

**EXHIBIT 5  
AUGUST 18, 2020  
TIMBER COVE PUD  
ORDINANCE 2020-169-E PUD CONDITIONS**

**THE FOLLOWING CONDITIONS CONTROL OVER THE WRITTEN DESCRIPTION AND THE SITE  
PLAN AND MAY ONLY BE AMENDED THROUGH A REZONING**

**ROAD FRONTAGE BUFFERS:**

1. The buffers along Starratt Road and Yellow Bluff Road shall have a minimum depth of 20' on Yellow Bluff Road and 25' on Starratt Road.
2. Within the buffers there shall be either a brick wall or a fence, or a combination of the two. If a fence is chosen, the fence may be either an ornamental metal fence, vinyl fence certified by the Vinyl Manufacturers Association (VMA), ASTU F964.13 compliant, made of extruded rigid polyvinyl chloride (PVC) fence panels, posts, and posts caps, the fence panel shall be reinforced with an aluminum channel in the bottom rail, or other composite material.
3. The fence or wall shall be installed on the development side of the buffer with trees, shrubs and grass between the fence or wall and the right-of-way line.
4. For every 100 linear feet of right-of-way buffer, there shall be a minimum of 3 large shade trees (4" caliper), 6-7 medium evergreen (non-deciduous) trees (4" cal., 15'-35' on center), and 18 large evergreen shrubs (7 gal., 5' o.c.) planted in an informal, clustered pattern. If a shade tree of three inches (3") diameter breast height ("d.b.h.") or greater exist in the buffer, then that tree may be used in the place of a new tree. Any existing shade trees shall be retained where possible and new trees will only be required where there is not a shade tree of at least 3" d.b.h. or greater within a forty (40) linear foot distance along the buffer. Pine trees are not shade trees for the purposes of this paragraph.
5. The buffers shall be indicated on the plat as separate parcels and maintained by the HOA. The Covenants and Restrictions for the Home Owner's Association (HOA) shall reflect the same.
6. Along Yellow Bluff Road, in addition to the buffer described above, there shall be a reservation of a 10 foot potential right-of-way for possible future widening of Yellow Bluff Road. This reservation shall be indicated on the plat. Should the City ever require this 10 foot reservation, the land shall be conveyed to the City at no cost to the City including with no Mobility or other transportation impact fee credit given.

**ADJACENT PROPERTY BUFFER:**

1. A minimum twenty (25) foot "Natural Buffer" area, as defined in Section 656.1222, Zoning Code, shall be provided along the northern boundary of the Property between

the rear lot lines of the perimeter lots within the PUD and the two “Drainage, Water, Utility & Sewer” easements (a 15-foot wide easement and an additional 20-foot wide easement) inside the northern boundary of the Property. The proposed development shall be engineered such that these easements will not be used by the applicant. Thus, a cumulative undisturbed buffer of 60 feet – the 15-foot and 20-foot unused easements plus the 25-foot Natural Buffer – will be provided along the northern boundary of the Property.

2. In order to protect against mechanical injuries to roots, trunks and branches, grade changes, excavations, paving, and attachments or wires, the applicable protection measures set out below shall be implemented prior to commencement of any construction with the Lots north of the proposed road entitled “Ivy Post Drive” as shown on the Site Plan.
  - a. A “Tree Protection Barricade” shall be installed at the southern boundary of the Natural Buffer to protect the trees and the understory vegetation from disturbance of any kind and shall remain in place until the completion of the work and final inspection by the City.
  - b. The Tree Protection Barricade shall limit access to the protected area and not be easily removed. The Barricade shall be a four to six feet high temporary chain link construction fence or equivalent. All fence posts are driven two feet into the ground and spaced a maximum of 10 feet on-center.
  - c. No materials, soil, motor vehicles, trailers, equipment or chemicals shall be stored, operated, dumped, buried or burned within the Tree Protection Barricade protected areas.
3. The buffer shall be indicated on the plat as a separate parcel and maintained by the Homeowners’ Association (HOA). The Covenants and Restrictions for the subdivision shall reflect the same.

**TRAFFIC:**

1. A traffic study shall be provided to the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study shall be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division and the City Traffic Engineer prior to the commencement of the study. The traffic study shall include an analysis of any need for entrance improvements (accel/decel lane, turn lane, signal). The developer shall construct a taper along the northbound travel lane toward the proposed project, subject to no objection by the City Traffic Engineer.
2. Entrance to the development shall be from Yellow Bluff Road only.

**LOT SIZES:**

1. A minimum of sixty percent (60%) of the residential lots will have a minimum lot width of sixty feet (60'), and a maximum of forty percent (40%) of the residential lots will have a minimum lot width of fifty feet (50'). All lots abutting the northerly 60-ft. buffer along the Hidden Creek subdivision and all lots abutting the Road Buffers will have a minimum lot width of sixty feet (60').
2. Front yard setback from front plane of house and garage: 20'
3. Impervious surface on each Lot: maximum of 60%.

**HOME DESIGNS:**

1. Home designs shall be a minimum of three bedrooms.
2. Maximum height of structure: 35'.

**ROAD DESIGN:**

1. Sidewalks, 5' in width minimum, shall be provided on both sides of all internal roads.
2. Internal roads shall have a minimum of 24' pavement, exclusive of curb and gutter.
3. Cul-de-sacs shall be designed such that a SU-30 vehicle can negotiate the turning radius.

**SUBDIVISION SIGNAGE:** Identity sign shall not exceed 8' in height.

**PARK:** Active recreation will be provided pursuant to Policies 2.2.4 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code. Pursuant to the Comprehensive Plan and Zoning Code, approximately .72 acres of active recreation (435 square feet x 72 lots) is required. As shown on the Site plan, an approximately 1.04 acre park will be provided on the eastern end of the Property, which is in addition to approximately 7.5 acres of open space and wetlands that will remain on the Property and 3.61 acres of landscaped and natural buffers. The park shall be maintained as such by the Homeowners' Association and failure to maintain the park shall be a violation of this PUD.