

BABACOCK RANCH
LAND DEVELOPMENT REGULATIONS
JUNE 20, 2006

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- Approved June 20, 2006
- Ordinance #2006-058
- Led to Babcock Charlotte Master Development Order

June 26, 2006

ORDINANCE
NUMBER 2006 - 058

BCC date:
6/20/06

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2 AN ORDINANCE OF THE BOARD OF COUNTY
3 COMMISSIONERS OF CHARLOTTE COUNTY,
4 FLORIDA, CREATING A NEW SECTION 3-9-54 OF
5 THE CODE OF LAWS AND ORDINANCES OF
6 CHARLOTTE COUNTY, FLORIDA; ESTABLISHING
7 A BABCOCK RANCH OVERLAY ZONING
8 DISTRICT; PROVIDING FOR A SHORT TITLE;
9 PROVIDING FOR BOUNDARIES; PROVIDING FOR
10 INTENT; PROVIDING FOR APPLICABILITY;
11 PROVIDING FOR DEFINITIONS; PROVIDING FOR
12 AMENDMENTS OF THE ZONING ATLAS;
13 PROVIDING FOR ALLOWED AND PROHIBITED
14 USES; PROVIDING FOR DEVELOPMENT AND
15 DESIGN STANDARDS; PROVIDING FOR
16 PROVISIONS AND USES COMMON TO THE
17 DISTRICT; PROVIDING FOR DEVELOPMENT
18 APPROVAL PROCESSES; PROVIDING FOR
19 CONFLICT WITH OTHER ORDINANCES;
20 PROVIDING FOR REFERENCES TO OTHER
21 ORDINANCES, INCLUSION IN THE COUNTY CODE
22 AND SEVERABILITY; AND, PROVIDING AN
23 EFFECTIVE DATE.
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28 WHEREAS, on April 4, 2006, the Board of County Commissioners of
29 Charlotte County (the "Board") approved Petition PA-05-09-61-LS, a large scale
30 plan amendment creating a new Future Land Use Map designation called the
31 "Babcock Ranch Overlay District" ("BROD"); and

32 WHEREAS, on April 4, 2006, the Board also adopted a series of maps
33 which supported a mixed-use community master concept plan with the
34 establishment of areas and sub-areas, including residential, commercial, office,
35 light industrial, recreational and public and quasi-public facilities which were
36 represented in a Town Center, Village, Hamlet and Greenways development
form; and



1 WHEREAS, in order to implement the new FLUM designation and to
2 secure entitlements, Kitson & Partners, LLC (the "Applicant") has submitted a set
3 of development regulations utilizing Traditional Neighborhood Design (TND)
4 criteria, as the basis to implement the Town Center, Village, Hamlet and
5 Greenways development form; and

6 WHEREAS, pursuant to and in accordance with Section 125.01, Florida
7 Statutes, and in order to provide for the development regulations as submitted by
8 the Applicant, Charlotte County Staff and Applicant have prepared a zoning
9 district overlay establishing a list of permitted and prohibited uses, design and
10 development standards and a permitting process within the zoning district (the
11 "Babcock Ranch Overlay Zoning District"); and

12 WHEREAS, the County's Planning and Zoning Board has conditionally
13 approved the Babcock Ranch Overlay Zoning District in concept; and

14 WHEREAS, the Board has determined that the creation of the Babcock
15 Ranch Overlay Zoning District will promote the optimal development and visual
16 environment of the BROD, and is in the best interests of Charlotte County and its
17 citizens.

18 NOW, THEREFORE, BE IT ORDAINED by the Board of County
19 Commissioners of Charlotte County, Florida:

20 Section 1. The Code of Laws and Ordinances of Charlotte
21 County, Florida; (the "County Code") is hereby amended to create a new
22 Subsection 3-9-54 which shall provide for the establishment of the Babcock

1 Ranch Overlay Zoning District, as described and detailed in Exhibit "A" attached
2 hereto and by this reference provided herein.

3 Section 2. Conflict with Other Ordinances. The provisions of this article
4 shall supersede any provisions of existing ordinances in conflict herewith to the
5 extent of said conflict.

6 Section 3. County Code References. All references in this ordinance to
7 sections and subsections of the Code of Laws and Ordinances of Charlotte
8 County, Florida (the "County Code") shall be deemed to refer to same as they
9 may be amended from time to time or to any successor code sections or
10 subsections of the County Code, as the case may be.

11 Section 4. Inclusion in the County Code. The provisions of this ordinance
12 shall become and be made a part of the County Code. The sections and
13 subsections of this ordinance may be renumbered or re-lettered and the words
14 "County Code," "Zoning Code," and "ordinance" may be changed to "section,"
15 "subsection," "article" or other appropriate word to accomplish this purpose.

16 Section 5. Severability. In the event that any portion of this article is for
17 any reason held invalid or unconstitutional by any court of competent jurisdiction,
18 such portion shall be deemed a separate, distinct and independent provision, and
19 such holding shall not affect the validity of the remaining portions of this article.

20 Section 6. Effective Date. This Ordinance shall take effect upon the later
21 of the filing in the office of the Secretary of State or the date that the BROD
22 becomes effective and non-appealable.

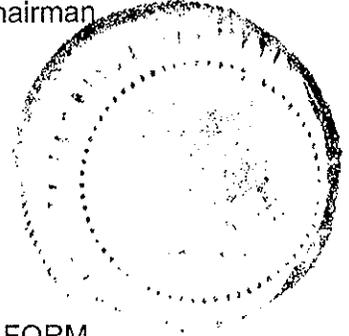
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PASSED AND DULY ADOPTED this 10 day of June, 2006.

BOARD OF COUNTY COMMISSIONERS OF
CHARLOTTE COUNTY, FLORIDA

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



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

By: Paul Manley
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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

RB
LR 2005-558

Sec. 3-9-54 Babcock Ranch Overlay Zoning District.

(a) Establishment; short title. The Babcock Ranch Overlay Zoning District Code is hereby established. The short title of this section shall be the "Overlay Code."

(b) District boundary. The area affected by this Overlay Code shall be the area as described in Appendix I -Legal Description, and the area contained on Appendix II –Sketch and Legal Descriptions of Each District.

(c) Intent. The intent of the Babcock Ranch overlay zoning district (District) provides for an environmentally friendly community that respects the intrinsic natural values and functions of the land allowing development to occur in harmony with nature. The District provides a vehicle to cluster compact development in a functional form to allow interconnected open space to maintain and enhance native habitat and allow recreational opportunities. The District encourages a high-tech, energy efficient and environmentally friendly mix of residential, retail and office commercial, light industrial, civic and educational facilities, open space, parks and recreational and institutional uses. The regulations contained herein are designed to meet the intent of the Goals, Objectives, and Policies of the Babcock Ranch Overlay District (BROD) contained in the Future Land Use Element of the Charlotte County Comprehensive Plan, and the Development Agreement entered into between Charlotte County and MSKP III, Inc., dated April 4, 2006 (Development Agreement).

These regulations and development standards were created with the goal to create an integrated community that fosters civic life, walkability, human interaction, economic health, sustainability, and preservation of the natural environment. The Town Center, Village, Hamlet and Open Space requirements will provide an alternative to scattered, low-density single-use residential development. The District will preserve open space, natural beauty and critical environmental areas that contribute positively to the quality of life for the residents.

(d) Applicability; conflict with other ordinances. This Overlay Code shall apply to the development and future redevelopment on all the lands described as the District. The terms development and redevelopment shall be construed liberally and shall include any plat, special exception, variance, DRC approval, site plan approval, building or sign permit, or any other official action of Charlotte County that has the effect of permitting development and/or redevelopment or any application for any of the preceding matters. The Overlay Code shall apply to the preceding matters notwithstanding the application of another provision(s) of the County Code to said matters. Except where expressly provided herein, the terms of the Overlay Code shall supersede and control in the

event and to the extent of a conflict between the Overlay Code and another provision of the County Code.

(e) Definitions. Terms used in section 3-9-54 shall have their commonly accepted meaning unless they are defined in this subsection 3-9-54(e). When terms are defined both in this subsection 3-9-54(e) and elsewhere in the County Code, definitions for such terms in this subsection shall control. The following terms shall have the meanings set forth in the subsection:

Affordable Rental Unit. A housing unit, for which the monthly rent, including utilities, does not exceed 30% of the Charlotte County Median Income (AMI), as calculated by the Florida Housing Finance Corporation.

Affordable Ownership Unit. A housing unit for which the monthly mortgage payment, including taxes and insurance, does not exceed 30% of the Charlotte County Median Income (AMI), as calculated by the Florida Housing Finance Corporation.

Agriculture: Agriculture use within the District includes such uses as agricultural production (crops, citrus, landscape nursery, ranching, livestock raising & animal specialties, pasture, sod and grazing); Agricultural services, cultural, educational and/or eco-tourism uses and support facilities and their related modes of transporting participants, viewers, or patrons; tour operations, such as, but not limited to airboats, swamp buggies, horse and similar modes of transportation; Agricultural labor housing; excavation incidental to agricultural operations; farm products warehousing and storage; single-family detached dwelling unit; forestry; riding stables, research facilities; non-commercial kennels; telecommunication towers; outdoor shooting ranges; and aquaculture.

Automobile Way: A street, road, lane, or alley that provides use for automobiles.

Block Perimeter Length: The total distance of all sides of a block measured from the curb.

Building Façade: That portion of any exterior elevation of a building extending from finished grade to the top of the parapet wall or eaves and extends the entire width of the building elevation.

Civic, Government, and Institutional Uses: Structures developed for and/or used by established organizations or foundations dedicated to public service or cultural activities including, but not limited to, the arts, education, government and religion.

District: shall mean the Babcock Ranch Zoning Overlay District as established by section 3-9-54, as identified in Appendix I –Legal Description.

Dwelling, Front-Loaded: Any building with the primary vehicular access from the front automobile way.

Dwelling, Rear-Loaded: Any building with primary vehicular access from the rear lane/alley.

Eco-Tourism: The practice of touring natural habitats and support facilities thereof in a manner meant to minimize ecological impact. Eco-Tourism is considered a

commercial enterprise located in an agricultural or preservation area intended to attract tourists and provide supplemental income for the property owner. Eco-tourism uses include, but are not limited to: nature trails, canoeing, fishing, wildlife observation, and birding.

Encroachment: Building elements, which protrude into the established setbacks.

Encroachments, Overhead: A physical structure that reaches into and above an established setback without compromising the value of that area, such as a grade-separated pathway.

Farmstead: A group of buildings and adjacent service areas that support the functions of a farm. Structures may include but are not limited to homes, barns, machinery sheds, granaries, pump houses, chicken coops, and garages.

Frontage: The length of the property line of any parcel of property along a street on which it borders.

Gymnasium/Recreational Center: A structure for the primary purpose of indoor sports and recreation.

Littoral Shelf Planting Area (LSPA): A planted area within an excavated lake serving as part of a stormwater management system that will support wetland plants, improves the water quality within the lake, and provides habitat for a variety of aquatic species including wading birds and other waterfowl.

Lot, corner: A lot located at the intersection of two or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

Overlay Code: shall be the "short title" of the Babcock Ranch Overlay Zoning District Code. Reference Section (a) Establishment.

Pathway: A defined corridor within the District's overall transportation network designed to accommodate pedestrians and other alternative modes of transportation.

Parking, stacked: The parking of motor vehicles in such a manner that parked vehicles may not have direct access to the public right-of-way or open and unobstructed internal access drives to and from the public right-of-way without moving one or more adjacent vehicles.

Pedestrian Clear Width: A zone within a *pedestrian way* that is unobstructed by structures, landscaping, or site furnishing.

Pedestrian Way: A sidewalk, trail or other pathway typically for the primary use of pedestrians.

Pent Roof. A pent roof is a slanted or pitched roof that has only *one* slope. A pent roof is similar to *half* of a regular pitched roof.

Porch: A roofed-over space, with the roof impervious to weather, attached to the outside of an exterior wall of a building including support columns, which has no

enclosure other than the exterior walls of such building. Open mesh screening with a roof impervious to weather shall not be considered an enclosure.

Right-of-way: A strip or area of land, public or private, occupied or intended to be occupied by a street, crosswalk, transit, electric transmission line, oil or gas pipeline, storm drainage facility, water main, sanitary or storm sewer main, or for similar special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way, whether public or private, hereafter established and shown on a plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Unless otherwise expressly stated, a dedication of right-of-way on a plat reflects an intention of the dedicator(s) to dedicate such right-of-way or tract as a fee simple interest in land, subject to any easement(s) stated on the plat or otherwise of record.

Setback line: A line marking the minimum open space distance between a right-of-way line, property line, bulkhead line, shoreline, seawall, mean high water mark, access easement line or other defined location whichever is the most restrictive, and the beginning point of a required yard or the buildable area. Setback lines may be measured from the legal boundary of a lot and are inclusive of easements with the exception of easements that comprise a road right-of-way.

Street Furnishings: Pieces of outdoor furniture, such as benches, light fixtures, trash receptacles, newspaper vending, benches, and bicycle racks.

Street Furnishings Line: The line where the sidewalk meets the edge of the planting area, or street furnishings.

Traditional Neighborhood Development (TND): A basic unit of the New Urbanism which contains a center that includes a public space and commercial enterprise; an identifiable edge with dwelling units, ideally a five minute walk from the center; a mix of activities and variety of housing types; an interconnected network of streets usually in a grid pattern, high priority of public space, with prominently located civic buildings and open space that includes parks, plazas, squares.

Transient Guest Lodging: A building or group of buildings in which sleeping accommodations and sanitary facilities are offered to guests and intended for use on a daily or weekly basis, irrespective of the form of ownership and which may include kitchens in each unit.

(f) Amendments of zoning atlas. The zoning atlas is hereby amended to provide as follows:

Areas of the District that are presently zoned Agriculture (AG), Recreational Vehicle Park (RVP) and Industrial General (IG) are rezoned to Babcock Ranch Overlay Zoning District.

(g) Existing uses. The District classification shall not render an existing use, including, but not limited to mining and sod farming, on a parcel as

non-conforming, even if such existing use is not a principle use or a permitted accessory use in the applicable tract. Any such existing use shall be considered nonconforming, however, if any of the following occur:

- (1) An existing nonresidential use shall be considered nonconforming if a valid occupational license related to the use expires and is not renewed. The county shall allow a grace period not to exceed sixty (60) days between the expiration and renewal of an occupational license for such use. If an occupational license expires during a period of inactivity caused by natural disaster or act of God, such as a fire, hurricane or other natural disaster, the county shall not count the time which passes during which repairs are being made against the sixty-day grace period. If applicants for the permits necessary to effect repairs are not received by the county within one hundred twenty (120) days of the cessation of the use, the use will be considered nonconforming; or
- (2) As site development plans for portions of the District are processed by the County, the currently permitted uses for those portions of the District will cease unless specifically provided for in the applicable Development of Regional Impact Development Order or in a subsequent permit application and Site Development Plan.

(h) *Development form.* The District shall guide development into a series of clearly identified and distinct Villages, Hamlets and a Town Center. There is a hierarchy of development types utilizing residential neighborhoods as the basic development unit. Several residential neighborhoods and one or more commercial centers combine to form a Village or Hamlet. The Town Center includes the main employment, shopping, and cultural activities.

Any development proposed within the District will be assigned to one of the following categories as shown on Appendix II – Sketch and Legal Descriptions of Each District:

- Village (Tracts 1, 3, 4, 7);
- Village Center (Tracts 1A, 3A, 3B, 4A, 7A);
- Hamlet (Tracts 2, 5, 8, 9);
- Hamlet Center (Tracts 2A, 5A, 8A, 9A);
- Town Center (Tracts 6, 6A, 6B);
- Community Services (Tract 10);
- Commercial Mining (Tract 11);
- Greenways (all area within the District Boundary, less the Tracts identified above)

The District shall allow a combination of residential, commercial, light industrial, entertainment, medical, professional office, public / quasi-public, educational, institutional, tourism, agricultural, parks, recreation, open space land uses, and

support infrastructure facilities and uses, and structures in order to encourage long term sustainable development.

Schematics of the Conceptual Town Center, a Conceptual Village, a Conceptual Hamlet and the Conceptual Master Plan for the District are included for illustrative purposes (reference Appendix III through VI).

Development within the District is limited to:

- (1) 17,870 dwelling units
- (2) 6,000,000 square feet of non-residential uses, not including schools or churches. 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, and 600 (keyed) hotel rooms, (360,000 square feet).
- (3) 72 golf course holes

Properties within the District shall be developed in a manner that is safe, comfortable and attractive, and fosters a strong sense of place. The District will create a well-planned, mixed-use community using the following planning principles: Traditional Neighborhood Design (TND), Crime Prevention Through Environmental Design (CPTED), as defined by the Florida Crime Prevention Through Environmental Design Network, and Smart Growth initiatives. The overall objectives of the development standards herein are:

- (1) The District shall include distinct, interconnected (except for gated communities permitted herein) and diverse residential neighborhoods of varying housing types (single and multi-family), architectural treatments and price ranges. Single-family housing may be detached or attached as in the case of town homes, villas and condominiums;
- (2) The District shall contain a wide range of homes affordable to a wide range of income groups of which 10% of the total housing shall be provided as affordable housing to achieve social diversity and reduce external transportation trips, in accordance with the terms in the Development Agreement.
- (3) Residential neighborhoods shall feature a neighborhood park and access to a network of bicycle/pedestrian facilities and Greenways.
- (4) The District will feature a Town Center where residents will find essential goods and services, entertainment, and dining. The Town Center shall be designed using principles of TND.

- (5) Village and Hamlet Centers shall be designated within the District to provide for daily convenience goods, professional, personal and business services.
- (6) The transportation system within the District shall provide facilities for vehicular, bicycle, pedestrian, equestrian (where appropriate), and transit. Transportation features shall be implemented in a manner that serves to maximize internal trips, provides safe and efficient facilities, and promote multi-modal options. The arrangement and design of streets, sidewalks, pathway, mass transit and bicycle facilities shall promote a pedestrian and bicycle-friendly environment with an emphasis on safe, comfortable and convenient access to neighborhoods, the Town Center, neighborhood shopping, parks, schools and civic uses.
- (7) CPTED principles shall be used as a guide when designing any element within the District, including but not limited to site design, buildings, street design, signs, landscaping and parking.
- (8) The District shall include a minimum of thirty-five (35%) percent of the gross acreage of the District as Open Space. "Open Space" shall consist of the Primary Greenway Plan (See Appendix VII - Primary Greenway Plan), non-residential vegetated green space, lakes and ponds not engineered for stormwater, lakes and ponds engineered for stormwater (in accordance with Article V Stormwater; Floodplain; Wetlands of the County Code of Laws and Ordinances) 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.
- (9) *Golf Courses:* 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), or with other equivalent certification programs or equivalent best management practices. Golf courses shall be planted consistent with good golf course design principles.
- (10) *Parks:* Various classifications of parks shall make up the park system. 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. The number and size of parks shall be in accordance with the terms set forth within Exhibit "D" of the Development Agreement.

(i) ***Land use tract uses and design standards***

(1). *Town Center (Tracts 6, 6A, 6B – Reference Appendix II and IV)*

(A) *Intent.* The Town Center shall be the civic center of the District. It is the most dense and diverse zone, with a full range of uses within walking distance. Town Center shall be a primary pedestrian zone with the majority of buildings positioned near the right-of-way. Wide sidewalks shall be shaded through streetscape planting, awnings and other architectural elements. Parking shall be provided on street, and off street with the majority in the rear of buildings, and within parking structures. Signs shall be pedestrian scale and designed to compliment the building architecture.

Buildings may be single or multi-use. Multi-use development on the same block must be compatible with the surrounding land uses. The Town Center may also feature indoor and outdoor gathering places such as but not limited to public libraries, recreation center, plazas, parks and squares to accommodate civic activities. Public spaces shall be clearly recognizable as "public" (within view of a street or other public area) and be easily accessible.

Intense uses such as light industrial, warehousing, and distribution, shall be located in order to provide for transitional commercial and civic uses between the more intense use and any residential uses (See Appendix XII, Exhibit 6 – Transitional Use Diagram).

(B) *Principle uses and structures.*

(i) Town Center Tract 6 permitted uses includes any and all businesses and services under commercial, retail, office, civic, education (elementary, middle, high schools, colleges and universities), institutional, light industrial and manufacturing, mining, nurseries, essential services, residential, home occupations (reference Appendix VIII – Home Occupations), parks, recreation, agriculture, manufacturing, distribution, wholesale, warehouse, processing and packaging, laboratories and clinics, research, design and product development, accessory uses and

structures, except as otherwise prohibited herein. Such uses may occur in shared use buildings or single use buildings.

(ii) Town Center Tracts 6A and 6B permitted uses are limited to residential, home occupations (reference Appendix VIII – Home Occupations), parks, recreation and accessory uses.

Table 1: Minimum and Maximum Uses within Town Center

Uses	Minimum	Maximum
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
Hotel	0	600

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

Note: Residential density within the Town Center shall range from six (6) to twenty-four (24) DU per gross acre, and shall not exceed 40 du / net acre within any lot or parcel

- (C) *Prohibited uses* (Reference Appendix IX – Prohibited Use Matrix)
- (D) *Special exceptions*. Special exceptions procedures are set forth in subsection 3-9-54(j)(C) of the Overlay Code. Special exceptions in the Town Center are such uses as determined by zoning official (or zoning official's designee) to be:
- i. Appropriate by reasonable implication and intent of the district.
 - ii. Similar to another use either explicitly permissible in that district or allowed by special exception; and
 - iii. Not specifically prohibited in that district.
- (E) Town Center Design Standards – Residential (Tracts 6, 6A and 6B -Reference Appendix X – XII)
- i. The maximum building height:
 - Detached single-family: 38 feet.
 - Attached single-family: 45 feet.
 - Multi-family: 100 feet.

- Non-residential: 140 feet.
- ii. Minimum Lot Size:
- Non-residential: 1,000 square feet
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet
- iii. Single Family uses shall adhere to the following;
- a. Setbacks: Single-family detached residences shall have a front building setback from 0 to 20 feet for a primary street, and from 0 to 15 feet for a secondary street, a rear/alley setback of 0 to 20 feet, and a side setback from 0 to 10 feet, with the total of both side yards being 10 feet minimum. Applies to principle and accessory structures, includes garages (reference Appendix XII – Lot Diagrams, Exhibit 4 – Single Family Small Lot).
 - b. Setbacks: Single-family attached residences shall have a front building setback from 0 to 12 feet for a primary street, from 0 to 8 feet for a secondary street, a rear set back of 0 to 20 feet (5 foot rear for accessory structure), and a side setback of 0 for interior lots (reference Appendix XII – Lot Diagrams, Exhibit 3 – Single Family Attached).
 - c. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way, up to a maximum of 50% of the street furnishings area. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street measured from the crown of the street (Reference Appendix X – Frontage Standards).
 - d. Parking: Minimum of one off-street parking space inclusive of driveways and garage space, with an additional parking space required for an accessory dwelling unit, unless on-street parking is provided on the adjacent street.
 - e. Landscape: shall include a minimum of sixty (60) square feet of shrub planting per lot on lots that are 3,000 square feet or less in area; eighty (80) square feet on lots that are greater than 3,000 square feet but less than 5,000 square feet in area; and 100

square feet for lots 5,000 square feet or larger in area. Plantings shall be in identified planting areas, raised planters, or planter boxes in the front of the dwelling, with, at a minimum, ground cover, or other alternative cover approved by the Developer's Architectural Review Board, for the remainder of the property.

- iii. Multi-family residential uses shall adhere to the following:
 - a. Lots shall be a maximum of 4 acres
 - b. Setbacks: minimum front setback from 0 to 10 feet for a primary street, minimum side yard setback from 0 to 5 feet, minimum rear yard setback 20 feet, 5 feet for accessory structures (Reference Appendix XII Lot Diagrams, Exhibit 2 Multi-Family).
 - c. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way, up to a maximum of 50% of the street furnishings area. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street measured from the crown of the street (Reference Appendix X – Frontage Standards).
 - d. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
 - e. Parking: 2 or fewer bedrooms per unit, at least one off-street parking space per unit. 3 or more bedrooms per unit, at least two off-street parking spaces per unit.
 - f. Landscape: A minimum of 100 Sq. Ft. of shrub planting shall be required for each 2,000 Sq. Ft. of building footprint, and one tree shall be required for each 4,000 Sq. Ft. of lot area, inclusive of street trees, with such plantings in planting areas, raised planters, or planter boxes in the front of the building and a minimum of ground cover, or other alternative cover approved by the Developer's Architectural

Review Board, for the remainder of the property.

- (F) *Town Center Design Standards – Mixed Use (Reference Appendix X – XII)*
- i. Maximum building height:
 - Non-residential: 140 feet.
 - Multi-family: 100 feet
 - Single-family: 38 feet
 - ii. Minimum lot size:
 - Non-residential: 1,000 square feet
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet
 - iii. The Town Center shall be laid out in a grid pattern with interconnected streets to allow for dispersion of traffic and to promote future transit and walkability. Block perimeter length shall be 1,500 to 2,500 Feet.
 - iv. At a minimum all proposed streets shall include sidewalks on both sides of the street, parallel to the right-of-way, and a streetscape or street furnishings area (Reference Appendix XI - Roadway Sections). The Developer may propose alternative street cross sections if not found herein with approval of County Engineer and the Developer's Architecture and Design Review Board.
 - v. Setbacks: Single-family attached residences shall have a front building setback from 0 to 12 feet for a primary street, from 0 to 8 feet for a secondary street, a rear set back of 0 to 20 feet (5 foot rear for accessory structure), and a side setback of 0 for interior lots (reference Appendix XII – Lot Diagrams, Exhibit 3 – Single Family Attached).
 - vi. Setbacks: Multi-Family residences shall have a minimum front setback from 0 to 10 feet for a primary street, minimum side yard setback from 0 to 5 feet, minimum rear yard setback 20 feet, 5 feet for accessory structures (Reference Appendix XII Lot Diagrams, Exhibit 2 Multi-Family).
 - vii. Setbacks: Mixed Use buildings shall have minimum setbacks from all property boundaries shall be 0 feet

and the maximum setback from the front boundary shall be 10 feet (reference Appendix XII – Lot Diagrams, Exhibit 1 – Mixed Use). The maximum setback from the front boundary may be increased in order to create public spaces such as plazas and courtyards. Maximum areas for these public spaces are found in Appendix X – Frontage Standards.

- viii. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
- ix. Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way, up to a maximum of 50% of the street furnishings area. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street measured from the crown of the street (Reference Appendix X – Frontage Standards).
- x. The amount of required parking shall be demonstrated through a shared parking analysis submitted with a Site Plan application. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time.
- xi. Parking spaces shall be provided both on-street, and off-street in the rear of buildings, or along the side (secondary streets). Side parking is limited to one use per block and is limited to two rows of parking with a travel way. Side parking shall provide a minimum landscape area of 5 feet in width between the sidewalk and the parking lot. Surface parking shall be organized into a series of small bays delineated by landscape islands of varied sizes. A

maximum spacing between landscape islands shall be ten (10) spaces. Landscape islands and tree diamonds greater than fifteen (15) square feet in size shall have a minimum of one tree. Parking is prohibited in front of buildings, except within the right-of-way. Parking lots shall be accessed from alleys, service lanes or secondary streets. Parking structures fronting on a primary street shall either include ground floor retail or have a minimum ten (10) foot wide landscaped area at grade.

- xii. Light industrial, manufacturing, warehousing, distribution and similar uses may provide surface parking on the side of the building. Side surface parking shall be buffered from the sidewalk by a 2-foot wall or landscape area a minimum of 5 feet in width.
 - xiii. Building entrances are required on the primary street.
 - xiv. Upper level residential units or office space shall be encouraged with ground level retail, office, or other similar business activity to promote diversity.
- (G) *Transition of Intensity.* Permitted uses such as industrial, manufacturing, distribution, repair shops, car washes, wholesale, warehouse, processing and packaging, mining, laboratories and clinics, research, design and product development, and gas stations shall not abut a residential unit, including residential units within mixed-use buildings, and shall not be located directly across a street from a residential unit. To facilitate this, a transition area shall be required between the specified use and any residential unit, including residential units found within a mixed-use building. The transition area shall include:
- i. An abutting use of commercial, office, civic, institutional, governmental or recreation; and
 - ii. the specified uses and residential may not be located on the same block.
 - iii. Appendix XII, Exhibit 6 – Transitional Use Diagram, illustrates the intended transition area and the relationship between the specified uses and residential.

- iv. The Developer's Architectural and Design Review Board reserves the right to require a transition area between residential units and other uses not specified herein, and/or to require additional transition standards.

(H) *Town Center Permitted Signs*

- i. Wall - A sign affixed directly to or painted directly on an exterior wall or fence. Maximum sign area - Façade width x 2.5.
- ii. Projecting - Any sign which projects from and is supported by a wall of a building with the display of the sign perpendicular to the building wall. Maximum sign area = the façade area x .05 up to a maximum of 100 Sq. Ft.
- iii. Window - A sign affixed to or behind a window. Maximum sign area - the area of the window with the sign x .30.
- iv. Hanging - A sign attached to and located below any eave, arcade, canopy or awning. Maximum sign area - 20 Sq. Ft. (two faces of 20 Sq. Ft. each).
- v. Awning - A sign or graphic attached to or printed on an awning. Maximum sign area - the area of the awning x .25.
- vi. Pole - A sign mounted at the top of or bracketed from a vertical pole that is supported by the ground. Maximum sign area - 24 Sq. ft (2 faces @ 12 Sq. Ft. each.), maximum height – 20 feet.
- vii. Monument - A sign secured to a base that is built directly upon the ground. Maximum sign area - 50 Sq. Ft., exclusive of the base. (2 faces of 50 Sq. Ft. each). Maximum height above grade - 6 feet.
- viii. Marquee - A sign usually projecting from the face of a theater or cinema that contains changeable text to announce events. Sign area shall be compatible with the design of the theater building. Minimum height above grade - 10 feet. Minimum distance from curb 4 feet.
- ix. Sandwich boards - A movable sign comprised of two sign panels hinged together at the top. Maximum sign area - 12 square ft (2 faces at 12 Sq. Ft. each).

- x. Banners - Fabric panels projecting from light poles or other structures. Maximum sign area - shall be proportional to the height of the pole: 16 feet pole - 15 Sq. Ft. maximum (2 faces at 15 Sq. Ft. ea.); 20 feet pole - 20 Sq. Ft. max. (2 faces at 20 Sq. Ft. ea.); 30 feet pole - 36 Sq. Ft. max (2 faces at 36 Sq. Ft. ea.).
 - xi. Flashing or animated signs (except time and temperature signs), allowed by Special Exception.
 - xii. Signs with changeable text (except Marquee), allowed by Special Exception.
- (I) *Prohibited signs.*
- i. Pole signs greater than 12 Sq. Ft. in area;
 - ii. Portable or mobile signs except sandwich boards; and
 - iii. Off-site signs - Billboards.
- (J) *Sign design.*
- i. Design shall be carefully integrated with site and building design to create a unified appearance for the total property.
 - ii. Signs shall be installed in a location that minimizes conflicts with windows or other architectural features of the building.
 - iii. Signs that block the view of signs on adjacent property shall not be permitted.
 - iv. Sign Area: The area of any sign shall be the area of a rectangle that encloses all elements of the sign (excluding poles and brackets) including all text and any symbols or logos.
 - v. Signable Area: The signable area (total of all individual signs on that façade or related to that façade) of a façade facing a public street or a parking lot shall be limited to 20% of the total area of the façade.
 - vi. Mounting height: No part of a sign that projects from a building or is mounted on a pole or bracket shall be less than eight feet above the grade.

- vii. **Illumination:** Signs may be illuminated by external spot lighting or internally illuminated. Lighting shall be designed and shielded so as not to glare onto adjacent properties or the public right-of-way.
 - viii. **Material:** Signs shall be constructed of durable materials suitable to the sign type. The long-term appearance of the sign shall be a major consideration in the selection of materials.
 - ix. **Color:** The color of signs shall be compatible with the colors and style of the building to which they are attached or otherwise associated. The developers Architectural and Design Review Board shall make this determination.
- (2) Village (Tracts 1, 3, 4, 7, 1A, 3A, 3B, 4A, 7A -Reference Appendix II and V).
- (A) *Intent.* Villages shall be comprised of several neighborhoods and a Village Center. Villages may be surrounded by Greenways, and/or other natural and manmade features that provide for transition areas. Golf courses may be included within a Village. The Village Center shall serve the community's daily goods and services. Villages shall be designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. Villages shall have parks within each neighborhood as defined in the Development Agreement.

Neighborhoods shall provide for a wide-range of energy-efficient housing types, materials and practices consisting of single-family and multi-family dwelling units. Elementary and middle schools (to the extent located within a Village), community parks and neighborhood parks (to the extent located within a Village) shall be sized and located to define neighborhoods or a cluster of neighborhoods.

Neighborhoods shall be integrated and connected to each other, with limited use of any of gated communities (no more than 10% of the total residential units, as provided for in the Development Agreement). Integration and connection will be achieved by pedestrian, bicycle, and/or alternative vehicle access ways located within streets, Greenways and open space.

- (B) *Principle uses and structures - Village (Tracts 1, 3, 4, and 7).* The allowable uses within a Village are residential, RV Park (allowable by Special Exception only), Open storage area for mobile homes and recreational equipment (allowable by Special Exception only), home occupations (reference Appendix VIII – Home Occupations), neighborhood scale goods and services, civic, institutional, parks, schools, churches, and accessory uses.

Table 2: Minimum and Maximum Uses Within a Village

Villages (individually)	Minimum	Maximum
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
Hotel Rooms	0	50

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

Note: The gross density in a Village shall range from 3 to 16 units per acre, and shall not exceed 32 du/net acre within any block.

- (C) *Prohibited uses* (Reference Appendix IX – Prohibited Use Matrix).
- (D) *Special exceptions.* Special exceptions procedures are set forth in subsection 3-9-54(j)(C) of the Overlay Code. Special exceptions in the Village are such uses as determined by zoning official (or zoning official's designee) to be:
- Appropriate by reasonable implication and intent of the district;
 - Similar to another use either explicitly permissible in that district or allowed by special exception; and
 - Not specifically prohibited in that district.
- (E) Village Design Standards – Residential (Tracts 1, 3, 4, 7 - Reference Appendix X – XII)
- The maximum building height:
 - Detached single-family: 38 Feet;
 - Attached single-family: 45 Feet,
 - Multi-family: 60 Feet.
 - Maximum block perimeter: 2,500 feet, except that a larger block perimeter shall be allowed where an alley or pathway provides through access, or the block includes

water bodies or public facilities.

- iii. Single Family uses shall adhere to the following;
 - a. Minimum Lot Size:
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet
 - b. Setbacks: Single-family small lot detached residences shall have a front building setback from 0 to 20 feet for a primary street, and from 0 to 15 feet for a secondary street, a rear/alley setback of 0 to 20 feet, and a side setback from 0 to 10 feet, with the total of both side yards being 10 feet minimum. Applies to principle and accessory structures, includes garages (reference Appendix XII – Lot Diagrams, Exhibit 4 – Single Family Small Lot).
 - c. Setbacks: Single-family large lot detached residences shall have a front building setback from 0 to 40% of the lot depth for a primary street, from 0 to 50% of the lot width for a secondary street, a rear setback from 0 to 60% of the lot depth, and a side setback of 0 to 50% of the lot width.
 - d. Setbacks: Single-family attached residences shall have a front building setback from 0 to 12 feet for a primary street, from 0 to 8 feet for a secondary street, a rear set back of 0 to 20 feet (5 foot rear for accessory structure), and a side setback of 0 for interior lots (reference Appendix XII – Lot Diagrams, Exhibit 3 – Single Family Attached).
 - e. Encroachments: Porches, stoops, chimneys, bay windows, canopies, balconies and overhangs may encroach into the front yard 50 percent of the total front yard setback. These same elements may encroach into the side yard so long as 3.5 feet remains as the distance from the encroachment to the property line.
 - f. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
 - g. Parking: Minimum of one off-street parking space inclusive of driveways and garage space, unless on-

street parking is provided on the adjacent street.

- h. Landscape: shall include a minimum of sixty (60) square feet of shrub planting per lot on lots that are 3,000 square feet or less in area; eighty (80) square feet on lots that are greater than 3,000 square feet but less than 5,000 square feet in area; and 100 square feet for lots 5,000 square feet or larger in area. Plantings shall be in identified planting areas, raised planters, or planter boxes in the front of the dwelling, with, at a minimum, ground cover, or other alternative cover approved by the Developer's Architectural Review Board, for the remainder of the property.
- iv. Multi-family residential uses shall adhere to the following:
 - a. Lots shall be a maximum of 4 acres
 - b. Setbacks: minimum front setback from 0 to 10 feet for a primary street, minimum side yard setback from 0 to 5 feet, minimum rear yard setback 20 feet, 5 feet for accessory structures (Reference Appendix XII Lot Diagrams, Exhibit 2 Multi-Family).
 - c. Encroachments: Porches, stoops, chimneys, bay windows, canopies, balconies and overhangs may encroach into the front yard 50 percent of the total front yard setback. These same elements may encroach into the side yard so long as 3.5 feet remains as the distance from the encroachment to the property line (Reference Appendix X – Frontage Standards).
 - d. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
 - e. Parking: 2 or fewer bedrooms per unit, at least one off-street parking space per unit. 3 or more bedrooms per unit, at least two off-street parking spaces per unit.
 - f. Landscape: A minimum of 100 Sq. Ft. of shrub planting shall be required for each 2,000 Sq. Ft. of building footprint, and one tree shall be required for each 4,000 Sq. Ft. of lot area, inclusive of street trees, with such plantings in planting areas, raised planters, or planter boxes in the front of the building and a minimum of ground cover, or other alternative

cover approved by the Developer's Architectural Review Board, for the remainder of the property.

(F) Neighborhood Goods and Service – Village Residential

(1) Intent. Neighborhood goods and services are intended to enhance the pedestrian atmosphere of the District by locating neighborhood goods and services in close proximity to the residents.

(2) Principle Uses and Structures. Uses allowed in neighborhood goods and services locations are retail, civic, institutional, and indoor recreational and fitness. Neighborhood goods and services shall be clustered in one location, and shall be adjacent to a neighborhood park or green, and located within a neighborhood containing a minimum of 500 dwelling units.

(3) Prohibited Uses (Reference Appendix IX – Prohibited Uses Within the District)

(4) Neighborhood Goods and Services Design Standards

- i. Maximum square footage per use: 3,000. Total neighborhood goods and services square footage allowed is 15,000 per location.
- ii. Minimum Lot Area: No less than the minimum lot area of the smallest of the abutting lots.
- iv. Minimum lot width at front setback: No less than the smallest of the abutting lots.
- v. Minimum Lot Depth: 110 Ft.
- vi. Minimum Front Yard Setback: Equal to the smallest of the Front Yard Setbacks of the adjacent lots.
- vii. Minimum Side Yard Setback: 10 Ft. minimum building separation between buildings on abutting lots.
- viii. Minimum Corner Side Yard Setback: Equal to the contiguous side or front setback of the adjacent corner lot.
- ix. Minimum Rear Yard Setback: 20 Ft. for primary structures or 5 Ft. for accessory structures.

- x. Maximum Height: 38 feet.
- x. Parking: There shall be one on-street or off-street parking space for each 400 Sq. Ft. of floor area. Required on street parking must be provided along lot street frontage. No off-street parking shall be permitted between the front façade and the front property line or between the side façade and the street side property line for corner lots.
- xiii. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way, up to a maximum of 50% of the street furnishings area. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk.
- xiv. Landscape: Minimum of 100 Sq. Ft. of shrub plantings per 1,000 Sq. Ft. of building footprint. Minimum of ground cover for the remainder of the property. Plantings shall be in planting areas, raised planters, or planter boxes in the front of the building. Street trees and minimum parking lot planting applies.
- xv. Loading docks and refuse containers and facilities shall be placed to the rear or side yard of the building. Refuse containers shall be hidden by an opaque wall or fencing of sufficient height to screen the bin and any appurtenances, but not less than 5 Ft. in height. Walls shall be constructed of a material compatible with the principal structure it is serving. Enclosures shall include opaque gates. Trash containers serving non-residential uses shall not be located abutting residential property.
- xvi. Signs:
 - Sign Area: The area of any sign shall be the area of a rectangle which encloses all elements of the sign (excluding brackets) including all text and any symbols or logos.
 - Signable Area: 10% of the total area of the façade.
 - Mounting Height: No part of a sign which projects from a building or is mounted on a bracket shall be

less than 8 Ft. above the grade unless not in the pedestrian path.

- Illumination: Signs may be illuminated by external spot lighting or internally illuminated. Lighting shall be designed and shielded so as not to glare onto adjacent properties or the public right-of-way.

xvii. Permitted Neighborhood Goods and Services Sign Types

- Wall - A sign affixed directly to an exterior wall or fence. Maximum sign area – 24 Sq. Ft.
- Projecting - Any sign which projects from and is supported by a wall of a building with the display of the sign perpendicular to the building wall. Maximum sign area = The façade area x .05 up to a maximum of 40 Sq. Ft.
- Window - A sign painted or applied to or behind a window. Maximum sign area – 20% of the area of the window.
- Hanging - A sign attached to and located below any eave, canopy or awning. Maximum area – 12 Sq. Ft. (may be double sided)
- Awning - A sign or graphic attached to or printed on an awning. Maximum sign area – 20% of the area of the awning.
- Monument - A sign secured to a base which is built directly upon the ground. Maximum sign area - 30 Sq. Ft., exclusive of the base. (2 faces of 30 Sq. Ft. each). Maximum height above grade - 4 Ft.
- Sandwich boards - A portable sign comprised of two sign panels hinged together at the top. Maximum sign area - 12 Sq. Ft. (2 faces at 12 Sq. Ft. each).
- Flashing or animated signs (except time and temperature signs), allowed by Special Exception.
- Signs with changeable text (except Marquee), allowed by Special Exception.

xviii. Prohibited Sign Types

- Pole signs

(G) *Principle uses and structures - Village Center (Tracts 1A, 3A, 4A, 7A)*. Permitted uses includes any and all businesses and services under retail, service, office, residential, home occupations (reference Appendix VIII – Home Occupations), schools, churches,

civic and governmental uses, parks and recreation, and accessory uses and structures, except as prohibited herein.

(H) *Prohibited uses.* (Reference Appendix IX – Prohibited Use Matrix)

(I) *Special exceptions.* Special exceptions procedures are set forth in subsection 3-9-54(j)(C) of the Overlay Code. Special Exceptions are such uses as determined by zoning official (or zoning official's designee) to be:

- i. Appropriate by reasonable implication and intent of the District;
- ii. Similar to another use either explicitly permissible in the District or allowed by special exception; and
- iii. Not specifically prohibited in the District.

(J) *Village Design Standards – Village Center (Reference Appendix II and V).*

Each Village Center shall have civic or institutional facilities. The facilities may include a park, school, government buildings, churches or community centers. Sheriff sub-stations, fire stations, government offices or other public services are encouraged within the Villages Centers. To share infrastructure such as parking, these types of facilities shall be located together to the extent practicable.

The following standards shall govern the design of a Village Center:

- i. Uses may occur in shared use buildings or single use buildings;
- ii. Maximum building height:
 - detached single-family: 38 feet
 - attached single-family: 45 feet
 - multi-family: 60 feet
 - non-residential: 60 feet
- iii. Minimum lot area:
 - Non-residential: 1,000 square feet
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet

- iv. Block Perimeter Length: 2,500 feet maximum;
- v. At a minimum all proposed streets shall include sidewalks on both sides of the street, parallel to the right-of-way, and a street furnishings area between the back of curb and the sidewalk (Reference Appendix XI - Roadway Sections);
- vi. Setbacks: Mixed Use buildings shall have minimum setbacks from all property boundaries shall be 0 feet and the maximum setback from the front boundary shall be 10 feet (reference Appendix XII – Lot Diagrams, Exhibit 1 – Mixed Use). The maximum setback from the front boundary may be increased in order to create public spaces such as plazas and courtyards Maximum areas for these public spaces are found in Appendix X – Frontage Standards. For residential setback requirements, see the standards within Village Residential;
- vii. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
- viii. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way up to the street furnishings line. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street measured from the crown of the street (reference Appendix X – Frontage Standards). For residential encroachment requirements, see the standards within Village Residential;
- ix. The amount of required parking shall be demonstrated through a shared parking analysis submitted with a Site Plan application. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available

to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time;

- x. Parking spaces shall be provided both on-street, and off-street in the rear of buildings, or along the side (secondary streets). Side parking is limited to one use per block and is limited to two rows of parking with a travel way. Side parking shall provide a minimum landscape area of 5 feet in width between the sidewalk and the parking lot. Surface parking shall be organized into a series of small bays delineated by landscape islands of varied sizes. A maximum spacing between landscape islands shall be ten (10) spaces. Landscape islands and tree diamonds greater than fifteen (15) square feet in size shall have a minimum of one tree. Parking is prohibited in front of buildings, except within the right-of-way. Parking lots shall be accessed from alleys, service lanes or secondary streets. Parking structures fronting on a primary street shall either include ground floor retail or have a minimum ten (10) foot wide landscaped area at grade. For residential parking requirements within a Village Center, see the standards within Village Residential;
- xi. Landscape minimums for non-residential uses within the Village Center shall be met by providing landscaping within parking lots as described, and by providing plantings within the street furnishings area. For residential landscape requirements, see the standards within Village Residential;
- xii. *Village Center Signs*
 - a. Sign Area: The area of any sign shall be the area of a rectangle that encloses all elements of the sign (excluding poles and brackets) including all text and any symbols or logos.
 - b. Allowable Sign Area: The allowable sign area (total of all individual signs on that façade or related to that facade) of a façade facing a public street or a parking lot shall be limited to 20% of the total area of the façade.
 - c. Mounting Height: No part of a sign which projects from a building or is mounted on a pole or bracket

shall be less than eight feet above the grade unless not in the pedestrian path.

d. Illumination: Signs may be illuminated by external spot lighting or internally illuminated. Lighting shall be designed and shielded so as not to glare onto adjacent properties or the public right-of-way.

e. Permitted Signs:

- Wall – A sign affixed directly to an exterior wall or fence. Maximum sign area – 24 square ft.;
- Projecting - Any sign which projects from and is supported by a wall of a building with the display of the sign perpendicular to the building wall. Maximum sign area = the façade area x .05 up to a maximum of 40 sq. ft.;
- Window - A sign affixed to or behind a window. Maximum sign area – 20% of the area of the window;
- Hanging - A sign attached to and located below any eave, canopy or awning. Maximum area – 12 sq. ft. (may be double sided);
- Awning - A sign or graphic attached to or printed on an awning. Maximum sign area – 20% of the area of the awning;
- Monument - A sign secured to a base that is built directly upon the ground. Maximum sign area - 30 sq. ft., exclusive of the base. (2 faces of 30 sq. ft. each). Maximum height above grade - 4 feet;
- Pole - A sign mounted at the top of or bracketed from a vertical pole that is supported by the ground. Maximum sign area - 24 Sq. ft (2 faces @ 12 Sq. Ft. each.), maximum height – 20 feet; and
- Sandwich Boards - A movable sign comprised of two sign panels hinged together at the top. Maximum sign area - 12 square ft (2 faces at 12 sq. ft. each).
- Flashing or animated signs (except time

and temperature signs), allowed by Special Exception.

- Signs with changeable text (except Marquee), allowed by Special Exception.

f. Prohibited Sign Types:

- Portable or Mobile signs except sandwich boards;
- Signs with changeable text including;
- Banners;
- Off-site signs - Billboards

(3) Hamlet (Tracts 2, 5, 8, 9, 2A, 5A, 8A, 9A – Reference Appendix II and V)

(A) *Intent.* Hamlets are rural residential areas with primarily single-family housing, may include farmsteads or co-op farming, agriculture, eco-tourism, recreation uses and parks, golf courses, research and education facilities, essential services, civic and institutional uses and limited range of convenience-oriented goods and services.

Hamlets may be surrounded by Greenways and other natural and manmade features that provide for transition areas.

(B) *Principle uses and structures.* The allowable uses within the hamlet includes any and all businesses and services under residential, RV Park (allowable by Special Exception only), Open storage area for mobile homes and recreational equipment (allowable by Special Exception only), home occupations (reference Appendix VIII – Home Occupations), neighborhood scale goods and services, civic, institutional, agriculture, parks and recreation, school (to the extent provided for in the Development Agreement), agriculture, mining, eco-tourism, golf courses, research and education facilities, essential services, civic and institutional uses.

Table 3: Minimum and Maximum Uses within a Hamlet

Hamlets (individually)	Minimum	Maximum
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
Hotel	0	50

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

Note: The gross density in a Hamlet shall range from 3 to 16 units per acre, and shall not exceed 32 du / net acre within any parcel or lot.

- (C) *Prohibited uses* (Reference Appendix IX).
- (D) *Special exceptions*. Special exceptions procedures are set forth in subsection 3-9-54(j)(C) of the Overlay Code. Special exceptions are such uses as determined by zoning official (or zoning official's designee) to be:
 - i. Appropriate by reasonable implication and intent of the District;
 - ii. Similar to another use either explicitly permissible in that district or allowed by special exception; and
 - iii. Not specifically prohibited in the District.
- (E) *Hamlet Design Standards- Residential (Tracts 2, 5, 8, 9)*.
 - i. The maximum building height:
 - Single-family, detached: 38 feet.
 - Single-family, attached: 45 feet.
 - Multi-family: 60 feet.
 - Non-residential: 60 feet.
 - ii. Maximum block perimeter: 2,500 feet, except that a larger block perimeter shall be allowed where an alley or pathway provides through access, or the block includes water bodies or public facilities.
 - iii. Minimum Lot Size:
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet
 - iv. Setbacks:
 - Single-family small lot detached residences shall have a front building setback from 0 to 20 feet for a primary street, and from 0 to 15 feet for a secondary street, a rear/alley setback of 0 to 20 feet, and a side setback from 0 to 10 feet, with the total of both side yards being 10 feet

minimum. Applies to principle and accessory structures, includes garages (reference Appendix XII – Lot Diagrams, Exhibit 4 – Single Family Small Lot).

- Single-family large lot detached residences shall have a front building setback from 0 to 40% of the lot depth for a primary street, from 0 to 50% of the lot width for a secondary street, a rear setback from 0 to 60% of the lot depth, and a side setback of 0 to 50% of the lot width.
 - Single-family attached residences shall have a front building setback from 0 to 12 feet for a primary street, from 0 to 8 feet for a secondary street, a rear set back of 0 to 20 feet (5 foot rear for accessory structure), and a side setback of 0 for interior lots (reference Appendix XII – Lot Diagrams, Exhibit 3 – Single Family Attached).
- v. Encroachments: Porches, stoops, chimneys, bay windows, canopies, balconies and overhangs may encroach into the front yard 50 percent of the total front yard setback. These same elements may encroach into the side yard so long as 3.5 feet remains as the distance from the encroachment to the property line (Reference Appendix X – Frontage Standards).
- vi. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
- vii. Parking: Minimum of one off-street parking space inclusive of driveways and garage space, unless on-street parking is provided on the adjacent street.
- viii. Landscape: shall include a minimum of sixty (60) square feet of shrub planting per lot on lots that are 3,000 square feet or less in area; eighty (80) square feet on lots that are greater than 3,000 square feet but less than 5,000 square feet in area; and 100 square feet for lots 5,000 square feet or larger in area. Plantings shall be in identified planting areas, raised planters, or planter boxes in the front of the dwelling, with, at a minimum, ground cover, or other alternative cover approved by the Developer's Architectural Review Board, for the remainder of the

property.

- ix. Multi-family residential uses shall adhere to the following:
 - a. Lots shall be a maximum of 4 acres
 - b. Setbacks: minimum front setback from 0 to 10 feet for a primary street, minimum side yard setback from 0 to 5 feet, minimum rear yard setback 20 feet, 5 feet for accessory structures (Reference Appendix XII Lot Diagrams, Exhibit 2 Multi-Family).
 - c. Encroachments: Porches, stoops, chimneys, bay windows, canopies, balconies and overhangs may encroach into the front yard 50 percent of the total front yard setback. These same elements may encroach into the side yard so long as 3.5 feet remains as the distance from the encroachment to the property line (Reference Appendix X – Frontage Standards).
 - d. Accessory Structures: Accessory structures may include carports, covered parking, garages and other similar uses. Miscellaneous structures, such as potting and tool sheds, are permitted up to 150 square feet.
 - e. Parking: Two (2) or fewer bedrooms per unit, at least one off-street parking space per unit. Three (3) or more bedrooms per unit, at least two off-street parking spaces per unit.
 - f. Landscape: A minimum of 100 Sq. Ft. of shrub planting shall be required for each 2,000 Sq. Ft. of building footprint, and one tree shall be required for each 4,000 Sq. Ft. of lot area, inclusive of street trees, with such plantings in planting areas, raised planters, or planter boxes in the front of the building and a minimum of ground cover, or other alternative cover approved by the Developer's Architectural Review Board, for the remainder of the property.

(F) *Neighborhood Goods and Service – Hamlet Residential*

- (1) Intent. Neighborhood goods and services are intended to enhance the pedestrian atmosphere of the District by locating

neighborhood goods and services in close proximity to the residents.

(2) Principle Uses and Structures. Uses allowed in neighborhood goods and services locations are retail, civic, institutional, and indoor recreational and fitness. Neighborhood goods and services shall be clustered in one location, and shall be adjacent to a neighborhood park or green, and located within a neighborhood containing a minimum of 500 dwelling units.

(3) Prohibited Uses (Reference Appendix IX – Prohibited Uses Within the District)

(4) Neighborhood Goods and Services Design Standards

- i. Maximum square footage per use: 3,000. Total neighborhood goods and services square footage allowed is 15,000 per location.
- ii. Minimum Lot Area: No less than the minimum lot area of the smallest of the abutting lots.
- iii. Minimum lot width at front setback: No less than the smallest of the abutting lots.
- iv. Minimum Lot Depth: 110 Ft.
- v. Minimum Front Yard Setback: Equal to the smallest of the Front Yard Setbacks of the adjacent lots.
- vi. Minimum Side Yard Setback: 10 Ft. minimum building separation between buildings on abutting lots.
- vii. Minimum Corner Side Yard Setback: Equal to the contiguous side or front setback of the adjacent corner lot.
- viii. Minimum Rear Yard Setback: 20 Ft. for primary structures or 5 Ft. for accessory structures.
- ix. Maximum Height: 38 feet.
- x. Parking: There shall be one on-street or off-street parking space for each 400 Sq. Ft. of floor area. Required on street parking must be provided along lot street frontage. No off-street parking shall be

permitted between the front façade and the front property line or between the side façade and the street side property line for corner lots.

- xi. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way, up to a maximum of 50% of the street furnishings area. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments shall maintain a clear distance of 9 feet above the sidewalk.
- xii. Landscape: Minimum of 100 Sq. Ft. of shrub plantings per 1,000 Sq. Ft. of building footprint. Minimum of ground cover for the remainder of the property. Plantings shall be in planting areas, raised planters, or planter boxes in the front of the building. Street trees and minimum parking lot planting applies.
- xiii. Loading docks and refuse containers and facilities shall be placed to the rear or side yard of the building. Refuse containers shall be hidden by an opaque wall or fencing of sufficient height to screen the bin and any appurtenances, but not less than 5 Ft. in height. Walls shall be constructed of a material compatible with the principal structure it is serving. Enclosures shall include opaque gates. Trash containers serving non-residential uses shall not be located abutting residential property.
- xiv. Signs:
 - Sign Area: The area of any sign shall be the area of a rectangle which encloses all elements of the sign (excluding brackets) including all text and any symbols or logos.
 - Signable Area: 10% of the total area of the façade.
 - Mounting Height: No part of a sign which projects from a building or is mounted on a bracket shall be less than 8 Ft. above the grade unless not in the pedestrian path.

- Illumination: Signs may be illuminated by external spot lighting or internally illuminated. Lighting shall be designed and shielded so as not to glare onto adjacent properties or the public right-of-way.

xv. Permitted Neighborhood Goods and Services Sign Types

- Wall - A sign affixed directly to an exterior wall or fence. Maximum sign area – 24 Sq. Ft.
- Projecting - Any sign which projects from and is supported by a wall of a building with the display of the sign perpendicular to the building wall.
- Maximum sign area = The façade area x .05. up to a maximum of 40 Sq. Ft.
- Window - A sign painted or applied to or behind a window. Maximum sign area – 20% of the area of the window.
- Hanging - A sign attached to and located below any eave, canopy or awning. Maximum area – 12 Sq. Ft. (may be double sided)
- Awning - A sign or graphic attached to or printed on an awning. Maximum sign area – 20% of the area of the awning.
- Monument - A sign secured to a base which is built directly upon the ground. Maximum sign area - 30 Sq. Ft., exclusive of the base. (2 faces of 30 Sq. Ft. each). Maximum height above grade - 4 Ft.
- Sandwich boards - A portable sign comprised of two sign panels hinged together at the top. Maximum sign area - 12 Sq. Ft. (2 faces at 12 Sq. Ft. each).
- Flashing or animated signs (except time and temperature signs), allowed by Special Exception.

- Signs with changeable text (except Marquee), allowed by Special Exception.

- xvi. Prohibited Sign Types
- Pole signs

(G) *Hamlet Design Standards - Center*

The following standards shall govern the design of a Hamlet Center:

- i. Uses may occur in shared use buildings or single use buildings;
- ii. Maximum building height:
 - Single-family, detached: 38 feet.
 - Single-family, attached: 45 feet.
 - Multi-family: 60 feet.
 - Non-residential: 60 feet.
- iii. Minimum lot area:
 - Single-family, attached: 1,000 square feet
 - Single-family, detached: 3,000 square feet
 - Non-residential: 1,000 square feet
- iv. Block Perimeter Length: 2,500 feet maximum;
- v. At a minimum all proposed streets shall include sidewalks on both sides of the street, parallel to the right-of-way, and a street furnishings area between the back of curb and the sidewalk (Reference Appendix XI - Roadway Sections).
- vi. Setbacks: Minimum from all property boundaries shall be 0 feet. The setback from the front boundary may be increased in order to create public spaces such as plazas and courtyards. Maximum areas for these public spaces are found in Appendix X – Frontage Standards.
- vii. Encroachments: Awnings, arcades, colonnades, pedestrian bridges, balconies, planters and outdoor dining may encroach into the right-of-way up to the street furnishings line. A minimum 6-foot clear pedestrian way shall be maintained and not obstructed by any encroachment. Encroachments

shall maintain a clear distance of 9 feet above the sidewalk and 15 feet above the street measured from the crown of the street (reference Appendix X – Frontage Standards). For residential encroachment requirements, see the standards within Hamlet Residential.

- viii. The amount of required parking shall be demonstrated through a shared parking analysis submitted with a Site Plan application. Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time.
- ix. Parking spaces shall be provided both on-street, and off-street in the rear of buildings, or along the side (secondary streets). Side parking is limited to one use per block and is limited to two rows of parking with a travel way. Side parking shall provide a minimum landscape area of 5 feet in width between the sidewalk and the parking lot. Surface parking shall be organized into a series of small bays delineated by landscape islands of varied sizes. A maximum spacing between landscape islands shall be ten (10) spaces. Landscape islands and tree diamonds greater than fifteen (15) square feet in size shall have a minimum of one tree. Parking is prohibited in front of buildings, except within the right-of-way. Parking lots shall be accessed from alleys, service lanes or secondary streets. Parking structures fronting on a primary street shall either include ground floor retail or have a minimum ten (10) foot wide landscaped area at grade. For residential parking requirements within a Village Center, see the standards within Hamlet Residential Section.
- x. Landscape minimums for non-residential uses within the Hamlet Center shall be met by providing landscaping within parking lots as described, and by providing plantings within the street furnishings area.

For residential landscape requirements, see the standards within Hamlet Residential.

- xi. Signs within the Hamlet Center shall comply with the Village Center standards provided in subsection 3-9-54(J)(xiii).
- (5) *Greenways* (Reference Appendix II – Sketch and Legal Descriptions of Each District, and Appendix VII – Primary Greenway Plan)
 - (A) *Intent.* Greenways shall consist of all lands within the overall boundary of this District and not otherwise within the limits of any Tract identified herein. Greenways may be environmentally sensitive lands and/or natural resource areas, and trails. These areas shape development boundaries for the District by surrounding and defining Hamlets, Villages and the Town Center.
 - (B) *Principle uses and structures.* The uses allowed within the Greenways designation include Active, Passive, Corridor, and Observation Greenways as defined herein. The Primary Greenways Plan for the Babcock Ranch Overlay District (reference Appendix VII – Primary Greenway Plan) 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. Reasonable access to those persons with disabilities will be provided.

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.

- i. 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, boardwalks and observation decks, paved trails to accommodate multi-modal transit, such as golf carts or other electric vehicles, 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 designed to minimize impacts to native vegetation, flowways and wetlands.

- ii. 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, which shall be less intense 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 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 designed to minimize impacts to native vegetation, flowways and wetlands.
- iii. The Corridor Greenway is a wildlife corridor between Telegraph Swamp and the Curry Lake area intended 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 shall include the preservation and/or enhancement of natural habitats through the planting of native vegetation and removal of exotic and nuisance vegetation.
- iv. Observation Greenways consist primarily of native vegetative communities and are largely un-impacted 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 District 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 minimize impacts to native vegetation, flowways and wetlands.

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 (Reference Appendix VII – Primary Greenway Plan).

(C) *Prohibited uses* (Reference Appendix IX).

(D) *Greenways Sign Standards:*

- i. A minimum of one ground mounted internal sign shall be provided per park.
- ii. Locate near key pedestrian entry walks leading into the park along the primary direction of travel, with a minimum setback from ROW: 5 Ft.
- iii. Sign shall be ground mounted, extending directly from the ground.
- iv. Sign Text - Maximum area: 20 Sq. Ft. Shall include park name and may include a graphic icon logo as appropriate.

(j) *Provisions and Uses Common to the District.* The provisions of this subsection 3-9-54(j) shall apply to the entire District and shall be considered as general guidelines in establishing development, design and dimensional standards for the District. Uses and standards included in this section apply throughout all areas of the District. Sections 3-9, 3-9-5.1, 3-9-71.1, and 3-5-91, unless otherwise noted, shall regulate all appropriate uses and permitting procedures.

(1) Principle uses and structures: Maintenance facilities, community infrastructure uses and facilities, nurseries, co-op farmland, civic uses, education, research and eco-tourism facilities, agriculture, mining, parks, cell towers, utilities, and temporary uses customarily associated with development such as sales centers, models, temporary housing for construction workers.

i. Fill Storage, Stockpiling, and Clearing

a. **Fill Storage:** Fill storage is generally permitted as a principle use throughout the District. Fill material may be transported to and stockpiled upon areas that have been disturbed (farmed) or are shown as development areas on an approved Site Plan (SP), Final Plat (FP), or Tree Removal Permit. Following approval of an SP, FP or Tree Removal Permit, development areas including building footprints, shall be allowed to be cleared (prior to the issuance of the building permits).

A re-vegetation bond shall not be required for clearing of development areas included in an approved SP, FP or Tree Removal Permit.

b. **Stockpile:** Stockpile areas shall be designated as one of the following:

- Long-term stockpile area defined as a stockpile area to be left in place for a period greater than 6 months (180 calendar days). Such long-term stockpile areas shall be sodded or hydroseeded and erosion control devices installed.
- Temporary stockpile area defined as a stockpile area to be left in place for a period of less than 6 months (180 calendar days). Contractor shall employ methods in accordance with section 3-5-91 or “best management practices” (which ever is more stringent) to prevent erosion of stockpiles. Fencing (plastic barricading, silt fence or other similar visible barriers) shall be provided around the entire perimeter of stockpile area if the following apply:

Stockpile side slopes are steeper than 1:4.

Stockpile height (as measured from average existing ground elevation adjacent finished grade) is greater than 10 feet.

c. **Clearing**

All lots may be cleared and filled upon in accordance with section 3-9-91.

ii. **Lake Setbacks:** Where roadway is constructed with a non-mountable curb, lake edge of water shall be set back a

minimum distance from the road and/or right of way, as determined by the following criteria. The greater of the two distances shall be utilized:

- a. 30 Ft. minimum from top of bank to closest edge of through travel lane (excludes edges of parking spaces or turn lanes).
- b. 20 Ft. minimum from lake control elevation to right of way.

Where roadway is constructed with a mountable curb, lake edge of water shall be set back a minimum distance from the road and/or right of way, as determined by the following criteria. The greater of the two distances shall be utilized.

- a. 40 Ft. from top of bank to closest edge of through travel lane (excludes edges of parking spaces or turn lanes); or
- b. 20 Ft. minimum from lake control elevation right of way.

The setback distance provided above may be reduced by the use of protective barriers (such as guard rail), landscaping, berming, or other impediments to vehicular traffic. The lake setback requirements listed above apply to water bodies with seasonal water depths greater than 3 Ft. for extended periods of time.

- iii. Bulkhead/Retaining Walls: Bulkhead/retaining walls are allowed within stormwater management lakes at up to 40% of the lake perimeter at control elevation (decorative water features are not restricted to this requirement). Greater percentages of lake bank may be allowed to receive vertical bank treatment, if approved by the Water Management District through the Environmental Resources Permit (ERP) process. When bulkhead/retaining wall is present, compensating at 8:1 minimum lake bank slope will be provided within the lake for a length equal to the bulkhead length.
 - a. A maintenance and access easement is not required for portions of the lake constructed with bulkhead.
 - b. No building setback from bulkhead will be required.

- iv. **Fences and Walls:** Fences and walls shall be permitted throughout the District as determined during Site Development Planning. All fences shall be located and constructed in accordance with section 39-77 except as may be otherwise noted within these standards. Fences and walls shall not exceed 8 Ft. in height, measured relative to the greater of the crown of the adjacent roadway or the adjacent minimum finished floor, as applicable. Fencing and wall materials may be made of wood, vinyl, iron, or masonry products.
- (2) *Landscape.* Landscape plans are required with all Site Applications. The following guidelines shall be considered in the design of the landscape plan:
- (A) In public areas (owned and maintained by the CDD, Special District, HOA, or other similar government structure, including right-of-way), at least 90% of all trees and shrubs used in landscaping shall be indigenous to Florida.
 - (B) In privately owned areas (outside of the right-of-way and not owned by the HOA), 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.
 - (C) Primary Greenways shall be planted only with plant species indigenous to Florida.
 - (D) 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.
 - (E) In the District, there shall be no planting of nuisance, exotic, or non-native plants as defined in Section 3-2-186.r – Prohibited Trees (Figure 5) of the Charlotte County Land Development Code. 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.

- (F) In general, larger well-placed contiguous planting areas will be preferred over small disconnected areas;
 - (G) Street trees shall be used to provide form and shade and may be combined with under story plant materials or sod;
 - (H) Landscape design shall follow appropriate CPTED design standards;
 - (I) All landscape materials shall be installed per current industry standards.
 - (J) Landscape maintenance shall incorporate environmentally sound management practices including the use of reuse water where available, the use of energy efficient irrigation systems, such as drip systems, and planting design based on water zone requirements, which may include Xeriscape.
- (3) *Lot and Block Size, Building Placement.* The following shall be incorporated when addressing lot and block size, building placement and setbacks. Application of these standards are illustrated in Appendix X, XI, and XII.
- (A) A variety of lot sizes shall be provided to facilitate housing diversity, enhance choices and meet the needs of people with different housing requirements;
 - (B) Lot widths shall create a relatively symmetrical street cross section that reinforces the public street as a unified public space.
 - (C) At least one entrance of all principle structures shall be oriented to the primary street. Vehicular openings such as driveways to garages or carports shall not be constituted as a pedestrian or public entrance.
- (4) *Architectural Standards.* A variety of architectural features and building materials are required to give each building or group of buildings a distinct character. Buildings throughout the District shall be designed to address human and pedestrian scale and access. The following shall be considered in developing design and architectural standards for District:
- (A) Architectural features, materials and the articulation of a building shall be continued on all sides visible from a public street.

(B) A minimum of 40 percent of the street level facades of commercial, office, civic, institutional, and government buildings shall be transparent, consisting of window and door openings allowing views into and out of the interior.

(C) Residences shall have an architectural feature such as a front porch, pent roof, or roof overhang to define the front entrance.

(D) Structures on opposite sides of the same street shall follow compatible scale and architectural styles. This does not apply to buildings bordering civic uses.

(E) Exterior building or site lighting shall be designed to minimize glare and spill, on to adjacent properties.

(F) External mechanical equipment and storage areas shall be screened from view.

(5) *Parking.* Methods shall be used to minimize the amount of land developed as surface parking, especially within the Town Center, Village and Hamlet Centers. The following shall be considered in providing parking facilities throughout the District:

(A) Provide for Shared Parking and Site Access.

(B) If structure parking/parking garages are provided within the District they shall be designed to provide, where feasible, ground floor retail or office along the street frontage.

(C) The location of surface parking shall not create large gaps in building lines. Surface parking shall be located, where feasible, at the rear of buildings and accessed by local streets and/or rear alleys.

(6) *Transportation Circulation and Facilities.* The following shall be considered in planning, designing and implementing circulation systems within the District.

(A) *Pedestrian Circulation.* Convenient and safe pedestrian circulation facilities shall be provided throughout the District. All streets, except alleys, shall be bordered by a sidewalk on both sides. Sidewalks shall be at least 5 feet wide in neighborhood residential areas, and 10-12 feet in the Town Center and other areas where heavy pedestrian traffic is anticipated (Reference Appendix XI – Roadway Sections). Walkways from the entrance of primary structures within the Town Center, and Village and Hamlet

Centers shall connect to the public sidewalk. Intersections of sidewalks and streets shall be designed with clearly defined edges and dimensioned to safely accommodate pedestrians. Sidewalks shall be separated from streets using landscape zones, tree planting areas or other devices to clearly distinguish the pedestrian area from the vehicular area. Crosswalks shall be well lighted and clearly marked.

(B) *Bicycle Circulation.* Bicycle circulation shall be accommodated on appropriate streets through the use of bike lanes, residential streets through the promotion of “Share the Road” and on multi-use trails throughout the District.

(C) *Facilities.* Transit shelters shall be located and designed to promote transit ridership, convenience and safety.

(D) *Motor Vehicular Circulation.* Motor vehicle circulation shall be designed to minimize conflicts with pedestrians, bicyclists and transit. It is the design intent to enhance connectivity among land use areas throughout the District. Traffic calming features such as, but not limited to, traffic circles, medians, changes of pavement materials, changes in perceived road width, narrow travel lanes, regulatory signage, and pedestrian operated signals at crossings, queuing streets and curb extensions shall be considered throughout the District to provide for safe circulation for all users. Intersections shall be at right angles wherever possible, maintain adequate line-of-sight triangles and provide safe pedestrian crossings.

The Typical Roadway Cross Sections for the transportation corridors are included in Appendix XI – Roadway Sections. Typical Roadway Sections are subject to adjustment through the DRI, state and federal permitting processes, to the extent such adjustment meets the District’s intent, Board policy and incorporates all features shown on the Typical Cross Section. Where feasible, streets shall be arranged such that centerlines intersect at right angles. In cases where streets do not intersect at right angles, one of the following shall be provided:

- i. A minimum 50 foot tangent from the intersection center lines,
or
- ii. A landscape island that separates traffic and channels vehicles making left turns from the angled street to a nearly perpendicular alignment with the intersecting street.

- iii. In no case shall the angle between intersection roadway centerlines be less than 60 degrees.
 - iv. The minimum intersection spacing provided between local streets shall abide by at least one of the following:
 - a. In no case shall intersections be located closer than 100 feet apart as measured from the centerline of the intersecting streets, including commercial driveway access; or
 - b. In no case shall intersections be located closer than 125 feet apart as measured from the closest edges of pavement of the intersecting streets.
 - c. The intersection spacing requirements provided above do not apply to the separation between local streets and alleys, between alleys themselves, or driveways.
- (7) Signs. Community gateways shall be considered where the District interfaces with the external community along SR 31 and CR78. Village or neighborhood gateways may be constructed to announce each area. Signs shall be integrated throughout the District to provide pedestrian and vehicle directional information. Signs will not by their reason, size, location, construction or manner of display endanger public safety, confuse, mislead or obstruct the vision necessary for traffic safety or detract from the community appearance. This section is further intended to permit and regulate the signs in such a way as to support and complement land use development objectives set forth in this ordinance. Unless explicitly stated herein all signs shall conform to section 3-9-95 of the County Code of Laws and Ordinances.
- The following are general permitted signs throughout the District.
- (A) Should any of the signs requested to be placed within a County or state dedicated right-of-way, a right-of way permit must be applied for and approved and issued by the County.
 - (B) All signs shall be located so as not to cause sight line obstructions.
 - (C) All internal District rights-of-way may be utilized for decorative landscaped entrance features and signage.

(D) Boundary Marker: One boundary marker or monument may be located at each property corner. The boundary marker may contain the name of the neighborhood, and the insignia or logo.

- i. The sign face area may not exceed 80 Sq. Ft. and may not exceed the height or length of the monument upon which it is located. If the sign is two-sided, each sign face may not exceed 60 Sq. Ft. in area.
- ii. Sign face area is calculated by total square footage of name, insignia, and logo only.

(E) Entrance Signs: A maximum of three ground or wall-mounted entrance signs may be located at an entrance. The locations include both sides of the entrance right-of-way and in the entry median. Such signs may contain name, insignia, or logo.

- i. No sign face area may exceed 100 Sq. Ft. and the total sign face area of Entrance Signs may not exceed 200 Sq. Ft. If the sign is a single, two-sided sign, each sign face may not extend beyond 100 Sq. Ft. in area. The sign face area shall not exceed the height or length of the wall or monument upon which it is located.

(F) Temporary Signs: Temporary signs may be permitted and may consist of the following types: project identification, boundary marker, real estate, sales center identification, and directional.

- i. Each sign may not exceed 160 Sq. Ft. in area. If the sign is two-sided, each sign face may not exceed 160 Sq. Ft. in area.
- ii. Temporary signs may not exceed 20 Ft. in height above the finished ground level of the sign site.
- iii. Temporary signs may remain in place simultaneously with permanent signage until the project reaches 99% build-out within each phase of each tract.
- iv. No building permit is required for temporary signs as listed above; a zoning clearance must be obtained from the zoning official or designee.

(G) Special event signs not exceeding 32 Sq. Ft. per side in size may be displayed to announce or advertise such temporary uses as open houses, community fairs or programs or any

charitable, educational event. Such sign shall be located no closer than 10 Ft. to any property line. Grand opening signs shall not exceed 32 Sq. Ft. total.

(H) Construction Entrance Signs: Two "construction ahead" signs may be located at appropriate distances ahead of a construction entrance, with a maximum of 20 Sq. Ft. each in size. No building permit is required.

i. One sign, with a maximum of 20 Sq. Ft. in size, may be located at each construction entrance to identify the entrance as such. No building permit is required.

(I) Internal Signs: Residential and community facilities entrance signs may be located on both sides of the neighborhood entrance street and within an entry median. Setbacks from internal road right-of-way may be zero Ft. (0 Ft.). Such signs may be used to identify the location of neighborhoods, districts, recreation areas, etc. Individual signs may be a maximum of 100 Sq. Ft. per sign face area. Such monument signs may have a maximum height of 12 Ft. No building permit is required.

(J) Directional or identification signs may be allowed internal to the District. Such signs may be used to identify the location or direction of approved uses such as sales centers, model centers, recreational uses, and information. Directional signs help with wayfinding centers, or the individual components of the development. Individual signs may be a maximum of 6 Sq. Ft. per side or signs maintaining a common architectural theme may be combined to form a menu board with a maximum size of 64 Sq. Ft. per side and a maximum height of 8 Ft.

(K) Traffic Signs: Traffic signs such as street signs, stop signs, and speed limit signs may be designed to reflect a common architectural theme. Traffic signs shall meet all FDOT safety standards.

(8) *Lighting Standards.* Streetlights throughout the District shall use mechanisms to reduce light pollution, through downward shielding, low intensity lighting, and other techniques to the greatest extent possible.

(A) Using Table 4 as a guide, Lighting Zones shall determine limitations for lighting as specified within the boundaries of the Babcock Ranch Overlay District.

(B) A decrease of one or more lighting zones or increase of one lighting zone number may be granted to a specific land parcel upon special application to and approval by the Community Development Director or designee.

Table 4: Lighting Zone (LZ) Ratings and Characteristics Zone

Zone	Ambient Illumination	Representative Locations
LZ 1	Dark	Developed and undeveloped areas abutting state lands and wetlands, primary Greenways*, and conservation/open space and marsh** where the intent is to conserve natural illumination levels.
LZ 2	Low	Low-density neighborhoods
LZ 3	Medium	Medium to high-density neighborhoods and village centers and town center.

* Appendix VII

** map 11a-4 of BROD

(C) Luminaire Lamp Wattage, Shielding, and Installation Requirements

- i. All outdoor lighting shall comply with the limits to lamp wattage and the shielding requirements in Table 2.
- ii. Only luminaries that are allowed to be unshielded in Table 5 may employ flexible or adjustable mounting systems. All other luminaries shall be permanently installed so as to maintain the shielding requirements of Table 5.
- iii. Such shielded fixtures must be constructed and installed in such a manner that all light emitted by the fixture meets or exceeds the specification given. This includes all the light emitted by the fixture, either directly from the lamp or by a diffusing element, or indirectly by reflection or refraction from any part of the fixture. Any structural part of the fixture providing this shielding must be permanently affixed.
- iv. All canopy lighting must be fully shielded. Indirect up light is permitted under a dense canopy.

Table 5: Maximum Wattage and Required Shielding

Lighting Zone	Fully Shielded	Shielded	Partly Shielded	Unshielded
LZ 1	70	30	None permitted	None permitted
LZ 2	150	55	None permitted	Low voltage landscape lighting
LZ 3	450	100	55	Landscape and façade lighting 100 watts or less; ornamental lights of 55 watts and less

- (D) *Exceptions.* Lighting systems not complying with the technical requirements of this ordinance may be installed for the following applications:
- i. Active recreation such as sport fields, tennis, and basketball courts;
 - ii. Construction lighting;
 - iii. Industrial lighting for hazardous areas;
 - iv. Bridges;
 - v. National and State Flag lighting with spotlights greater than 70 watts in LZ 3, and greater than 39 watts in LZ 2 and LZ 1.
 - vi. Floodlighting of buildings over two stories high;
 - vii. Public monuments, public buildings and Houses of Worship;
 - viii. Sign lighting;
 - ix. Public safety shall be considered in the design of trail lighting.

Source: International Dark Sky Association

- (9) *Disaster Preparedness.* Hurricane shelters shall be constructed in accordance with the Development Agreement. The facilities are to be built to the standards in ARC publication 4496 or equivalent standards.
- (k) Review/Approval Processes for Properties within the District
- i. Subdivision / Construction Plans

Subdivision – Construction plans and plats shall follow the procedures and authorization provisions of Chapter 3-7 of the County Code. Submission, review, and approval of Preliminary Subdivision Plats for the project may be accomplished in phases to correspond with the planned development of the property.

ii. Site Plan Approval

The Site Plan approval process shall follow the procedures and authorization provisions of Chapter 3-9-5-1 of the County Code.

iii. Special Exceptions

a. The provisions of this subsection 3-9-54(j)(C) shall apply to zoning districts established by the Overlay Code.

b. Special exceptions shall be subject to the special section procedures set forth in section 3-9-7 of the zoning code, as modified by this subsection 3-9-54(j)(C).

c. It is recognized that certain physical circumstances may arise in which the application of a particular design standard in these regulations does not produce a result which furthers the design objectives of these regulations. In such a case, an applicant may request an alternative design approach to a standard set forth in these regulations. Such an alternative may be allowed by the Board of Zoning Appeals upon a showing by the applicant that:

(i) Application of the general regulation to the specific physical circumstances involved will inhibit the achievement of a particular design objective set forth in these regulations, and the alternative approach will further that design objective;

(ii) The alternative approach will not be incompatible with other design objectives in these regulations;

(iii) The alternative approach will not result in reduced open space and will not impact natural vegetation or habitat which is to be preserved; and

(iv) The alternative approach will not adversely impact abutting land uses.

d. Additional Requirements

Developer shall submit a Babcock Ranch Zoning Overlay District Monitoring Schedule with each site plan application, accompanied by a letter of review and approval from the developers Architectural Review Board (reference Appendix XIII – District Monitoring Schedule).

APPENDICES

- Appendix I: District Legal Description**
- Appendix II: Sketch and Legal Descriptions for Each Tract**
- Appendix III: Conceptual Master Plan**
- Appendix IV: Conceptual Town Center**
- Appendix V: Conceptual Village Center**
- Appendix VI: Conceptual Hamlet**
- Appendix VII: Primary Greenway Plan**
- Appendix VIII: Home Occupations**
- Appendix IX: Prohibited Use Matrix**
- Appendix X: Frontage Standards**
- Exhibit A: Mixed Use – Simple Frontage
 - Exhibit B: Mixed Use – Awning
 - Exhibit C: Mixed Use – Colonnade
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 - Exhibit E: Mixed Use - Plaza
 - Exhibit F: Attached Residential - Terrace
 - Exhibit G: Attached Residential - Courtyard
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 - Exhibit I: Single Family Small Lot - Porch
 - Exhibit J: Single Family Small Lot - Porch & Yard
 - Exhibit K: Rural – Single Family Large Lot
- Appendix XI: Roadway Sections**
- Exhibit 1: Arterial
 - Exhibit 2: Boulevard
 - Exhibit 3: Commercial Street with Median
 - Exhibit 4: Commercial Street
 - Exhibit 5: High Density Residential Including Median
 - Exhibit 6: High Density Residential Without Median
 - Exhibit 7: Standards Street
 - Exhibit 8: Residential Street
 - Exhibit 9: Residential Road
 - Exhibit 10: Alley
 - Exhibit 11: Multi-Use Trail
 - Exhibit 12: Notes

Appendix XII: Lot Diagrams
Exhibit 0: Key Diagram & Definitions
Exhibit 1: Mixed Use
Exhibit 2: Multi-Family
Exhibit 3: Attached
Exhibit 4: Single-Family Small Lot
Exhibit 5: Single-Family Large Lot
Exhibit 6: Transitional Use Diagram

Appendix XIII: Babcock Ranch Overlay Zoning District Monitoring Schedule

LIST OF TABLES

Table 1 - Minimum and Maximum Uses within a Town Center

Table 2 – Minimum and Maximum Uses within a Village

Table 3 – Minimum and Maximum Uses within a Hamlet

Table 4 – Lighting Zone (LZ) Ratings and Characteristics Zone

Table 5 - Maximum Wattage and Required Shielding