bicycle and pedestrian circulation system;
- f. Location of roads, trails, buffers, areas proposed to be subject to a conservation easement(s) and the Greenway Overlay or portions thereof;
- g. Community form design and dimensional standards per Table 5, Lot and Site Development Standards, (below) for the proposed uses;
- h. Sign types and general location;
- i. Proposed stormwater facility location(s); and/or
- j. Recreation and open space.

The Substantial Compliance application will also include a location map depicting the project in relation to the overall Property. A legal description and/or sketch of the portion of the Property subject to the Substantial Compliance application must be submitted with the application. A boundary survey, title opinion (or other similar document) and call outs around the perimeter, lots or any portion of the Property subject to the application are not required at this stage in the development plan review process.

- (iii). The LUA shall designate a planner within the City Community Development Department Planning and Zoning Division to review and approve Substantial Compliance applications, and to the extent feasible such planner shall be the same planner for each Substantial Compliance application. The planner's review of a Substantial Compliance application shall be limited to consistency with the MPMU Comp Plan Provisions and this Development Agreement.

(iv). Within thirty (30) days of receipt of a Substantial Compliance application, the LUA shall in writing approve, approve with conditions, or provide written review comments and/or request additional information from the applicant. An applicant may resubmit a revised Substantial Compliance application with the LUA subsequent to receiving review comments and/or requests for additional information from the LUA and request a meeting with the LUA. The LUA must meet with the applicant to go over any comments and/or requests for additional information within five (5) days of resubmittal and applicant request and approve or approve with conditions the application within fourteen (14) days of the resubmittal. In no event shall the LUA's review and approval, approval with conditions or denial occur later than sixty (60) days from the date of initial submittal of a Substantial Compliance application. The time periods for a Substantial Compliance application may be waived in writing by the applicant. A Substantial Compliance approval or approval with conditions shall be valid until the applicant terminates it. Any denial shall specifically state in writing the reasons for denial. An applicant may file a revised Substantial Compliance application subsequent to a denial at any time after the LUA's written denial determination is provided to the applicant and said application shall be considered a new application. If an applicant decides to appeal the LUA's written decision of a Substantial Compliance application, such appeal shall be a de novo review and follow the provisions in LDC Section 2.16.

(c). Technical Site Plan.

- (i). Notwithstanding anything in the Code of Ordinances, LDC or Technical Manual, including but not limited to LDC Section 2.11, to the contrary, subsequent to approval or approval with conditions by the LUA of a Substantial Compliance application, an applicant will submit a technical site plan (a/k/a construction plan) application to the LUA consistent with this Section 4. There is no required time period in which to submit a technical site plan application once the Substantial Compliance application is approved or approved with conditions. A technical site plan application may be submitted for the portion of the Property, or a smaller segment thereof, subject to an approved or approved with conditions Substantial Compliance application. Notwithstanding anything herein to the contrary, an applicant may submit to the LUA a Substantial Compliance application and technical site plan application at the same time and the LUA shall process the applications simultaneously; however the technical site plan shall not be approved, approved with conditions or denied until the LUA approves or approves with conditions the Substantial Compliance application as set forth herein.
- (ii). The technical site plan application shall consist of a General Application as provided for in Section VIII of the Technical Manual and the applicable requirements set forth in the Technical Site Plan Application Submittal Checklist included in Section VIII in the Technical Manual, except for Items I. (Architectural Plans), Q. (Traffic Impact Study or Statement), V. (Neighborhood Meeting Documentation) and as otherwise agreed to by the

parties. A site access traffic study will be provided as part of the technical site plan application. Copies of any applicable environmental reports such as listed species assessments, cultural resource assessments, and/or wetland delineation/surveys and Unified Mitigation Assessment Methodology (“UMAM”) scores conducted as part of any applicable state and federal environmental resource permitting processes for the portion of Property development subject to the technical site plan application will be provided as part of the application. The technical site plan application shall also include written confirmation (e.g. letter, email) from the applicable Entity (defined below) that the residential and/or nonresidential development subject to the technical site plan application is consistent with the applicable Property (or portion thereof) private architectural standards. If the Substantial Compliance application was approved with conditions by the LUA, the technical site plan application shall demonstrate compliance with any applicable condition(s).

- (iii). Upon submittal of a technical site plan application to the LUA, the LUA shall review the application and provide the application to the City staff Technical Review Committee (“TRX”) for review and comments, and the LUA shall within twenty-one (21) days of application submittal issue the collective comments of the LUA and TRX to the applicant. Prior to the applicant responding to any comments, the LUA and TRX must meet with the applicant to discuss the LUA and TRX comments. The meeting shall occur on a weekday no more than five (5) business days from the date the LUA and TRX comments are issued in writing to the applicant (the “TSP Public Noticed Meeting”).

Notice of the TSP Public Noticed Meeting and an agenda shall be posted on the City's website seventy-two (72) hours prior to the meeting. The general public is invited to attend and observe the TSP Public Noticed Meeting and review the applicable technical site plan application. A TSP Public Noticed Meeting may include the discussion of comments for one (1) or more technical site plans within the Property or portion thereof. Subsequent to the TSP Public Noticed Meeting, the applicant will respond in writing to any comments and then resubmit the technical site plan application to the LUA. The LUA and TRX will then have fourteen (14) days to review the resubmittal and issue comments or for the LUA to approve or approve with conditions the application. If the LUA issues comments, then the applicant will respond to the comments and resubmit the technical site plan application. Prior to the LUA and TRX providing comments on the applicant's third submittal, the LUA and TRX must meet with the applicant to discuss any remaining comments within five (5) days of the resubmittal and said meeting will be between the LUA and TRX and the applicant and not a TSP Public Noticed Meeting. The LUA shall then issue final comments or approve or approve with conditions the application within fourteen (14) days of the third submittal. In no event shall the LUA's and the TRX's review and the LUA's approval, approval with conditions or denial occur later than ninety (90) days from the initial submittal of a technical site plan. The technical site plan will remain valid until the applicant terminates it. The timeframes provided for in this Subsection may be waived in writing by the applicant. An applicant may file a revised technical site plan application

subsequent to a denial at any time after the LUA's written denial determination is provided to the applicant and said filing shall be considered a new application. If an applicant decides to appeal the LUA's written decision of a technical site plan, such appeal shall be de novo review and follow the provisions in LDC Section 2.16.

- (iv). Notwithstanding the technical site plan process outlined herein, an applicant may submit to the LUA prior to technical site plan approval engineering plans to allow for early clearing and grading of a Development Parcel or portion thereof as set forth in Section 10 below.
- (v). Per LDC Section 9.01.04(K), a technical site plan may depict the phased development of a Development Parcel which is different than the overall Property development phasing provided in Section 8 below.

(d). Platting.

- (i). A plat application is required for residential development purposes to subdivide land into three (3) or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land within the Property including the establishment of new streets and alleys, additions, and resubdivisions. Nonresidential development is not required to be platted within the Property; however, an applicant (at its option) may process a plat consistent with this Subsection for nonresidential development. An applicant may (but is not required) to process nonstatutory plats as set forth in LDC Section 2.08.
- (ii). No later than issuance by the City of the residential or nonresidential building permit for development that triggers the platting condition herein, a plat shall

be approved by the LUA. An applicant (at its sole discretion) may submit a plat contemporaneously with submittal of the applicable technical site plan or at any time prior to the issuance of a building permit as set forth herein. The items to be provided for plat submittal shall be as set forth in the “Subdivision Final Plat Application Submittal Checklist” in Section VIII of the Technical Manual or as otherwise agreed to by the parties. A preliminary plat is not required to be submitted for any development within the Property.

- (iii). The LUA shall review and approve a plat pursuant to and within the same time periods as set forth in Subsection 4(c)(iii) above for a technical site plan except that the TSP Public Noticed Meeting and review by the TRX shall not occur as part of the plat review and approval process. The LUA shall approve any plat within the Property consistent with Section 177.071, Florida Statutes, provided the final plat meets the platting requirements set forth herein and in Chapter 177, Part I, Florida Statutes. Upon final plat approval by the LUA, the LUA will provide written notice of the approval to the applicant, and the applicant will then provide the LUA with the required recording fees and the final plat in Mylar form for the LUA to record the plat in the County public records consistent with state law. The LUA must provide a copy of the recorded plat to the applicant and the City Clerk.

- (e). City Meetings/Hearings. No hearing, neighborhood meeting or other City public meeting is required for any portion of the development plan review process set forth in this Section 4, except for the technical site plan application TSP Public Noticed Meeting. However, final approval of a technical site plan application is strictly contingent upon the portion of the Property development

subject to the application meeting the adopted level of service standards in the Comprehensive Plan as set forth in Comprehensive Plan Capital Improvements Element Exhibit 8.1 and Comprehensive Plan Goal 1.3 as are in effect on the Effective Date and consistent with Section 11 (“LOS”). Satisfaction of any applicable LOS may be demonstrated in one (1) or more development agreements between the Landowner and the City with any such development agreement subject to approval by City Council. For purposes of satisfying the LOS for public schools/education, any applicable development agreement shall also be subject to approval by the School District of Flagler County, Florida.

(f). Landowner Consent. Any application for Substantial Compliance, technical site plan (including engineering plans for early clearing and grading and/or an Early Clearing/Grading Permit (as defined herein)) and/or plat submitted to the City for development within the Property shall include a written consent by Landowner (which consent is transferable by Landowner with notice of transfer provided to the City) for submittal of said application.

(g). Resubmittals. Any resubmittals that occur during the various development plan review processes provided for in this Section 4 shall not be classified as a “major modification” or determined to constitute a new application. After the review of the initial submittal of any of the applications set forth in this Section 4, the LUA and the TRX (only as to technical site plans) will only comment on changes made to the application by the applicant in response to the LUA’s and TRX’s (only as to technical site plans) comments and/or revisions since the last resubmittal.

(h). Lot Grading and Drainage Plan and Form. A Florida licensed surveyor will be responsible for preparing a lot grading and drainage plan for one (1) and (2) family residential homes. A Final Lot Grading and Drainage Certification Form (the “Form”) is a condition of issuance by the City of a building permit for one (1) and two (2) family residential homes within the Property.

Notwithstanding any City regulation, law or policy to the contrary, the Form shall be signed by the Engineer of Record (E.O.R.) for the homes subject to this development condition.

(i). Architecture. No architectural renderings, depictions, descriptions or other similar items are required as part of the development plan review process set forth in this Section 4. Architectural standards and/or regulations as provided for in Section 7(u) below will be handled by one (1) or more homeowners/property owners association, Community Development District, unit of special purpose government or other similar entity (an “Entity” or the “Entities”) with a written approval letter from the applicable Entity provided as part of technical site plan application as set forth in Section 4(c) above.

SECTION 5. SUB-AREAS/PERMITTED USES/DENSITY AND INTENSITY.

(a). Sub-Areas. The MPMU Comp Plan Provisions identify the various sub-areas allowed within the Property and consist of the Greenway Overlay (including Hamlets), Villages (including Neighborhood Centers), Village Centers, Regional Activity Center and Employment Center (the “Sub-Areas”) in the locations generally depicted on the MPD Master Plan attached as **Exhibit “B”**. The specific sizes, locations and configurations of the Sub-Areas will be determined at the time of the applicable technical site plan review as provided for in Section 4 above. The MPMU Comp Plan Provisions and this Development Agreement shall control for purposes of the permitted uses within the Property. This Development Agreement specifically supersedes the requirements in LDC Section 3.04.02, which requirements are satisfied in the MPMU Comp Plan Provisions and this Development Agreement. Below is an overview of each of the Sub-Areas.

(i). Greenway Overlay.

a. The MPD Master Plan conceptually depicts the Greenway Overlay as a system of interconnected greenways that together with the regionally

significant transportation network defines the development areas within the Property. The Greenway Overlay is envisioned to be a significant linkage with the Florida Wildlife Corridor and intended to provide ecological linkages to the larger statewide system and adjacent conservation lands. Uses within the Greenway Overlay may include a mix of uses including ecotourism, agritourism related uses, stormwater harvesting, water supply uses, public facilities, recreation, utilities and other uses as set forth in Table 2, Permitted Uses, below. At buildout at least fifteen percent (15%) of the Greenway Overlay will consist of upland buffers or other upland open space. The Greenway Overlay is also discussed in Section 12 below.

- b. Transition Zones. The MPD Master Plan generally depicts transition zones (“Transition Zones”) within the Greenway Overlay. The purpose of the Transition Zones is to minimize edge effects associated with the Greenway Overlay and adjacent land as well as to provide for compatible uses outside and adjacent to the Greenway Overlay. Per MPMU Comp Plan Provisions Policy 1.7.3.1, hamlets are enclaves of small scale residential settlements. Hamlets shall only be permitted within the Transition Zones and Villages. All residential uses are permitted within Hamlets as well as agricultural, agritourism, ecotourism, public, institutional, cultural, civic, recreational, entertainment, community gardens or other similar activities and said uses may be commercial in nature (“Hamlets”). The maximum

residential density within Hamlets is no more than one (1) unit per twenty (20) acres of the total Greenway Overlay at buildout which equates to a maximum of 425 residential units. Once developed, Hamlets will not be considered part of the Greenway Overlay. The allowance of Hamlets within the Property and the types of uses allowed within them is pursuant to this Subsection and the MPMU Comp Plan Provisions notwithstanding any contrary provision in this Development Agreement.

(ii). Villages.

- a. The MPD Master Plan also conceptually depicts Villages (e.g. North Village, East Village, etc.). Each Village will consist of one (1) or more residential neighborhoods with edges defined by the Greenway Overlay and/or the interconnected transportation network within the Property. Villages will be designed in a clustered and compact form, and each will contain at least two (2) different housing styles and types. At least ten percent (10%) of the area within each Village shall be retained in open space and recreation. All types of residential uses and ancillary type uses are permitted.
- b. Neighborhood Centers: Each Village shall have a centrally located Neighborhood Center to allow for civic, recreation and open space, institutional uses, neighborhood commercial, and public uses and facilities to create an identity and sense of place. At a minimum, Neighborhood Centers will include a central public gathering place such

as a park, amenity center, village green, square, plaza, community center or similar public spaces. Neighborhood Centers may also include residential, schools, places of worship, public buildings, office and personal service uses designed to serve the surrounding Village. Neighborhood Centers will be identified and depicted on the site plan at the time of the applicable Substantial Compliance application.

- (iii). Village Centers. A Village Center is a mixed use Sub-Area designed to serve the retail, service and civic needs of the surrounding Villages. As conceptually depicted on the MPD Master Plan attached at **Exhibit “B”**, the Village Centers are centrally located within a Village or at the entrances to a Village and/or located around the intersections of streets classified/defined in the LDC as collectors or higher. The Village Centers will allow a mix of uses and vary in size depending upon the surrounding population served, but in no case will each Village Center exceed two hundred (200) acres in size. Multiple Village Centers may be located where a single Village Center is designated on the MPD Master Plan attached as **Exhibit “B”**; if this occurs, the acreages of each Village Center shall not be aggregated provided the Village Centers are separated by a wetland system or the transportation network. The exact location and number of Village Centers will be finalized as part of the applicable technical site plan review(s) without the need to modify this Development Agreement.
- (iv). Regional Activity Center. A centrally located Regional Activity Center as conceptually depicted on the MPD Master Plan will serve as a regional destination for employment, civic, shopping, recreation, entertainment,

institutional, health care, education, hospitality, and/or residential. The Regional Activity Center is proposed to be located on and adjacent to the Matanzas Woods Parkway Extension (a/k/a Loop Road, Matanzas Woods Parkway Extension and Palm Coast Parkway Extension) which is a regionally significant transportation roadway within the Regional Roadway Network. The Regional Activity Center is approximately 947 acres satisfying the minimum two hundred (200) acre size set forth in the MPMU Comp Plan Provisions. A wide range of a mix of uses is allowed within the Regional Activity Center. The final location, acreage and boundaries of the Regional Activity Center will be finalized at the time of the applicable technical site plan(s) review.

- (v). Employment Center. The MPD Master Plan conceptually depicts the Employment Center Sub-Area located in the southeast portion of the Property along or in close proximity to the Florida East Coast (“FEC”) rail line and Regional Roadway Network (i.e. regionally significant roadways). The Employment Center will allow for a mixture of office, industrial, warehouse, supporting retail, supporting residential, civic, institutional and/or other similar uses.

Table 1 Sub-Areas

Land Use Sub-Area	Acreage**	Percent
Regional Activity Center	947	4.7%
Village Center	926	4.6%
Villages*	9,206	45.7%
Employment Center	564	2.8%
Greenway Overlay	8,501	42.2%
Total	20,144	100%

*Includes Neighborhood Centers and Hamlets.

** The above acreages are conceptual and subject to final engineering and permitting and as set forth herein, Land Use Sub-Area acreage includes roadways, uplands and wetlands outside the Greenway Overlay.

*** The final boundaries of the Greenway Overlay are subject to change as set forth in Section 12 below.

**** Notwithstanding the above Table 1, at least fifty percent (50%) of the total lands within an MPMU designation must be planned for recreation and open space uses as provided for in MPMU Comp Plan Provision 1.7.2.1. Recreation and open space uses within the Greenway Overlay count toward the percentage standard. Recreation and open space uses in the other Sub-Areas also count toward the percentage standard.

(b). Permitted Uses. The permitted uses within the Sub-Areas are as described in the MPMU Comp Plan Provisions and this Development Agreement, including Table 2, Permitted Uses, below. The permitted uses are subject to any conversions allowed pursuant to Section 9, an Amendment (as defined in Section 13 below) or Minor Modification (as defined in Section 13 below) to this Development Agreement as may be approved and any LUA interpretation as to a use not included in Table 2. In addition, the Landowner (in its sole and absolute discretion) may continue agricultural and/or silvicultural use of the Property consistent with the MPMU Comp Plan Provisions and this Development Agreement. For purposes of the development of the Property, density and intensity shall be as defined in MPMU Comp Plan Provisions Policy 1.7.3.1 and as further provided for in this Development Agreement.

The following Table sets forth the individual uses organized by Use Category (e.g. Civic, Nonprofit and Institutional, Industrial Uses, etc.) permitted in each Sub-Area within the Property. It is not possible to list each and every individual use which may be allowable within a Use Category and

Sub-Area. The intent is to categorize the uses and provide a sufficient number of illustrative or representative uses to allow other uses to be assigned by the LUA to a Use Category as they are proposed. There are no distance limitations or standards in relation to or between any permitted uses.

Table 2 Permitted Uses

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Civic, Nonprofit and Institutional						
Civic Uses: town hall, libraries, museums	-	P	P	P	P	P
Civic Uses: police, fire, postal service	P	P	P	P	P	P
Civic Clubs and Fraternal Organizations	-	P	P	P	P	P
Hospice Services	-	-	P	P	P	-
Hospitals	-	-	-	P	P	P
Houses of Worship/Religious Institutions	-	P	P	P	P	P
Nonprofit Organizations	-	P	P	P	P	P
Eating, Drinking and Entertainment						
Drinking Establishments including with outside seating (without outdoor entertainment)	-	-	P	P	P	P
Drinking Establishments including with outside seating (with outdoor entertainment)	-	-	P	P	P	P
Beer, Wine, and Liquor Stores (with or without tasting rooms)	-	-	P	P	P	P
Cafeterias, Coffee and Donut Shops, Snack Bars, Sandwich Shops, Delicatessens, Bakeries including with outside seating	-	-	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Microbreweries including with outside seating	-	-	P	P	P	P
Performing Arts Facilities (e.g. community playhouse, dinner theaters)	-	-	P	P	P	P
Takeout Places	-	-	P	P	P	P
Restaurants, Fast Food with/without drive through, with/without outside seating	-	-	P	P	P	P
Restaurants, Fast Casual, including outside seating	-	-	P	P	P	P
Restaurants, Sit-Down, including outside seating	-	-	P	P	P	P
Mobile Food Dispensing Vehicle or Temporary Commercial Kitchens including with outside seating and within MFDV parks, as a principal, accessory or ancillary use	P	P	P	P	P	P
Educational Facilities						
Elementary/Secondary Schools (public and private including charter schools)	--	P	P	P	P	P
Colleges/Universities	-	-	-	P	P	P
Trade Schools	-	-	-	P	P	P
Industrial Uses						
Manufacturing, Heavy	-	-	-	-	-	P
Manufacturing, Light	-	-	-	-	P	P
Material Recovery Facilities (e.g. recycling centers)	-	-	-	-	-	P
Data Centers	-	-	-	-	P	P
Borrow Pits	P	P	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Laboratories						
Medical and Diagnostic Laboratories	-	-	P	P	P	P
Dental Labs	-	-	-	P	P	P
Office, Medical and Professional						
Banks and Credit Unions (with or without drive-thru)	-	-	P	P	P	P
Building Contractors	-	-	-	-	-	P
Mail Order Facilities	-	-	-	-	P	P
Medical and Professional Offices	-	-	P	P	P	P
Outpatient Care Facilities/Standalone ER	-	-	P	P	P	P
Pharmacies (with or without drive-thru)	-	-	P	P	P	P
Scientific and Technical (e.g. architects, engineers, design, programming, and consulting)	-	-	P	P	P	P
Temporary Employment Agencies and Management Services	-	-	-	-	P	P
Veterinarians (without kennels/post-operative care only)	-	-	P	P	P	P
Recreation and Tourism						
Bed and Breakfast Inns	-	P	P	P	P	-
Electronic Game Promotion Establishments	-	-	-	-	-	-
Golf Courses, Driving Ranges, and Country Clubs	-	P	P	P	P	-
Entertainment (event space for outdoor events, community/farmers markets, open air markets, food	P	-	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
truck events, functions, celebrations, live music, bars, pubs, charity events) including with outside seating with no limit on the number of times any of these uses are allowed to operate within a month, year or week						
Alcoholic Beverages, Production & On or Off-Site Sales including with outside seating	-	-	P	P	P	P
Hotels, Motels	-	-	P	P	P	P
Marina (Noncommercial)	-	-	P	P	P	-
Marinas (Commercial)	-	-	P	P	P	-
Agri and Eco Tourism	P	-	P	-	P	-
Passive & nature oriented recreational uses: including but not limited to canoeing/kayaking, equestrian (with no maximum number of horses), walking / hiking, bicycle trails, primitive camping, golf flyover.	P	P	P	P	P	P
Hunting operations (i.e. hunting leases, guided tours, hunting camps, hunt clubs)	P	-	-	-	-	-
Boat taxi, boat tours (motorized, nonmotorized)	-	-	P	P	P	-
Public Parks and Recreation Facilities	P	P	P	P	P	P
Recreation, Indoor	-	P	P	P	P	P
Recreation, Outdoor	P	P	P	P	P	P
RV Parks and Camps	P	-	-	-	P	P
Shooting and Target Ranges (indoor)	-	-	-	-	P	P
Charter business, outfitters, and supporting retail services	P	-	P	P	P	-

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Stadiums and Athletic/Sports Arenas (not associated with a primary use like a school)	-	-	-	-	P	-
Residential						
Single Family (Detached, Attached, Hamlets)	P	P	P	P	P	-
Accessory Dwelling Units	-	P	P	P	P	P
Cottages	-	P	P	P	P	-
Live/Work units	-	-	P	P	P	P
Boarding and Rooming Houses	-	-	-	-	-	-
Neotraditional Development	-	P	P	P	P	-
Multi-family (Apartments, Build for Rent, Condominiums), Two-family	-	P	P	P	P	P
Model Homes with or without sales office	-	P	P	P	P	P
Construction Trailers	P	P	P	P	P	P
Sales Trailers	-	P	P	P	P	P
Multi-family Mixed Use	-	-	P	P	P	P
Assisted Living Facilities, Nursing Homes	-	-	P	P	P	-
Caretaker's Dwellings	P	P	P	P	P	P
Community Residential Homes (1-6 persons)	-	P	P	P	P	-
Community Residential Homes (7 to 14 residents)	-	P	P	P	P	P
On-site dwelling units for agents or employees of principal use.	P	-	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Home Occupations (consistent with §559.955, Fla. Stat.)	-	P	P	P	P	P
Family Day Care Home	-	P	P	P	P	P
Dormitories	-	-	-	P	P	P
Transient Public Lodging Establishment, Nontransient Public Lodging Establishment, Timeshare, Vacation or Short-Term Vacation Rentals	-	P	P	P	P	P
Retail Sales and Services						
Art Dealers	-	-	P	P	P	P
Automotive Parts (e.g. accessories and tires)	-	-	P	P	P	P
Building Material Stores (paint, hardware)	-	-	P	P	P	P
Clothing and Accessory Stores (e.g. shoes and luggage)	-	-	P	P	P	P
Retail	-	-	P	P	P	P
Florists	-	-	P	P	P	P
Food and Beverage Stores (supermarkets and specialty foods) including outside seating	-	-	P	P	P	P
Furniture and Home Furnishings Stores	-	-	P	P	P	P
Home Improvement Centers	-	-	P	P	P	P
Large-Scale Retail Centers	-	-	-	P	P	P
Lawn and Garden Equipment and Supplies Stores	-	-	P	P	P	P
Model Home Sales Centers	-	P	P	P	P	P
Pet (domestic) Stores	-	-	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Plant Nurseries	-	-	P	P	P	P
Photo Finishing	-	-	P	P	P	P
Small Box Discount Stores	-	-	P	P	P	P
Sporting Goods, Hobby, Book and Music Stores	-	-	P	P	P	P
Used Merchandise Stores	-	-	-	P	P	P
Service, Business						
Printing and Publishing	-	-	-	-	-	P
All other business services	-	-	-	P	P	P
Service, Personal						
Adult Day Care Centers	-	-	P	P	P	P
Bail Bonding	-	-	-	-	-	-
Child Day Care Centers	-	-	P	P	P	P
Funeral Homes	-	-	P	P	P	P
Tarot Card, Psychic, and Palm Readings	-	-	-	-	-	-
Tattooing, Body Piercing, and other Body Art	-	-	-	-	-	-
All other personal service uses	-	-	P	P	P	P
Service, Major						
Heavy Construction and Land Excavation Contractors	-	-	-	-	-	P
Kennels and Animal Boarding	-	-	-	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Landscaping Services	-	-	-	-	-	P
Machine Shops and Tool and Die	-	-	-	-	-	P
Repair Services for Commercial and Industrial Machinery and Equipment	-	-	-	-	-	P
Truck Stops	-	-	-	-	-	P
Training Facilities						
Automobile Driver Schools	-	-	-	P	P	P
Technical/Trade Schools	-	-	-	P	P	P
Trucks and Heavy Equipment Driving Schools	-	-	-	-	-	P
Utilities and Public Works						
Dredge Spoil Disposal	P	-	-	-	-	-
Landfills (for nonhazardous, organic debris or construction debris only)	-	-	-	-	-	-
L P Gas Dealer and Bulk Storage	-	-	-	-	-	P
Lift/Pump Stations and Well Sites	P	P	P	P	P	P
Well and Septic & onsite treatment plants	P	P	-	-	-	-
Park and Ride Facilities	-	-	P	P	P	P
Helipad, primary or accessory	-	-	-	P	P	P
Power Distribution (electric and gas) Facilities (e.g. transmission, distribution, electrical substations, etc.)	P	P	P	P	P	P
Public Works Facilities (including but not limited to lift stations, electric facilities, etc.)	P	P	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Passenger Transit or Rail Stations	P	P	P	P	P	P
Solid Waste Transfer Stations	-	-	-	-	-	P
Wastewater Treatment Facilities	P	P	P	P	P	P
Water Supply Plants	P	P	P	P	P	P
Wireless Communication Facilities	P	P	P	P	P	P
Irrigation/Reservoir/Stormwater Harvesting	P	P	P	P	P	P
Vehicle Sales, Rental, Service, and Repair						
Automotive, Recreational Vehicle, and Boat Dealers	-	-	-	-	P	P
Car Washes	-	-	P	P	P	P
Commercial & Industrial Machinery & Equipment Rental and Leasing	-	-	-	-	-	P
Motor Vehicle Towing Services	-	-	-	-	-	P
Motorcycle Dealers	-	-	-	-	P	P
Athletic Training Facilities	P	-	P	P	P	P
Convenience Store with or without Fueling Stations (max 24 fueling positions)	-	-	P	P	P	P
Taxi and Limousine Services	-	-	-	-	-	P
Vehicle Rental/Leasing	-	-	-	P	P	P
Vehicle Repair	-	-	-	P	-	P
Warehousing						

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Mini warehouses, Office Warehouses and Self-Storage (including with outside storage)	-	-	-	P	P	P
Garage condominiums, private	-	-	P	P	P	P
Warehouse/Distribution Facilities (>50,000 sq ft) including with outside storage	-	-	-	-	-	P
Warehouse/Distribution Facilities (<50,000 sq ft) including with outside storage	-	-	-	P	P	P
Wholesale/Retail Fertilizer Sales	-	-	-	-	-	-
Railyard and rail service	-	-	-	P	-	P
Agriculture, Silviculture, and Other						
Equestrian Activities and Uses	P	P	-	-	P	-
Horses	P	P	-	-	P	-
Hunting operations (i.e. hunting leases, guided tours, hunting camps, hunt clubs)/Shooting Ranges	P	P	P	P	P	P
Camping/RV Park	P	P	P	P	P	P
Communication/Radio Towers	P	P	P	P	P	P
Farm Animals (other than horses)/Cattle	P	P	-	-	P	-
Forestry (Logging/Timber Tract Operations, plant nurseries)	P	P	P	P	P	P
Silviculture, bona fide uses	P	P	P	P	P	P
Cemeteries	P	-	-	-	-	P
Special & Temporary Events (i.e. seasonal or event parking)	P	P	P	P	P	P

USE CATEGORY P = Permitted Use - = Not Permitted	Greenway Overlay	Villages (North, Central, South, West, & East)	Neighborhood Centers	Villages Centers	Regional Activity Center	Employment Center
Pervious, unpaved parking	P	P	P	P	P	P
Roadways, Trails	P	P	P	P	P	P
Transit, autonomous	-	P	P	P	P	P
Agricultural Uses, bona fide uses (except feedlots)	P	P	P	P	P	P
Pine straw harvesting/Bee keeping/operations/palmetto berry harvesting	P	P	P	P	P	P
Parking garages/structures/lots	-	P	P	P	P	P

P = Permitted use.

Blank – Not Permitted.

Residential housing ownership may be for sale or for rent.

(c). Density and Intensity. The Property will be developed consistent with the MPMU Comp Plan Provisions and shall not exceed an overall residential density of 1.2 dwelling units per gross acre (“Maximum Property Density”) provided that the maximum density within Hamlets shall be provided as set forth in the MPMU Comp Plan Provisions and this Section 5 above. The maximum nonresidential intensity within any Development Parcel located in the Regional Activity Center and Employment Center Sub-Areas is a floor area ratio of one (1.0). The maximum nonresidential intensity within any Development Parcel located in a Neighborhood Center(s) and the Village Centers is a floor area ratio of 0.75. For purposes of this Development Agreement the term “Development Parcel” means that portion of the Property subject to an approved technical site plan and may include multiple contiguous parcels with multiple parcel numbers as identified by the County Property Appraiser. As by way of example, the approval of technical site plan X, which includes parcels with different parcel

numbers, results in the lands subject to said technical site plan being a Development Parcel. A Development Parcel or any portion of the Property may exceed the Maximum Property Density, provided that at MPD buildout as set forth in Section 8 the Maximum Property Density measured across the entire Property is not exceeded. As an example, a Development Parcel may contain a single family residential project with a density of seven (7) units per acre; this density is allowed provided the Maximum Property Density is not exceeded at buildout. Residential density, nonresidential intensity, gross acreage and floor area ratio are defined in MPMU Comp Plan Provisions Policy 1.7.3.1 and LDC Section 3.05.03 is superseded by the MPMU Comp Plan Provisions as to density calculation within the Property. Prior to the approval of the first Substantial Compliance application within the Property (or portion thereof), the Landowner will create a mechanism to track the amount and type of development.

SECTION 6. CODE OF ORDINANCES/LDC APPLICABILITY.

(a). The development of the Property shall proceed in accordance with the terms of this Development Agreement. The applicable provisions of the Comprehensive Plan, Code of Ordinances, the LDC, the Technical Manual and any other City law and regulation in effect as of the Effective Date shall govern the development of the Property. In the event of an inconsistency or conflict between the terms of this Development Agreement and the Code of Ordinances, the LDC, the Technical Manual and/or any other City law, regulation and/or policy, the terms and provisions of this Development Agreement shall prevail. Where the Development Agreement is silent as to a specific provision in the Code of Ordinances, the LDC, the Technical Manual and/or City law and/or regulation said provision shall apply to development of the Property (or portion thereof). In the event any future Code of Ordinances, the LDC, the Technical Manual and/or any other City law, regulation and/or policy is adopted it will apply to development of the Property provided the City Council determines (i) the

future law, regulation and/or policy is not in conflict with this Development Agreement and does not prevent the land uses, intensities or densities in this Development Agreement; (ii) the future law, regulation and/or policy is essential to the public health, safety or welfare and expressly applies to the Property; (iii) substantial changes have occurred in an applicable provision in this Development Agreement; or (iv) this Development Agreement is based on substantially inaccurate information supplied by the Landowner.

(b). The Landowner may request additional amendments, variances or deviations from the LDC and/or the Technical Manual consistent with the provisions in this Development Agreement, including Section 13.

SECTION 7. DEVELOPMENT STANDARDS. The provisions of this Section describe the development standards applicable to the Property. The LDC standards in Section 4.15 relating to nonresidential controlling master site developments and large scale commercial centers do not apply to the Property.

(a). Wetlands.

- i. Wetland category/classification, impacts and mitigation within the Property shall be pursuant to the St. Johns River Water Management District (“SJRWMD”) and U.S. Army Corps of Engineers (“Corps”) regulations (as applicable) and not to any City LDC or other regulations. Any wetland impact analysis report required as part of the development plan review process set forth in Section 4 above shall only consist of the appropriate SJRWMD and/or Corps permit application, including any wetland analysis report(s) and/or UMAM scores submitted with said permit application.

- ii. Residential density is regulated by Future Land Use Policy 1.7.3.1 and as set forth in Section 5, which includes all wetlands and associated uplands to calculate gross residential density.

(b). Wetland Buffer/Building Setback. Upland buffers along wetlands to remain (not impacted) within the Property will be subject to SJRWMD permitting requirements and not the Code of Ordinances, LDC and/or the Technical Manual, including LDC Section 10.01. A ten (10) foot wide building setback will be provided from the upland buffers provided for in this Subsection 7(b) within the Property unless otherwise provided for herein. If the upland buffer is not included in a residential platted lot, the additional ten (10) foot wide building setback will not be required. Pervious trails, pathways, docks, utilities and road crossings, stormwater discharge and pond banks, passive recreation, open space environmental/historical learning area/facility/sign/kiosk and other similar uses/items may be located within the upland buffers and building setback except that for upland buffers subject to a conservation easement in favor of the SJRWMD allowed uses shall be pursuant to the applicable SJRWMD permit. Other uses (e.g. pool, cabana, shed, parking, signs, mechanical equipment, patio, porch, sidewalks, etc.) may be located in the building setback provided said use is not the primary use on the applicable parcel.

(c). Floodplain. Development within the Property will follow the Federal Emergency Management Agency (“FEMA”) rules and regulations and LDC Section 10.02 with regard to floodplain management except that for areas without base flood elevations determined as of the Effective Date (defined below), the threshold for preparing and submitting a Flood Insurance Study is defined to be when the proposed development area or grading limits within the Property or portion thereof fall within or adjacent to the mapped 100-year floodplain area as established by the applicable FEMA Flood Insurance Rate Map(s) (FIRM). Appeals and variances to these floodplain regulations

are permitted as set forth in LDC Section 10.02.09 provided the Landowner consents to the appeal or variance (which consent is transferable by Landowner with notice of transfer provided to the City as part of the submittal). The floodplain management provisions in the Code of Ordinances and LDC do not apply to agriculture or silvicultural uses, including LDC Section 10.02.17.

(d) Regional Roadway Network.

- (i). The roadways conceptually depicted on the MPD Master Plan as Matanzas Woods Parkway (a/k/a Loop Road, Matanzas Woods Parkway Extension and Palm Coast Parkway Extension), County Road (“CR”) 2209 Extension, Northern Connector, Southern Connector, CR 205 Connector, North-South Connector and CR 13 Connector are regionally significant roadways that traverse and/or are adjacent to the Property (the “Regional Roadway Network”). The Landowner may also identify additional roadways within the Regional Roadway Network as part of technical site plan submittal for the applicable roadway without modifying this Development Agreement. The Regional Roadway Network will be public and shall be dedicated to and maintained by the City, County or the Florida Department of Transportation (“FDOT”) as appropriate.
- (ii). The final location of the roadways within the Regional Roadway Network will be determined at the time of technical site plan review that includes said roadway(s) or portion thereof. The design of the roadways within the Regional Roadway Network will be consistent with the applicable recommended cross-section depicted in **Exhibit “B”** unless otherwise agreed to by the applicable maintaining governmental agency and the Landowner as part of the roadway

permitting process. Any modification to the location and/or design of a roadway (or portion thereof) within the Regional Roadway Network from the development conditions herein, including the recommended cross-sections, must be depicted on the applicable technical site plan and will not require a modification to this Development Agreement.

- (iii). A developer/builder may as part of the applicable technical site plan modify the recommended Regional Roadway Network cross-sections attached at **Exhibit “B”** and/or any applicable Code of Ordinances, LDC and/or Technical Manual provision to provide additional or unique streetscape elements such as sidewalks, on-street parking, lane widths, curb types, landscaping, street trees, paving or pavers, irrigation, signs, lighting, associated street furniture and other similar elements within or adjacent to the roadway rights-of-way (or portion thereof) within the Property. Any such streetscape elements will be owned and maintained by the appropriate governmental maintaining agency consistent with this Development Agreement. If a streetscape element is owned by a governmental agency, the streetscape element may be maintained by an Entity per an agreement with the Entity and the applicable governmental agency with ownership.
- (iv). The CR 2209 Extension portion of the Regional Roadway Network will have an FDOT Access Classification 3/4. The Matanzas Woods Parkway portion of the Regional Roadway Network will have an FDOT Access Classification 5. The remaining roads comprising the Regional Roadway Network will have an FDOT Access Classification 7.

- (v). The MPD Master Plan conceptually depicts some of the Conceptual Entrances to Parcels along the Regional Roadway Network within the Property. The final amount and location of these entrances may change as development progresses without the need to amend or modify this Development Agreement. These entrances will be subject to final survey, design and permitting by the applicable agency with permitting jurisdiction. The provisions related to cross-access easements and joint use driveways in LDC Section 5.02.04(A) will be adhered to in designing these entrances for any nonresidential uses fronting on the public Regional Roadway Network provided the applicable permitting agency with jurisdiction approves such access management provisions.
- (e). Internal Street Network.
 - (i). For purposes of this Development Agreement, the internal street network within the Property does not include the Regional Roadway Network. The development conditions in this Section 7(e) apply to the internal street network but not the Regional Roadway Network which is subject to Section 7(d) above. The internal street network may be private and/or quasi-public and shall be conveyed to one (1) or more Entities for ownership and maintenance.
 - (ii). Gated communities are allowed by right within the Property. Neighborhoods or subdivisions and multi-family developments may include gated features to their entry points provided the gated feature is included as part of the applicable technical site plan review or if said gated feature is added after development as part of an amendment to an approved technical site plan only as to the gated feature.

- (iii). Consistent with Comprehensive Plan Transportation Element Policy 2.2.1.2 two (2) external connections will be provided for any new residential subdivision or development with over one hundred (100) dwelling units or if the residential development accesses a street of 2,500 feet in length or more. If two (2) external connections are required as set forth herein, one (1) external connection shall be designated as the primary connection and the other connection as the secondary connection on the applicable technical site plan. A secondary connection may be designed as an emergency access connection subject to approval of the City Fire Chief. The access requirements set forth in the Code of Ordinances, LDC and/or Technical Manual, including LDC Section 5.02.04, shall not apply to the internal street network within the Property. Notwithstanding anything herein to the contrary, the LUA may allow only one (1) external connection provided the entry is a single divided entry where each entry allows for a minimum of twenty (20) feet of horizontal clearance and safety is not compromised.
- (iv). Roundabouts, as supported by the Comprehensive Plan, are allowed by right within the Property.
- (vi). The MPD Master Plan attached as **Exhibit “B”** includes recommended cross-sections for the internal street network within the Property. The cross-sections may be modified in coordination with the LUA as part of the applicable technical site plan approval without the need to modify this Development Agreement.

- (vii). Local roadways within the Property within the portions of the Hamlets that serve ten (10) or less homes and the Greenway Overlay Sub-Area may be constructed with unpaved stabilized materials, including as a stabilized low impact road, at the discretion of the developer/builder.
- (viii). In order to design a walkable community, the following roadway standards will be applicable to the construction of roads within the Property as a condition of development. The specific engineering detail applicable to each roadway is subject to technical site plan review and may be modified during said review without the need to modify this Development Agreement.

(a). Reduction of the Minimum Intersection Curve Radius.

Intersection curve radius standard(s) in the Code of Ordinances, the LDC and/or the Technical Manual applicable to the roadways (or portions thereof) within the Property may be reduced provided at the time of the applicable technical site plan the factors, including, but not limited to the below are considered:

- i. Adequate or appropriate turning movements for emergency and service vehicles as determined by the LUA.
- ii. Increase structural design of pavement outside of the roadway which may lie within the vehicles turning movement.
- iii. Use of rollover curbs.

(b) Reduction of the Minimum Centerline Radius. The centerline radius standard(s) in the Code of Ordinances, the LDC and/or the Technical Manual applicable to the roadways (or portions thereof) within the Property may be reduced, provided at the time of the applicable technical site plan the factors, including, but not limited to the below are considered

- i. Adequate or appropriate vehicle turning radius.
- ii. Adequate or appropriate site distance.
- iii. Designation of appropriate design speed.

(c). Reduction or Elimination of Corner Clips and Radii. Corner clips and corner curb radii standard(s) in the Code of Ordinances, the LDC and/or the Technical Manual applicable to the roadways (or portions thereof) within the Property may be reduced or eliminated if an applicant demonstrates to the LUA that all utilities may be accommodated, and adequate site distance exists.

(d). Variations in the Location of Utilities. Because of the potential urban character of certain roadways (or portions thereof) within the Property, specific utility location adjustments or special utility corridors will be identified as part of technical site plan approval for the applicable roadway (or portion thereof). Where utilities are under pavement, specific

agreements between the maintaining agency and the Landowner will be prepared defining responsibility for the routine maintenance and for the restoration of extraordinary features (trees, landscaping, pavers, street furniture, etc.) in the event of utility repairs. Utility and utility duct bank corridor locations will be developed in cooperation with the City.

(e) Streetscape Guidelines.

i. A developer/builder may as part of the applicable technical site plan modify the recommended cross-sections attached at **Exhibit “B”** and/or any applicable Code of Ordinances, LDC and/or Technical Manual provision to provide additional or unique streetscape elements as set forth herein and/or elements such as sidewalks, on-street parking, lane widths, curb types, landscaping, street trees, paving or pavers, irrigation, signs, lighting, associated street furniture and other similar elements within or adjacent to the roadway rights-of-way (or portion thereof) within the Property. Any such streetscape elements will be owned and maintained by an Entity.

ii. The minimum horizontal clearance of street trees, street furniture and other elements adjacent to travel lanes shall be four (4) feet from the back of curb. Horizontal clearance for street trees and light poles may be reduced to two (2) feet where a non-mountable curb is part of the applicable streetscape and provided there is no on-street perpendicular or angled parking adjacent to the streetscape. Roof overhangs, balconies, awnings and signs may extend a maximum of six (6) feet over sidewalks with a minimum eight (8) foot clear distance from the finish grade of the sidewalk. The applicable technical site plan shall depict dimension and design details for all additional or unique streetscape elements. Unless otherwise approved by the LUA, water, sewer and stormwater collection and distribution mains are not permitted under overhangs.

(f) Reduction of Minimum Driveway/Roadway Intersection Angle. In some cases, traditional street design based on grids and geometric forms may dictate roadway intersections less than the minimum angle set forth in the Code of Ordinances, the LDC and/or the Technical Manual. The LUA may approve a

reduction of the intersection angle provided that the following minimum standards are met, including:

- i. demonstration that adequate site distance exists,
- ii. use of traffic control devices,
- iii. demonstration of adequate and safe vehicle movement, and
- iv. demonstration of safe pedestrian crossings.

(g) Reduction of Travel Lane Width for Local Residential and Commercial Streets. Unless otherwise agreed to by the Landowner and the LUA or as set forth in the cross-sections attached as **Exhibit “B”**, all street lane widths will be twelve (12) feet. Local street lane width may be reduced to ten (10) feet by a developer/builder for certain residential and commercial local streets if adequate on-street and/or off-street parking is available for patrons and residents.

(f). Landscaping.

- (i). Agricultural and Silvicultural. Nothing in this Subsection 7(f) shall be construed to prohibit or otherwise limit the agricultural and silvicultural and related uses existing on the Property as of the Effective Date (as defined below). These uses may continue as provided for in this Development Agreement and will not trigger the need for any tree permit/preservation/protection/replacement and/or landscaping requirements.

(ii). Tree Preservation, Protection, and Replacement.

- a. For purposes of the Property, pine species (*Pinus* sp.) that is a part of or was a part of bona fide agricultural/silvicultural operations shall be considered non-protected trees and exempt from all surveying/count/inventory, tree permit/protection/preservation, specimen or historic tree classification, specimen and historic tree preservation percentage calculations, tree removal, tree mitigation standards and replacement standards in the Code of Ordinances, LDC, Technical Manual and/or any other City regulation or policy regardless of diameter at breast height (DBH) except as otherwise provided in this Section 7(f).
- b. Bona fide agricultural/silvicultural operations (including those in existence on the Property as of the Effective Date) are permitted on any portion of the Property, including a Development Parcel (or portion thereof), prior to the commencement of horizontal construction to facilitate residential or nonresidential development on the applicable parcel. If the above occurs, a tree removal permit or its functional equivalent (e.g. building permit) and the requirement to provide a tree inventory, count, survey or other similar analysis of the trees on the portion of the Property subject to the horizontal construction shall not be required. As part of any bona fide agricultural/silvicultural operation, including those allowed under MPMU Comp Plan Provisions Policies 1.7.3.2 and 1.7.3.3 and herein, there is no requirement to replace or

mitigate any protected tree, historic tree or specimen tree or to maintain any amount/density of these types of trees after issuance of any Early Clearing/Grading Permit (as defined in Section 10). Notwithstanding anything to the contrary, any tree remaining after tree harvesting due to a bona fide agriculture/silvicultural operation, including any tree removed from a Development Parcel to another area of the Property, is allowed to be used by the Landowner toward the minimum tree requirements and/or as tree mitigation (including tree density) regulations associated with residential and/or nonresidential development provided it meets the minimum size requirements for new tree plantings.

- c. Trees removed within a permitted wetland impact area are not subject to tree mitigation requirements. Trees located within a preserved wetland or upland buffer, including those used to mitigate for wetland impacts within the Property per any regulatory permit (e.g. SJRWMD), the Greenway Overlay and/or conservation easements, are allowed to be used for tree preservation/mitigation credits and/or toward any landscape requirements (e.g. tree density) anywhere within the Property. Tree preservation within areas subject to a conservation easement, the Greenway Overlay, an upland buffer, a building setback or a designated tree protection area shall count toward the tree preservation standards. Any tree (e.g. protected, specimen, historic) used to satisfy tree preservation and/or mitigation is also allowed to

satisfy the tree density requirements applicable to the development of the Property.

- d. A developer/builder of a Development Parcel (or portion thereof) that is not subject to bona fide agricultural/silvicultural operations prior to horizontal construction to facilitate residential or nonresidential development on the applicable portion of the Property may submit a tree inventory for protected trees in lieu of a tree survey. In such circumstances, a tree inventory will be provided by an International Society of Arboriculture (ISA) certified arborist, registered landscape architect or a surveyor who will undertake a field visit observation and list protected trees to be removed including size and species but not location within the applicable Development Parcel (or portion thereof). The location of any specimen or historic trees within a Development Parcel (or portion thereof) will be depicted on a tree survey prepared by a licensed surveyor notwithstanding any contrary language in this Subsection. The developer/builder will be subject to the tree mitigation standards in the LDC in this situation unless otherwise stated in this Development Agreement.
- e. In the event tree mitigation standards apply as set forth in Subsection 7(f), including tree density and in LDC Section 11.02.03, the standards shall be measured and/or satisfied anywhere within the Property and not on an individual Development Parcel basis or on a specific portion of the Property. For clarification the phrase “on a site” or “on the site”

within the City regulations, including the LDC, shall refer to the overall Property so that tree mitigation standards may be met anywhere within the Property. Tree mitigation may be banked and applied to future Development Parcels or any portion of the Property. In no event shall tree mitigation applicable to the Property exceed the minimum tree density applicable to the overall Property development. This subsection does not apply or impact plantings not part of tree mitigation, which will be provided on a project by project basis (e.g. not a substitute for the landscape standards and tree density applicable to individual residential lots). Tracking of tree mitigation banking will be included in any applicable technical site plan submittal consistent with Section 4 above.

- f. All pine (*Pinus* sp.) trees planted, except as part of bona fide agricultural/silvicultural operations, that are part of an approved landscape plan for residential or nonresidential development within the Property or portion thereof will become protected and can be used to meet the minimum tree requirements. Any such protected pine trees must meet up to seventy percent (70%) of the minimum tree requirements set forth in the LDC to satisfy the minimum tree requirements for a residential or nonresidential development within the Property or portion thereof.
- g. Stormwater ponds will provide a ten (10) foot wide low maintenance zone as measured from the normal water line. This low maintenance zone is in lieu of littoral zones and littoral plantings as set forth in LDC

Chapter 11. The low-maintenance zone shall be an area that is managed to limit the use of fertilizer and may consist of bahia turf and/or native plantings which are planted and managed to minimize the need for fertilization, watering and mowing. The low-maintenance zone will also fully satisfy all pond perimeter planting, wet pond planting area and littoral zone standards in LDC Chapter 11.

(iii) Landscape Covenants and Restrictions.

- a. Residential development within the Property shall be subject to private covenants and restrictions as implemented by an Entity(ies). Review of single-family home landscape plans and any landscape inspections are the responsibility of the applicable Entity. The Entity, once established, shall not require annual recertification by the City and City review and inspection of individual single family residential landscape plans shall not be required. No earlier than approval of a plat (as set forth herein) for single family units within the Property, the plat applicant will identify the proposed Entity responsible for the landscape review for the units subject to said plat.

(iv) Landscaping and Buffer Requirements.

- a. Street Trees. Within subdivisions, street trees are allowed to be planted within the right-of-way or within fifteen (15) feet of the right-of-way line subject to sight distances, clear zones, and utility conflicts. Street trees shall be provided at a rate of one (1) every seventy-five (75) feet on center along neighborhood collector roads. Street trees may be

clustered and exceed the seventy-five (75) foot spacing standard. Street trees are not required along roads in which trees are identified on the applicable technical site plan as being cleared. Existing preserved trees within the right-of-way or within fifteen (15) feet thereof may be credited toward the street tree standards. Notwithstanding anything herein to the contrary, street trees may be clustered and are not required to be evenly spaced, provided the overall planting ratio and shading standard is met. Understory trees or palms may be substituted for shade trees at a two for one (2:1) ratio and palm trees at a three for one ratio (3:1).

b. Specific Landscaping Requirements for Developments.

i. Multi-Family and Non-Residential development.

Foundation Plantings. Planting beds with a minimum width of four (4) feet shall surround a minimum of forty percent (40%) of the multi-family and/or nonresidential primary building elevation excluding areas adjacent to building entry, doors, fountains, benches and sculptures, drive-thrus, gas stations, convenience stores and canopies, places of large assembly, big box stores, loading areas, and bank tellers. Planting beds may be adjusted to distribute the calculated area required anywhere along the perimeter of the building, including parking islands along building perimeter parking. Foundation plantings may be concentrated along primary building facades visible from public

roadways. No additional enhanced foundation standards will apply along specially designated roadways, including those listed in LDC Table 11-5.

ii. Industrial developments.

Foundation plantings. Planting beds at least four (4) feet wide shall be planted adjacent to at least forty percent (40%) of industrial front building elevations, no minimum percentage of street side elevations shall be required. Areas adjacent to building entry, doors, benches, fountains or sculptures, loading areas, and drive-thrus are excluded from these calculations. Planting beds may be adjusted to distribute the calculated area required anywhere along the front or street side building elevations, including parking islands along building perimeter parking.

iii. Single Family, and Attached Single Family (Duplex, Townhomes).

On single family and attached single family lots sized forty-five (45) feet wide or greater the more restrictive of the following standards will apply to the lot: (a) a minimum of one (1) shade tree shall be provided, preferably in the front yard, or (b) one (1) tree per 2,500 square feet of the lot area consistent with LDC Section 11.03.02(D). When planted in the front yard within fifteen (15) feet of the right-of-way, this tree(s) may meet both

the street tree and lot planting requirements. No additional minimum shrub or foundation planting standards shall apply to single family and attached single family lots including the standard in LDC Section 11.03.02(D).

- c. Parking Island Placement. For uses that require large parking demands such as arenas, regional sports facilities, amusement areas, amphitheaters, big box stores (nonresidential stores or shopping centers totaling 150,000 enclosed gross square feet or more), etc., the landscape island spacing requirement shall not be enforced provided that the overall internal landscaping equal to a minimum of ten percent (10%) of the vehicular use area is provided either within the vehicular use area or around the perimeter of the vehicular use area. For all other uses, parking rows may contain up to ten (10) consecutive parking spaces without a landscape island, provided that overall internal landscaping equal to a minimum of ten percent (10%) of the vehicular use area is provided. Structural soil, pervious pavement or alternative tree rooting methods may be used in lieu of minimum island size requirements. Tree island spacing may be increased to allow for preservation of existing trees where appropriate.
- d. Perimeter Buffer. For the purposes of this Development Agreement, all uses internal to the Property are considered compatible and not subject to perimeter buffer requirements, including, but not limited to, the perimeter buffer standards in LDC Chapter 11, Section 11.03.05 and

Buffer Types A through G. Notwithstanding this, the Landowner at its sole discretion may decide to implement and create private internal perimeter buffer standards (e.g. width, material, etc.) between certain developments within the Property (“Internal Perimeter Buffer Standards”). Any Internal Perimeter Buffer Standards will be implemented and enforced by an applicable Entity(ies).

- e. Nonapplicable Buffers. The buffer standards for the portion of Matanzas Woods Parkway and Palm Coast Parkway that may extend into the Property do not apply.
- f. Espanola Buffer. For the portion of the Property adjacent to Espanola, as depicted on the MPD Master Plan, a minimum average fifty (50) foot wide vegetative or planted buffer shall be provided. An applicant for any technical site plan that includes lands adjacent to Espanola shall identify whether the buffer is vegetative and/or planted on the applicable technical site plan. If a planted buffer is provided it shall include evergreen canopy trees every fifty (50) feet on center and understory trees every twenty (20) feet on center. Existing preserved vegetation within this buffer may satisfy this standard. If averaged, the buffer shall be no less than twenty-five (25) feet wide and required plant material may be clustered. This buffer shall count toward the recreation and open space standard in MPMU Comp Plan Provision Policy 1.7.2.1. Uses allowed within this buffer shall be consistent with the uses allowed in the upland buffers (not subject to a conservation easement in favor of

the SJRWMD) described in Section 7(b). The upland buffer and building setback provided for in Section 7(b) are permitted within this buffer.

- g. Upland Buffer Planting. Upland buffers as set forth in Section 7(b) above that are impacted during the course of residential or nonresidential development within the Property or portion thereof shall (i) be replanted at the following rates: Trees: one (1), seven (7) gallon tree for every two thousand (2,000) square feet impacted; Shrubs: one (1), one (1) gallon shrub per three hundred (300) square feet impacted, and one (1), one (1) gallon native grass per fifty (50) square feet impacted or (ii) in lieu of (i) upland buffers will be subject to SJRWMD, Florida Department of Environmental Protection (“FDEP”) and/or Corps recommendations as provided for in a permit from the applicable agency. Upland buffer plantings shall be native species. Preserved native vegetation may be credited toward these replanting requirements.

(g.) Signage. The development of the Property is envisioned to establish its own level of placemaking and be consistent with an overall community theme that is carried throughout. As such the following signage program is established to maintain a consistent approach to signage within the Property and supersedes the sign regulations in the Code of Ordinances, LDC and/or the Technical Manual, including LDC Chapter 12. The Landowner or an Entity(ies) may further regulate these signage standards (e.g. reduce signage height) in private covenants, restrictions or other similar documents provided the regulations are consistent with this Section. The Landowner and/or applicable Entity may adopt and enforce more restrictive private signage guidelines, architectural standards or

signage programs within the Property or portions thereof, provided such guidelines, standards or programs do not exceed the maximum allowances established in this Development Agreement unless otherwise approved by the City.

(i). Sign Location. No sign within the Property or associated with development of the Property shall be considered off-site. Signage may be located anywhere at the discretion of the Landowner without regard to land ownership. Signage is also allowed within the right-of-way as provided for herein.

(ii). Sign Area. Sign Advertising Display Area (ADA) is the surface area encompassed within any one (1) geometric figure which would enclose all parts of the sign display but excluding architectural features, the structural supports for a sign, whether they be columns, pylons, or a building or part thereof. In calculating the area, common shapes shall be used. Based on the design of the sign, the applicant may break down complex forms into up to three (3) component simple forms; however, all pertinent area shall be included.

Sign copy that is mounted, affixed, or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within any one (1) geometric figure that will enclose both the sign copy and the background.

If a sign has two (2) display faces, and the interior angle between the two (2) faces is sixty (60) degrees or less, then the sign area is one (1) sign face only; however, if the two (2) faces are of different sizes or shapes, then the larger is used. If the sign has two (2) display faces, and the interior angle between the two (2) faces is greater than sixty (60) degrees, then the sign area is the sum of

the areas of the two (2) faces. If a sign has three (3) or more faces, then the sign area is equal to fifty percent (50%) of the aggregate area of all sign faces. No single face shall be greater than the maximum advertising display surface area of the sign. The area of a spherical, free form, sculptural, or other nonplanar sign is fifty percent (50%) of the sum of the areas, using only the four (4) vertical sides of the smallest four (4) sided polyhedron which will completely enclose the entire sign structure. The Landowner may establish alternative methods of sign area allocation, including the transfer of allowable ADA between wall signs, freestanding signs, blade signs, canopy signs and other permitted sign types within a Development Parcel or portion thereof provided the total allowable ADA is not exceeded.

- (iii). Sign Height. Free-standing or ground signs shall be measured as the vertical distance from the crown of the road, other than an elevated roadway, immediately adjacent to the structure or from the existing natural grade immediately adjacent to the structure, whichever is higher. The sign height regulations are set forth in Table 4, Signage Standards, below. The Landowner may further restrict sign height within private guidelines.
- (iv). Sign Illumination. Except for automatic changeable message devices, all sign illumination shall have a color temperature between 2,500K (Kelvin) to 4,000K (Kelvin). Signs shall be either top-lit, ground-lit, or internally lit. Internally lit signs may include back-lit reverse channel letters or lit push-through acrylic where a direct light source is not visible. Sign lighting shall be shielded from view from roadways. The Landowner may impose additional restrictions on

illumination levels, brightness, animation frequency, color transition or hours of operation through private signage programs.

(v). Sign Modifications. Any modification to the provisions in this Subsection shall be processed as a Minor Modification as set forth in Section 13 below.

(vi). Signage Improvements in Public Rights-of-Way. The Landowner and/or Entity may place, construct and maintain signage and other associated improvements within the City or other applicable governmental maintaining agency public rights-of-way subject to approval by the applicable agency. This includes project identity signage within the Regional Roadway Network right-of-way outside the Property at connections to U.S. 1 and the future CR 2209 Extension. The Landowner or Entity (as applicable) shall be responsible for the following:

- a. Cost of installation and operation of any signage and associated improvement in the right-of-way;
- b. The cost of maintenance, repair and replacement of any right-of-way signage and associated improvement;
- c. Submittal of an application to the appropriate governmental maintaining agency for right-of-way permit review and approval;
- d. No right-of-way signage and associated improvements shall be installed as to obscure the field of vision of motorists, bicyclists or pedestrians along the right-of-way;
- e. If in violation of these provisions, or if the applicable governmental maintaining agency determines there are public health, safety or welfare issues warranting removal, the agency shall advise the permittee in

writing to remove all or any portion thereof of any signage and associated improvements within the right-of-way as requested by the agency at the permittee’s sole cost and expense. Should the signage and associated improvements not be removed as requested within thirty (30) days of written notification by the applicable governmental maintaining agency to the permittee, the agency shall have the right to remove the signage and associated improvements, and the costs of removal shall be paid by the permittee.

- (vii) Allowable Signs. The following Table 3, Allowable Sign Types, is a generalized list of allowable signs within the Property. Additional sign types may be allowable in accordance with the LDC. The inclusion of a sign type in Table 3 does not create an entitlement for any individual parcel or project. The Landowner or applicable Entity may limit, condition or prohibit certain sign types within the Property (or portion thereof) through private signage programs as set forth herein.

Table 3 Allowable Sign Types

PRIMARY SIGN TYPES	
Community Gateway Signs	Roof Signs ²
Outparcel Signs	Building/Wall Signs
Project Identification Signs	Residential Monument Signs
Awning Signs	Commercial Monument Signs
Blade (Projecting) Signs	Wayfinding/Directional Signs
Under Canopy Signs	Painted Signs
Changeable (Electronic Display) Message Sign ¹	Window Signs and Graphics
OTHER SIGNS	
Real Estate Signs	Signage on Bus/Transit Stops
Garage Sale Signs	Banners ³
Model Home & Sales Office Signs	Flags
Construction Site Signs	Autonomous Vehicle Signage

Political Signs	Temporary Signs
Sandwich Boards (A-Frame Signs)	Gas Pricers (Manual or Digital)/Gas Canopy
Regulatory Signs	Directory Signs
Drive-through Menu Board and Speakers Signs	Informational Signs
Street Address Signs	Interpretive Signs
Lifestyle Signs	Pylon Signs

1. Changeable Message (Electronic Display) Signs are limited to the Regional Activity Center and Village Centers and include signs with lighting or illumination that flashes, moves, rotates, vary in color and stock tickers and other similar signs. Digital gas pricers are not considered changeable message signs in the context of this Development Agreement.
2. Roof signs are limited to the Regional Activity Center and Village Centers.
3. Banners and community gateway signs shall be allowed to be placed across public streets, parks and open space areas within the Neighborhood Centers, Village Centers and Regional Activity Center to announce community events. Community gateway signs are also allowed to be placed across public streets, parks and open space areas within the Villages and Employment Centers. Banners are allowed on Development Parcels to advertise amenities, community features, events, and products.
4. All signs are subject to private design guidelines within the Sub-Areas.
5. Art installations, sculptures, and murals are exempt from these signage provisions. Art installations, sculptures and murals may be located within public (with approval by the LUA) and private rights-of-way and on buildings/structures.

Table 4 Signage Standards

SIGNAGE STANDARDS								
Sign Type ¹	Greenway Overlay	Villages	Neighborhood Centers	Village Centers	Regional Activity Center	Employment Center	Specifications	
Community Gateway Sign							Quantity:	8 Total
Primary Project Identification (entries to the Property along the Regional Roadway Network).		•	•	•	•	•	Advertising Display Area (ADA):	150 SF
							Width (max):	16'
							Height (max):	35' ³
Primary Project Identification Overhead Guide Sign		•		•	•		Quantity	8
							Advertising Display Area (ADA)	300 SF
							Width (max)	20'
							Height (max)	16'

SIGNAGE STANDARDS

Sign Type ¹	Greenway Overlay	Villages	Neighborhood Centers	Village Centers	Regional Activity Center	Employment Center	Specifications
Outparcel Sign² (e.g. monument)							Quantity: 1 Max/ Outparcel, 100 feet apart
Signage located on nonresidential sites		●	●	●	●	●	Advertising Display Area (ADA): 42 SF
							Width (max): 6'
							Height (max): 8'
Project Identification Signs²							Quantity: Each Vehicular Entrance
Major Community Entry Signs for projects with a minimum of 300 units, or nonresidential development over 5 acres or with multiple tenants.		●		●	●	●	Advertising Display Area (ADA): 150 SF
							Width (max): 16'
							Height (max): 35' ³
Awning Signs⁴ (as to additional hanging sign)							Quantity: 1 per business if no wall sign is provided
Signs applied to awnings			●	●	●	●	Advertising Display Area (ADA): 10% of building façade/ 48 SF
							Width (max): N/A
							Height (max): N/A
Blade (Projecting) Signs⁴ (as to additional hanging sign)							Quantity: 1 per business per facade
Non-residential signage generally located near an entrance to a business projecting from the building. These signs must provide a minimum of 8' vertical clearance			●	●	●	●	Advertising Display Area (ADA): 16 SF per face
							Width (max): N/A
							Height (max): N/A
Under Canopy Signs⁴ (as to additional hanging sign)							Quantity: 1 per business per facade
Non-residential signs suspended under an overhang, canopy or awning. These signs must provide a minimum of 8' vertical clearance			●	●	●	●	Advertising Display Area (ADA): 16 SF per face
							Width (max): N/A
							Height (max): N/A

SIGNAGE STANDARDS

Sign Type ¹	Greenway Overlay	Villages	Neighborhood Centers	Village Centers	Regional Activity Center	Employment Center	Specifications
Changeable (Electronic Display) Message Sign							Quantity: One per nonresidential parcel frontage for uses with more than 500 parking spaces
Digital signs used to convey information to visitors. These signs may be animated and in full color				•	•		Advertising Display Area (ADA): 200 SF
							Width (max): 20'
							Height (max): 25'
Roof Sign							Quantity: 1 per business
Nonresidential Sign mounted to the roof of a structure. The Landowner may prohibit roof signs within specific portions of the Property through private guidelines.				•	•		Advertising Display Area (ADA): 120 SF
							Width (max): 6'
							Height (max): 20'
Building/ Wall Signs							Quantity: N/A
Sign related to a specific business that is mounted to the building. The Landowner may require architectural integration standards, material restrictions, dimensional reductions or coordinated design themes through private signage programs.			•	•	•	•	Advertising Display Area (ADA): 10% of building façade/ 48 SF
							Width (max): N/A
							Height (max): N/A
Residential Monument Signs							Quantity: Each Residential Subdivision Entry
Community Monument Sign to secondary entrances and communities less than 300 units		•	•	•	•	•	Advertising Display Area (ADA): 48 SF
							Width (max): 15'
							Height (max): 6'
Wayfinding/ Directional Signs	•	•	•	•	•	•	Quantity: Along and within community rights-of-way

SIGNAGE STANDARDS

Sign Type ¹	Greenway Overlay	Villages	Neighborhood Centers	Village Centers	Regional Activity Center	Employment Center	Specifications
Directional signage located along roadways to guide drivers through the community							Advertising Display Area (ADA): 32 SF
							Width (max): 6'
							Height (max): 8'
Painted Signs							Quantity: 1 per business
A form of mural that may include commercial advertising generally painted on a structure			•	•	•	•	Advertising Display Area (ADA): 32 SF – only for logo or branding, Mural not included in area
							Width (max): 3'
							Height (max): 12'
Window Signs and Graphics							Quantity: 1 per business per facade
Business signage applied to windows identifying the business name or function			•	•	•	•	Advertising Display Area (ADA): 24 SF
							Width (max): 3'
							Height (max): 10'

1. All signs may be double sided.
2. Multiple tenants may be located on each sign face.
3. Separate architectural features such as towers, columns, arches and the like may be included and may not exceed thirty-five (35) feet in height. Such signs may be externally illuminated. Multiple tenants may be located on each Sign panel.
4. Hanging building signs must provide at least eight (8) feet minimum vertical clearance above established grade and not exceed a maximum advertising display area of sixteen (16) square feet per face. Total signage area shall not exceed ten percent (10%) of the building façade (includes both façade and hanging signs). Building signs may be internally or externally illuminated. Awning signage shall count toward the maximum total signage area per building façade.
5. Minimum vertical clearance of Overhead Guide Sign above roadways shall be eighteen (18) feet.
6. Signage is permitted on all building facades. It may be internally or externally illuminated.
7. Any sign within this MPD may contain the overall project (MPD) branding not to exceed two (2) square feet per sign face in addition to the allowable ADA.
8. Pylon signs may be permitted as outparcel signs and subject to those standards.
9. A master signage program may reallocate sign area among wall, freestanding, blade, canopy, roof, and other permitted sign types within a Development Parcel, provided total allowable ADA is not exceeded.
10. Multi-tenant buildings may allocate total allowable signage among tenants at the discretion of the property owner, subject to overall ADA limits.
11. Architectural features such as towers, entry structures, arches, columns, or placemaking elements may exceed the height of the ADA, provided ADA limits are not exceeded.
12. The Landowner may designate specific corridors or areas where sign height, scale, quantity, or intensity is reduced below the maximum allowances provided herein.

(viii). Other Signs. Other signs shall be permitted as follows, subject to private signage guidelines where applicable:

- a. Real Estate Signs: Shall be in accordance with the LDC.
- b. Garage Sale Signs: Shall be in accordance with the LDC and Code of Ordinances Chapter 16, Article V, Garage Sales.
- c. Model Home and Sales Office Signs: One (1) on-site freestanding sign up to thirty-two (32) square feet per side. Up to four (4) flags or banners may be used.
- d. Construction Site Signs: Shall be in accordance with the LDC.
- e. Political Signs: Shall be in accordance with the LDC.
- f. Sandwich Boards (A-Frame) signs: Allowed within the Regional Activity Center, Village Centers, Employment Center and Neighborhood Centers. These signs shall be in accordance with the LDC.
- g. Regulatory Signs: Shall be in accordance with the LDC.
- h. Drive-Thru Menu Board and Speaker Sign: Shall be in accordance with the LDC.
- i. Lifestyle Signs: Lifestyle signs are signs consistent with the overall community theme that relays the assets of the community. These signs may only be erected by Landowner and may be within the right-of-way. These signs may be up to twenty (20) square feet each and located along the Regional Roadway Network.

- j. Signage on Bus/Transit Stops: Covered transit stops may have advertising signage up to twenty-four (24) square feet per side, maximum two (2) sides.
- k. Banners: Banners are allowed within the Regional Activity Center, Village Centers and Neighborhood Centers. Business banners shall follow the LDC. Community event banners may be up to forty-eight (48) square feet of area per side and may be placed over public roads to announce community events.
- l. Flags: Within the Regional Activity Center, Employment Center and Village Centers, each site may have up to three (3) flagpoles up to a height of fifty (50) feet in height. The Landowner may reduce flag height or quantity within specified portions of the Property.
- m. Autonomous/ Transit Vehicle Signage: Vehicle wraps for transit and public autonomous vehicles are not regulated under this MPD.
- n. Gas Pricer (Manual or Digital): Gas pricers may be either manual or digital. The area of a gas pricer shall be included on the sign area allowed for that business. Brightness, animation, dwell time and hours of operation of digital gas pricers may be further regulated by the Landowner through private standards.
- o. Gas Canopy: Gas canopy signage is allowed on each canopy up to twenty-five percent (25%) of the façade facing a street.
- p. Directory Signs/Informational: Signs generally located in nonresidential areas to guide pedestrians to different uses. Directory and

informational signs may be double-sided and may be up to twenty-four (24) square feet in area per face.

- q. Interpretive Signs: Interpretive signs are allowable throughout the MPD. Signs may be up to six (6) square feet each and are for the purpose of educating pedestrians. Corporate sponsorship logos are allowed on the signage.
- r. Directory/Street Address Signs: Allowed to identify the address and/or building number of a building/structure, parcel or other similar area. These signs shall have no locational standards from private or public rights-of-way.

(h). Improvements in Public Rights-of-Way. The Landowner and/or the applicable Entity may place, construct and maintain improvements within public rights-of-way dedicated to the City or other applicable maintaining governmental agency subject to approval by the applicable agency. These improvements may consist of signs as set forth above, fencing, stamps or marked decorative paving, pavers, landscaping, irrigation, lighting and decorative hardscape features including walls, columns and other structures subject to the terms and conditions contained herein. The Landowner or Entity (as applicable) shall be responsible for the following (except that as to signs the Landowner or Entity is subject to Subsection 7(g)) above:

- (i). Cost of installation and operations of any public right-of-way improvement;
- (ii). The cost of maintenance, repair and replacement of any public right-of-way improvement;
- (iii). Submittal of an application for public right-of-way permit review and approval;

- (iv). Placement, construction or installation of improvements within the public right-of-way that do not obscure the field of vision of motorists, bicyclists or pedestrians along the public right-of-way; and/or
- (v). Removal either permanently or temporarily of all or any portion thereof of any improvement within the public right-of-way as requested in writing by the applicable governmental maintaining agency if one (1) of the following occur:
 - (a) a violation of these provisions, (b) the City or applicable governmental maintaining agency determines there are public health, safety or welfare issues warranting removal or (c) the City must maintain or access the right-of-way for public health, safety or welfare issues. Any such removal is at the Landowner's or Entity's (as applicable) sole cost and expense. Should the improvements not be removed as requested within thirty (30) days of written notification by the applicable governmental maintaining agency, said agency shall have the right to remove the improvements and costs of removing them shall be paid by the applicable party.

(i). Site Development Standards. Table 5, Lot and Site Development Standards, below provides the lot and development standards for the allowed uses within the Property. Setbacks are measured in accordance with the LDC unless specifically set forth in this Development Agreement. Maximum FAR will comply with the MPMU Comp Plan Provisions and Section 5 above. Lot coverage and Impervious Surface Area ("ISR") shall be shown on the applicable technical site plan for each Development Parcel. For purposes of calculating the ISR, surface water management facilities, such as retention ponds, shall be treated as pervious areas. Pervious pavement systems, structured parking

decks, rooftop amenities and stormwater management system(s) located beneath parking or buildings shall not count toward ISR.

Table 5 Lot and Site Development Standards						
Community Form						
Design and Dimensional Standard	Greenway	Villages	Neighborhood Center (NC)	Village Centers (VC)	Regional Activity Center (RAC)	Employment Center (EC)
Maximum Form Size (ac)	n/a	n/a	n/a	200 Ac	n/a	n/a
Min Lot Area Square Footage						
• Single-Family, detached	3,500	4,500	3,500	3,500	3,500	n/a
• Cottages, Tiny Homes (Fee Simple)	600	600	600	600	600	n/a
Single family, attached (Townhome, duplexes, triplex, quadplex)						
• Interior	1,500	1,800	1,800	1,500	1,500	n/a
• Exterior	2,500	2,800	2,800	2,500	2,500	n/a
• Multi-Family (apartments, cottages, condominiums)	n/a	15,000	15,000	10,000	10,000	10,000
• Nonresidential	5,000	0	0	0	0	0
Min Lot Width (Feet)						
• Single-Family, detached	40'	40'	40'	40'	40'	n/a
• Cottages, Tiny Homes (Fee Simple)	30'	15'	15'	15'	15'	n/a
• Single family, attached (Townhome, duplexes, triplex, quadplex)						
• Interior	15'	18'	18'	15'	15'	n/a
• Exterior	25'	28'	28'	25'	25'	n/a
• Multi-Family (apartments, cottages condominiums)	n/a	125'	125'	100'	100'	100'
• Nonresidential	50'	0'	0'	0'	0'	0'
Max Lot Coverage by Buildings (Primary and Accessory building footprints)						
• Single Family, detached	70%	60%	60%	65%	65%	n/a

Table 5 Lot and Site Development Standards

Community Form

Design and Dimensional Standard	Greenway	Villages	Neighborhood Center (NC)	Village Centers (VC)	Regional Activity Center (RAC)	Employment Center (EO)
<ul style="list-style-type: none"> Cottages, Tiny Homes (Fee Simple) 	70%	85%	85%	85%	85%	n/a
<ul style="list-style-type: none"> Single family, attached (Townhome, duplexes, triplex, quadplex) 	70%	50%	65%	70%	70%	n/a
<ul style="list-style-type: none"> Multi-Family (apartments, cottages condominiums) 	n/a	45%	45%	75%	75%	n/a
<ul style="list-style-type: none"> Nonresidential 	75%	50%	75%	75%	75%	75%
Max Building Height (feet)						
<ul style="list-style-type: none"> Single Family, detached 	35'	35'	35'	35'	35'	n/a
<ul style="list-style-type: none"> Cottages, Tiny Homes (Fee Simple) 	35'	25'	25'	25'	25'	n/a
<ul style="list-style-type: none"> Single family, attached (Townhome, duplexes, triplex, quadplex) 	35'	35'	40'	40'	40'	n/a
<ul style="list-style-type: none"> Multi-Family (apartments, cottages condominiums) 	n/a	55'	55'	55'	100'	55'
<ul style="list-style-type: none"> Nonresidential 	55'	35'	35'	55'	200'	No Max.
<ul style="list-style-type: none"> Mixed Use buildings 	n/a	n/a	55'	55'	55'	55'
<ul style="list-style-type: none"> Accessory Structures 	35'	35'	35'	35'	35'	55'
Min Single Family Residential Setbacks						
Single Family, detached						
Front: Primary Structure	10'	15'	15'	15'	0'	n/a
<ul style="list-style-type: none"> Front Facing Garage/ Carport 	20'	20'	20'	20'	20'	n/a
<ul style="list-style-type: none"> Porch (if porch is at least one-third (1/3) the frontage of the front façade of the house) 	5'	10'	5'	5'	0	n/a
<ul style="list-style-type: none"> Alley 	3'	3'	3'	3'	3'	n/a
Side:	5'	5'	5'	5'	5'	n/a
Rear, Primary Structure	10'	10'	10'	10'	10'	n/a
Rear, Garage/Accessory Structure	5'	5'	5'	5'	5'	n/a
Greenway Overlay Setback, minimum	10'	25'	50'	25'	25'	n/a

Table 5 Lot and Site Development Standards

Community Form

Design and Dimensional Standard	Greenway	Villages	Neighborhood Center (NC)	Village Centers (VC)	Regional Activity Center (RAC)	Employment Center (EO)
Cottages, Tiny Homes (Fee Simple)						
Front: 1 Primary Structure	10'	0'	0'	0'	0'	n/a
• Front Facing Garage/ Carport	20'	n/a	n/a	n/a	n/a	n/a
Side:	5'	0'	0'	0'	0'	n/a
Rear	10'	0'	0'	0'	0'	n/a
Greenway Overlay Setback, minimum	10'	25'	50'	25'	25'	n/a
Single family, attached (Townhome, duplexes, triplex, quadplex)						
Front: 1 Primary/Accessory Structure	10'	15'	10'	10'	0'	0'
1 Front Facing Garage/ Carport	20'	20'	20'	20'	20'	20'
Alley	3'	3'	3'	3'	3'	n/a
Side: 1 Interior	0'	0'	0'	0'	0'	0'
1 Exterior	10'	10'	5'	5'	5'	5'
Side Street, Exterior	10'	10'	10'	10'	10'	10'
Side, Accessory Structure	3'	5'	5'	5'	3'	5'
Rear, Primary Structure	10'	10'	10'	10'	5'	10'
Greenway Overlay Setback, minimum	10'	25'	50'	25'	25'	50'
Min Multi-Family Setbacks (measured from parent parcel or ROW Line)						
Front: 1 Primary Structure	n/a	20' interior/ 30' exterior	20'	0'	0'	0'
• Parking Garages	n/a	30'	20'	0'	0'	0'
• Garages and Carports	n/a	3'	3'	0'	0'	0'
Side:	n/a	20'	20'	0'	0'	0'
Side Street/Corner Lots	20% of Primary Front					
Rear:	n/a	20'	20'	0'	0'	0'

Table 5 Lot and Site Development Standards

Community Form

Design and Dimensional Standard	Greenway	Villages	Neighborhood Center (NC)	Village Centers (VC)	Regional Activity Center (RAC)	Employment Center (EO)
Accessory Structures	n/a	10'	5'	0'	0'	0'
Greenway Overlay Setback, minimum	n/a	25'	25'	25'	25'	50'
Min Nonresidential Setbacks						
Front:	0'	n/a	0'	0'	0'	0'
Side:	0'	n/a	0'	0'	0'	0'
Rear:	0'	n/a	0'	0'	0'	0'
Accessory Structures	10'	n/a	5'	0'	0'	0'
Greenway Overlay Setback, maximum	n/a	n/a	50'	50'	50'	50'
Impervious Surface Ratio (ISR)	75%	n/a	85%	85%	85%	85%

Table 5 Notes:

- Dimensional standards shall be measured project-wide, over the Development Parcel or from the parent parcel or ROW line for single family attached, multi-family or non-residential use and may be measured project-wide, over the Development Parcel or from the parent parcel or ROW line for single family detached. Standards may also be satisfied on a block by block, phase by phase or master/parent tract basis and such satisfaction will be depicted on the applicable technical site plan.
- Minimum lot size requirement for well and septic must be one (1) acre notwithstanding LDC Section 9.07.05(B)(4).
- For zero (0) lot line, building separation is subject to Florida Building Code and one (1) side setback is zero feet (0') with the other side setback seven and one-half feet (7.5').
- The setbacks for a multi-story building are subject to the standards in Table 5, and no additional setbacks are required regardless of the adjacent use. Setbacks may be reduced or eliminated where internal to the Property and where fire code and Florida Building Code separation requirements are met.
- Calculation of density and intensity shall be pursuant to the MPMU Comp Plan Provisions and Section 5 above.
- No residential unit shall have a minimum living area.
- Unusually tall structures (i.e. observation towers, silos, zipline towers, steeples, clock towers, etc.) are exempt from height restrictions except applicable Florida Building Code, FAA restrictions, etc. Mechanical equipment, elevator overruns, parapets, rooftop amenities, architectural features and structured parking decks shall not be included in height calculations.
- Building height is measured as set forth below.
- Pervious parking is not included in the ISR calculation.
- Mixed use buildings follow nonresidential dimensional standards. Parking structures shall not be subject to lot coverage limitations.
- The minimum building separation between multi-family buildings is twenty feet (20').
- Flag lots are permitted.
- For townhome residential uses, a minimum of two (2) attached units per building and a maximum of twelve (12) attached units per building are allowed.
- Any upland buffer and/or building setback set forth in this Development Agreement, including those provided in Sections 7(b) and (f), are permitted within any Greenway Overlay setback. The Greenway Overlay setback

will be measured from the Greenway Overlay boundary to the applicable building and will not be in addition to any upland buffer and/or building setback.

(j). Alternative Transportation.

(i) In order to promote alternative forms of transportation and reduce vehicle miles traveled and consistent with Comprehensive Plan Future Land Use Policy 1.7.1.3, a system of trails, sidewalks and/or pathways will be provided within the Property to provide interconnectivity between Property uses. As a condition of development, a trail, sidewalk and/or path will be provided within or adjacent to the right-of-way of certain roads as depicted on the cross-sections attached to the MPD Master Plan at **Exhibit “B”** and consistent with Table 6, Pedestrian Access, below. Any trail, sidewalk and/or path within the Property will be constructed in stages or phases consistent with the timing of development of the surrounding Property (or portion thereof) and will be depicted on the applicable technical site plan. The cross-sections and standards in Table 6 may be modified during technical site plan review of the applicable roadway without the need to modify this Development Agreement. The trails, sidewalks and/or pathways within or outside the Regional Roadway Network right-of-way will be owned and maintained by the City, County and/or FDOT, subject to any agreement between the applicable maintaining agency and an Entity to maintain and/or improve any trail, sidewalk and/or path. The trails, sidewalks and/or pathways within or outside the right-of-way of the internal street network (excludes the Regional Roadway Network) will be owned and maintained by one (1) or more Entities. Bicycle facilities may not be provided on all roads within the Property. LDC Section 9.02.03(E) does not apply to development of the Property.

Table 6 Pedestrian Access

Facility	Required	Width	Location
All Local Streets	Concrete Sidewalk * or Stabilized Path/Trail	5'	One side of the street
Minor and Major Collectors	Sidewalk	5'	Both sides of street
	OR		
	Concrete or Asphalt Multi-Use Path	10'	On one side of street
	Concrete or Asphalt Electric Vehicle Path	12'	On one side of street

* Sidewalks are not required for cul-de-sacs with less than five residential lots.

** Sidewalks, multi-use paths, paths and trails may be relocated, combined, deferred or substituted with alternative facilities when approved as part of the applicable technical site plan.

*** Hamlets of less than twenty (20) homes and other rural areas may be served by rural local roads or stabilized low impact roads that are not required to comply with the above sidewalk or stabilized path/trail standard.

(ii). Golf carts may be authorized by the City on public roadways, trails and pathways within the Property in accordance with Section 316.212, Florida Statutes. Such City authorization shall occur as part of the applicable technical site plan that includes said public roadway, trail and/or pathway within the Property that golf carts may traverse. Golf carts are allowed within private roadways, trails and/or pathways within the Property, and the owner of said areas will be responsible for creating golf cart operation requirements consistent with state law. As part of technical site plan review, the areas within the Property in which golf carts may traverse will be identified.

(iii). Notwithstanding any City regulation to the contrary, law or policy, low speed vehicles are allowed on streets within the Property consistent with State law,

including Section 316.2122, Florida Statutes. As part of technical site plan review, the areas within the Property in which low speed vehicles may traverse will be identified.

(iv). Notwithstanding any City regulation to the contrary, law or policy, autonomous vehicles and/or transportation are allowed within the Property consistent with Section 316.85, Florida Statutes. As part of technical site plan review, the areas within the Property in which autonomous vehicles and/or transportation may traverse will be identified.

(v). E-bikes are allowed within the Property subject to state and local laws.

(k). Lighting. Lighting shall be provided in accordance with the LDC. In addition, developers/builders may pursue Florida Fish and Wildlife Conservation Commission friendly lighting certification consistent with MPMU Comp Plan Provision 1.7.1.2.A. The LUA is permitted to provide exemptions to the LDC lighting standards and to approve light poles above thirty-five (35) feet.

(l). Habitat.

(i). A Habitat Conservation Management Plan(s) (“HCMP”) will be developed and implemented as part of any federal and state environmental permitting within or adjacent to the Greenway Overlay (or portion thereof). Upon permit issuance by the applicable regulatory agency (e.g. SJRWMD, Corps, etc.) in which a HCMP is required as part of permit issuance, a copy of the HCMP will be provided to the LUA. The applicable regulatory agency shall monitor the HCMP and require updates as needed as part of the environmental permitting process. Implementation of the HCMP will be the responsibility of the permittee.

- (ii). Regulations for endangered species, threatened species and species of special concern (“Species”) shall follow the applicable federal and/or state regulations. The listed species study referenced in LDC Section 10.04 shall mean any listed species study required as part of federal and/or state environmental resource permitting for development of the Property or portion thereof as set forth herein. Mitigation or protection of a Species located within the Property shall be pursuant to the applicable federal and/or state environmental resource permit associated with development of the Property or portion thereof as set forth herein.

(m). Water/Sewer/Reuse Utilities. The Landowner will negotiate a utility agreement(s) with the City in order for the City to provide potable water, sewer and reuse water service to the Property, or portion thereof, (“Utility Agreement”). Any Utility Agreement must be approved by City Council. If the Landowner is not a party to a Utility Agreement, the applicable party must provide to the City a written consent by Landowner prior to the City and applicable party(ies) beginning negotiations. All uses and infrastructure, including but not limited to, electric substations, transformers, water and sewer pump stations, well heads, treatment plants, etc., required for potable water, sewer and reuse water utilities within the Property or by the project utility provider are allowable by right within the Property and any Sub-Area. The location of such uses and infrastructure will be provided at the time the portion of the Property needing such use and infrastructure is subject to a technical site plan. Utility infrastructure may be constructed in phases and sized to serve future phases. Notwithstanding anything herein to the contrary, certain portions of the Property, including, but not limited to, the Greenway Overlay, Transition Zones and Hamlets, may not be located adjacent to central water, central sewer and/or reuse service. In those instances, private owned individual use wells, individual onsite sewage

treatment and disposal systems, package type wastewater treatment facilities and other similar facilities may be used to provide central water, central sewer and/or reuse water to the area/use provided the applicable developer obtains the necessary state permits. The minimum lot size for private owned individual use wells and individual onsite sewage treatment and disposal systems is one (1) acre.

(n). Fire Protection/Wildfire Mitigation. A wildfire mitigation plan(s) will be prepared by a forester, wildlife mitigation expert or a licensed landscape architect and submitted to the City at the time of technical site plan review for those portions of residential and nonresidential development within the Property located adjacent to wildfire hazard areas. For purposes of this Development Agreement “wildfire hazard areas” are areas of heavily wooded and vegetated areas posing a threat of wildfire impacts as determined by a forester, wildlife mitigation expert or a licensed landscape architect. The Landowner is responsible for preparation of the initial wildfire mitigation plan and implementation will occur as residential and nonresidential development within the portions of the Property adjacent to wildfire hazard areas obtain technical site plan approval. The wildfire mitigation plan(s) will address the following:

- (i). creation of building construction standards;
- (ii). reduction of fuel for fires through methods such as tree removal and pruning, prescribed burns, mechanical mowing, herbicide treatment and removal of dead plant material;
- (iii). access for emergency vehicles;
- (iv). a Firewise landscaping plan;
- (v). water supply and storage for fighting fire;
- (vi). coordination with the City Fire Services; and

(vii). a maintenance plan including provisions for inspection and enforcement by the City.

(o). Solid Waste. Solid waste collection services are available and will be provided by the City. Private contractors may be used for nonresidential establishments and facilities.

(p). Dry Utility Lines/Telephone/Electricity/Fiber Optic. Non-water, sewer and reuse utilities, including, but not limited to, telephone, electric, fiber optic, cable, etc., may be located anywhere within the Property and will be provided in accordance with the LDC.

(q). Hurricane Evacuation. The Regional Roadway Network generally depicted on the MPD Master Plan will provide east-west connections increasing available evacuation routes.

(r). Water Conservation. Water conservation will be provided in accordance with Article V, Water Conservation Policy, Chapter 24 of the Code of Ordinances. Conservation strategies may include development standards such as Florida Water Star, Florida-Friendly Community, Florida-Friendly Landscaping and/or Florida Green Lodging standards of the voluntary program outlined in Article II, Green Development Program, Chapter 15 of the Code of Ordinances. Other strategies include enforcement of irrigation schedules.

(s). Fencing/Walls. Fences are a permitted accessory use within all Sub-Areas.

(i). Setbacks and placement. Fences may be located in easements so long as they do not interfere with utilities. Fences are allowed within all setbacks, upland buffers, building setbacks and buffers including within the Greenway Overlay and WUOSTZ Areas (defined below).

(ii). Height. The maximum height of fences measured from finished grade shall not exceed (a) ten (10) feet for nonresidential uses, (b) twelve (12) feet for civic or public recreation sports fields and (c) six (6) feet for residential uses. Fences in

front yards of residential uses may not exceed four (4) feet. Fences within the Greenway Overlay shall be selected to promote migration of animals.

(t). Building Height. Building height will follow Table 5, Lot and Site Development Standards, and measured per the LDC.

(u). Architecture. Development within the Property will be subject to private architectural standards and review and is exempt from LDC Chapter 13. The following standards apply to nonresidential and multi-family development within the Property.

(i). Color palette/exterior treatment and finishes shall generally be coordinated to follow natural elements such as brick or masonry, manufactured or natural stone, terra cotta, natural wood siding and including natural appearing substitutes for materials.

(ii). Building orientation: Buildings shall be oriented to the street with the primary entrance facing the street to engage the sidewalk. Building orientation shall minimize the appearance of service areas.

(iii). Articulation: Building facades shall include articulation consistent with the chosen architectural style and shall include a variety of features to provide sufficient articulation. Suitable articulation techniques include horizontal modulation, vertical modulation, covered entries at articulation intervals and/or projections of windows, balconies, entries, or stair enclosures.

(v). Pollution and Environmental Concerns. Development within the MPD is subject to Code of Ordinances Chapter 24, Article II.

(w). Fill. Fill from a stormwater pond, borrow pit or any other area of the Property may be used anywhere within the Property and at any time, except for those areas encumbered by a

conservation easement and in upland buffers unless the applicable regulatory permit is obtained to allow fill in these areas. LDC Section 4.03.03 as to soil extraction is not applicable to the Property.

(x). Cultural and Historic Resources. Development of the Property will adhere to LDC Section 10.05 related to cultural and historic resources, except that if any portion of the Property is determined to have a potentially significant or a significant cultural resource in areas proposed for development, the Landowner and City will adhere to any recommendations of the state historic preservation officer.

(y). Parking and Loading.

(i). The minimum parking and loading requirements within the Property will be consistent with LDC Section 5.04 unless otherwise provided for in this Development Agreement.

(ii). Minimum parking requirements are allowed to be met with any combination of off-street parking, central parking lots, parking structures, shared parking and other areas not located on the site the parking serves (e.g. off-site parking). For off-site parking, the parking must either be located within one thousand feet (1,000') of the building(s) or use(s) it serves or a shuttle, autonomous vehicle, or other type of transportation is provided from the parking to the building(s) or use(s) the off-site parking serves. On-street parking and parking on the side of a building is allowed to satisfy minimum parking requirements. LDC Section 5.04.08 does not apply to the Property provided that for shared parking and joint use facilities a licensed traffic engineer certifies in a shared parking analysis the amount of parking is adequate.

- (iii). Nonresidential off-street parking spaces and access ways shall not be located closer than five (5) feet from any side property line unless otherwise approved by the LUA.
- (iv). On-street parallel or angled parking shall be designed to promote traffic calming, pedestrian use, and shopping convenience.
- (v). To prevent over-parking that results in large expanses of unused paved parking, a parking demand study is allowed to be submitted at the time of the applicable technical site plan review to allow a reduction in the minimum required number of parking spaces for any specific use.
- (vi). On-street parking will not require a landscape buffer or other screening.
- (vii). Pool cabanas, bathhouses and similar structures shall not require parking when associated with a main facility building.
- (viii). Schools shall be exempt from the listed criteria and will comply with applicable local and state standards.
- (ix). There is no maximum parking space standard applicable to the Property development.
- (x). Parking spaces and loading spaces for any residential or nonresidential use within the Greenway Overlay Sub-Area and Hamlets are permitted to be designed and constructed with pervious or unpaved materials. Driveways and areas in which mobile food dispensing vehicles or temporary commercial kitchens may be located are allowed to consist of pervious or unpaved surfaces. The pervious or unpaved surfaces allowed herein shall be sufficient to allow for emergency access and be designed with a minimum six (6) inch compacted

crush-crete or approved equivalent twelve (12) inch compacted subgrade with a minimum L.B.R. forty (40).

- (xi). Parking spaces reserved for pick-up, drive-up, order ahead or other similar type use shall count toward the applicable parking minimum.
- (xii). Parking in a garage is not required for any use, including residential, notwithstanding LDC Section 4.01.03.

Table 7 Parking Standards

Residential Development Parking

<u>Use</u>	<u>Parking Spaces Minimum Required</u>
Single-Family (SF) & Duplex Homes (DH)	<ul style="list-style-type: none"> • Two (2) spaces per dwelling unit (DU)
Townhomes (TH), other Multifamily (MF) & Cottage, Triplex & Quadplex	<ul style="list-style-type: none"> • 1.75 spaces per dwelling unit

Parking will provided as set forth above, including, but not limited to, in off-street areas, garages, carports, or driveways or by parallel or angled (including ninety (90) degree) and on-street parking within public and private rights-of-way. For multi-family residential uses, required parking may be provided by tandem parking.

Non-Residential Development Parking

<u>Use</u>	<u>Parking Spaces Required</u>
Community Recreation Facilities	<ul style="list-style-type: none"> • One (1) space per 600 square feet of enclosed main building area
Cultural/ Institutional & Civic	<ul style="list-style-type: none"> • One (1) space per 600 square feet of building area
Retail Commercial	<ul style="list-style-type: none"> • Four (4) spaces per 1,000 square feet on non-residential development
Office / Flex Space	<ul style="list-style-type: none"> • Based on Code for Individual use
Office	<ul style="list-style-type: none"> • Based on Code for Individual use
Industrial	<ul style="list-style-type: none"> • Based on Code for Individual use
Hotel	<ul style="list-style-type: none"> • One (1) space per room

Unless specified otherwise in this Development Agreement, the parking calculation for nonresidential development shall be in accordance with the LDC for the developed use. Shared parking is allowed, provided the appropriate cross access easements are agreed