

## Exhibit D Development Standards

### Zoning Designations:

The subject property (the “Property”) shall be zone “PD” – Planned Development District. Use and development of the Property shall conform to the requirements of the “C3” – Regional Commercial District with the UDC (Unified Development Code), and as amended, except as noted below.

#### A. Development Regulations

1. This Planned Development District shall not be subject to the regulations, standards, or applicability of the REC (Regional Entertainment Center) Overlay District, either now or in the future. No current or future adoption, interpretation, or enforcement of the REC Overlay shall apply to any portion of the property governed by this PD ordinance.
2. For the purposes of this PD, “Developer” shall mean the property owner, master developer, or their designated representative responsible for planning, designing, constructing, and coordinating improvements within the Planned Development area. The Developer shall retain authority over design review, tenant improvements, infrastructure coordination, and enforcement of development standards as set forth in this PD ordinance.
3. Notwithstanding the obligation to comply with the Governing Regulations, the Developer does not, by entering into this Agreement, waive any constitutional, common law, statutory, or other rights the Developer may have to challenge the future applications of the Subdivision Regulations, Unified Development Code (UDC), or Building Codes (including any amendments thereto) related to the use or development of the Property.

#### B. Land Use

1. Unless otherwise specified in this Planned Development, the applicable development standards shall default to those of the “C-3” Regional Commercial zoning districts, with the more permissive standard applying in each case. If any overlay zoning district requirements conflicts with any other regulation in this Code, the requirements of the overlay district shall apply only if they are less restrictive than the base zoning district.
2. Permitted Land Uses are as follows and require alignment with the specific use criteria as defined in the UDC.
  - i. Zoning Use:
    1. Outdoor Water Recreation and Entertainment Facility
      - a. Definition: Outdoor Water Recreation and Entertainment Facility means a commercial recreational use consisting of a man-made water body or lagoon designed for surfing, wave generation, aquatic recreation, swimming, paddle activities, or similar water-based entertainment, together with associated beaches, decks, cabanas, viewing areas, food and beverage service areas,

instructional facilities, maintenance and operational support buildings, and related accessory amenities. This use may include structured or programmed water experiences, spectator areas, private rental areas, and supporting commercial components integrated into a master planned recreational environment. This use is primarily outdoor in character and may operate on a scheduled or capacity-controlled basis.

2. Commercial Entertainment, Indoor
  3. Commercial Entertainment, Outdoor
  4. Day-care
  5. Data Center
    - a. Not to exceed 2-acres exclusive of parking
    - b. Requires SUP for approval
  6. Gym or Fitness Studio
  7. Hotel or Motel
  8. Office Showroom/Warehouse
  9. Office
  10. Parking Garage or lot, paid or private
  11. Personal Service
  12. Power Plant
    - a. Requires SUP for approval
  13. Reception or Event Center, Indoor
  14. Reception or Event Center, Outdoor
  15. Recreation Area, Private
  16. Restaurant, brew pub
  17. Restaurant, carry out
  18. Restaurant, dine-in
  19. Restaurant, drive-in or drive-through
  20. Retail Sales
- ii. Accessory Use:
1. Accessory building, detached
  2. Accessory structure
  3. Electric vehicle charging station
  4. Outdoor Storage
  5. Swimming Pool
- iii. Temporary Use:
1. Batch Plant
  2. Construction field office
  3. Portable storage container
  4. Religious or philanthropic uses
  5. Seasonal Sales

iv. Special Uses

1. Food truck courts
  2. Food truck operation sites
  3. Telecommunications Structure, Low Rise
  4. Telecommunications Structure, Stealth
3. Any uses already defined and permitted in the "C-3" regional commercial zoning designation.

C. **Modified Dimensional Standards**

1. **Setbacks**

- i. The minimum setback for parking from a residential boundary is no less than 10 feet.

2. **Maximum Building Height**

- i. The maximum building height shall be 180 feet, measured to the highest occupiable floor level. Architectural features, including towers, mechanical screening, and decorative elements, may extend an additional 25 feet beyond the maximum height limit.

3. **Maximum Lot Coverage**

- i. All water surface area counts towards open space.
- ii. Open space shall be shared across all lots within the PD.

D. **Screening**

1. A minimum 6-foot-tall screening device is required along all property lines shared with residential uses in the form of either:
  - i. A continuous masonry wall.
  - ii. A tubular steel or wrought iron fence with masonry columns spaced a maximum of 20 feet on center with structural supports spaced every 10 feet. Plus, tall evergreen shrubs planted at 3 feet in height and spaced 3 feet apart on center.

E. **Parking Standards**

1. The following alternative parking standards shall apply within the PD:
  - i. Shared parking is permitted PD-wide. Ratios for parking will be accrued as development is designed and verified that overall PD minimum parking standards are met with anticipated shared parking use between recreational park visitors and patrons of adjacent uses within the overall Planned Development.
  - ii. Commercial Entertainment, Indoor shall require 1 space per 300 sq. ft. for uses not otherwise listed below:
    1. Bowling, miniature golf, obstacle course, escape room, axe-throwing or similar use: 1 space per lane, room, or hole
    2. Theaters, auditoriums, stadiums, gymnasiums, or similar uses: 1 space per 4 seats in assembly areas or 1 space per 8 linear feet of seating
    3. Sports courts: 2 spaces per court
  - iii. Commercial Entertainment, Outdoor shall require Stadiums, outdoor theaters, or similar uses to provide:

1. 1 space per 6 seats in assembly areas or 1 space per 10 linear feet of seating
2. Sports courts: 2 spaces per court
3. Mini-golf or related mini-golf adjacent style experiences at 1 space per hole
- iv. Restaurants, Dine In shall require one (1) parking space per 250 square feet of indoor dining area.
- v. Hotels shall require one (1) space per guestroom; plus 1 space per 250 sq. ft. of restaurant, retail, conference, or office area.
- vi. All Retail uses shall require one (1) parking space per 300 square feet. Retail service space, office and restaurant use will service the required user parking for the Outdoor Water Recreation and Entertainment Facility.

**F. Public Open Space**

1. A public open space corridor easement shall be provided at the PD wide level. A public corridor easement of minimum 2.0 acre will be provided.
2. This easement may be phased or located anywhere within the boundaries of the PD and may be allocated across parcels as needed to support the overall functionality of the Outdoor Water Recreation and Entertainment Facility and associated uses. Open space requirements will be satisfied through the PD wide open space plan approved with the Site Plan submittal.
3. Overhang of roof, outdoor patios, or balconies may encroach 5' into this easement if necessary.
4. Drive aisles and other non-structural design features may overlap the easement for ease of pedestrian and vehicular accommodation. However, special features within any vehicular space that crosses this path must be provided that define a continuous pedestrian protected corridor.