### DRAFT

#### ORDINANCE NUMBER 2025 –

THE **BOARD** OF AN ORDINANCE OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES. AMENDING THE COUNTY'S COMPREHENSIVE PLAN TO: (1) AMEND FUTURE LAND USE (FLU) POLICY 3.1.4: STANDARDS FOR RURAL SETTLEMENT AREA OVERLAY DISTRICT TO ADOPT A PATTERN BOOK AND DEVELOPMENT GUIDELINE AND IMPLEMENT THEM VIA THE PLANNED DEVELOPMENT REZONING PROCESS; AND (2) AMEND FLU APPENDIX 1: LAND USE GUIDE, SECTION 4: OVERLAY DISTRICTS - LAND USE OVERLAYS. BY REVISING RURAL SETTLEMENT AREA OVERLAY DISTRICT (RSAOD) TO: (A) INCREASE THE "MAXIMUM DENSITY" FROM 6,000 UNITS TO 8,000 UNITS WITH AN AFFORDABLE HOUSING REQUIREMENT AND THE "MAXIMUM INTENSITY" FOR "REGIONAL ECONOMIC DEVELOPMENT" USES FROM 1,000,000 SQUARE FEET TO 1,500,000 SQUARE FEET, AND CLARIFY THE DEVELOPABLE AREA; (B) REVISE SPECIAL PROVISIONS. INCLUDING: (1) ITEM 1. DEVELOPMENT TIMING/PHASING; (2) ITEM 2. MASTER DEVELOPMENT PLAN BY ADOPTING EXHIBITS 1 THROUGH 5; (3) ITEM 3. PHASING OF DEVELOPMENT: (4) ITEM 4. DENSITY TRANSFERS; (5) ITEM 5. OPEN SPACES/GREENBELT; (6) ITEM 6. REGIONAL ECONOMIC DEVELOPMENT AND COMMERCIAL DEVELOPMENT STANDARDS; (7) ITEM 9 (RENUMBERED AS "ITEM 7"). TRANSPORTATION SYSTEM; AND (8) ITEM 10 (RENUMBERED AS "ITEM 8"). WILDLIFE UNDERCROSSINGS; AND (C) DELETE SPECIAL PROVISIONS ITEM 7. RURAL VILLAGE STANDARDS, ITEM 8: RESIDENTIAL DEVELOPMENT STANDARDS, AND ITEM 7(B) (FORMERLY ITEM 9(B)) (TRANSPORTATION SYSTEM): **FOR** PROPERTIES GENERALLY LOCATED SOUTH OF THE DESOTO COUNTY LINE, NORTH OF PALM SHORES BOULEVARD, AND EAST OF US 17 (DUNCAN ROAD), IN THE EAST COUNTY AREA; CONTAINING 4.900± ACRES: COMMISSION DISTRICT I; TCP-24-04; APPLICANT: **PULTE GROUP:** PETITION PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

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#### **RECITALS**

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WHEREAS, applicant, Pulte Group ("Applicant"), has applied for an amendment under Petition Number TCP-24-04 to amend: (1) Future Land Use (FLU) Policy 3.1.4: Standards for Rural Settlement Area Overlay District to adopt a Pattern Book and development guideline and implement them via the Planned Development rezoning process; and (2) FLU Appendix 1: Land Use Guide, Section 4: Overlay Districts - Land Use Overlays, by revising Rural Settlement Area Overlay District (RSAOD) to: (a) increase the "Maximum Density" from 6,000 units to 8,000 units with an affordable housing requirement and the "Maximum Intensity" for "Regional Economic Development" uses from 1,000,000 square feet to 1,500,000 square feet, and clarify the developable area; (b) revise Special Provisions, including: (1) Item 1. Development Timing/Phasing; (2) Item 2. Master Development Plan by adopting Exhibits 1 through 5; (3) Item 3. Phasing of Development; (4) Item 4. Density Transfers; (5) Item 5. Open Spaces/Greenbelt; (6) Item 6. Regional Economic Development and Commercial Development Standards; (7) Item 9 (renumbered as "Item 7"). Transportation System; and (8) Item 10 (renumbered as "Item 8"). Wildlife Undercrossings; and (c) delete Special Provisions Item 7. Rural Village Standards, Item 8: Residential Development Standards, and Item 7(b) (formerly Item 9(b)) (Transportation System); for properties generally located south of the DeSoto County line, north of Palm Shores Boulevard, and east of US 17 (Duncan Road), in the East County area; containing 4,900± acres; Commission District I; all as provided in Exhibit "A" attached hereto; and

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69	WHEREAS, on May 12, 2025, Petition TCP-24-04 was heard before the
70	Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and
71	analysis provided by County Staff and the evidence presented to the P&Z Board, Petition
72	TCP-24-04 was found to be inconsistent with the County's Comprehensive Plan and the
73	P&Z Board recommended denial of transmittal of Petition TCP-24-04 to the Florida
74	Department of Commerce and other state agencies for review and comment; and
75	WHEREAS, in a public hearing held on Tuesday, December 9, 2025, the
76	Board of County Commissioners of Charlotte County, Florida ("Board") reviewed plan
77	amendment Petition TCP-24-04 and, based on the findings and analysis provided by
78	County Staff regarding the amendment and the evidence presented to it, the Board
79	approved transmittal of Petition TCP-24-04 to the Florida Department of Commerce and
80	other state agencies for review and comment; and
81	WHEREAS, Petition TCP-24-04 was transmitted to the Florida Department of
82	Commerce and other state agencies for review and comment; and
83	WHEREAS, any comments received from the reviewing agencies have been
84	considered, addressed, and incorporated into the findings and analysis provided by County
85	Staff; and
86	WHEREAS, after due consideration regarding Petition TCP-24-04 in a public
87	hearing held on, 2026, and based on the findings and analysis
88	presented to it, the Board finds that approval of Petition TCP-24-04 is consistent with the
89	County's Comprehensive Plan, and that it is in the best interests of the County.
90	NOW, THEREFORE, BE IT ORDAINED by the Board of County

Commissioners of Charlotte County, Florida:

Section 1. Approval. Petition TCP-24-04 requesting to amend the County's Comprehensive Plan by amending FLU Policy 3.1.4: Standards for Rural Settlement Area Overlay District and FLU Appendix 1: Land Use Guide, Section 4: Overlay Districts – Land Use Overlays, all as provided in Exhibit "A" attached hereto, is hereby approved.

Section 2. Severability. If any section, subsection, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court or body of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. Effective date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

Section 4. <u>Transmittal</u>. County Staff is hereby directed to forward a copy of this Ordinance and its attachments to the Florida Department of Commerce, 107 East Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL 33907.

115	PASSED AND DULY A	DOPTED this _	day of	, 2026.
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129	and Ex-Officio Clerk of the			
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FLU Policy 3.1.4: Standards for Rural Settlement Area Overlay District

The County shall allow the establishment of a "Rural Settlement Area" within the Rural Service Area through the Rural Settlement Area Overlay District, described in FLU Appendix I, in order to establish a more functional transition between the urban area and rural area along U.S. 17 (Duncan Road). The development shall exhibit the highest level of sustainable design. Prior to approval of any development within the Rural Settlement Area, the County shall draft land development regulations for the area consistent with an approved adopt a pattern book and development guide as part of the Master Development Plan, with the Rural Settlement Overlay District standards, and the following concepts shall be included in a form acceptable to the applicant and county as conditions to Planned Development rezoning:

- 1. A balanced mixture of uses will be provided to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities and create pedestrian-friendly streetscapes.
- 2. Requirements for the provision of civic spaces, such as green spaces, community centers or central plaza features.
- 3. Provision for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, ample seating, and walkable block length.

#### FLU APPENDIX I: LAND USE GUIDE

#### **SECTION 4: OVERLAY DISTRICTS - LAND USE OVERLAYS**

The following overlay districts function as a part of the Future Land Use Map and provide guidance, limitation and standards for land uses within these overlays.

#### RURAL SETTLEMENT AREA OVERLAY DISTRICT (RSAOD)

In an effort to establish meaningful planning guidelines and standards for the future development of the area east of U.S. 17, north of Shell Creek and south of DeSoto County, the County establishes the 4,900 acre4,900-acre Rural Settlement Area Overlay District, depicted on FLUM Series Map #8. This district shall provide a comprehensive and functional transition between the suburban development pattern to the west of U.S. 17, the industrial uses within DeSoto County, and the rural and conservation uses to the east of the district.

#### **General Range of Uses**

Regional Economic Development uses, single-family residential dwelling units, multi-family residential units, commercial uses including office

#### Maximum Density/Intensity

Density: Maximum density is 68,000 dwelling units; base density is one dwelling unit per ten acres or 490 dwelling units. The Developer shall set aside a minimum of 15 percent (15%) of any units above 1.2 units per acre for affordable housing as defined in s. 420.0004, Florida Statutes, which units shall be allocated at an average of 80% of Area Median Income (AMI) but no units shall be more than 120% of AMI.

Intensity: Commercial uses are limited to a maximum of 500,000 square feet

Regional Economic Development uses <u>including regional commercial and light</u>

<u>industrial uses</u>, are limited to a maximum of 1,000500,000 square feet.

Developable area: –Maximum developable area shall be limited to 2,450 acres the remaining area shall comply with the requirements and allowances in Special Provision 5 and subsections 5a-d below.

#### Special Provisions

- 1. Development Timing/Phasing: To achieve the type of development contemplated for the Rural Settlement Area Overlay, the following criteria must be met:
  - a. The completion of a Master Development Plan for the entire Rural Settlement Area, described further in #2.

- b. The provision of the necessary infrastructure to serve the entire Rural Settlement Area.
  - i. All development approvals shall be timed to ensure that the improvements necessary to serve each phase of development are programmed within the Charlotte County CIE prior to the approval of any development activity within that phase.
  - ii. The contemplated development County shall coordinate with Sun River Utilities North Charlotte Waterworks, Inc. or its successor to ensure that adequate potable water supplies and sanitary sewer collection are available for development. The County shall not approve any final detail site plans for development within the Rural Settlement Area prior to the unless concurrent availability of central water and sanitary sewer services can be demonstrated.
  - iii. No building permits within the RSAOD shall be issued after the first 200,000 square feet of non-residential development or the 1,000th residential unit until potable water and sanitary sewer wastewater lines are extended to those portions of Peace River Shores, Peace River and Peace River Highway subdivisions that are located inside the Urban Service Area. The collective owners and/or developers of the Rural Settlement Area and the area utility provider Sun River Utility shall fund the these extensions. Funding mechanisms may include, but are not limited to, Community Development District bonds, MSBU revenues, grant monies and rebatable agreements.
- 2. Master Development Plan: The County shall require the submittal of a single Master Development Plan covering the entire Rural Settlement Area to be approved by the Board of County Commissioners prior to any development. The Master Development Plan must that include the following:
  - a. A Master Concept Plan that delineates the future use areas of the property and distinguishes areas as either Regional Economic Development centers uses, commercial uses or Villagesresidential uses (Exhibit 1).
  - b. A Rural Settlement Area Pattern Book and Development Guide that includes specific design guidelines for the development, to ensure that the development adheres to the principles of sustainability and low impact design as defined within this Comprehensive Plan (Exhibit 2).
  - c. An Infrastructure Financing Strategy and Procedure for Implementing the Financing Strategy throughout the Area (Exhibit 3).
  - d. Method to demonstrate that the proposed development helps to reduce greenhouse gas emission within Charlotte County (Exhibit 4).
  - e. A management strategy for all open space and identification of a funding source to support management and maintenance (Exhibit 5).

3. Phasing of Regional Economic Development and Commercial Development: To ensure that there is enough land reserved to accommodate non-residential uses, Tthe chart below sets forth the minimum square footage of commercial or Regional Economic Development square footage required for the number of dwelling units, and vise versa. This phasing is linked to the issuance of a Certificate of Occupancy. The following phasing schedule shall be followed that must be accommodated in the RSAOD that must be accommodated in the RSAOD:

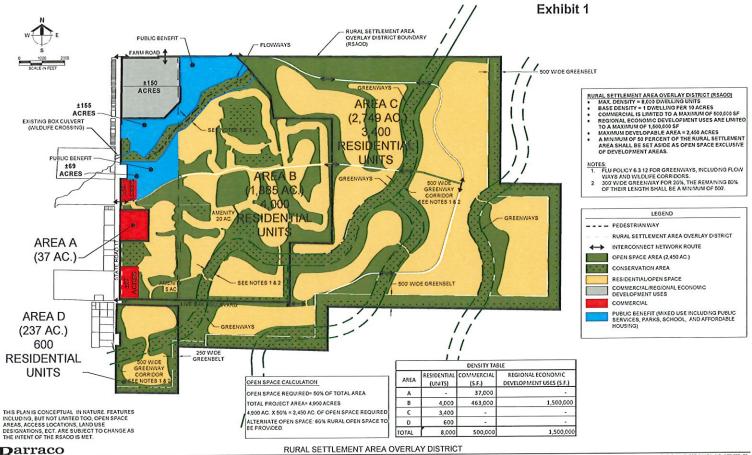
FLU Table A-9: Rural Settlement Area Overlay District Phasing Requirements				
Dwelling Units	Square Feet (Cumulative)			
500	10,000			
1,000	35,000			
2,000	100,000			
For every extra 1,000 dwelling units	Add an extra 50,000 square feet			

- 4. Density Transfers: Transfers of density shall be required in order to attain any density above 490 dwelling units. Density shall be transferred from the platted land identified on SPAM Series Map #12: Areas Removed from the (1997-2010) Urban Service Area or the Rural Service Area pursuant to the County's TDU laws, rules and regulations-The sending zone lots shall be placed under a conservation easement.
- 5. Open Spaces/Greenbelt: A minimum of 50 percent of the Rural Settlement Area shall be set aside as open space exclusive of development areas except for item d below. The intent of open space areas is for preservation and restoration of indigenous upland and wetland vegetation via a Wetland Management Plan adopted as part of a PD rezoning as well as the creation of passive recreational opportunities. All open space shall be placed under a conservation easement granted to the County at time of approval of the Master Development Plan.
  - a. A greenbelt is required around the southern and eastern perimeters of the Rural Settlement Area, forming a large open space that will create a clear physical delimiter between the urban uses within the Rural Settlement Area and the rural uses bordering the Rural Settlement Area. The greenbelt shall be a minimum of 250\_feet in width but increased to 500 feet where adjacent to areas outside of the Urban Services area as illustrated on the Master Concept Plan (Exhibit 1).
  - b. Open space will be made accessible to the public, but a portion of the open space may be reserved for and designated for use by the residents of the Rural Settlement Area only. Open space may contain hiking and bridle trails. Reserved open space areas must be clearly designated through the development review process.
  - c. The County shall explore granting impact fee credits toward the cost of restoration and perpetual maintenance of non-reserved open space as indigenous vegetation, or toward the creation, restoration, and maintenance of

- identified wildlife corridors and linkages. In order to be considered for impact fee credits, the area to be created or restored or maintained shall be a minimum of 500 feet in average width and evidence shall be provided of the arrangements established to have the area maintained in perpetuity.
- d. An alternative to the above open space requirement may be granted through the planned development rezoning process where an applicant designates 60% of the project area to Rural Open Space with a minimum 35% conservation/restoration in perpetuity. For the purpose of this policy only, Rural Open Space may include golf courses. Golf course uses must be subject to a restrictive covenant running with the land in perpetuity, and subject to environmental best management practices and certified under the Audubon golf course Cooperative Sanctuary Program or other similar program, as applicable. Rural Open Space designated for golf course uses may be converted to passive recreational uses.
- 6. Regional Economic Development and Commercial Development Standards: All sites of industrial and commercial development within the Rural Settlement Area shall be designed in accordance with sustainable best management practices, such as to accommodate energy efficient materials where possible and electric vehicle charging stations in order to meet the energy conservation goals of Charlotte County, and all non-residential buildings shall be constructed in compliance with the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Green Building Certification, the Florida Green Building Coalition Commercial Building Designation or the Green Building Initiative's Green Globes system; all new industries locating in the area shall be ISO 14001 compliant or shall be otherwise in accordance with Natural Step-or other similar-green business operating practices.
- 7. Rural Village Standards: The Rural Settlement Area will be developed with no more than six Villages; each Village shall be no more than 390 acres. Areas developed as Villages are required to contain a village center wherein higher density and intensity shall be placed, with a reduction in density and intensity as one moves farther out from the center. There shall be clear separation between Villages by use of a greenbelt around each village. All village centers shall be mixed use or multi-use in nature, either through vertical mixing of residential and commercial uses or by providing for strong pedestrian connectivity between uses. Village centers shall be well integrated with surrounding development and shall provide for pedestrian character through the following techniques:
- a. Vehicular, pedestrian and/or bicycle connections to adjacent residential, commercial, civic or industrial development will be provided.
- b. Buffering of different abutting uses shall be required only where compatibility concerns exist. Buffering from adjacent developments, when deemed absolutely necessary, will not preclude future interconnectivity.

- c. On-street parking with landscaping and design features such as corner and mid-street bump outs, which afford traffic calming and produce a comfortable and safe pedestrian environment, will be promoted.
- d. Screening for parking lots along streets, sidewalks, and open spaces. Parking lots and structured parking garages without ground floor commercial uses shall be shielded from the view of the sidewalk, preferably located behind or to the sides of buildings, to enhance the pedestrian environment of the street.
- e. Shared parking arrangements which encourage walking between multiple destinations shall be encouraged to promote a "park once" environment.. Deviations from the County's parking requirements will be considered to minimize parking areas, based on projected pedestrian activity, joint use of parking lots, and parking spaces for uses with different peak hours.
- The minimum density within a village center will be seven units per acre. The maximum lot size at the outer edge of a Village is one acre. For each 200 dwelling units that receive a Certificate of Occupancy, there must be at least 8,000 square feet of nonresidential use under construction.
- 8. Residential Development Standards: Residential development in the Rural Settlement Area shall provide for compact land use forms.
- 97. Transportation System: The transportation system within the Settlement Area shall be designed as with an interconnected network aimed at promoting connectivity between communities and streets as well as walkability between uses. Individual projects must be designed as part of an overall transportation network within the Rural Settlement Area as defined on the transportation interconnectivity plan in the pattern book, not as separated, stand alone developments.
  - a. All new development shall provide the appropriate connections of road segments, and shall preserve and protect existing and future rights-of-way to provide for an efficient multi-modal transportation system. The transportation system shall be designed so that multiple streets, bicycle paths and sidewalks continue between adjacent neighborhoods and developments to facilitate convenient movement and disperse traffic throughout the local network in accordance with the transportation interconnectivity plan. Dead-end streets are prohibited, except when necessary at the edge of development to provide stub outs for future connections to adjacent, undeveloped properties, or when environmental features necessitate the construction of a dead-end street.
  - b. Communities shall construct an interconnected network of public streets in a predictable block pattern that encourages walking, reduces the number and length of automobile trips and provides multiple circulation routes. Block sizes will be established with the intent of providing for walkable distances between intersecting streets.
  - e.b.Interconnections between complementary uses shall be required, including access to and circulation among parking lots and to pedestrian paths. Shared

- driveways, frontage streets, and parking with cross access easements shall be required to reduce conflicts with the main flow of traffic.
- d.c. Specify the design of street types that are functional, visually appealing, and promote walking and cycling. Street cross-sections will be acceptable road types for both public construction projects and for privately built roads and will be consistent with the principles of context sensitive design and walkability. Reduced right of way widths and travel lanes will be encouraged to the extent that they meet AASHTO standards.
- e.d. To ensure that adequate funding sources are available for the provision of infrastructure, and that each property owner is fairly compensated for their contribution to the infrastructure system, improvements may be funded through a variety of mechanisms that include, but are not limited to, Community Development Districts (CDDs), Municipal Services Taxing Units (MSTUs), Municipal Service Benefit Units (MSBUs), grants, and impact fees/impact fee credits.
- 40. <u>8.</u> Wildlife Undercrossings: The collective owners and developers of the Rural Settlement Area shall provide wildlife undercrossings, along with appropriate signage and roadside treatments, within the Rural Settlement Area to provide protections for wildlife movement between open space areas. The owners and developers shall also work with the County and with various State and Federal agencies to design and construct a wildlife crossing underneath U.S 17 or enhance/upgrade the existing box culvert to be an ecologically functioning crossing in order to accommodate small to medium size animals prior to 2030.
- 41. 9. Development in the RSAOD shall utilize Low Impact Design techniques to supplement and enhance traditional stormwater retention/detention development.



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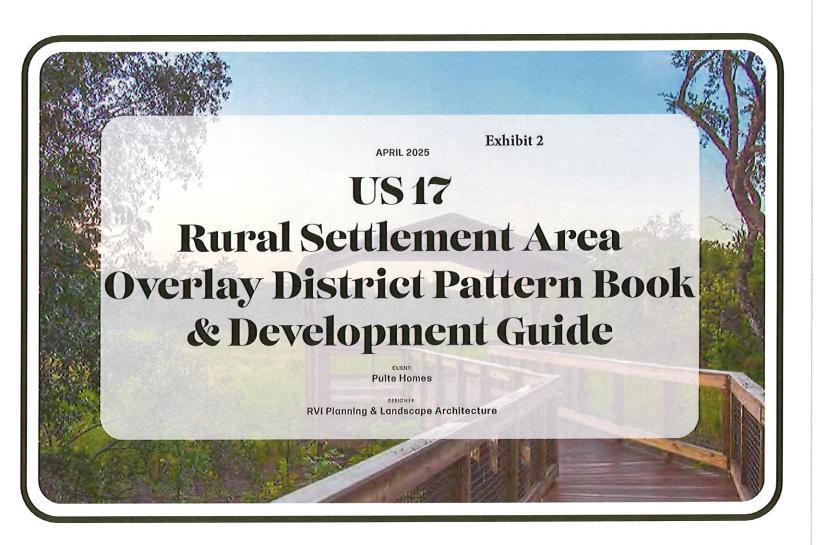
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ILLUSTRATIVE SITE EXHIBIT OCTOBER 01, 2025





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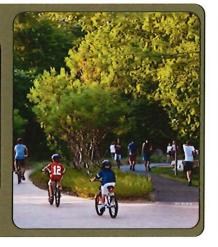


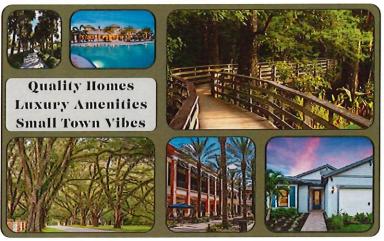


Back to the simple life.

The community lifestyle reminiscent of the Florida small town feel with a variety of activities from nature based passive parks and trails to resort style amenities. Live work play in the same community

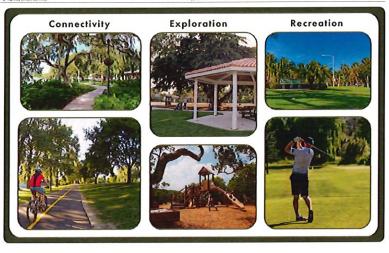
Lifestyle Elements: Neighborhood, live-work-play, local Influence, active amenities, walk-ability, nature

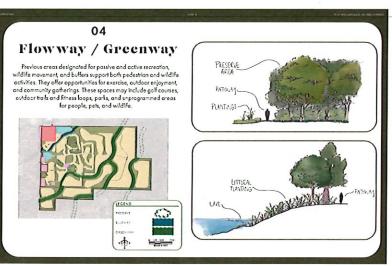








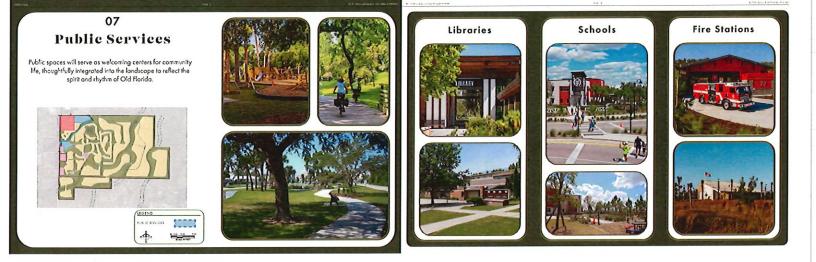












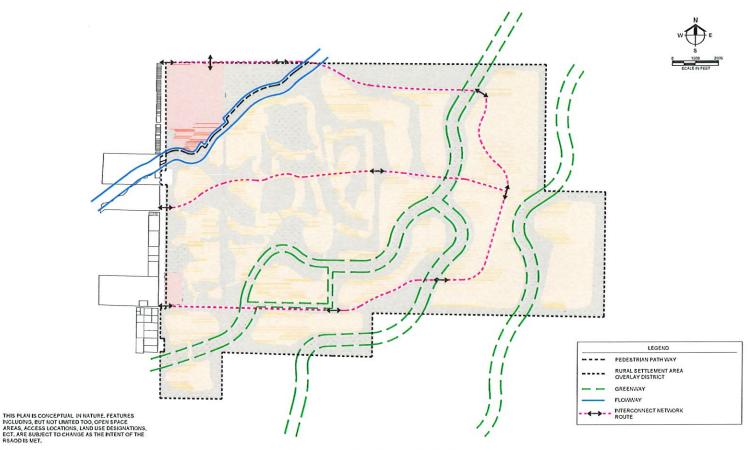












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RURAL SETTLEMENT AREA OVERLAY DISTRICT
INTERCONNECTIVITY PLAN EXHIBIT
AUGUST 22, 2024

# Exhibit 3 Infrastructure Financing Strategy

The developer of the Area B intends to form a Community Development District to bond infrastructure within Area B, including all roads and roadway connections. Infrastructure and roadway connections within Area A, C and D will be paid for by developers of those areas. Property owners within the RSAOD will pay a proportionate share for any other infrastructure costs, including off site road improvements as may be deemed necessary.

Potable water and wastewater will be provided by North Charlotte Waterworks, Inc., or its successor. Onsite wells and wastewater treatment remain a viable option for development of the RSAOD and surrounding areas, however options are being presently explored to secure available capacity from existing providers under a bulk rate agreements with North Charlotte Waterworks. Primarily, DeSoto County has identified capacity which could serve the RSAOD on an interim basis until on-site facilities are complete. Alternatively, the developer of Area B is investigating long-term bulk-rate options with DeSoto and Charlotte County to secure capacity based on existing and planned upgrades to their respective utility.

Additionally, significant acreage has been set aside for public facilities including potential school sites and discussions are ongoing with the Charlotte County Public Schools to address current capacity needs and growth within south-east concurrency district.

In each instance, development will pay for its impact upon public infrastructure based on applicable impact, capacity, and concurrency fees. The developer of Area B is also willing to enter into a development agreement with applicable government entities to provide additional assurances or potential oversizing of infrastructure to meet area needs.

# Exhibit 4 Method to Demonstrate Greenhouse Gas Emission Reductions

The proposed development has committed to aiding in the reduction of greenhouse gas emissions to the extent possible through land use planning. The strategies utilized will be to convert active cattle grazing (a leading contributor to greenhouse gas emissions) to development. Within the development area over 60% of Area B and 50% of Areas A, C and D will be dedicated to permanent open space. These areas include restored greenways and flowways.

The commercial areas will provide Electric Vehicle charging stations and the community will be designed with sidewalks and connectivity to promote pedestrian movement. Within golf course areas, electric golf carts will be utilized rather than gas powered. The combination of all of these factors will aid in the reduction of greenhouse gas emissions.

# Exhibit 5 Open Space Management and Maintenance Funding

The developers of each individual property will manage all on site open space via a Wetland and Open Sapce Management Plan adopted via a Planned Development (PD) rezoning process. Financing for maintenance will come from the developer while the community is building out and then gradually transition to a maintenance entity, which may include a Community Development District, a homeowners association, a general property owners association or and other form of common area maintenance entity established by the developers.

Management of the preserve areas will be conducted consistent with the adopted Wetland and Open Sapce Management Plan and permits issued by SWFWMD and Charlotte County. Management activities throughout the site will vary depending on vegetative conditions, exotic vegetation levels, and listed species utilization; however, the activities will generally consist of exotic vegetation removal, hydrologic restoration through removal of agricultural ditches and berms, and installation of native plantings.