Southwest Florida Regional Planning Council

4980 Bayline Drive, 4th Floor, N. Ft. Myers, FL 33917-3909 (813) 995-4282

P.O. Box 3455, N. Ft. Myers, FL 33918-3455 SUNCOM 721-7290 / 7291

FAX 813-995-7895

January 5, 1993

Mr. Thomas A. Marsicano
Vice President
Greiner, Inc.
P.O. Box 31646
Tampa, FL 33631-3416

RE: The Port Charlotte Town Center (Murdock Center Increment II) Development Of Regional Impact - 1992-93 Annual Monitoring Report.

Dear Mr. Marsicano:

The Southwest Florida Regional Planning Council has received the 1991-92 Annual Monitoring Report for the above-referenced development of regional impact (DRI). Regional staff has found that the annual monitoring report meets the requirements for such reports, as contained in Subsection 380.06(18), Florida Statutes. Please be advised that the report, as accepted by regional staff, may not meet the requirements of other review and permitting agencies for annual status reports regarding all, or portions of, the development. If such information is required by other agencies, then regional staff would respectfully request that it be copied on any such submittals. Please contact Glenn Heath, Assistant DRI Coordinator, or Dan Trescott, DRI Coordinator, with any questions or comments concerning annual reporting requirements.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Wayne Daltry
Executive Director

WED/GEH/nld

cc: James Stansbury, Florida Department of Community Affairs
Max Forgey, Charlotte County Planning Department
Mark Phelps, Southwest Florida Water Management District
Ron Blackburn, FDER - South Florida District Office
Norman Feder, FDOT - District One

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CHARLOTTE COUNTY
PLANNING DEPT.

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MARINER PROPERTIES, INC.

July 6, 1992

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CHARLOTTE COUNTY
PLANNING DEPT.

Mr. Wayne Daltry
Executive Director
Southwest Florida Regional
Planning Council
4980 Bayline Drive, 4th Floor
North Fort Myers, FL 33917-3909

Dear Wayne:

Enclosed, together with our check in the amount of $100.00, are the DRI Annual Status Reports for the Riverwood DRI - Master and Increment One Development Orders. Also included in an update of the entry page for the 1992 DRI Update.

If you need any additional information or have questions concerning these reports, please call me.

Very truly yours,

Stephen A. Clayton

SAC/lbs

Enclosures: As stated.

cc: Charlotte County - Planning Department
State Department of Community Affairs
Southwest Florida Water Management District
Florida Department of Environmental Regulation
Department of the Army - Jacksonville Corps of Engineers
Florida Game and Fresh Water Fish Commission

12800 University Drive, Suite 350, Fort Myers, Florida 33907-5343 • Phone: (813) 481-2011 • Fax: (813) 481-6667

DRI UPDATE

Master

ID#: 109

PROJECT: Riverwood, A Planned Community, AMDA DRI #7-8889-93

APPLICANT: MRP Land Trust

OWNER: MRP Land Trust
12800 University Drive, Suite #350
Fort Myers, FL 33907-5343

CONTACT: Robert M. Taylor, Trustee

AGENT: Stephen A. Clayton
Mariner Properties, Inc.
12800 University Drive, Suite #350
Fort Myers, FL 33907-5343

REVIEWED BY:	SWFRPC		
DATE SUBMITTED:	07/26/89	REVIEW DATE:	08/16/90
RPC RECOMMENDATION:	Conditional Approval		
DEVELOPMENT ORDER:	Conditional Approval	DATE ISSUED:	11/16/90
RPC DO REVIEW:	Accepted D.O. as rendered		

REGIONAL ISSUES: Drainage, Water Quality, Energy, Historical and Archaeological Sites, Hurricane Evacuation, Marina, Transportation, Vegetation and Wildlife, Water Supply, Wetlands, Local Plan Consistency

PROJECT TYPE:	Mixed Use		
TOTAL ACRES:	1,265		
HOUSING UNITS:	3,300	HOTEL ROOMS:	
COMMERCIAL SQ. FT:	248,000	OFFICE SQ. FT:	86,000
INDUSTRIAL SQ. FT:		HOSPITAL BEDS:	
WET SLIPS:	300	DRY SLIPS:	250
OTHER:	GC, Clubhouse	EST. POPULATION:	7,160
TOTAL PROJECT COST:			
BUILDOUT YEAR:	2004	CONSTRUCTION YEARS:	15

PROJECT STATUS: Both the Application for Master Development Approval and the Application for Incremental Development Approval (Increment I, See ID #110) have been approved.

MODIFICATIONS: An Amendment to the Master and Increment I Development Orders was approved 10/22/91 to reflect the provisions of the Riverwood DRI Bald Eagle Habitat Management Plan.

ANNUAL STATUS REPORT

Reporting Period: 01/07/91 to 01/07/92

Development: Riverwood AMDA

Location: Port Charlotte, Charlotte County, Florida

Developer: Robert M. Taylor, Trustee
MRP Land Trust
c/o Mariner Properties, Inc.
12800 University Drive, Suite #350
Fort Myers, FL 33907-5343
Attn: Stephen A. Clayton

1. **Describe any changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval since the Development of Regional Impact received approval. Note any actions (substantial deviation determinations) taken by local government to address these changes.**

   Note: If a response is to be more than one sentence, attached as Exhibit A a detailed description of each change and copies of the modified site plan drawings. Exhibit A should also address the following additional items if applicable:

   a) **Described any changes in the plan of development or phasing for the reporting year and for the subsequent years;**

   b) **State any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;**

   c) **Attach a copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Paragraph 380.06(15)(f), F.S.**

   Response: See attached Exhibit A.

2. **Has there been a change in local government jurisdiction for any portion of the development since the development order was issued? If so, has the annexing local government adopted a new Development of Regional Impact development order for the project? Provide a copy of the order adopted by the annexing local government.**

   Response: No change.

3. **Provide copies of any revised master plans, incremental site plans, etc., not previously submitted.**

   Note: If a response is to be more than one or two sentences, attach as Exhibit B.

   Response: Plans as revised by referenced Development Order Amendments have been previously submitted.

4. **Provide a summary comparison of development activity proposed and actually conducted for the reporting year as well as a cumulative total of development proposed and actually conducted to date.**

   Example: Number of dwelling units constructed, site improvements, lots sold, acres mined, gross floor area constructed, barrels of storage capacity completed, permits obtained, etc.

   Note: If a response is to be more than one or two sentences, attach as Exhibit C.

   Response: Development activity for the first reporting period consisted of construction of the primary infrastructure for Phase I of Riverwood, including main entry road, utilities, surface water management system, and the commencement of the first 9 holes of the golf course. Dwelling unit construction is proposed to begin in the 2nd half of 1992.

5. **Have any undeveloped tracts of land in the development order (other than individual single-family lots) been sold to a separate entity or developer? If so, identify tract, its size, and the buyer. Provide maps which show the tracts involved.**

   Note: If a response is to be more than one sentence, attach as Exhibit D.

   Response: No parcels of land were sold during this period.

6. **Describe any lands purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order. Identify such land, its size, and intended use on a site plan and map.**

   Note: If a response is to be more than one sentence, attach as Exhibit E.

   Response: None.

7. **List any substantial local, state, and federal permits which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, and duty for each.**

   Note: If a response is to be more than one sentence, attach as Exhibit F.

   Response: See attached Exhibit F.

8. **Provide a list specifying each development order condition and each developer commitment as contained in the ADA and state how and when each condition or commitment has been complied with during the annual report reporting period.**

   Note: Attach as Exhibit G.

   Response: See attached Exhibit G.

9. **Provide any information that is specifically required by the development order to be included in the annual report.**

   Response: None applicable to this reporting period.

10. **Provide a statement certifying that all persons have been sent copies of he annual report in conformance with Subsections 380.06(15) and (18), F.S.**

    Response: We certify that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), F.S.

Person completing the questionnaire:	Stephen A. Clayton
Title:	Agent
Representing:	Robert M. Taylor, Trustee

EXHIBIT "A"

Both the Master and Increment I Development Orders were amended during the period to include the provisions of the Riverwood DRI Bald Eagle Management Plans. The Master Development Plan was modified to reflect the various zones provide for in the approved Bald Eagle Management Plan.

Further, the Increment I Development Order was amended to include a Community Development District as an included entity which may manage and maintain the surface water management system.

Development Order Amendment Resolutions 91-267 and 91-268 were approved by Charlotte County with a finding that these amendments did not constitute a substantial deviation on October 22, 1991.

A copy of the recorded Notice of Adoption of DRI Development Order Amendment for Riverwood DRI is attached.

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By Ruth Williams Bee D.C

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NOTICE OF ADOPTION OF DRI
DEVELOPMENT ORDER AMENDMENT FOR RIVERWOOD DRI

Pursuant to Florida Statues 380.06(15)(f), it is required that Notice of Adoption of, and Modification to, all Development of Regional Impact Development Orders must be filed with the Clerk of the Circuit Court by the developer. Such Development Order Amendments were adopted by Charlotte County, Florida, for the Master Development Order and the Increment One Development Order for the Riverwood DRI at a hearing on October 15 and 22, 1991, (Resolutions #91-267 and #91-268), and executed as approved on October 22, 1991. The Development Orders as amended may be examined in the Charlotte County Community Development Division, Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida, 22948, and at the offices of the Southwest Florida Regional Planning Council, 4890 Bayline Drive, 4th Floor, North Fort Myers, Florida 33918. All parties are hereby put on notice of the adoption of the Development Order Amendments. Recording of the Development Order Amendments shall not constitute a lien, cloud, or encumbrance on this real property, nor actual or constructive notice of any such lien, cloud or encumbrance, however it constitutes a land development regulation which is applicable to the subject property which is described more particularly in the Development Orders.

This Notice is hereby filed on behalf of the Developer this 3rd day of January, 1992, with copies sent by U.S. Mail to Dan Trescott, South Florida Regional Planning Council, Post Office Box 3455, North Fort Myers, Florida 33018, James Stansbury,

Return to:
Pavese, Garner, Haverfield Atty's.
P.O. Box 2277
Ft. Myers, Fl. 33902-2277

RECEIVED JAN 15 1992

REC'D JAN 7 1992

Florida Department of Community Affairs, 2740 Centerview Drive, Tallahassee, Florida 32399, and Max Forgey, Charlotte County Planning Director, 18500 Murdock Circle, Port Charlotte, Florida 33948.

PAVESE, GARNER, HAVERFIELD,
DALTON, HARRISON & JENSEN
Attorneys for Developer
Post Office Drawer 1507
1833 Hendry Street
Fort Myers, Florida 33902
(813) 334-2195

By: _____
STEVEN C. HARTSELL
Florida Bar #:305030

OR BOOK 001194 PAGE 000620

STATE OF FLORIDA)
)
COUNTY OF LEE)

BEFORE ME the undersigned authority, duly authorized to take acknowledgements and administer oaths, personally appeared STEVEN C. HARTSELL, to me known and known to me to be the person who made and subscribed to the foregoing Notice of Adoption of DRI Development Order Amendment for Riverwood DRI, and certifies and acknowledges that he made and executed said instrument for the use and purposes therein expressed.

WITNESS MY hand and official seal this 3rd day of January, 1992.

_____
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP. FEB.29,1992
BONDED THRU GENERAL INS. UND.

riverwoo.not

EXHIBIT "F"

PERMITS ISSUED

7) Riverwood - Increment I (752 acres)

Agency	Permit Type	Permit Number	Project Area	Status
FDER	Dredge & Fill	081959329	Increment I (Less PDA)	In Process
U.S.A.C.O.E.	Dredge & Fill	199130641(1P-BB)	Increment I (Less PDA)	In Process
SWFWMD	Surface Water	406845.02	Increment I (Less PDA)	In Process
SWFWMD	Water Use	2010169.01	Golf course	Received
U.S.A.C.O.E.	Dredge & Fill	90NWQ-02825	PDA	Received
FDER	Dredge & Fill	081828245	PDA	Received
SWFWMD	Surface Water	406845.01	PDA	Received
FDER	Wastewater Treatment & Reuse	GMS 4008P10509 DC08-182784	PDA	Received

RIVERWOOD DRI-AMDA

ANNUAL STATUS REPORT
DEVELOPMENT ORDER CONDITIONS

EXHIBIT G

A. CONDITIONS

1. DRAINAGE/WATER QUALITY

a. Each increment will require SWFWMD permits for conceptual approval and/or construction and operation of the surface water management system, and for any dewatering activities associated with the construction of lakes, roads or building foundations as required by SWFWMD.

b. All water retention/detention areas must meet SWFWMD criteria. Any areas which do not meet this criteria may not be used in the calculation of water quality or quantity volumes.

c. The applicant shall confirm, to the satisfaction of the SWFWMD and the applicable federal, state, and local permitting agencies that the proposed water management system will not significantly adversely impact habitats of any species of special concern, threatened or endangered species occurring on-site contrary to law or required regulations, or that such impacts will be mitigated as deemed appropriate during the permitting process.

d. Provisions for the drainage of off-site areas and out-parcels that presently drain through each increment site must be provided at the time of permit application.

e. The applicant shall undertake a regularly scheduled vacuum sweeping of all commercial and office parking facilities, to be incorporated as a best management practice.

f. In areas adjacent to retail, offices and marina uses the applicant shall provide pre-treatment of runoff, in accordance with the applicable criteria of the permitting agencies, in order to provide reasonable assurance that hazardous materials will not enter the stormwater management system.

g. The operation of the Riverwood Surface Water Management System is dependent on the Myakka River for an outlet. Therefore, each incremental water management plan shall demonstrate that the system is designed in accordance with existing SWFWMD permit design parameters for the adjacent portions of the Myakka River.

h. The applicant shall cooperate with any on-going or future efforts by Charlotte County to establish a County-wide Watershed Basin Management Plan.

i. **Best Management Practices (BMP's) and monitoring and maintenance of the stormwater management system shall be implemented by the applicant in accordance with SWFWMD guidelines.**

j. **All commitments made by the applicant within the AMDA related to Question 15 (Water Quality) and Question 22 (Drainage) and subsequent sufficiency round information, not in conflict with the above recommendations, shall be incorporated in each increment of the project as conditions for approval.**

Response: Conditions have been incorporated into Increment I Development Order. See Increment I Annual Status Report for update on applicable conditions.

2. ENERGY

Each Development Order for any Increment shall contain a provision encouraging the Applicant to incorporate the following energy conservation features where appropriate in saving energy, into final site plans and architecture. These features may be implemented through appropriate deed restrictions and covenants in order to mitigate further energy impacts of the project. To the extent practicable, the following shall be undertaken or incorporated into the development plans:

a. **Provision of a bicycle/pedestrian system along Riverwood Drive and other collector roads within the project.**

b. **Provision of bicycle racks or storage facilities in recreational, commercial and multi-family residential areas.**

c. **Cooperation in the locating of bus stops, shelters, and other passenger and system accommodations for a transit system to serve the project area.**

d. **Use of energy-efficient features in window design (e.g., tinting and exterior shading).**

e. **Use of operable windows and ceiling fans.**

f. **Installation of energy-efficient appliances and equipment.**

g. **Prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts (e.g. building orientation, clotheslines, and solar water heating systems).**

h. **Reduced coverage by asphalt, concrete, rock and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflected light and heat.**

i. **Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.**

j. **Selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs.**

k. **Planting of native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas.**

l. **Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months.**

m. **Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize the natural cooling effects of the wind.**

n. **Provision for structural shading (e.g., trellises, awnings, and roof overhangs) wherever practical when natural shading cannot be used effectively.**

o. **Inclusion of porch/patio areas in residential units.**

p. **Consideration by the project architectural review committee(s) of energy conservation measures (both those noted here and others) to assist builders and residents in their efforts to achieve greater energy efficiency in the development.**

Response: Conditions have been incorporated into Increment I Development Order. See Increment I Annual Status Report for update on applicable conditions.

3. HISTORICAL/ARCHAEOLOGICAL SITES

Pursuant to the AMDA containing an archaeological study and report identifying various historical or archaeological sites:

a. **Shell midden A is not eligible for listing in the National Register of Historic Places, nor otherwise has any national, state, regional, or local significance, therefore, no further archaeological consideration is necessary for this site.**

b. **Preservation of shell midden B shall occur if it is determined to be a site eligible for inclusion on the National Register of Historic Places. Such determination shall be based on an archaeological test excavation conducted prior to local development permitting to provide sufficient data to make a final determination concerning its possible regional significance. The resultant project report must be forwarded to the State Division of Historical Resources to complete the process of reviewing the impact of this project on significant archaeological resources.**

c. **If preservation of shell midden B is chosen as an option it shall be stabilized through use of native vegetation, rip-rap, or similar barrier.**

d. **Preservation of the burial mound shall occur if reasonably feasible, and if not, prior to local development permitting, heavy equipment shall be used to remove the overburden covering the mound to determine if burials are present. This work shall be monitored by a professional archaeologist. If human burials are encountered, all work within the burial mound area shall cease pending compliance with the provisions of Section 872.05, Florida Statutes.**

e. **If preservation of the burial mound is chosen as an option it shall be recontoured, capped, and planted with native vegetation.**

Response: This condition applies to a future Increment.

4. HURRICANE EVACUATION/FLOODPLAINS

For each Riverwood AIDA the Applicant will be required to submit hurricane preparedness and mitigation measures consistent with the provisions of Florida Administrative Code Rules. The plan for any future proposed marina area to protect boats and prevent boats from becoming battering objects to an on-site and off-site property.

Response: Where applicable, hurricane conditions have been incorporated into Increment I Development Order.

5. MARINA

a. **The two separate wet slip docking facilities as proposed within the AMDA are not approved, however small boat access facilities such as docks may be considered within an AIDA application.**

b. **The marina basin shall be conceptually approved in the general location proposed by the applicant with the number of wet and dry slips to be determined at the time of AIDA approval. Nothing herein obligates the approval of a Comprehensive Plan Amendment or rezoning by Charlotte County.**

c. **Any marina shall be subject to an appropriate Comprehensive Plan Amendment.**

Response: Marina condition applies to future Increment.

6. TRANSPORTATION

a. **Based on the Applicant's initial analysis of buildout in year 2004, Riverwood is projected to utilize 5 percent or more of the peak hour level of service "D" capacity on the regionally and locally significant road segments summarized below and identified in Exhibit B for which a service deficiency is also projected. Therefore, in addition to any site related improvements identified in the AIDA Development Order, all AIDA submittals for increments of Riverwood showing any impacts on these road improvements to support the incremental development and shall specify the AIDA's proportionate share of required road and intersection improvements.**

Regionally Significant Facilities

US 41

- Sumter Boulevard to Cornelius Boulevard
- Creighton Boulevard to Toledo Blade Boulevard North
- Toledo Blade Boulevard South to Harbour Boulevard

SR 776

- Pine Street to US 41

CR 771

- SR 776 to Rotonda Boulevard

Kennilworth Boulevard

- Murdock Circle to Toledo Blade Boulevard

Toledo Blade Boulevard

- US 41 to Hillsborough Boulevard

Locally Significant Facilities

Toledo Blade Boulevard

- Pellam Boulevard to Lakeview Terraces

Collingswood Boulevard

- US 41 to SR 776

Chamberlin Boulevard

- Bowman Terrace to US 41

Cornelius Boulevard

- SR 776 to US 41

Lakeview Boulevard

- Toledo Blade Boulevard to Midway Boulevard

Bowman Terrace

- Biscayne Boulevard to Chamberlin Boulevard

b. All Increments shall be required to pay for specific access point intersection improvements and their proportionate share of offsite regional intersection improvements which are required as a result of Riverwood traffic and as identified in subsequent AIDA submittals. Access point intersection improvements include, but are not necessarily limited to, signalization and turn lanes. Site related improvements and calculation of credits, if any, against Road Impact Fees shall be consistent with the provisions of the Charlotte County Impact Fee Ordinance. The proportionate share of improvements to off-site intersections of arterial and collector roads with the regional roadways indicated in Condition "a" above shall be included as mitigation for proportionate share purposes.

c. **In order to determine the proportionate share that each Increment contributes to the total transportation impacts forecasted for Riverwood, future phases of Increments that may overlap shall be staged in five year stages to coincide with each other. Based on the Increment I AIDA, future phases shall be 1995, 2000, and 2005 unless otherwise amended.**

d. **All Increments shall participate in annual traffic monitoring programs to determine existing levels of service on regional facilities and the need for improvements in a timely manner.**

e. **In future AIDAs, the applicant shall be responsible for identifying cumulative Riverwood transportation impacts. Each increment shall be responsible for scheduling with the appropriate governmental agency funding for those regional road and intersection improvements needed during each five year phase to maintain the applicable level of service standard in effect at that time for the agency having jurisdiction over the particular roadway in question. This schedule of requirement improvements (i.e., Capital Road Facilities Plan) shall be a part of each Incremental Development Order.**

f. **Each AIDA applicant shall be responsible for indicating the transportation impacts of that increment upon the road network by analyzing the applicable levels of service, itemizing the necessary roadway and intersection improvements, and calculating the applicant's proportionate share of the costs of these improvements. A schedule of required improvements shall be made a part of each incremental development order.**

g. **If any improvement to a regionally or locally significant road or intersection needed during an Increment and identified in the Capital Road Facilities Plan (as required by Condition "e") is not constructed as specified in the Plan, construction of Riverwood shall stop at the end of the Increment (or five year stage that the Increment is in at the time the improvement fails to be constructed as planned). If the applicant is responsible for the construction of the improvement which failed to be completed in a timely manner, the construction of Riverwood shall immediately cease.**

h. **If staged road/intersection improvements are required and later additional improvements are anticipated on State highways, then the applicant (or local government as the case may be) shall forward to the Florida Department of Transportation, one or more typical cross section designs for each stage of the improvement prior to the improvement being implemented. The FDOT shall be given an opportunity to review and comment upon the cross-sections, particularly on their suitability for future staged improvements, and shall forward their comments to Charlotte county.**

<u>Response</u>: Transportation conditions have been incorporated into Increment I Development Order. See Annual Status Report for update on applicable conditions.

7. VEGETATION AND WILDLIFE

a. **Land uses within the primary and secondary Bald Eagle zones shall be consistent with the bald Eagle Habitat Management Plan to be approved by Charlotte County through the appropriate F. S. Chapter 380 development order amendment procedures at a later date.**

Response: On October 22, 1991, Development Order Amendments pursuant to Chapter 380 procedures were approved by Charlotte County to include the provision of the Riverwood Bald Eagle Management Plan.

b. **Mitigation measures for Gopher Tortoises shall be consistent with FGFWFC Management Guidelines.**

Response: Conditions have been incorporated into Increment I Development Order. See Annual Status Report for update on applicable conditions.

8. WATER SUPPLY

Each incremental development order shall also contain the following conditions where practicable:

a. **Prior to construction of buildings in each approved phase or increment, the Applicant shall show verification, acceptable to the SWFWMD, that adequate water facilities are available for that respective portion of the project.**

b. **Each phase or increment shall acquire, as required by SWFWMD, a water use permit for any withdrawals from groundwater, project lakes and/or any other surface water bodies for irrigation or potable uses and for any dewatering activities associated with the construction of project lakes, and/or road, or building foundations.**

c. **The applicant shall commit to the use of treated wastewater for all or part of the irrigation demand for each phase or increment, at such time as adequate amounts of treated wastewater are available for each respective portion of the project.**

d. **If treated wastewater is used for irrigation, the applicant shall ensure that onsite lakes and wetlands, and the Myakka River, are adequately buffered from possible effluent contamination as regulated by the appropriate agencies.**

e. **Water should not be used for the purpose of lot, driveway or street cleaning.**

f. **Water conservation measures and practices should be utilized in Riverwood such as low water use plumbing fixtures, self closing and/or metered water faucets, and other water conserving devices. Unless spray effluent is utilized for irrigation, landscape irrigation should be restricted to the hours between 5:00 p.m. and 9:00 a.m. after the establishment of landscaping.**

g. **Riverwood shall utilize xeriscape principles in the design and maintenance of the project's landscaping.**

h. **All construction plans, technical specifications, and proposed plats, if applicable, for the proposed water distribution system for each increment shall be reviewed and approved by Charlotte County prior to commencement of construction.**

Response: Conditions have been incorporated into Increment I Development Order. See Annual Status Report for update on applicable conditions.

9. WETLANDS

a. **Wetland impacts shall be avoided wherever reasonably possible. Unavoidable wetland impacts shall be mitigated using "state of the art" methodologies and consistent with the present Regional Policy Plan.**

b. **Riverwood shall utilize "Best Management Practices" (BMPs) for stormwater management in order to assure that the quality of water entering wetland areas is acceptable in terms of quality, quantity, timing and pattern of flow.**

c. **Wetlands to be preserved shall be adequately buffered from surrounding construction and development activities as deemed appropriate by applicable permitting agencies.**

d. **A wetland maintenance plan shall be designed and implemented by the applicant for the overall maintenance and protection of ecological integrity of the wetland preserve areas within each increment.**

Response: Conditions have been incorporated into Increment I Development Order. See Annual Status Report for update on applicable conditions.

LOCAL

10. EDUCATION

The Applicant shall satisfy the requirements of any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate by contributing its proportionate share needed to accommodate the impacts of the development.

Response: These requirements were considered in the approval process for Increment I Development Order.

11. FIRE PROTECTION

a. **The Applicant shall satisfy the requirements of the Charlotte County Impact Fee Ordinance and any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate by contributing its proportionate share needed to accommodate the impacts of the development.**

Response: Where applicable for Increment I, this condition is being satisfied through compliance with the Charlotte County Impact Fee Ordinance.

b. **The applicant and the fire department shall, if required, meet during site plan review to recommend and implement safety and access features for the project.**

Response: Meetings were held during the Increment I Development Order process and are a part of the regular plan review process by Charlotte County.

12. POLICE PROTECTION

a. **The Applicant shall satisfy the requirements of the Charlotte County Impact Fee Ordinance and any ordinance which also requires other developments not subject to Chapter 380.06 F.S. procedures to participate by contributing its proportionate share needed to accommodate the impacts of the development.**

Response: Where applicable for Increment I, this condition is being satisfied through compliance with the Charlotte County Impact Fee Ordinance.

b. **The Sheriff's Department and the applicant shall, if required, meet during site plan review for each increment to incorporate safety, security and access feature recommendations in the project design.**

Response: Condition requirements were considered during the Increment I Development Order Process.

13. SOLID WASTE

a. **The Applicant shall develop (and be prepared to implement) procedures for storing and disposing of hazardous waste, including hazardous waste water, in accordance with local, regional, state and federal hazardous waste programs.**

Such procedures should be concurrent with local zoning approvals.

Response: Not applicable to development activity at this time.

b. **Any business which might generate special or hazardous wastes, shall be responsible for the temporary storage and proper disposal of special or hazardous wastes generated by the businesses that will occupy Riverwood. These types of wastes shall include any of those listed in the Charlotte County Hazardous Waste Assessment (Table III-2), performed by the Southwest Florida Regional Planning Council in July 1985. However, there shall be no siting of special or hazardous waste storage facilities contrary to Charlotte County Zoning Regulations.**

Response: Not applicable to development activity at this time.

14. WASTEWATER MANAGEMENT

The following remedial actions/information should be provided in future AIDAs:

a. **The applicant shall update wastewater flows for each increment, as well as treatment plant excess capacity, so as to assure that adequate treatment capacity is available for each increment and general growth within the plant service area.**

b. **The applicant should provide assurance, for any increment involving commercial or marina uses, that non-domestic wastewater will be treated separately from domestic wastewater and handled in accordance with FDER criteria.**

c. **The applicant should not use treated effluent for the purpose of washing boats at the proposed marina, so as to avoid contamination of the Myakka River.**

d. **Temporary septic tanks may be used for residential models, construction and sales offices. Unless otherwise specified in future increments, in commercial and marina portions of the project, septic tanks should not be allowed, except for construction of sales offices and model home centers due to the possibility of hazardous wastewater generation. Septic tanks shall not be allowed in any residential portions of the project, except for construction or sales offices which shall be connected to central treatment facilities prior to residential use. Septic tank use for incidental buildings, such as on the proposed golf course, should be subject to review during the agency review of the appropriate increments.**

Response: Conditions have either been incorporated into the Increment I Development Order or apply to a future increment.