

CONDITIONS:

FOR THE ENTIRE PLANNED DEVELOPMENT DISTRICT:

- a. Development on the subject property shall occur in phases as illustrated on the PD Concept Plan prepared by the Charlotte County Building and Growth Management Department, Growth Management Division, Comprehensive Planning Section, dated September 29, 2010 and revised October 4, 2010. In addition, the site plan review conditions of approval, per letter dated October 21, 2010 and signed by Nicole C. E. Dozier, Charlotte County Zoning Official, are required to be met.
- b. Multiple phases of development are contemplated for the subject site. Developers of any phases added after the initial adoption of this PD rezoning shall be required to amend the Concept Plan and submit any necessary phase-specific site plans and proposed conditions. Within any phase, County staff reserves the right to place additional conditions upon a development proposal when it is submitted for Final Detail Site Plan review.
- c. No development shall occur except as included in phases approved in this PD rezoning or in an amendment to this PD rezoning.
- d. Total development entitlements shall include:

Project Summary

Area	1,027.02 acres
Residential Uses	
Single Family	2,688 units
Multi-Family	410 units
Total residential	3,098 units
Commercial Uses	
Regional commercial space	732,434 square feet
Other commercial space	894,594 square feet
Total commercial space	1,627,028 square feet

- e. Development entitlements may be increased in one land use category and concurrently reduced in another land use category, as more specifically described in the Murdock Village Equivalency Matrix (“Matrix”) provided in **Exhibit “A”**. Such a modification shall be completed through application for a Modification of a Determination of Vested Rights according to Article XXVII of the Charlotte County Code, as the same may be amended.
- f. Generalized land use areas within this PD rezoning shall include:

Land Use Area	Type	Acreage	Max. Density	Max. FAR
Town Center	Residential	Min: 80	Up to 24	3.0
	Non-residential	Max: 250		
Community Commercial	Residential	Min: 10	6-15	3.0
	Non-residential	Max: 30		
General Commercial	Residential	Min: 40	Up to 15	3.0
	Non-residential	Max: 69		
Internal Commercial	Residential	Min: 4	N/A	2.0
	Non-residential	Max: 16		
Office Showroom	Residential	Min: 0	N/A	2.0
	Non-residential	Max: 40		

Neighborhood Residential	Residential	Min: 300 Max: 475	SFR: 3-6 MRF: 6-15	N/A
University/College Campus	Non-residential	Min: 0 Max: 55	N/A	4.0
Primary/Secondary Educational Facility	Non-residential	Min: 0 Max: 35	N/A	4.0

g. The following uses shall be permitted unless prohibited by phase-specific conditions:

i. Residential uses:

1. all principal and accessory uses permitted in any Residential Single-Family (RSF) zoning district
2. all principal and accessory uses permitted in any Residential Multi-Family (RMF) zoning district
3. cluster houses and patio homes, provided that such development receives Final Detail Site Plan approval
4. houses of worship, in accordance with the Special Regulations provisions of [Chapter 3-9](#) of the Charlotte County Code, as the same may be amended
5. elementary, middle, and high schools
6. home occupations, in accordance with the Special Regulations provisions of [Chapter 3-9](#) of the Charlotte County Code, as the same may be amended
7. group home facilities
8. child and adult day care facilities
9. essential services and emergency services
10. adult congregate living facilities in accordance with the Special Regulations provisions of [Chapter 3-9](#) of the Charlotte County Code, as the same may be amended

ii. Commercial uses

1. all principal and accessory uses permitted in the Commercial General (CG) zoning district
2. bars, cocktail lounges, nightclubs, and taverns for on-premises consumption of alcoholic beverages, subject to the provisions of the Special Regulations provisions of [Chapter 3-9](#) of the Charlotte County Code, as the same may be amended, located less than 1,000 feet from a school or house of worship
3. outdoor markets
4. commercial and public parking garages

iii. Office showroom uses, provided no nuisance impacts from dust, odor, noise, vibration, or glare are imposed upon adjacent uses

1. light manufacturing, processing including food processing, bio-fuel production, packaging, and fabricating in completely enclosed buildings
2. service establishments catering to commerce and industry, including linen supplies, communication services, employment agencies, and similar uses
3. printing, lithographing, publishing, and similar establishments

4. laboratories, Class 1, 2, and 3

h. Height limits for the generalized land uses are established by the following table:

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Land Use Area	Height Limit (feet)		
	Commercial/ Mixed Use/ Public	Multifamily Residential	Single- family Residential
<u>Town Center</u>	90	90	38
<u>Community Commercial</u>	60	60	38
<u>General Commercial</u>	60	60	38
<u>Internal Commercial</u>	38	N/A	N/A
<u>Office Showroom</u>	60	N/A	N/A
<u>Neighborhood Residential</u>	N/A	60	38
<u>University/College Campus</u>	60	60*	N/A
<u>Primary/Secondary Educational Facility</u>	60	N/A	N/A

*Applies to dormitory buildings only

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h.i. Outdoor storage of articles for sale, repair, or lease (except automobile leasing) is prohibited.

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h.j. Special exceptions shall not be granted.

h.k. Individual phases may have additional uses permitted, as necessary. These additional uses shall be included and established in phase-specific conditions.

h.l. The Planned Development setback requirement of 25 feet will be adhered to on all external Murdock Village site boundaries that are not adjacent to a major roadway or existing industrial zoning. No pavement or other structures except a wall or fence, driveways, signs, landscaping, and sidewalks shall be allowed within the setback.

h.m. Prior to the adoption of any phase of this PD rezoning, an architectural pattern book shall be prepared for the phase by a licensed architect, establishing the required architectural details for all residential and non-residential development within the phase. The costs of preparing this pattern book shall be borne by the developer of the phase, and all pattern books shall be reviewed and approved by the Building and Growth Management Department prior to adoption by the Board of County Commissioners on Consent Agenda. Alternatively, the developer of any phase may choose to conform to an adopted pattern book for an immediately adjacent phase.

h.n. All development shall be in accordance with the standards provided in **Exhibit "B"**.

h.o. All signage shall be consistent with the requirements of the Signs provisions of the Charlotte County Code, as the same may be amended, unless a Master Sign Plan including a unified sign theme is approved for any phases. Pole signs shall be prohibited.

h.p. All roadways shall be constructed to Charlotte County standards. If roadways are to be private, following Final Detail Site Plan Review approval, the developer, and subsequently, any homeowners' or property owners' association or Community Development District (CDD), will be required to maintain all private roads within the development area.

h.q. Each phase shall be developed with "Complete Streets," in accordance with the standards provided in **Exhibit "C"**. "Complete Streets" requirements shall be incorporated into all Final Detail Site Plan applications.

- ~~q-r.~~ All phases shall incorporate future Charlotte County transit system stops as identified by the County to serve this development. Bus stop locations should, at a minimum, provide a covered shelter or adequate vegetative shading, a bench or other seating, and should be located no further than one-quarter mile from a majority of all commercial or industrial businesses.
- ~~r-s.~~ Impervious surfaces shall be minimized wherever practicable through the use of vegetative ground covers and other pervious materials to minimize concrete and asphalt.
- ~~s-t.~~ On-site parking for any individual uses shall be limited to 110 percent of the minimum required parking for that use. Parking in excess of 100 percent of the required minimum parking shall be paved with a permeable surface. Shared parking shall be required within any commercial development area. All shared parking must be supported by a parking study acceptable to the Building and Growth Management Department and provided in accordance with a Shared Parking Agreement prepared in a manner acceptable to the County Attorney's Office and the Building and Growth Management Department.
- ~~t-u.~~ In addition to Condition 's' above, at least 20 percent of commercial parking and parking spaces for recreation areas within residential neighborhoods shall be paved using permeable surfaces.
- ~~u-v.~~ Racks or storage facilities for bicycles and other non-motorized vehicles shall be provided in recreational, commercial, and multi-family residential areas.
- ~~v-w.~~ ~~Material choices for streets, parking lots, sidewalks, and trail systems shall be selected to reduce the heat island effect. These materials shall be pervious where practical.~~ The urban heat island effect shall be minimized through the use of techniques such as those described in the U.S. Environmental Protection Agency publication *Reducing Urban Heat Islands: Compendium of Strategies*.
- ~~w-x.~~ Potable water and sanitary sewer utilities shall be required. Potable water and sanitary sewer lines must be connected to a phase site before any certificates of occupancy shall be issued for that phase. Re-use water utility lines shall be extended with potable water and sanitary sewer lines throughout a phase. A Developers Agreement with Charlotte County Utilities for the extension of potable water, sanitary sewer, and re-use lines must be approved by the Board of County Commissioners prior to approval of any phase of the Final Site Plan application.
- ~~x-y.~~ Each phase shall be developed with a unified landscaping theme. Only Florida Friendly landscaping shall be allowed. Plants with similar maintenance needs shall be grouped together. Trees shall be placed to provide shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months.
- ~~y-z.~~ All development within a phase shall be designed in a manner that takes advantage of the presence of existing heritage trees by including them as focal points within the development. All development shall be done in accordance with the Tree Requirements provisions of the Charlotte County Code, as the same may be amended. Should a heritage tree be removed during the course of development, replacement trees in an amount equal to the girth of the removed tree shall be planted as compensation, in addition to any required tree points. Heritage trees located in areas designated for stormwater management facilities and public rights of way shall be exempted from the replacement provisions of this condition. In addition, rights of

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way or parking lots may be constructed within the drip line of a heritage tree and the tree shall be considered preserved if the construction is done in accordance with a plan prepared by a certified arborist and approved by the County.

~~z~~aa. Except as may be established elsewhere in these Conditions, landscape buffers and screening shall be required in accordance with the Landscaping and Buffering provisions of the Charlotte County Code, as the same may be amended. Since there are no individual zoning districts within a PD, the zoning districts closest in nature to the developing use and adjoining uses shall be used to determine internal buffering requirements.

~~aa~~bb. All landscaping shall be irrigated as necessary to ensure survival. After establishment of the landscaping, all irrigation shall be done in accordance with the following:

- i. Innovative irrigation technology such as drip irrigation, moisture sensors, and micro spray heads shall be used to reduce irrigation water use.
- ii. The lowest quality of water possible shall be used for all non-potable water uses. Potable water may not be used for non-potable or irrigation demands. Irrigation needs shall be met with re-use water or with water from on-site lakes or stormwater management ponds. Lakes and ponds may be recharged through the use of groundwater wells, but the use of direct groundwater for irrigation is not encouraged.
- iii. After the establishment of landscaping, irrigation of green space may not occur between the hours of 9:00 A.M. and 5:00 P.M.

~~bb~~cc. Low Impact Development design criteria shall be used in the development and construction of all stormwater management facilities.

~~ee~~dd. Within any residential neighborhood or mixed use development area, if outdoor lighting is proposed, it will be shielded or directed in such a way that the light does not shine beyond the boundaries of the subject property. Pole or standing lights will be no higher than ten feet.

~~dd~~ee. Homes within the project shall be designed with appropriate insulation, Energy Star rated appliances and Green Seal rated materials. The use of energy-efficient features in window design (e.g. tinting, low solar heat gain coefficients (SHGC) and exterior shading, cross ventilation, operable windows and ceiling fans shall be incorporated into homes as appropriate and consistent with the Florida Building Code and Fire Marshall rules.

~~ee~~ff. Energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas shall be required to the extent that safety, security, and County lighting standards are not compromised.

~~ff~~gg. Toilets with a maximum flush of 1.6 gallons and shower heads and faucets with a maximum flow rate of 2.5 gallons per minute (at 80 pounds of water pressure per square inch) shall be required. Faucet aerators will limit flow rates to 0.5 gallons per minute.

~~gg~~hh. Site development shall comply with the Florida Green Building Coalition Certification standards or equivalent green building standards.

~~hh~~ii. All thermostats installed in any structure shall be programmable.

~~ii~~jj. Roofing material shall meet LEED cool roofing standards as follows: Roofs with slopes less than 2:12 shall have a solar reflective index of 78 or greater; roofs with

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slopes greater than 2:12 shall have a solar reflective index of 29 or greater. The term “solar reflective index (SRI)” is a measure of the constructed surface’s ability to reflect solar heat as shown by a small temperature rise. “Solar reflective index” is defined so that a standard black with reflectance of 0.05 and emittance of 0.90 is zero (0) while the SRI for a standard white (reflectance of 0.80 and emittance 0.90) is 100. No black roofs will be permitted regardless of SRI.

PHASE 1:

~~jj~~-kk. Development in this Phase shall be considered “General Commercial” as established in Condition ‘f’, above.

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~~kk~~-ll. All uses and structures permitted in Condition ‘g’ above shall be permitted except those included in sub-condition ‘i’, sub-sub-conditions ‘1’, ‘3’, ‘4’, ‘5’, and ‘8’.

~~ll~~-mm. Development standards shall include:

Min lot area (s.f.)	15,000
Min lot width (feet)	160
Min front yard (feet)	25
Min side yard (feet)	
Interior	0
Abutting a road	20
Min rear yard (feet)	
Interior	10
Abutting a road	25
Max lot coverage (%)	60
Max height (feet)	60

~~mm~~-nn. If the County or a commercial parking provider has provided or will provide public parking within one-quarter mile, businesses that develop in Phase 1 are not required to provide customer parking. However, the business shall provide employee parking on-site which must be placed on the rear of the lot. Otherwise, businesses shall be required to provide employee and customer parking in accordance with the Parking provisions of the Charlotte County Code, as the same may be amended.

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~~nn~~-oo. Pole or standing lights shall be no higher than ten feet.

PHASE 2:

~~oo~~-pp. Development in this Phase shall be considered “Town Center” and “General Commercial” as established in Condition ‘f’, above. “Town Center” shall constitute 122.00 acres of the Phase and “General Commercial” shall constitute 15.00 acres of the Phase, as provided in **Exhibit “D”**.

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~~pp~~-qq. The development entitlements of Phase 2 shall include:

Project Summary

Area	137.04 acres
Residential Uses	
Single Family	430 units
Multi-Family	66 units
Total residential	496 units
Commercial Uses	
Regional commercial space	117,701 square feet
Other commercial space	143,760 square feet

Total commercial space 261,461 square feet

~~qq-rr.~~ Through use of the Murdock Village Equivalency Matrix, the development entitlements of each individual type of entitlement in Phase 2 may be increased to:

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Residential Uses

Single Family 800 units

Multi-Family ~~848~~ 850 units

Commercial Uses

~~Regional Total~~ commercial space ~~240,850~~ 240,850 square feet

~~Other commercial space~~ ~~366,631~~ square feet

The mechanics of the Equivalency Matrix and the requirements of the Murdock Village Mixed Use Future Land Use Map category may make it impossible for all of these maximums to be reached in one development.

~~ff-ss.~~ Additional permitted uses in Phase 2 shall include:

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- i. Outdoor amusement facilities, which shall be defined as land or premises which may include structures and buildings, to be used by members of the public, that contains various devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings for shows and entertainment.
- ii. Miniature golf courses.
- iii. Automobile rental agencies.

~~ss-tt.~~ Additional permitted uses in Phase 2 that may include additional conditions at the Site Plan Review stage shall include:

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- i. Drive-in theater.
- ii. Outdoor commercial recreational facilities.
- iii. Helipad or heliport.
- iv. Outdoor display and sale of items provided that such items are associated with an existing business located completely within a structure, the display of items does not extend beyond the edges of the existing business, and all items are taken indoors when the business is not open.
- v. Amphitheatres and auditoriums.

~~tt-uu.~~ County staff reserves the right to place additional conditions on detailed site plans within this phase, limited to landscaping and traffic circulation, when those plans are submitted for Final Detail Site Plan Review.

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~~uu-yy.~~ Landscaping and Buffer requirements:

- i. At a minimum, a Type B Buffer must be placed between any multi-family development area adjacent to any internal single-family development.
- ii. At a minimum, a type C buffer must be provided around any private recreational facilities adjacent to residential uses.

~~yy-zz.~~ Pole or standing lights shall be no higher than ten feet.

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