



**FINAL RECOMMENDED
DEVELOPMENT ORDER CONDITIONS**



**SUMMARY OF ACTIONS TAKEN AT THE
CENTRAL FLORIDA REGIONAL PLANNING COUNCIL PUBLIC HEARING
FOR
OLD FLORIDA PLANTATION
Development of Regional Impact (DRI)
Notice of Proposed Change (NOPC)**

BARTOW – At its regularly scheduled meeting, the Central Florida Regional Planning Council (CFRPC) considered the Development of Regional Impact (DRI) Notice of Proposed Change (NOPC) application for Old Florida Plantation. The meeting was held on August 11, 2010, at the Florida Institute of Phosphate Research, 1855 West Main Street, in Bartow, Florida. The purpose of this public hearing was to consider testimony from state and regional agencies and local governments on the impact of the proposed NOPC on state and regional resources.

The CFRPC Council heard the Old Florida Plantation DRI NOPC at 9:30 a.m. The Council voted 12-0 to forward the staff recommendation with one addition to Condition 3)e), totaling three (3) conditions of approval, to the City of Bartow City Commission.

The CFRPC Council included the addition to Condition 2 regarding proportionate share. The CFRPC Council voted to include “at cost of developer” to Condition 3)e) to state:

3)e) Detailed schedule of targeted transportation improvement(s) construction at cost of developer, in lieu of Proportionate Share contribution.

The CFRPC Council recommended conditions of approval are provided on the following pages.



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Recommended Changes to Applicant/Developer Proposed Restated and Amended Development Order Conditions

- 1) Given the foregoing assessment of the traffic analysis for the NOPC and considering the outstanding technical issues described above the following recommended changes are offered to the proposed development order conditions.
 - a) Section 1a) i, ii and iii:

The Florida Department of Transportation should be a party to determining the final geometry and signalization of the access points along Old Bartow Eagle Lake Road and US 17, especially at the relocated Crossover Road.
 - b) Section 4 a) ii:

The text should be revised to eliminate references to actual projects and to add reference the biennial traffic monitoring report in which the final determination of the needed improvements will be determined.

Recommended Conditions regarding Proportionate Share

- 2) As a part of the biennial traffic monitoring report, a new Proportionate Share calculation shall be submitted to the City of Bartow, the Central Florida Regional Planning Council, the Florida Department of Transportation, and Polk County. The methodology for the Proportionate Share calculation shall be determined at least 90 days prior to the first biennial traffic monitoring report. The Proportionate Share shall quantify the following:
 - a) List of roadway improvements to maintain level of service standard.
 - b) Increased service volume provided by each contributing improvement.
 - c) Length of segment and cost per mile.
 - d) Improvement cost including engineering, right of way, construction, and CEI.
 - e) Project traffic impact.
 - f) Proportionate share contribution in percent.
 - g) Proportionate share amount.



This table will be reviewed by the City of Bartow, CFRPC, FDOT, and Polk County to confirm the appropriateness of inputs and the proportionate share calculations and to determine if a roadway improvement is identified by the Applicant/Developer of the Remaining Development Lands as a targeted transportation improvement(s) for proportionate share spending to mitigate impacts.

- 3) The Applicant/Developer of the Remaining Development Lands shall enter into a Proportionate Share Agreement for the payment of the Proportionate Share Contribution as mitigation for the DRI traffic impacts or the construction of an improvement by the Applicant/Developer of the Remaining Development Lands to meet such proportionate share. The Agreement should include:
 - a) Roadways impacted by the DRI project that are contributing towards the Proportionate Share Amount.
 - b) Amount of the Proportionate Share.
 - c) Improvements which will be accomplished with the Proportionate Share Amount.
 - d) A binding and legally enforceable commitment to transfer funds to Polk County or FDOT or to otherwise assure construction or improvement of the facility, or
 - e) Detailed schedule of targeted transportation improvement(s) construction at cost of developer, in lieu of Proportionate Share contribution.

The Development Order will be amended to attach the Proportionate Share Agreement. Such Agreement shall be in place prior to the issuance of the first building permit for OFP.