

ORDINANCE
NUMBER 2025 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-7, SUBDIVISION REGULATIONS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY: (1) REVISING ARTICLE 1: IN GENERAL, SECTION 3-7-32, APPLICATION PROCESS, STEPS 8 AND 9; (2) REVISING SECTION 3-7-34: APPROVAL OF THE FINAL PLAT; AND (3) AMENDING ARTICLE XI: STANDARD FORMS TO (A) REPLACE SECTION 3-7-185: CERTIFICATE OF APPROVAL OF COUNTY COMMISSION WITH NEW SECTION 3-7-185: CERTIFICATE OF APPROVAL OF COMMUNITY DEVELOPMENT DIRECTOR; (B) DELETE SECTION 3-7-186: CERTIFICATE OF APPROVAL OF PLANNING AND ZONING BOARD AND RENUMBER THE REMAINING SUBSECTIONS; AND (C) REVISE SECTION 3-7-188 (NEW SECTION 3-7-187): CERTIFICATE OF APPROVAL OF COUNTY ENGINEER (CONSTRUCTION TO BE BONDED) AND SECTION 3-7-189 (NEW SECTION 3-7-188): CERTIFICATE OF APPROVAL OF COUNTY ENGINEER (CONSTRUCTION COMPLETE) TO REMOVE THE PLANNING AND ZONING BOARD'S RESPONSIBILITY; PETITION TLDR-25-01; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, County Staff has determined that Chapter 3-7, Subdivision Regulations, of the Code of Laws and Ordinances of Charlotte County, Florida ("Code") contains some outdated requirements and regulations, and must be updated to align with Florida Statutes, as well as meet the requirements of new legislation under Senate Bill 784, approved by the Governor on June 20, 2025; and

WHEREAS, at this time, in order to remedy the outdated requirements and regulations to align with Florida Statutes and the above-mentioned new

40 legislation, County Staff, in Petition TLDR-25-01, is proposing amendments to
41 Chapter 3-7 of the Code, all as provided in Exhibit "A" which is attached hereto
42 and by this reference provided herein; and

43 WHEREAS, Petition TLDR-25-01 was heard by the Charlotte County
44 Planning and Zoning Board ("P&Z Board") and, based on the findings and
45 analysis provided by County Staff and the evidence presented to the P&Z Board,
46 the P&Z Board recommended approval on September 8, 2025; and

47 WHEREAS, after due consideration, based on the findings and analysis
48 provided by County Staff and the evidence presented to it, the Board finds that
49 approval of Petition TLDR-25-01 is consistent with the County's Comprehensive
50 Plan and is in the best interests of the County and its citizens.

51 NOW, THEREFORE, BE IT ORDAINED by the Board of County
52 Commissioners of Charlotte County, Florida:

53 Section 1. Adoption. Chapter 3-7, Subdivision Regulations, of the
54 Code of Laws and Ordinances of Charlotte County, Florida, is hereby amended
55 by adding the underlined language and by deleting the stricken language as
56 shown in Exhibit "A" which is attached hereto and by this reference provided
57 herein.

58 Section 2. Conflict with Other Ordinances. The provisions of this
59 Ordinance shall supersede any provision of existing ordinances in conflict
60 herewith to the extent of said conflict.

61 Section 3. Severability. If any subsection, sentence, clause,
62 phrase, or portion of this Ordinance is for any reason held invalid or
63 unconstitutional by any court of competent jurisdiction, such portion shall be

64 deemed a separate, distinct, and independent provision and such holding shall
65 not affect the validity of the remainder of this Ordinance.

66 Section 4. Effective Date. This Ordinance shall take effect upon
67 filing in the Office of the Secretary of State, State of Florida.

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77 [SIGNATURE PAGE FOLLOWS]
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PASSED AND DULY ADOPTED this 28th day of October, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR2025-0858 *KNW*

Sec. 3-7-32. – Application Process

Step 8: The appropriate county department shall secure the signatures of the county engineer, county surveyor, county attorney, Community Development Director, and chairman of the board of county commissioners. Required signatures will be secured only if all other requirements have been satisfied.

Step 9: Final plat approval: The county shall not issue approval of a final plat for recording with any conditions or stipulations. The appropriate county department will secure the appropriate chairman's signature on the record mylar and other required documents. The appropriate county department shall deliver the plat, bond, construction and maintenance agreement, and other documents to the clerk of the circuit court for recording.

Sec. 3-7-34. - Approval of the Final Plat

After determination by the county attorney and county engineer that the final plat is in conformance with this chapter, it shall be the ministerial duty of the Community Development Director to sign the mylar and the chairman of the board of county commissioners to sign the mylar and the construction and maintenance agreement, if applicable, after all other required signers have signed.

Sec. 3-7-185. - Certificate of Approval of ~~county commission~~Community Development Director

"STATE _____ OF _____

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→ SS

"COUNTY OF CHARLOTTE

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"It is hereby certified that this plat has been officially approved for record by the Board of County Commissioners of the County of Charlotte, Florida, this _____ day of _____, A.D., 19____.

"APPROVED:

Planning Director

Chairman, Board of County Commissioners

County Engineer

County Attorney"

"I, the undersigned hereby certify that this plat has been officially approved for recording by the Community Development Department of the County of Charlotte, Florida this _____ day of, 20____.

Name

Community Development Director

Charlotte County, Florida"

BCC Adoption Date: October 28, 2025



~~Sec. 3-7-186. - Certificate of Approval of Planning and Zoning Board~~

~~"APPROVAL OF PLANNING AND ZONING BOARD~~

~~"I certify that this plat meets the requirements of the applicable Charlotte County Subdivision Regulations as modified and conforms with the Charlotte County Comprehensive Land Use Plan."~~

~~Date: _____~~

~~Chairman~~

**~~Charlotte County Planning
and Zoning Board"~~**

~~Sec. 3-7-488~~187. - Certificate of Approval of County Engineer (Construction to be Bonded)

~~"APPROVAL OF COUNTY ENGINEER~~

~~"I, the undersigned, County Engineer for Charlotte County, Florida, hereby certify that an acceptable instrument of agreement for guaranteeing satisfactory construction of all improvements in accordance with Charlotte County Subdivision Regulations has been provided. Said agreement includes conformance to all construction, paving and drainage plans on file in the Public Works Department and with the action of the Planning and Zoning Board giving approval of the Preliminary Plat.~~

~~Date: _____ "~~

~~,County Engineer~~

~~Sec. 3-7-489~~188. - Certificate of Approval of County Engineer (Construction Complete)

~~"APPROVAL OF COUNTY ENGINEER~~

~~"I, the undersigned, County Engineer for Charlotte County, Florida, hereby certify that all improvements have been constructed in accordance with Charlotte County Subdivision Regulations. All construction, paving and drainage, conforms to plans on file in the Public Works Department and with the action of the Planning and Zoning Board giving approval of the Preliminary Plat.~~

~~Date: _____ "~~

~~,County Engineer~~