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April 17, 2006

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ORDINANCE  
NUMBER 2006 - 030

AN ORDINANCE PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES; ADOPTING A LARGE SCALE PLAN AMENDMENT TO THE FUTURE LAND USE ELEMENT OF THE 1997-2010 CHARLOTTE COUNTY COMPREHENSIVE PLAN CREATING THE BABCOCK RANCH OVERLAY DISTRICT (BROD); AMENDING THE FUTURE LAND USE MAP SERIES TO INCORPORATE THE NEW MAP DESIGNATION; CREATING A NEW SPECIAL URBAN SERVICE BOUNDARY; PROVIDING AN EXEMPTION TO THE TRANSFER OF DEVELOPMENT UNITS ORDINANCE; MODIFYING MOST OR ALL COMPREHENSIVE PLAN ELEMENTS; INCLUDING BUT NOT LIMITED TO TRANSPORTATION, INFRASTRUCTURE, CAPITAL IMPROVEMENTS, AND NATURAL RESOURCES; SUBJECT SITE CONSISTS OF 13,686 ACRES, MORE OR LESS; LOCATED IN COMMISSION DISTRICT I; PETITION PA-05-09-61-LS; APPLICANT, KITSON & PARTNERS/MSKP III, INC.; PROVIDING FOR TRANSMITTAL; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, April 4, 2006, the Board of County Commissioners of Charlotte County ("Board") reviewed land use amendment Petition PA-05-09-61-LS, by applicant Kitson & Partners/MSKP III, Inc., which is a large scale amendment to the Future Land Use Element of the 1997-2010 Charlotte County Comprehensive Plan creating the Babcock Ranch Overlay District ("BROD"); amending the Future Land Use Map series to incorporate the new map designation; creating a new special Urban Service Boundary; providing an exemption to the Transfer of Development Units; modifying potentially all of the Comprehensive Plan Elements including, but not limited to, Transportation, Infrastructure, Capital Improvements, and Natural Resources;



Handwritten marks and signatures at the bottom right of the page.

1 the subject site consists of 13,686 acres, more or less, located in the East County Planning  
2 District; all for property located in Commission District I, Charlotte County, Florida, and  
3 more particularly described in Exhibit "A" attached hereto and by this reference provided  
4 herein; and

5 WHEREAS, on December 14, 2005, the Board approved the transmittal of  
6 the Large Scale Plan Amendment to the Department of Community Affairs; and

7 WHEREAS, on February 10, 2006, the Department of Community Affairs  
8 issued its Objections, Recommendations and Comments Report; and

9 WHEREAS, the proposed Large Scale Plan Amendment to the Future Land  
10 Use Element of the 1997-2010 Comprehensive Plan and the other changes proposed by  
11 the applicant Kitson & Partners/MSKP III, Inc. has previously been heard by the Charlotte  
12 County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis  
13 contained in the Planning and Zoning Division staff report regarding the proposed  
14 Application PA-05-09-61-LS and the evidence presented to the P&Z Board, the proposed  
15 amendment has been found to be consistent with the Charlotte County Comprehensive  
16 Plan and has been recommended for adoption by the P&Z Board; and

17 WHEREAS, on Tuesday, April 4, 2006, the Board held a public hearing on  
18 the adoption of the Large Scale Plan Amendment to the 1997-2010 Charlotte County  
19 Comprehensive Plan proposed by Application PA-05-09-61-LS, and has found the  
20 proposed amendment is consistent with the Charlotte County Comprehensive Plan and  
21 has hence determined that it is in the best interests of Charlotte County to adopt this  
22 amendment.

1           NOW, THEREFORE, BE IT ORDAINED by the Board of County  
2 Commissioners of Charlotte County, Florida:

3 Section 1. Approval. The following petition for amendment to the Future Land Use Map of  
4 the Charlotte County Comprehensive Plan be and hereby is approved.

5           Petition PA-05-09-61-LS requesting a Large Scale Plan Amendment to the  
6 Future Land Use Element of the 1997-2010 Comprehensive Plan creating the  
7 Babcock Ranch Overlay District (BROD), all as contained in the Goals,  
8 Objectives and Policies, attached hereto as Exhibit "B" and by this reference  
9 provided herein; amending the Future Land Use Map series to incorporate the  
10 new map designation; creating a new Special Urban Service Boundary;  
11 providing an exemption from the Transfer of Development Units Ordinance;  
12 modifying most or all Comprehensive Plan Elements including, but not limited  
13 to, Transportation, Infrastructure, Capital Improvements, and Natural  
14 Resources; all for property located in the East County Planning District,  
15 located in Commission District I, Charlotte County, Florida, containing 13,686  
16 acres more or less, more particularly described in Exhibit "A" attached hereto  
17 and by this reference provided herein.

18  
19 Section 2. Effective Date. The effective date of this plan amendment shall be the date a  
20 final order is issued by the Department of Community Affairs or the Administration  
21 Commission finding the adopted amendment to be in compliance with Section 163.3184,  
22 Florida Statutes, whichever is earlier; provided this ordinance has been filed in the Office of  
23 the Secretary of State, State of Florida. No development orders, development permits, or  
24 land uses dependent on this amendment may be issued or commence before it has  
25 become effective. If a final order of noncompliance is issued by the Administration  
26 Commission, this amendment may nevertheless be made effective by adoption of a  
27 resolution affirming its effective status, a copy of which resolution shall be sent to the  
28 Department of Community Affairs, Division of Community Planning, 2555 Shumard Oak  
29 Boulevard, Tallahassee, FL 32399-2100.

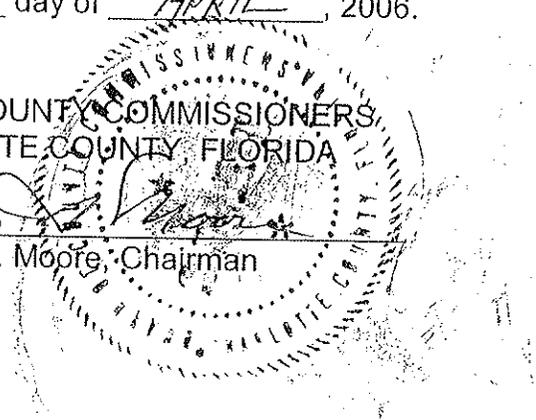
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Section 3. Transmittal. County staff is hereby directed to forward a certified copy of this ordinance and any attachments to the Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and to the Executive Director, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33918-3909.

PASSED AND DULY ADOPTED this 4<sup>TH</sup> day of APRIL, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: Thomas G. Moore  
Thomas G. Moore, Chairman



ATTEST:  
Barbara T. Scott, Clerk of the  
Circuit Court and Ex-officio Clerk to  
the Board of County Commissioners

By: Anne L. Babler  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

By: Janette S. Knowlton  
Janette S. Knowlton, County Attorney

RB  
LR 2006-231

**DESCRIPTION**

**BABCOCK RANCH OVERLAY DISTRICT**

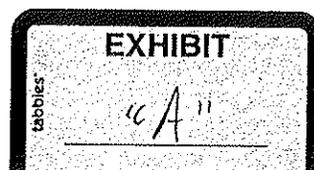
LYING IN

SECTIONS 28, 29, 31 THROUGH 33, TOWNSHIP 41 SOUTH, RANGE 26 EAST,  
AND SECTIONS 4 THROUGH 10, SECTIONS 15 THROUGH 17 AND  
SECTIONS 19 THROUGH 36, TOWNSHIP 42 SOUTH, RANGE 26 EAST,  
CHARLOTTE COUNTY, FLORIDA.

A parcel of land lying within Townships 41 and 42, Range 26 East, Charlotte County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 31, Township 42 South, Range 26 East and run S89°41'45"E, along the South line of said Section 31, a distance of 350.01 feet to the Point of Beginning of the parcel of land herein described;

Thence along a line 300.00 feet East of, and parallel with, the East right-of-way line for State Road No. 31, the following courses and distances: N00°36'46"E a distance of 5336.09 feet, N00°26'10"E a distance of 5282.78 feet and N00°31'45"E a distance of 4197.65 feet; Thence S77°54'41"E a distance of 707.35 feet; Thence N81°38'00"E a distance of 5168.06 feet; Thence N82°12'01"E a distance of 711.51 feet; Thence N62°45'03"E a distance of 4638.50 feet; Thence N28°10'55"W a distance of 1272.65 feet; Thence N69°50'23"E a distance of 1104.32 feet; Thence S45°00'57"E a distance of 266.61 feet; Thence N71°59'01"E a distance of 448.55 feet; Thence N12°51'59"W a distance of 1862.42 feet; Thence N13°56'09"E a distance of 1953.99 feet; Thence N50°03'22"W a distance of 2565.68 feet; Thence S63°01'21"W a distance of 1215.04 feet; Thence N70°04'12"W a distance of 1843.56 feet; Thence N57°46'34"W a distance of 530.23 feet; Thence N24°01'11"W a distance of 975.16 feet; Thence N86°25'58"W a distance of 385.81 feet; Thence N38°10'48"W a distance of 551.49 feet; Thence S59°20'29"W a distance of 577.78 feet; Thence N73°15'18"W a distance of 661.18 feet; Thence N09°11'59"E a distance of 1325.91 feet; Thence N16°46'15"W a distance of 1740.31 feet; Thence N00°01'22"W a distance of 2084.14 feet; Thence N89°25'59"W a distance of 3804.51 feet to a point lying 300.00 feet East of the East right-of-way line for State Road No. 31; Thence along a line 300.00 feet East of, and parallel with, the East right-of-way line for State Road No. 31, the following courses and distances: N00°34'01"E a distance of 789.90 feet and N00°48'43"W a distance of 2979.88 feet; Thence N89°11'17"E a distance of 5661.25 feet; Thence N00°00'03"W a distance of 2799.47 feet; Thence N89°59'57"E a distance of 4295.48 feet; Thence S28°04'21"E a distance of 2408.38 feet; Thence S00°00'00"W a distance of 1967.31 feet; Thence S89°59'52"E a distance of 688.23 feet; Thence S00°00'29"E a distance of 324.64 feet; Thence S39°50'11"E a distance of 190.87 feet; Thence S00°00'03"E a distance of 1218.43 feet; Thence S89°51'42"E a distance of 67.91 feet; Thence S01°26'06"E a distance of 897.46 feet;

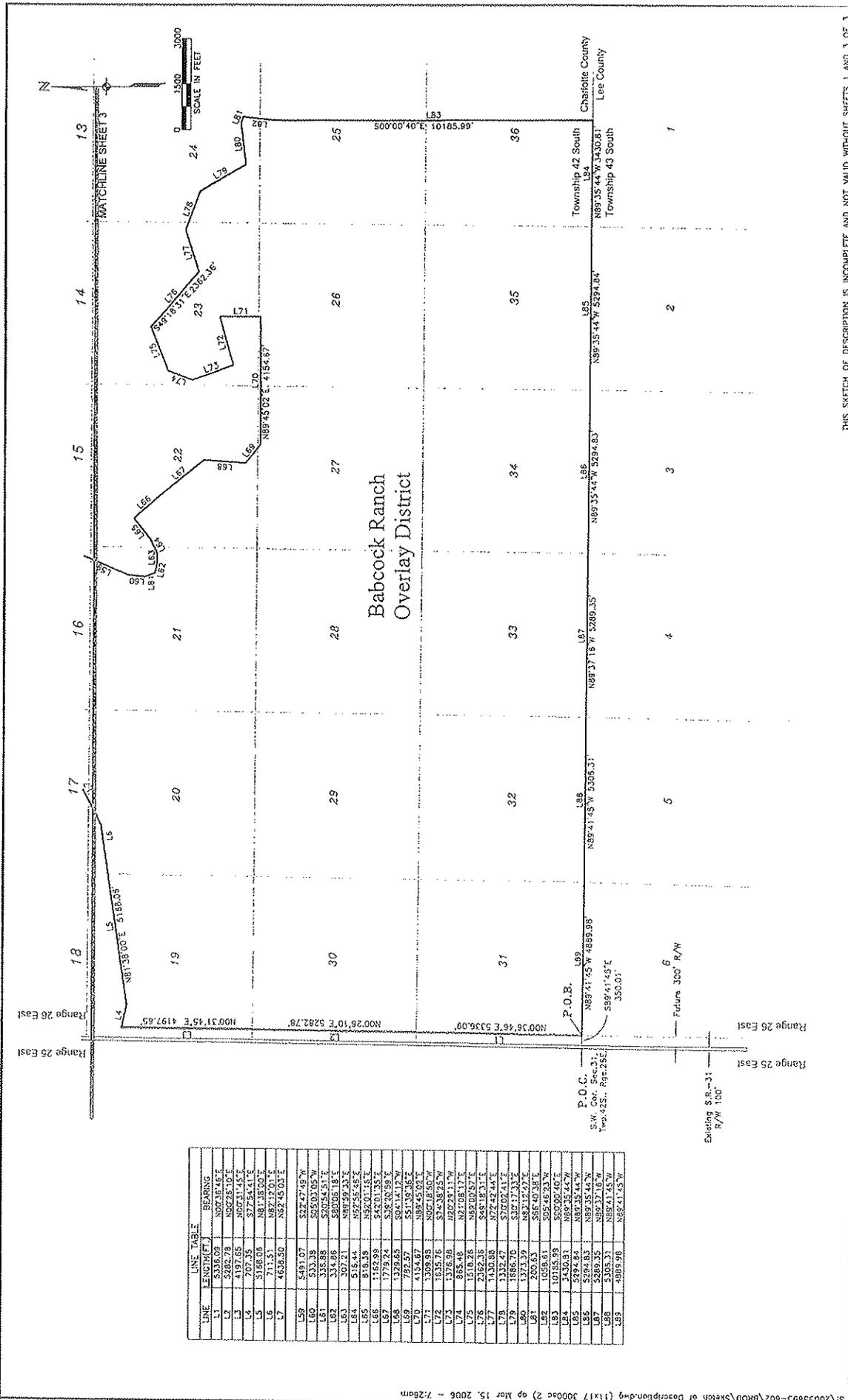


Thence S74°19'19"E a distance of 1689.13 feet; Thence N79°06'55"E a distance of 475.22 feet; Thence S26°13'22"E a distance of 802.17 feet; Thence S19°47'08"E a distance of 527.22 feet; Thence S05°04'15"E a distance of 1832.85 feet; Thence S32°40'01"E a distance of 186.12 feet; Thence S13°05'30"W a distance of 201.97 feet; Thence S07°19'37"E a distance of 171.40 feet; Thence S42°54'55"E a distance of 643.22 feet; Thence S25°12'33"E a distance of 261.14 feet; Thence S00°28'20"W a distance of 674.54 feet; Thence S03°43'40"W a distance of 687.25 feet; Thence S08°01'21"E a distance of 493.34 feet; Thence S19°48'25"E a distance of 366.26 feet; Thence N78°50'16"E a distance of 687.98 feet; Thence S13°36'57"E a distance of 2507.44 feet; Thence S52°37'55"W a distance of 867.79 feet; Thence S21°59'06"E a distance of 1739.24 feet; Thence S55°42'26"W a distance of 195.73 feet; Thence S22°47'49"W a distance of 5491.07 feet; Thence S05°03'05"W a distance of 533.38 feet; Thence S20°54'51"E a distance of 336.88 feet; Thence S80°06'18"E a distance of 334.86 feet; Thence N89°59'33"E a distance of 307.21 feet; Thence N62°56'46"E a distance of 516.44 feet; Thence N52°01'16"E a distance of 818.38 feet; Thence S42°01'35"E a distance of 1162.99 feet; Thence S39°20'59"E a distance of 1779.24 feet; Thence S04°14'12"W a distance of 1329.65 feet; Thence S51°39'36"E a distance of 782.57 feet; Thence N89°45'02"E a distance of 4154.67 feet; Thence N00°18'50"W a distance of 1309.98 feet; Thence S74°38'25"W a distance of 1635.76 feet; Thence N20°29'11"W a distance of 1376.98 feet; Thence N21°08'17"E a distance of 865.48 feet; Thence N69°00'57"E a distance of 1518.26 feet; Thence S49°18'31"E a distance of 2362.36 feet; Thence N72°42'44"E a distance of 1430.88 feet; Thence S70°02'41"E a distance of 1332.47 feet; Thence S30°17'33"E a distance of 1686.70 feet; Thence N83°12'47"E a distance of 1373.39 feet; Thence S66°40'38"E a distance of 200.63 feet; Thence S05°46'23"W a distance of 1058.61 feet; Thence S00°00'40"E a distance of 10185.99 feet to a point on the South line of Section 36, Township 42 South, Range 26 East; Thence N89°35'44"W a distance of 3430.81 feet to the Southwest corner of said Section 36; Thence N89°35'44"W a distance of 5294.84 feet to the Southeast corner of Section 34, Township 42 South, Range 26 East; Thence N89°35'44"W a distance of 5294.83 feet to the Southwest corner of said Section 34; Thence N89°37'16"W a distance of 5289.35 feet to the Southeast corner of Section 32, Township 42 South, Range 26 East; Thence N89°41'45"W a distance of 5306.31 feet to the Southwest corner of said Section 32; Thence N89°41'45"W, along the South line of Section 31, Township 42 South, Range 26 East, a distance of 4889.98 feet to the Point of Beginning.

Containing 13,521.6 acres, more or less.

Bearings hereinabove mentioned are based on the South line of Section 31, Township 42 South, Range 26 East to bear S89°41'45"E.





LINE	LENGTH (FT)	BEARING
L1	5348.09	N00°16'42"E
L2	5282.78	N00°28'10"E
L3	4197.65	N00°21'45"E
L4	7077.35	S77°54'14"E
L5	5166.06	N81°18'04"E
L6	711.57	N87°17'01"E
L7	4638.50	S82°45'03"E
L8	5491.07	S37°47'16"W
L9	533.38	S85°01'05"W
L10	335.98	S20°54'51"E
L11	334.86	S80°05'18"E
L12	307.21	N89°59'23"E
L13	515.44	S92°55'45"E
L14	978.49	S52°01'15"E
L15	1162.99	S45°01'35"E
L16	1772.74	S35°20'59"E
L17	1772.74	S51°10'12"E
L18	782.57	S81°45'02"E
L19	4154.67	N88°45'02"E
L20	1309.98	N07°18'50"W
L21	1635.76	S74°38'25"W
L22	1376.98	N02°27'11"W
L23	865.48	N21°08'17"E
L24	1518.28	N65°10'57"E
L25	282.58	S50°18'31"E
L26	1332.47	S72°22'44"E
L27	1886.76	S37°17'31"E
L28	1373.39	N82°15'02"E
L29	250.63	S85°40'38"E
L30	1059.61	S05°46'23"W
L31	10155.99	S00°00'40"E
L32	3430.91	N89°35'44"W
L33	5974.84	N89°35'44"W
L34	2569.63	N89°35'44"W
L35	5105.37	N89°37'16"W
L36	5105.37	N89°37'16"W
L37	4889.98	N82°41'03"W

THIS SKETCH OF DESCRIPTION IS INCOMPLETE AND NOT VALID WITHOUT SHEETS 1 AND 3 OF 3

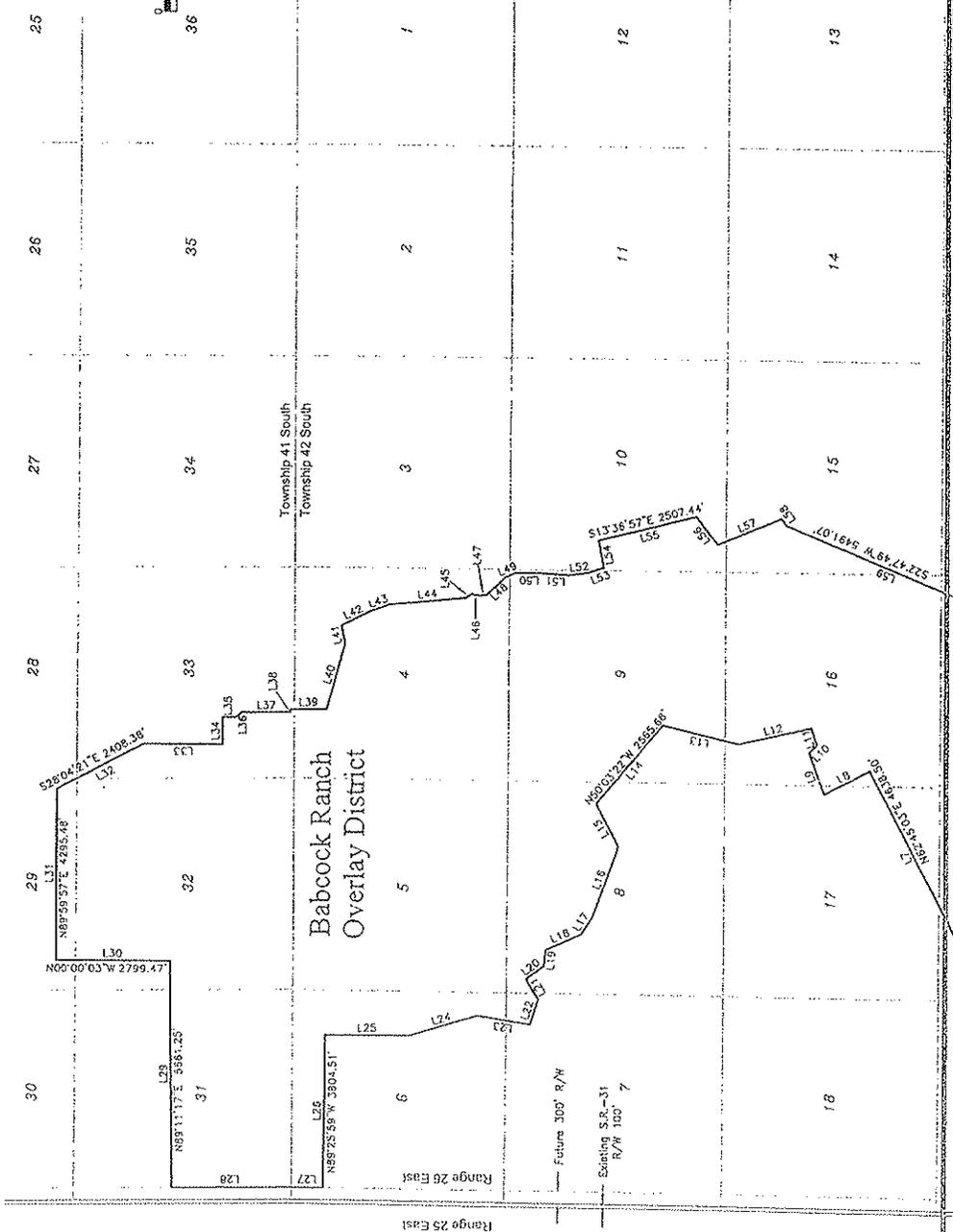
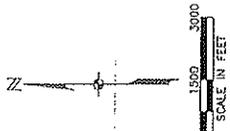
251 WEST HICKPOCHE AVENUE  
 LABELLE, FLORIDA 33935  
 PHONE (883) 612-0594  
 FAX (883) 612-0344  
 E.S. #692 & L.D. #692

PROJECT NO. 20055693-602  
 FILE NO. 29-41-76  
 SCALE As Shown  
 SHEET 2 of 3

**JOHNSON**  
ENGINEERING

Babcock Ranch  
 Overlay District  
 Charlotte County, Florida

Sketch & Description



LINE	LENGTH (FT.)	BEARING
L7	4938.50	N87°45'01"E
L8	1774.85	N87°45'55"W
L9	1774.85	S87°45'55"W
L10	248.51	S48°30'22"E
L11	248.55	S48°30'04"E
L12	1862.42	N17°45'58"W
L13	1953.99	N12°53'03"E
L14	2585.58	S60°04'22"W
L15	1215.04	S52°01'21"W
L16	1842.88	S79°24'12"W
L17	2322.2	S57°48'34"W
L18	3522.2	S79°24'12"W
L19	3453.5	S79°24'12"W
L20	3514.49	N45°18'46"W
L21	3717.8	S52°28'26"W
L22	851.18	N71°51'18"W
L23	1325.91	N02°11'58"E
L24	1740.31	N18°48'15"W
L25	2082.14	N07°01'22"W
L26	3595.31	N87°23'59"W
L27	2878.88	N02°33'01"E
L28	2878.88	N02°33'01"E
L29	2878.88	N02°33'01"E
L30	2788.47	N05°00'03"W
L31	4285.48	N89°59'57"E
L32	2408.38	S78°04'21"E
L33	1987.31	S00°00'00"W
L34	688.23	S85°59'52"E
L35	321.84	S02°02'24"E
L36	1918.7	S32°52'11"E
L37	57.91	S05°51'07"E
L38	897.46	S05°51'07"E
L40	1388.13	S74°18'19"E
L41	475.22	N78°08'53"E
L42	902.17	S28°13'24"E
L43	527.22	S18°47'08"E
L44	1932.85	S05°59'18"E
L45	885.17	S32°49'01"E
L46	1711.40	S13°35'30"W
L47	1711.40	S13°35'30"W
L48	843.22	S13°35'30"W
L49	281.14	S25°12'13"E
L50	574.24	S02°28'26"W
L51	687.25	S03°43'40"W
L52	453.34	S03°01'21"E
L53	368.23	S18°48'24"E
L54	897.98	N78°50'18"E
L55	867.74	S13°38'57"E
L56	1728.24	S71°38'58"E
L57	135.73	S55°42'28"W
L58	549.07	S22°47'48"W

MATCHLINE SHEET 2

THIS SKETCH OF DESCRIPTION IS INCOMPLETE AND NOT VALID WITHOUT SHEETS 1 AND 2 OF 3

**JOHNSON**  
ENGINEERING

Babcock Ranch  
Overlay District  
Charlotte County, Florida

Sketch & Description

DATE: 03-14-06  
PROJECT NO.: 20055693-601  
FILE NO.: 28-41-28  
SCALE: As Shown  
SHEET: 3 of 3

251 WEST HINCHUCKS AVENUE  
LAUREL, FLORIDA 33035  
PHONE (863) 612-0594  
FAX (863) 612-0341  
E.B. #642 & L.B. #642

LEGEND

POC = POINT OF COMMENCEMENT  
COR = CORNER  
POS = POINT OF BEGINNING  
SR = STATE ROAD  
SEC = SECTION  
FOWSE = FOWSE  
RGE = RANGE  
TOWSE = TOWNSHIP  
R/W = RIGHT OF WAY

Range 25 East

Range 26 East

Future 300' R/W

Spanning S.R.-31  
R/W 160' 7

**FINAL FOR CONSIDERATION FOR ADOPTION BY CHARLOTTE COUNTY  
3/31/06 10:00 am (adoption by County Commission on 4/4/06 with revisions)  
REVISIONS TO TRANSMITTED BROD AMENDMENTS  
ADDRESSING COMMENTS IN DCA 2/10/06 ORC REPORT**

**AMENDED GOALS, OBJECTIVES AND POLICIES**

**BABCOCK RANCH OVERLAY DISTRICT**

**Introduction (not to be adopted into comprehensive plan)**

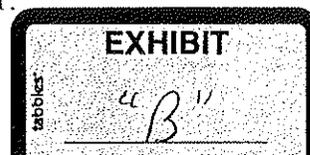
In order to establish a framework for future development on the Babcock Ranch property the applicant proposes a large-scale amendment to Charlotte County Comprehensive Plan 1997 – 2010 (the Plan). The proposed amendment would include: the formation of the Babcock Ranch Overlay District (BROD) and new Map 10 (replacing the existing Map No.10 and showing the BROD) and New Maps specifically detailing the BROD areas (New Map Nos. 11 a – h of the Future Land Use Map series); the establishment of a new Special Urban Service Area boundary to include the BROD area as shown on replacement Map 10 and New Map Nos. 11 a – h; and the creation of new objectives and policies to define the form and function of development within BROD.

The BROD shall guide development into a series of clearly identified and distinct Villages that together form a larger Town. Within the Town there is a clear hierarchy of development types utilizing Residential Neighborhoods as the basic development unit. Several Residential Neighborhoods and one or two Neighborhood Commercial Centers combine to form a Village, and several Villages combine to form the Town. The Town Center includes the main employment shopping, and cultural activities for the Villages. Villages shall have central focal points of higher densities and intensities that create an identity and a sense of place. The planned mix of uses of the Town shall help to provide a positive fiscal impact for the County.

The following objectives and policies implement Objective 2.5, Overlay Districts, of the FLUE, establishing the BROD as a new overlay within the Charlotte County Comprehensive Plan, and provide the basic framework by which Charlotte County can review and evaluate future development of the BROD, in accordance with the Department of Community Affairs Objections, Recommendations and Comments dated February 10, 2005.

**New Objectives and Policies (to be adopted into comprehensive plan)**

**Policy 2.5.10:** The Babcock Ranch Overlay District (BROD) serves as an overlay to the Future Land Use Map. The BROD covers approximately 13,521 acres, situated in the southwest portion of the Babcock Ranch and within the East County Planning Area. The general BROD boundary is identified on Map No. 10 and the specific BROD boundary is identified on Map No. 11 of the Future Land Use Map series. The BROD serves to establish a distinct area wherein specific land use standards and regulations will be implemented to guide the development of uses and structures in a manner that will enhance the social and economic resources of the County. All property within the BROD will be designated as Babcock Ranch Overlay District on the Future Land Use Map, which designation is described in Policies 2.5.10.1 through 2.5.24.1.



**FINAL FOR CONSIDERATION FOR ADOPTION BY CHARLOTTE COUNTY  
 3/31/06 10:00 am (adoption by County Commission on 4/4/06 with revisions)  
 REVISIONS TO TRANSMITTED BROD AMENDMENTS  
 ADDRESSING COMMENTS IN DCA 2/10/06 ORC REPORT**

**Objective 2.5.10:** The Babcock Ranch Overlay District (BROD) will create a well-planned new community within the East County planning area using the following Smart Growth principles and best management practices:

- Mix of Land Uses
- Create a Range of Housing Opportunities and Choices
- Create Walkable Neighborhoods
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Provide a Variety of Transportation Choices
- Make Development Decisions Predictable, Fair, and Cost Effective
- Encourage Community and Stakeholder Collaboration in Development Decisions

**Policy 2.5.10.1:** The BROD requires the creation of a mixed-use community with the establishment of areas and sub-areas, including residential, commercial, office, light industrial, recreational and public and quasi-public facilities. Specific development parameters for the 17,870 dwelling units and 6,000,000 sf of non-residential space anticipated for the BROD shall be limited as set forth below:

**Specific Land Use Mix (including Primary Greenways, Town Center and Villages)**

Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including schools. This total square footage for non-residential uses is further defined as including 4,840,000 square feet commercial/office/retail (including medical), 650,000 square feet of light industrial, 150,000 square feet of government/civic uses, 72 golf course holes, and 600 hotel rooms (360,000 square feet). The allocations for these uses throughout the BROD are set forth below, subject to the above totals:

	Minimum	Maximum
<b>Total BROD</b>		
Primary Greenways	4,700 acres	none
Parks	255 acres	325 acres
<b>Town Center</b>		
Size	1,000 acres	2,000 acres
Residential dwellings	6,000 du	8,000 du
Commercial/Retail	3,000,000 sf	3,500,000 sf
Office/Light Industrial	1,500,000 sf	2,200,000 sf
Public/Civic	50,000 sf	100,000 sf

**FINAL FOR CONSIDERATION FOR ADOPTION BY CHARLOTTE COUNTY  
 3/31/06 10:00 am (adoption by County Commission on 4/4/06 with revisions)  
 REVISIONS TO TRANSMITTED BROD AMENDMENTS  
 ADDRESSING COMMENTS IN DCA 2/10/06 ORC REPORT**

<b>Villages (individually)</b>		
Size	400 acres	1,200 acres
Residential dwellings	1,200 du	4,500 du
Commercial/Retail/Office	40,000 sf	200,000 sf
Public/Civic	10,000 sf	50,000 sf
<b>Hamlets (individually)</b>		
Size	300 acres	750 acres
Residential dwellings	150 du	1,500 du
Commercial/Retail/Office	5,000 sf	40,000 sf
Public/Civic	2,500 sf	10,000 sf

Note – Public/Civic space does not include schools, which square footage will be additional.

Note – Total for all of BROD, including Town Center, all Villages and all Hamlets, cannot exceed 17,870 du's and 6,000,000 sf, not including schools, which square footage will be additional.

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Land Use Classification	Development Type	Percent Land Use Allocation	Density DU/Acre	Intensity (FAR)
Town Center	- Residential: - Non-residential: (commercial, retail, light industrial)	10-20% (1)  2-10% (1)	6-24 du/ac (1)	Up to 2.0
Village – Residential Neighborhoods	Single/Multi-family	45%-65% (1)(2)	3-6 du/ac 6-16 du/ac	Up to 1.0
Village - Neighborhood Commercial (Mixed-Use)	Residential: Non-residential/Commercial:	Up to 5 % (1)  Up to 5% (1) commercial mix	3-16 du/ac	Up to 1.0
Public/ Quasi-Public facilities	Institutional uses, schools (4), government facilities, etc.	Up to 5% (1)	N/A	Up to 2.0
Open space	Refer to Policy 2.14.3	Minimum 35% (3)	N/A	N/A

- Note: (1) Based on gross developable lands acreage (not including Primary Greenways)  
(2) Percent land use for combined total Village – Residential Neighborhoods Allocation  
(3) Based on gross lands acreage of BROD  
(4) Schools acreage is included in above chart, however school building square footage is not included in 6,000,000 sf maximum

**Policy 2.5.10.2:** The BROD will consist of one Town Center, multiple Villages and multiple Hamlets. The Town Center is oriented to serve the cultural, shopping, employment and civic needs of residents of the Town Center, Villages and Hamlets within the BROD. The Town Center will also support the surrounding area outside of the BROD. The commercial uses located within the Town Center shall be accessible to the adjacent Village developments and must be designed to provide for a safe pedestrian environment and pedestrian access. The Town Center shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The public facilities are intended to allow a range of public and quasi-public uses including but not limited to educational and cultural facilities, utilities, fire/EMS, police substations, churches and others.

The following design standards shall govern the Town Center:

- The Town Center shall be laid out in a grid pattern to allow for dispersion of traffic and to promote future transit and walkability;

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- Street furniture, hardscape and landscaping of streets will encourage pedestrian activity;
- Overhangs, porches, awnings, arcades, and colonnades shall be incorporated to provide architectural detail and create a sense of place;
- Wide sidewalks shall be required for main shopping streets and sidewalk cafes, food and art vendors shall be encouraged where appropriate;
- Main shopping streets will mainly be served by on street parking. On site parking for uses on main shopping streets will not be allowed unless it is in the rear or side of a building. Such parking areas shall be accessed by local streets and/or alleys, not on site driveways;
- Building entrances will be required for pedestrian access from adjacent sidewalks;
- Upper level residential units or office space shall be encouraged with ground level retail, office, or other similar business activity to promote horizontal diversity;
- Unified Town Center signage program. An overall signage program is required and shall be provided with the Planned Development;
- The lighting plan shall include mechanisms to reduce light pollution, through downward shielding, low intensity lighting, and other techniques to the greatest extent possible.
- Interconnectivity of pedestrian and vehicular routes throughout the Town Center Village to encourage multi-modal circulation;
- Flexible setbacks and performance standards shall be developed for specific uses and locations; and
- Guidelines and performance standards shall encourage the use of shared facilities.

**Policy 2.5.10.3:** Villages shall be comprised of Residential Neighborhoods and one or two Neighborhood Commercial Centers. Villages shall be surrounded by greenways, golf courses, other natural and manmade features that provide for transition areas and shall be designed with identifiable character. Golf courses may be included

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within a Village. Villages shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The aggregate total of the uses within all Villages, including Residential Neighborhoods and Neighborhood Commercial Centers shall not exceed the total allowed within the BROD (17,870 dwelling units and 6,000,000 sf non-residential) less the amounts of each included in the Town Center and Hamlets.

**Policy 2.5.10.4:** Villages - Residential Neighborhoods provide for a wide-range of energy-efficient housing types, materials and practices, consisting of single-family and multi-family dwelling units that will cater to a wide range of economic levels and age groups, including permanent, as well as seasonal residents. Residential neighborhoods shall be organized around a village park or civic space and shall reflect compact building design typical of smart growth communities. Elementary and middle schools, community parks and neighborhood parks shall be sized and located to define neighborhoods or a cluster of neighborhoods. Traditional neighborhood design and conventional housing types are envisioned to appeal to a broad range of buyers. Neighborhoods shall be integrated and connected to each other, with limited use of gated communities (no more than 10%). Integration and connection can be achieved by pedestrian, bicycle, and/or alternative vehicle access ways located within streets, greenways and open space. Specific design standards shall be created for the BROD and included in the BROD Land Development Regulations to promote the smart growth community envisioned.

**Policy 2.5.10.5:** Neighborhood Commercial Centers form an integral part of the each Village and are designed to provide for daily and basic needs of the surrounding neighborhoods within the Village. The Neighborhood Commercial Center must be centrally located to provide for convenient pedestrian access to and from adjacent neighborhoods and those dwelling units located within the Village. The Neighborhood Commercial Center will provide for a mix of land uses including but not limited to retail, service, office, small-lot single-family detached residential homes, accessory apartments, guest houses, home occupations, home offices, multi-family uses, schools, civic/governmental uses, neighborhood or community parks and other similar services designed to meet the needs of its respective Village.

**Policy 2.5.10.6:** Each Neighborhood Commercial Center is required to have Public/Quasi public facilities as a central focal point. The focal point may be a combination of central public parks, schools, government buildings or quasi-public facilities such as churches or community centers. Sheriff sub-stations, fire stations, government offices and other public services are encouraged within the Town Center and Villages-Neighborhood Commercial Centers. To take advantage of

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shared infrastructure such as parking, these types of facilities shall be located together to the extent practicable.

**Policy 2.5.10.7:** Hamlets shall be comprised of Residential Neighborhoods and may include, but are not required to include, a Neighborhood Commercial Center sized to serve that particular Hamlet. Hamlets shall be surrounded by greenways, golf courses, other natural and manmade features that provide for transition areas and shall be designed with identifiable character. Golf courses may be included within a Hamlet. Hamlets shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements. The aggregate total of the uses within all Hamlets, including Residential Neighborhoods and any optional Neighborhood Commercial Centers shall not exceed the total allowed within the BROD (17,870 dwelling units and 6,000,000 sf non-residential) less the amounts of each included in the Town Center and all Villages.

**Policy 2.5.10.8:** Hamlets - Residential Neighborhoods provide for a range of energy-efficient housing types, materials and practices, consisting of single-family and limited multi-family dwelling units that will cater to a range of economic levels and age groups, including permanent, as well as seasonal residents. Residential neighborhoods shall be organized around a park or civic space and shall reflect compact building design typical of smart growth communities. Traditional neighborhood design and conventional housing types are envisioned to appeal to a broad range of buyers. Neighborhoods shall be integrated and connected to each other, with limited use of gated communities (no more than 10%). Integration and connection can be achieved by pedestrian, bicycle, and/or alternative vehicle access ways located within streets, greenways and open space. Specific design standards shall be created for the BROD and included in the BROD Land Development Regulations to promote the smart growth community envisioned.

**Policy 2.5.10.9:** The BROD Master Plan is adopted as BROD Map No. 11a. The BROD Master Plan is subject to adjustment through the Development of Regional Impact (DRI), state and federal permitting processes, to the extent such adjustment meets these BROD Objectives and Policies and incorporates all features shown on the BROD Master Plan. The BROD Master Plan includes the general location of the Town Center, Villages, Hamlets, utilities site, schools, primary flowways, primary greenways, community and regional parks, transportation and utility corridors. The Town Center, Villages and Hamlets shall also include stormwater management lakes and ponds in accordance with state and federal permitting requirements.

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- Policy 2.5.10.10:** Schematics of the Conceptual Town Center, a Conceptual Village, a Conceptual Hamlet and the Conceptual Master Plan for the whole BROD are included as BROD Maps No. 11a-1, 11a-2, 11a-3 and 11a-4 for illustrative purposes, showing how these policies and functional mix of uses could be implemented in accordance with the BROD Master Plan and other BROD maps. The specific number of dwelling units and non-residential square footage shown within the Town Center, each Village, and each Hamlet as shown on the Conceptual Master Plan are illustrative only, and are subject to change through the DRI, state and federal permitting processes, so long as they remain within the minimums and maximums set forth in these Objectives and Policies.
- Policy 2.5.10.11:** The BROD Master Plan and BROD Map series were created through a collaborative community visioning and design process. The goal of the community visioning and design process was to harness the thoughts and interests of stakeholders and interested parties, to create an integrated community that fosters civic life, walkability, human interaction, economic health, sustainability, and preservation of the natural environment. The BROD Master Plan was prepared based on the best available data and information available at the time of the visioning process, but it must be understood that more detailed data and information is being collected in support of the detailed design, DRI and permitting processes. The BROD Master Plan will guide the preparation of the DRI Master Plan, but shall not be construed as the DRI Master Plan. Upon its adoption as a result of the DRI process, the DRI Master Plan will serve as the official Master Plan for the BROD development. A collaborative community visioning and design process shall be utilized as the BROD Master Plan is implemented.
- Objective 2.5.11:** **The Town Center and Village requirement will provide an alternative to scattered, low-density single-use residential development, with sprawl limiting characteristics that will preserve open space, natural beauty and critical environmental areas that contribute positively to the quality of life for the residents within the BROD as well as all of Charlotte County.**
- Policy 2.5.11.1:** Open space shall consist of environmentally sensitive lands and/or natural resource areas within the BROD and shall serve as a framework for guiding future development. The natural resource and other open space areas shape urban form and demarcate new development boundaries for the BROD by surrounding and defining Villages and the Town Center
- Policy 2.5.11.2:** In addition to protecting critical ecological areas and linkages that will serve as a managed network of environmentally sensitive areas, the natural resource areas shall also contribute to greenways, trails and parks, and serve to define broad planning areas and construction of infrastructure and development.

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- Policy 2.5.11.3:** Charlotte County will require a master drainage plan indicating existing, to be restored or created primary flowways within the BROD. The primary flowways will connect surface water management lakes and on-site wetlands, but only if wetland seasonal hydroperiods will remain consistent with pre-development conditions. Littoral shelves should be planted along the primary flowways to provide water quality treatment and foraging areas for wading birds. Road crossings may be constructed across and through primary flowways, as long as the hydrological integrity of the flowways are maintained through the crossings. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development levels.
- Policy 2.5.11.4** The Primary Drainage Plan for the BROD is adopted as BROD Map No. 11b. The Primary Drainage Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Drainage Plan.
- Policy 2.5.11.5** In coordination with the Florida Fish and Wildlife Commission and Charlotte County a wildlife corridor shall be established between Telegraph Swamp and the Curry Lake area to promote the movement of wildlife, and to be protected in perpetuity by an appropriate conservation easement. The design and final width of the wildlife corridor shall be established in coordination with Charlotte County and the Florida Fish and Wildlife Commission. Management of the wildlife corridor should include the preservation and/or enhancement of natural habitats through the planting of native vegetation and removal of exotic and nuisance vegetation.
- Objective 2.5.12:** **Development within the BROD shall be reviewed as a Development of Regional Impact (DRI) and approved by a Development Order as provided in Chapter 380, Fla. Stat. (2005).**
- Policy 2.5.12.1:** Development within the BROD is exempt from any Transfer of Development Rights policies in the Comprehensive Plan and from the Transfer of Development Units requirements of the Land Development Code.
- Policy 2.5.12.2:** A pre-application conference on the DRI Application for Development Approval pursuant to Section 380.06(7), Fla. Stat. (2005) shall be convened within two (2) months or less of the final approval of the BROD, unless an extension is mutually agreed upon by Charlotte County and the developer.

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- Policy 2.5.12.3:** The necessary requirements to create the DRI shall be filed no later than June 30, 2006, or upon a mutually agreed to extension. If the DRI is later abandoned, or if MSKP, III, Inc. does not close on its contract with the current owners of the lands included within the BROD, then Charlotte County shall process an application to amend the Comprehensive Plan, pursuant to Section 163.3184, F.S., and the Charlotte County Code, to reinstate the Future Land Use designations and zoning districts that were in effect immediately prior to the adoption of the BROD. This policy shall run with the land, regardless of ownership.
- Policy 2.5.12.4:** All properties within the BROD shall be aggregated for the purposes of DRI review. The DRI Application for Development Approval shall provide an analysis meeting the requirements of Section 380.06 F.S and Chapter 9J-2 F.A.C.
- Policy 2.5.12.5:** The BROD Summary Phasing Plan for development within the BROD is adopted as RLSA Figure 1. The BROD Summary Phasing Plan sets forth the minimum non-residential square footage required for the number of dwelling units at the time of issuance of certificate of occupancy of the last dwelling unit of any particular threshold. The subsequent DRI Development Order shall be in accordance with the BROD Summary Phasing Plan and shall establish the detailed phasing of development within the BROD. The DRI Development Order shall determine the amount of residential and non-residential development allocated within the Town Center, each Village, and each Hamlet, respectively, in accordance with these BROD Objectives and Policies, ensure that development is orderly, maximize efficiency of infrastructure, and provide for specific infrastructure improvements needed to meet prescribed levels of service.
- Policy 2.5.12.6:** The BROD Summary Phasing Plan corresponds to the BROD Capital Improvements Plan as described in Policy 2.5.21.1 and adopted as BROD Figure 2. The intent is that non-residential uses will be in place to serve the occupancy of dwelling units. The BROD Summary Phasing Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets these BROD Objectives and Policies and incorporates all items as shown in the BROD Summary Phasing Plan.
- Objective 2.5.13:** **Pedestrian friendly features that support walkable communities will be incorporated within the BROD.**
- Policy 2.5.13.1:** The BROD will include appropriate mixed-use and smart growth urban design principles in generating vibrant walkable communities. Recognizing that sidewalks alone will not induce walking, other pedestrian friendly features such as, but not limited to: the appropriate mix of densities and uses, compact street

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intersections, greenway trail system, street furniture, landscaping of streets with native canopy trees and neighborhoods that are properly scaled for people, are required within the BROD. Crime Prevention Through Environmental Design (CPTED) strategies shall be included in the BROD LDRs.

**Policy 2.5.13.2:** Development within the BROD requires at a minimum the following design features:

- Clustered and compact smart growth neighborhoods, discouraging urban sprawl and building a sense of place and community;
- A functional balance between residential and non-residential land uses by encouraging a mix of land uses within the Town Center and Villages;
- The provision of civic meeting spaces and uses within the Town Center and Villages to promote public interaction and the creation of a sense of identity;
- Mixed use, providing greater variety of uses and densities that bring destinations and origins closer together with infrastructure that provides more incentives and propensity for people to walk;
- Pedestrian orientation, with basic amenities and facilities located within a ¼ mile radius (or 5 minute walk) from center to the edge of Neighborhood Commercial Centers, thus reducing reliance on the automobile;
- Environmentally sensitive planned development standards shall be created to achieve the conservation of important environmental resources. Area wide surface water management will be enhanced as a result of this effort;
- Attention to the creation of micro-climatic conditions, which will encourage walkability, shall include but not be limited to, small functional public open spaces, shaded paths, tree-lined streets, shaded structures, rest-areas and other forms of architectural elements to encourage pedestrian movements, allow for rest areas and add visual interest;
- Sidewalks shall be required on all streets, which may be separated from the roadway by a landscaped or natural area;

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- A master landscape plan which details location and type of landscaping within the road and pedestrian network is required;
- Decorative street lights shall be used throughout the BROD, using mechanisms to reduce light pollution, through downward shielding, low intensity lighting, and other techniques to the greatest extent possible;
- Recognition of the importance of the various classifications of parks that make up the park system and their inclusion at appropriate quantity, scale and balanced geographic distribution;
- The road network within Villages should emphasize the use of two-lane neighborhood streets in a connected road pattern, rather than four-lane or wider arterials and streets. Residential Neighborhood streets shall use traffic calming design standards to slow traffic to a reasonable speed that does not negatively affect neighborhood safety and viability. Such traffic calming design may include, but is not limited to, the installation of traffic circles, narrow travel lanes, the installation of sidewalks between trees and the streets, and the allowance of on-street parking;
- Collector roads linking villages shall be designed as parkways which feature landscaping in the medians and on the sides of the roads;
- All project utilities shall be underground;
- Residential and non-residential development shall be linked by streets, sidewalks, and in some cases by separate systems of pedestrian, bike, and/or golf cart paths;
- Alleys may be utilized throughout the BROD, which may serve a variety of functions;
- On-street parking shall be allowed on local streets and within the Town Center, Villages and Village Centers. On-street parking shall be designed to promote traffic calming, pedestrian use, and shopping convenience, including but not limited parallel and angle parking; and
- Schools shall be accessed by local streets, pedestrian and bicycle facilities, and shall be provided in Villages and in the Town Center, provided that such local streets provide adequate access as is needed by the School District.

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- Policy 2.5.13.3:** To ensure that the preceding design features are incorporated, a master internal circulation plan must be submitted for approval as part of the DRI review. The master circulation plan shall depict the traffic circulation system including the pedestrian, bicycle, and other non-automobile transportation networks in addition to automobile networks. Typical cross-sections for all transportation networks shall be submitted as part of the master internal circulation plan.
- Objective 2.5.14:** **Foster distinctive, attractive communities with a strong sense of place within the BROD.**
- Policy 2.5.14.1:** The Town Center shall serve as a Gateway into the BROD that provides a physical introduction to a unique and distinctive quality of life. The Town Center will provide a positive impact and serve as a benchmark for compact community planning. The Town Center will be a mixed-use area to complement Village neighborhoods. The Town Center will develop as a retail node with complementing office and residential uses arranged in vertically mixed-use structures. The Town Center will also serve as the entertainment and cultural center for the Village and should include restaurants, shopping and other entertainment venues.
- Policy 2.5.14.2:** Preserve scenic views and vistas within the BROD that provide visual cues (such as open space and other prominent natural features) to introduce or signal the transition from one zone to the other. This includes the appropriate location, concealment or control of the location of utilities and necessary infrastructure elements within the BROD.
- Policy 2.5.14.3:** The BROD shall include a minimum of thirty-five (35%) percent of the gross acreage of the BROD as Open Space within Charlotte County. "Open Space" shall consist of the Primary Greenway Plan as depicted on BROD Map 11f, non-residential vegetated green space, lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater with general public access, hiking trails, greenways, bike paths, upland and wetland areas. Active uses such as ball fields, golf courses and other related recreation uses can be counted toward Open Space but only 50% of the area can be utilized for calculation purposes. Open Space will serve the additional goal of surrounding and defining Villages, Hamlets and the Town Center. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses.
- Policy 2.5.14.4:** Create public spaces, whether built or natural, active or passive, providing a venue for public interaction and vibrant exchange among neighbors; these spaces should be centrally located to neighborhoods and the Town Center. These public spaces will contribute to the feeling of "community" and will foster a

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strong sense of place as well as enhance the aesthetic quality of the surrounding area.

- Policy 2.5.14.5:** A community and stakeholder consensus-building effort will determine the distinctive community characteristics of the built environment for the BROD. The visioning efforts will be implemented parallel with the review and processing of the forthcoming DRI, and in accordance with in Policy 2.10.7 above.
- Objective 2.5.15:** **Transportation within the BROD will be planned and coordinated in creating a safe and secure pedestrian environment as well as a balanced mix of transportation options.**
- Policy 2.5.15.1:** A primary roadway and pathway plan for the BROD has been developed through the charette process. The primary roadways and pathways will accommodate vehicular, pedestrian and bicycle traffic. A continuous and connected sidewalk/path system will be constructed to facilitate pedestrian circulation throughout the BROD. All roadways will be tree lined to enhance community appearance and contribute to pedestrian comfort.
- Policy 2.5.15.2:** The Primary Internal Transportation Plan for the BROD is adopted as BROD Map No. 11c. The Primary Internal Transportation Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Internal Transportation Plan.
- Policy 2.5.15.3:** The Typical Cross Section for the transportation corridors linking Villages and the Town Center within the Primary Internal Transportation Plan for the BROD is adopted as BROD Map No. 11d. The Typical Cross Section is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Typical Cross Section.
- Policy 2.5.15.4:** The Town Center serves as a Gateway to the community, and shall be planned and located within the Primary Internal Transportation Plan. The transportation corridors linking Villages and the Town Center will be designed to meet parkway, avenue or collector standards. The Town Center shall be located in an area that is accessible to the residents of the neighboring Villages without leaving the BROD.
- Policy 2.5.15.5:** The Village concept services an area within a 1 to 1.5 mile radius. This distance characteristic provides for an efficient network of essential services (such as Fire/EMS) in supporting the BROD.

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- Policy 2.5.15.6:** A cohesive transportation system that includes supportive land use and development is to be applied within the BROD. This shall include the coordination of land uses and transportation networks such as bicycle, pedestrian, road, personal transportation {such as Electric Urban Vehicles (EUV)} including other low emissions forms of transportation, Segways and transit facilities. Connectivity between these multimodal approaches is necessary to an effective transportation system (See Policy 2.5.15.2).
- Policy 2.5.15.7:** Streets located within neighborhoods shall be properly scaled to the neighborhood. Such streets will have slower speeds, pedestrian orientation and will be compatible with a mix of residential, commercial and retail uses.
- Policy 2.5.15.8:** Transit-friendly design features are required, such as:
- Mixed land uses either vertically or horizontally. The mixed land uses would reduce “external” trip making activity, shorten trip length, and capture trips internally,
  - Inclusion of Public, Quasi-Public and Civic uses as an integral part of the Town Center and Villages-Neighborhood Commercial Center would be encouraged,
  - Placement of higher density and senior housing near commercial centers and civic uses would be encouraged,
  - Design of the street networks with multiple connections and direct routes would be encouraged.
  - Integrate transit bus turnouts and school bus pick-up areas into the design/location of land use areas and the road system.
- Policy 2.5.15.9:** A limited transportation, pedestrian, and utility corridor shall be designed and constructed through the Corridor Greenway and that portion of the Observation Greenway connecting the Curry Lake area and Telegraph Swamp (including a wildlife underpass in the Corridor Greenway), consisting of not more than 120 feet in width with a maximum speed limit of 20 mph in the proposed Corridor Greenway and that portion of the Observation Greenway connecting Curry Lake and Telegraph Swamp. That corridor is designated on the BROD Master Plan and shall be included on the MAP H approved in the DRI development order.
- Objective 2.5.16:** Provision of transportation facilities needed to serve the BROD shall be planned and constructed in a timely and coordinated manner.

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**Policy 2.5.16.1:** Transportation infrastructure to serve the BROD will be in place at the time the individual phase of development occurs, or funded through an appropriate capital improvements program and scheduled to be in place within three years from the issuance of building permits for the individual phase of development approval. The Capital Improvements Plan shall specify the responsible party, whether County, developer, or otherwise, for the funding of such transportation infrastructure.

**Policy 2.5.16.2:** The Capital Improvements Element and Traffic Circulation Map for Charlotte County is hereby amended to include those road improvements identified in and adopted as BROD Map No. 11e (BROD 2030 Recommended Network Improvements). These improvements are included in the BROD Capital Improvements Plan described in Policy 2.5.21.1 and BROD Figure 2, along with the developer's commitment to financial feasibility as established through an enforceable Development Agreement or Interlocal Agreement. The BROD Capital Improvements Plan shall specify the responsible party, whether County, developer, or otherwise, for the funding of such transportation infrastructure, and is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies.

**Policy 2.5.16.3:** Charlotte County will support amending the below described MPO transportation planning maps, at the immediate next opportunity after adoption of the BROD, to reflect the transportation improvements to serve the BROD, with appropriate funding from the development within the BROD, as long as previously identified needs and funding for other projects is not delayed:

- Map 2030 Needs Assessment Traffic Circulation
- Map 2030 Cost Feasible Projects
- Map 2030 Cost Feasible Circulation

**Policy 2.5.16.4:** Working with the owners/developers of the BROD, Charlotte County shall support the conveyance of a 300 foot right-of-way along SR 31 from the Lee/Charlotte County Line to CR 74 for the expansion of SR 31. Additionally, the owners/developers of the BROD will work with Lee County to execute a Development Agreement or an Interlocal Agreement to provide for the planning and acquisition of a consistent right-of-way from North River Road north to the Lee/Charlotte County Line. Two wildlife crossings shall be provided along and under SR 31 on lands being acquired by the State; one in the vicinity of Curry Lake and one north of the northern portion of the BROD. The exact location and design of the crossings shall be determined in consultation with FDOT, FDEP and FWCC.

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- Policy 2.5.16.5:** Using mixed-use planning and a compact urban form, including commercial, office, industrial and institutional uses, contemplated herein, the internal capture rate (“ICR”) for vehicle trips shall be maximized, with a targeted internal capture rate of between 50% - 70%. However, analysis of transportation impacts will initially assume a 22% ICR, subject to adjustment upward or downward in the DRI process, and will therefore provide an evaluation of which off-site transportation improvements are required under this scenario. Transportation models shall be generated using a unified model which includes traffic in Lee and Charlotte Counties. As development within the BROD occurs, the ICR will be monitored, utilizing and reconciling Charlotte County and Lee County data, and the required off-site transportation improvements will be adjusted so that the required improvements are commensurate with any actual measured ICR, or as may be adjusted upward or downward from 22% in the DRI process.
- Policy 2.5.16.6:** Transportation planning shall also include consideration of mass transit (including planning for future corridors), as an integrated component in the planning and design process for the property, and will be designed for connectivity to larger regional systems, both present and planned.
- Policy 2.5.16.7:** All roadways and pathways will be designed and located so as to have the least adverse impact on native vegetation, wildlife, wetlands and natural hydrology.
- Objective 2.5.17:** **A regional systems approach to environmental planning and design shall be incorporated as an integrated element within the BROD**
- Policy 2.5.17.1:** An Environmental Assessment that is sensitive to both the preservation of the most viable natural resources within the BROD and to the managed conservation of other natural resources has been submitted. The Environmental Assessment has identified and addressed the following:
- Watersheds, basins, streams, waterbodies, floodplains and wetlands
  - Groundwater resources
  - Aquifer recharge areas and proposed wellfield areas;
  - Listed species and their habitat;
  - Vegetative communities, including heritage trees as defined in the Code of Laws and Ordinances of Charlotte County, Florida;
  - Soils, geological features and topography.

The Environmental Assessment has been used as the basis for identifying and mapping a cohesive network of environmentally sensitive lands, to be known as the Primary Greenway Plan, defined in Policies 2.17.3 – 2.17.9 below, which will serve to surround and define the Villages and the Town Center. These environmentally sensitive lands shall be classified as Primary Greenways.

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- Policy 2.5.17.2:** Based upon the Environmental Assessment, the Primary Greenways have been designated and mapped, based on the principle that the highest concentration of environmentally sensitive lands should be located within the core of a designated Primary Greenway. The edges of the Primary Greenways shall be designed to increase the functional value of the Primary Greenways areas and to provide a transition from those areas to human uses.
- Policy 2.5.17.3:** The Primary Greenways Plan for the BROD is adopted as BROD Map No. 11f. The Primary Greenways Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Greenways Plan.
- Policy 2.5.17.4:** The Primary Greenways Plan for the BROD has been categorized based on level of public use and natural resource protection, and will be adjusted through the DRI, state and federal permitting processes. The four categories are: Active Greenway, Passive Greenway, Observation Greenway and Corridor Greenway. Compatible land management activities may be conducted in all of these Greenways, including but not limited to, ecological burning, ecosystem restoration and hydrologic restoration. Transportation and utility corridors, including major roadways, minor roadways, major multi-use trails and secondary multi-use trails as shown on BROD Map 11c, shall be allowed in all Primary Greenways, and shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands. A management plan shall be prepared as part of the DRI process for the Primary Greenways.
- Policy 2.5.17.5:** The Corridor Greenway is shown in the darkest green and designated with a 1 on BROD Map No. 11f. The primary goal of the Corridor Greenway is conservation, with limited public use. The Corridor Greenway creates a critical connection designed to encourage wildlife movement between the regionally significant conservation lands of Telegraph Swamp and the remainder of Babcock Ranch to the east and the Curry Lake Area and Fred C. Babcock - Cecil M. Webb Wildlife Management Area to the west. The Corridor Greenway will also connect equestrian and hiking trail systems to the north and south of the Corridor Greenway. Recreational uses within the Corridor Greenway shall have fewer impacts than uses within Active Greenways and Passive Greenways. Such recreational uses to be accommodated include equestrian use, hiking trails, and limited boardwalks and observation decks, similar to the uses contemplated for the lands being acquired by the State. Other allowable uses may include silviculture as a land management tool, one coordinated transportation and utility crossing running north to south, and habitat restoration. The transportation corridor shall include an elevated section

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for a wildlife underpass with appropriate fencing to direct wildlife using the corridor under the transportation facility in accordance with Policy 2.5.15.9. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.5.17.6:** Observation Greenways are shown in the next lightest green and designated with a 2 on BROD Map No 11f. Observation Greenways consist primarily of native vegetative communities and are largely unimpacted by agricultural activities. The primary goal of the Observation Greenway is conservation and limited public use. Observation Greenways shall have the fewest uses and impacts, similar to the corridor Greenway. Recreational uses within Observation Greenways include hiking trails, limited boardwalks and observation decks, and unpaved pathways linking the developed portion of the BROD area to the remaining portion of the Babcock Ranch to the east. Other allowable uses may include silviculture as a land management tool and habitat restoration. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.5.17.7:** Passive Greenways are shown as the next lightest green and designated with a 3 on BROD Map No 11f. Passive Greenways are located in close proximity to certain Villages and Hamlets, are farther removed from the Town Center area, and provide passive recreational opportunities, with the potential for ADA accessibility. Uses within Passive Greenways shall have fewer impacts than uses within Active Greenways. Such recreational uses to be accommodated include neighborhood parks, picnic areas and playgrounds, primitive camping, equestrian use, hiking trails, boardwalks and observation decks, limited paved trails and similar uses. Other allowable uses may include silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall be designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.5.17.8:** Active Greenways are shown as the lightest green color and designated with a 4 on BROD Map No 11f. Active Greenways are located in close proximity to the Town Center and Villages and provide passive and active recreational opportunities, with the potential for ADA accessibility. Such recreational activities may include neighborhood parks, picnic areas and playgrounds, camping, equestrian use with support facilities, hiking trails, boardwalks and observation decks, paved trails, active parks with ball fields (including restrooms and concession facilities), golf courses and similar uses. Other allowable uses may include nurseries, low-intensity agriculture, silviculture as a land management tool, transportation and utility crossings, stormwater management, habitat restoration and other similar uses. All uses shall be

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designed to avoid and then minimize impacts to native vegetation, flowways and wetlands.

**Policy 2.5.17.9:** Primary Greenways within the BROD may serve as mitigation for listed species and wetland impacts associated with the BROD. Specific Listed Species Management Plans may be accommodated in some of the Primary Greenways for the protection and long-term viability of state and/or federally listed species. The implementation of such plans may require additional land management activities to be conducted. Primary Greenways may also accommodate wetland mitigation in accordance with wetland regulations and approval from Water Management Districts and U.S. Army Corps of Engineers. Wetland mitigation will be determined using the Uniform Mitigation Assessment Method (UMAM).

**Policy 2.5.17.10:** Impacts to naturally occurring wetlands within the BROD area shall be avoided first, and then minimized, to the greatest extent possible. These wetlands will be protected based upon the wetland functionality assessment outlined in the UMAM, state permitting requirements of the South Florida Water Management District and federal permitting requirements. Uses within protected wetlands shall be restricted to those uses which are compatible, including but not limited to, passive recreation, environmental research and education, boating, fishing, limited boardwalk and observation platforms, all in accordance with state and federal permitting requirements. The use of existing wetland areas for water management (attenuation and storage, but not treatment) shall be allowed to the extent permitted by law. The use of created wetland areas for water management (attenuation, storage and treatment) shall be allowed to the extent permitted by law. Wetland areas within the BROD currently being used as water management areas may be relocated if: (1) all approvals are obtained from appropriate Local, State and Federal agencies, and (2) the affected wetland functions are replaced, and (3) appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area to be sold to the State and Lee County. Limited crossings of such wetlands may be allowed when: (1) it is the only feasible route to serve existing or designated future urban development areas, (2) the crossing is bridged or box-culverted to the greatest degree possible, maintaining pre-development volume, direction, distribution, and surface water hydroperiod, or (3) appropriate mitigation is provided within the Babcock Ranch, including the BROD area and the area to be sold to the State and Lee County.

**Policy 2.5.17.11:** The design of on-site open areas shall where applicable be integrated with adjacent Primary Greenways so as to enhance habitat for small mammals and wading birds. The design of development areas and plantings shall, where applicable, enhance habitat for indigenous animal species.

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- Policy 2.5.17.12:** Historic flow-ways or conveyances will be restored within Greenways where flow-ways have been constricted or otherwise impeded by past activities, or where additional land is needed to enhance wildlife corridors. Historic flows may also be restored within developing areas through the surface water management system design and permitting process. The conveyances shown in the western portion of the BROD may be modified to provide an equivalent conveyance. Water management treatment shall be done outside the historic conveyances. The master drainage plan shall be designed to meet Class III water quality standards and maintain off-site flows at pre-development rates. Further, the surface water management system for the BROD will be designed, permitted and constructed to assist in the MFL recovery program of the South Florida Water Management District, and the system will not lessen any contributions of water to the Caloosahatchee River during low flow periods.
- Policy 2.5.17.13:** The Primary Flowway Plan for the BROD is adopted as BROD Map No. 11g. The Primary Flowway Plan is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Flowway Plan.
- Policy 2.5.17.14:** A surface water management system that incorporates the functions of the natural on-site system, including seasonal hydroperiods, (surficial aquifer/water table elevations), continuity of conveyance systems and water quality shall be required, in accordance with State and Federal permitting requirements, building upon the Primary Drainage Plan which has been adopted as BROD Map no. 11b. The water management plan will provide treatment in a created system prior to discharge to the natural system. Man made ponds, lakes and/or drainage features shall be designed (size, depth, etc.) and located (setbacks from wetlands, etc.) so as to maintain water levels, quality and hydroperiods for native aquatic vegetation and wildlife, to the extent possible. Storm water treatment ponds shall be shaped to reflect natural lakes and have planted littoral areas. The surface water management system shall be designed with best management practices (BMPs) as necessary to meet the state water quality standards.
- Policy 2.5.17.15:** Recognizing the need for proper wildlife and land management practices on adjacent natural areas, the BROD shall not prohibit or otherwise limit the land management activities of the state and Lee County with regard to prescribed burning on public lands. It shall be made clear to purchasers of property within the BROD that prescribed burns are a necessary and integral part of land management activities on public lands, through the recordation of notice to

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persons accepting a conveyance of real property in the BROD of such management activities.

- Policy 2.5.17.16:** A project wide “Integrated Pest Management and Mosquito Control Program” that primarily utilizes mechanical and biological controls and limits chemical controls to those that kill only the target pest species (i.e. larvicide for mosquitoes, etc.) shall be developed as part of the DRI process.
- Policy 2.5.17.17:** Any historical and archeological sites within the BROD which are listed on, or are eligible for listing on, the County’s Historical Register shall be identified and evaluated as part of the DRI process, and a preservation or archival program for each such site shall be included in the DRI development order. Areas surrounding such identified historical/archeological sites or historic structures listed on, or eligible for, the Local Historical Register shall also be identified, evaluated, and protected against encroachment of incompatible activities and land uses.
- Objective 2.5.18:** **Parks and recreation, and open space design elements shall be incorporated within the BROD**
- Policy 2.5.18.1:** Uses including, but not limited to, picnic areas, greenway trails, benches, boardwalks, golf courses, water management systems, biking/jogging/equestrian trails, vita courses, bird viewing blinds/tower, and interpretive facilities shall be permitted within Functional Open Space areas.
- Policy 2.5.18.2:** All open space areas shall be replanted with vegetation after construction. In public areas, at least 90% of all trees and shrubs used in buffers and landscaping shall be indigenous to Florida. In privately owned areas, at least seventy five percent (75%) of the total number of required trees used in landscaping must be indigenous to Florida, and at least fifty percent (50%) of the shrubs must be indigenous to Florida. Primary Greenways shall be planted only with plant species indigenous to Florida. Plant material used for re-vegetation must conform to the standards for Florida Number 1, or better as given in Grades and Standards for Nursery Plants (1998 or latest), and Grades and Standards for Nursery Plants, part II, Florida Department of Agriculture and Consumer Services, Tallahassee, Florida.
- Policy 2.5.18.3:** In the BROD, there shall be no planting of nuisance, exotic, or non-native plants which are listed by the Exotic Pest Plant Council (EPPC) or its successor. Examples of prohibited nuisance exotic and non-native plants include the following: Australian pine, Brazilian pepper, downy rose myrtle, Cuban laurel, melaleuca (cajeput), bishop wood, castor bean, common papaya, common snake plant, day jasmine, hunter’s robe, Queensland umbrella tree, and trailing

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wedelia. Any such plants that exist on a parcel for which a development order has been issued shall be removed during the site clearing and preparation of the subject property, including areas within the boundary of the subject parcel, which are not within the footprint of any proposed structures or other improvements.

**Policy 2.5.18.4:** Golf courses will comply with the Audubon International Signature Program – Silver Level certification program, with best management practices developed by the Florida Department of Environmental protection under Section 403.067, Fla. Stat. (2005), with other equivalent certification programs or equivalent best management practices. Golf courses shall be planted consistent with good golf course design principles.

**Policy 2.5.18.5:** Various classifications of parks shall make up the park system, as shown on the BROD Master Plan in appropriate quantity, scale and balanced geographic distribution. The following level-of-service standards for active parks and recreation of 0.5 acres/1,000 population for mini-parks; 1.5 acres/1,000 population for neighborhood parks; and 2 acres/1,000 population for a community park, shall be met or exceeded.

**Policy 2.5.18.6:** Venues and opportunities that promote cultural life for all ages, such as art in public places, and performance venues for the performing arts such as dance, theater, choral groups, and concerts shall be allowed in the Town Center and all Villages. Land for a library meeting the minimum 2004 Florida Public Library Standards of 2 items and 0.6 s.f. of building space per capita, and incorporating informational, educational, and technological resources compatible with the Charlotte County’s library system shall be provided.

**Objective 2.5.19:** **A range of housing opportunities, including workforce housing is required.**

**Policy 2.5.19.1:** Provide a diversity of housing types to enable citizens from a wide range of economic levels and age groups within the BROD. This would include the provision of affordable/workforce housing at a level of 10% of the total number of residential housing units built within the BROD. At least ten percent (10%) of the residential units in each phase of the project shall include affordable housing. If a particular phase includes more than ten percent (10%) of affordable housing, then the ten percent (10%) minimum of each subsequent phase shall be reduced proportionately. In no event shall more than a cumulative total of ten percent (10%) of the total number of housing units built in the project be required to be affordable housing. Sites for such housing shall include, where practical, sites adjacent to sites for public purposes, such as schools, as shown on the BROD Master Plan. All Affordable Units developed must be targeted to households earning less than 120% of the Charlotte County area median income (“Area

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Median Income”) as updated annually by the Florida Housing Finance Corporation. Forty (40%) percent of all Affordable Units provided must be targeted to households earning less than 80% of the Area Median Income, with at least 10% of all Affordable Units targeted for households under 50% of Area Median Income. Developer and County shall establish procedures and identify grant programs, which may be used to

(a) monitor the effectiveness of this program and

(b) implement the program (i.e., down payment grant programs).

**Policy 2.5.19.2:** An affordable/workforce housing plan for the BROD shall be prepared during the review and processing of the forthcoming DRI. The plan shall be based on an affordable/workforce housing needs assessment for Charlotte County, using Charlotte County demographic and socio-economic data, shall address both rental and home ownership, and shall address appropriate distribution through the BROD area. The plan shall discuss financing and land ownership alternatives for providing affordable/workforce housing, and the use of available state and federal programs to assist with the provision of affordable/workforce housing.

**Policy 2.5.19.3:** Community Land Trusts (CLTs) are a viable option for the creation and long-term maintenance of affordable housing. The establishment of a CLT within the BROD shall be evaluated during the review and processing of the DRI as a solution for affordable/workforce housing within the BROD.

**Objective 2.5.20:** **In consideration of its landward location and topographic suitability, the BROD would provide hurricane shelters and evacuation plans.**

**Policy 2.5.20.1:** Schools and other adequate community facilities (not limited to cafeterias, stadiums, gymnasiums and others) located within the BROD shall be designed to serve as hurricane shelters for communities within the BROD and also a portion of the greater area of Charlotte County. The facilities are to be built to the standards in ARC publication 4496 or equivalent standards. Further, an evacuation plan shall be prepared as part of the DRI process that encourages residents to stay within the BROD and in accordance with the most current hurricane evacuation plans of the Southwest Florida Regional Planning Council and Charlotte County.

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- Objective 2.5.21:** Development within the BROD shall provide adequate infrastructure that is financially feasible to Charlotte County and the School Board and that meets or exceeds the levels of service standards adopted by Charlotte County. The BROD Capital Improvements Plan shall specify the responsible party, whether County, developer, District or otherwise, for the funding of infrastructure.
- Policy 2.5.21.1:** The BROD Capital Improvements Plan is adopted as BROD Figure 2 (BROD CIP). The BROD CIP specifies the responsible party, whether County, developer, a community development district or independent special district (“District”) or otherwise, for the funding of such infrastructure. Financial feasibility shall be demonstrated through an enforceable Development Agreement or Interlocal Agreement. The BROD CIP is subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all infrastructure included in the BROD CIP. The developer or District shall be responsible for those items as shown on the BROD CIP as funded by Developer or District and for all proportionate share payments less than 100% as development triggers such payments. In accordance with Section 163.3180, F.S., adopted in 2005 through Senate Bill 360, the County shall accept any such proportionate share payments but shall not be required to construct such proportionate share improvements until 100% funding is available.
- Policy 2.5.21.2:** The County shall encourage a variety of financing tools and strategies to fund capital improvement programs within the BROD, such as Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit Districts and other viable financing strategies to fund infrastructure improvements and achieve fiscal neutrality.
- Objective 2.5.22:** To serve the BROD with state of the art utility infrastructure.
- Policy 2.5.22.1** The Primary Utility Corridor Plan for the BROD is adopted as BROD Map No. 11h. The Primary Utility Corridor Plan is subject to adjustment through the Development of Regional Impact (DRI) process, to the extent such adjustment meets the BROD Objectives and Policies and incorporates all features shown on the Primary Utility Corridor Plan.
- Policy 2.5.22.2:** Town and Country Utility Company or its designee shall plan, design, permit, and construct a water, wastewater, and reclaimed water utility infrastructure (including water supply, treatment, storage, distribution, collection, and disposal capacity) to support the potable water, sanitary sewer, and irrigation needs of the BROD at full buildout and in accordance with the level of service established by

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the County's comprehensive plan, as amended from time to time. This infrastructure shall be built to County standards, and as-built drawings shall be provided to County. County may conduct periodic inspections (the nature and frequency of which are to be determined by County) both during and after construction to ensure that the infrastructure is being properly constructed, operated, and maintained. It is recognized by the parties that said infrastructure may be constructed in phases commensurate with the creation of demand by the Development.

- Policy 2.5.22.3:** The BROD will develop and implement a water conservation plan. Town and Country Utility Company or its designee shall submit the water conservation plan as part of the individual water use permit application for consumptive use. The following water conservation elements will be incorporated: 1) limitation of landscape irrigation times to prevent evaporative losses, 2) use of site tolerant plants and efficient watering system known as xeriscaping, 3) installation of ultra-low volume plumbing fixtures in all new homes and businesses, 4) use of water conservation-based rate structures, 5) leak detection programs in case water losses exceed 10 percent, 6) operation of rain sensor device or automatic switch to override irrigation sprinkler system when adequate rainfall has occurred, 7) public education programs, and 8) use of reclaimed water, when available.
- Policy 2.5.22.4:** Development within the BROD will be required to utilize reuse water to meet all the irrigation needs of the proposed development to the extent reuse water is available. Mandatory reclaimed water zones will be established within the BROD to promote water conservation. A reclaimed water utility system will be designed so that landscaped areas and other potential users will have access to the system. Conventional water sources will be used only when an insufficient volume of reclaimed water is available.
- Policy 2.5.22.5:** Developer or Town and Country shall prepare and implement wellfield management plans for potable water, agricultural uses, and disposal and storage wells, existing or proposed on the Property. As part of the agricultural wellfield management plan, Developer will identify wells on the Property that need to be abandoned and properly plugged to avoid potential cross contamination, and will do so at Developer's expense.
- Policy 2.5.22.6:** The availability of water supply has been demonstrated through the Water Supply Assessment provided as data and analysis in support of the BROD, subject to the SFWMD consumptive use process. As the BROD is wholly located within the boundaries of the SFWMD, the development will obtain all required consumptive water use permits from the SFWMD prior to any withdrawals for development purposes.

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- Policy 2.5.22.7:** Within the BROD, all potable water wells (defined in Rule 62-521.200(6)711, F.A.C.), shall be afforded a 500-foot radial wellhead protection area, as provided in Chapter 62-521, F.A.C. For water wells not defined as potable in Rule 62-521.200(6), the setback distance for the prohibited discharges described in Chapter 62-521, F.A.C. shall be 200 feet. In addition, all water supply wells within the BROD shall be protected by the prohibition of the following uses with a 200-foot radial setback of the well: any groundwater well that does not meet current and applicable well construction standards; the application of any restricted use pesticides; the application of pesticides, other than restricted use, in a manner not consistent with the manufacturer's specifications; construction of any lake, pond, surface water body, including storm water retention/detention lake systems; land application of domestic wastewater residuals as defined in Chapter 62-640, F.A.C.; Class I, III, or V underground injection wells, as regulated in Chapter 62-528, F.A.C., however aquifer storage and recovery wells are permitted provided injected water meets drinking water standards as listed in Chapter 62-550, F.A.C. or has an approved aquifer exemption; solid waste disposal facilities regulated under Chapter 62-701, F.A.C.; generators of hazardous waste as regulated under Chapter 62-730, F.A.C., excluding household hazardous waste as defined in 40 C.F.R. Part 261.4(b)(1) (1994); hazardous waste treatment, storage, disposal, and transfer facilities requiring permits under Chapter 62-730, F.A.C.; aboveground or underground storage tanks used to contain hazardous wastes or petroleum products regulated under 62-730, 62-761, 62-762, F.A.C., however, storage tanks that meet the auxiliary power provision of 62-555.320(6), F.A.C. for operation of a public water supply well and storage tanks for substances used for treatment of potable water are exempt; any refueling of vehicles or equipment other than those associated with the public water supply system; and any discharge to ground water from Florida Department of Environmental Protection approved remedial corrective actions for contaminated sites.
- Policy 2.5.22.8:** Develop a fiber-optic and/or wireless telecommunications infrastructure to support voice, video, data and security network systems, where feasible.
- Objective 2.5.23:** **Ensure that development within the BROD is in conformance with the objectives and policies stated herein and implemented in a coordinated and timely manner.**
- Policy 2.5.23.1:** Specific BROD Land Development Regulations (BROD LDRs) shall be created for and adopted by Charlotte County. The BROD, or any part of it, shall only be developed in accordance with the BROD LDRs. Should development occur in a series of phases, each phase must meet the Objectives and Policies and criteria described and/or referenced herein.

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- Policy 2.5.23.2:** The BROD must be served with all necessary facilities and services in a manner that is fiscally neutral to the County. Community Development Districts (CDD), Independent Special Districts, Business Improvement Districts (BID), Educational Facilities Benefit District and other viable financing tools may be utilized to meet this requirement, subject to applicable approvals.
- Policy 2.5.23.3:** Public infrastructure extended and funded by the developer or entity as described in Policy 2.23.2 shall be entitled to impact fee credits.
- Policy 2.5.23.4:** The County may consider the increase of road, school, park and other appropriate impact fees and the establishment of districts that might fund public facilities that support the BROD, if necessary.
- Policy 2.5.23.5:** Transportation revenues generated within the BROD, including, but not limited to, road impact fees, gas taxes, and special assessments, shall be spent according to the existing County policies, a development agreement or interlocal agreement.
- Policy 2.5.23.6:** In accordance with Section 163.3180 (1) F.S., sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools and transportation facilities shall be provided to meet level of service standards for concurrency purposes.
- Policy 2.5.23.7:** In accordance with Section 163.3180 (2) F.S., sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance of a certificate of occupancy.
- Policy 2.5.23.8:** In accordance with Section 163.3180 (2) F.S., parks and recreation facilities to serve new development shall be in place or under actual construction no later than one year after issuance of a certificate of occupancy.
- Policy 2.5.23.9:** In accordance with Section 163.3180 (2) F.S., transportation facilities needed to serve new development shall be in place or under actual construction within three years from the issuance of building permit that results in traffic generation.
- Policy 2.5.23.10:** Development within the BROD is limited to 17,870 dwelling units and 6,000,000 square feet of non-residential uses, not including schools. This total square footage for non-residential uses is further defined as including 4,840,000 square feet commercial/office/retail (including medical), 650,000 square feet of light industrial, 150,000 square feet of government/civic uses, 72 golf course holes, and 600 hotel rooms (360,000 square feet). Development within the

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BROD is exempt from any Transfer of Development Rights policies in the Comprehensive Plan and from the Transfer of Development Units requirements of the Land Development Code.

**Objective 2.5.24:** **Development within the BROD shall be coordinated with Lee County to ensure that the impacts of the BROD occurring in Lee County are mitigated and coordinated with the Lee County Comprehensive Plan.**

**Policy 2.5.24.1:** An Interlocal Agreement or Development Agreement shall be executed with Lee County addressing those impacts from the BROD on Lee County and addressing Lee County's commitment to considering amendment of its Comprehensive Plan to allow such improvements as may be needed in Lee County to implement the BROD and mitigate its impacts.

**BROD Figure 1 – BROD Summary Phasing Plan**

Residential Dwelling Units (C/O)	Non-Residential s.f (Cumulative) *1	Schools [Elem (E1, E2, E3) Middle (M) & High (H) Schools]
500	10,000	
1,000	35,000	
2,000	100,000	
4,000	300,000	E1
7,000	600,000	E2 & M
10,000	1,000,000	
12,000	1,250,000	H
14,000	1,550,000	E3
16,000	2,000,000	
17,870	3,000,000 *2	

\*1 – All non-residential square footage is cumulative by C/O threshold.

\*2 - Non-residential sf threshold is minimum

BROD Figure 2-  
BROD Capital Improvements Plan

Page 1 of 2

Roadway Improvement Statistics

Sources of Funds

Item	Roadway Segment	From	To	Cost	Phase Programmed	By:	Phased Improvements	Industrial Revenue Bonds ("IRB")	Impact Fees *2	Builder Assessment @ \$2,500/B-permit *3	District Bonds	Funding Obligation by:
<b>Transportation Facilities</b>												
<b>Charlotte County (2010 - 2015 -Phase I)</b>												
SR 31		Lee Co line	main Proj. ent	21,560,000	2015	Phase I *1						Developer/District
		Lee Co line	main Proj. ent	21,560,000	2015	Phase I *1						Developer/District
		main project	CR 74	31,724,000	2015	Phase I *1			98,705,000	*1		Developer/District
		main project	CR 74	31,724,000	2020	Phase II						Developer/District
CR 74		Pfizer Road	SR 31	64,944,000	2015	Phase I *1						Developer/District
		Pfizer Road	SR 31	32,472,000	2020	Phase III						Developer/District
US 17		CR 74	Wash. Loop Rd.	4,371,000	2030	Phase III						Developer/District
Babcock NIS Rd.		Lee Co Line	M Proj. Ent	77,880,000	2020	Phase II						Developer/District
				285,235,000	Internal Project Cost							
				<b>208,355,000</b>								
<b>Sanitary Sewer Facility, water facility, Drainage *4</b>												
						Phase I						Developer/District
							84,500,000	*4				Developer/District
<b>Parks and Recreation Building Improvements Site Improvements</b>												
						Various yrs			8,346,070			Developer/District
									44,926,601			Developer/District
<b>Schools</b>												
Elementary 1					2014					*5	\$12,000,000	Bider Asset & District *3
Elementary 2					2018						\$12,000,000	Bider Asset & District *3
Elementary 3					2023						\$12,000,000	Bider Asset & District *3
Middle					2018						\$30,000,000	Bider Asset & District *3
High					2021						\$70,000,000	Bider Asset & District *3
Educational Service Center												

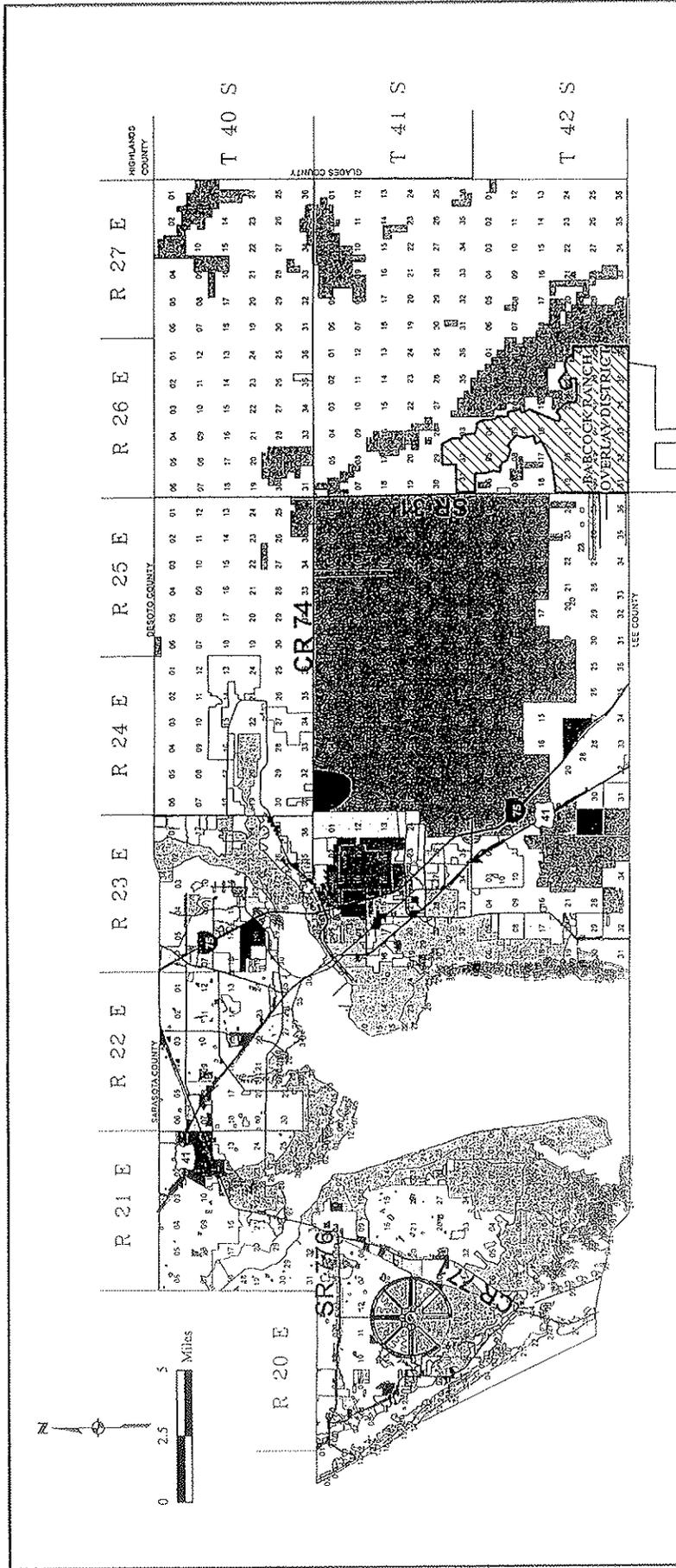
\*1 - Phase I Transportation improvements (see Traffic Analysis for details)  
 \*2 - Impact fee schedule per Dr. Jim Nicholas available upon request. The impact fee schedule provides for impact levies on roads, Parks & Cultural, public Facilities, Fire and Law Enforcement.  
 \*3 - Developer is imposing a builder school fee to assist in the school construction program contemplated herein. District bonding financing is contemplated. If a school impact fee is approved in Charlotte County, the School impact fee will replace the builder school fee.  
 \*4 - Water Sewer and Drainage have been calculated and combined for this CIP.  
 \*5 - Please refer to Exhibit D of the Development Agreement for details of timing and improvements.  
 \*6 - Builder fee and a District bonding program will fund the school construction contemplated. The School Board will lease back the facility. The lease payment will retire the bonds sold.  
 \*7 - Pursuant to the Development Agreement ("DA"), the developer has committed to fund the improvements, with these obligations to be assumed by COD's, Independent Special District or other appropriate financing mechanisms, if utilized.

BROD Figure 2-  
BROD Capital Improvements Plan

Page 2 of 2

	2010	2011 Year 1	2012 Year 2	2013 Year 3	2014 Year 4	Phase I 2015 Year 5	Phase II 2020 Year 10	Phase III 2025 Year 15	Phase IV 2030 Year 20	Total
<b>Transportation</b>										
Phase I		20,000,000	20,000,000	20,000,000	20,000,000	18,706,000	41,082,000			
Phase II							109,604,000			
Phase III										
Phase IV									36,843,000	
<b>Total</b>										<b>*8 208,355,000</b>
<b>Water, Sanitary Sewer &amp; Drainage</b>										
Total	20,000,000	10,000,000	10,000,000	10,000,000		14,500,000	50,000,000	50,000,000	50,000,500	<b>214,500,500</b>
<b>Parks &amp; Recreation</b>										
Building Improvements						1,500,000	5,500,000	1,346,070		8,346,070
Site Improvements				1,645,000	1,000,000	1,770,000	23,670,000	12,000,000	4,741,601	44,826,601
<b>Total</b>										<b>53,172,671</b>
<b>Schools</b>										
Elementary					12,000,000		12,000,000			
Elementary								12,000,000		
Middle							30,000,000			
High								70,000,000		
<b>Total</b>										<b>136,000,000</b>

\*8 - \$286,235,000 100% Mitigation - less Babcock Internal N/S Road (77,860,000) = \$208,355,000.



- Legend**
- Future Land Use (1997):
    - Agriculture
    - Airport/Commerce Park
    - Charlotte Harbor CRA
    - City
    - Coastal Residential
    - Commercial Center
    - Commercial Corridor
    - High Density Residential
  - High Intensity Industrial
  - Low Density Residential
  - Low Intensity Industrial
  - Medium Density Residential
  - Mixed Use
  - Murdoch Village Mixed Use Redevelopment
  - Parks & Recreation
  - Preservation
  - Public Lands & Facilities
- Recreational Vehicle Park
  - Resource Conservation
  - Rural Estate Residential
  - BRD Boundary

Note: Lee County portion of property is shown for illustrative purposes only. It will be addressed separately by Lee County and will not be adopted as a part of the Charlotte County plan.

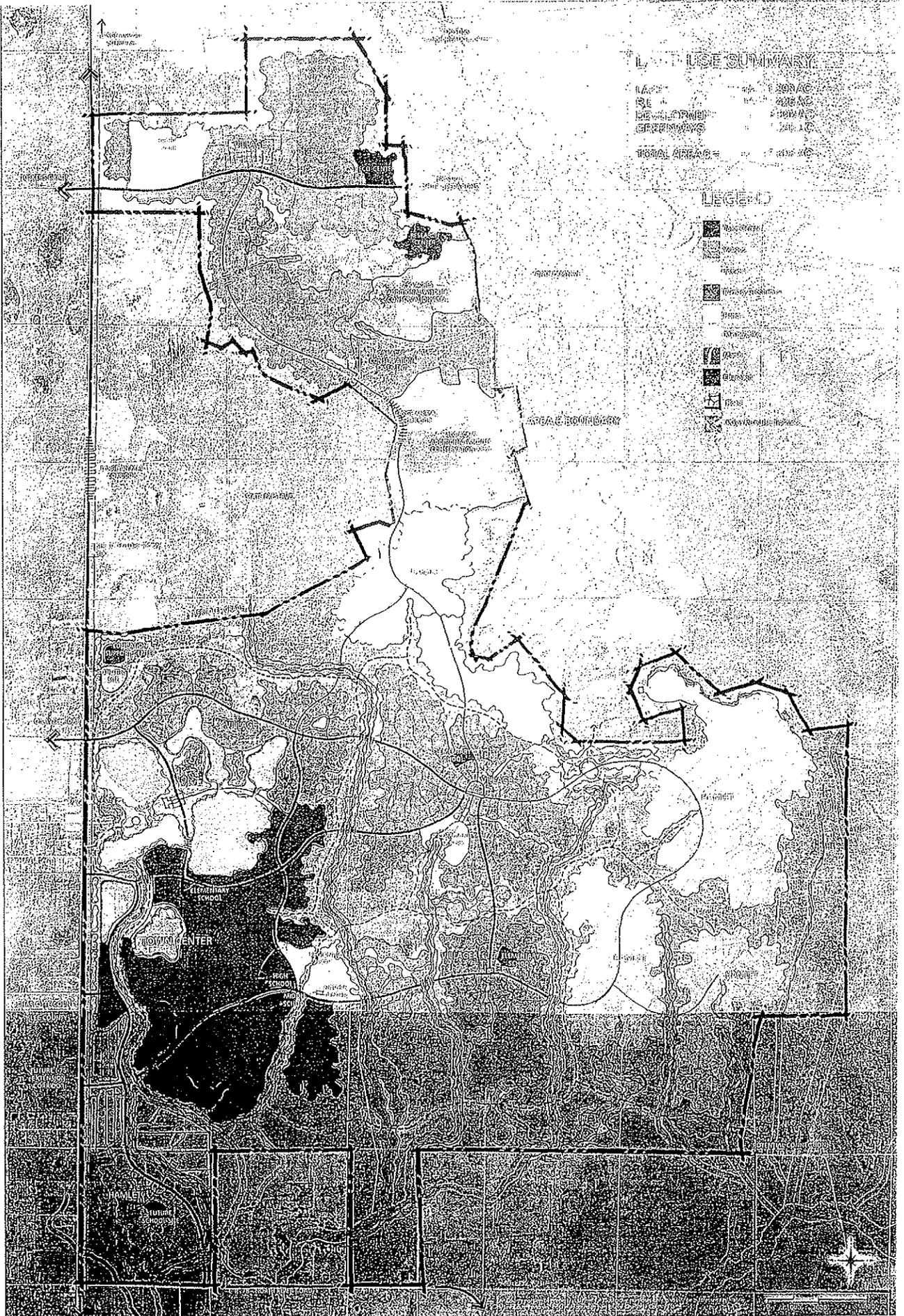
Note: Data from Charlotte County GIS System, September 2005.

# Babcock Ranch

PROPOSED FUTURE LAND USE

UNAPPROVED





**LAND USE SUMMARY**

LAND	1,200 AC
WATER	2,500 AC
WETLANDS	1,000 AC
OPEN SPACE	2,300 AC
<b>TOTAL AREAS =</b>	<b>7,000 AC</b>

**LEGEND**

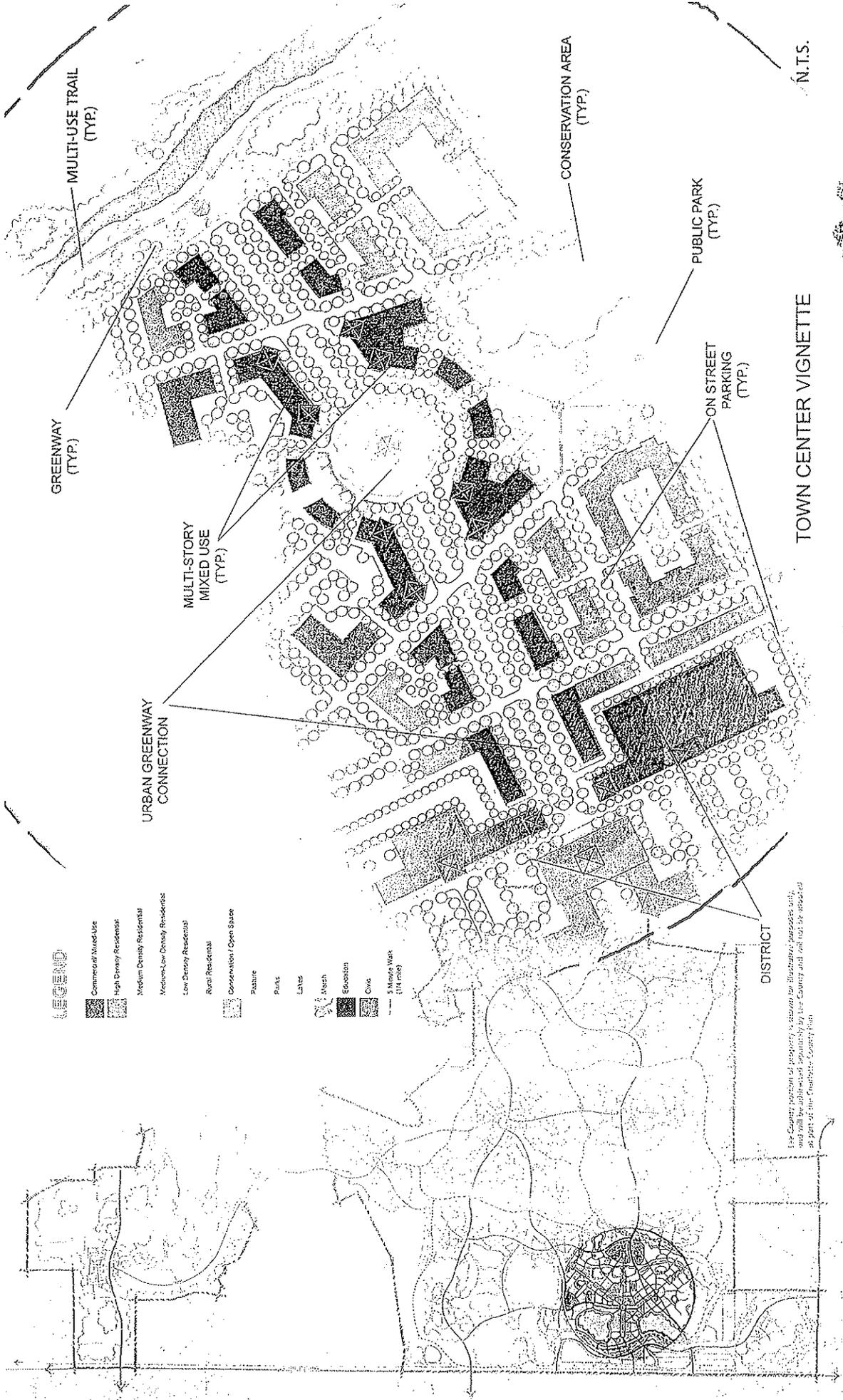
- Residential
- Commercial
- Industrial
- Agriculture
- Open Space
- Water
- Wetlands
- Road
- Utility
- Other

**Babcock Ranch**  
 A SHARED VISION. A SHARED COMMITMENT.

BARCOCK RANCH OVERLAY DISTRICT MAP No. 11a  
**BROD MASTER PLAN**  
 March 30, 2006

Partners

Wilson



**LEGEND**

- Commercial/Mixed Use
- High Density Residential
- Medium Density Residential
- Medium-Low Density Residential
- Low Density Residential
- Rural Residential
- Conservation/Open Space
- Pasture
- Parks
- Lakes
- Wash
- Education
- Civic
- 5 Minute Walk (1/4 mile)

Use: Certain portions of property is shown as illustrative purposes only, and will be subdivided separately by the County and will be attached as part of the Charlotte County Plan.

**TOWN CENTER VIGNETTE**

# Babcock Ranch

Partners

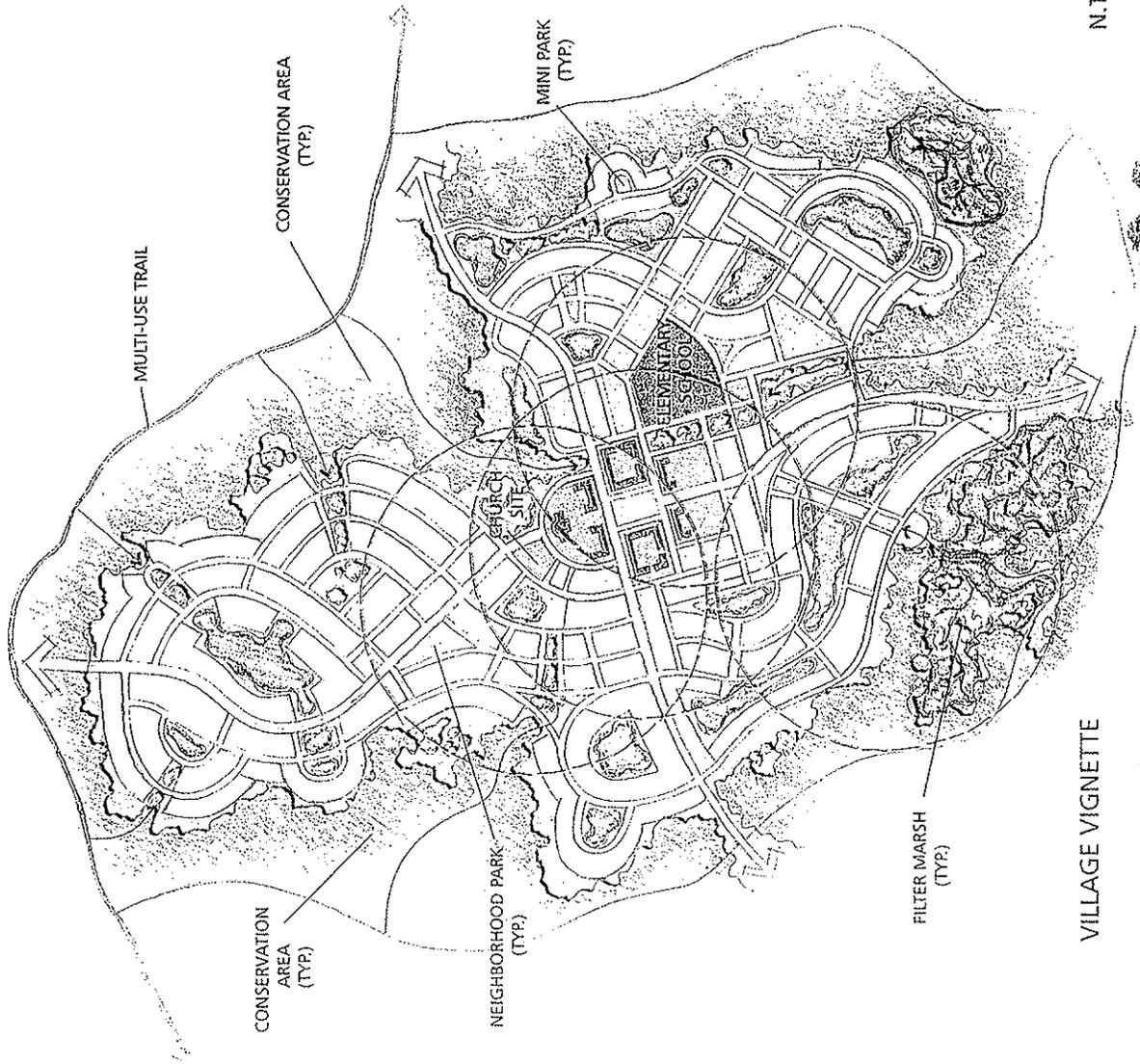
BABCOCK RANCH DEVELOPMENT MAP No. 11a-1

CONCEPTUAL TOWN CENTER

A SUBDIVISION OF A SHARED COMMITMENT

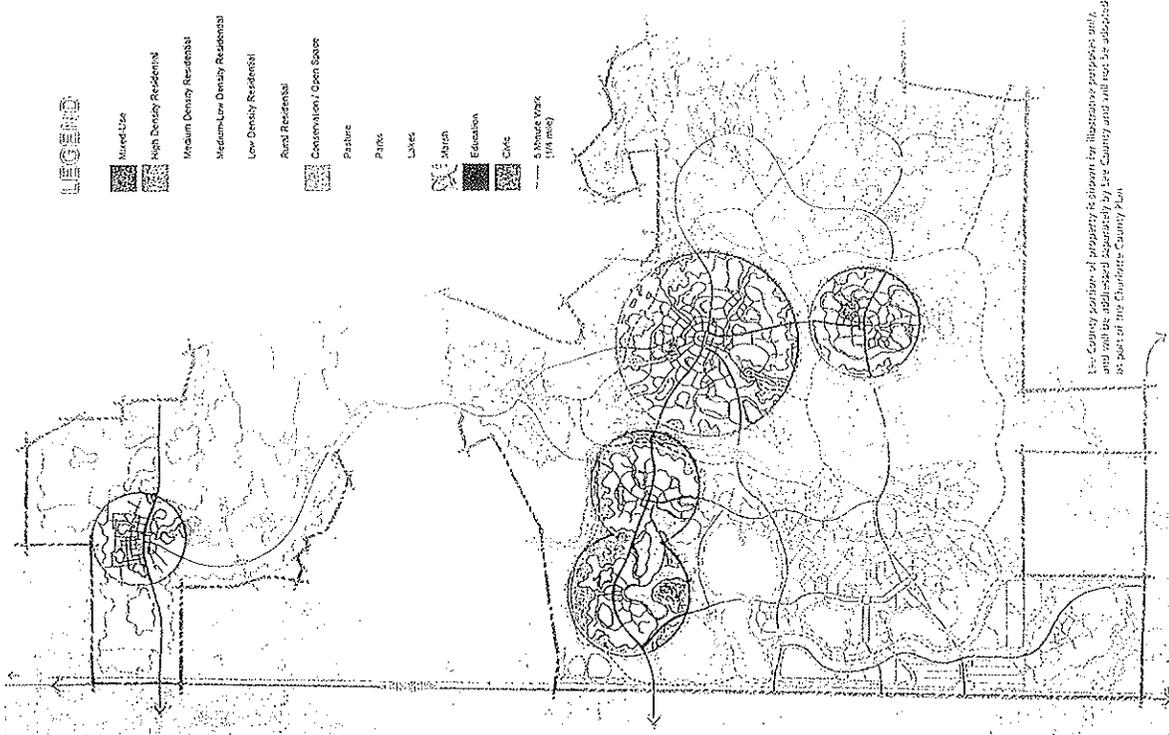
Wilson Miller

N.T.S.



VILLAGE VIGNETTE

N.T.S.



**LEGEND**

- Mixed-Use
- High Density Residential
- Medium Density Residential
- Medium-Low Density Residential
- Low Density Residential
- Rural Residential
- Conservation / Open Space
- Pasture
- Parks
- Lakes
- Marsh
- Education
- Care
- Subsided Zone (1/4" = 100')

*Use County portions of property to align with illustrative purposes only, and will be adjusted accordingly by Lee County and will not be adopted as part of the Charlotte County Plan.*

# Babcock Ranch

BABCOCK RANCH DEVELOPMENT MAP No. 11a-2

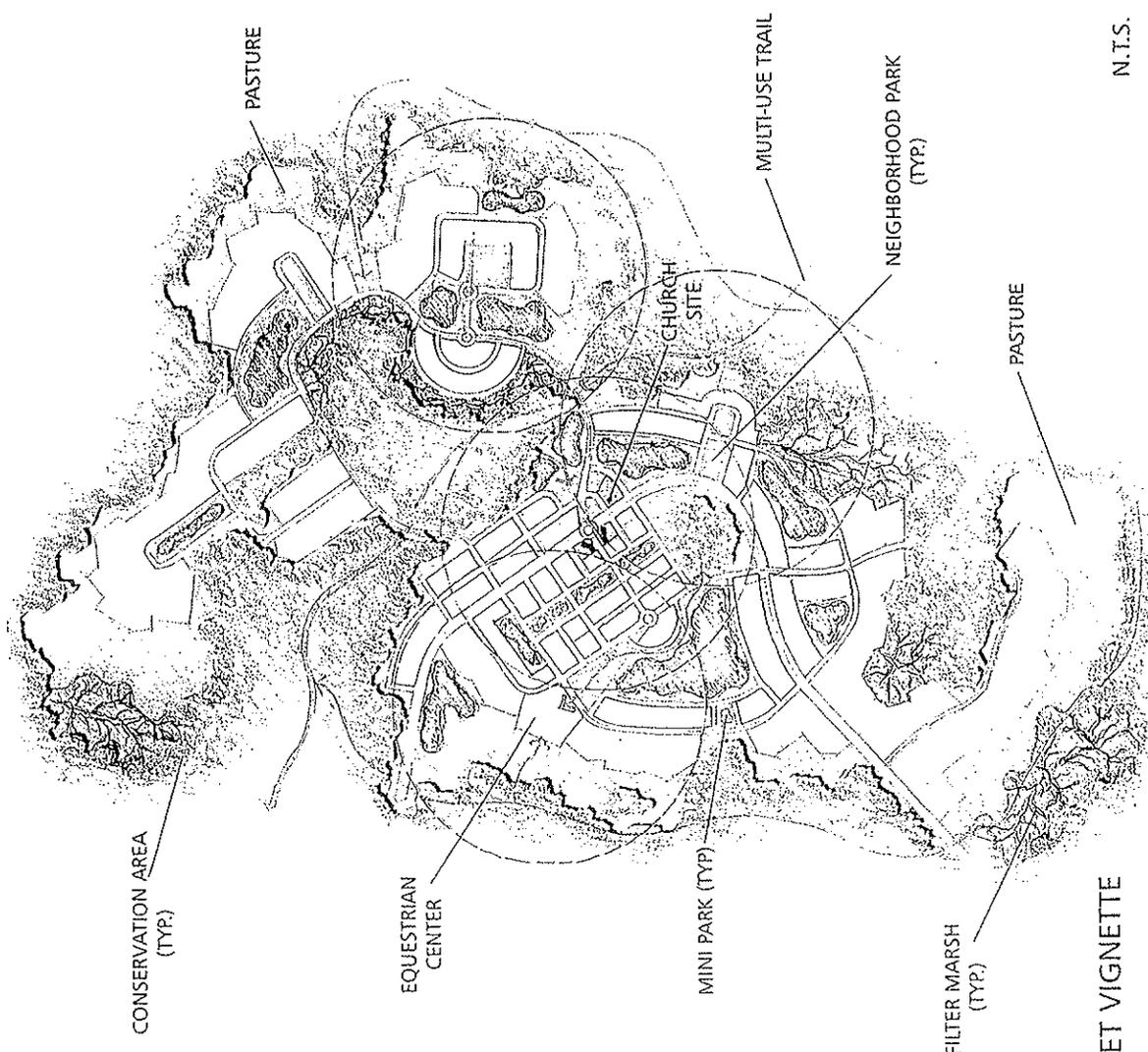
## CONCEPTUAL VILLAGE CENTER

DATE: 10/2009

Stallmeier

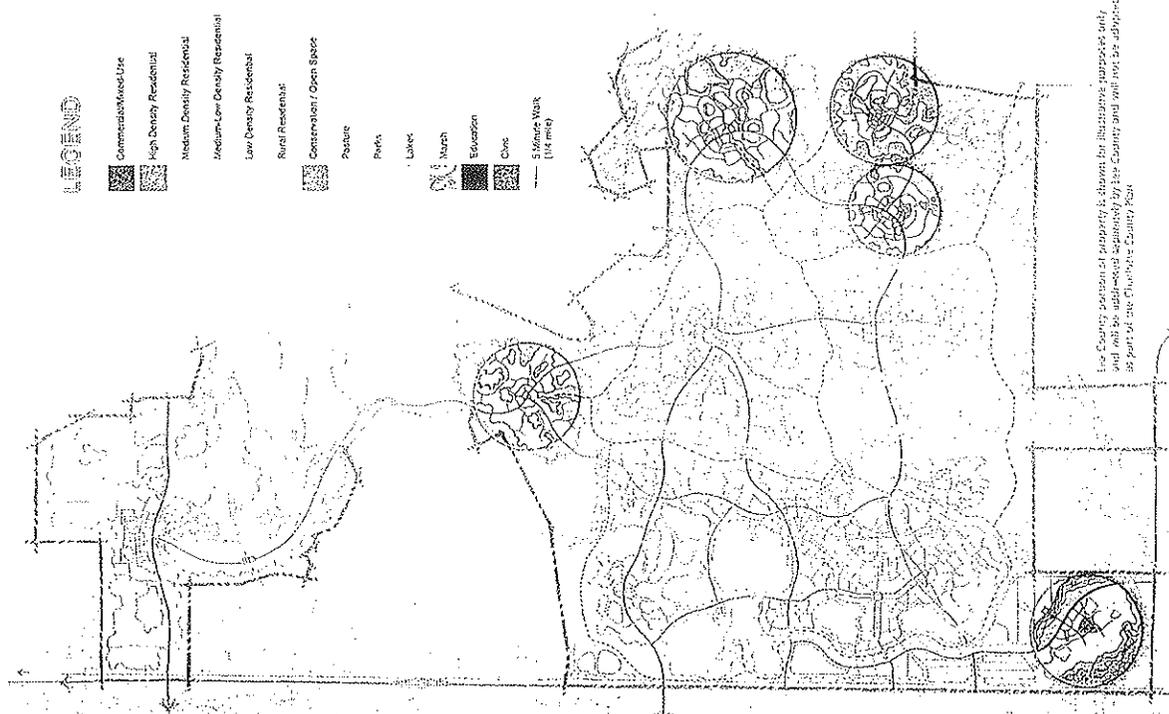
Wilson Miller

A SHARED VISION ON A SHARED COMMITMENT



**LEGEND**

- Commercial/Key Use
- High Density Residential
- Medium Density Residential
- Medium-Low Density Residential
- Low Density Residential
- Rural Residential
- Conservation/Open Space
- Pasture
- Parks
- Lakes
- Marsh
- Education
- Civic
- 5-Minute Walk (1/4 mile)



Ever County portions of property is shown for illustrative purposes only and will be adjusted accordingly by the County and will not be adopted as part of the County's County Plan.

**HAMILET VIGNETTE**

N.T.S.

# Babcock Ranch

BABCOCK RANCH LOCAL DISTRICT MAP No. 11a-3

CONCEPTUAL HAMILET

DATE: 10/2006

A SHARED VISION ON A SHARED COMMITMENT



Partners in Planning

W. Schmitt





**NOTES:**

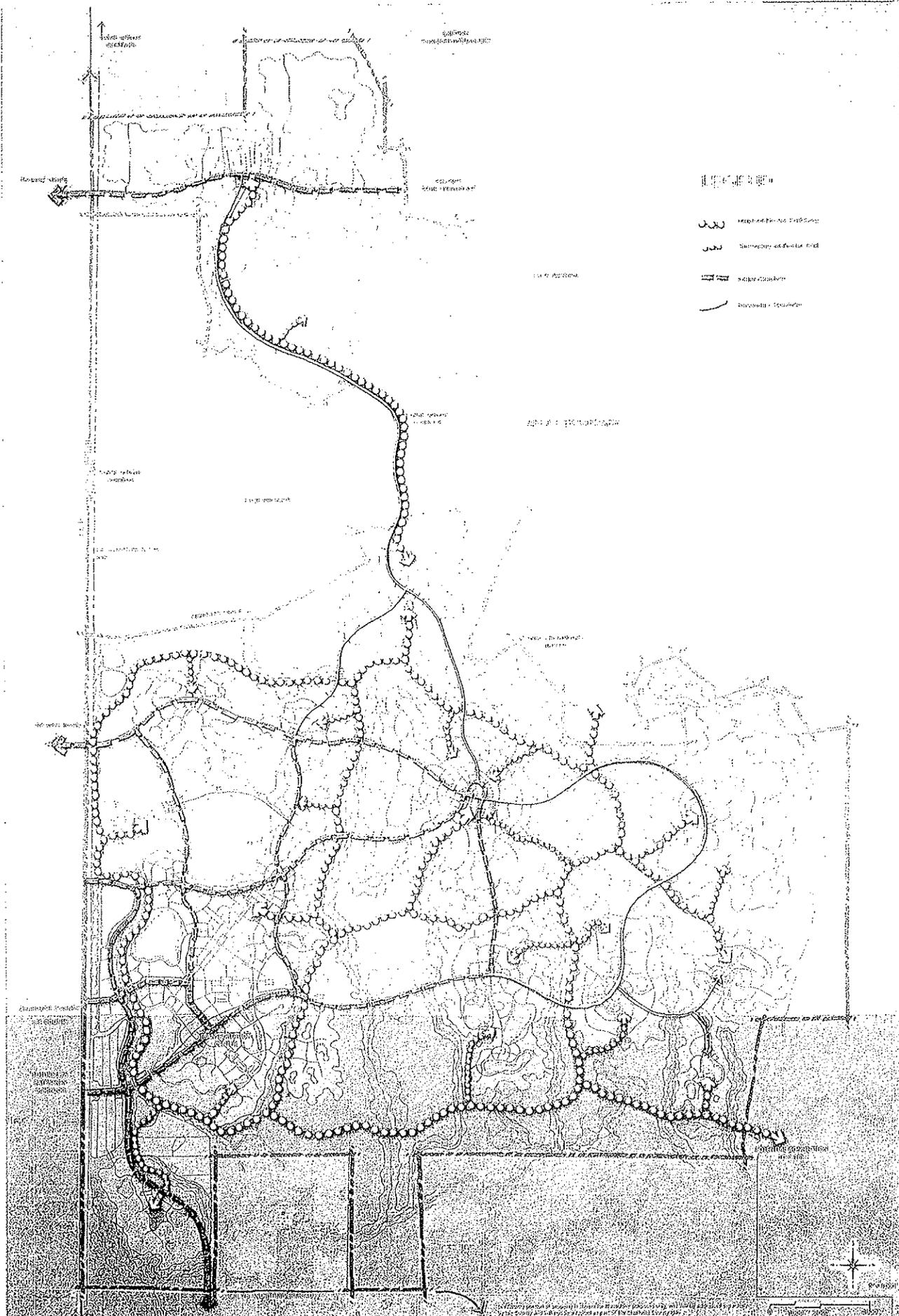
1. Under lying Master Plan developed by Wilson Miller March 2006.
2. Lee County portion of property is shown for illustrative purposes only, and will be addressed separately by Lee County and will not be adopted as a part of the Charlotte County plan.

# Babcock Ranch

Wilson Miller

Charlotte County, Virginia

Primary Drainage Map  
 Prepared by Wilson Miller  
 1/2006



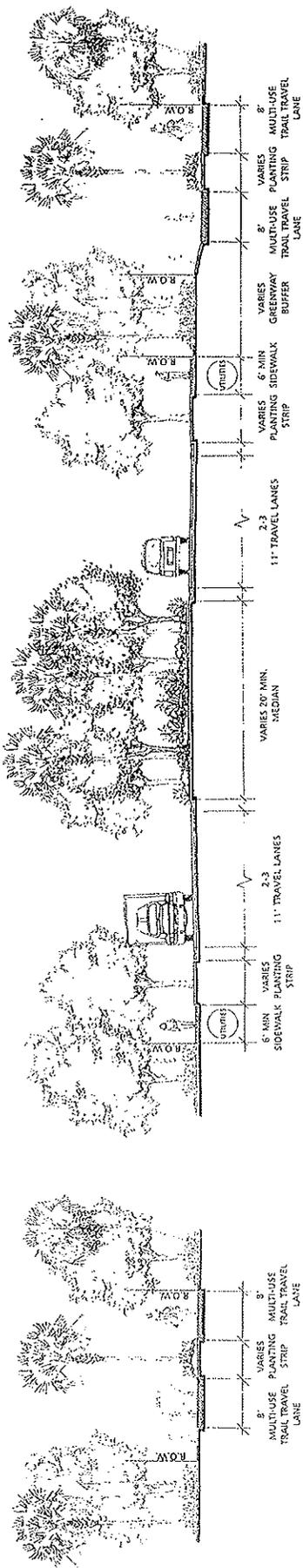
# Babcock Ranch

Partners

A SHARED VISION. A SHARED COMMITMENT.

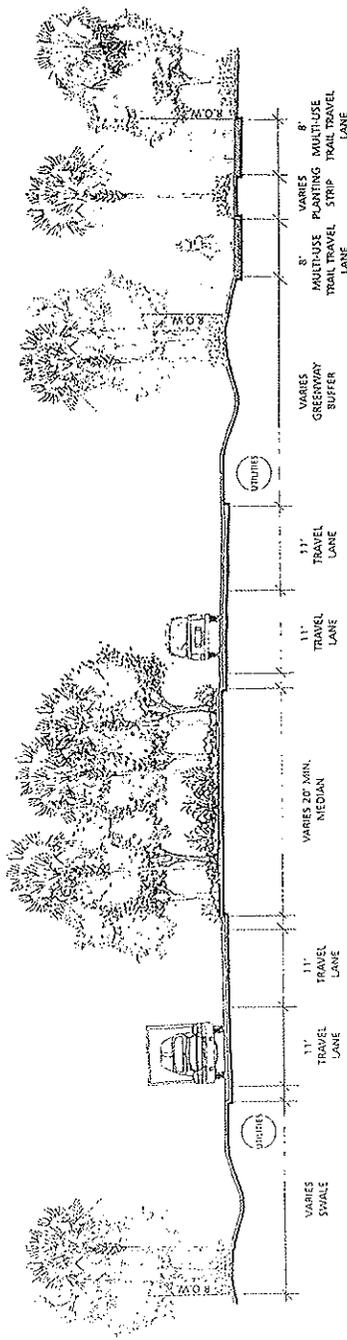
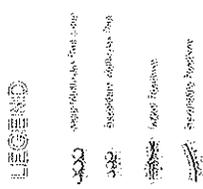
BABCOCK RANCH, LLC 2015 I-75 MAP No. 116  
 PRIMARY INTERNAL TRANSPORTATION PLAN

11/15/2015

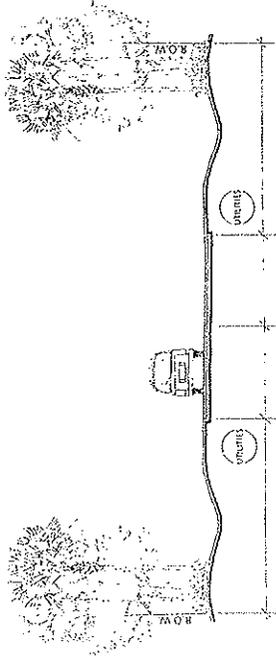


CROSS SECTION OF MAJOR MULTI-USE TRAIL LOOP

CROSS SECTION OF MAJOR ROADWAY



CROSS SECTION OF RURAL SECONDARY ROADWAY



CROSS SECTION OF ALTERNATIVE RURAL SECONDARY ROADWAY

Each County portion of properties shown for illustrative purposes only, and will be addressed separately by each County and will not be adopted as part of the Charlotte County Plan

N.T.S.

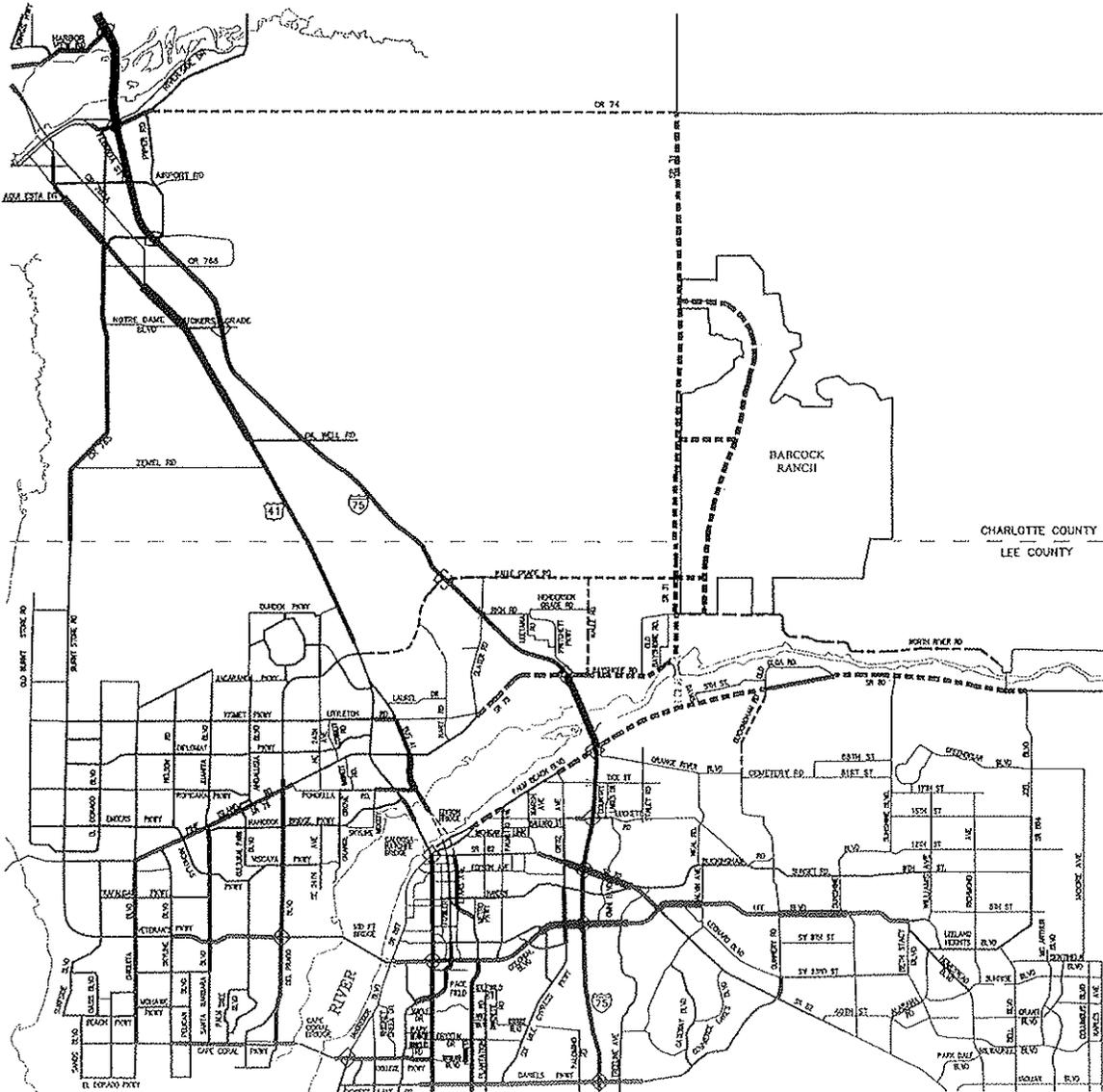
# Babcock Ranch

BABCOCK RANCH COUNTY AND STATE MAP No. 11D  
 TRANSPORTATION CROSS SECTIONS  
 March 10, 2006  
 Wisniewski

IN PARTNERSHIP WITH A SHARED COMMITMENT



N.T.S.

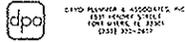


RECOMMENDED IMPROVEMENTS

- ▬▬▬▬▬▬ 4 Lanes
- ▬▬▬▬▬▬▬▬ 6 Lanes
- ▬▬▬▬▬▬▬▬▬▬ 8 Lanes
- ▬▬▬▬▬▬▬▬▬▬▬▬ 10 Lanes
- ▬▬▬▬▬▬▬▬▬▬▬▬▬▬ 12 Lanes
- ▬▬▬▬▬▬▬▬▬▬▬▬▬▬▬▬ 14 Lanes
- ◇ Interchange

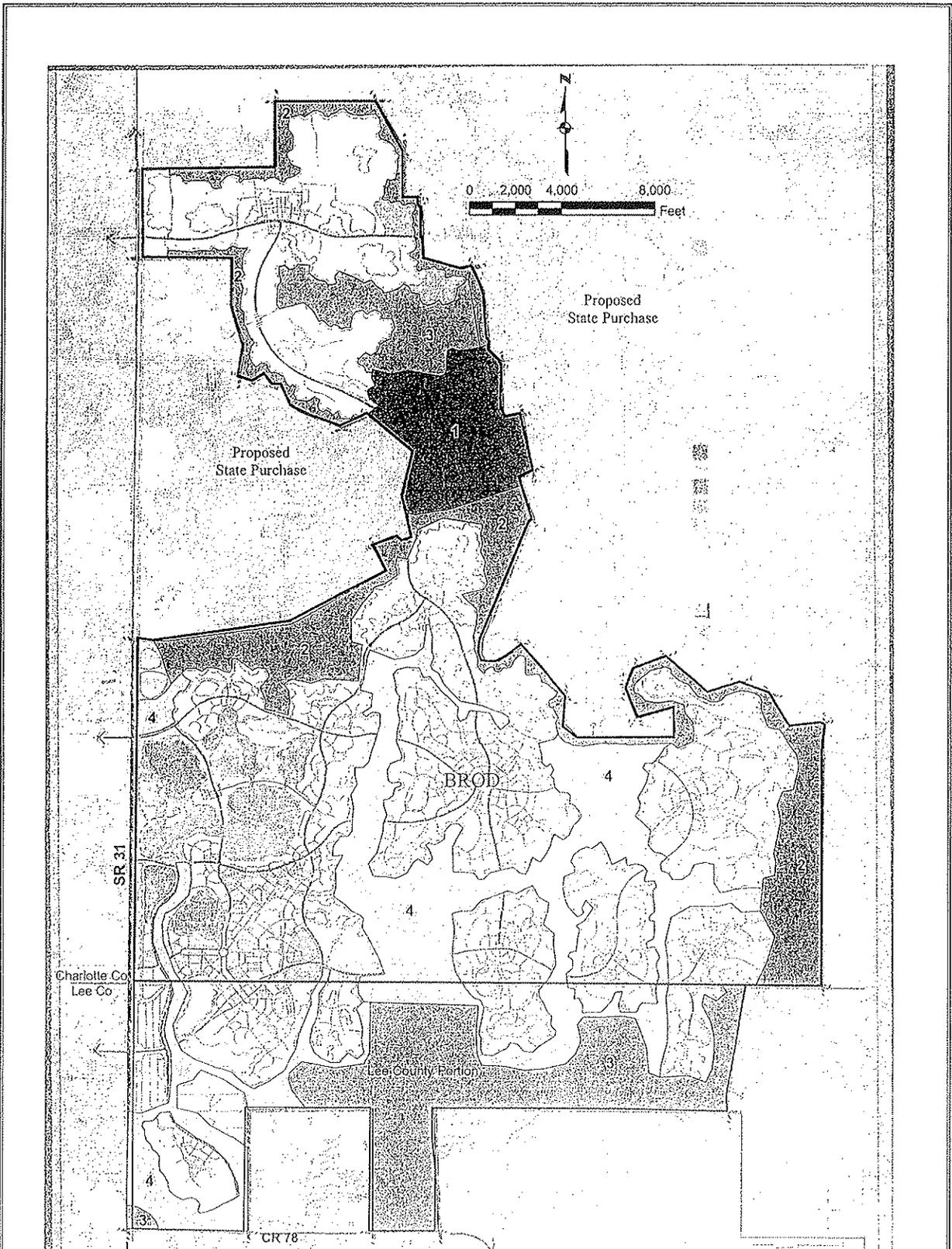
MPO 2030 FINANCIALLY-FEASIBLE NEEDS ASSESSMENT

- ▬ 2 Lanes
- ▬▬ 3 Lanes
- ▬▬▬ 4 Lanes
- ▬▬▬▬ 6 Lanes
- ▬▬▬▬▬ 8 Lanes
- ▬▬▬▬▬▬ 10 Lanes
- ◇ Interchange



**Babcock Ranch**  
A SHARED VISION. A SHARED COMMITMENT.

BABCOCK RANCH, GULF BAY DISTRICT, MAP No. 116  
2030 RECOMMENDED NETWORK IMPROVEMENTS  
DATE: 06/26/2006



**LEGEND**

- 1 CORRIDOR GREENWAY
- 2 OBSERVATION GREENWAY
- 3 PASSIVE GREENWAY
- 4 ACTIVE GREENWAY

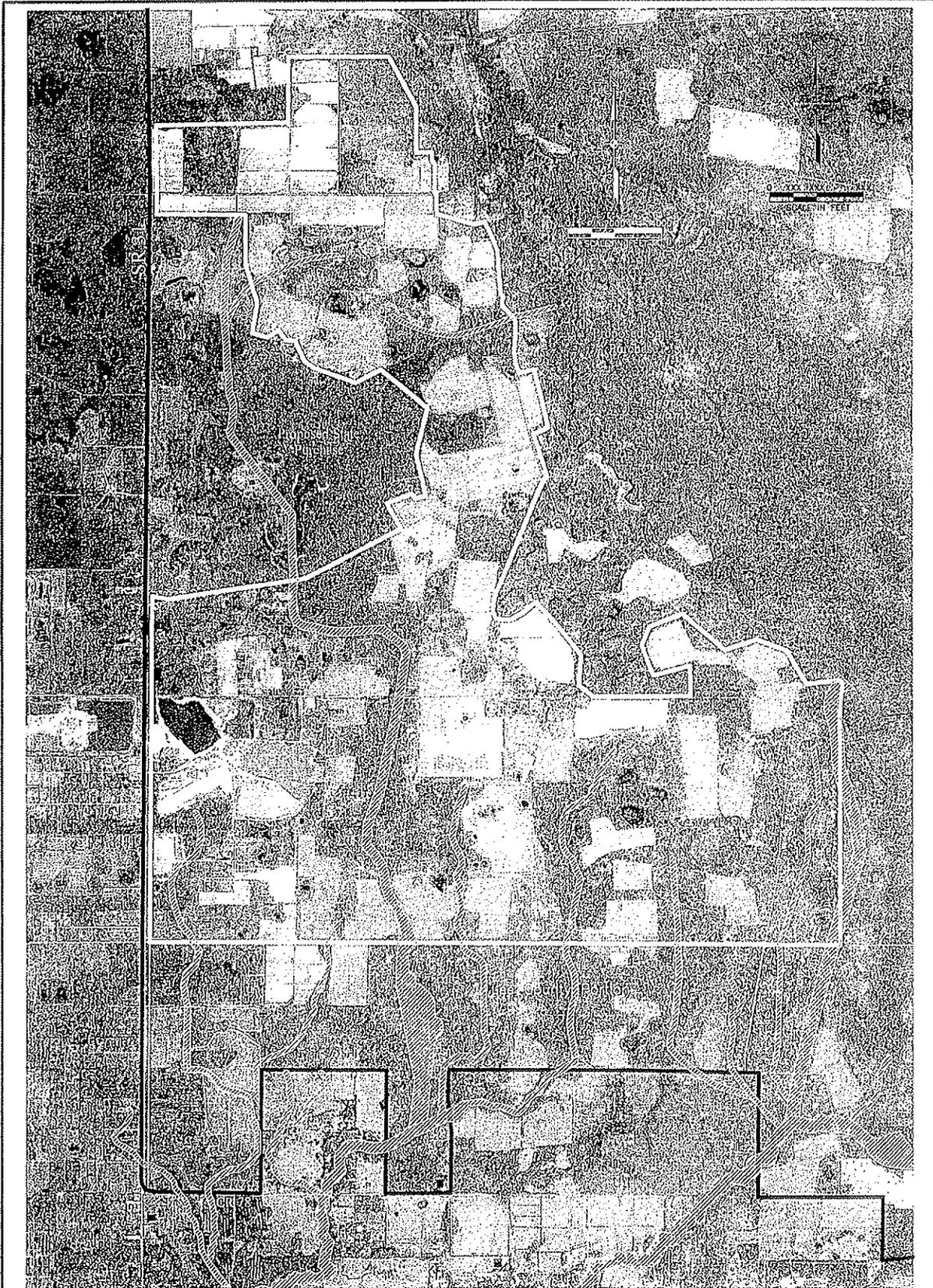
**NOTE**

Conceptual master plan provided by WilsonMiller.  
 Greenway limits subject to change through DRI, SFWMD and USACOE permitting processes. Lee County portion of property is shown for illustrative purposes only, will be addressed separately by Lee County and will not be adopted by the Charlotte County plan.

**Babcock Ranch**

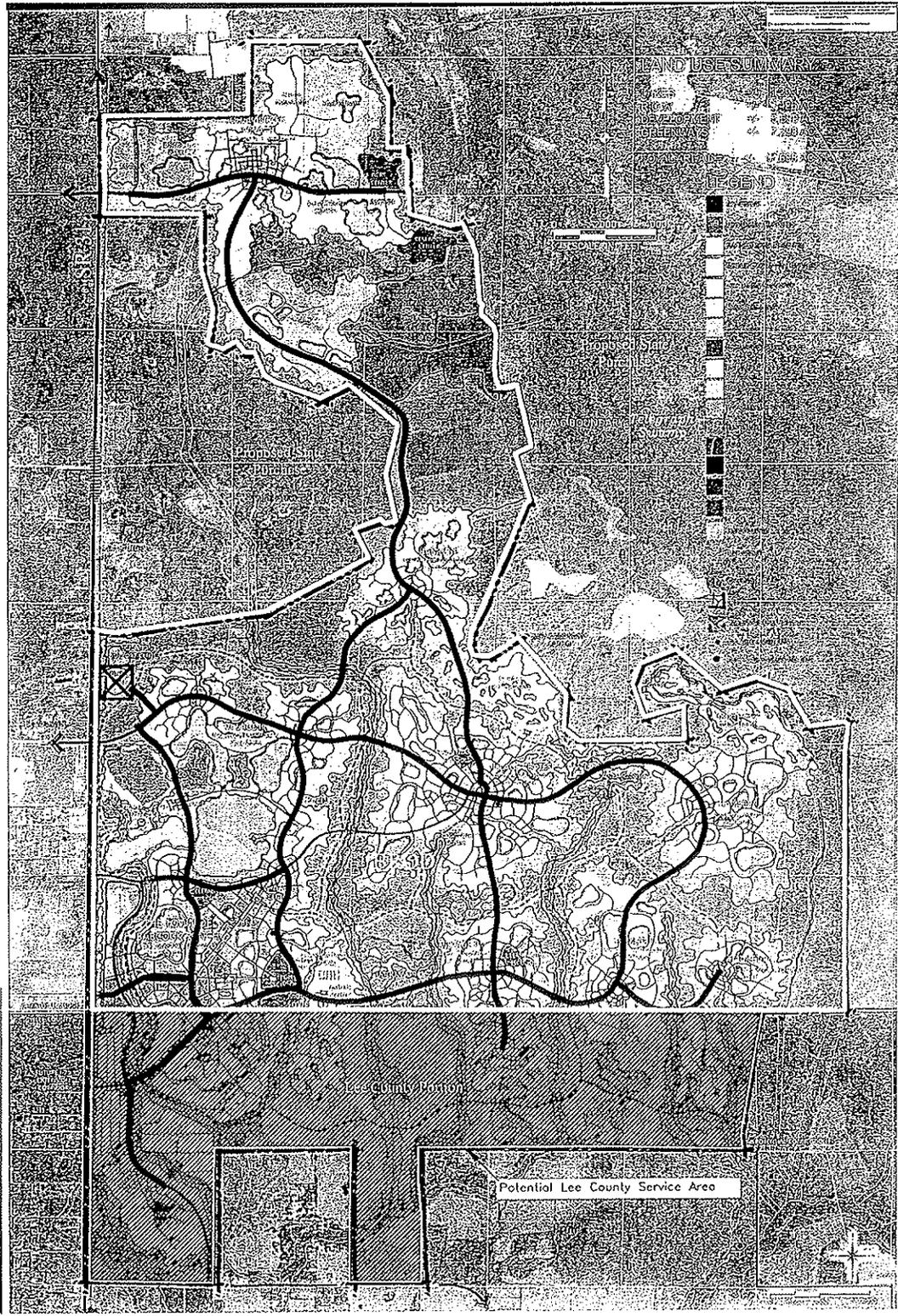
A SHARED VISION. A SHARED COMMITMENT.

Babcock Ranch  
 Primary Greenway Plan  
 March 2015



NOTES: Aerial is from USGS DOQ inventory dated 2004. Flow ways shown were developed from soils information, historic aerial photography and on site water management information and represent the primary flow ways to be preserved. Lee County portion of property is shown for illustrative purposes only, and will be addressed separately by Lee County and will not be adopted as a part of the Charlotte County plan.

N:\20055593-701\Water\kgm\DCI\_Response\Merch05\Utility\plan\step1\ins.dwg [New Borders] m02 Apr 12, 2006 - 10:50am



NOTES: Underlying Master Plan developed by Wilson Miller March 2006. Lee County portion of property is shown for illustrative purposes only, and will be addressed separately by Lee County and will not be adopted as a part of the Charlotte County plan.

Legend

- Utility Site Alternative
- Utility Corridor
- Potential Lee County Service Area

# Babcock Ranch

## PRIMARY UTILITY CORRIDOR PLAN



A SHARED VISION IN A SHARED COMMITMENT

PREPARED BY: [Faint text]

