

HUNTER'S RIDGE



**DEVELOPMENT OF REGIONAL IMPACT
ASSESSMENT REPORT
FOR
HUNTER'S RIDGE
SUBSTANTIAL DEVIATION DRI**

LOCATED IN FLAGLER COUNTY

NORTHEAST FLORIDA REGIONAL COUNCIL
6850 BELFORT OAKS PLACE
JACKSONVILLE, FL 32216
(904) 279-0880

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ASSESSMENT REPORT
FOR
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SUBSTANTIAL DEVIATION DRI**

LOCATED IN FLAGLER COUNTY



Baker • Clay • Duval • Flagler • Nassau • Putnam • St. Johns

6850 Belfort Oaks Place
Jacksonville, Florida 32216
(904) 279-0880

HUNTERS RIDGE SUBSTANTIAL DEVIATION DRI

PROCESS DESCRIPTION

The Northeast Florida Regional Council (NEFRC), as required by Section 380.06, Florida Statutes, has prepared this impact assessment of the Hunters Ridge Substantial Deviation Development of Regional Impact (DRI). The Hunters Ridge DRI is located in Flagler County and the City of Ormond Beach. The portion of the DRI addressed in this substantial deviation review is located in Flagler County. The Hunters Ridge DRI D.O. was adopted in 1991. As part of a settlement agreement, a substantial deviation review was required for development to occur within a proposed Substantial Deviation Area (SDA) (with the exception of a golf course). This recommendation report addresses development within that area, as well as several other changes to the project outside of the proposed SDA.

The basis for the impact assessment is the information supplied by the applicant in the Hunters Ridge Substantial Deviation DRI Application for Development Approval (ADA), the corresponding Sufficiency Response documents, plus other additional information submitted to the NEFRC by the applicant during the review period. Additional information was obtained by contacting state and local officials and consulting official plans, reports, and permit applications and permits regarding specific issues in the impact assessment process. Appropriate state and local officials have been provided a copy of the ADA and sufficiency response documents and have been provided a sufficient time frame for a comprehensive review of those documents to assess this project's regional impacts.

The impact assessment is intended to provide Flagler County and the Division of Community Planning, Florida Department of Community Affairs, with an overview of the potential regional impacts, both positive and negative, which will be associated with the proposed project. The recommendations are intended to assist the County Commission of Flagler County in reaching their decisions regarding the specific conditions to be placed on the development to mitigate any adverse impacts associated with the project.

PROJECT INFORMATION

Project Name: Hunter’s Ridge Substantial Deviation DRI

Applicant: Hunter’s Ridge Residential Golf Properties, Inc.
Hunter’s Ridge Timber Co.
Hunter’s Ridge Golf Co., Inc.
660 Virginia Park Drive
Laguna Beach, California 92651
Mr. Alan Feker.

Lead Consultant: Sam Merrill.
1275 W. Granada Blvd., Suite 5A
Ormond Beach, Florida 32174
(386) 677-7298

Type of Development: Mixed Use: retail, office, residential, industrial

Local Government: Flagler County, Florida

Location: The proposed 5,040-acre Hunters Ridge project is located in southeastern Flagler County, northeast Volusia County and the City of Ormond Beach. The project is northwest of the S.R. 40/I-95 interchange.

Development Schedule: The application for development approval addresses mixed use development consisting of retail, office, residential, hotel, and industrial land uses. The development schedule addresses both lands within the Substantial Deviation Area (SDA), as well as development proposed for parcels outside of the SDA. The ADA calls for the development to be completed in three phases by 2023. The amount of development and phasing schedule subject to this recommendation report is as follows:

Phase 1: 2010 to 2015	
Industrial	104,732 s.f.
Retail	123,512 s.f.
Office	100,000 s.f.
Residential	
Single Family	593 d.u.
Multi-Family	482 d.u.
Phase 2: 2014 to 2018	
Industrial	74,732 s.f.
Retail	64,008 s.f.
Office	104,000 s.f.
Residential	
Single Family	712 d.u.
Multi-Family	526 d.u.

Phase 3: 2019 to 2023	
Industrial	64,056 s.f.
Office	70,000 s.f.
Residential	
Single Family	344 d.u.

Cumulative: 2010 to 2023	
Industrial	243,520 s.f.
Retail	187,520 s.f.
Office	274,000 s.f.
Residential	
Single Family	1,649 d.u.
Multi-Family	1,008 d.u.

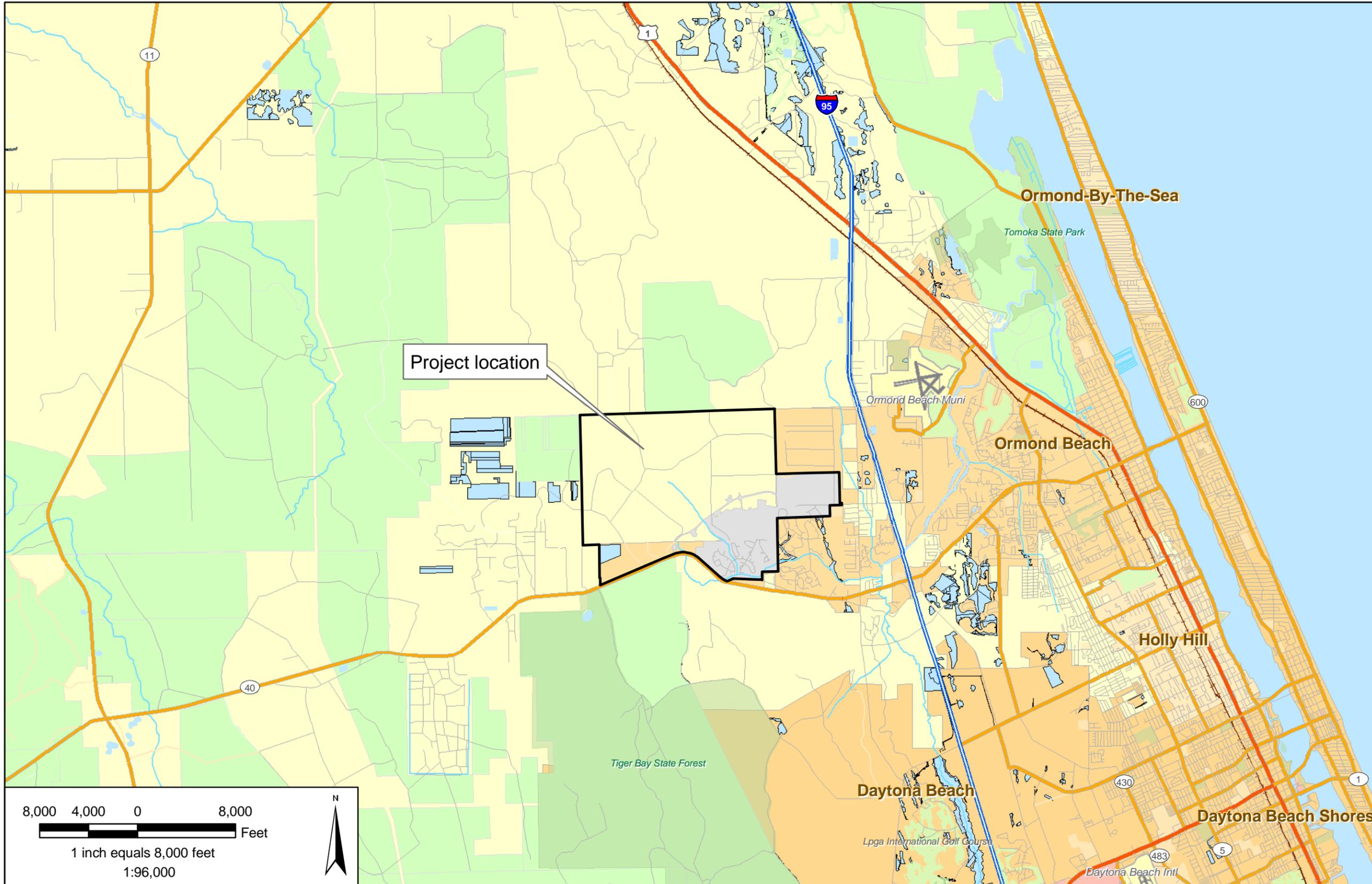
NEFRC Review/ Approval: October 7, 2010

City of Palm Coast Public Hearing:

GENERAL PROJECT DESCRIPTION

The Hunters Ridge DRI is located in Flagler County and the City of Ormond Beach. The portion of the DRI addressed in this substantial deviation review is located in Flagler County. The Hunters Ridge DRI D.O. was adopted in 1991. As part of a settlement agreement, a substantial deviation review was required for development to occur within a proposed Substantial Deviation Area (SDA) (with the exception of a golf course). This recommendation report addresses development within that area, as well as several other changes to the project outside of the proposed SDA.

PROJECT MAPS



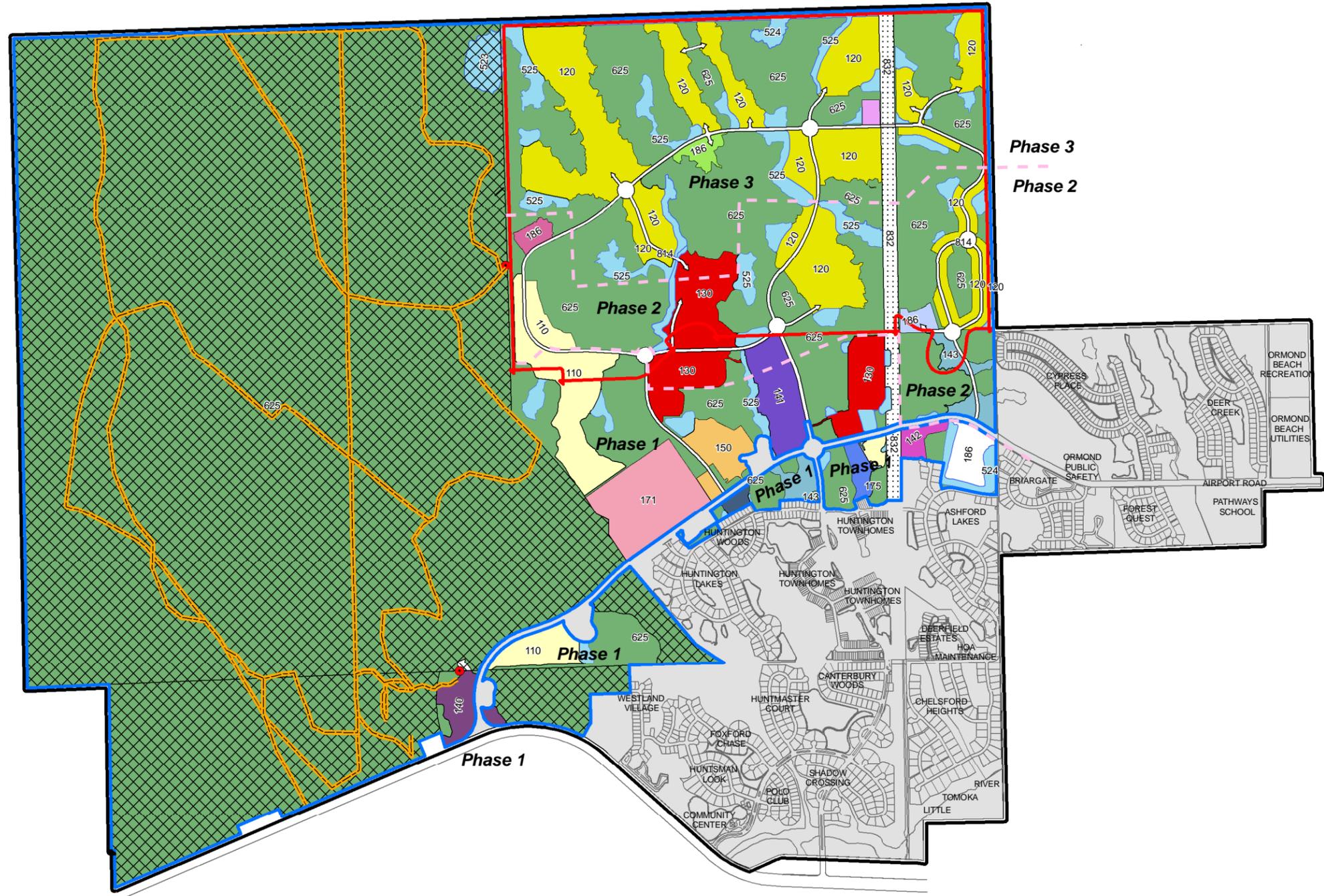
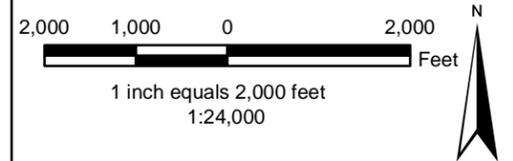
Project: J07071 HRD
 Date: August 2009
 Base map from Streetmap USA 2006
 provided by ESRI. Project boundaries
 based on surveys provided by Hunter's
 Ridge.

Map A Location Map



Legend

-  Hunter's Ridge DRI (5,039.14 ac.)
-  Hunter's Ridge Project Area (3842.79 ac.)
-  Substantial Deviation Area (1,003.97 ac.)
-  Hunter's Ridge Conservation Area (2,365.62 ac.)
-  Hunter's Ridge Developed Areas
-  Phase boundaries
- Phase 1 (414.44 ac.)
- Phase 2 (434.52 ac.)
- Phase 3 (628.24 ac.)
-  trails
-  Trailhead
- Land use code, description, and acreage
-  110, Low density residential (74.29 ac.)
-  120, Medium density residential (249.13 ac.)
-  130, High density residential (75.33 ac.)
-  140, Commercial and services (14.00 ac.)
-  141, Retail - convenience store (2.91 ac.)
-  141, Town center (27.54 ac.)
-  142, Warehouse (6.15 ac.)
-  143, Office park - professional services (19.70 ac.)
-  150, Industrial (18.62 ac.)
-  171, Elementary - Middle School (48.00 ac.)
-  175, Governmental - Flagler Public Safety (6.21 ac.)
-  186, Community center 1 (6.30 ac.)
-  186, Community center 2 (5.08 ac.)
-  186, Recreation 1 (2.78 ac.)
-  186, Recreation 2 (5.11 ac.)
-  186, Recreation area (13.07 ac.)
-  523, Lakes larger than 10 acres (11.85 ac.)
-  524, Lakes less than 10 acres (11.36 ac.)
-  525, Stormwater pond (109.83 ac.)
-  625, Preservation (3,046.50 ac.)
-  814, Residential road (46.50 ac.)
-  832, Electric power transmission lines (42.52 ac.)



Project: J07071 HRD
 Date: August 2009
 Project boundaries and site plans based on CAD drawings provided by Hunter's Ridge.

**Map H
 Master Development Plan**



**DEVELOPMENT ORDER
RECOMMENDATIONS**

REGIONAL RECOMMENDATIONS

NEFRC RECOMMENDATIONS FOR HUNTERS RIDGE SUBSTANTIAL DEVIATION DRI

The Northeast Florida Regional Council (NEFRC) recommends to the Flagler County Commission that the Hunters Ridge Substantial Deviation Development of Regional Impact be approved, subject to certain conditions being stipulated in the Development Order.

- A. The Application for Development Approval (ADA) for the Hunters Ridge Substantial Deviation DRI, dated July 2009, the commitments therein, the first sufficiency response document dated November 2009 and January 2010, and the second sufficiency response document dated March 2010, shall be made part of the Development Order.
- B. Any successor or assignee of Hunters Ridge Residential Golf Properties, Inc., Hunters Ridge Timber Co., or Hunters Ridge Golf Co. Inc., shall be subject to the provisions contained in the Hunters Ridge Substantial Deviation Development Order issued by Flagler County and as subsequently modified. Any contract or agreement for sale of those interests by Hunters Ridge Residential Golf Properties, Inc., Hunters Ridge Timber Co., or Hunters Ridge Golf Co. Inc., 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 HEREIN IS PART OF THE HUNTERS RIDGE DEVELOPMENT OF REGIONAL IMPACT AND IS SUBJECT TO A DEVELOPMENT ORDER, NOTICE OF WHICH IS RECORDED IN THE PUBLIC RECORDS OF FLAGLER 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 HUNTERS RIDGE RESIDENTIAL GOLF PROPERTIES, INC., HUNTERS RIDGE TIMBER CO., OR HUNTERS RIDGE GOLF CO. 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 OFFICES OF THE FLAGLER COUNTY PLANNING AND ZONING DEPARTMENT, IN FLAGLER COUNTY, FLORIDA, OR AT THE OFFICES OF THE DEPARTMENT OF COMMUNITY AFFAIRS, STATE OF FLORIDA, TALLAHASSEE, FLORIDA.

- C. The Development Order shall contain a description of the development which is approved in the DRI; specify and describe acreage attributable to each described land use; the magnitude of each land use, utilizing all land use criteria of each applicable threshold as identified in Section 380.0651, F.S., and Chapter 28-24, F.A.C.; open space; areas for preservation; green belts; structures or improvements to be placed on the property including locations; and other major characteristics or components of the development.
- D. The Development Order shall include findings of fact and conclusions of law addressing whether and the extent to which: a) The development unreasonably interferes with the achievement of the objectives of the adopted state land development plan applicable to the area; b) the development is consistent with the State Comprehensive Plan; c) the development is consistent with Flagler County land development regulations and the Flagler County Comprehensive Plan; and d) the development will be consistent with this recommendation report.
- E. The Development Order shall designate the local government official who shall be responsible for monitoring the development for compliance with the Development Order.
- F. The Development Order shall establish compliance dates for the Development, including a deadline for commencing physical development and for compliance with conditions of approval of phasing requirements, and shall include a build out date that reasonably reflects the time required to complete the development.
- G. Buildout dates and phasing buildout dates for the project.
- H. A date by which the development order will expire.
- I. The Development Order shall establish a date until which the local government agrees that the approved Development of Regional Impact shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or the Development Order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by the local government to be essential to the public health, safety, or welfare.
- J. The project shall be required to meet all Level of Service Standards in the adopted Flagler County Comprehensive Plan and all requirements of the County's concurrency management system. However, pursuant to Section 163.3180(12), F.S., the applicant may satisfy the transportation concurrency requirements of those plans by meeting the transportation conditions in this recommendation report.
- K. A biennial monitoring report for the Hunter's Ridge DRI shall be prepared by Applicant in accordance with Section 380.06, Florida Statutes, and shall be

submitted to the Northeast Florida Regional Council (“NEFRC”), Department of Community Affairs (“DCA”), Flagler County, Volusia County, and the City of Ormond Beach, no later than June 1 of every other year until buildout, commencing June 1, 2012 (the “Monitoring Report”). The monitoring reports shall be submitted consistent with the reporting requirements adopted in Sec. 380.06(18), F.S., or as amended. The Monitoring Report shall include:

1. 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 to the Monitoring Report.
2. 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, number of residential lots platted, gross floor area of non-residential uses 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.
3. An identification of the name of the purchaser of any undeveloped tracts of land in the Hunter’s Ridge DRI, including the location and size 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.
4. A cumulative summary of all development that has taken place within the Hunter’s Ridge DRI by the land use categories listed in Chapter 28-24, F.A.C. including residential lots platted, gross floor area of non-residential uses constructed by land use type and location, together with a cumulative summary of location, size (acreage), development rights purchased (land use type and square footage), and the name of the purchaser of all parcels purchased within the Hunter’s Ridge DRI.
5. To the extent known to Applicant, a description of any lands purchased or optioned within one mile of the boundaries of the Hunter’s Ridge DRI by a person who has acquired a fee simple or lesser interest in Hunter’s Ridge subsequent to issuance of the Development Order (but excluding persons who have only acquired a leasehold interest in lands or improvements within the Hunter’s Ridge DRI), identifying such land, its size, and its intended use on a site plan and map.
6. 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.

7. A description of any moratorium imposed by a regulatory agency on development within the Hunter's Ridge DRI, specifying the type of moratorium, duration, cause, and remedy.
8. Provide an analysis demonstrating there will be sufficient capacity of potable water, wastewater, and solid waste facilities serving the Hunter's Ridge DRI for the anticipated development for the ensuing report period.
9. Provide an assessment of Applicant's, Applicant's successor, if any, and local government's compliance with conditions and commitments contained in the Development Order.
10. A description of any change to the previously reported stormwater plans, design criteria, or planting and maintenance programs.
11. 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 filed during the next reporting period.
12. A description of any change in local government jurisdiction for any portion of the development since the Development Order was issued.
13. Traffic reports, which shall be submitted to the Florida Department of Transportation ("FDOT") District 5 Urban Office in Orlando, as well as to the Flagler County Planning and Zoning Department, Volusia County Traffic Engineering Department, the City of Ormond Beach Planning Department, NEFRC, ECFRPC, and DCA. The first traffic report shall be due concurrently with the first biennial Monitoring Report and then biennially thereafter until project buildout, unless otherwise specified by the NEFRC. The following information shall be included:
 - (a) A description of current development by land use, type, location, number of residential units and amount of square footage of non-residential, along with the proposed construction schedule for the ensuing 24-month period, and appropriate maps.
 - (b) The status of the improvements to be pipelined by the developer, including the status of the payment of the proportionate share and schedule for new and/or improved roadways, traffic control devices or other transportation facility improvements to be constructed or provided by the applicant or governmental entity to accommodate the total existing and anticipated traffic demands, any and all developer's agreements entered into to effectuate the improvements, and any other developer's obligations required in the development order to meet transportation conditions.

14. A statement certifying that the NEFRC, DCA, and Flagler County and all affected agencies have been sent copies of the Monitoring Report in conformance with Subsections 380.06(15) and (18), Florida Statutes. Applicant shall ensure that all appropriate agencies receive a copy of the Biennial Monitoring Reports.
15. The Hunter's Ridge DRI as approved in this Development Order shall not be subject to down zoning or reduction of approved land uses before December 31, 2030 unless the Applicant consents to such change, or the County demonstrates that the substantial changes in the conditions underlying the approval of the Development Order have occurred or that the Development Order was based on substantially inaccurate information provided by the Applicant or that the changes clearly established by the County are essential to public health, safety and welfare.
16. Pursuant to Section 380.06(5)(c), Florida Statutes, 2002, Applicant has elected to be bound by the rules adopted pursuant to Chapter 373 and 403 in effect as of the date of this Development Order, including but not limited to the provision of Section 373.414(13), Florida Statutes. 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 adopting agency to be essential to the public health, safety and 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; or
 - (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.

Further, to qualify for the benefits of this provision, the application must be filed within five (5) years from the issuance of this Development Order and the permit shall not be effective for more than eight (8) years from the issuance of this Development Order. Nothing in this Section 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.

In addition to these general conditions, the following Specific Conditions are recommended for inclusion in the Development Order to mitigate identified regional impacts. Each recommendation is preceded by a brief issue statement, describing the adverse impact requiring the recommended mitigation effort.

SPECIFIC CONDITIONS

ISSUE #1: Land Use Conversion Table

The DRI D.O. may include a land use conversion table, to allow for development flexibility. The development amounts in the land use conversion table should be of a limited range so that the overall character of the project is unchanged, and there are no resulting regional impacts from any application of the land use conversions in the table.

The Substantial Deviation increases entitlements as follows: 354 additional single-family units; 601 additional multi-family units; 130,000 square feet of office; 89,940 square feet of retail; and 10,000 square feet of industrial. In total, the Substantial Deviation increases current entitlements by 955 residential units and 129,940 square feet of non-residential.

Recommendation # 1

A land use conversion table and table identifying minimum and maximum development rights may be incorporated within the Hunters Ridge D.O. The Developer may increase or decrease the amount of a particular land use within the approved development program by using a conversion table that is based on equivalent peak hour directional trip ends. This table, when approved, shall be incorporated into the Development Order as an exhibit. Use of the conversion table may increase or decrease the total amount of each land use by no more than the amount allowed for in the substantial deviation criteria identified in Chapter 380.06(19)(b) 1-14, Florida Statutes, unless the applicant can show that a greater change will not change the overall character of the development. Any time the conversion table is to be used, DCA, NEFRC and Flagler County must be given notice of the proposal at least 30 days in advance of the change. Use of the conversion table will be reported on an individual and cumulative basis and Project impacts documented in the biennial report. Any future NOPC shall incorporate any changes due to the use of the matrix.

Vegetation and Wildlife

ISSUE # 2: Existing Silviculture Activities

Agricultural and silvicultural activities within parcels may continue until the commencement of development of each parcel. There are areas within the development that are of special environmental concern, such as wetland communities, where natural vegetation should remain, to the greatest extent possible, undisturbed by development activities and land clearing.

Note: The Applicant should ensure that nothing in the Development Order is inconsistent with or otherwise is in conflict with the Joint Stipulation (Division of Administrative Hearings Case No. 90-3409DRI).

Recommendation # 2:

No logging or other similar silvicultural operations shall be conducted within the wetland areas to be conserved or within the required upland buffer areas adjacent to the wetlands to be conserved except for wetland enhancement purposes and mitigation approved by the SJRWMD. Silviculture practices must be limited to those areas of the site where such practices have occurred or are occurring.

ISSUE #3: Upland Buffers

Development adjacent to preserved wetlands has the potential to adversely impact those wetlands through runoff, pollutants, and/or lowering of the water table. Wetlands provide habitat for numerous plants and animal species and serve to enhance/protect water quality. Development of the Hunters Ridge will not adversely affect hydro-periods of preserved wetlands.

Recommendation #3

Buffer standards within the existing D.O., as amended, shall be retained. Additionally, the Developer shall comply with the St. Johns River Water Management District's minimum buffer standards or the Flagler County Comprehensive Plan and Land Development Code, whichever is more restrictive; however, in no instances shall buffers average less than 25 feet width and be less than 15 feet in width.

ISSUE #4: Wildlife Corridors

The development is contiguous to large areas of undeveloped lands to the north and west. Within the development is the Hunter's Ridge Conservation Area, which is greater than 2,000 acres. Map G *Wildlife Monitoring / Occurrence Map* contained within the Substantial Deviation application shows that bear sightings have occurred in the extreme west of the area Hunter's Ridge Conservation Area.

Recommendation #4

- (a) Wildlife crossings will be incorporated within the Hunters Ridge DRI to assure and wildlife travel from and to offsite natural areas. During project permitting, consultation with the SJRWMD and FFWCC will refine the type of crossings (at-grade, underpass, etc.) that will be used. Crossings will be strategically located to minimize impacts to wildlife resources. No perimeter fencing may be erected within conservation areas that would hinder the ability of wildlife to traverse the wildlife corridor. When location and type have been finalized, the developer will provide a location map of wildlife corridors and crossings to Flagler County and the NEFRC.
- (b) The Developer shall follow the published Guidelines adopted by the FFWCC for any Species located or observed on the DRI Property through buildout and shall consult with the FFWCC and the County as to

implementation of a habitat management plan (“Plan”) for any Species located or observed on the DRI Property if warranted. Any Plan shall be approved by the FFWCC prior to implementation and shall be consistent with the County Land Development Code and Comprehensive Plan.

- (c) Prior to any development within any cluster of the Hunters Ridge project above Phase 1A, if necessary, the Developer shall obtain a Gopher Tortoise Incidental Take Permit or other applicable approval from the FFWCC. Required mitigation shall be provided prior to project impacts to Gopher Tortoise habitat.

Wetlands

ISSUE #5: Maintenance of Hydroperiods and Wetland Preservation

Wetlands provide habitat for numerous plants and animal species and serve to enhance/protect water quality. Development of the DRI project should not adversely affect hydro-periods of preserved wetlands.

Recommendation #5A

Wetland Conservation and Wetland Impacts. Jurisdictional wetlands within areas depicted on Map H as Open Space shall be preserved except as permitted by the District. Logging and other similar silvicultural operations within wetland areas shall terminate upon the execution of the Development Order except for activities associated with permitted borrow pits, permitted wetland creation, restoration or enhancement projects and/or public safety / fire prevention measures.

The wetlands to be conserved shall be protected by recordation of conservation easements prior to or at the time of platting of adjacent upland areas in accordance with the terms of the applicable Environmental Resource Permit ("ERP") issued by the District. No logging or other similar silvicultural operations shall be conducted within the wetland areas to be conserved or within the required upland buffers areas adjacent to the wetlands to be conserved except for environmental enhancement activities approved by the District for mitigation purposes. Mitigation for proposed wetland impacts shall be subject to approval by the District and the United States Army Corps of Engineers ("ACOE").

Wetland mitigation will include wetland and upland preservation and may include wetland restoration, enhancement, and creation and upland buffer enhancement as part of the mitigation plan under the District and ACOE permits. The exact boundaries of wetland areas to be conserved shall be determined in connection with wetland permitting by the District and ACOE. The limits of conserved wetlands shall be delineated on engineering plans submitted for approval by Flagler County. All engineering plans submitted to Flagler County for approval shall be consistent with the requirements of applicable permits issued by the District and other applicable state and federal agencies, if any.

Recommendation #5B

Conservation Easements. The Developer shall record conservation easements meeting the requirements of Section 704.06, F.S., to protect the conserved wetlands and upland buffers onsite. The conservation easements shall be dedicated to the St. Johns River Water Management District (SJRWMD) subject to acceptance by SJRWMD. The majority of the contiguous forested and higher quality isolated wetland systems of regional ecological value will be preserved and protected by a perpetual conservation easement.

Conservation easements and the portions of the recorded covenants and restrictions that relate to preservation of wetlands and upland buffers shall be enforceable by the Developer, the homeowners association, SJRWMD, DEP, and Flagler County. The covenants and restrictions or conservation easements shall not permit variances from the minimum standards set forth in this Development Order. Such conservation easements shall be recorded upon recordation of a plat containing the wetlands or undisturbed upland buffer areas.

ISSUE #6: Stormwater Pollution Prevention

The land has been used for intensive silviculture activities, which has resulted in accelerated drainage and altered hydrology. Impacts caused by the altering of hydroperiods has resulted in the need to reestablish a neutral hydroperiod.

Recommendation #6

The surface water management system for the DRI shall be designed in accordance with applicable SJRWMD requirements and will provide for the effective removal of stormwater from the development areas through a series of stormwater management facilities. A Community Development District (“CDD”) or its functional equivalent shall be established to maintain the drainage system upon completion of each parcel within the DRI. The Developer will be responsible for the maintenance of the drainage system until the CDD or its functional equivalent is formed and the individual parcels are sold or developed. Development within the DRI shall use Best Management Practices for Erosion Control as required by the applicable NPDES permit. Construction activity within the Hunters Ridge DRI shall be conducted in accordance with a *stormwater pollution prevention plan* developed pursuant to the NPDES permitting program. Drainage from stormwater ponds will meet all Class III surface water quality standards.

All work performed within and for Hunter's Ridge is to comply with Department of Environmental Protection Non-Point Source and Water Quality Standards.

ISSUE #7: Water Quality Monitoring

Appropriate ground and surface water quality parameters have not been established at this time. However, previous DRI approvals did require monitoring of water quality parameters. As part of the current Development Order, an Annual Report with various monitoring requirements is required.

Recommendation #7

Prior to commencement of construction activity within the Project, the Developer will develop and secure DEP approval of a Surface Water Quality Monitoring Plan to include water quality monitoring stations. The plan will include water quality monitoring stations also approved by DEP.

If the Surface Water Quality Monitoring Program identifies variations in water quality of receiving waters from established background water quality attributable to discharges from the DRI, the Developer shall cooperate with DEP to develop and implement a plan to address the problem. The actions required to address the problem, including the means of payment by the Developer for the costs of such plan and actions required, and the timeframe within which to implement the corrective action shall be agreed upon by DEP, Flagler County, and the Developer. Failure to implement the agreed-upon plan of action within the timeframe agreed upon will be a violation of this Specific Condition.

Commencement of development within Hunters Ridge may proceed only after the developer secures approval of an Environmental Resource Permit (ERP) that demonstrates no adverse impact to adjacent properties and floodplains.

A summary of the water quality monitoring results shall be included in the biennial report.

ISSUE #8: Floodplains

FEMA flood zone information is shown on Map C. All areas of the project are designated to be in Flood Zone X, except for a small area in the northwest corner of the conservation area. All areas of the project that are within the substantial deviation area are outside of the 100 year floodplain. Flood Zone X is considered to be outside of the special flood hazard area, while Flood Zone A identifies areas of the 100-year flood where the flood elevation has not been determined.

Recommendation #8

In the event that revised FIRM maps show that portions of the project that are proposed for development are within floodplain, then all construction within the 100-Year Floodplain shall comply with applicable federal, state, and local laws and regulations. No permits for residential, commercial or public buildings will be issued for construction within any portion of the 100-Year Floodplain where the base flood elevation has not been established until the Developer has provided to Flagler County data on the site specific base flood elevation. All road crossings

and finished floor elevations of buildings within the 100-Year Floodplain shall comply with the Flagler County Land Development Code.

ISSUE #9: Water Supply and Wastewater

Water and wastewater for the development will be provided by the City of Ormond Beach. In a letter dated March 24, 2010, from the City of Ormond Beach Public Works Department, the anticipated demand for water and wastewater services are 835,400 gpd and 757,900 gpd respectively. This analysis was based on an increase of 1,281 residential units and 129,940 square feet of commercial. **Note:** residential units have since been reduced to an increase of 955 units.

In its analysis, based on the original number of increase residential and commercial entitlements, the City of Ormond Beach asserts that there is sufficient capacity for both water and wastewater facilities to service the development. Therefore, there is capacity to serve the development with the substantially fewer entitlements being sought.

Recommendation #9

1. All available lower-quality sources of water, including stormwater, surface water, and reclaimed water, must be distributed for use or used throughout the project in place of higher-quality water sources, when deemed feasible, and pursuant to District rules and applicable state law. Stormwater, surface water, and reclaimed water shall be maximized as nonpotable water sources for irrigation.
2. Any future land use conversion shall also be based on potable water usage and the availability of potable water supply and related facilities.
3. Any wells no longer in use within the DRI boundary shall be properly plugged and abandoned in accordance with District rules and regulations. Any existing, active wells for which the District has issued a CUP may continue to be used only in accordance with the respective CUP. Any change in use of the wells is subject to the approval of an appropriate CUP.
4. Multifamily residential units shall use submeters for potable water.
5. Single-family residences and nonresidential units shall have separate meters for potable and nonpotable water.
6. Best management practices cited by the University of Florida in the Institute of Food and Agricultural Sciences' *A Guide to Florida-Friendly Landscaping* shall be followed for landscape installation, irrigation, and fertilizer and pesticide applications. These best management practices include:
 - a. Landscape design that minimizes the impacts of fertilizer applications
 - b. Preferred plant materials
 - c. Appropriate type of fertilizer to avoid the release of excess nutrients
 - d. Rate and frequency of fertilizer and pesticide applications
 - e. Watering schedules consistent with the District's landscape irrigation rule
 - f. Design and maintenance of drainage control systems

7. A waterwise approach shall be used throughout the landscaped areas of the development. Irrigated turf grass shall not exceed 60% of the landscaped area (except for active play areas and parks) and site-appropriate plant species shall be used in landscaped areas. Landscaped area is defined as any pervious area within the proposed development that will be altered due to the development, exclusive of pervious areas within wetlands, wetland buffers, vegetative buffers between land uses, stormwater systems, and required preservation areas. Refer to the District's *Waterwise Florida Landscapes*, available online at floridaswater.com/waterwiselandscapes, or other comparable guides.
8. Separate irrigation zones shall be required for turf and non-turf areas throughout all land uses (residential and nonresidential) to avoid irrigation of landscaped beds when irrigating the turf zone(s). Landscaped beds shall not be irrigated using high-volume irrigation systems. All irrigation systems shall use a rain shutoff device, such as a rain sensor or soil moisture sensor (per *Florida Statutes*), to override unnecessary irrigation events.
9. All DRI-related construction shall meet, at a minimum, Florida Water StarSM design standards, in accordance with the Northeast Florida Regional Council's policy approved on February 7, 2008.
10. The covenants, codes, and deed restrictions shall require that only U.S. Environmental Protection Agency WaterSense®-labeled water conserving fixtures or equivalent performing fixtures shall be installed in all residential structures and, as appropriate, in nonresidential buildings and structures.
The covenants, codes, and deed restrictions shall require that only U.S. Department of Energy and U.S. Environmental Protection Agency ENERGY STAR-labeled appliances or equivalent performing appliances shall be installed in all residential structures and, as appropriate, in nonresidential buildings and structures.
11. The developer shall commit to the timing and funding of potable water and nonpotable water projects that are needed to support the Hunters Ridge development by meeting the concurrency requirements of Flagler County.
12. A distribution system for nonpotable water (i.e., stormwater, surface water, and reclaimed water) shall be installed throughout the entire project area for all new development concurrent with development of the project for all land uses within the project (i.e., residential and nonresidential). The nonpotable distribution system shall be developed in parallel to the potable water system and maintained for utilization when sufficient quantities of stormwater, surface water, or reclaimed water are available for irrigation. Irrigation systems installed in the development shall be designed to accept nonpotable water.
13. The stormwater management system shall be designed as a stormwater reuse system, rather than a conventionally designed system, to meet pre- and post-condition requirements and to maximize the amount of surface water that will be available for irrigation needs throughout the development.

Solid Waste

ISSUE # 10: Solid Waste

Solid Waste from the development will be brought to the Tomoka Landfill in Volusia County. The Tomoka Farms Road Landfill, which is just west of Daytona Beach, is projected to have capacity through 2030. A letter from the Volusia County Public Works Department, Solid Waste Division confirms capacity, noting that their analysis was based on a larger amount of proposed entitlements.

Recommendation #10

- (a) Development of the Hunters Ridge DRI shall occur concurrent with provisions of adequate solid waste service meeting the adopted level of service in the Flagler County's Comprehensive Plan. The Hunters Ridge Project shall participate in Flagler County's recycling program.
- (b) Development within the Hunters Ridge DRI or individual phases shall not occur until adequate permitted capacity is verified from the identified service provider or a substitute.

Transportation

ISSUE #11: Phase 1 Impacts to State Roads

The traffic from Hunters Ridge will have a significant and adverse impact on a number of segments on the State Highway system. This regional recommendation report provides for a mitigation plan on State and local government regional roadways for impacts from Phase 1 only. The impacts to the State system will be mitigated through widening of S.R. 40.

For transportation purposes, the DRI Phasing shall be defined based on the following dates and trip thresholds, whichever occurs earlier:

Phase	Buildout Year	Cumulative External PM Peak Hour Trips
Phase 1	2015	2,243
Phase 2	2020	4,179
Phase 3	2025	4,574

The external pm peak hour trips for Phase 1 are to be determined based on the table provided as an exhibit in the D.O. As stated in Recommendation #14, modeling and monitoring studies and corresponding NOPC's will need to be approved prior to entering into Phase 2 and Phase 3.

Recommendation #11A

The Developer shall make a payment of \$450,000 (in 2010 dollars, to be adjusted for inflation to the time of payment) to FDOT no later than October 1, 2013 for a State Environmental Impact Report (SEIR) for the improvements of S.R. 40 from Tymber Creek Road to Williamson Boulevard. In the event that the SEIR is advanced and funded by others, the Developer is still required to make the payment to FDOT by the payment date.

Payments as required by all conditions in the Transportation section shall be adjusted at the time of payment based on change in the Producer Price Index ("PPI") for Highway and Street Construction (published by the U.S. Department of Labor) from and after the year 2010. For reference the April 2010 PPI for Highway and Street Construction was 217.4.

Recommendation #11B

The Developer shall be responsible for payment of \$1,300,000 (in 2010 dollars to be adjusted for inflation to the time of payment) to FDOT no later than October 1, 2014, for the design of the improvement of S.R. 40 from Tymber Creek Road to Williamson Boulevard. In the event that the design is advanced and funded by others, the Developer is still required to make the payment to FDOT by the payment date.

Recommendation #11C

Prior to the issuance of building permits which are projected to generate 1,225 external pm peak hour trips (based on the latest edition of *Trip Generation*, published by the Institute of Transportation Engineers), the Developer shall initiate construction of the six-laning of S.R. 40 between Tymber Creek Road and Williamson Blvd., which shall include all intersection improvements and associated signalization improvements as required by FDOT. This improvement shall be completed within two years of initiating construction.

In the event the Developer seeks to delay the buildout of Phase 1 beyond December 31, 2015, the Developer may be required to pay for the update of the design plans to standards at the time of construction.

In the event that this improvement is constructed by others, the DRI shall be required to reassess its proportionate share mitigation responsibilities through the Notice of Proposed Change (NOPC) process.

Recommendation #11D

The Developer shall provide \$188,766 (adjusted for inflation to the time of payment) for a multi-modal analysis and improvements, including sidewalk/transit improvements for the segment of S.R. 40 between Williamson Blvd. and Nova Road. The payment shall be provided to FDOT no later than October 1, 2014.

ISSUE #12: Phase 1 Impacts to Volusia County Roads

The traffic from Hunters Ridge will have a significant and adverse impact on a number of segments on the Volusia County Highway system. This regional recommendation report provides for a mitigation plan on State and local government regional roadways for impacts from Phase 1 only. There have been a number of meetings and discussions with Volusia County and City of Ormond Beach staff on a mitigation plan that adequately addresses impacts from project traffic on the County roadway system. Based on input from the County's Traffic Engineering staff, the impacts to the County system will be mitigated through widening of Hand Ave.

Recommendation #12

Prior to the issuance of building permits which are projected to generate 848 external pm peak hour trips (based on the latest edition of *Trip Generation*, published by the Institute of Transportation Engineers), the Developer shall initiate construction of the four-laning of Hand Avenue between Shangri La Drive and Clyde Morris Boulevard, which shall include all intersection improvements and associated signalization improvements as required by Volusia County. No permits for any development in Phase 2 shall be issued until this improvement is complete and operational.

ISSUE #13: Phase 2 and Phase 3 Mitigation

The mitigation plan for Hunter's Ridge only addresses development from Phase 1. The future two phases of the DRI will be conditioned upon the completion of a modeling study that identifies traffic impacts from the subsequent phases of the project.

Recommendation #13

The mitigation plan adopted as part of this recommendation report addresses only impacts from Phase 1 of Hunters Ridge. The Hunters Ridge project shall not commence beyond Phase 1 unless the applicant has provided modeling and monitoring studies to be submitted to the NEFRC, ECFRPC, FDOT District 5 Urban Office, Volusia County, City of Ormond Beach and Flagler County. No permits for Phase 2 or Phase 3 of Hunters Ridge will be issued until the D.O. has been amended through the NOPC process or substantial deviation review to include a mitigation plan that addresses traffic from the Phase or sub-phase of analysis.

Air Quality

ISSUE #14: Construction Dust

As necessary the following construction dust control measures shall be undertaken during construction activities throughout buildout of the project.

Recommendation #14

The following dust control measures, as necessary, shall be undertaken during all construction activities throughout buildout of the project:

1. Contractors will moisten soil or use resinous adhesives on barren areas, which shall include, at a minimum, all roads, parking lots, and material stockpiles;
2. Contractors will use mulch, liquid resinous adhesives with hydro-seeding or sod on all landscape areas;
3. Contractors will remove soil and other dust-generating material deposited on paved streets by vehicular traffic, earth moving equipment, or soil erosion;
4. 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 if required by Flagler County Fire Department.

Affordable Housing

ISSUE #15: Affordable Housing

The ECFRPC Methodology analysis does is the mechanism by which affordable housing demand is calculated. This demand is then measured against supply within a 10-mile / 20-minute supply area. This methodology, although accepted as the standard throughout Florida, does not necessarily address the issue from a land use perspective. It is recognized, however, that the analysis did not identify a shortage of affordable housing supply.

Recommendation #15

Five percent (5%) of the dwelling units shall be classified as “workforce housing” units (as hereinafter defined) within the DRI. “Workforce housing” is defined as housing that is “affordable” to a household earning up to 140 percent of the area median income as defined by the Department of Housing and Urban Development (HUD), as updated and published annually in the Federal Register for Flagler County. “Affordable” means that monthly mortgage payments (including taxes and insurance) or monthly rent (including utilities) shall not exceed 30% of gross household income for income-eligible households.

Workforce housing shall be subject to a deed restriction for a period of not less than fifteen (15) years, with Flagler County named as third party beneficiary. The deed restriction language shall be approved by Flagler County.

Fire and Police Protection

ISSUE #16: On-site Fire and Police Station

The Developer has already deeded a site to Flagler County for the purpose of constructing a public safety facility. The location of the property is shown on Map H. The land has been conveyed to Flagler County in accordance with the original D.O. such that it is large enough to accommodate a 6,000 square foot station along with appurtenant site improvements (i.e. parking, drainage and stormwater retention) required by the County.

The site is approximately 6 acres in size. In addition to conveyance of the land for the public safety facility, the Developer, MSTU or community development district shall provide the wetland mitigation necessary to enable the public safety facility and appurtenant improvements to be permitted and constructed.

Recommendation #16

The Developer, in addition to this conveyance of land, will pay Flagler County the cost of constructing the public safety facility at a cost agreed upon by Flagler County not to exceed \$18 million. The Developer will also pay Flagler County for the purchase of two (2) patrol cars. As to fire and ambulance service, the Developer, shall also pay the full cost for a Class 4 Pumper Truck, a Quick Attack Truck and an ambulance. The timing of these payments will be determined by Flagler County.

Recreation and Open Space

ISSUE #17: Provision of On-site Recreation

The current D.O. requires a golf course. The Developer and the County have reached an agreement whereby the Developer will pay the County a fee to relieve themselves of their obligation to provide a golf course. In addition to the removal of this recreation amenity, the Developer will increase their residential entitlements by 955 units.

Recommendation #17

- (a) The Developer shall convey to Flagler County the new Conservation Area containing approximately 2,000 acres to Flagler County for the purpose of creating a regionally significant passive park. In addition, the Developer shall provide a minimum of 22 acres of community and neighborhood parks meeting the Flagler County Comprehensive Plan requirements. The location of the regional park and five of the community recreational facilities/parks are as set forth on Map H.

- (b) Five community facilities/parks containing a minimum of 22 acres shall be constructed by the Developer, MSTU or community development district and may be conveyed to the property owners association or other approved entity upon completion.
- (c) The Developer, a community development district, or a property owners association shall maintain the parks for active recreational uses.
- (d) Any park dedicated to Flagler County shall be accessible to the public at large, and shall not be located within limited access or gated areas controlled by private entities, the property owners association or CDD.

Education

ISSUE #18: Impacts on the Public School System

In a letter dated April 20, 2009, from the Flagler County Public School Board, it is stated that the land that has been conveyed to the School Board pursuant to the existing Development Order conditions should be sufficient to accommodate school land requirements. It is the School Board's intention to construct a K-8 or K-12 school to accommodate children residing in the area. Further, the letter reads, "More children in the area, including within the Hunter's Ridge community, will help create the critical mass needed to adequately support the school that will be constructed. An increase in residential density will further this agenda...."

Recommendation #18

- (a) The Developer shall cooperate with Flagler County and the Flagler County School Board to integrate public sports fields, parks, and other recreational facilities into the design of the school site.
- (b) At the election of the Flagler County School Board, but by no later than the 360th elementary school student, the Developer shall (1) have constructed or cause to be constructed all required school facilities; and (2) have provided all facilities to the Flagler County School Board on a 15-year (or as otherwise agreed upon term), lease-purchase agreement.
- (c) Prior to the issuance of any Certificates of Occupancy, the Developer shall provide the full cost to the Flagler County School Board for the purchase of one (1) 80-passenger school bus.

Energy

Recommendation #19

The covenants, codes, and deed restrictions shall require that only U.S. Department of Energy and U.S. Environmental Protection Agency ENERGY STAR-labeled appliances or equivalent performing appliances shall be installed in all residential structures and, as appropriate, in nonresidential buildings and structures.

Historical and Archaeological Sites

ISSUE #20: Historical and Archeological Sites

The Department of State, Division of Historical Resources (DHR) stated that no properties within the development were recorded in the Florida Master Site Files (FMSF). An archeological survey has been completed at the Shadow Crossing Area of the development. The final outcome of this reports surmises that the discovery of a site of any age on the Shadow Crossing was relatively unlikely given the past hydrologic conditions.

Recommendation #20

Should any regionally significant historical and archaeological resources be discovered in the course of development, the Developer shall immediately notify DHR and Flagler County. No disruption of the findings shall be permitted until the investigation is complete, the Division has rendered a recommendation and a mitigation plan has been agreed upon by the Developer, Flagler County, and DHR.

PROJECT ASSESSMENT

**HUNTER’S RIDGE DEVELOPMENT OF REGIONAL IMPACT
SUBSTANTIAL DEVIATION**

PROJECT ASSESSMENT

I. General Project Description

The project is a modification to the Hunters Ridge DRI, the effect of which removes the requirement for a golf course, and increases both non-residential and residential entitlements. As part of the original Development Order issued in 1991, any development within the pre-designated “Substantial Deviation Area” would require the filing of a Substantial Deviation. The applicant has filed the Substantial Deviation because they are at this time proposing development within the “Substantial Deviation Area.”

The Substantial Deviation increases entitlements as follows: 354 additional single-family units; 601 additional multi-family units; 130,000 square feet of office; 89,940 square feet of retail; and 10,000 square feet of industrial. In total, the Substantial Deviation increases current entitlements by 955 residential units and 229,940 square feet of non-residential.

The following table was created using the information provided under Map F Communities.

#	COMMUNITY	ACREAGE	% OF TOTAL
411	Pine Flatwoods	953.24	24.80%
510	Ditch	23.80	0.62%
524	Lakes < 10 Acres	16.10	0.42%
525	Stormwater Ponds	5.25	0.14%
618	Willow and Elderberry	4.13	0.11%
621	Cypress	852.93	22.19%
624	Cypress-Pine-Cabbage Palm	227.85	5.93%
625	Hydric Pine Flatwoods	1,507.72	39.23%
627	Slash Pine Swamp Forest	78.76	2.05%
740	Disturbed Land	16.39	0.43%
742	Borrow Areas	7.06	0.18%
743	Spoil Areas	4.03	0.10%
814	Graded and Drained	103.15	2.68%
832	Electric Power Transmission Lines	42.84	1.11%
	TOTAL	3,843.25	100.00%

Table: Vegetative Communities and Other Land Uses

II. Vegetation and Wildlife

Preserved areas will contain a subset of all the community types described on Map F, with the exception of the 525 Stormwater community type, which are permitted structures not subject to preservation. A total of 3,046.5 acres is currently proposed for preservation under the current site plan. Approximately 2,550.03 acres of this preserved

area is comprised of regulated wetland communities with hydric pine flatwoods, cypress, and slash pine swamp forest communities comprising 90% of the preserved areas.

Flagler County has expressed a strong desire for development impacts and long-term management of the conservation area to include limited interpretative features consistent with its proposed use as a regional passive recreation park.

A group from the University of Central Florida has issued a quarterly report on “A Reconnaissance Study of Actual and Potential Wildlife Crossing Structures in Central Florida” for the period May, June and July 2009. This report provides evidence gathered from monitoring of several sites, and can be used for specific areas located on or near the Hunter’s Ridge development.

Semi-annual monitoring events are conducted at 5 sites within Hunter’s Ridge. Each is monitored for changes in herbaceous vegetation, canopy, and wildlife usage. Annual reports have been submitted to the SJRWMD dating back to the 1990’s.

A Florida Natural Areas Inventory (FNAI) Biodiversity Matrix Query has been obtained for the project site and adjacent areas on August 17, 2009. The following table of state and federally listed animal species was developed from the FNAI Matrix combined with direct wildlife observations and documented available habitat within the site.

To date, species specific surveys have not been formally conducted for the site or officially coordinated with FFWCC and/or FWS. Species specific surveys will be conducted 90-days prior to land clearing activities of each development/construction phase.

COMMON NAME	GLOBAL RANK	FEDERAL STATUS	STATE STATUS
American Alligator	Demonstrably secure globally	Threatened due to similarity	Species of Special Concern
Eastern Indigo Snake	Very Rare	Threatened	Threatened
Gopher Tortoise	Very Rare	Not Listed	Threatened
Little Blue Heron	Demonstrably secure globally	Not Listed	Threatened
Snowy Egret	Demonstrably secure globally	Not Listed	Threatened
White Ibis	Demonstrably secure globally	Not Listed	Species of Special Concern
Tricolor Heron	Demonstrably secure globally	Not Listed	Species of Special Concern
Southeastern American Kestrel	Demonstrably secure globally	Not Listed	Threatened
Florida Sandhill Crane	Demonstrably secure globally	Not Listed	Threatened
Bald Eagle	Demonstrably secure globally	Not Listed	Not Listed
Wood Stork	Apparently secure globally	Endangered	Endangered
Florida Black Bear	Demonstrably secure globally	Not Listed	Threatened

Table: Listed Faunal Species with Potential to Occur at Hunter’s Ridge

COMMON NAME	GLOBAL RANK	FEDERAL STATUS	STATE STATUS
American Alligator	Demonstrably secure globally	Threatened due to similarity	Species of Special Concern
Florida Scrub-jay	Imperiled globally	Threatened	Threatened
Variable-leaved Indian-plantain	Imperiled globally	Not Listed	Threatened
Many-flowered Grass-pink	Imperiled globally	Not Listed	Endangered

Chapman's Sedge	Very rare	Not Listed	Endangered
Sand Butterfly Pea	Imperiled globally	Not Listed	Endangered
Piedmont Jointgrass	Very rare	Not Listed	Threatened
Large-flowered Rosemary	Very rare	Not Listed	Threatened
Rugel's Pawpaw	Critically imperiled globally	Endangered	Endangered
Gopher Tortoise	Very rare	Not Listed	Threatened
Florida Sandhill Crane	Demonstrably secure globally	Not Listed	Threatened
Chapman's Skeletongrass	Very rare	Not Listed	Not Listed
Southern Hognose Snake	Imperiled globally	Not Listed	Not Listed
Star Anise	Imperiled globally	Not Listed	Endangered
Nodding Pinweed	Very rare	Not Listed	Threatened
Pondspice	Very rare	Not Listed	Endangered
Florida Spiny-pod	Imperiled globally	Not Listed	Endangered
Celestial Lily	Imperiled globally	Not Listed	Endangered
Round-tailed Muskrat	Very rare	Not Listed	Not Listed
Florida Beargrass	Very rare	Not Listed	Threatened
Red-cockaded Woodpecker	Very rare	Endangered	Species of Special Concern
Florida Pine Snake	Apparently secure globally	Not Listed	Species of Special Concern
Giant Orchid	Imperiled globally	Not Listed	Threatened
Florida Mountain-mint	Very rare	Not Listed	Threatened
Gopher Frog	Very rare	Not Listed	Species of Special Concern
Florida Willow	Imperiled globally	Not Listed	Endangered

Table: FNAI Biodiversity Matrix Query Results

Applicant / Owner Commitments

1. The Hunter's Ridge Conservation Area and existing SR-40 wildlife crossings will continue to provide mitigation links for Florida black bear.
2. The applicant proposes to conduct gopher tortoise burrow surveys within suitable habitat as projected development progresses with each construction phase. The applicant's Florida Fish and Wildlife Conservation Commission Authorized Gopher Tortoise Agent will apply for the appropriate conservation permit to relocate species that may be potentially affected by project construction.
3. Mitigation to offset wetland impacts that provide suitable habitat for listed plants and animal species will be provided on-site. The existing Conservation Area, as well as proposed wetland preservation and corresponding upland buffer areas will be placed under conservation easement dedicated to SJRWMD.
4. To date, species specific surveys have not been formally conducted for the site or officially coordinated with FFWCC and/or FWS. Species specific surveys will be conducted 90-days prior to land clearing activities of each development/construction phase.
5. Interpretive features such as trail head kiosks, native vegetation species nameplates, and other signage that identifies significant natural features encountered along the trail network will be installed as appropriate by the County.

III. Wetlands

There are 2,713.60 acres of wetlands within the proposed project site. This comprises ~71% of the proposed project site. Approximately 2,556.29 acres of the on-site wetlands will be improved through preservation under conservation easement (67% of the overall project site). A total of 1,720.27 acres of wetlands will be classified as “wetland enhanced.”

The design of the site plan has incorporated intact corridors for regional wildlife connectivity. This will reduce the project’s impact on the Florida black bear as well as other species, and will connect important regional habitats to other off-site conservation areas.

Currently, there is no reliable historic hydroperiod data available for the site. Seasonal High Water (SHW) elevations have been determined and marked in the field based on visible hydrological and biological indicators. The post-development drainage patterns and design calculations included with each Environmental Resource Permit (ERP) application will show no hydrologic impacts to either on-site or off-site wetlands. This will be accomplished with the use of stormwater ponds located adjacent to the existing wetlands. The stormwater ponds will each have control structures or overflow weirs designed to provide the required water quality treatment volume prior to stormwater runoff being released to any wetland.

The Hunter’s Ridge Proposed Impact Map shows the modified wetland impact areas. Based on the latest site plan, the project will require ~157.31 acres of wetland impacts. Wetland impacts will occur as a result of filling or dredging to achieve final grade design elevations for proper drainage operation of the surface water management system.

A Petition for Formal Wetland Determination is currently under review with SJRWMD.

A specific design for created wetlands, littoral zones, and any appropriate plantings has not been completed.

Applicant / Owner Commitments

1. All proposed wetland preservation areas will be placed under conservation easement dedicated to SJRWMD.
2. The existing hydroperiods will be maintained by appropriate design of the surface water management system. All preserved wetlands will be protected from presumed secondary impacts by providing upland buffers where feasible.
3. Best Management Practices (BMP’s) will be used throughout construction activities to protect proposed wetland and upland buffer preservation areas.

IV. Water

There are no known aquifer recharge areas within the Hunter’s Ridge DRI project.

Appropriate ground and surface water quality parameters have not been established at this time. However, previous DRI approvals did require monitoring of water quality parameters. As part of the current Development Order, an Annual Report with various monitoring requirements is required.

An ERP will be required for each parcel of development. Each application will show the rules criteria for the Tomoka River Hydrologic Basin have been adhered to. Once the conservation easement is recorded for the on-site conservation area, as proposed in the Development Order, sufficient mitigation will be provided to account for impacts to the Tomoka River Riparian Habitat Protection Zone.

Applicant / Owner Commitments

All stormwater ponds will meet or exceed Outstanding Florida Water standards. Twenty-five foot upland buffers are proposed adjacent to development areas in order to lessen any secondary impact from stormwater or sediment. During the construction phase, Best Management Practices will be implemented.

Should the project discharge groundwater, although none is proposed, the requirements of Rule 62-621.300 (2) will be met.

V. Soils

The following two tables have been derived from a Custom Soil Resource Report for Flagler County and Volusia County, and are specific to the soils within Hunter’s Ridge DRI.

FLAGLER COUNTY, FLORIDA (FL035)			
MAP UNIT SYMBOL	MAP UNIT NAME	ACRES IN AOI	PERCENT OF AOI
2	Riviera fine sand	265.20	5.06%
3	Samsula and Hontoon soils, depressional	125.90	2.40%
4	Wabasso fine sand	64.20	1.22%
5	Pineda-Wabasso complex	52.90	1.01%
8	Hicoria, Riviera, and Gator soils, depressional	764.30	14.58%
9	EauGallie fine sand	52.40	1.00%
10	Winder fine sand	172.40	3.29%
12	Placid, Basinger, and St. Johns soils, depressional	33.80	0.64%
14	Pineda fine sand	953.80	18.20%
16	Malibar fine sand	66.40	1.27%
19	Valkaria fine sand	87.80	1.68%
21	Smyrna fine sand	4.50	0.09%
40	Pomona fine sand	1,295.60	24.72%
99	Water	4.30	0.08%
Subtotals for Soil Survey Area		3,943.30	75.24%
Totals for Area of Interest		5,241.30	100.00%

Table: Flagler County Soils

VOLUSIA COUNTY, FLORIDA (FL127)			
MAP UNIT SYMBOL	MAP UNIT NAME	ACRES IN AOI	PERCENT OF AOI
1	Apopka fine sand, 0-5 percent slope	0.10	0.00%
8	Basinger fine sand, depressional	48.80	0.93%
19	Deland fine sand, 0-5 percent slope	5.50	0.10%
22	Electra fine sand, 0-5 percent slope	29.40	0.56%
23	Farmton fine sand	85.10	1.62%
24	Fluvaquents	13.00	0.25%
27	Hontoon mucky peat	41.20	0.79%
29	Immokalee sand	1.30	0.02%
31	Malabar fine sand	49.90	0.95%
32	Myakka fine sand	65.10	1.24%
45	Pineda fine sand	90.80	1.73%
48	Placid fine sand, depressional	1.30	0.02%
49	Pomona fine sand	373.90	7.13%
50	Pomona fine sand, depressional	24.20	0.46%
51	Pomona-St. Johns complex	100.20	1.91%
55	Riviera fine sand	3.80	0.07%
56	Samsula muck	66.90	1.28%
59	Scoggin sand	69.40	1.32%
60	Smyrna fine sand	6.00	0.11%
61	St. Johns fine sand	0.70	0.01%
63	Tavares fine sand, 0-5 percent slope	6.90	0.13%
64	Tequesta muck	12.50	0.24%
75	Wauchula fine sand	192.20	3.67%
76	Wauchula fine sand, depressional	2.80	0.05%
99	Water	6.80	0.13%
Subtotals for Soil Survey Area		1,297.70	24.76%
Totals for Area of Interest		5,241.30	100.00%

Table: Volusia County Soils

No known dunes, bluffs, sinkholes, springs, steep heads, or other unique geologic features are known to exist within the project area.

In general, the proposed development areas will require fill to facilitate proper drainage to the stormwater management system.

Applicant / Owner Commitments

1. Stabilization of fill areas will be achieved with sodded side slopes and/or retaining walls to minimize wetland impact where practical.
2. Fill material will be obtained using on-site sources such as the proposed stormwater ponds and several borrow pits. Overburden will be rough screened and used as stabilization material for side slopes where the fill will not be required to support structures.

3. Overburden will also be used where appropriate to provide substrate for littoral zones in the wetland creation areas; however these designs have not been completed.
4. Erosion control fencing and staked hay bales will be used during construction and site preparation to prevent erosion.

VI. Floodplains

FEMA flood zone information is shown on Map C. All areas of the project are designated to be in Flood Zone X, except for a small area in the northwest corner of the conservation area. Flood Zone X is considered to be outside of the special flood hazard area, while Flood Zone A identifies areas of the 100-year flood where the flood elevation has not been determined.

The proposed stormwater management system will be designed to store the increase in runoff volumes generated by the development of the project.

Applicant / Owner Commitments

1. No development will occur within the 100-year flood prone area.
2. Wet detention ponds will be used in conjunction with the existing storage of on-site wetlands to provide the capacity required to prevent any increases in off-site flooding.

VII. Water Supply

Demand information, as well as the source of potable water is the City of Ormond Beach. Hunter's Ridge has been using water wells owned by the City of Ormond Beach since 1991. All operation, maintenance, and stormwater conservation requirements are handled by the City of Ormond Beach and meet municipal standards.

In a letter dated March 24, 2010, from the City of Ormond Beach Public Works Department, the anticipated demand for water and wastewater services are 835,400 gpd and 757,900 gpd respectively. This analysis was based on an increase of 1,281 residential units and 229,940 square feet of commercial. **Note:** residential units has since been reduced to 955 units.

In its analysis, based on the original number of increase residential and commercial entitlements, the City of Ormond Beach asserts that there is sufficient capacity for both water and wastewater facilities to service the development. Therefore, there is capacity to serve the development with the substantially fewer entitlements being sought.

Applicant / Owner Commitments

1. Stormwater will be used as a non-potable water source where practical.
2. Stormwater will be used as an alternate source for irrigation where practical.
3. The applicant is prepared to incorporate conservation methods into the development after consultation with the appropriate local and state representatives. Prior to any firm commitment, Hunter's Ridge wants to gain a complete understanding of the local and state measures contemplated and the protocol required to implement same.
4. Local and State conservation measures, including WaterStar, are anticipated to be undertaken as part of the Hunter's Ridge development in the Substantial Deviation area.
5. Hunter's Ridge will be required to make the following improvements to the City's potable water distribution system:
 - 12" water main extension along Airport Road from Hunter's Ridge Blvd. to SR 40.
 - 16" water main extension along SR 40 from Shadow Crossing Blvd. to Airport Road with connection to the 12" water main extension required along Airport Road.

VIII. Wastewater Management

Off-site treatment of wastewater will be handled by the City of Ormond Beach. Ormond Beach has an active reuse program but is not certain of its ability to provide reuse water to Hunter's Ridge. Development in Hunter's Ridge, up to this point, has included "dry" reuse lines to accommodate reuse water should it become available.

Water and wastewater for the development will be provided by the City of Ormond Beach. In a letter dated March 24, 2010, from the City of Ormond Beach Public Works Department, the anticipated demand for water and wastewater services are 835,400 gpd and 757,900 gpd respectively. This analysis was based on an increase of 1,281 residential units and 229,940 square feet of commercial. **Note:** residential units have since been reduced to 955 units.

Accompanied in this element is a resolution authorizing the execution of a retail water and wastewater service agreement between the Hunter's Ridge Development, Flagler County and the City of Ormond Beach.

There is also a Hunter's Ridge Water and Wastewater Settlement Agreement.

Applicant / Owner Commitments

1. Both domestic and industrial wastewater is anticipated. The requirements of Chapter 2, Article II of the City of Ormond Beach Code of Ordinances will be met.
2. No septic tanks will be used within the development as the project will be served by the City of Ormond Beach central sewer system.

IX. Stormwater Management

Natural runoff from the Hunter’s Ridge project area generally flows from the north to the south, ultimately draining to the Little Tomoka River. Many of the existing wetland systems are drained or bypassed by ditches, which collect and convey the stormwater runoff to the Hull Creek Canal or to other streams and channels that discharge directly into the Little Tomoka River.

The Pre-Development Drainage Map (I-a) shows that the development area has been divided into four (4) main drainage basins. The following table lists each existing drainage basin area and outfall location. Each of the outfall locations ultimately conveys the runoff into the Little Tokoma River. Historically, the existing system has performed with no extensive flooding or erosion.

DRAINAGE BASIN	AREA (acres)	OUTFALL LOCATION
1a	539.55	Hull Creek
1b	12.29	Hull Creek
1c	38.5	Hull Creek
2a	223.69	Tributaries of Little Tokoma
2b	9.64	Tributaries of Little Tokoma
2c	60.98	Tributaries of Little Tokoma
3	575.05	Groover Branch
4a	15.58	Little Tokoma
4b	1.91	Little Tokoma

Table: Drainage Basin Area and Outfall Locations

The stormwater management system will make use of the wet detention ponds that will provide the storage necessary for the increased runoff generated by the development.

Post-development stormwater runoff will be conveyed to wet detention ponds strategically located throughout the project. The ponds will provide the necessary storage and water quality treatment volume prior to any discharge of stormwater into onsite wetlands or outfall systems to the Little Tokoma River.

Conveyance of the stormwater runoff to wet detention ponds will be accomplished by a system of inlets and underground storm sewer pipes. This “closed” stormwater collection

system will be used for a majority of the development; however, there may be some areas where an “open” swale system will be used.

Impervious areas within each drainage basin were calculated using the following assumptions:

- Low Density Residential (0.58 – 3.3 DUA) - 40% Impervious
- Medium Density Residential (6.5 DUA) - 64% Impervious
- High density Residential (15 DUA) - 80% Impervious
- Apartment Sites - 80% Impervious
- School Site - 65% Impervious
- Commercial/Industrial Sites - 80% Impervious

Development of the Hunter’s Ridge project area will result in approximately 84 acre-feet of additional stormwater runoff volume for the 25 year – 24 hour storm event. The stormwater management ponds will be designed to release this additional runoff at a peak discharge rate that is equal to or below the calculated predevelopment peak rate of discharge.

Applicant / Owner Commitments

1. The proposed stormwater management system will be designed and constructed in accordance with all federal, state and local regulatory requirements. This also includes any Federal criteria for dredging and filling of wetlands regulated by the Army Corps of Engineers (ACOE).
2. Control structures and overflow weirs will be designed to limit discharge rates, provide the required treatment volume, and control the normal water elevation of each pond.
3. Skimmers will be used on all control structures to trap any oils, greases, and any other floatables prior to stormwater discharge.
4. A site specific erosion and sediment control plan will specify the Best Management Practices (BPM’s) required to control stormwater pollution during construction.
5. The applicant will conduct stormwater treatment and drainage model studies to provide reasonable assurance that the proposed surface water management system will not result in adverse hydrologic impacts to any on- or off-site wetlands.

X. Solid Waste/Hazardous Waste/Medical Waste

The Hunter’s Ridge project area will not contain laboratories, storage facilities, and warehouse space where hazardous materials may be generated or utilized.

A letter from Volusia County Solid Waste Division, to which is attached the Solid Waste Division Engineer’s record document, certifies that the Tomoka landfill has adequate disposal capacity for development remaining within projected population growth levels through June 2014. Future landfill disposal areas on site have been identified to provide disposal capacity through 2052.

Applicant/Owner Commitments

None.

XI. Transportation Resource Impacts

Traffic from the Hunter’s Ridge DRI will affect a number of regional roadway segments on the State and County highway networks in the City of Ormond Beach and unincorporated Volusia County. The traffic analysis determines the impacts to roadway segments resulting from development of this project, and the improvements necessary to maintain or attain the levels of service standards. Because traffic from the project impacts roadway segments outside of the region, the NEFRC staff has worked closely with Volusia County and Ormond Beach staff, as well as FDOT, to ensure that the mitigation plan adequately addresses multi-jurisdictional impacts. The following discussion will focus on transportation issues associated with this project and form the basis for all transportation recommendations necessary to balance project impacts.

Primary Impact Area and Existing Conditions

The Hunter’s Ridge DRI is a multi-use development that was approved in 1991. As part of the settlement of the DCA appeal of the D.O., an area in Hunter’s Ridge was established as a Substantial Deviation Area (SDA), with substantial deviation review required prior to any development (other than a golf course) being permitted on the site. The application for development approval addresses mixed use development consisting of retail, office, and residential land uses. The substantial deviation review needs to consider the cumulative impact of all development; therefore the development table includes approved and proposed development on the entire site. The applicant is proposing to develop the portion of Hunter’s Ridge in Flagler County in three phases according to the following project development schedule:

Land Use	Phase 1 (2014)	Phase 2 (2019)	Phase 3 (2024)	Build-out (2024)
Single-family	593 units	712 units	344 units	1649 units
Multi-family	482 units	526 units		1008 units
Office	100,000 s.f.	104,000 s.f.	70,000 s.f.	274,000 s.f.
Retail	123,512 s.f.	64,008 s.f.		187,520 s.f.
Light Industrial	104,732 s.f.	74,732 s.f.	64,056 s.f.	243,420 s.f.

The impact area for Hunter's Ridge was determined based on those roadway segments where project traffic would have a substantial impact (greater than 5% of the LOS standard). The regional roadways, as seen in the Map Series incorporated in the ADA on Map J, within the impact area expected to be impacted by project traffic to some degree include but are not necessarily limited to:

- I-95: S.R. 421 to U.S. 1
- U.S. 1: 6th St. to S.R. 5A
- U.S. 92: LPGA Blvd. to I-95
- S.R. 5A (Nova Rd.): 10th St. to U.S. 40
- Clyde Morris Blvd.: S.R. 40 to U.S. 92
- S.R. 40: U.S. 17 to John Anderson Dr.
- Airport Rd.: S.R. 40 to U.S. 1
- Hand Ave.: Spring Meadows Dr. to Orchard St.
- LPGA Blvd.: U.S. 92 to Clyde Morris Blvd.
- Tymber Creek Rd.: S.R. 40 to Broadway Ave.
- Williamson Blvd.: S.R. 40 to LPGA Blvd.

Existing conditions on the roadways in the study area were found using the adopted comprehensive plans and concurrency systems for the City of Ormond Beach, City of Daytona Beach, City of Holly Hill, and Volusia County. LOS designations for FDOT roads on the Strategic Intermodal System were obtained from FDOT. Minimum LOS standards were also taken from the concurrency management system database table, which are based on the adopted standards from the City's and Counties' Comprehensive Plans.

Planned and programmed improvements included in the analysis were those included in the FDOT Five-Year Work Program (FY 09/10 through 14/15), or the Capital Improvements Programs of the Cities and Volusia County. Only those roadway improvements defined as commitments consistent with the DCA Transportation Rule were allowed in the analysis.

Project Trip Generation

Trip generation for the project was estimated using the trip generation rates and equations from the ITE Trip Generation Manual, 8th Ed. Using the trip generation data from the Trip Generation Manual, the applicant estimated that the project will generate a total of 58,362 daily trips, and a total of 5,790 p.m. peak hour trips. The proposed project is a mix of non-residential and residential development, which will provide for the internal capture of trips within the project boundaries between uses. The applicant estimated that approximately 25% of the total project trips in the p.m. peak hour will be internal to the project, and applied that percentage to the total estimate, adjusting the total number of trips to calculate those trips that will actually impact the roadways within the impact area. The applicant estimated that the project will generate a total of 4,342 p.m. peak hour external trips. Further adjustments were made to account for a decrease in the number of

trips due to a reduction in size of the amount of development to be allowed within the substantial deviation area. The analysis reflects the decrease in project trips.

Future Non-Project Traffic

Future phase background traffic growth was derived from the Central Florida Regional Planning Model (CFRPM) projections. The S/E data was modified to include the project, as well as a number of other DRIs in the development area. Future phase background growth was derived from CFRPM projections, except on roadway segments where alternative rates were used due to unexplained growth in volumes with no corresponding growth in S/E data. In all cases, an annual growth rate of no less than one percent was used.

Trip Distribution and Assignment

Project traffic was determined by applying internal capture rates reported by the model to the ITE trip generation matrices and then assigning these trips according to the trip distribution pattern determined by the CFRPM.

Project Impacts

The Department of Community Affairs' Transportation Uniform Standard Rule (Rule 9J-2.045, F.A.C.) states that a regionally significant roadway shall be determined to be significantly impacted if, at a minimum, traffic from the project will utilize five percent or more of the adopted level of service maximum service volume and the roadway will be operating below the adopted level of service standard. The proportionate share for Governors Park was calculated for each roadway segment which was operating below the adopted LOS standard and which was significantly impacted by project development.

Roadway Improvement Needs

I-95: Beville Road to U.S. 92	Widen from 8 to 10 lanes
LPGA Blvd. to S.R. 40	Widen from 8 to 10 lanes
S.R. 5A: LPGA Blvd. to Hand Ave.	Widen from 6 lanes to 8 lanes
S.R. 40: U.S. 17 to Buckskin Lane	Widen from 2 lanes to 4 lanes
Tymber Creek Rd. to U.S. 1	Widen from 4 lanes to 6 lanes
Airport Rd.: Tymber Creek Rd. to Ocean Pine	Widen from 2 lanes to 4 lanes
Hand Ave.: Clyde Morris Blvd. to Shangri La	Widen from 2 lanes to 4 lanes
LPGA Blvd.: International Golf to Tournament	Widen from 2 lanes to 4 lanes
Mason Ave.: Williamson to Fentress	Widen from 2 lanes to 4 lanes
Tymber Creek Rd.: S.R. 40 to Tymber Run	Widen from 4 lanes to 6 lanes
Peruvian to Airport	Widen from 2 lanes to 4 lanes
Williamson Blvd.: S.R. 40 line to Midpoint	Widen from 4 lanes to 6 lanes
Hand Ave. to LPGA Blvd.	Widen from 2 lanes to 4 lanes

Impact Mitigation

As indicated by this analysis, project traffic from the Hunters Ridge Substantial Deviation DRI will have a substantial impact on a number of regional roadway segments in Volusia County and the City of Ormond Beach. Transportation conditions are incorporated in the recommendation portion of this assessment report which assure that development does not occur unless mitigation measures are adopted which ensure traffic impacts are adequately mitigated pursuant to Section 9J-2.0245, F.A.C., the Department of Community Affairs Transportation Uniform Standard Rule, and the Northeast Florida Strategic Regional Policy Plan (SRPP).

Chapter 163, Florida Statutes, F.S., allows DRIs such as Hunters Ridge the option of pipelining its impacts to satisfy a local government's concurrency requirements. S.163.3180(12), F.S., provides certain requirements that must be met in order for a DRI to satisfy local government concurrency requirements and s.380.06, through payment of a proportionate share. Unlike before, the County is not required to adopt a comprehensive plan amendment to allow the DRI developer to avail himself of this pipelining option. The mitigation plan proposed in the recommendation report is a pipelining plan for only Phase 1 of the project. The applicant will be required to model and monitor the conditions in Phases 2 and 3, and submit the analysis for review to the appropriate reviewing agencies. The D.O. will then be amended to include a mitigation plan for the two subsequent phases.

In general, the improvements proposed for Phase 1 in the Council's recommendation report are as follows:

- a. Improvements to S.R. 40 between Tymber Creek Road and Williamson Blvd.

The developer will be responsible for the six-laning of S.R. 40 between Tymber Creek Road and Williamson Blvd. The environmental study and design work shall also be required to be done by the developer.

- b. Improvements to Hand Ave.

The Hand Ave. improvement will help to alleviate traffic on the segment of S.R. 40 between Williamson Blvd. and S.R. 5A. Within Phase 1, the developer will be responsible for the construction of the improvement of Hand Ave.

XII. Air Quality

The provisions for Air Quality currently required in the Development Order stipulate that air modeling be accomplished for indirect sources by using guidelines adopted by local and state agencies. It also requires additional monitoring if the traffic modeling is under-predicted by 15% or more.

Applicant/Owner Commitments

The applicant proposes to adhere to the same standards and guidelines as all other development that has occurred outside of Substantial Deviation property.

XIII. Housing

The Substantial Deviation increases entitlements as follows: 354 additional single-family units; 601 additional multi-family units; 130,000 square feet of office; 89,940 square feet of retail; and 10,000 square feet of industrial. In total, the Substantial Deviation increases current entitlements by 955 residential units and 229,940 square feet of non-residential.

The applicant will be selling 100% of the lots without constructed dwelling units. The only improvements made regarding lots may be associated with infrastructure deemed necessary to provide service to a subdivision ingress/egress.

The target market for the residential development is 45% retirees (1,153 varying unit types) and 55% families (1,409 varying unit types). Marketing as second or vacation homes is undetermined at this time.

The project proposes to create employment opportunities onsite through the approval and development of an industrial park that will cater to the medical, light industrial, professional employer.

Applicant / Owner Commitments

None.

XIV. Police and Fire Protection

The Fire Chief, Don Petito, has stated in a memo that “the agreement for the DRI states that the station be constructed prior to any building certificates of occupancy other than the golf course permanent clubhouse in Flagler County.” Additionally, the agreement states “that a pumper truck be supplied by the DRI prior to any building certificates of occupancy other than the golf course permanent clubhouse in Flagler County.” The remaining agreement says “that a Rescue Ambulance be supplied by the DRI upon the completion of 50 D.U. in Flagler County.”

The Flagler County Sheriff, Donald Fleming, has stated “upon review of the development plans for Hunter’s Ridge located in southern Flagler County, the Flagler County Sheriff Office is unable to provide any services to this development absent a direct route into the area from Flagler County. We are unable to commit resources that are required to travel out of county to service the residents of Hunter’s Ridge.”

Applicant / Owner Commitments

A Special Warranty Deed was issued on April 5th, 2007. This deed set aside land for emergency response. The developer has stated that discussions are underway between the City of Ormond Beach and Flagler County to facilitate and Agreement that would provide “First Response” mutual aid service by the City until Flagler resources arrive on the scene.

XV. Recreation and Open Space

The original Development Order and Master Plan have been modified to reflect a recreational program more consistent with the policies of local government, Flagler County and the City of Ormond Beach, for this area of their communities. Specifically, a regional significant, passive park is now proposed within the Hunter’s Ridge Conservation Area. The development of residential properties contiguous with the Regional Park acreage will include strategically located paths for direct access to the Regional Park by Hunter’s Ridge residents as well as the general public. Attached to this element is an approved Agreement regarding the construction of the Golf Course within the HR community. The Agreement, between Flagler County and the Developer, stipulates that the Developer is no longer obligated to construct a golf course but now has the option to do so at his discretion and subject to development permitting.

Applicant / Owner Commitments

In order to maintain level of service standards, active recreation facilities are proposed on approximately 22 acres spread over five (5) different land parcels. Additionally, a 2,000 conservation area is being provided.

XVI. Education

Based on these estimates, Flagler County Public Schools issued a letter to the developer stating that the School Board plans to construct a K-8 or K-12 school to accommodate the children residing in the area. Until the project realizes an appropriate number of students, the School Board anticipates busing the students in and around Hunter’s Ridge to other, existing schools.

Applicant / Owner Commitments

A Special Warranty Deed between Hunter’s Ridge and the Flagler County School Board for a school site is included in the Application for Development Approval.

XVII. Health Care

The Substantial Deviation will result in an increase in residential entitlements of 955 units. In a letter to the applicant, Florida Hospital Memorial Medical Center states that they have the capacity to serve the Development.

Applicant / Owner Commitments

None.

XVIII. Energy

The Developer has included a letter from Florida Power and Light Company. The letter states “this is to confirm that FPL intends to provide electric service to the above captioned property. This service will be furnished in accordance with applicable rates, rules and regulation.”

Applicant / Owner Commitments

None.

XIX. Historical and Archeological Sites

This element contains a letter from the Florida Division of Historical Resources. It states “after a reevaluation of our files (1988-1997) concerning this project it is clear that in 1988 the Division of Historical Resources determined that the Hunter’s Ridge DRI tract was unlikely to contain regionally significant archeological sites, and development could proceed without further involvement with this office.”

Additionally, an archeological survey has been completed at the Shadow Crossing Area of the development. The final outcome of this reports surmises that the discovery of a site of any age on the Shadow Crossing was relatively unlikely given the past hydrologic conditions.

Applicant / Owner Commitments

None.

AGENCY COMMENTS



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FLORIDA DEPARTMENT OF STATE

Dawn K. Roberts

Interim Secretary of State

DIVISION OF HISTORICAL RESOURCES

Northeast Florida
Regional Council

Mr. Sam Merrill
Hunter's Ridge Residential Golf Properties, Inc.
1275 W. Granada Boulevard, Suite 5A
Ormond Beach, Florida 32174

June 8, 2010

RE: DHR Project File Number: 2010-02568/ Received by DHR: March 30, 2010
Development of Regional Impact – Sufficiency Response #2
Hunter's Ridge DRI
Flagler & Volusia Counties

Dear Mr. Merrill:

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

The Hunter's Ridge DRI property was surveyed (DHR No.: 1988-00080). The results of this survey indicate that no cultural resources eligible for listing in the National Register of Historic Places or otherwise of regional significance are located within the tract. It is the opinion of this agency that it is unlikely that significant cultural resources will be affected by this development. Therefore, it is our decision at this time that Question 30 is adequately addressed, and we have no further comments to provide unless project parameters change to add acreage to the original project area.

For any questions concerning our comments, please contact Michael Hart, Historic Site Specialist, by electronic mail mrhart@dos.state.fl.us, or by phone at 850.245.6333. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

Laura A. Kammerer
Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

Xc: Edward Lahman/ Northeast Florida Regional Planning Council

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

Director's Office
850.245.6300 • FAX: 245.6436

Archaeological Research
850.245.6444 • FAX: 245.6452

Historic Preservation
850.245.6333 • FAX: 245.6437



St. Johns River Water Management District

Kirby B. Green III, Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

June 15, 2010

Mr. Ed Lehman
Director of Transportation and Community Development
Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216

Subject: Hunters Ridge Development of Regional Impact (DRI)
Second Sufficiency Response and Recommended Development Order Conditions

Dear Mr. Lehman:

St. Johns River Water Management District (District) staff have reviewed the above-referenced second sufficiency response for the Hunters Ridge DRI Application for Development Approval (ADA). District staff recommend the following conditions for the Hunters Ridge DRI development order:

Water supply and conservation

1. All available lower-quality sources of water, including stormwater, surface water, and reclaimed water, must be distributed for use or used throughout the project in place of higher-quality water sources, when deemed feasible, and pursuant to District rules and applicable state law. Stormwater, surface water, and reclaimed water shall be maximized as nonpotable water sources for irrigation.
2. In addition to transportation infrastructure, any land use conversion shall also be based on potable water usage and the availability of potable water supply and related facilities.
3. Any wells no longer in use within the DRI boundary shall be properly plugged and abandoned in accordance with District rules and regulations. Any existing, active wells for which the District has issued a CUP may continue to be used only in accordance with the respective CUP. Any change in use of the wells is subject to the approval of an appropriate CUP.
4. Multifamily residential units shall use submeters for potable water.
5. Single-family residences and nonresidential units shall have separate meters for potable and nonpotable water.
6. Best management practices cited by the University of Florida in the Institute of Food and Agricultural Sciences' *A Guide to Florida-Friendly Landscaping* shall be followed for

GOVERNING BOARD

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			John A. Miklos ORLANDO

landscape installation, irrigation, and fertilizer and pesticide applications. These best management practices include:

- a. Landscape design that minimizes the impacts of fertilizer applications
 - b. Preferred plant materials
 - c. Appropriate type of fertilizer to avoid the release of excess nutrients
 - d. Rate and frequency of fertilizer and pesticide applications
 - e. Watering schedules consistent with the District's landscape irrigation rule
 - f. Design and maintenance of drainage control systems
7. A waterwise approach shall be used throughout the landscaped areas of the development. Irrigated turf grass shall not exceed 60% of the landscaped area (except for active play areas and parks) and site-appropriate plant species shall be used in landscaped areas. Landscaped area is defined as any pervious area within the proposed development that will be altered due to the development, exclusive of pervious areas within wetlands, wetland buffers, vegetative buffers between land uses, stormwater systems, and required preservation areas. Refer to the District's *Waterwise Florida Landscapes*, available online at floridaswater.com/waterwiselandscapes, or other comparable guides.
8. Separate irrigation zones shall be required for turf and non-turf areas throughout all land uses (residential and nonresidential) to avoid irrigation of landscaped beds when irrigating the turf zone(s). Landscaped beds shall not be irrigated using high-volume irrigation systems. All irrigation systems shall use a rain shutoff device, such as a rain sensor or soil moisture sensor (per *Florida Statutes*), to override unnecessary irrigation events.
9. All DRI-related construction shall meet, at a minimum, Florida Water StarSM design standards, in accordance with the Northeast Florida Regional Council's policy approved on February 7, 2008.
10. The covenants, codes, and deed restrictions shall require that only U.S. Environmental Protection Agency WaterSense®-labeled water conserving fixtures or equivalent performing fixtures shall be installed in all residential structures and, as appropriate, in nonresidential buildings and structures.
- The covenants, codes, and deed restrictions shall require that only U.S. Department of Energy and U.S. Environmental Protection Agency ENERGY STAR-labeled appliances or equivalent performing appliances shall be installed in all residential structures and, as appropriate, in nonresidential buildings and structures.
11. The developer shall implement the water conservation practices described in the ADA and subsequent sufficiency responses. These practices that result in water conservation and best management practices to conserve water and to maintain water quality.

Potable and nonpotable water infrastructure

12. The developer shall commit to the timing and funding of potable water and nonpotable water projects that are needed to support the Hunters Ridge development.

13. A distribution system for nonpotable water (i.e., stormwater, surface water, and reclaimed water) shall be installed throughout the entire project area concurrent with development of the project for all land uses within the project (i.e., residential and nonresidential). The nonpotable distribution system shall be developed in parallel to the potable water system and maintained for utilization when sufficient quantities of stormwater, surface water, or reclaimed water are available for irrigation. Irrigation systems installed in the development shall be designed to accept nonpotable water.

Stormwater management

14. The stormwater management system shall be designed as a stormwater reuse system, rather than a conventionally designed system, to meet pre- and post-condition requirements and to maximize the amount of surface water that will be available for irrigation needs throughout the development.

Please be advised that this letter does not substitute for or constitute permit review. We appreciate the opportunity to provide recommendations for the Hunters Ridge DRI ADA.

Sincerely,



Jeff Cole, Director
Office of Communications and Governmental Affairs

JC/sf

cc: Sam Merrill, Hunter's Ridge Residential Golf Properties, Inc.
Richard Goss, City of Ormond Beach
Adam Mengel, Flagler County
Jeannette Hallock-Solomon, Florida Department of Community Affairs
Kraig McLane, St. Johns River Water Management District
Geoff Sample, St. Johns River Water Management District



Volusia County
Traffic Engineering

Project Name: Hunter's Ridge DRI Substantial Deviation – 2nd Sufficiency Submittal
Subject: Sufficiency Responses and Proportionate Share Proposal - Comments
Date: August 25, 2010

Comments

We accept the Reduced Land Use Plan and Phase 1 Re-analysis, as submitted via email on July 18, 2010. Accordingly, the applicant has submitted a proportionate share proposal that includes the following improvements:

- a. SR 40 (Tymber Creek Road to Williamson Blvd) 6-laning
Developer funds & completes construction prior to Phase 2 commencement
- b. Hand Ave (Shangri La Dr to Clyde Morris Blvd) 4-laning
Developer funds & completes construction prior to Phase 2 commencement
- c. Sidewalk coverage & Transit amenities Study for SR 40

Please be advised that we are supportive of all the proposed mitigation projects; however, with regard to the Hand Avenue 4-laning project we have the following minor changes that we would like addressed prior to the drafting of the development order and subsequent impact fee agreement:

- 1) Hand Avenue Revised Cost Estimate: The applicant has submitted a cost estimate for the Hand Avenue segment between Shangri La Drive and Clyde Morris Blvd in the amount of \$1,463,098. Volusia County Engineering and Construction has provided a detailed cost estimate for the same segment in the amount of \$1,713,031. (Cost difference: \$249,933) Please revise the proportionate share calculation using the new cost estimate, which is attached.
- 2) Hand Avenue Phase 1b Proportionate Share calculation: Please revise the proportionate share percentage for 46 trips and a 927 capacity increase to show 4.96% instead of 1.68%
- 3) Williamson Blvd (Hand Ave to Strickland Range & Strickland Range to LPGA Blvd) Phase 1b Proportionate Share calculations: Please revise the proportionate share percentage for 125 trips and a 927 capacity increase to show 12.86%



Volusia County
Traffic Engineering

instead of 12.88%. Although this is very minor, it may have an impact with regard to impact fee crediting by Volusia County.

- 4) Approval to Pipeline from State Facilities: Considering the minor adjustments in proportionate share percentages and the application of the higher cost estimate contained in comments 1 through 3, our proportionate share calculation for Hand Ave and Williamson Blvd are as follows:

Williamson Blvd	\$1,286,000
Hand Ave	\$84,966
TOTAL	\$1,370,966

Overall, the county facility proportionate share total is \$1,370,966 according to our calculations vs. \$1,356,379 as calculated by the applicant. Because the revised cost estimate is \$1,713,031, pipelining from state facilities will need to occur in the amount of \$342,065. Please confirm that FDOT is agreeable to this.

- 5) Hand Avenue Project Completion Timing: Because the Hand Avenue project is needed to support trips generated by Phase 1, we would like the developer commit to completing this construction by the end of Phase 1b instead of prior to the commencement of Phase 2.



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

133 S. Semoran Boulevard
Orlando, Florida 32807

STEPHANIE C. KOPELOUSOS
SECRETARY

August 27, 2010

Mr. Edward Lehman
Director of Planning and Development
Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216

SUBJECT: Hunters Ridge Development of Regional Impact (DRI)

Dear Mr. Lehman:

In the time since the Hunters Ridge DRI declared that they were sufficient, the Florida Department of Transportation has been working closely with the applicant to resolve various issues related to external trip generation, project traffic assignment, proportionate share amount and the mitigation of the DRI's external impacts.

A revised analysis was provided by the applicant in support of a new approach with an application for approval of Phase 1 only, with monitoring and modeling required prior to Phase 2. The applicant submitted revised tables as documentation of the revised analyses. Following various meetings and coordination efforts, a revised mitigation plan was provided by the applicant via email on August 8, 2010. Though FDOT and the Applicant have not reached full agreement on the impacts and calculation of proportionate share, it is FDOT's position that this revised mitigation plan is generally consistent with FDOT's assessment of impacts. In summary, FDOT and the applicant agree that mitigation of the DRI's Phase 1 impacts should consist of the developer constructing SR 40 as a 6-lane facility from Tymber Creek Road to Williamson Boulevard and performing a study of multimodal conditions along SR 40 in the City of Ormond Beach. To accomplish these improvements, FDOT recommends the following:

The developer should be required to enter into a Proportionate Share Agreement with FDOT and this agreement should be referenced in and attached to the Development Order. The Proportionate Share Agreement should include the following, with additional specific details to be included.

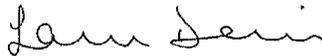
- SR 40 – Tymber Creek to Williamson: Developer to make a payment to FDOT by December 31, 2010 for a State Environmental Impact Report (SEIR) in the amount of \$450,000.
- SR 40 – Tymber Creek to Williamson: Developer to make a payment to FDOT by December 31/2011 for Design of the improvement.
 - FDOT is developing a cost estimate for the Design. The cost will be identified in the Proportionate Share Agreement between the Developer and FDOT.

- SR 40 – Tymber Creek to Williamson: Developer to complete construction of 6-laning prior to December 15, 2015, to include intersection improvements and associated signalization improvements.
 - This date is reflective of the end of Phase 1.
 - It is reasonable to include language in the Proportionate Share Agreement that describes the relationship of this date to the buildout date of Phase 1.
- SR 40 – Williamson Boulevard to Nova Road: Developer to provide multimodal analyses and improvements with a value of \$188,766, to be completed by December 31, 2012.
 - The scope of this commitment must be identified to ensure that the value of the commitment is consistent with the identified cost.
 - This commitment may include an assessment of the corridor and construction of sidewalk/transit improvements.

If the Department's recommendations are acceptable to all the parties involved, the Department can support the approval of the DRI and is ready to develop a proportionate share agreement with the developer. FDOT will assist with Development Order language as needed.

We appreciate the opportunity to participate in this process and if you have any questions, please contact me at your earliest convenience at (407) 482-7863 or email at lance.decur@dot.state.fl.us or Jon Weiss at (407) 482-7881, or by e-mail jon.weiss@dot.state.fl.us.

Sincerely,



Lance Decuir, P.E.
Project Manager



Volusia County
Traffic Engineering

Project Name: Hunter's Ridge DRI ADA Substantial Deviation
Subject: Hand Avenue Mitigation Project - comments
Date: October 6, 2010

No.	Comments
1	<p>Hand Avenue Mitigation (Clyde Morris Blvd to Shangri La Drive)</p> <p>Because the County desires to have an anticipated date of project completion for inclusion in the County's Concurrency Management System plan, construction of Hand Avenue between Clyde Morris Blvd and Shangri La Drive should commence once the external 2-way peak hour trips from Phase 1 reach the 5% significance threshold on SR 40 between Williamson Blvd and Clyde Morris Blvd (i.e., total of 848 2-way peak hour external trips of which 178 2-way peak hour trips impact SR 40 between Williamson Blvd and Clyde Morris Blvd). The anticipated date is anticipated no later than 2015 or the end of Phase 1, but could be subject to change if the DRI phase time lines are adjusted in the future through the DRI process. The methodology for this approach is the following:</p> <ol style="list-style-type: none">Currently, the section of SR 40 between Williamson Blvd and Clyde Morris Blvd operates below the adopted service volume because of the most recent AADT in combination with the City of Ormond Beach's vested trips. SR 40 is a designated hurricane evacuation route of which is not allowed to facilitate additional trips from developments without mitigation. Though the Hunters Ridge Developer will be impacting this segment of SR 40 before the Hand Avenue mitigation project is commenced or completed, we acknowledge that the development falls under DRI rules and therefore is subject to the 5% significance test. Therefore, the timing of commencement is linked to the 5% significance threshold.Between Williamson Blvd and Clyde Morris Blvd, Hand Avenue currently operates at an acceptable adopted service volume, with a v/c ratio of 0.45. Between Clyde Morris Blvd and Shangri La Drive, the v/c ratio falls to 0.94, thus being more traffic congested. If the congested segment of Hand Avenue were widened, more traffic would divert to using Hand Avenue between Williamson Blvd and Nova Road as a means to travel through the City in the east-west direction. Hand Avenue between Williamson Blvd and Clyde Morris Blvd currently has available capacity to accommodate the diverted trips. Though the actual segment of Hand Avenue being widened is between Clyde Morris Blvd and Shangri La Drive, the mitigation tactic is to attract traffic onto Hand Avenue from Williamson Blvd to Clyde Morris and further east. Addressing the congested section with a four-lane improvement



Volusia County
Traffic Engineering

project makes the Hand Avenue route a more attractive alternative.

- c. To develop the 5% significance threshold amounts, the 2009 LOS tables were used for a state signalized class 1 four lane arterial with a LOS D standard; 3,560 2-way peak hour trips were calculated. Thus, the 5% significance is calculated at 178 2-way peak hour trips. In applying the applicant's traffic analysis trip distribution, 21% of the project traffic impacts SR 40 between Williamson Blvd and Clyde Morris Blvd. Therefore, when the 5% significance threshold is reached on SR 40, a total of 848 2-way external peak hour trips will be simultaneously generated from the site.



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

133 S. Semoran Boulevard
Orlando, Florida 32807

STEPHANIE C. KOPELOUSOS
SECRETARY

October 6, 2010

Mr. Edward Lehman
Director of Planning and Development
Northeast Florida Regional Council
6850 Belfort Oaks Place
Jacksonville, FL 32216

SUBJECT: Hunters Ridge Development of Regional Impact (DRI)

Dear Mr. Lehman:

In the time since the Hunters Ridge DRI declared that they were sufficient, the Florida Department of Transportation has been working closely with the applicant to resolve various issues related to external trip generation, project traffic assignment, proportionate share amount and the mitigation of the DRI's external impacts.

A revised analysis was provided by the applicant in support of a new approach with an application for approval of Phase 1 only, with monitoring and modeling required prior to Phase 2. The applicant submitted revised Phase 1 tables as documentation of the revised analyses. Following various meetings and coordination efforts, a revised mitigation plan was provided by the applicant via email on August 8, 2010.

FDOT's review and negotiations on payment thresholds and schedules have been complicated by the applicant's recent assertion that the DRI is currently vested through 8,250 daily trips. This is based on the trip thresholds identified in section 11.6 of the current Development Order which identifies the scheduling for monitoring and modeling (M&M). Based on trips, the DRI does not appear to need to conduct an M&M. However, the referenced trips are only "vested" so long as the DRI does not change the amount or schedule of development identified in EXHIBIT "F" of the Development Order.

However, since the DRI intends to change phasing dates, and development levels identified in EXHIBIT "F", the DRI had to perform an NOPC (the Substantial Deviation was required for the Substantial Deviation Property). Specifically, the developer intends to revise EXHIBIT "F" (or its equivalent) to include newly defined phases including a Phase 1 which will extend through 2015. Additional phases will follow with schedules from 2016 to 2020 (Phase 2) and from 2021 to 2025 (Phase 3). This NOPC has been supported by a transportation analysis of the new phases and phase dates. Furthermore, the analysis has shown that mitigation is required for Phase 1 which is to extend through 2015.

The schedule for mitigation for future development will need to be consistent with EXHIBIT "F". If EXHIBIT "F" is revised consistent with the analysis conducted for the NOPC/Substantial Deviation and the developer intends to utilize proportionate share for mitigation, the mitigation is required prior to any new building permits being issued.

In consideration that the Developer has stated that they will not be able to make the payments in year 2010 and year 2011, and recognizing that it will require time to engineer the improvements, FDOT is agreeable to the following mitigation:

- \$450,000 payment to FDOT for the SEIR by October 1, 2012;
- \$1,300,000 payment to FDOT for design by October 1, 2013; and,
- Commitment by the developer to initiate the construction of the SR 40 improvement prior to the issuance of building permits that are projected to generate 1,225 external pm peak hour trips and complete the improvement within two years.

In the event the Developer seeks to delay the buildout of Phase 1 beyond December 31, 2015, the Developer may be required to pay for the update of the design plans to standards at the time of construction.

If SR 40 is widened by others, the DRI will be required to reassess its proportionate share mitigation responsibilities.

The developer should be required to enter into a Proportionate Share Agreement with FDOT and this agreement should be referenced in and attached to the Development Order. Attached to this letter are FDOT's recommended changes to the NEFRC Recommendation Report.

If the Department's recommendations are acceptable to all the parties involved, the Department can support the approval of the DRI and is ready to develop a proportionate share agreement with the developer. FDOT will assist with Development Order language as needed.

We appreciate the opportunity to participate in this process and if you have any questions, please contact me at your earliest convenience at (407) 482-7863 or email at lance.decur@dot.state.fl.us or Jon Weiss at (407) 482-7881, or by e-mail jon.weiss@dot.state.fl.us.

Sincerely,

Lance Decuir, P.E.
Project Manager

attachment

C: