

and subject to all applicable conditions identified within the report. These conditions have now been met.

2. All the findings of the staff report January 4, 2023, and revised February 9, 2023.

Conditions of Approval for the Helen McCall Park Expansion Minor Development Order (MIN22-000082):

1. Prior to commencement of the development, provide a copy of the NPDES Notice of Intent (NOI) along with the required Stormwater Pollution Prevention Plan (SWPPP).
 2. Provide a copy of the Environmental Resource Permit or “Self-Certification for a Stormwater Management System in Uplands Serving Less than 10 Acres of Total Project Area and less than 2 acres of Impervious Surfaces (10-2 General Permit)”, prior to commencement of development.
1. Prior to starting any construction on the site:
 - a. **The Contractor shall contact the Walton County Development Order Inspector to schedule a Pre-construction Meeting to be held onsite prior to commencement of construction** (Jacob Reeves, Development Services of Walton County, 842 State Highway 20 East, Suite 110, Freeport, FL 32439, Phone: 850-267-1955).
 2. Pursuant to the Walton County Land Development Code and Walton County Comprehensive Plan, construction must commence within one (1) year of the date of the development order (**no later than February 9, 2024**) and must be completed as shown on the approved plans signed by the Division of Planning and Development.

WARNING: If the applicant/owner has not obtained a building permit(s) or has not commenced construction within one (1) year of issuance of the final development order, the final development order will become null and void and the application for plan approval must be re-initiated.

NOTE: The development order will not expire if development has commenced and is continuing in good faith according to the approved plan, per §11.01.05.B of the Walton County Land Development Code. An applicant/owner who desires to extend the one year deadline must apply for the extension no less than thirty (30) days before the expiration of their development order. The applicant may receive only one extension, and that extension may not exceed one year.

3. The applicant must obtain necessary approvals from Walton County for the following activities on and off site (these may require submission of an appropriate surety):
 - a. Disturbance of the County’s right-of-way (Note: Applicant must obtain the proper ROW permit(s) from the Engineering Department prior to issuance of building permits, unless otherwise exempted by the County Engineer.)
 - b. Pavement cuts.

- c. Construction of any kind.
 - d. Clearing, grubbing, or demolition.
 - e. Paving, grading, drainage, sidewalks.
 - f. Signage.
 - g. Installation of utilities.
 - h. Construction trailers.
4. The terms and conditions of the following permits as applicable and required from other jurisdictions will be incorporated into this development order by the applicant through Walton County's Less-Than-Minor Development Order modification process, prior to scheduling the Pre-Construction Conference onsite with the Walton County Development Order Instructor, and prior to commencement of construction:
5. **If the project needs a building permit, the plan will need to be reviewed by the Planning Technicians before applying for permit with the Walton County Building Department.**
6. Division of Planning and Development Services Conditions: Refer to the attached staff report dated January 4, 2023, and revised February 9, 2023.

APPROVAL:

7. Are there any outstanding Planning fees? None

The fees described as being required by this Development Order have been reviewed and confirmed by Charlotte Bond on this 2-10-23, as being correct.

Roy A. Cornman
 (Signature)
 Owner

Roy Cornman
 (Print Name)

2/10/23
 (Date)
 Date

[Signature]
 Project Manager

Bob Baronti
 (Print Name)

2-10-23
 Date

Issued by: [Signature]
 Planning and Development Official

2-10-23
 Date

Development Order Requirements:

Preservation Buy-out Fee: No preservation buy-out was requested for this project.

Proportionate Fair Share: This project qualifies for an exemption to Proportionate Fair Share.

Sidewalk Buy-out Fee: No sidewalk buy out was requested for this project.

Plat Recreation Fee: Not required.

911 Recording Fee: Not required.

Exhibits:

- A. Walton County Technical Review Staff Report dated January 4, 2023, and revised February 9, 2023.
- B. Transportation Concurrency Letter dated November 15, 2022.
- C. Approved Plan Set



Staff Report to the Walton County Technical Review Committee

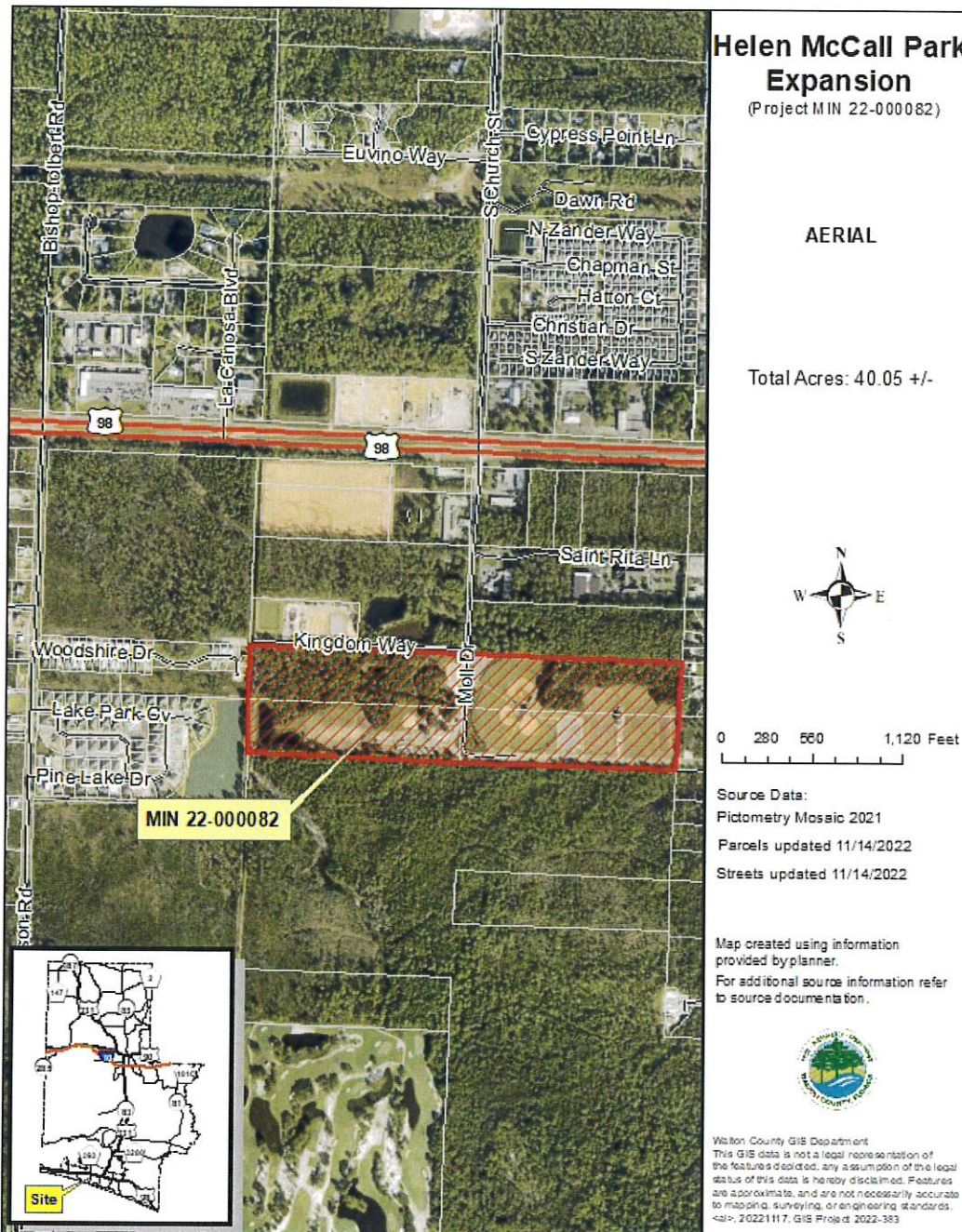


January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion

PROJECT LOCATION MAP





Staff Report to the Walton County Technical Review Committee



January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion

| PROJECT OVERVIEW | | | | | | | |
|---|--|-------------------------------------|-----|-------------------------------------|-------------------------------------|-------------------------------------|-----|
| Applicant: | Dewberry Engineers | | | | | | |
| Owner: | Walton County | | | | | | |
| Staff Project Manager: | Bob Baronti, AICP, CPM, Sr. Planner | | | | | | |
| Parcel ID#: | 34-2S-20-33270-038-0000, 34-2S-33270-037-0000, 34-2S-33270-028-0000, 34-2S-20-33270-027-0000 | | | | | | |
| Property Location: | 325 Moll Drive, Santa Rosa Beach | | | | | | |
| Commissioner District: | 4 | | | | | | |
| Applicant's Request: | Remove the current baseball fields and parking to construct 4,640 SF of new buildings consisting of a press box, concessions, restrooms, storage, new baseball and multi-use fields and associated parking lots. | | | | | | |
| Public Hearing History: <i>(Conditions for approval are listed below.)</i> | Board | Meeting Date | | Outcome | | Condition(s) | |
| | Design Review Board: | N/A | | N/A | | <input type="checkbox"/> | |
| | Technical Review Committee: | 1/04/2023 | | Approved | | <input type="checkbox"/> | |
| | Planning Commission: | TBD | | TBD | | <input type="checkbox"/> | |
| | Board of County Commissioners: | TBD | | TBD | | <input type="checkbox"/> | |
| Public Notice History: <i>(All Public Comment Received Prior to Report Printing Deadline is Attached):</i> | Meeting | Sign Posted | | Letter Sent | | Ad Published | |
| | Neighborhood Meeting: | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A |
| | Design Review Board: | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A |
| | Technical Review Committee: | <input checked="" type="checkbox"/> | | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> | |
| | Planning Commission: | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A |
| | Board of County Commissioners: | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A | <input type="checkbox"/> | N/A |
| Infrastructure Summary: | Water: | Regional Utilities | | | | | |
| | Sewer: | Regional Utilities | | | | | |
| | Transportation: | Exemption | | | | | |
| Stormwater: | 100 Years | | | | | | |
| Site Access: | Number of Access Points | | | Comply | | Non-Comply | |
| | 2 | | | <input checked="" type="checkbox"/> | | <input type="checkbox"/> | |
| Special Considerations: | DO # 6-01300019 For the ball fields | | | | | | |
| Proposed Conditions of Approval: | None | | | | | | |
| Reviewer Summary | List of Technical Reviewers | | | N/A | Comply | Non-Comply | |
| | Anna Hudson, PE Public Works | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | DRMP Engineering | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Andrea Ward, PE Staff Traffic Engineer | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | Andrea Ward, PE Staff Stormwater Engineer | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | Floodplain Management | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| | Karen Taporco, Eglin AFB | | | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |



Staff Report to the Walton County Technical Review Committee



January 4, 2023

Project # MIN22-000082
Helen McCall Park Expansion

| | | | | |
|--|---|-------------------------------------|-------------------------------------|--------------------------|
| | Donna Free, Walton County EMS | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Brad Bohn, Environmental Planner | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Sammy Sanchez, South Walton Fire District | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | North Walton Fire District | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Utility Provider | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Darrin Dunwald, S Walton Mosquito Control | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Michelle Doggette, School Board | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Crystal Steele, FDOH | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Georgina Hicks, Code Enforcement | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Matthew Betts, GIS | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Scott Rosenheim, County Surveyor | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | Florida DOT | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Planning Department | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| PROJECT ANALYSIS | | | | |
|--|--|-----|------------------|-----------------------------|
| Future Land Use: | Parks and Recreation | | | |
| Zoning District | Parks and Recreation | | | |
| Site Area (ac): | 40.05+/- | | | |
| Density: | Allowed: | N/A | Proposed: | N/A |
| Impervious Surface Area: | Allowed: | 50% | Proposed: | 30% |
| Floor Area Ratio: | Allowed: | 50% | Proposed: | 0.7% |
| Structure Height: | Allowed: | 50' | Proposed: | 27' |
| Parking: | Required: | 167 | Proposed: | 443 |
| Additional Comment: | 56 Bike Parking Spaces | | | |
| Previous Actions: | None | | | |
| Consistency with the Comprehensive Plan: | YES <input checked="" type="checkbox"/> | | | NO <input type="checkbox"/> |
| Consistency with the Land Development Code: | YES <input checked="" type="checkbox"/> | | | NO <input type="checkbox"/> |
| Additional Comment: | Planning and Development Services staff believes consistency with the Comprehensive Plan and Land Development Code will be accomplished. | | | |

STAFF REVIEW COMMENTS



Staff Report to the Walton County Technical Review Committee

January 4, 2023



Project # MIN22-000082

Helen McCall Park Expansion

Planning and Development Services Comments:

Date: December 27, 2022

1. All comments have been addressed.

Fire District Comments:

Date: January 12, 2023

During my review of the project's site plan, the following are fire/life safety concerns:

This project appears to meet our technical review approval contingent on the following:

1. Access roadway to the concession stand shall be at a minimum 15 ft width and must be capable of supporting the imposed loads of fire apparatus.
Access roads shall be accessible to fire apparatus once construction of structures begins.
Fire hydrant shall be operational once construction of structures begins

Utility Provider Comments:

Date: December 27, 2022

1. No comments as of the date of this staff report.

Public Works:

Date: December 14, 2022

The Walton County Public Works Department has reviewed the engineering plans for the aforementioned project in regards to our area of review, which is typically limited to impacts to the County right-of-way.

1. We have no comments for the project at this time.

Public Works Survey Comments:

Date: January 19, 2023

1. No comments at this time.

Engineer Comments:

Date: January 4, 2023

This project is an expansion to an existing community sports complex. The proposed improvements encompass multiple sports fields with amenities, parking, and stormwater infrastructure. The property has an existing stormwater management facility that is slated for expansion to accommodate the proposed improvements.

Upon review of the most recent documents submitted for the Helen McCall Park Expansion all engineering comments have been addressed.

Conditions of Approval:

1. Provide a set of signed and sealed civil plans certified by a civil engineer licensed in the State of Florida.
2. Stabilized construction entrances and exits shall be established prior to any interior clearing of the property. The ingress / egress shall meet the criteria established in the Florida Department of Environmental Protection (FDEP) Stormwater Erosion and Sediment Control Inspectors Manual. The minimum width and length shall be 12-foot by 50-foot for all major or minor developments.

Transportation Concurrency

Planning Department Engineering staff has reviewed the data provided for the transportation concurrency analysis associated with proposed improvements to Helen McCall Park. The property is located west of County Road 393, at the corner of Rena Arnett Lane and Moll Drive.

1. This project has been approved for the exemption outlined in Section 3.01.04(C) with one recommendation.
Staff Recommendation:
2. In order to adequately account for the committed demand in the County's Transportation Concurrency Management System (CMS) in accordance with TCM Section 5, it is recommended that a traffic analysis is provided that meets the criteria established in TCM Section 6.



Staff Report to the Walton County Technical Review Committee



January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion

Florida Department of Health Comments:

Date: November 8, 2022

The FDOH-Walton Environmental Health Office has reviewed the proposed plans and has noted the following:

1. Helen McCall Park Expansion – MIN22-000082
 - a. This proposed subdivision will utilize public water and sewer.

Code Enforcement Comments:

Date: November 10, 2022

1. No liens, fines, fees, or code cases on this parcel.

Emergency Management Comments:

Date: November 10, 2022

1. It appears that this is located in Evacuation Zone C.

Floodplain Management Comments:

Date: December 29, 2022

Floodplain Specific Comments:

The proposed project area is located within Zone X and an Un-numbered A Zone according to Effective FEMA Maps 12131C0676 H, dated 12-30-2020.

The revised stormwater management analysis established the base flood elevation (BFE) and/or 100-year critical storm at 14.78 feet. The project proposes an estimated 5,712 cubic feet of fill within Zone A and provides compensatory volume of 6,337 cubic feet.

There are no outstanding floodplain comments or issues related to this project as submitted and appears to meet the minimum Floodplain requirements of the Land Development Code and Comprehensive Plan.

Environmental Comments:

Date: December 29, 2022

The proposed project is requesting approval to construct new baseball, t-ball and multi-use fields and associated parking lots on 40.2 +/- acres with a future land use of mixed use and Parks and Recreation and a zoning district of Small Neighborhood and Parks and Recreation. The property is located in District 4 property is approximately 0.25 miles south of the intersection of U.S. Highway 98 W. and Moll Drive and is identified by parcel number 34-2S-20-33270-027-0000, 34-2S-20-33270-028-0000, 34-2S20-33270-037-0000 and 34-2S-20-33270-038-0000.

Environmental Assessment Summary:

Soils – The Environmental Assessment (EA) identified three soil type(s) on the subject property:

1. Leon Sand, 0 to 2 percent slopes
 - a. This soil is poorly drained and nearly level. The Leon soil has a high-water table at a depth of 10 to 40 inches for periods of more than 9 months during most years. The high-water table is at a depth of less than 10 inches for 1 to 4 months during periods of high rainfall and recedes to a depth of more than 40 inches during very dry seasons.
2. Rutledge fine sand
 - a. This soil is very poorly drained and nearly level. It is in shallow depressions on stream or creek flood plains and upland flats. Rutledge soil has a high-water table at or near the surface for long periods of the year. Shallow ponding is common. The available water capacity is high in the surface layer and low in the underlying material. Internal drainage is impeded by the high-water table.
3. Pickney (ST-63)
 - a. This soil consists of hydric soils with 0 to 2 percent slopes that are poorly drained.



Staff Report to the Walton County Technical Review Committee

January 4, 2023



Project # MIN22-000082

Helen McCall Park Expansion

Pickney soils result in depressions, drainageways, stream terraces, and flood plains. The water table occurs at depths of less than 10 inches below the soil surface for more than 8 months during most years. During the drier seasons the water table may recede to a depth of 20 inches. These soils formed in thick, organic marine sediment in broad, nearly level areas and are usually comprised of depressional wetland community types.

Wetlands – According to the EA, the site contains 4.0 +/- acres of wetlands and other waters jurisdictional to the USACE and the FDEP.

Vegetative Communities – According to the EA, the site consists of 6.8 +/- acres of Mesic Flatwoods and 33.4 +/- acres of Disturbed Area due to previous land use.

Threatened and Endangered Species – According to the EA, no federally listed species were observed on the project site.

Historic and Cultural Resources – The EA has provided correspondence from the Florida Master Site File stating that no known sites are within the project site.

Hazardous Materials and Contamination – The EA did not indicate any evidence of hazardous materials or contamination.

Site Specific Environmental Comments:

There are no outstanding environmental comments or issues related to this project as submitted. The proposed project appears to meet the environmental resource protection regulations and requirements found within the Walton County Land Development Code and Comprehensive Plan.

General Environmental Comments / Conditions of Approval:

1. Prior to commencement of the development, provide a copy of the NPDES Notice of Intent (NOI) along with the required Stormwater Pollution Prevention Plan (SWPPP).
2. Provide a copy of the Environmental Resource Permit or “Self-Certification for a Stormwater Management System in Uplands Serving Less than 10 Acres of Total Project Area and Less than 2 Acres of Impervious Surfaces (10-2 General Permit)”, prior to commencement of development.
3. Provide a copy of all state and federal wetland permits for proposed impacts to wetlands prior to commencement of construction as well as documentation that all mitigation credits have been purchased as required in the associated permits

Mosquito Control District Comments:

Date: November 11, 2022

1. No comments on project MIN22-000082.

School Board Comments:

Date: November 22, 2022

1. This project will not impact the school district.

Eglin Comments:

Date: November 7, 2022

1. EGLIN AFB has no comments for MIN22-000082.

GIS Comments:

Date: November 7, 2022

1. The above project meets all the specifications of County Ordinance #2006-17 at this time.



Staff Report to the Walton County Technical Review Committee



January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion

Florida Department of Transportation:

Date: December 27, 2022

1. No comments as of the date of this staff report.

FEES:

| | |
|-----------------------------|--------|
| 1. Sidewalk Buyout | None |
| 2. Preservation Buyout | None |
| 3. Proportionate Fair Share | Exempt |
| 4. Plat Recreation Fee | N/A |
| 5. 911 Recording Fee | N/A |

**Fee amounts above reflect a preliminary estimate. Fees based on land value are subject to change upon annual adoption of tax rolls.*

RECOMMENDATION:

1. Staff recommends to approve this project.

REVIEW / APPROVAL PROCESS – NEXT STEPS

1. Development Order.

EXHIBITS TO STAFF REPORT:

1. Project Map Series.
2. Site plan.



Staff Report to the Walton County Technical Review Committee

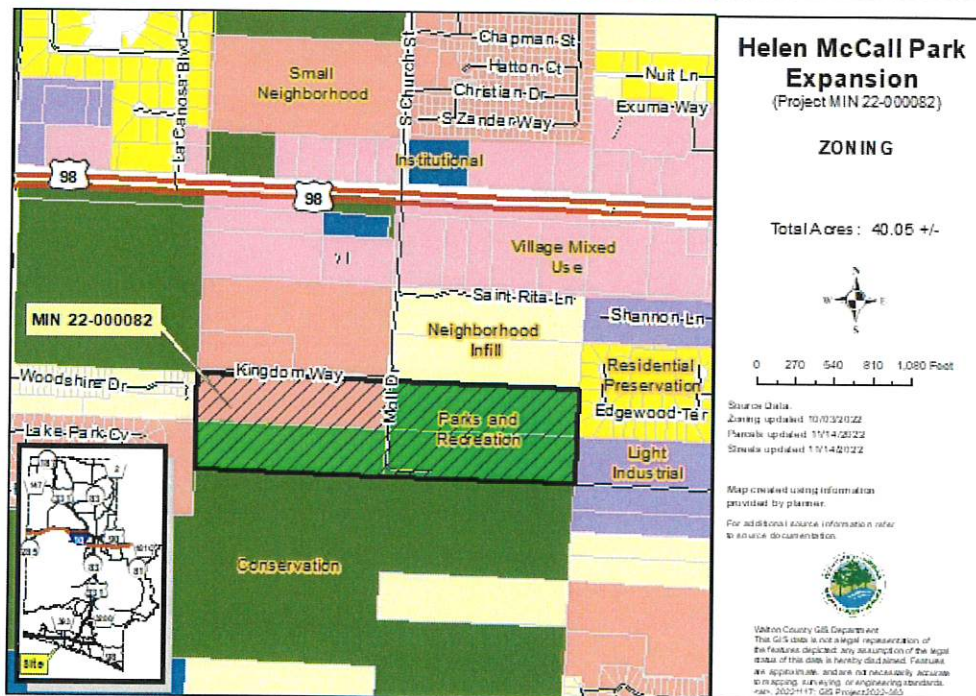
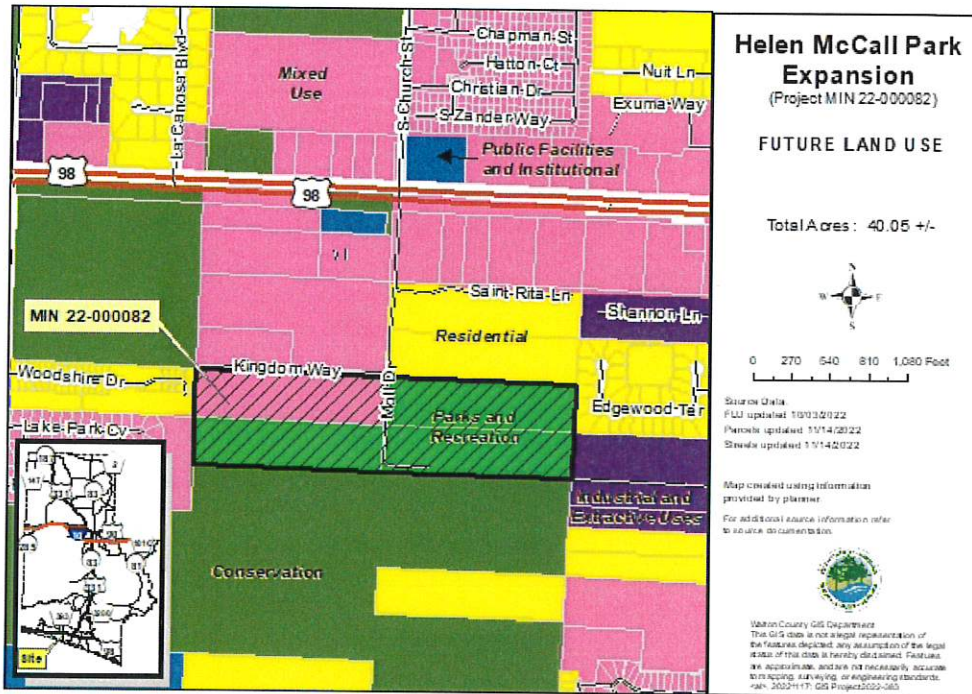


January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion

EXHIBIT 1. PROJECT MAP SERIES





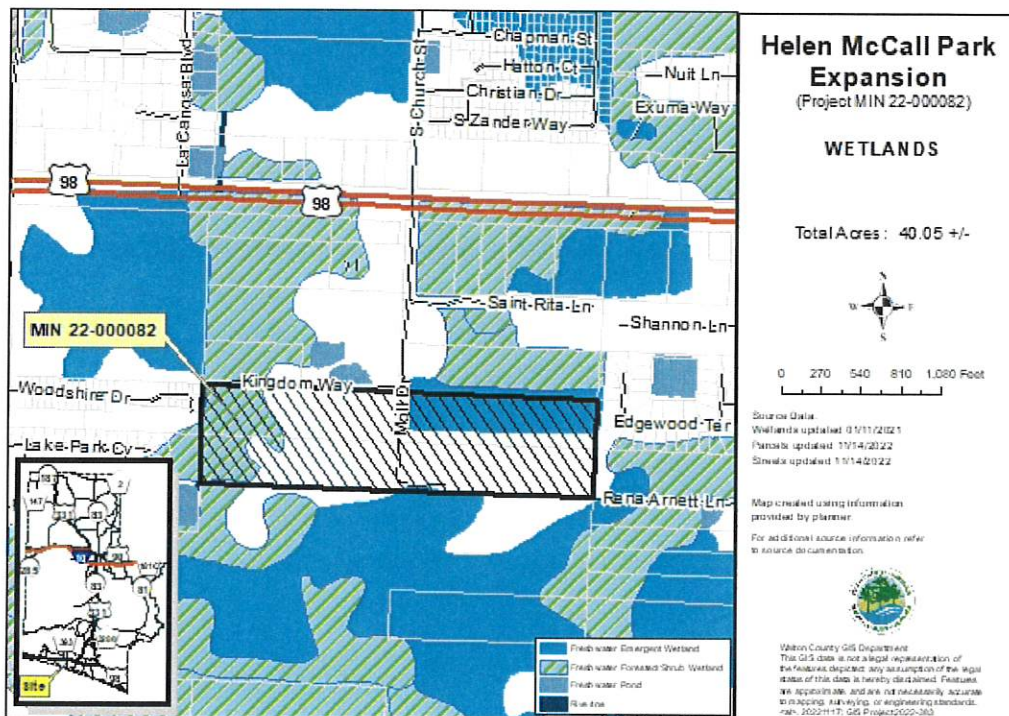
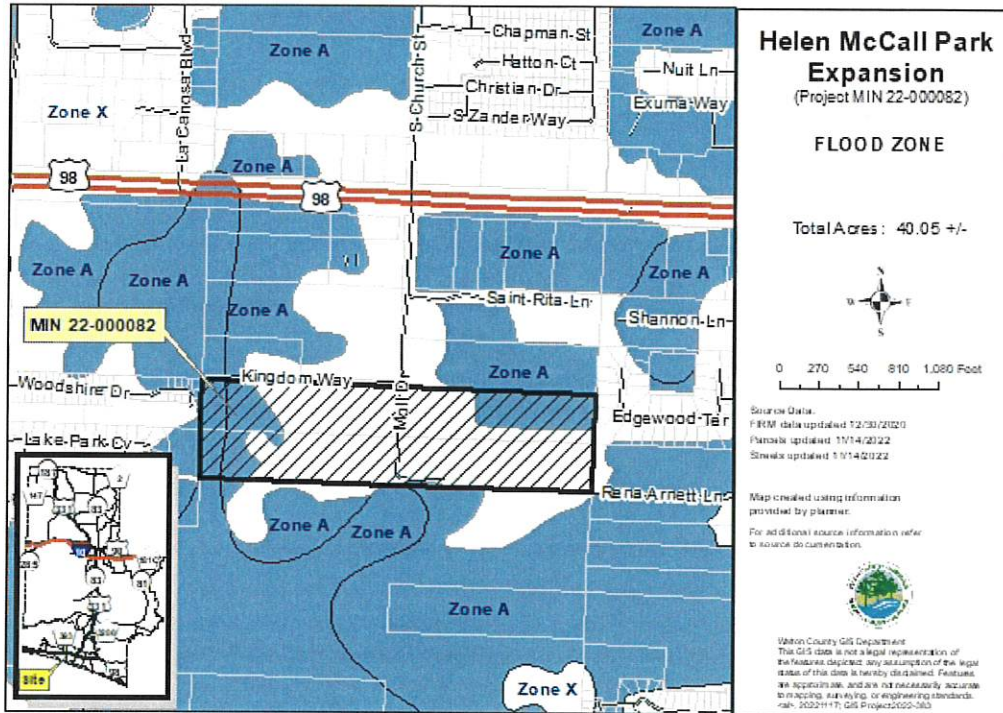
Staff Report to the Walton County Technical Review Committee



January 4, 2023

Project # MIN22-000082

Helen McCall Park Expansion



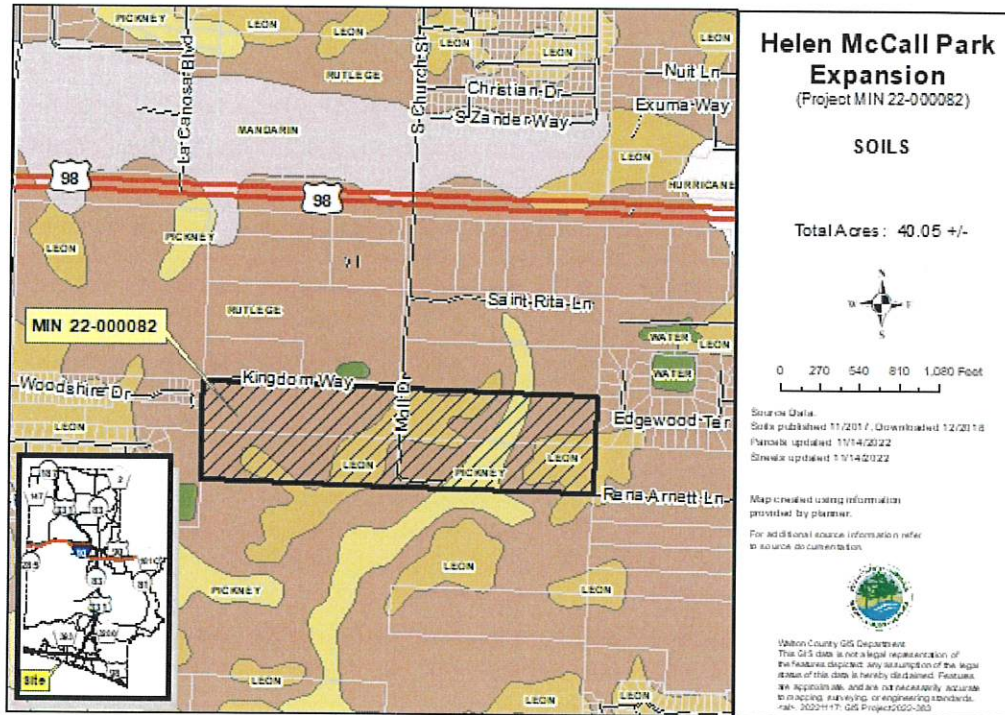


Staff Report to the Walton County Technical Review Committee

January 4, 2023



Project # MIN22-000082 Helen McCall Park Expansion





Walton County Planning and Development Services

842 State Highway 20 E, Suite 110

Freeport, Florida 32439

Phone 850-267-1955 * Facsimile 850-622-9133

<https://www2.citizenserve.com/waltonplanning>

MINOR DEVELOPMENT ORDER

TRANSPORTATION CONCURRENCY

Parcel No: 34-2S-20-33270-027-0000 / 34-2S-20-33270-028-0000 /

34-2S-20-33270-037-0000 / 34-2S-20-33270-038-0000

325 Moll Drive, Santa Rosa Beach

Helen McCall Park Expansion

Date: November 15, 2022

Through: Bob Baronti, Jr., AICP, CPM / Senior Planner

From: Walton County Planning Department / Engineering

Re: **MIN 22-000082**

Planning Department Engineering staff has reviewed the data provided for the transportation concurrency analysis associated with proposed improvements to Helen McCall Park. The property is located west of County Road 393, at the corner of Rena Arnett Lane and Moll Drive.

This project has been approved for the exemption outlined in Section 3.01.04(C) with one recommendation.

Staff Recommendation:

In order to adequately account for the committed demand in the County's Transportation Concurrency Management System (CMS) in accordance with TCM Section 5, it is recommended that a traffic analysis is provided that meets the criteria established in TCM Section 6.

As stated in Section 3.01.04 (C) in the Land Development Code (LDC), exempt activities encompass the construction of public facilities that are identified in the capital improvements element of the Walton County Comprehensive Plan. The Schedule of Capital Improvements provided in the Comprehensive Plan lists two connector roads associated with Helen McCall Park in the transportation section. The project is not listed in the parks and recreation section. Additionally, the Comprehensive Plan does not depict any committed or planned funding for the fiscal years 2017 through 2021 in either section.

- a. In support of Section 3.01.04(C) of the LDC “Any person seeking an exemption from the terms of this chapter shall submit substantial competent evidence to the Director of Planning and Development Services to demonstrate the entitlement to the exemption” (Section 3.02.00 *Exemptions*).
- b. The Walton County Transportation Concurrency Manual (TCM) Section 14(F)(2) provides an option to mitigate the proportionate fair share cost for public facilities if they are not included in the capital improvements program.

Expiration of Transportation Certificates of Concurrency are subject to the following conditions as listed below:**Minor Development**

For a minor development as defined in Chapter XI of the Land Development Code (LDC), a certificate of concurrency shall automatically expire six months after it is issued unless: (1) the Technical Review Committee has completed its review of the complete application and provided its comments and recommendations to the Director; (2) the Director has approved the application for minor development approval; and (3) the Department has issued a development order for the approved minor project. In that circumstance, the certificate of concurrency shall be automatically extended and shall remain valid until the development order expires.

Consistent with section 11.01.05B of the LDC, a development order for a minor development shall be valid for a period of two years from the date of issuance. A certificate of concurrency shall automatically expire simultaneously with the expiration of the development order, unless: (1) the infrastructure improvements committed to secure the development order for the minor development have been fully completed within the two year period following the issuance of the development order; or (2) as applicable, the applicant has timely paid the project's non-refundable proportionate fair share in full accordance with the requirements of Appendix C-3. If either criterion is timely satisfied, the development order shall be deemed vested for traffic concurrency for the approved project.

Major Development

For a major development as defined in Chapter XI of the LDC, a certificate of concurrency shall automatically expire six months after it is issued unless: (1) the Technical Review Committee has completed its review of the application and provided its comments and recommendations to the Director; and (2) the Director has issued his or her report recommending approval, approval with conditions, or denial of the application to the Planning Commission. In that event, the certificate of concurrency shall be automatically extended for an additional six month period to facilitate timely review of the application by the Planning Commission and the Board of County Commissioners consistent with the requirements of this Code, and the Board's issuance of a final order.

Except for final orders issued for a phased project, as more particularly described below, a final order approving a major development application shall be valid for a period of two years from rendition. A certificate of concurrency for a major development shall automatically expire simultaneously with the expiration of a final order unless: (1) within this two year period the applicant secures the requisite development order for the project and completes all of the site's infrastructure improvements; or (2) as applicable, the applicant timely pays the project's nonrefundable proportionate fair share in full in accordance with the requirements of Appendix C-3. If either criterion is timely satisfied, the development order shall be deemed vested for traffic concurrency for the approved project.

If the applicant fails to secure the requisite development order for a major development within two years from rendition of a final order, the certificate of concurrency shall automatically expire at the conclusion of this two year period. Thereafter, an applicant seeking to secure approval for the project after the expiration of a certificate of concurrency shall be required to submit an updated traffic concurrency analysis to reflect then current conditions, for which a reasonable fee shall be assessed for the cost of the new review. Based on approval of the updated analysis by the traffic concurrency manager, the applicant shall be required to apply for an amended final order from the Board of County Commissioners to address any deficiencies identified in the updated analysis, and to pay the project's additional proportionate fair share, as warranted, as a condition precedent to securing a development order for the project.

In the event a minor or major development order is challenged pursuant to s. 163.3215, Florida Statutes, the timelines for the expiration of the development order and certificate of concurrency, as detailed above, shall be tolled until all legal challenges are exhausted.

Master Development Phased Projects

A final order approving a major development application for a phased project, referred to herein as a "master development", other than a planned unit development, which is addressed in Chapter II of the LDC, shall be valid for a period of two years from rendition. A certificate of concurrency for a phased project shall automatically expire simultaneously with the expiration of the final order for the master development unless the applicant secures the requisite development order for the project within this two year period, and (1) completes the infrastructure for all phases of the master development, as approved; or (2) pays the master development's non-refundable proportionate fair share in full for all phases of the master development in accordance with the requirements of Appendix C-3; or (3) completes, at a minimum, the site's infrastructure improvements for the first phase of the approved master development and/or timely pays the master development's non-refundable proportionate fair share for the first phase of the master project, as applicable, in accordance with the requirements of Appendix C-3 of the LDC ; and (4) enters into a development agreement in accordance with the requirements of ss. 163.3220-163.3243, Florida Statutes, wherein the county and the applicant agree to a schedule for the timely construction and completion of the infrastructure for each remaining phase of the approved master development and/or the timely payment of the non-refundable proportionate fair share for each of the remaining phases of the approved master development.

For purposes of this section, "timely completion" of the site's infrastructure means that construction of the infrastructure for each phase of the master development is scheduled to commence, and commences, within one year of completion of the prior phase, and is scheduled to be completed, and is completed, within two years of the scheduled commencement date for that phase. The certificate of concurrency shall expire automatically if any phase of the master development is not timely completed in accordance with the timelines adopted in the development agreement. Upon the expiration of the certificate of concurrency for a master development, any unused traffic capacity reserved by the certificate for the remaining phases of the master project will be released from reservation and the county's CMS database will be updated to reflect this released, unused capacity.

Proportionate Fair Share Contribution

- (1) Applicants may submit a letter to withdraw their Development Order at any time prior to payment of a proportionate fair share contribution.
- (2) Payment of a Proportionate Fair Share Contribution is due in full prior to issuance of the building permit for commercial development or recording of the final plat for residential development and shall be non-refundable. If the period of payment exceeds 12 months from the date of receipt of the Transportation Certificate of Concurrency in which a Proportionate Fair Share Contribution has been calculated, then the proportionate share cost shall be recalculated based on the best estimate of the construction cost of the required improvement at the time of payment and adjusted accordingly.
- (3) Upon payment of a Proportionate Fair Share Contribution in full, all trips attributable to the development shall be deemed vested, in conformity with Chapter III of the County's LDC.
- (4) Developer improvements authorized under this Program involving dedications to the County must be completed upon final acceptance of the improvements and receipt of a warranty bond.
- (5) Developer improvements authorized under this Program not involving dedications to the County must be completed upon recording of the final plat for residential development or upon issuance of a certificate of occupancy for non-residential development.
- (6) Any requested change to a development project subsequent to a development order will be subject to additional proportionate fair share contributions.

Fair Share Fund

- (1) The County will establish special transportation corridor revenue fund accounts for the appropriation of proportionate fair share payments made pursuant to this Program. Revenue from these accounts shall be used toward funding of scheduled improvements in the Capital Improvements Element (CIE) of the Comprehensive Plan, or as otherwise established in the terms of the Development Order.
- (2) In the event a scheduled improvement is removed from the CIE, then the Fair Share funds collected for its construction may be applied toward the construction of other transportation improvements identified in the CIE, which will in the opinion of the County significantly benefit the impacted transportation system.