

**CONDITIONS OF APPROVAL:** the following conditions have been approved by the Planning and Zoning Board at September 17, 2018 meeting.

**Engineering Conditions:**

1. Prior to issuance of Final C.O., applicant shall record an ingress/egress easement along the south side of SW 17th Street (private road), varying from eight (8) feet to eleven and a half (11.5) feet width to complete a twenty (20) foot roadway section, that expands to include proposed seventy (70) foot diameter cul-de-sac located at east end of SW 17th Street (private road), as approved by the City Engineer.
2. Prior to issuance of Final C.O., applicant shall record a utility easement as appropriate along SW 17th Street (private road) for placement of proposed sewer infrastructure located outside of existing right-of-way to facilitate City maintenance access as approved by the City Engineer.

**Voluntary Conditions proffered by the Applicant:**

1. Dockage for in-water vessels shall not exceed fifty-five (55) total boats and thirty-four (34) mega-yacht slips as specified on the site plan, with required parking to accommodate site demand and prevent overspill into the adjacent neighborhood. All boats, up to a maximum of fifty-five (55), must be within the thirty-four (34) slips as designated on the current site plan, provided no individual slip shall ever have more than three (3) boats as further explained in condition #2 below. The term "boats" shall include but not be limited to all boats, vessels, watercraft, tenders, sailboats, and yachts.
2. The Applicant is authorized to have a total of 55 boats at the marina as depicted on the current site plan. Applicant agrees to limit the number of boats in each slip to a maximum of two (2) boats per slip. Notwithstanding the foregoing, an exception to this 2-boat condition will be permitted for a tender that is directly related to a boat in the slip so that such tender may be placed in the same slip with an associated vessel provided the total boat count in the slip never exceeds three (3) boats in the same slip. Additionally, no boat shall extend beyond the distance of the slip limits as delineated in the modified BOT Lease No. 060023106 effective September 28, 2017 ("2017 Submerged Land Lease").
3. Prior to final DRC approval, the Applicant agrees to obtain and produce to the City an authorization from the Broward County Environmental Protection Department that states any soil or groundwater contamination on this property has been mitigated prior to any land excavation; or, obtain Broward County's approval of a soil management plan which addresses how any contamination is to be handled during construction activities.
4. A management contract shall be required prior to CO issuance.
5. The marina operation shall be equipped with oil spill containment and fire safety attenuation equipment as required by the City Code of Ordinances and as determined in conjunction with the Planning/DRC permit.
6. No outside loudspeakers or amplification systems will be permitted. No work activities shall be permitted at South Fork Marina that would be in violation of noise or other nuisance related ordinances or as determined by the City pursuant to final Site Plan Approval.
7. No rafting of boats shall be permitted in a slip, along any dock or along a seawall adjacent to the property except in the case of an emergency.
8. Substantial changes to the marine site plan requiring an amendment to be reviewed by the Planning and Zoning Board shall first be reviewed by the Marine Advisory Board.

9. The Applicant shall comply with all permits required by governmental agencies having jurisdiction over the waterways, and shall comply with all codes and regulations affecting the operation of the marina, including Section 47.24.2 and Section 24.5 of the ULDR adequacy requirements.
10. The Applicant shall provide marine sanitation pump-out service accommodations at each of the 34 slips as planned and shall comply with established requirements imposed on the Applicant by the City and other Environmental Permitting Agencies that may be more restrictive. All such conditions shall be made part of the Planning/DRC permit, if necessary.
11. The Applicant shall furnish to the Supervisor of Marine Facilities copies of the final plans and required fueling and other Environmental permits with the regulatory agencies for review and comment to the appropriate City Department staff. Additional comments or site plan revisions from the Supervisor of Marine Facilities or appropriate staff not requiring Planning and Zoning Board or Marine Advisory Board reviews will be made part of the Planning/DRC permit.
12. The following work is prohibited at South Fork Marina: heavy grinding; heavy sanding; extensive exterior painting; haul out; dry dock storage; or, any service or work on the upland. Minor in-water repairs and other in water services such as: minor preparation and paint touch-up; varnish work; dust-free sanding; sand-less refinishing; electronics; washing; waxing; buffing; fueling; and general servicing, etc. are permitted in accordance with City Code of Ordinances and the ULDR.
13. Storage of any form of petroleum based fuel, oil, etc. is not permitted on the property unless permitted by the appropriate environmental agencies. Disposal of any form of petroleum based fuel, oil, etc. will be handled and disposed of in accordance with City, County, State and Federal environmental regulations, as well as best management practices.
14. Signs are not permitted on the dock structures or property for purposes of selling vessels, boats or other marine related amenities unless approved in accordance with the City Code of Ordinances and the ULDR or in conjunction with the Planning/DRC permit and site plan approval.
15. As a general condition of approval, vessels moored on the New River adjacent to the South Fork Marina, or in any slip at the South Fork Marina, cannot extend beyond the distance of the 2017 Submerged Land Lease area. A copy of 2017 Submerged Land Lease shall be made part of the application for the Planning/DRC permit and the Applicant shall record the 2017 Submerged Land Lease in the official records of Broward County prior to commencement of construction of the site plan.
  - 15(a). Applicant shall take all steps necessary to modify the existing 2017 Submerged Land Lease so it accurately reflects the construction of the proposed structures in accordance with the current site plan. The issuance of a building permit shall be conditioned upon the issuance of a modified submerged land lease that is in conformance with the current site plan.
16. Applicant agrees that in any subsequent, extended or modified submerged land lease to the benefit of the South Fork Marina site, the number of slips located on sovereignty submerged lands shall not be increased and the lease area for the slips shall not extend further into the New River beyond the slip limits as set forth in the existing 2017 Submerged Land Lease.
17. A special condition to establish a self-imposed restriction by the Applicant to prohibit permanent live-aboards ("homesteading") on site. Necessary overnight use by owners, Captains and crews of client vessels, as a matter of safety and security, is permitted.
18. Fixed Fueling facilities shall not be permitted. Fueling service provided by third-party vendors will be limited to using mid-size fuel tanker trucks or delivery via water.

19. Should County, State or Federal permitting agencies having jurisdiction, impose more restrictive standards to the conditions of local approval, as specified above, then the more restrictive standards apply.
20. Applicant previously included two NE residential lots (Parcels 504216350290 and 504216350280) in the DRC site plan application. Those parcels have been removed from the site plan and will not be incorporated into the South Fork Marina project. Applicant shall reconstruct the seawall around parcels (504216350290 and 504216350280) and align the seawall with the deeded property line. The seawall work shall be completed prior to Certificate of Occupancy being issued for the South Fork Marina.
21. Applicant is committed to addressing increased traffic and parking concerns because of the South Fork Marina project. As such, Applicant is willing to work with the City of Fort Lauderdale Transportation and Mobility Department and Shady Banks Neighbors. Upon receiving cost estimates from the City of Fort Lauderdale, Applicant will commit to a reasonable and fair financial contribution to the City of Fort Lauderdale for the timely construction (post-construction of South Fork Marina) of two, three-legged raised intersections at SW 18th Ave. at SW 14th Ct., and SW 18th Ave. at SW 16th St.
22. Applicant commits that 18-wheeled vehicles shall not be permitted to access or service the South Fork Marina site once a Certificate of Occupancy is issued. During marina construction, or for any major permitted site work, 18-wheeled vehicles will be limited and only used to transport construction equipment (e.g. crane, backhoe, bulldozer, front-end loaders, etc.) or materials (e.g. trusses, concrete blocks, rebar, piping, docks, sod, trees, etc.). No 18-wheeled dump trucks shall be permitted at any time.
23. Applicant agrees to remedy any shoreline erosion or disrepair to the Bill Keith Preserve caused by the Applicant's construction and/or operations of South Fork Marina.
24. Applicant shall enter into an appropriate maintenance agreement with SW 17th Street property owners and the City of Fort Lauderdale for its share of the upkeep of SW 17th Street post-construction of the South Fork Marina; however, Applicant shall not be liable for damage caused by others unrelated to the marina's use or operation.
25. Applicant will work diligently with the SW 17th Street property owners to address the necessary easement and lateral design requirements for the installation of a sewer main on SW 17th Street.