

**ST. JOHNS COUNTY
RESOLUTION NUMBER 2008-255**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE WORLD COMMERCE CENTER DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY ON DECEMBER 10, 2002, UNDER RESOLUTION 2002-267, MODIFIED BY RESOLUTION 2004-153, APPROVED JUNE 22, 2004; AS MODIFIED BY RESOLUTION 2005-292, APPROVED AUGUST 4, 2005; AS MODIFIED BY RESOLUTION 2006-446, APPROVED NOVEMBER 14, 2006; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, World Commerce Center, LLP has submitted a Notice of Proposed Change (NOPC) to the World Commerce Center Development of Regional Impact (DRI) dated October 30, 2007 as amended June 30, 2008, requesting modification of portions of the Development Order (the "Notice of Change"); and

WHEREAS, the Developer submits that the changes proposed in the NOPC do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes and the Developer has provided evidence that such changes do not constitute a substantial deviation under any provision of Section 380.06(19) of the Florida Statutes; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC and considered the evidence presented and whether the proposed modification constitutes a substantial deviation to the DRI requiring further DRI review at a public hearing held September 16, 2008, after required notice; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA:

1. The following facts and conclusions of law are established by clear and convincing evidence to support this Resolution:
 - A. The requested changes do not constitute a substantial deviation pursuant to the terms of Section 380.06(19) of the Florida Statutes. Further, pursuant to section 380.06(19)e5, the applicant has rebutted the presumption that this is a substantial deviation by clear and convincing evidence.
 - B. The changes requested in the NOPC are consistent with the Land Development Code of St. Johns County, as amended.
 - C. The change requested in the NOPC is consistent with and furthers the objectives of the St. Johns County Comprehensive Plan 2015.
2. The World Commerce Center DRI Development Order is hereby modified by approval of the following specific changes:
 - A. **Phasing and Build Out: General Condition 2**

Phasing, Buildout and Expiration of DRI. The phasing schedule General Exhibit 2 of the DRI is revised as follows:

<u>Land Use</u>	<u>Phase I</u> (2003-2010)	<u>Phase II</u> (2008-2015)	<u>Phase III</u> (2013-2020)
Residential	1,156 units	0 units	0 units
Office	559,512 s. f.	855,744 s.f.	756,232 s.f.
Retail/Commercial	440,880 s. f.	661,320 s.f.	158,800 s.f.
Industrial	388,000 s.f.		65,900 s.f.
Hotel		250 rooms	700 rooms

B. Special Condition Transportation 23 (f) is modified to read as follows:

Prior to the completion of Phase II but no later than December 31, 2013, the Developer shall design and engineer a four-lane arterial roadway and commence construction of a two-lane arterial roadway for the North-South Corridor between S.R. 16 and International Golf Parkway, including all necessary intersection improvements at the intersections of the Corridor Roadway with S.R. 16 and International Golf Parkway.

C. Special Condition Transportation 23 (g) is modified to read as follows:

(g) Prior to the completion of Phase II, the Developer shall be responsible for the design and engineering, as well as commencing construction or paying FDOT the full cost as agreed upon by FDOT for the four-laning of S.R. 16 from the North-South Corridor to South Francis Road. No Certificate of Occupancy for Phase III of the Project will be issued until construction of this improvement has been commenced.

D. Special Condition Transportation 23 (h) is modified to read as follows:

“23 (h) Prior to the issuance of a Certificate of Occupancy for any development in Phase III, the Developer shall commence the construction of improvements to International Golf Parkway from South Francis Road to the I-95 ramps including the I-95 overpass. The improvements shall include adding an eastbound auxiliary lane on International Golf Parkway from South Francis Road to I-95 northbound ramp including widening the I-95 overpass. The Developer shall be responsible for any intersection improvements or traffic signal modifications that may be needed for auxiliary lanes, when warranted, to be constructed at the International Golf Parkway/I-95 ramp intersections.”

E. Exhibit 7 in the Development Order “Transportation Improvements Map (Pipelining)” has also been revised as Exhibit A attached to reflect the modification of the improvement in Transportation Section 23 (h) which has been modified.

F.. Pursuant to Transportation Condition 23 (d), additional mitigation credit is approved in the amount of \$852,363. After modification of Transportation Special Condition 23 (h) and addition of 352,200 square feet of retail and reduction of 50 hotel rooms as reflected in the revised phasing schedule, there remains an unused mitigation credit of \$0.

H. Exhibit 4 Minimum and Maximum Table and Land Use Conversion table attached as Exhibit B has been revised to add movie screens.

I. The Master Plan (Map H) dated October 17, 2007 attached as Exhibit C has been revised to reflect the revised phasing table.

3. Except as modified by this Resolution, the existing World Commerce Center DRI Development Order shall remain in full force and effect.
4. A certified copy of this Resolution, complete with all exhibits, shall be rendered by St. Johns County within ten (10) days of its adoption by certified mail, return receipt requested to the Developer, the Florida Department of Community Affairs, and the Northeast Florida Regional Council.
5. This Resolution shall take effect upon its adoption.


PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 16th DAY OF September, 2008.



BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: 
Tom Manuel, Chair

ATTEST: Cheryl Strickland, Clerk

By: 
Deputy Clerk

RESOLUTION NO. 2002-__

ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2002-__, A DEVELOPMENT ORDER FOR WORLD
COMMERCE CENTER, A DEVELOPMENT OF REGIONAL IMPACT
UNDER CHAPTER 380, FLORIDA STATUTES; AUTHORIZING
DEVELOPMENT OF APPROXIMATELY 966 ACRES IN NORTHWEST ST.
JOHNS COUNTY; ESTABLISHING MITIGATION REQUIREMENTS FOR
REGIONAL IMPACTS INCLUDING MITIGATION FOR
TRANSPORTATION AND ENVIRONMENTAL IMPACTS, PROVIDING
DEVELOPMENT PHASING AND BUILDOUT DATES; ESTABLISHING AN
EFFECTIVE DATE

LET IT BE KNOWN that, pursuant to section 380.06 of the Florida Statutes (2002), the St. Johns County Board of County Commissioners has heard at a public hearing held on December 10, 2002, the Application for Development Approval for the proposed World Commerce Center Development of Regional Impact; and

RECITALS

WHEREAS, the Board of County Commissioners of St. Johns County has considered the Regional Report of the Northeast Florida Regional Planning Council dated November 7, 2002, the recommendations of the St. Johns County staff, and the documents and comments upon the record made before the St. Johns County Board of County Commissioners; and

WHEREAS, the World Commerce Center Development of Regional Impact (the "DRI" and "World Commerce Center DRI") is a proposed mixed use development on approximately 966 acres; and

WHEREAS, Wolfe Ranch, Ltd., Lavonda Pacetti Rathel, Richard and Barbara Pacetti, and Helen Wolfe Ross Trust u/a/d April 30, 1998 are the owners of the DRI Property (the "Owner") and have duly authorized the Applicant to file the ADA and obtain a development order for the DRI Property; and

WHEREAS, the authorized agent for the Applicant is Prosser Hallock, whose address is 13901 Sutton Park Drive South, Suite 200, Jacksonville, Florida 32224-0229; and,

WHEREAS, Steinemann Development Company - Florida, Inc., a Florida Corporation, hereinafter referred to as the "Developer" or "Applicant," filed an Application for Development Approval dated May 2002, as amended by the ADA First Sufficiency Response dated July 15, 2002, pursuant to

section 380.06, Florida Statutes (2002), for the World Commerce Center DRI on certain real property more specifically described in the attached Exhibit 1, (the "DRI Property"); and

WHEREAS, the Applicant has duly provided complete copies of the ADA and the Sufficiency Response to the Florida Department of Community Affairs, Northeast Florida Regional Planning Council, and St. Johns County; and

WHEREAS, the proposed DRI requires an amendment to the County's Comprehensive Plan, which has been reviewed and adopted simultaneously with this Development Order pursuant to section 380.06(6)(b), Florida Statutes (2002), and

WHEREAS, the ADA was reviewed by the Northeast Florida Regional Planning Council as required by section 380.06, Florida Statutes (2002), and the Council recommended that the ADA be approved, with conditions as set forth in the Regional Report; and

WHEREAS, the St. Johns County Board of County Commissioners has duly noticed and on December 10, 2002 held a public hearing on the ADA as required by section 380.06, Florida Statutes (2002) and afforded the public and all affected parties an opportunity to be heard and to present evidence; and

WHEREAS, the Developer is seeking to provide opportunities for employment, a high quality of life for residents, and protect the beauty and benefit of the natural characteristics of the property for future generations.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Johns County, Florida in public hearing duly constituted and assembled on December 10, 2002, that the Application for Development Approval for the World Commerce Center DRI is hereby approved, subject to the following terms and conditions:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The proposed DRI is not in an area designated as an Area of Critical State Concern pursuant to the provisions of section 380.05, Florida Statutes (2002).
2. The proposed DRI is consistent with the State Comprehensive Plan and Rule Chapter 9J-5, Florida Administrative Code.

3. The proposed DRI is consistent with the Strategic Regional Policy Plan adopted by the Northeast Florida Regional Planning Council.
4. The proposed DRI is consistent with the St. Johns County Comprehensive Plan, including a mixture of uses which complies with the requirements of the Mixed Use District land use category.
5. The proposed DRI is consistent with the St. Johns County Land Development Code.
6. The proposed DRI is consistent with the Regional Report and Recommendations of the Northeast Florida Planning Council (NEFRPC) dated November 7, 2002 issued pursuant to section 380.06, Florida Statutes (2002).
7. The proposed DRI includes a substantial and regionally significant commitment to preserve up to 197 acres of wetlands. This commitment provides reasonable assurance that the project complies with the County's objectives to create buffers adjacent to wetlands to protect wetlands and upland buffers and their associated ecological functions and values, including protection of water quality, protection against turbidity and provisions for adjacent upland habitat for wetland dependent wildlife.

GENERAL CONDITIONS

1. **Application for Development Approval.** The DRI shall be developed in accordance with the information, plans and commitments contained in (1) the World Commerce Center DRI Application for Development Approval dated May 2002; (2) the ADA Sufficiency Response dated July 15, 2002; the World Commerce Center Master Plan, Map H, dated ~~October 17, 2007~~, attached as Exhibit 2, ~~as previously amended~~ all of which are incorporated by reference except to the extent of any conflict with the express terms of the conditions of the World Commerce Center DRI Development Order in which event, the terms and conditions of this Development Order shall govern.

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2. **Land Use Totals.** The DRI may be developed with the following improvements within St. Johns County: ~~2,171,488~~ square feet of office uses; ~~1,261,000~~ square feet of retail/service uses; ~~453,900~~ square feet of light industrial uses; ~~950~~ hotel rooms; and a total of 1,156 residential dwelling units.

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Phasing, Build-out and Expiration of DRI. The DRI shall be developed in three (3) Phases, as described in Land Use Phasing Tables attached as Exhibit 3. Each Phase shall last five (5) years ~~plus the automatic three extension unless further~~ extended pursuant to Section 380.06(19), Florida Statutes (2007), or unless the Developer elects to accelerate the beginning date of a subsequent phase or phases.

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provided that all mitigation requirements for the particular phase to be accelerated are met. The end date of a phase would not be affected by an acceleration of the beginning date. Unused development rights from a particular phase carry over into subsequent phases until build-out. Physical development of the DRI shall commence within three (3) years of the effective date of this Development Order; however, this time period and for purposes of calculating when build-out, termination or any phase date have been exceeded, the time shall be tolled during the period of any appeal pursuant to section 380.07, Florida Statutes (2002), or during the pendency of administrative or judicial proceedings relating to development permits. The projected build-out date for all development is December 31, 2020. The DRI termination and DRI Development Order expiration dates are established as December 31, 2024. Any extensions of the DRI build-out, termination or expiration dates shall be governed by the provisions of section 380.06(19)(c), Florida Statutes (2002).

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3. **Land Use Conversion.** The Developer may increase certain land uses and simultaneously decrease other land uses without filing a Notice of Proposed Change or other modification of this Development Order, provided that such changes are consistent with the Conversion Tables attached as Exhibit 4.
 - (a) At the time of election of a land use conversion under the Conversion Table, the Developer shall notify the Department of Community Affairs (the "DCA") and the NEFRPC of the election at least thirty (30) days before implementation and shall provide the DCA, the County and the NEFRPC with cumulative land use totals and remaining allowable quantities in the annual report.
 - (b) So long as the conversion is consistent with the criteria contained in Exhibit 4 and no change is made to the Master Plan, Map H, no additional DRI approvals shall be required for the conversion.
4. **Effective Date.** This Resolution and Development Order shall take effect upon transmittal to the Department of Community Affairs, the Northeast Florida Regional Planning Council and the Developer in accordance with Florida Administrative Code Rule 9J-2.025(5) and section 380.07(2) and (3), Florida Statutes (2002).
5. **Monitoring Official.** The Director of Growth Management Services of St. Johns County or his designee shall be the local official responsible for monitoring the development for compliance by the Developer with this Development Order.

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6. **Downzoning Protection.** In accordance with section 380.06(15), Florida Statutes (2002), the World Commerce Center DRI, as approved in this Development Order, shall not be subject to downzoning, unit density reduction, or intensity reduction before December 31, 2024, unless the Developer consents to such change or that the Development Order was based on substantially inaccurate information provided by the Applicant, or that the change is clearly established by St. Johns County to be essential to the public health, safety and welfare.

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7. **Election Regarding Environmental Rules.** Pursuant to section 380.06(5)(c), Florida Statutes (2002), the Developer has elected to be bound by the rules adopted pursuant to Chapters 373 and 403 in effect as of the date of this Development Order. Such rules shall be applicable to all applications for permits pursuant to those Chapters which are necessary for and consistent with the development authorized in this Development Order, except that a later adopted rule shall be applicable to an application if:

- (a) the later adopted rule is determined by the rule adopting agency to be essential to the public health, safety, or welfare; or
- (b) the later adopted rule is adopted pursuant to section 403.061(27), Florida Statutes; or
- (c) the later adopted rule is being adopted pursuant to a subsequently enacted statutorily mandated program;
- (d) the later adopted rule is mandated in order for the state to maintain delegation of a federal program; or
- (e) the later adopted rule is required by state or federal law.

Nothing in this paragraph shall be construed to alter or change any permitting agency's authority to approve permits or to determine applicable criteria for longer periods of time.

8. **Level of Service Standards.** The Developer shall be required to meet the adopted level of service standards in the 2015 St. Johns County Comprehensive Plan (May 2000) and the requirements of the County's concurrency management system unless such requirements conflict with the ability to offset traffic impacts by paying the proportionate share as permitted by Florida Statutes 163.3180 (12) (2001) if authorized in a comprehensive plan amendment by St. Johns County. If the provisions of F. S. 163.3180 (12) are authorized by the Board of County Commissioners in a comprehensive plan amendment, the provisions of F. S. 163.3180 (12) shall be deemed to meet the provisions of the

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county's concurrency management system (Land Development Code Article 11). This DRI is deemed to be a Multi Use DRI meeting the statutory provisions of F. S. 163.3180 (12).

9. **Biennial Reporting.** A biennial monitoring report for the World Commerce Center DRI shall be prepared by the Applicant in accordance with section 380.06, Florida Statutes, and shall be submitted to the Northeast Florida Regional Planning Council ("NEFRPC"), Department of Community Affairs ("DCA"), and the St. Johns County Planning Division ("SJCPD") no later than January 1 of every other year until build-out, commencing January 1, 2004 (the "Monitoring Report"). The monitoring reports shall be submitted consistent with the reporting requirements adopted in section 380.06(18), Florida Statutes, or as amended. The Monitoring Report shall include:

(a) A description of any changes made in the plan of development, phasing, or in representations contained in the ADA since the date of adoption of this Development Order, and any actions taken by the local government to address these changes. Copies of any approvals taken to address changes including copies of any revised master plans not previously submitted will be attached in the Monitoring Report.

(b) A summary comparison of development activity proposed or conducted since the previous monitoring report and activity projected for that period until submittal of the next regular monitoring report. The summary will include a description of site improvements, gross floor area constructed by land use type, location, and phase, with appropriate maps. A tabulation of the amount of acreage developed in the reporting period shall be provided by land use categories listed in Chapter 28-24, F.A.C.

(c) An identification of the name of the purchaser of any undeveloped tracts of land in the World Commerce Center DRI, including the location and site of the tracts purchased, and the amount of development rights allocated to the purchaser, with map(s) which show the parcel(s) or sub-parcel(s) acquired.

(d) A cumulative summary of all development that has taken place within the World Commerce Center DRI by the land use categories listed in Chapter 28-24, F.A.C. including gross floor areas constructed by land use type and location, together with a cumulative summary of location, size (acreage), and development rights purchased (land use type and square footage).

- (e) To the extent known by the Developer, a description of any lands purchased or optioned within one mile of the boundaries of the World Commerce Center DRI by a person who has acquired a fee simple or lesser interest in the World Commerce Center DRI subsequent to issuance of Development Order (but excluding persons who have only acquired a leasehold interest in lands or improvements within the World Commerce Center DRI), identifying such land, its size, and its intended use on a site plan and map.
- (f) A listing of any substantial local, state and federal permits, which were obtained, applied for, or denied, during this reporting period, specifying the agency, type of permit, parcel, location(s), and activity for each permit.
- (g) A description of any moratorium imposed by a regulatory agency on development within the World Commerce Center DRI, specifying the type of moratorium, duration, cause, and remedy.
- (h) Provide an assessment of Developer's, Developer's successor, if any, and local government's compliance with conditions and commitments contained in the Development Order.
- (i) A description of any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs.
- (j) A description of any known incremental DRI applications for development approval or requests for a substantial deviation that were filed in the reporting period and to be field during the next reporting period.
- (k) A description of any change in local government jurisdiction for any portion of the development since the Development Order was issued.
- (l) Copies of monitoring reports completed during the previous year on the created wetlands and stormwater/wetland systems as required by permitting agencies.
- (m) Traffic reports, which shall be submitted to the Florida Department of Transportation ("FDOT") District Urban Office in Jacksonville, as well as to the First Coast Metropolitan Planning Organization, SJCPD, NEFRPC, and DCA. The first traffic report shall be due concurrently with the first Monitoring Report and then biennially thereafter until project build-out, unless otherwise specified by the NEFRPC. The following information shall be included:

- (i) A description of current development by land use, type, location, and amount of square footage, along with the proposed construction schedule for the ensuing 24-month period, and appropriate maps.
- (ii) Traffic counts, turning movements, and levels of service actual for the past 24 months and projected for the ensuing 24 months, including traffic estimates for the following roads, including intersections. Applicant shall distinguish between project-related traffic and total traffic volumes:

Roadways

- ◆ Pacetti Road
- ◆ State Road 16 from the Shands Bridge to Interstate 95
- ◆ International Golf Parkway from State Road 16 to U.S. 1
- ◆ North-South Road from County Road 210 to County Road 208

Intersections

- ◆ Interstate 95 / International Golf Parkway
- ◆ State Road 16 / International Golf Parkway
- ◆ International Golf Parkway / World Commerce Parkway
- ◆ International Golf Parkway / South Francis Road
- ◆ Pacetti Road / County Road 208
- ◆ North-South Road / International Golf Parkway
- ◆ North-South Road / State Road 16
- ◆ North-South Road / County Road 208

- (iii) A description of any new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by Developer or governmental entity to accommodate the total existing and anticipated traffic demands.
- (iv) The monitoring reports will determine if air quality modeling is warranted pursuant to the DEP Guidelines for Indirect Sources.

- (n) A copy of the recorded notice of the adoption of a Development Order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to section 380.06(15)(f), Florida Statutes (2002).
- (o) A statement certifying that the Northeast Florida Regional Planning Council (with appropriate filing fee), the Department of Community Affairs, St. Johns County, Florida Department of Environmental Protection, the St. Johns River Water Management District, and the Florida Fish and Wildlife Conservation Commission have been sent copies of the Monitoring Report in conformance with subsections 380.06(15) and (18), Florida Statutes (2002).
- (p) The acreage of uplands and wetlands placed under recorded conservation easements.
- (q) Those items required to be reported relevant to the Stormwater Pollution Prevention Plan in accordance with section 18(a).
- (r) Provide an analysis demonstrating there will be sufficient capacity of potable water, wastewater, and solid waste facilities serving the World Commerce Center DRI for the anticipated development for the ensuing report period.
- (s) Results of the traffic study required under section 25(c)(ii), if applicable to the reporting year.
- (t) A summary of activities undertaken by the Transportation Management Organization under section 23 after the beginning of Phase II.
- (u) Those items required to be reported regarding St. Johns County Fire and EMS impact fees under section 25.

10. **Notice of Adoption.** Notice of adoption of this Development Order or any subsequent amendment to it shall be recorded by the Owner in accordance with sections 28.222 and 308.16(15)(f), Florida Statutes (2002), with the Clerk of the Circuit Court of St. Johns County. The recording of this notice shall not constitute or provide actual or constructive notice of a lien, cloud or encumbrance of the DRI Property. Any contract or agreement for sale of those interests by the Owner for all or any part of the property subject to this Development Order shall contain a legend substantially in the following form clearly printed or stamped thereon:

THE PROPERTY DESCRIBED IN THIS AGREEMENT IS PART OF THE WORLD COMMERCE CENTER DEVELOPMENT OF REGIONAL IMPACT AND IS SUBJECT TO A DEVELOPMENT ORDER, NOTICE OF WHICH IS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, WHICH IMPOSES CONDITIONS, RESTRICTIONS AND LIMITATIONS UPON THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY WHICH ARE BINDING UPON EACH SUCCESSOR AND ASSIGN OF STEINEMANN DEVELOPMENT COMPANY – FLORIDA, INC. THE DEVELOPMENT ORDER DOES NOT CONSTITUTE A LIEN, CLOUD OR ENCUMBRANCE OF REAL PROPERTY OR CONSTITUTE ACTUAL OR CONSTRUCTIVE NOTICE OF SAME. A COPY OF THE DEVELOPMENT ORDER MAY BE REVIEWED AT THE OFFICE OF THE PLANNING DIVISION, ST. JOHNS COUNTY, FLORIDA, OR AT THE OFFICE OF THE DEPARTMENT OF COMMUNITY AFFAIRS, TALLAHASSEE, FLORIDA.

11. **Application For Proposed Changes.** The Developer shall submit simultaneously to St. Johns County, the Northeast Florida Regional Planning Council and the Florida Department of Community Affairs any applications for proposed changes to the DRI and shall comply with the requirements of section 380.06(19), Florida Statutes (2002), concerning nonsubstantial deviations. Nothing contained herein shall modify the right of review of the DCA as to any modifications of this Development Order pursuant to section 380.06(19).
12. **Status of Development Rights.** The County acknowledges that the Owner and Developer have by virtue of this Development Order committed to make substantial commitments to mitigate for impacts of proposed development pursuant to this Development Order. The Owner and Developer will also make substantial investments in construction and development of the infrastructure required under this Development Order, all in reliance upon realization of all development rights granted pursuant to this Development Order. Accordingly, the rights of the Owner to develop the improvements as set forth in sections 2, 3 and 4 are intended to be rights protected by the principles of vested rights and shall not be subject to downzoning or unit density reduction or intensity reduction, except as provided for in Section 6 of this Development Order. Further, future modifications to the St. Johns County Land Development Code and other laws or regulations of the County affecting development shall apply to the development approved pursuant to this Development Order except to the extent (a) such future modifications conflict with specific provisions, conditions or commitments set forth in this Development Order and substantially diminish the development rights granted herein, or (b) such modifications require mitigation for development impacts which have been reviewed under section

380.06, Florida Statutes, and addressed in this Development Order. The Owner and Developer do not waive any common law vested right or equitable estoppel right they now have or may hereafter acquire in the future to complete any portion of this development in accordance with the applicable state and local laws and ordinances in effect at the time this Development Order becomes effective.

13. **Subsequent Requests for Development Permits.** Subsequent requests for development permits shall not require further review pursuant to section 380.06, Florida Statutes (2002), unless it is found by the St. Johns County Board of County Commissioners, after due notice and hearing, that one or more of the following is present:

- (a) substantial deviation from the terms or conditions of this Development Order, or other changes to the approved Development Plan, which create a reasonable likelihood of adverse regional impacts or other regional impacts which were not evaluated in the review by the Northeast Florida Regional Planning Council; or
- (b) an expiration of the period of effectiveness of this Development Order as of December 31, 2021.

Upon a finding that (a) is present, the St. Johns County Board of County Commissioners shall order compliance with sections 380.06(19)(g) and (h), Florida Statutes (2002), and development within World Commerce Center may continue, as approved, during the DRI review in those portions of the development which are not affected by the proposed change.

SPECIAL CONDITIONS

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ENVIRONMENTAL RESOURCES IMPACTS

14. **Vegetation and Wildlife.** Much of the project site has been and will continue to be used for agricultural purposes. Agricultural activities within a certain parcel may occur until the commencement of development of that parcel provided that a 25-foot upland buffer around the preserved jurisdictional wetlands is maintained. All agricultural activities shall comply with the requirements of Policies E.2.2.2 and E.2.2.3 of the 2015 Comprehensive Plan (May 2000), where applicable.

(a) The Developer will place a new support structure (pole and platform) for the purpose of utilization by osprey. The location and design of the new support structure shall be reviewed for comment by the FFWCC and St. Johns County prior to placement of the new structure. The new structure shall be in place within one (1) year of issuance of the Development Order for the project.

(b) If an eagle nest is found or located within or adjacent to the project site, the World Commerce Center project will comply with the St. Johns County Land Development Code for the protection of eagle nests.

(c) A minimum of three (3) wildlife crossings will be located within the project site. The exact location and design of the wildlife crossings will be finalized during the engineering of each project phase. The crossings may consist of additional culverts located underneath the road crossings at varying elevations to allow for the movement of wildlife or caution signage indicated on the roadways and/or reduced speed zones. Due to the existing conditions on the site, wildlife crossing utilization within the World Commerce Center is likely to be limited to amphibians and small reptiles and mammals.

15. **Wetlands.** a) Impacts - - The exact quantity and location of jurisdictional wetlands will be surveyed and be subject to approval by the St. Johns River Water Management District and the U.S. Army Corps of Engineers. Up to 133 acres of wetland impacts may occur within the World Commerce Center DRI, including on-site impacts of transportation improvements to be constructed by the Developer, provided that the necessary permits are obtained from the St. Johns River Water Management District and the

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U.S. Army Corps of Engineers. Mitigation for these proposed wetland impacts shall be approved by the St. Johns River Water Management District and the U.S. Army Corps of Engineers as part of the overall conceptual permit for World Commerce Center. Wetlands mitigation will include preservation and may include restoration, enhancement, creation activities and upland buffer enhancement as part of the mitigation plan under the District ERP Permit and Corps Permit. No development activities, as defined in Section 380.04, F.S. except for activities permitted by the appropriate environmental permitting agencies, shall be allowed in any of the wetland areas within the DRI. (b) Preservation - - One Hundred Ninety Seven (197) acres of wetlands on site and One Hundred Seventy (170) acres of off site wetlands in the same drainage basin will be preserved pursuant to a conservation easement granted to the St. Johns River Water Management District pursuant to F.S. 704.06. The on site wetlands will be subjected to the conservation easement when required by the water management district permit. The conservation easement will be placed on the off site wetland mitigation area when required by the water management district permit. The right to hunt on the off site wetlands mitigation property may be reserved in the conservation easement. Piezometers and staff gauges shall be used to monitor wetland hydrology.

If site development causes degradation to wetland quality and/or quantity beyond that permitted, the Developer shall take positive actions to correct or mitigate the degradation. The corrective measures shall be approved by the St. Johns River Water Management District and St. Johns County. Any corrective actions or mitigation shall be accomplished consistent with other conditions of the Development Order and applicable regulatory programs. Failure to timely undertake corrective actions (within one year from identification of problem) shall constitute a substantial deviation of the Development Order.

To reduce erosion, all swales, detention slopes and drainage ways constructed by the Developer shall be vegetated, sodded, or seeded. Only those areas needed for development will be cleared. Vegetative cover will be restored immediately and maintained after construction on all disturbed area not covered with an impervious surface. Sedimentation of wetlands shall be prevented through adherence to the erosion and sediment control plan submitted as part of the stormwater permit.

16. **Upland Buffers.** Development of the World Commerce Center project will not adversely affect hydroperiods of preserved wetlands. Upland buffers will be maintained around all preserved isolated wetlands within the World Commerce Center DRI and shall be a minimum of 15 feet measured landward from the water management district wetland jurisdictional line and consist of an average of 25 feet. An upland buffer and setback consistent with Section 4.01.06.B of the Land Development Code shall be required between development areas and all contiguous wetlands preserved on site. All contiguous (non-isolated) wetlands shall have a minimum upland buffer of 25 feet measured landward from the District wetland jurisdictional line. The only exception to the buffer requirements will be road crossings as approved by the water management district and St. Johns County. Any upland buffer enhancement must be approved by St. Johns County.

17. **Development Standards** All development shall comply with the Northwest Sector Plan requirements as set forth in Ordinance 2002-54 and made part of the St. Johns County Comprehensive Plan. The site shall be designed using innovative planning techniques to create internal connectivity to decrease the impacts of automobile traffic from one destination to another within the World Commerce Center.

18. **Water Quality – Stormwater Pollution Prevention Plan (SWPPP).**

(a) **SWPPP Requirements.** A Stormwater Pollution Prevention Plan (SWPPP) shall be incorporated into the construction and permit documents for projects constructed in World Commerce Center which require a general or individual District permit. The SWPPP shall be similar to the SWPPP provided in Exhibit 5 but may be modified to accommodate the specific construction project and site. However, all SWPPPs must include Paragraph 1, Pre-Construction Activities and Paragraph 3, Maintenance/Inspection Procedures, as provided for in Exhibit 5.

(b) **SWPPP Monitoring.** In addition to the requirements on individual property owners/contractors outlined in the SWPPP, the Developer, Community Development District (CDD) or Property Owners Association (POA) shall monitor compliance with the SWPPP goals. The compliance monitoring shall consist of the following:

(i) An individual will be identified to monitor compliance with the Stormwater Pollution Prevention Plan (SWPPP). The St. Johns River Water Management

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District and the Florida Department of Environmental Protection (DEP) will be notified as to the individual who is responsible for monitoring the SWPPP within the World Commerce Center project. At a minimum, this responsible entity will:

1. Be trained in erosion control implementation techniques;
2. Set up and oversee implementation of SWPPP programs throughout the build-out of the project;
3. Ensure that if the regular site inspector is unable to attend pre-construction conferences, this information is communicated to the inspector, including site specific Best Management Practices, permit requirements and erosion control implementation training;
4. Meet with trained site superintendent monthly, upon commencement of site construction, to ensure implementation of the SWPPP and resolve problems. Frequency of site visits may be decreased if there is no indication of erosion control problems and previous visits show a history of compliance with the SWPPP; and
5. Submit a brief narrative update to DEP and the District quarterly on activities and progress or be available to meet with DEP on site for quarterly site visits, unless DEP deems the visit unnecessary. Upon proper identification, DEP personnel shall be granted access to the property.

- (ii) Attend all pre-construction conferences.
- (iii) Conduct Homeowner Stormwater Training Programs.
- (iv) Conduct Contractor Stormwater Training Programs.
- (v) Conduct periodic inspections of construction sites.
- (vi) Notify the District and DEP of observed potential permit violations within 24 hours and serve as agency liaison.
- (vii) Summarize items (i) through (vi) above in the monitoring report.

(c) Implementation. The SWPP shall be implemented upon initiation of construction activities.

Three (3) years after the initiation of construction, the DEP and the District will have the

opportunity to review the program. If it is found to be unsatisfactory, the agencies will discuss alternatives, including program modification options, with the Developer. Such alternative programs agreed to by DEP, the District, and the Developer shall not require a modification of this Development Order.

(d) Trigger Water Quality Monitoring. DEP will be allowed access to the site to sample water quality. The following would trigger the need for some form of water quality monitoring program that would be developed at such time that DEP determines one of the following conditions have been met:

- (i) The above SWPPP Development Order conditions have not been met.
- (ii) DEP sampling results indicate water quality violations.
- (iii) Substantiated concerns about water quality problems caused by the development.
- (iv) DEP has reason to suspect water quality violations associated with this development. (Note: this may include violations identified in Mill Creek by the Saint Johns DRI Water Quality Monitoring Program).

19. Water Supply.

(a) Potable Water. A central water supply system shall provide water needs for all development within World Commerce Center. There shall be no on-site water treatment plants within World Commerce Center. Development shall occur concurrent with the provision of adequate central potable water service meeting the adopted level of service in the St. Johns County Comprehensive Plan. Sufficient capacity exists to accommodate Phase I and II development. No building permits shall be issued for Phase III of the World Commerce Center until sufficient capacity exists from the providing utility to provide potable water and service meeting the adopted level of service in the St. Johns County Comprehensive Plan. The active wells will be properly plugged and abandoned in accordance to SJRWMD rules and regulations when the area around each well is developed. Any new wells discovered during the development process shall be reported immediately to the SJRWMD and St. Johns

County. Any wells discovered prior to or during development shall be properly plugged and abandoned in accordance to SJRWMD rules and regulations.

(b) Reuse. At such time that reuse water is available, the utility provider may construct an off-site reuse transmission main extending from the utility provider's treatment plant to the World Commerce Center property 2,700 feet north of S. Francis Road on S.R. 16. The developer shall pay half the cost of installing the reuse transmission main, not to exceed \$600,000.00, which shall have a minimum internal diameter of eight (8) inches. If the size of the reuse transmission main is increased to a size larger than 8", the additional costs will be paid by the utility provider. The developer's cost will be paid or bonded prior to construction and be reduced by the amount of any reuse connection fees, the value of contributions in aid of construction, or similar payments made by the developer for reuse purposes. It is understood that adequate reuse supply will not be available for approximately eight years. Any new reuse customers identified will be assessed for their pro-rata share of the line installation based on the percentage of reuse water volume allocated to that reuse customer. A reuse transmission reimbursement process will be established so that the developer may be reimbursed for this reuse transmission system.

(c) Water Conservation. Water conservation strategies, including xeriscape landscape techniques and low flow plumbing fixtures shall be incorporated into the construction, operation, and maintenance phases of the development, and shall be included into the covenants and deed restrictions. These conservation strategies must include, but are not limited to the following:

- (i) 50% of planted vegetation, by aerial extent, will consist of native, drought-tolerant, or Xeriscape vegetation in all landscaped areas. Landscaped areas include turf, planted vegetation, and mulch; however, they do not include hardscaped areas.
- (ii) The Developer will implement a customer and employee water conservation education program as specified in Section 12.2.5.1(e) of the

St. Johns River Water Management District Consumptive Use Permitting
Applicant's Handbook.

- (iii) The development will provide Xeriscape/drought-tolerant literature to all future developers and residents.
 - (iv) The prohibition of the use of private non-residential irrigation wells when reuse becomes available.
 - (v) The prohibition of potable water for ornamental fountains.
 - (vi) Utilize a minimum 70% slow-release granular fertilizers within common areas.
- (d) Landscaped areas and other non-residential areas will be irrigated first with available stormwater, until reclaimed water is available on site. Surficial water wells may only be used as an emergency back up to these sources; as such the St. Johns River Water Management District permits use. No on-site Floridan Aquifer wells, either existing active or new wells, will be utilized for non-potable uses within the project site (except the existing active wells may be utilized for fire suppression until they are capped and abandoned). Once adequate reclaimed water is available to support the non-residential irrigation needs of the project, neither Floridan Aquifer, the surficial aquifer, nor public potable supply water shall be used for irrigation. Provided however, one (1) sub-threshold Floridan Aquifer well is allowed for industrial use. Flow capacity of the well shall not exceed 100,000 gallons per day on average. The Developer will install a flow meter to monitor and record the well flow rates and submit the data to the SJRWMD, St. Johns County and the NEFRPC.
- (e) Residential development areas will be irrigated with available stormwater. Surficial water wells may only be used as an emergency back up to these sources; as permitted by the St. Johns River Water Management District. No on-site Floridan Aquifer wells, either existing active or new wells, will be utilized for non-potable uses within the project site (except the existing active wells may be utilized for fire suppression until they are capped and abandoned).

20. **Wastewater Management.** Development shall occur concurrent with the provision of adequate central sewer service meeting the adopted level of service in the St. Johns County Comprehensive Plan. Septic tanks will not be utilized for wastewater treatment or disposal. Temporary surface tanks may be used to provide sewer service to construction and marketing trailers until central sewer lines are installed.
21. **Stormwater Management.** The stormwater system for World Commerce Center will be designed using multiple discharge points throughout the project in order to minimize the intensity and volume of discharge from any single point, thereby reducing the potential for flooding and erosion. All drainage improvements will be designed so that the rate of stormwater which flows into the creeks and tributary wetland systems is equal to or reduced from the pre-development conditions. The normal water elevation of each stormwater management facility will be designed and established so that the adjacent wetland systems are not adversely affected. It is anticipated that wet detention systems will be the primary method of stormwater treatment and attenuation. Stormwater ponds that discharge off-site and all stormwater ponds that receive runoff from industrial land uses shall be equipped with oil and grease skimmers and maintained on a regular and frequent basis to ensure they function properly.
22. **Solid Waste/Hazardous Waste.** The project shall meet the level of service standard established in the 2015 Comprehensive Plan (May 2000). Prior to the issuance of any site plan approvals for any portion of development, the Developer shall provide written evidence from the appropriate solid waste provider that adequate solid waste capacity is available for that portion of the site for which site plan approval is sought. A Hazardous Waste Plan for the World Commerce Center will be incorporated into the Development Order. At a minimum this Plan shall address spill prevention, waste minimize, site maintenance, accident response procedures, storage and disposal of hazardous waste and best management practices (BMPs) for vehicle maintenance. Areas used for vehicle maintenance, oil changing, or other activities that could result in the release of oils or other contaminants to ground or surface waters will be over impervious surface with containment to minimize the risk of environmental release. Businesses within World Commerce Center shall comply with the World Commerce Center Hazardous Waste Plan, attached as Exhibit 6, in addition to any other local, state and federal requirements. The project shall also participate in the St. Johns County recycling program

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TRANSPORTATION RESOURCE IMPACTS

23. **Transportation.** Pursuant to section 163.3180(12), Florida Statutes (2002), the Developer will contribute up to ~~„\$14,378,363 (Pipelining Amount) in cash payments, contributions, and/or funded~~ transportation improvements to offset the impacts of the World Commerce Center development upon the regional transportation system, as described below. These contributions constitute the Developer’s proportionate share which shall be deemed sufficient to mitigate for all the transportation impacts for the development rights approved herein. ~~The \$14,378,363 is sufficient to pay for or construct one or~~ more required improvements as set forth herein which will benefit regionally significant transportation facilities and meet pipelining requirements as set forth in Florida Statutes 163.3180 (12). The off-site improvements to be constructed by the Developer or identified for funding by the Developer are set forth on Exhibit 7.

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Improvements to be Constructed by Developer - - The Developer shall be responsible for all improvements and/or, contributions within the timeframe specified below. St. Johns County may reconstruct South Francis Road as a 2 lane roadway from S.R. 16 to the eastern boundary of the World Commerce Center site. In the event that the County does not complete this improvement by the end of Phase I, the Developer shall have the option to complete the improvement at its cost and receive a credit against impact fees in accordance with applicable St. Johns County Impact Fee Ordinances.

(a) No later than December 31, 2005, the Developer shall commence construction, or at the Developer’s option pay to St. Johns County the full cost, including the costs of any right-of-way acquisition, if necessary, as agreed to by the County, of the four-laning of International Golf Parkway from the western entrance of World Golf Village to S.R. 16. The County will apply the contributed costs to the expeditious construction of this roadway improvement. The Developer shall contribute any necessary sufficient right-of-way along the entirety of the World Commerce Center project along International Golf Parkway, if determined necessary by St. Johns County, to allow for this improvement within ninety (90) days of such a request by St. Johns County. The Developer will receive mitigation credit for the cost of any right-of-way paid to the County, and

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will have the right to submit a Notification of Proposed Change to obtain credit for such costs of right of way paid to the County.

(b) Developer shall designate the first entrance on South Francis Road as the Ring Power Entrance and such entrance will be marked by signage directing all Ring Power truck traffic to exit International Golf Parkway at South Francis Road.

(c) At the end of Phase I and prior to any permits being issued for any development in Phase II, the Developer of World Commerce Center shall donate to St. Johns County a total of 14.3 acres for the proposed North-South Corridor roadway shown on Map H on an alignment agreed upon in writing by the Director of Public Works for St. Johns County prior to donation.

(d) Prior to donating the right-of-way for the North-South Corridor, the Developer will provide the St. Johns County Real Estate Division with an assessment of the 14.3 acres to be donated to the County, to be performed by an appraisal company approved by the St. Johns County Real Estate Division. After review of the appraisal study, the St. Johns County Real Estate Division will issue a written estimate of the actual value of the 14.3 acres to the St. Johns County Growth Management Services Department. ~~The appraised value has been determined to be \$3,712,363.~~

~~Since the appraised value is more than \$2,860,000 (in 2002 dollars), the Developer will receive the difference of \$852,363 in mitigation credit which is being used to mitigate for the impacts of an additional 352,200 square feet of retail/commercial and a simultaneous reduction of 50 hotel rooms and the deletion of the partial improvement in 23 (b) below.~~

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(e) Within ninety (90) days of request by FDOT, the Developer shall contribute to FDOT a total of \$250,000 for the purpose of funding a study of the St. Johns River Crossing between Clay County and St. Johns County.

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(f) Prior to the completion of Phase II but no later than December 31, 2013, the Developer shall design and engineer a four-lane arterial roadway and commence construction of a two-lane arterial roadway for the North-South Corridor between S.R. 16 and International Golf Parkway, including all necessary intersection improvements at the intersections of the Corridor Roadway with S.R. 16 and International Golf Parkway.

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(g) Prior to the completion of Phase II, the Developer shall be responsible for the design and engineering, as well as commencing construction, or paying FDOT the full cost as agreed upon by FDOT for the four-laning of S.R. 16 from the North-South Corridor to South Francis Road. No Certificate of Occupancy for Phase III of the project will be issued until construction of this improvement has been commenced.

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(h) Prior to the issuance of a Certificate of Occupancy for any development in Phase III, the Developer shall commence the construction of improvements to International Golf Parkway from South Francis Road to the I-95 ramps including the I-95 overpass. The improvements shall include adding an eastbound auxiliary lane on International Golf Parkway from South Francis Road to I-95 northbound ramp including widening the I-95 overpass. The Developer shall be responsible for any intersection improvements or traffic signal modifications that may be needed for auxiliary lanes, when warranted, to be constructed at the International Golf Parkway/I-95 ramp intersections

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(i) Prior to the issuance of a Certificate of Occupancy for any development in Phase III, the Developer shall be responsible for the design and engineering, as well as commencing construction, or paying FDOT the full cost as agreed upon by FDOT, for the four-laning of S.R. 16 from International Golf Parkway to the North South Corridor roadway. No Certificate of Occupancy for any development in Phase III will be issued until construction of this improvement has been commenced.

(j) If any required improvement has been made by others, applicant shall propose "Alternative Improvements" within the DRI Transportation Study Area of the project subject to review and approval of the County. Applicant shall either (i) pay the portion of the Pipelining Amount attributable to such improvement to the County on the date such improvement was required to be commenced and the County shall use the funds to make Alternate Improvements within three (3) years of such contribution or (ii) make the Alternate Improvements itself within three (3) years. Other than the improvements to International Golf Parkway as set forth in subparagraph (a) above, which shall be an obligation of Developer irrespective of the scope of the project, in the event the transportation impacts of the Project are reduced from those projections upon which the Pipelining

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Amount is predicated, Developer may revise the required Improvements by filing a Notice of Proposed Change to the DRI.

Intersection Improvements - - The Developer shall construct intersection improvements and install signalization at International Golf Parkway and South Francis Road and at International Golf Parkway and the Western Entrance to the project (World Commerce Parkway) when warranted. Developer shall receive no credit against its proportionate share contribution for these project intersection improvements. Costs of mitigation shall be a credit against impact fees, fair share or proportionate share contributions required by St. Johns County in accordance with the applicable St. Johns County ordinance(s).

Transit. When fixed route or paratransit public transit service is provided to World Commerce Center, transit passenger shelters and transit bays shall be constructed where necessary to facilitate transit service. Siting of any transit facilities shall be approved by the transit service provider of fixed-route or paratransit service for the World Commerce Center development. Transit service and ridesharing information shall be prominently displayed in all public gathering areas, in employment centers, and in commercial center areas.

Transportation Management Organization. The Developer shall team with other developers in this corridor and participate in a Transportation Management Organization (TMO). In order to meet this condition, the Developer may become a member of the existing TMO (a.k.a. TDMA) for the St. Johns DRI, which was formed pursuant to the Development Order for the St. Johns DRI. The purpose of the TMO is to reduce traffic impacts by employing a variety of Transportation Demand Management strategies. The strategies employed by the TMO shall include, but not be limited to, a mix of such innovative planning and implementing actions as securing staggered work hour agreements among various employers located within the project and along the corridor; promoting van pooling and ridesharing for employees and transit on-site and coordinating such efforts with other major employers in the corridor; participating in transportation provision for the transportation disadvantaged; etc. In order to support the County in ensuring the success of these efforts, the Developer shall pay to the County, or, if applicable, the appropriate Metropolitan Planning Organization in which this project is located, a sum of \$68,000 at such time as a Certificate of Occupancy is issued for any portion of the Ring Power development. All efforts to promote the transportation demand management strategies shall be documented in the biennial monitoring report.

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Traffic Study. Upon occupation of 170,000 square feet of Ring Power light industrial component of the project, the Developer shall prepare a trip generation study of the occupied portion which shall be provided to the NEFRPC, FDOT, DCA, and St. Johns County on the due date of the next monitoring report. If the external trip generation rate from the Ring Power site is significantly greater (15% or more) than 0.601 trips/1,000 square feet, no permits for the remaining two phases of the project shall be issued until a traffic study has been submitted that re-examines impacts from the project (using the higher trip generation rate) and the Development Order has been amended, through the Notice of Proposed Change process or through substantial deviation review, incorporating additional transportation conditions, if necessary, to address regional impacts not previously mitigated due to use of the lower rate.

Air. The following fugitive dust control measures shall be undertaken during all construction activities throughout build-out of the project:

- (i) Contractors will moisten soil or use resinous adhesives on barren areas, which shall include, at a minimum, all roads, parking lots, and material stockpiles;
- (ii) Contractors will use mulch, liquid resinous adhesives with hydro-seeding or sod on all landscape areas;
- (iii) Contractors will remove soil and other dust-generating material deposited on paved streets by vehicular traffic, earth moving equipment, or soil erosion; and
- (iv) Contractors will utilize the best operating practices in conjunction with any burning resulting from land clearing, which may include the use of air curtain incinerators.

HUMAN RESOURCE IMPACTS

24. **Affordable Housing.** The ADA demonstrates that there is a surplus of housing for the very low income throughout build-out. To meet the 678 unit deficit of housing for low and moderate income households, the Developer, its successors and/or assigns shall make a contribution of Ten Cents per square foot of non residential construction built within the World Commerce Center DRI to St. Johns County or its designee which shall be used to provide funds to the employees working within World Commerce Center for the purpose of down payment assistance to be used for the purchase of a home for the employee so long as such home is located within World Commerce Center or a ten mile/20

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minute commute from the boundary of World Commerce Center. All employers within World Commerce Center shall be given information regarding the availability of these funds and shall be encouraged to make such information available to their employees. Payments made to the St. Johns County Housing Fund for all non-residential building permits shall be made concurrently with all associated fees that accompany a building permit.

The Developer shall donate to St. Johns County a site within the World Commerce Center consisting of twelve (12) contiguous developable acres and development rights for 156 residential units, before the end of Phase I. The site will be utilized by the County to create affordable housing for very low, low and moderate income households. The County will sell the land with a restriction of use for affordable housing. The proceeds from the sale of land is expected to generate at least \$360,000 (\$30,000 per acre) which shall be used to provide funds to the employees working within World Commerce Center for the purpose of down payment assistance to be used for the purchase of a home for the employee so long as such home is located within World Commerce Center or a ten mile/20 minute commute from the boundary of World Commerce Center at an average of \$1,500 per household for approximately 240 purchasers, creating affordable housing opportunities for 396 households. The Developer reserves the option to buy the site from the County for the appraised value (less a reduction for the value lost due to a commitment to build not less than 15% of the 156 units for very low income households) and will develop the site as a multi-family affordable housing project that will be deed restricted for very low, low and moderate income households. Such option must be exercised by December 31, 2007 or it will then expire.

Prior to receiving the first Certificate of Occupancy for Phase III, the Developer shall select one of the following four options:

- (a) Acquire and donate to the County sufficient land zoned to accommodate 156 multifamily units within a 10 mile/20 minute commute from the boundary of the World Commerce Center. The site will be utilized by the County to create affordable housing for very low, low and moderate income households. The County will sell the land with a restriction of use for affordable housing. The proceeds from the sale of land is expected to generate at least \$360,000 (\$30,000 per acre) which shall be used to provide funds to the employees working

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within World Commerce Center for the purpose of down payment assistance to be used for the purchase of a home for the employee so long as such home is located within World Commerce Center or within a 10 mile/20 minute commute of the boundary of World Commerce Center at an average of \$1,500 per household for approximately 240 purchasers, creating affordable housing opportunities for 396 households. The Developer reserves the option to buy the site from the County for the appraised value (less a reduction sufficient to provide a minimum of 15% of the units for very low income households) and will develop the site as a multi-family affordable housing project that will be deed restricted for very low, low and moderate income households. Such option must be exercised by December 31, 2012 or it will then expire.

- (b) The Developer will develop a 396 unit multifamily affordable housing project that will be deed restricted for very low, low and moderate income households on site or within 10 miles or a 20 minute commute from World Commerce Center.
- (c) The Developer will develop 103 single family units which shall be priced at the SHIP program's or its successor program's eligibility limits on site or within 10 miles or a 20 minute commute from the boundary of World Commerce Center. The Developer will also develop 156 multi-family units as an affordable housing project that will be deed restricted for very low, low and moderate income households within a 10 mile/20 minute commute of the boundary of World Commerce Center.
- (d) Developer shall donate to St. Johns County a site within the World Commerce Center consisting of twelve (12) contiguous developable acres and development rights for 156 residential units. The site will be utilized by the County to create affordable housing for very low, low and moderate income households. The County will sell the land with a restriction of use for affordable housing. The proceeds from the sale of land is expected to generate at least \$360,000 (\$30,000 per acre) which shall be used to provide funds to the employees working within World Commerce Center for the purpose of down payment assistance to be used for the purchase of a home for the employee so long as such home is located within World Commerce Center or within a 10 mile/20 minute commute from the World Commerce Center

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boundary at an average of \$1,500 per household for approximately 240 purchasers, creating affordable housing opportunities for 396 households. The Developer reserves the option to buy the site from the County for the appraised value (less a reduction sufficient to provide a minimum of 15% of the units for very low income households) and will develop the site as a multifamily affordable housing project that will be deed restricted for very low, low and moderate income households. Such option must be exercised by December 31, 2012 or it will then expire.

25. **Police and Fire Protection.** The Developer will provide as part of the annual Monitoring Report a summary of Fire and EMS impact fees paid by the development with a summary of types and location of structures developed. The County shall use this information, annually, to evaluate the need and determine the best location and timing of new facilities. Prior to the construction of any development exceeding seventy-five (75) feet in height, one of the following scenarios must occur:

1. The operation of an aerial apparatus vehicle available on a 24-hour weekly basis, or
2. The Developer has contributed a fair share of the cost based upon non-residential development square footage within the service delivery area (fire station within five miles with apparatus).

Before commencement of each phase, the summary of Fire and EMS impact fees shall be reviewed against the estimated cost of Fire, EMS, and Police need. If fees paid are not sufficient to address identified needs, the Developer shall pay for a fair share of the unmet cost. For fire services, the cost will be based upon development square footage and population within the service delivery area (fire station within five miles with operating apparatus). For police services, the cost will be based upon development square footage within the patrol area and population at a ratio of one (1) officer per 1,300 people.

26. **Recreation and Open Space.** The Developer shall provide 14.5 acres of parks to St. Johns County that may include skateboard parks, a pool, multi-purpose ballfields, play areas, tot lots, playgrounds, passive open space or a combination of such elements. Conservation areas within the residential portion of the World Commerce Center are not considered parks. Maintenance of the recreation areas

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will be the responsibility of the Developer or Homeowner's Association, unless ownership is transferred to St. Johns County.

27. **Impact Fees.** Impact fee credits towards any present or future impact fees that may be adopted by St. Johns County shall be allowed for any contribution of land, money (including, but not limited to, "fair share contributions") or improvements made by the Developer or the Community Development District, as the case may be, for public facilities pursuant to the guidelines stipulated in Section 380.06(16), Florida Statutes, and St. Johns County Impact Fee ordinances 87-57, 87-58, 87-59 and 87-60, as they may be amended. The Developer proposes and the County agrees that, in the event that any contributions of land, money (including proportionate share or fair share payments), or improvements funded or constructed with funds from a community development district are required by then current law to give rise to impact fee credits to the community development district, then such impact fee credit shall be established in the name of the community development district. The amount of such credit shall be determined in accordance with applicable law and County ordinances as established by the County.

28. **Community Development District.** The Developer has indicated that it may form one or more Community Development Districts within the DRI pursuant to Chapter 190, F.S. (2001) as it may be amended from time to time. Nothing in this section shall be construed as approval or consent by the County to the establishment of the Community Development District by the Developer pursuant to Chapter 190, F.S., and the County expressly maintains all rights available to it pursuant to Chapter 190, F.S., related to the proposed establishment of a Community Development District by the Developer. Any Community Development District for World Commerce Center approved pursuant to Chapter 190, F.S. (2002) may finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain projects, systems and facilities for the purposes described in Section 190.012, F.S., including, but not limited to, any of the indicated transportation improvements set forth in this Development Order and any other project required or authorized by this Development Order. Construction or funding by any such Community Development District of all such projects within or without the boundaries of the Community Development District required by this Development Order or necessary to serve the development approved by this Development Order is

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expressly approved. If the Developer is required by this Development Order to provide, pay for or otherwise cause to be provide, infrastructure, projects, systems or facilities set forth in Chapter 190, F.S., including, without limitation, those in §190.012(1) and (2) F.S. (2002), then the Community Development District independently may satisfy such obligations. To the extent any such obligation under this Development Order is met or performed by the Community Development District, then the Developer shall no longer be subject to the obligation. The Developer proposes and the County agrees that, in the event that any contributions of land, money (including "fair share payments"), or improvements funded or constructed with funds from a Community Development District are required by then current law to give rise to impact fee credits to the Community Development District, then such impact fee credits shall be established in the name of the Community Development District.

29. **Historical and Archeological Sites.** Should any regionally significant historical and archaeological resources be discovered in the course of development, the Developer shall immediately notify the Division of Historical Resources. No disruption of the findings shall be permitted until the investigation is complete and the Division of Historical Resources has rendered a recommendation, which will be binding to the Developer.
30. **Education.** The Developer will coordinate with the St. Johns County School District on the provision of or continuation of school facilities or activities to offset the increase in student population resulting from this project.

MISCELLANEOUS

31. **Notices.** Any and all notices required or allowed to be given to the Developer shall be mailed or delivered to the following:

Frank C. Steinemann, Jr.
Steinemann Development Company – Florida, Inc.
13901 Sutton Park Drive South, Suite 200
Jacksonville, Florida 32224-0229

32. **Severability.** In the event any stipulation or any portion or section of any stipulation contained herein shall be declared, determined to be, or adjudged invalid, illegal or unconstitutional by a court of competent jurisdiction, such adjudication shall in no manner affect the approval granted herein, the other stipulations, or the other portions or sections of the affected stipulations, which shall remain of

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full force and effect as if the stipulation or portion or section of a stipulation so declared, determined to be or adjudged invalid, illegal or unconstitutional were not originally a part hereof.

- 33. **Successor Agencies.** Whenever, within the terms of the stipulations, reference is made to any department, agency, board, commission, or other instruments of the federal, state, or municipal governments, it is understood that such reference shall be construed to mean any future instrumentality which, by operation of law, may be created and designated as successor in interest or other which may be possessed of any of the powers and duties of any referenced instrumentality in existence on the effective date of these stipulations.
- 34. **Incorporation of Recitals.** The Recitals are hereby incorporated by reference.

RENDITION

Within ten (10) days of the adoption of this development order, St. Johns County shall render a copy of this Development Order with all attachments, certified as complete and accurate, by certified mail, return receipt requested, to the Florida Department of Community Affairs, bureau of Local Planning, Northeast Florida Planning Council, and the Applicant.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, State of Florida, this 10th day of December 2002.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Its Chair

ATTEST: Cheryl Strickland, Clerk

By: _____

Title: _____

Adopted Regular Meeting: December 10, 2002

Effective: _____, 2002

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EXHIBIT LIST

- 1 DRI Property (Legal Description)
- 2 World Commerce Center Master Plan (Map H)
- 3 Land Use Phasing Table
- 4 Conversion Tables
- 5 Stormwater Pollution Prevention Plan
- 6 World Commerce Center Hazardous Waste Plan
- 7 Transportation Improvements Map (Pipelining)

Exhibit 1
DRI Property (Legal Description)

PARCEL "A" A PART OF GOVERNMENT LOTS 1, 2, 7, 8 AND 10, ANTONIO HUERTAS GRANT, SECTION 38, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, LYING WESTERLY AND SOUTHWESTERLY OF THE RIGHT-OF-WAY OF FRANCIS ROAD, EASTERLY OF THE RIGHT-OF-WAY OF INTERNATIONAL GOLF PARKWAY AND NORTHERLY OF THE RIGHT-OF-WAY OF STATE ROAD NO. 16, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT LOCATED AT THE NORTHWEST CORNER OF SAID TRACT 10, TOWNSHIP 6 SOUTH, RANGE 28 EAST; THENCE SOUTH 72°07'40" EAST ALONG THE DIVISION LINE BETWEEN SAID GOVERNMENT LOT 7 AND SAID GOVERNMENT LOT 10, A DISTANCE OF 371.01 FEET TO THE POINT OF BEGINNING, SAID POINT LYING IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY (A RIGHT-OF-WAY OF VARYING WIDTH); THENCE NORTH 50°37'11" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,566.52 FEET TO THE SOUTHWEST CORNER OF A COMMON BOUNDARY LINE AS ESTABLISHED BY BOUNDARY AGREEMENT, RECORDED IN OFFICIAL RECORDS BOOK 912, PAGE 1093 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 72°05'33" EAST, LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ALONG SAID AGREEMENT LINE, A DISTANCE OF 4,054.44 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GOVERNMENT LOT 7 AND SAID GOVERNMENT LOT 8; THENCE NORTH 19°28'33" EAST ALONG SAID DIVISION LINE AND ALONG SAID AGREEMENT LINE, A DISTANCE OF 4,068.34 FEET; THENCE NORTH 73°11'14" WEST, ALONG SAID AGREEMENT LINE TO ITS INTERSECTION WITH THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 1,699.05 FEET; THENCE NORTH 44°32'18" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY, A DISTANCE OF 3,911.99 FEET; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY AND ALONG THE RIGHT-OF-WAY LINE OF FRANCIS ROAD (A RIGHT-OF-WAY OF VARYING WIDTH) THE FOLLOWING ELEVEN COURSES: COURSE NO. 1) SOUTH 45°27'42" EAST, A DISTANCE OF 141.00 FEET; COURSE NO. 2) NORTH 44°32'18" EAST, A DISTANCE OF 668.43 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 256.00 FEET; COURSE NO. 3) THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 345.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 83°12'53" EAST AND A CHORD DISTANCE OF 319.96 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 4) SOUTH 58°06'32" EAST, A DISTANCE OF 885.02 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 971.92 FEET; COURSE NO. 5) THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 505.49 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 43°12'33" EAST AND A CHORD DISTANCE OF 499.52 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 6) THENCE SOUTH 28°18'34" EAST, A DISTANCE OF 1,695.10 FEET; COURSE NO. 7) THENCE SOUTH 27°30'35" EAST, A DISTANCE OF 1,143.65 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE WESTERLY, HAVING A RADIUS OF 395.74 FEET; COURSE NO. 8) THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 338.81 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 02°58'58" EAST AND A CHORD DISTANCE OF 328.56 FEET TO THE POINT OF TANGENCY OF SAID CURVE; COURSE NO. 9) THENCE SOUTH 21°32'37" WEST, A DISTANCE OF 116.43 FEET; COURSE NO. 10) SOUTH 68°27'23" EAST, A DISTANCE OF 7.00 FEET; COURSE NO. 11) SOUTH 21°32'30" WEST, A DISTANCE OF 183.78 FEET; THENCE NORTH 68°27'32" WEST, LEAVING THE WESTERLY RIGHT-OF-WAY LINE OF SAID FRANCIS ROAD, A DISTANCE OF 415.83 FEET; THENCE SOUTH 21°32'40" WEST, A DISTANCE OF 209.00 FEET; THENCE NORTH 68°27'37" WEST, A DISTANCE OF 370.75 FEET; THENCE SOUTH 21°33'13" WEST ALONG A LINE TO ITS INTERSECTION WITH THE DIVISION LINE BETWEEN SAID GOVERNMENT LOT 1 AND SAID GOVERNMENT LOT 8, A DISTANCE OF 890.55 FEET; THENCE SOUTH 73°00'55" EAST, ALONG SAID DIVISION LINE TO ITS INTERSECTION WITH THE AFORESAID WESTERLY RIGHT-OF-

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WAY LINE OF FRANCIS ROAD, A DISTANCE OF 789.23 FEET; THENCE SOUTH 21°32'40" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FRANCIS ROAD, A DISTANCE OF 1443.06 FEET; THENCE NORTH 72°42'38" WEST, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WOLF ROAD (A RIGHT-OF-WAY OF VARYING WIDTH), A DISTANCE OF 1397.27 FEET; THENCE NORTH 19°31'38" EAST LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG A LINE TO ITS INTERSECTION WITH THE AFORESAID DIVISION LINE BETWEEN GOVERNMENT LOT 1 AND GOVERNMENT LOT 8, A DISTANCE OF 1,432.47 FEET; THENCE NORTH 73°00'55" WEST ALONG SAID DIVISION LINE, A DISTANCE OF 1,332.61 FEET; THENCE SOUTH 19°31'58" WEST LEAVING SAID DIVISION LINE, A DISTANCE OF 4,092.21 FEET; THENCE SOUTH 72°23'11" EAST, A DISTANCE OF 1,333.10 FEET; THENCE SOUTH 19°36'46" WEST ALONG A LINE TO ITS INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 16 (A 200.00 FOOT RIGHT-OF-WAY AS NOW ESTABLISH), A DISTANCE OF 743.89 FEET; THENCE NORTH 71°37'31" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 482.93 FEET TO THE POINT OF CURVE OF A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY, HAVING A RADIUS OF 17,318.80 FEET; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 353.67 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 72°12'37" WEST AND A CHORD DISTANCE OF 353.67 FEET, TO A POINT ON SAID CURVE; THENCE NORTH 19°36'13" EAST, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 469.21 FEET; THENCE NORTH 72°21'45" WEST, A DISTANCE OF 242.54 FEET; THENCE SOUTH 17°19'18" WEST ALONG A LINE TO ITS INTERSECTION WITH THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 472.08 FEET TO A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY, HAVING A RADIUS OF 17,318.80 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, AN ARC DISTANCE OF 2,223.68 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 77°12'51" WEST AND A CHORD DISTANCE OF 2,222.15 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 80°54'57" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2,473.93 FEET TO A POINT IN THE DIVISION LINE BETWEEN SAID GOVERNMENT LOT 7 AND SAID GOVERNMENT 10; THENCE NORTH 72°07'40" WEST, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND ALONG SAID DIVISION LINE, A DISTANCE OF 888.05 FEET; THENCE SOUTH 19°15'10" WEST, LEAVING SAID DIVISION LINE AND ALONG A LINE TO ITS INTERSECTION WITH THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, A DISTANCE OF 137.84 FEET; THENCE NORTH 80°54'57" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1,099.10 FEET TO A POINT IN THE AFORESAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF INTERNATIONAL GOLF PARKWAY; THENCE NORTH 44°33'09" EAST ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 295.33 FEET; THENCE NORTH 50°37'11" EAST, CONTINUING ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 47.05 FEET TO THE POINT OF BEGINNING. CONTAINING 965.93 ACRES MORE OR LESS.

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Exhibit 2
World Commerce Center Master Plan (Map H)

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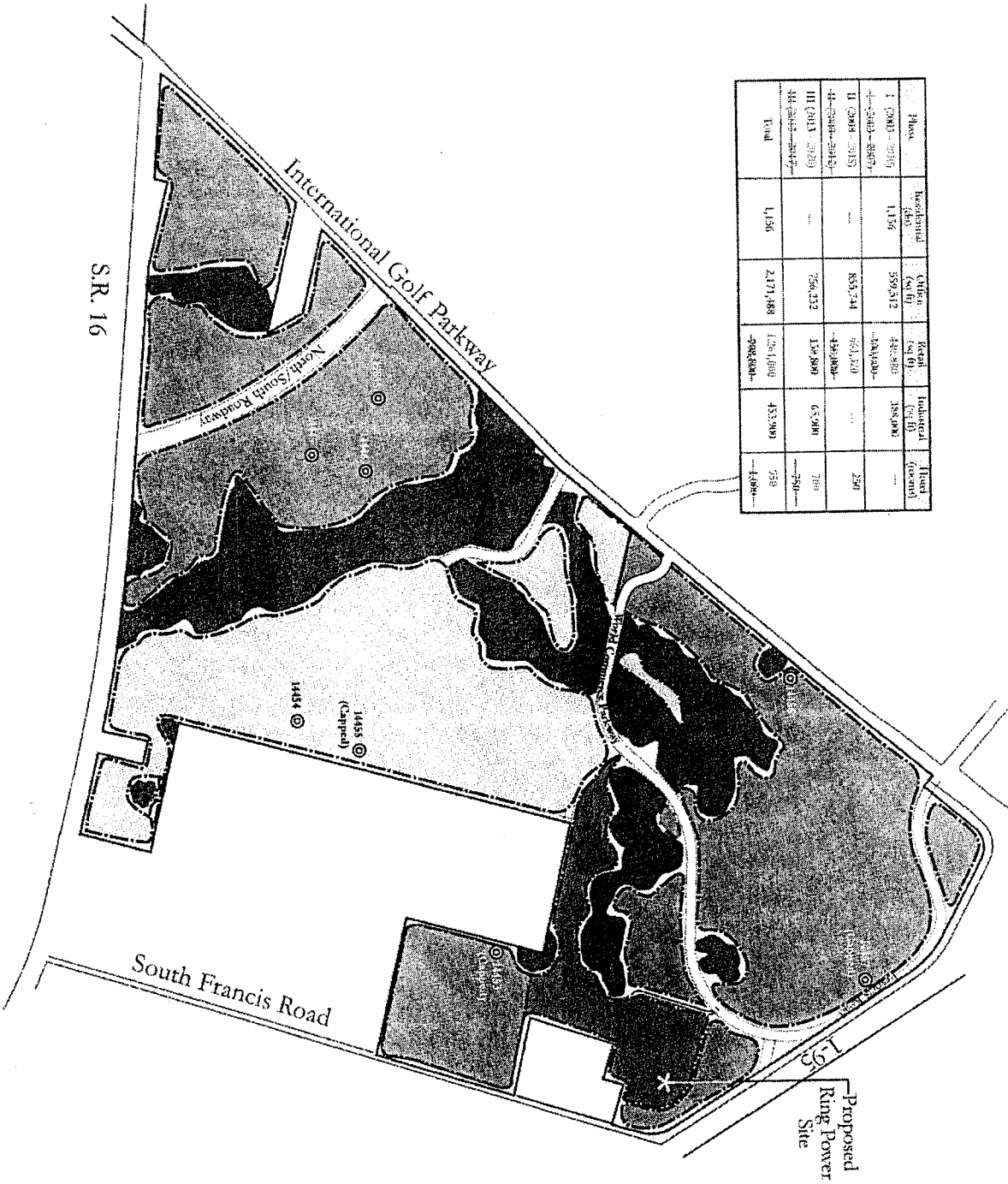


WORLD COMMERCE CENTER

EXHIBIT 2
Development Order

Master Plan (Map 1f)

Phase	Residential Area	Other Area	Recreational Area	Industrial Area	Open Space
I (2003 - 2010)	1,136	599,512	48,280	38,000	...
II (2009 - 2015)	...	833,744	961,200	...	239
III (2013 - 2020)	...	756,232	129,800	63,900	769
IV (2018 - 2024)	120,000	453,900	558
Total	1,136	2,177,488	698,280	453,900	1,496



LEGEND

- Commercial (retail, offices, food, warehouse)
- Residential
- Industrial
- Preserved Wetlands
- Walls

NOTES

1. International land included within residential development phase.
2. Proposed areas for future development are subject to final design, road crossings, final wetland survey, and permitting.
3. Access standards shall be responsive to (Conservation 24-G).
4. A 25-foot natural riparian buffer shall be located along the adjacent jurisdictional wetland line. The wetland line shall be determined through wetland survey and finalized by the U.S. Army Corps of Engineers.



Prosser Hallock
PLANNERS & ENGINEERS
Project Chapter 17 2007
March 22, 2004
101029/52

S.R. 16

**Exhibit 3
Land Use Phasing Table**

Phase	Residential	Office	Retail/ Service	Light Industrial	Hotel
Phase I (2003-2010)	1,156 units	559,512 sf	440,880 sf	388,000 sf	700 rooms
Phase II (2008-2015)	0 units	855,744 sf	661,320 sf	---	250 rooms
Phase III (2013-2020)	0 units	756,232 sf	158,800 sf	65,900 sf	300 rooms
Total	1,156 units	2,171,488 sf	1,261,000 sf	453,900 sf	1,250 rooms

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World Commerce Center (Revised Sept. 27, 2007)

Exhibit 4

Conversion Tables

Part A: Exchange Parameters

ITE Code	Land Use(5)	Proposed Amount	Minimum Allowable	Maximum Allowable	ITE Trip Rate PM Peak Hour(2)
310	Hotel (rooms)	1,000	250(4)	1750(4)	0.61 per room
110	LI Industrial (square feet)	405,900	304,425	750,000	0.662 per 1,000 sf (3)
710	Gen Office (square feet)	2,192,800	439,372(4)	2,741,000	1.49 per 1,000 sf
820	Shopping Ctr (square feet)	908,800	681,600	1,745,400(4)	3.74 per 1,000 sf
210	Single Family (units)	500	375	625 (1)	1.01 per unit
220	Multi-family (units)	656	492	820 (1)	0.62 per unit
445	Multiplex Movie Theatre (Screens)	N/A	0	25	13.64 per screen (5)

- (1) In no case shall the sum of single family and multifamily units exceed 1,156.
- (2) Institute of Traffic Engineers, Trip Generation, 6th Edition, 1997
- (3) Calculated trip rate using a combination of the existing Ring Power site in Jacksonville, Florida, and the ITE rate.
- (4) As modified by SJC Resolution #2006-446, November 14, 2006.
- (5) Institute of Traffic Engineers, Trip Generation, 7th Edition, 2003

Part B: Land Use Exchange Table

Land Use To Increase	Land Use To Reduce						
	Hotel (rooms)	Industrial (1,000 sf)	Office (1,000 sf)	Shopping Ctr (1,000 sf)	Single Family (units)	Multi-family (units)	Multiplex Movie Theatre (screens)
Hotel (rooms)	---	0.921	0.409	0.163	0.604	0.984	0.052
Industrial (1,000 sf)	1.085	---	0.444	0.177	0.655	1.068	0.049
Office (1,000 sf)	2.443	2.251	---	0.398	1.475	2.403	0.109
Shopping Ctr (1,000 sf)	6.131	5.650	2.510	---	3.703	6.032	0.274
Single Family (units)	1.656	1.526	0.678	0.270	---	1.629	0.074
Multi-family (units)	1.656	0.937	0.416	0.166	0.614	---	0.045
Multiplex Movie Theatre (screens)	22.631	20.604	9.154	3.647	13.505	22.000	---

Part C: Instructions and Example

The increase in one land use and corresponding decrease in another can be determined by the factors in the Part B using the following formula:

$$\frac{\text{Land Use to Increase:}}{(\text{Increase Quantity}) / (\text{Factor})} = \frac{\text{Land Use to Decrease:}}{(\text{Decrease Quantity})}$$

Where the Increase and Decrease Quantities are measurable in the units shown

Examples

An increase in 100,000 sf of Light Industrial will be allowed with a decrease of how much Office?

$$\frac{\text{Light Industrial:}}{(100,000 \text{ sf}) / (1,000 \text{ sf}) \times (0.444)} = \frac{\text{Office:}}{(44.4 \text{ sf} \times 1,000 \text{ sf}) \text{ or } 44,400 \text{ sf}}$$

An increase in 50,000 sf of Shopping Ctr will be allowed with a decrease of how many Multi-family units?

$$\frac{\text{Shopping Ctr:}}{(50,000 \text{ sf}) / (1,000 \text{ sf}) \times (6.032)} = \frac{\text{Multi-family:}}{302 \text{ du}}$$

An increase in 50,000 sf of Office will be allowed with a decrease of how many Hotel rooms?

$$\frac{\text{Office:}}{(50,000 \text{ sf}) / (1,000 \text{ sf}) \times (2.443)} = \frac{\text{Hotel:}}{122.15 \text{ rooms}}$$

An increase in a 16-screen Multiplex Movie Theatre will be allowed with a decrease of how much Shopping Ctr?

$$\frac{\text{Multiplex Movie Theatre:}}{(16 \text{ screens}) \times (3.647)} = \frac{\text{Shopping Ctr:}}{(58,352 \times 1,000 \text{ sf}) \text{ or } 58,352 \text{ sf}}$$

Exhibit 4
Exhibit 5
Stormwater Pollution Prevention Plan

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Part A: Exchange Parameters¶
ITE Code ... [36]

In order to ensure water quality is maintained and encroachment into environmentally sensitive areas are prohibited, the property owner and contractor shall adhere to the following Operation Plan prior to and during construction.

PRE-CONSTRUCTION ACTIVITIES

Prior to the start of site construction, the property owner or his representative shall conduct a pre-construction conference, which addresses Stormwater Pollution Prevention and Sediment and Erosion Control. At a minimum, the property owner, contractor and design engineer or their representative shall attend a pre-construction conference. Regulatory agencies shall be notified prior to the pre-construction conference regarding the date, time and location of the conference and shall be allowed to attend. The purpose of this conference is to review the site specific details of the SWPPP and identify the individuals responsible for its implementation. In addition, specific conditions of regulatory permits will be reviewed and persons assigned to the monitoring for compliance with these conditions. The pre-construction conference shall be a specific condition in all stormwater management permits issued for the World Commerce Center project.

CONSTRUCTION ACTIVITIES

The site work contractor shall at a minimum implement the requirements outlined below and those measures shown on the Stormwater Pollution Prevention Plan (SWPPP) and the erosion and turbidity control plan. In addition, the contractor shall undertake additional measures required to be in compliance with applicable permit conditions and state water quality standards. Depending on the nature of materials and methods of construction the contractor may be required to add flocculants to the detention system prior to discharge to Waters of the State.

Sequence of Major Erosion Control Activities:

The order of activities will be as follows:

1. Install stabilized construction entrance
2. Install silt fences and hay bales as required
3. Clear and grub for diversion swales/dikes and sediment basin
4. Construct sedimentation basin
5. Stock pile top soil if required
6. Stabilize denuded areas and stockpiles as soon as practicable
7. Complete grading and install permanent seeding/sod and planting
8. Remove accumulated sediment from basins
9. Flocculate lake system, if required, to meet water quality standards
10. When all construction activity is complete and the site is stabilized, remove any temporary diversion swales/dikes, silt fences, hay bales and reseed/sod as required

Note: Vertical construction of buildings will be taking place during all the sequence steps listed above.

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Additional Controls

It is the contractor's responsibility to implement the erosion and turbidity controls as shown on the sediment and erosion control plan. It is also the contractor's responsibility to ensure these controls are properly installed, maintained and functioning properly to prevent turbid or polluted water from leaving the project site. The contractor will adjust the erosion control measures, as required, to ensure the site meets all federal, state and local erosion and turbidity control requirements. The following best management practices will be implemented by the contractor as required by the erosion and sediment control plan and as required to meet the sediment and turbidity requirements imposed on the project site by the regulatory agencies.

Erosion and sediment controls stabilization practices. (See the site specific sediment and erosion control plan for applicability):

1. Straw bale barrier: Straw bale barriers will be used below disturbed areas subject to sheet and rill erosion with the following limitations:
 - a. Where the maximum slope behind the barrier is 33 percent.
 - b. In minor swales or ditch lines where the maximum contributing drainage area is no greater than 2 acres.
 - c. Where effectiveness is required for less than 3 months.
 - d. Every effort should be made to limit the use of straw bale barriers constructed in live streams or in swales where there is the possibility of a washout. If necessary, measures shall be taken to properly anchor bales to insure against washout.
2. Filter Fabric Barrier: Filter fabric barriers shall be installed landward of upland buffers. Filter fabric barriers will be used below disturbed areas subject to sheet and rill erosion with the following limitations:
 - a. Where the maximum slope behind the barrier is 33 percent.
 - b. In minor swales or ditch lines where the maximum contributing drainage area is no greater than 2 acres.
3. Sod with Filter Fabric: In areas with slopes steeper than 33 percent, the slope shall be full sodded with sod pinned to the slope. Filter fabric barriers (silt fences) shall be installed at the top and toe of the slope.
4. Brush Barrier with Filter Fabric: Brush barrier will be used below disturbed areas subject to sheet and rill erosion where enough residue material is available on site.
5. Level Spreader: A level spreader will be used where sediment-free storm runoff is intercepted and diverted away from the graded areas onto undisturbed stabilized areas. This practice applies only in those situations where the spreader will be constructed on undisturbed stabilized areas. This practice applies only in those situations where the spreader will be constructed on undisturbed soil and the area below the level lip is stabilized. The water should not be allowed to reconcentrate after release.
6. Stockpiling Material: No excavated material shall be stockpiled in such a manner as to direct runoff directly off the project site into any adjacent water body or stormwater collection facility.
7. Exposed Area Limitation: The surface area of open, raw erodible soil exposed by clearing and grubbing operations or excavation and filling operations shall not exceed 10 acres. This requirement may be waived for large projects with an erosion control plan, which demonstrates that opening of additional areas, will not significantly affect off-site deposit of sediments.

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8. Inlet Protection: Inlets and catch basins which discharge directly off-site shall be protected from sediment-laden storm runoff until the completion of all construction operations that will contribute sediment to the inlet.
9. Temporary Seeding: Areas opened by construction operations and that are not anticipated to be re-evaluated or dressed and receive final grassing treatment within 30 days shall be seeded with a quick growing grass species which will provide an early cover during the season in which it is planted and will not later compete with the permanent grassing.
10. Temporary Seeding and Mulching: Slopes steeper than 6:1 that fall within the category established in Paragraph 8 above shall additionally receive mulching of approximately 2 inches loose measure of mulch material cut into the soil of the seeded area adequate to prevent movement of seed and mulch.
11. Temporary Grassing: The seeded or seeded and mulched area(s) shall be rolled and watered or hydromulched or other suitable methods if required to assure optimum growing conditions for the establishment of a good grass cover.
12. Temporary Regrassing: If, after 14 days from seeding, the temporary grassed areas have not attained a minimum of 75 percent good grass cover, the area will be reworked and additional seed applied sufficient to establish the desired vegetative cover.
13. Maintenance: All features of the project designed and constructed to prevent erosion and sediment shall be maintained during the life of the construction so as to function as they were originally designed and constructed.
14. Permanent Seeding: All areas which have been disturbed by construction will, as a minimum, be seeded. The seeding mix must provide both long-term vegetation and rapid growth seasonal vegetation. Slopes steeper than 4:1 shall be seeded and mulched or sodded.
15. Temporary Diversion Dike: Temporary diversion dikes will be used to divert runoff through a sediment-trapping facility.
16. Temporary Sediment Trap: A sediment trap is usually installed in a drainage way at a storm drain inlet or at other points of discharge from a disturbed area with the following limitations:
 - a. The sediment trap will be constructed either independently or in conjunction with a temporary diversion dike.
17. Sediment Basin: Sediment basin(s) will be constructed at the common drainage locations that serve an area with 10 or more disturbed acres at one time. The proposed stormwater ponds (or temporary ponds) will be constructed for use as sediment basins. These sediment basins must provide a minimum of 3,600 cubic feet of storage per acre drained until final stabilization of the site. The 3,600 cubic feet of storage area per acre drained does not apply to flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. Any temporary sediment basins constructed must be backfilled and compacted in accordance with the specifications for structural fill. All sediment collected in permanent or temporary sediment traps must be removed upon final stabilization.

Site Maintenance Activities

Waste Disposal

Waste Materials

All Waste materials except land clearing debris shall be collected and stored in a securely lidded metal dumpster. The dumpster will meet all local and state solid waste management regulations. The

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dumpster will be emptied as needed and the trash will be hauled to a state approved landfill. All personnel will be instructed regarding the correct procedure for waste disposal. Notices stating these practices will be posted at the construction site by the site superintendent, the individual who manages the day-to-day site operations, will be responsible for seeing that these procedures are followed.

Hazardous Waste

All hazardous waste materials will be disposed of in the manner specified by local or state regulation or by manufacturer. Site personnel will be instructed in these practices and the site superintendent, the individual who manages the day-to-day site operations, will be responsible for seeing that these practices are followed.

Sanitary Waste

All sanitary waste will be collected from the portable units as needed to prevent possible spillage. The waste will be collected and disposed of in accordance with state and local waste disposal regulations for sanitary sewer or septic systems.

Offsite Vehicle Tracking

A stabilized construction entrance will be provided to help reduce vehicle tracking of sediments. The paved street adjacent to the site entrance will be swept daily to remove any excess mud, dirt or rock tracked from the site. Dump trucks hauling material from the construction site will be covered with a tarpaulin.

Spill Prevention Plan

Material Management Practices

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff.

Good Housekeeping

The following good housekeeping practices will be followed onsite during the construction project:

- ◆ An effort will be made to store only enough product required to do the job.
- ◆ All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.
- ◆ Products will be kept in their original containers with the original manufacturer's label.
- ◆ Substances will not be mixed with one another unless recommended by the manufacturer.
- ◆ Whenever possible, all of a product will be used up before disposing of the container.
- ◆ Manufacturer's recommendations for proper use and disposal will be followed.
- ◆ The site superintendent will inspect daily to ensure materials onsite receive proper use and disposal.

Hazardous Products

These practices are used to reduce the risks associated with hazardous materials:

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- ◆ Products will be kept in original containers unless they are not resealable.
- ◆ Original labels and material safety data will be retained; they contain important product information.
- ◆ If surplus product must be disposed of, manufacturer's or local and state recommended methods for proper disposal will be followed.

Product Specific Practices

The following product specific practices will be followed onsite:

Petroleum Products

All onsite vehicles will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage. Portable petroleum storage tanks shall not be placed within 200 feet of a wetland or water body including stormwater management ponds, unless secondary containment is provided. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.

Fertilizers

Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to stormwater. Storage will be in a covered area. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to void spills.

Paints

All containers will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and local regulations.

The site superintendent responsible for the day-to-day site operations will be the spill prevention and cleanup coordinator. He/she will designate at least one other site personnel who will receive spill prevention and cleanup. The names of responsible spill personnel will be posted in the material storage area and if applicable, in the office trailer onsite.

MAINTENANCE/INSPECTION PROCEDURES

Erosion and Sediment Control inspection and Maintenance Practices

The following are inspection and maintenance practices that will be used to maintain erosion and sediment controls:

- ◆ All control measures will be inspected by the site superintendent, the person responsible for the day-to-day site operation or someone appointed by the site superintendent, at least once a week and following any storm event of 0.25 inches or greater.
- ◆ All turbidity control measures will be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours of report.
- ◆ Built up sediment will be removed from silt fence wherein it has reached one-third the height of the fence.

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- ◆ Silt fence will be inspected for depth of sediment, tears, to see if the fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.
- ◆ The sediment basins will be inspected for the depth of sediment and build up sediment will be removed when it reaches 10 percent of the design capacity or at the end of the job.
- ◆ Diversion dikes/swales will be inspected and any breaches promptly repaired.
- ◆ Temporary and permanent seeding and planting will be inspected for bare spots, washouts, and healthy growth.
- ◆ A maintenance inspection report will be made after each inspection. A copy of the report form to be completed by the inspector will be attached to the contract. The reports will be kept on site during construction and available upon request to the owner, engineer or any federal, state or local agency approving sediment and erosion plans, or stormwater management plans. The reports shall be made and retained as part of the stormwater pollution prevention plan for at least three years from the date that the site is finally stabilized and the notice of termination is submitted. The reports shall identify any incidents of non-compliance.
- ◆ The site superintendent will select up to three individuals who will be responsible for inspections, maintenance and repair activities, and filling out the inspection and maintenance report.
- ◆ Personnel selected for inspection and maintenance responsibilities will receive training from the site superintendent. They will be trained in all the inspection and maintenance practices necessary for keeping the erosion and sediment controls used onsite in good working order.

NON-STORMWATER DISCHARGES

It is expected that the following non-stormwater discharges will occur from the site during the construction period:

- ◆ Water from water line flushing
- ◆ Pavement wash waters (where no spills or leaks of toxic or hazardous materials have occurred)
- ◆ Uncontaminated groundwater (from dewatering excavation)

All non-stormwater discharges will be directed to the sediment basin prior to discharge.

Exhibit 6
World Commerce Center Hazardous Waste Plan

Most small businesses accumulate some hazardous waste on site for a short period of time and then ship it off site to a treatment, storage, or disposal facility (TSSF). Waste accumulation is regulated by limits established by EPA for Small Quantity Generators (SQG). All businesses must follow EPA requirements for equipment testing and maintenance, access to communications or alarms, aisle space (40 CFR 264.35), and emergency arrangements with local authorities.

Accumulating Waste. Accumulating hazardous waste on site can pose a threat to human health and the environment, so it may only be kept for a short time without a permit. Before shipping the waste for disposal or recycling, a business is responsible for its safe management, which includes safe storage, safe treatment, preventing accidents and responding to emergencies in accordance with federal regulations. SQGs can accumulate no more than 13,228 (6,00 kg) of hazardous waste on site for up to 180 days without a permit, provided that the requirements of 40 CFR 262.34(b) are met. This amount of waste can be accumulated for up to 270 days if it must be transported more than 200 miles away for storage, treatment, or disposal. Limited extensions may be granted by the state director or the regional EPA administrator. If a business exceeds these limits, it is considered a TSDF and must obtain an operating permit.

Special storage requirements apply to liquid hazardous wastes containing polychlorinated biphenyls (PCD). SQGs must accumulate waste in tanks or containers, such as 55-gallon drums. Storage tanks and containers must be managed according to the following EPA requirements. Containers must be labeled with the words "HAZARDOUS WASTE", and marked with the date the waste was generated. Container must be made of, or lined with, a material that is compatible with the hazardous waste to be stored. This will prevent the waste from reacting with or corroding the container. Keep all containers holding hazardous waste closed during storage, except when adding or removing waste. Do not open, handle, or store (stack) containers in a way that might rupture them, cause them to leak, or otherwise fail. Inspect areas where containers are stored at least weekly. Look for leaks and for deterioration caused by corrosion or other factors. Maintain the containers in good condition. If a container leaks, put the hazardous waste in another container, or contain it in some other way that complies with EPA regulations. Do not mix incompatible wastes or materials unless precautions are taken to prevent certain hazards, unless 40 CFR 265.17(b) is complied with. Tanks must be labeled with the words "HAZARDOUS WASTE". Store only waste that will not cause the tank or the inner liner of the tank to rupture, leak, corrode, or fail. Equip tanks that have an automatic waste feed with a waste feed cutoff system, or a bypass system for use in the event of a leak or overflow. Inspect discharge control and monitoring equipment and the level of waste in uncovered tanks at least once each operating day. Inspect the tanks and surrounding areas for leaks or other problems (such as corrosion) at least weekly. Use the National Fire Protection Association's (NFPA) buffer zone requirements for covered tanks containing ignitable or reactive wastes. These requirements specify distances considered to be safe buffer zones for various ignitable or reactive wastes. The NFPA can be reached at (617) 770-3000. Do not mix incompatible wastes or materials unless precautions are taken to prevent certain hazards. Do not place ignitable or reactive wastes in tanks unless certain precautions are taken. Provide at least two feet (60 centimeters) of freeboard (space at the top of each tank) in uncovered tanks, unless the tank is equipped with a containment structure, a drainage control system, or a standby tank with adequate capacity. It is a good practice never to mix wastes. Mixing wastes can create an unsafe work environment and lead to complex and expensive cleanups and disposal.

Minimizing Waste. The easiest and most cost-effective way of managing any waste is not to generate it in the first place. The amount of hazardous waste produced by a business can be reduced by developing a few good housekeeping habits. Good housekeeping procedures generally save business money and they prevent accidents and waste. To help reduce the amount of waste generated, the following practices should be applied:

1. **Do not mix wastes**, particularly non-hazardous waste with hazardous waste. Once non-hazardous waste is mixed with hazardous waste, the amount of hazardous waste created can be increased, as the whole batch may become hazardous. Mixing waste can also make recycling very difficult, if not

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impossible. A typical example of mixing wastes would be putting non-hazardous cleaning agents in a container of used hazardous solvents.

2. **Recycle and reuse manufacturing materials.** Many companies routinely put useful components back into productive use rather than disposing of them. Items such as oil, solvents, acids, and metals are commonly recycled and used again. In addition, some companies have taken waste minimization actions such as using fewer solvents to do the same job, using solvents that are less toxic, or switching to a detergent solution.
3. **Change materials, processes, or both.** Businesses can save money and increase efficiency by replacing a material or a process with another that produces less waste. For example, plastic blast media can be used for paint stripping of metal parts rather than conventional solvent stripping.
4. **Safely store hazardous products and containers.** Creating more hazardous waste can be avoided by preventing spills or leaks. Store hazardous product and waste containers in secure areas, and inspect them frequently for leaks. When leaks or spills occur, materials used to clean them up also become hazardous waste.
5. **Treating waste to meet the Land Disposal Restrictions.** Most hazardous wastes may not be land disposed unless they meet "treatment standards". The Land Disposal Restrictions (LDR) program requires that the waste is treated to reduce the hazardous constituents to levels set by EPA, or that the waste is treated using a specific technology. It is a business' responsibility to ensure that its waste is treated to meet LDR treatment standards before it is land disposed (see below for a description of required LDR notices). Most SQGs probably will have their designated TSDF do this treatment. If a business chooses to treat its own waste to meet LDR treatment standards, there are additional requirements including waste analysis plans, notifications, and certifications. These requirements may be obtained from the RCRA Hotline, the Florida Department of Environmental Protection, or the EPA Regional Office, and are found in 40 CFR Part 268.

Preventing Accidents. Whenever hazardous waste is stored on site, fire, explosion, and other accident risks must be minimized. As required by 40 CFR 264.32, all SQGs that store hazardous waste on site must be equipped with:

1. An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to all personnel.
2. A device, such as a telephone (immediately available at the scene of operations) to a hand-held, two-way radio, capable of summoning emergency assistance from local police and fire departments or emergency response teams.
3. Portable fire extinguishers, fire control devices (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control materials, and decontamination supplies.
4. Water at adequate volume and pressure to supply water hose streams, foam-producing equipment, automatic sprinklers, or water spray systems.

All equipment must be tested and maintained to ensure proper operation. Allow sufficient aisle space to permit the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation. Attempt to secure arrangements with fire departments, police, emergency response teams, equipment suppliers, and local hospitals, as appropriate, to provide services in the event of an emergency. Ensure that personnel handling hazardous waste have immediate access to an alarm or emergency communications device.

Responding to Emergencies. A business must be prepared for an emergency. One way is to develop a contingency plan. A contingency plan usually answers a set of "what if" questions. For example, "What is there if a fire in the area where hazardous waste is stored?" or "What if I spill hazardous waste, or one of

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my hazardous waste containers leaks?" Although the EPA does not require SQGs to develop a written contingency plan, in case of a fire, explosion, or toxic release, having such a plan would provide an organized and coordinated course of action. EPA does require SQGs to establish basic safety guidelines and response procedures to follow in the event of an emergency. Worksheets 1 and 2 (see below) can help to set up these procedures. The information on Worksheet 1 must be posted near a phone. Businesses must ensure that employees are familiar with these procedures.

In the Event of Emergency, Immediately Call the National Response Center at (800) 424-8802. In the event of a fire, explosion, or other release of hazardous waste that could threaten human health outside the facility, or if it is believed that a spill has reached surface water, call the National Response Center to report the emergency. The Response Center will evaluate the situation and help to make appropriate emergency decisions. In many cases, it will be found that the problem faced was not a true emergency, but it is better to call if not sure. Stiff penalties exist for failing to report emergencies.

WORKSHEET 1

Fill in and post this information next to telephone
EMERGENCY RESPONSE INFORMATION
Emergency Coordinator Name and Telephone
Fire Extinguisher Location(s)
Spill Control Materials Location(s)
Fire Alarm (if present) Location(s)
Fire Department Telephone

WORKSHEET 2

Fill in and post this information next to telephone. Make sure all employees read and are familiar with its contents.

EMERGENCY RESPONSE PROCEDURES

"In the event of a spill:" Contain the flow of hazardous waste to the extent possible, and as soon as it is possible, clean up the hazardous waste and any contaminated materials or soil.

"In the event of a fire:" Call the fire department and, if safe, attempt to extinguish the fire using a fire extinguisher.

"In the event of a fire, explosion, or other release that could threaten human health outside the facility, or if it is known that the spill has reached surface water:" Call the National Response Center at its 24-hour number (800) 424-802. Provide the following information: company name, address, U.S. EPA identification number, date of accident, time of accident, type of accident (e.g., spill or fire), quantity of hazardous waste involved, extent of injuries, if any, and estimated quantity and disposition of recovered materials, if any.

SHIPPING WASTE OFF SITE

When shipping waste off site, SQGs must follow certain procedures that are designed to ensure safe transport and proper management of the waste. Package, label, and mark the shipment, and placard the vehicle in which the waste is shipped as specified in DOT regulations. Prepare a hazardous waste manifest to accompany the shipment. Include a notice and certification with each waste shipment. Ensure the proper management of any hazardous waste shipped (even when it is no longer in one's possession).

Selecting a TSDF. SQGs may send their waste only to a regulated TSDF or recycler. Most regulated TSDFs and recyclers will have a permit from the state or EPA. Some, however, may operate under other regulations that do not require a permit. Check with the appropriate state authorities to be sure the facility selected has any necessary permits. All TSDFs and recyclers must have EPA identification numbers.

Labeling Waste Shipments. SQGs must properly package, label, and mark all hazardous waste shipments, and placard the vehicles in which these wastes are shipped following Department of Transportation (DOT) regulations. Most small businesses use a commercial transporter to ship hazardous waste. These

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transporters can advise on specific requirements for placarding, labeling, marking, and packaging; however, the business is responsible for compliance. For additional information, consult the DOT regulations (49 CFR Parts 172 and 173), or call the DOT hazardous materials information line at (202) 366-4488. Federal regulations allow the transport of a business' own hazardous waste to a designated TSDF provided that DOT rules are complied with. Some states, however, do not allow this practice. Call DOT and the Department of Environmental Protection regarding applicable regulations.

Selecting a Transporter or TSDF/Recycler. It is important to choose a transporter and TSDF carefully since the business remains responsible for the proper management of its hazardous waste even after it has left the site. For help in choosing a transporter or TSDF, check with the following sources: references from business colleagues who have used a specific hazardous waste transporter or TSDF; trade associations for an industry that might keep a file on companies that handle hazardous waste; and the Better Business Bureau or Chamber of Commerce in the TSDF's area, which might have a record of any complaints registered against a transporter or a facility. The Department of Environmental Protection or EPA regional office can determine whether the transporter or TSDF has a U.S. EPA identification number and a permit, if required.

Preparing Hazardous Waste Manifests. A hazardous waste manifest must accompany all hazardous waste that is shipped off site. A hazardous waste manifest is a multi-part form designed to track hazardous waste from generation to disposal. It will help to track waste during shipment and make sure it arrives at the proper destination. If waste is sent to a recycling facility, a business may be able to use a tolling agreement instead of a manifest. A tolling agreement in a "closed-loop" arrangement whereby a generator contracts with a recycling company to reclaim its hazardous waste and return it as a recycled product, thereby avoiding disposal. A copy of the contract must be kept on file for three years after the contract has ended. Various versions of hazardous waste manifest forms are available. Some states require their own manifest form. To obtain manifest forms, contact the hazardous waste management agency of the recipient state, the transporter, or the TSDF that is to be used. If the state that waste is being shipped to does not have its own manifest, but the state in which the waste was generated does require its own manifest, use that state's form. To obtain blank forms, contact the transporter or the Department of Environmental Protection. If neither state requires a manifest, the federal Uniform Hazardous Waste Manifest, EPA Form 8700-22 may be used. Copies are available from some transporters, TSDFs, and some commercial printers. The Department of Environmental Protection can recommend manifest suppliers. All parts of a manifest must be filled in. Information requested includes: name of transporter, name of the designated facility, the EPA ID number, and a description of the waste based on DOT requirements, such as proper shipping name and hazard class. Call the DOT information line for more information on DOT waste description requirements. The transporter signs the completed manifest when the shipment is accepted for transport. The facility operator at the designated TSDF also signs the form when the shipment is received and sends a copy of it back to the business. The business must keep this copy on file for three years. It might be good practice, however, to keep it for as long as the business exists. Any SQG that does not receive a signed copy of the manifest from the designated TSDF within 60 days of shipment must submit a legible copy of the manifest to the state or EPA regional office. This copy, known as an exception report, simply indicates that a signed copy was not received from the facility operator.

Land Disposal Restrictions (LDR) Reporting Requirements. Regardless of where the waste is being sent, for each shipment of waste shipment of waste subject to LDRs a business must send the receiving TSDF or recycler an LDR notice. This notice must provide information about the waste, such as the EPA hazardous waste code and the LDR treatment standard. The purpose of this notice is to let the TSDF know that the waste must meet treatment standards before it is land disposed. There is no required form for this notice, but a TSDF may provide a form for use. A certification may also be required in specific situations. Call the RCRA Hotline, the Department of Environmental Protection, or EPA regional office and consult 40 CFR Part 268 for help with LDR notification and certification requirements.

Export Notification. If hazardous waste is to be exported, the EPA must be notified 60 days before the intended date of shipment to obtain written consent. EPA's "Acknowledgement of Consent" document must accompany the shipment at all times. For more information on how to obtain the consent to export hazardous waste, contact the RCRA Hotline at (800) 424-9346.

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SUMMARY OF REQUIREMENTS FOR LARGE QUANTITY GENERATORS

If a business is a Large Quantity Generator (LQG) (generating more than 2,200 lbs (1,000 kg) per month), it must comply with the full set of hazardous waste regulations. This table summarizes the federal LQG requirements. This is only a summary and does not include all of the LQG requirements. For more details, call the RCRA Hotline or see 40 CFR Part 262. Be sure to check with the Department of Environmental Protection as well, as some states have additional or more stringent requirements than the federal government.

LQG REQUIREMENTS

Hazardous Waste Determination (40 CFR 262.10) Generator Category Determination (40 CFR 262.10(b) and 261.5(b) and (c))

SUMMARY Identify all hazardous wastes generated. Measure the amount of hazardous waste generated per month to determine the generator category (e.g., LQG).

LQG REQUIREMENTS

EPA Identification Numbers (40 CFR 262.12)

SUMMARY Obtain a copy of EPA Form 8700-12, fill out the form, and send it to the contact listed with the form. An EPA identification number will be returned.

LQG REQUIREMENTS

Prepare a Hazardous Waste for Shipment Off Site (40 CFR 262.30 – 262.33)

SUMMARY Package, label, mark and placard wastes following Department of Transportation requirements. Ship waste using hazardous waste transporter.

LQG REQUIREMENTS

The Manifest (40 CFR 262.20 – 262.33, 262.42)

SUMMARY Ship waste to hazardous waste treatment, storage, disposal, or recycling facility. Ship hazardous waste off site using the manifest system (EPA Form 8700-22) or state equivalent.

LQG REQUIREMENTS

Managing Hazardous Waste On Site (40 CFR 262.34)

SUMMARY Accumulate waste for no more than 90 days without a permit. Accumulate waste for no more than 90 days without a permit. Accumulate waste in: Containers Drip pads Tanks Containment buildings and comply with specified technical standards for each unit type. Comply with Preparedness and Prevention requirements. Prepare written Contingency Plan. Train employees in hazardous waste management and emergency response.

LQG REQUIREMENTS

Recordkeeping and Biennial Report (40 CFR 262.40 – 262.41)

SUMMARY Retain specified records for three years. Submit biennial report by March 1 of even numbered years covering generator activities for the previous year.

LQG REQUIREMENTS

Comply with Land Disposal Restrictions (40 CFR 268)

SUMMARY Ensure that wastes meet treatment standards prior to land disposal. Send notifications and certifications to TSDF as required. Maintain waste analysis plan if treating on site.

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**Exhibit 7
Transportation Improvements Map (Pipelining)**

Revised to modify the improvement in Transportation Section 23 (h) which has been modified.

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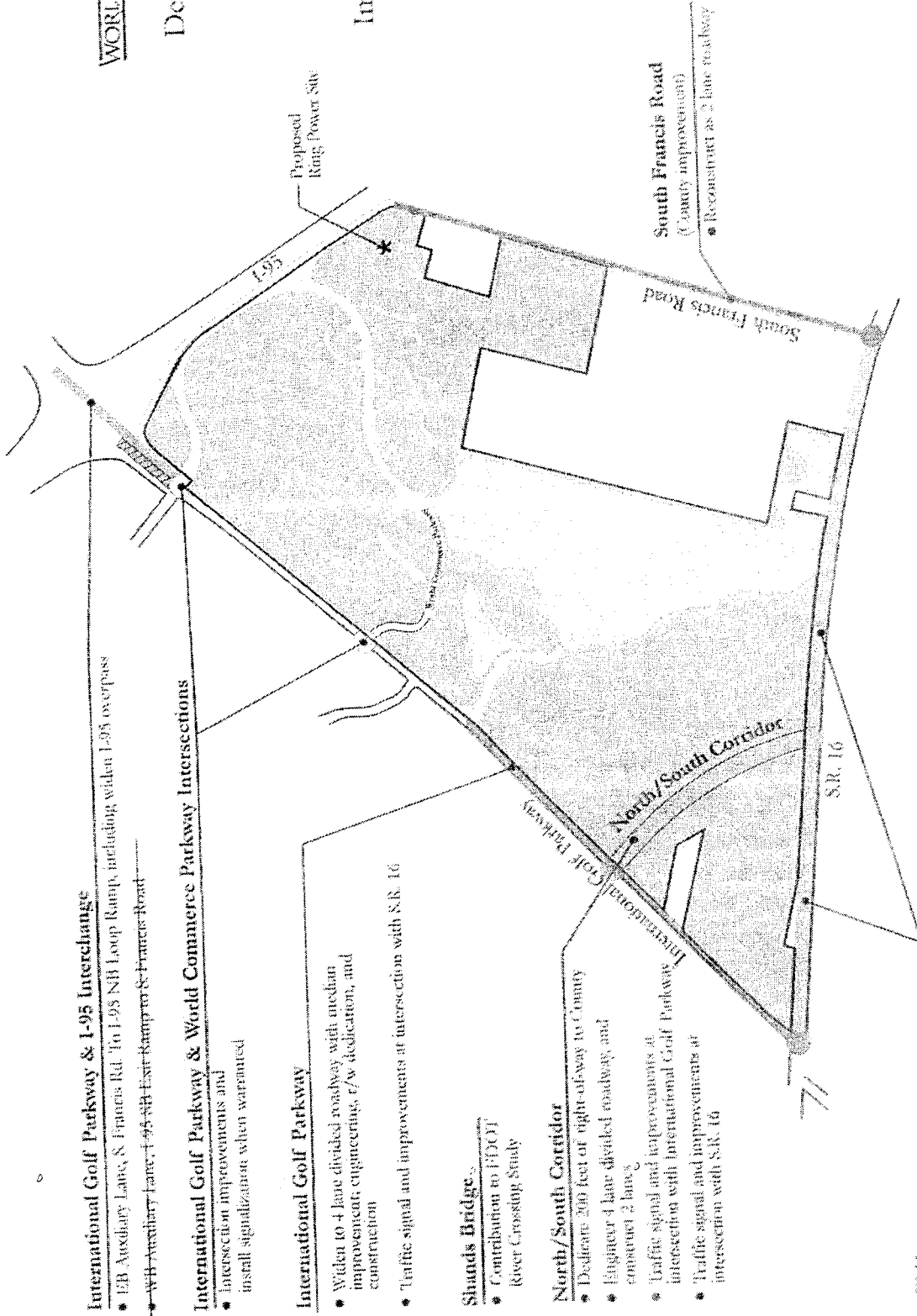
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WORLD COMMERCE CENTER

Development Order Exhibit 7

Transportation Improvements Map (Pipelining)



International Golf Parkway & 1-95 Interchange

- EB Auxiliary Lane, S. Francis Rd. To I-95 NB Loop Ramp, including widen I-95 overpass
- WB Auxiliary Lane, I-95 NB Exit Ramp to S. Francis Road

International Golf Parkway & World Commerce Parkway Intersections

- Intersection improvements and install signalization when warranted

International Golf Parkway

- Widen to 4 lane divided roadway with median improvement, engineering, e/w dedication, and construction
- Traffic signal and improvements at intersection with S.R. 16

Shands Bridge

- Contribution to FDOT River Crossing Study

North/South Corridor

- Dedicate 200 feet of right-of-way to County
- Engineer 4 lane divided roadway, and construct 2 lanes
- Traffic signal and improvements at intersection with International Golf Parkway
- Traffic signal and improvements at intersection with S.R. 16

South Francis Road (County improvement)

- Reconstruct as 2 lane roadway

SR 16

- Widen to 4 lane divided, between North / South Corridor and S. Francis Road (Phase II)
- Widen to 4 lane divided, between International Golf Parkway & North / South Corridor (Phase III)



Reviewed by Planning
November 11, 2010
Page 7

SEP 4 2008

PLANNING DEPARTMENT

The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ULINDA E VERSTRAATE**

who on oath says that she is an Employee of the St. Augustine Record,
a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **NOTICE OF HEARING**

In/ the matter of **WORLD COMMERCE CENTER DRI**

was published in said newspaper **AUG 29, 2008.**

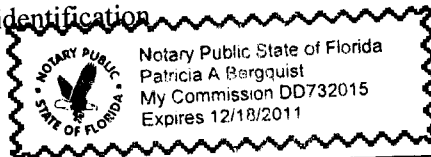
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 2nd day of **SEPTEMBER 2008.**

by Ulinda E Verstraate who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification

Patricia A Bergquist
(Signature of Notary Public)

PATRICIA A BERGQUIST

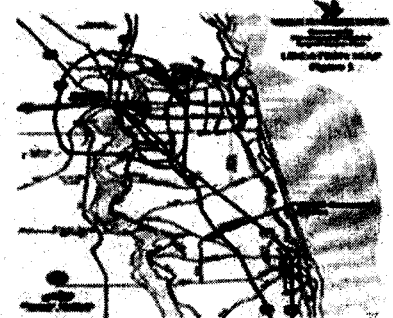


(Seal)

A PROPOSED CHANGE (NOPC) TO THE WORLD COMMERCE CENTER DRI

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, September 16, 2008 at 9:00 a.m. by the St. Johns County Board of County Commissioners in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, for a Notice of Proposed Change to the World Commerce Center Development of Regional Impact. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is located in the SW Quadrant of 195 and International Golf Parkway the World Commerce Center DRI within St. Johns County, Florida. See attached map (Exhibit A).



This file is maintained in the Planning Division of the Growth Management Services Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the meeting and be heard with respect to the proposed change.

If a person decides to appeal any decision made with respect to any matter considered at the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need a verbatim record of the proceedings are made, which records include the testimony and evidence upon which appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0458 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32085. For hearing impaired individuals, call Florida Relay Services at 1 800 955 8779, no later than 5 days prior to the date of this meeting.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
THOMAS MANUEL, CHAIRMAN
FILE NUMBER: NOPC 2007-06
World Commerce Center DRI
L2487-8 Aug. 29, 2008**