# Staff Report for: PAL-24-04 and PD-24-14

**Meeting Date:** **February 10, 2025/March 25, 2025/July 22, 2025**

**To:** **Planning and Zoning Board /Board of County Commissioners (BCC Transmittal)/BCC Adoption)**

**From:** **Jie Shao, AICP, MCP, Planner, Principal** (see Exhibit 1 for professional qualifications)

**Regarding:** **A request to amend the 2030 Future Land Use Map and the Zoning Atlas**

## Part 1 – General Information

**Applicant:** Maronda Homes, LLC of Florida, 4005 Maronda Way, Sanford, FL 32771

**Agent:** Attorney Robert H. Berntsson, 3195 S. Access Road, Englewood, FL, 34224

**Owners:** Multiple owners (Attachment 1)

**Request:** A privately initiated request for a Large Scale Plan Amendment for approximately 1,174.14 acres to:

- Amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR)(92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1,631 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-C under Section 1 of FLU Appendix VII: Compact Growth Mixed Use Master Development Plan to low impact recreational uses/passive recreational uses.
- Amend Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties and for 99.13± acres of properties from Emerging Neighborhood to Agricultural/Rural.
- Amend Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 28.01± acres of properties and to concurrently remove 99.13± acres of properties from the Urban Service Area.

A privately initiated request for a rezoning for approximately 840.30 acres by:

- Amending the Charlotte County Zoning Atlas from Planned Development (PD)(408.39± acres, which includes 0.7 acres of Cattle Dock Point Road), Residential Single-family 2 (RSF-2)( 428.20± acres), and Residential Multi-family 5 (RMF-5)(4.41± acres) to Planned Development (PD), and adopting its associated General PD Concept Plan in order to have a mixture of residential, commercial and light industrial development; increasing the base density from 1,114 units to 2,000 units, and requiring a transfer of 886 density units to reach the maximum of 2,000 units.

**Location:** **Commission District IV:** The subject property is generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area.

**Area:** The subject property contains a total of 1,174.14± acres for the requested Large Scale Plan Amendment and contains a total of 840.30± acres for the requested PD rezoning.

**Public Notice:** Public Notice has been given as required by Charlotte County Code, Section 3-9-10; subsections (d) Published Notice; (e) Mailed Notice (1,000-foot Mailed Notice Map); and (f) Posted Notice.

## Part 2 – Analysis and Conclusion

*Request*

The applicant, Maronda Homes, LLC of Florida, is requesting the following:

- A Large Scale Plan Amendment to amend the entire subject property's Future Land Use Map (FLUM) designations from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR)(92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres).
- To amend both the Charlotte County FLUM Series Map #2(2050 Framework) and Map #3 (2030 Service Area Delineation) from Agricultural/Rural to Emerging Neighborhood.
- To extend the Urban Service Area (USA) boundary to add 28.01± acres.
- To amend the Framework designations for 99.13± acres from Emerging Neighborhood to Agricultural/Rural and removing them from the USA.

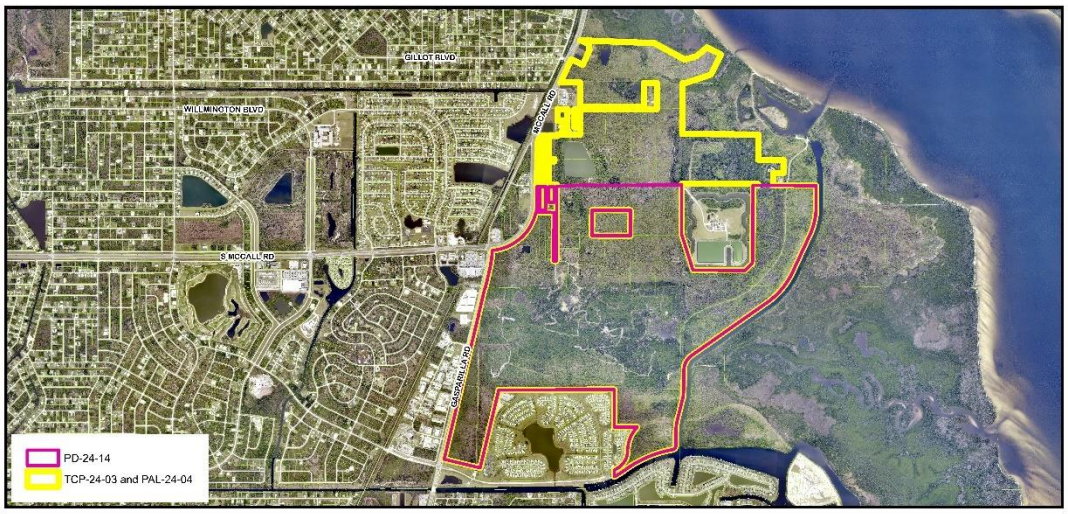
The stated purpose of this application is to implement the newly created Master Land Use Plan/Pattern Book as part of a Large Scale Plan Amendment (Text Amendment) (TCP-24-03), which is subject to the Board of County Commissioners' review under public hearings.

The applicant is also requesting a rezoning for approximately 840.30 acres of the subject property from Planned Development (PD)(408.39± acres, which includes 0.7 acres of Cattle Dock Point Road), Residential Single-family 2 (RSF-2)(428.20± acres), and Residential Multi-family 5 (RMF-5)(4.41± acres) to PD; adopting its associated General PD Concept Plan in order to have a mixture of residential, commercial and light industrial development; increasing the base density from 1,114 units to 2,000 units; and providing for a transfer of 886 density units to reach the maximum of 2,000 units.

The applicant is concurrently applying for another Large Scale Plan Amendment (Text Amendment) to amend Future Land Use (FLU) Appendix VII (Compact Growth Mixed Use Master Development Plan) to:

1) Amend the name of Section 1 from "West County Town Center" to "Harbor Village".
2) Revise the total acreage of this project from 1,187± to 1,174.14± acres.
3) Amend:
    a) 1.A: Base Residential Density to decrease the base density from 1,831 units to 1,790 units.
    b) 1.B: Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units.
    c) 1.C: to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity."
    d) 1.D: to remove "Perpetual Conservation Easement" and replace with "Uses Permitted Within Area A As Shown on Figure 1-B."
    e) 1.E: Master Development Plan to adopt a new Master Land Use Plan/Pattern Book.

The subject property is generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area within Commission District IV.




**TCP-24-03, PAL-24-04 and PD-24-14 Area Image**

*Current Status*

On February 10, 2025, the Planning and Zoning Board recommended approval of the request large scale plan amendment to:

- Amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR)(92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a

reduction of 109,807 square feet); increasing the base density from 1,631 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-C under Section 1 of FLU Appendix VII: Compact Growth Mixed Use Master Development Plan to low impact recreational uses/passive recreational uses.

- Amend Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties and for 99.13± acres of properties from Emerging Neighborhood to Agricultural/Rural.
- Amend Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 28.01± acres of properties and to concurrently remove 99.13± acres of properties from the Urban Service Area.

Subsequently, on March 25, 2025, the Board of County Commissioners (Board) transmitted this application and its associated large scale map amendment (Text Amendment, Petition Number TCP-24-03) to the Florida Department of Commerce and other State review agencies for review and comments.

On April 23, 2025, the **Florida Department of Commerce (FloridaCommerce)** issued a letter stating that "*FloridaCommerce has reviewed the proposed comprehensive plan amendment for Charlotte County (Amendment No. 25-02ESR) received on March 26, 2025. The review was completed under the expedited state review process.* ***FloridaCommerce has no comment on the proposed amendment***".

On April 16, 2025, the **Southwest Florida Water Management District (SWFWMD)** issued a letter stating that *"the Southwest Florida Water Management District (District) has reviewed the proposed amendment.* ***We are not forwarding any comments for consideration****."*

On April 15, 2025, the **Florida Fish and Wildlife Conservation Commission (FWC)** issued an email stating that *"Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes.* ***We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment****."*

On April 25, 2025, the **Florida Department of Transportation** issued an email stating that "*FDOT has reviewed the transmitted amendment for Charlotte County pursuant to Section 163.3184(3), Florida Statutes.* ***The FDOT offered the following comment:***

*There is potential need for all available data to be used in planning for new developments as it related to transportation in s. 163.3177(1)(f), F.S.*

*Map Amendment Comment:*

*There is potential for the for the need for elements in comprehensive plan to be consistent to aid in planning for development as it related to transportation in s. 163.3177(2), F.S.*

*1. This area is listed as Emerging Neighborhood in this Plan, however, an adopted Emerging Area Plan could not be located in FLU Appendix V where it states. No Adopted Plans at this time", so please make sure to finalize a plan or update the Future Land Use Element to help strategic development of this area and coordination with partners. It is unknown if an*

*Emerging Area can be adopted without going through the Planning Process where appropriate service levels are determined.*

*To confirm, in FLU Policy 4.4.2, this Plan aims to (b) include a transportation network and land use pattern that encourages walking and bicycling. and (c) supports transit and (d) reduces the number and length of automobile trips. The new Transit Development Plan (2025) calls for expanded service in this area, so please make sure to coordinate when feasible into the 2050 LRTP to allow for prioritization as this area develops*."

***Staff's Response:*** These comments have been forwarded to the applicant for consideration. The subject property is designated as part of the Emerging Neighborhood; however, an Emerging Area Plan is not required. FLU Policy 4.4.2: Emerging Area Plans – Anticipated Results establishes planning practices for creating an emerging area plan, although this policy is not applicable to this large scale plan amendment application, the proposed changes will ensure a walkable mixed use development on the subject property. In addition, On April 23, 2025, County staff had a meeting with the FDOT staff to go over their technical comments. Both staff from the County and the FDOT believe that the following proposed new requirement will be adopted in the County's Comprehensive Plan and shall address the FDOT's technical comment:

***1.F: Traffic Concurrency***

*As part of the traffic study development, the applicant(s) will coordinate on methodology approval prior to undertaking of the full traffic study. All study assumptions will need to be approved by both the County and the Florida Department of Transportation (FDOT).*

*Prior to approval of any developer's agreement or mitigation agreement and permit approval, the applicant will coordinate with the County and the FDOT or its Systems Planning to produce a traffic study accounting for the cumulative impacts of approved PDs and all pending PD applications under review within this development. The traffic study will differentiate impacts from individual developments which will be used to identify full mitigation needs and proportionate share fees for each individual development.*

On April 25, 2025, the **Florida Department of Environmental Protection** sent a letter stating that *"The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment in accordance with the provisions of Chapter 163, Florida Statutes (F.S.). The Department's review of the proposed policies focused on important state resources and facilities that would be adversely impacted if the amendment is adopted, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails and conservation easements; solid waste; and water and wastewater treatment; and the Everglades ecosystem restoration.*

*<u>Department Comments</u>*

*While the Department recognizes that the residential density and nonresidential intensity of the site is proposed to be reduced by this amendment, significant impacts to Charlotte Harbor*

*Preserve State Park and Gasparilla Sound-Charlotte Harbor Aquatic Preserve are anticipated based on features of the proposed Master Land Use Plan. Specifically, the addition of a public marina with up to 500 wet and dry boat slips and mixed-use development including commercial retail, restaurants, and residential uses. The proposed marina basin is outside the boundaries of the aquatic preserves, but, if approved, it could have long-term impacts to the adjacent Gasparilla Sound-Charlotte Harbor Aquatic Preserve. Of note, the current ingress and egress to the proposed development is through a narrow canal system with a lock system to allow boat passage, one at a time. The lock was built to keep freshwater from the canal system from flushing into the Harbor.*

*Anticipated impacts to Charlotte Harbor Preserve State Park and Gasparilla Sound-Charlotte Harbor Aquatic Preserve:*

- *Currently, in its altered but undeveloped condition, the subject acreage functions as an additional buffer to the Charlotte Harbor Preserve State Park and the Gasparilla Sound-Charlotte Harbor Aquatic Preserve. With the proposed development, this environmental function (i.e. water quality filtration and resource protection) would be markedly reduced.*
- *Classified as a preserve, broad buffers from urban/suburban development are especially significant to allow for immersive natural aesthetics (regarding the visitor experience) and maintaining natural ecological and hydrological regimes (i.e., prescribed fire and sheet flow) within the Charlotte Harbor Preserve.*
- *Increased discharge of pollution into the canals leading to the South Gulf Cove Lock and subsequently Gasparilla Sound-Charlotte Harbor Aquatic Preserve as well as wetlands of the preserve to the south.*
- *Increased marine debris in the estuaries associated with structural damages from storm events.*
- *Cumulative impacts causing gradual degradation of sensitive mangroves and seagrasses that extend along the shared perimeter of the Charlotte Harbor Preserve State Park and the Gasparilla Sound-Charlotte Harbor Aquatic Preserve.*
- *Interference with the Cattle Dock restoration site (managed under the Department of Transportation) located between the South Gulf Cove Lock and El Jobean Bridge.*

*<u>CONCLUSION</u>*

*To mitigate potential adverse impacts to important state resources, the Department recommends the following: enhanced buffering between the proposed development and Charlotte Harbor Preserve, especially along northern boundary of the site; notice of proximity to state conservation lands to members of the proposed community to communicate aspects of management, including fire and hydrology; and further review of the feasibility of the number of boat slips associated with the public marina in this small waterway and lock system. The applicant should coordinate with DEP's South District Office and Southwest Florida Water Management District regarding required permits and authorizations and must ensure compliance with any deed restrictions in effect on parcels within the amendment area.*

*The Department is providing technical assistance comments consistent with s. 163.3168(3), F.S. The comments will not form the basis of a challenge.*

***Staff's Response:*** The following requirements have been proposed to implement the FDEP's recommendations and will be adopted in the County's Comprehensive Plan:

***1.G: Buffer Between the Proposed Development Areas and State-owned Lands***

*A minimum 100-foot undisturbed buffer will be provided between proposed development area and State-owned lands. Future owners within the project located abutting the required 100-foot undisturbed buffer will be provided literature and educational materials informing them that management activities such as prescribed fire, roller chopping, and other land maintenance actions may occur within the preservation lands adjacent to the project. The method to provide such information shall be approved through a PD rezoning.*

***1.H: Slip Count Approval***

*The final slip count for the project will be determined based on review by State and Federal Agencies. Currently, the project will need approval from the Southwest Florida Water Management District Florida Department of Environmental Protection and the US Army Corps of Engineers. At the time of permitting, the applicant must coordinate with agencies existing at that time. As part of those permit reviews, other agencies including but not limited to the Florida Fish and Wildlife Conservation Commission, Division of Historical Resources, US Fish and Wildlife Service, National Marine Fisheries Service, Environmental Protection Agency, and US Coast Guard will also look at the project. The final slip count built by the project will be dependent upon and compliant with the determinations made by all of these review agencies.*

Furthermore, a new PD condition is proposed to address locations of future docks as follows:

*All boat docks shall be located within the marina boat basin. Boat docks are prohibited along the Interconnector Waterway and Butterford Waterway.*

According to the FDEP document, approximately 210 acres of the subject property located immediately adjacent to the Butterford waterway was created from upland spoil, leaving little native habitat and a large invasive plant infestation; thus, it was declared no longer needed for conservation purposes by the Board of Trustees. There is a modification of restrictive covenant executed on July 17, 2023 for these 210 acres solely limiting the residential development up to 2.5 units per acres, which complies with the existing or future Charlotte County zoning code or that may be approved under a planned unit development.

*History of the Subject Property*

In May 2008, the previous owner of the subject property, Dennis J. Fullenkamp, applied for a Large Scale Plan Amendment (Application Number PA-08-05-29-LS) in order to have a mixed-use development up to 3,960 residential units and approximately 1,509,807 square feet of commercial uses (the maximum Floor Area Ratio of 0.0292). The development rights for this project were adopted in the County's 1997-2010 Comprehensive Plan.

The County's Comprehensive Plan was rewritten in 2009-2010, and the approved development rights and development guidelines for the site were readopted in the County's 2050 Comprehensive Plan, which is the current Comprehensive Plan.

On December 8, 2020, the Board approved a PD rezoning via Ordinance Number 2020-049 (Attachment 2) for a portion of the subject property, containing approximately 408 acres, in order to have a mixture of residential and commercial development, including:

- 1,000 residential dwelling units.
- 150 beds of Assisted Living Facilities (ALFs).
- 200 hotel rooms.
- 431,000 square feet of commercial/office uses, 496,000 square feet of commercial/office uses without hotel rooms, 451,000 square feet of commercial/office uses without ALFs, or 516,000 square feet of commercial/office uses without hotel rooms and ALFs.
- Any residential development above 1,000 residential dwelling unit or any commercial/office uses above 516,000 square feet, a traffic impact statement is required to address any potential traffic concurrency issues as well as any additional on-site and/or offsite improvements.

On January 26, 2021, the Board approved Preliminary Plat (PP-20-10-15) (Attachment 3) for subdivision to be named, Harbor Village, for approximately 408.39 acres of the subject property.

On September 14, 2021, the Board approved Final Plat (FP-20-10-15) (Attachment 4) for the Harbor Village subdivision.

On March 22, 2022, the Board approved Preliminary Plat (PP-21-11-22) (Attachment 5), which is a replat for a subdivision to be named, Harbor Village Phase 1, consisting of 283 lots.

According to the application, the market demand and conditions have changed since the project was originally approved and adopted in the County's Comprehensive Plan in 2009. The applicant, who is the contract purchaser, is requesting this Large Scale Plan Amendment for the entire subject property, containing approximately 1,174.14 acres, and a PD rezoning for approximately 840.30 acres of the subject property.

*Base Density*

The base density for the entire property is 1,790 units, including 159 units which came from Area A (Figure 1-B) as part of a Large Scale Plan Amendment originally adopted by the Board in 2009 via Ordinance Number 2009-002 and readopted into the County's Comprehensive Plan via Ordinance Number 2021-005. In order to use these 159 units of base density for development, an approved PD ordinance is required to restrict development on Area A as identified on Figure 1-C to low impact recreational uses/passive recreational uses; otherwise, the base density is 1,631 units.

| FLUM (Prior to 2009) | ZONE (Prior to December 2014) | Acreage | Units (Base Density) |
|---|---|---|---|
| Preservation (inside USA) | AE | 12.84 | 1.00 |

| | | | |
|---|---|---|---|
| Commercial Center | CG | 40.88 | 0.00 |
| Commercial Center | CI | 16.88 | 0.00 |
| RV Park | PD | 33.67 | 167.00 |
| Low Density Residential | RMF5 | 15.43 | 77.17 |
| Low Density Residential | RSF2 | 760.91 | 1,521.83 |
| Low Density Residential | RSF5 | 3.82 | 19.00 |
| Preservation (outside USA) | RSF-2 | 212.70 | 5.00 |
| Public Lands & Facilities | RSF-2 | 20.80 | 0.00 |
| Commercial Corridor | | 56.20 | 0.00 |
| | **Total** | **1,174.14** | **1,790.99** |

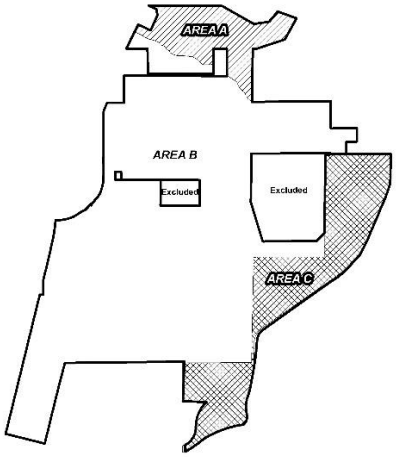



**Figure 1-B**

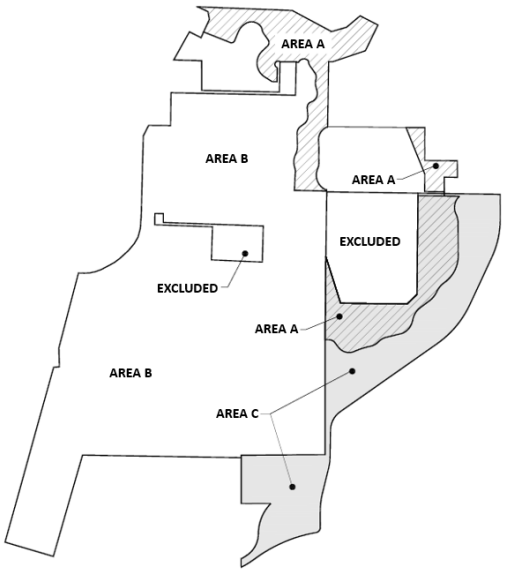



**Figure 1-C**

The portion of the property subject to this PD rezoning includes Planned Development (PD)(408.39± acres, which includes 0.7 acres of Cattle Dock Point Road) Residential Single-family 2 (RSF-2)(427.5428.20± acres), and Residential Multi-family 5 (RMF-5)(4.41± acres). The base density is calculated as follows:

| **Zone** | **Acreage** | **Units (Base Density)** |
|---|---|---|
| PD Via Ordinance Number 2020-049 | 408.39 | 702 |
| RSF-2 | 192.61 (428.20-214.09-20.8) | 385.22 |

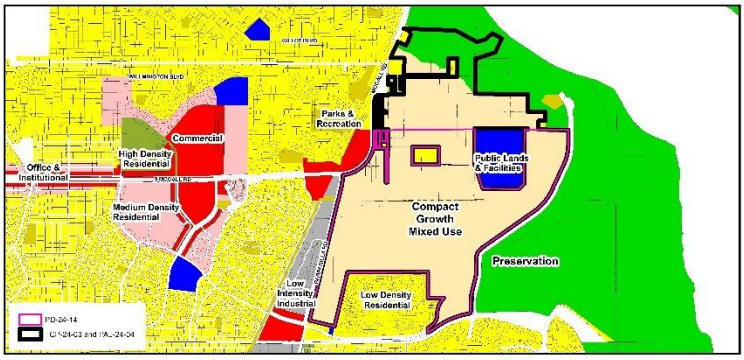
| | | |
|---|---|---|
| RMF-5 | 4.41 | 22.05 |
| Area A & Area B | 234.89 (214.09+20.8) | 5* |
| | **Total** | **1,114.25** |

*Per the County's Comprehensive Plan, the base density for Area A and Area B is five units.

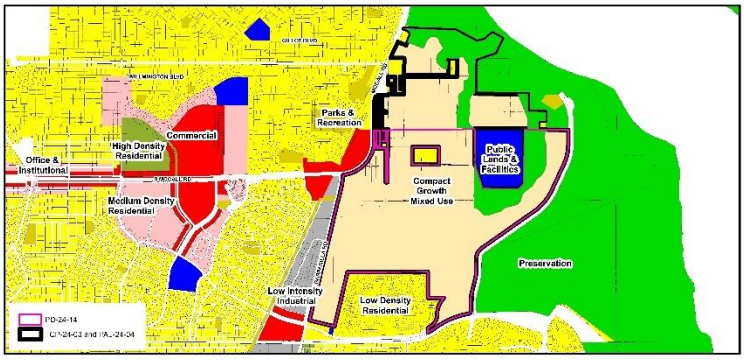
Any development over 1,114 units is required to transfer density units onto the site, and the transfer of density units must be approved by the Board subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval for each applicable phase, whichever occurs first.

***Consistency with the County's Comprehensive Plan***

In order to better protect onsite wetlands and at the same time to achieve the proposed Conceptual Land Use Plan and Pattern Book for a new mixed-use development on the subject property, the applicant is requesting to amend the entire subject property's FLUM designations from CGMU (1,081.75± acres) and Preservation (PR)(92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres), which will increase the PR lands by approximately 71.06 acres. The proposed changes are consistent with ***Natural Resources (ENV) Goal 3: Wetlands*** to *avoid, minimize, or mitigate impacts to wetlands by restoration, enhancement, creation or local wetland mitigation banking, when available.* A "Habitat Management Plan is required for all PD rezonings to make sure that onsite wetlands will be restored and preserved in perpetuity.

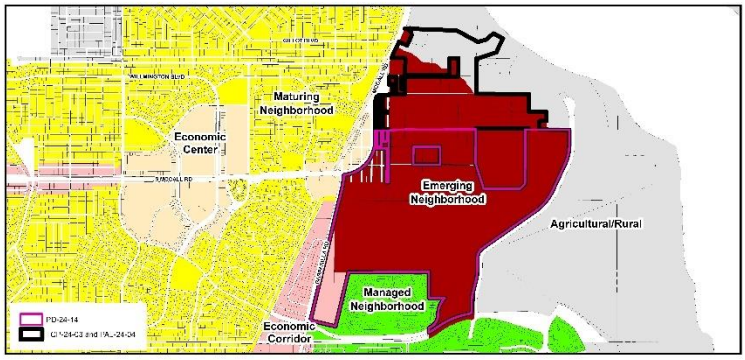



**TCP-24-03, PAL-24-04 and PD-24-14 Existing FLUM Designations**

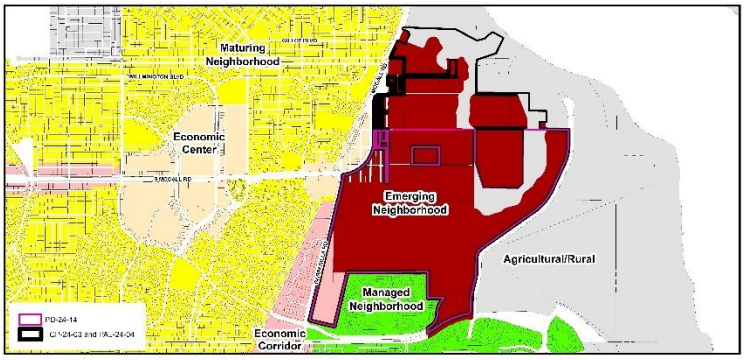



**TCP-24-03, PAL-24-04 and PD-24-14 Proposed FLUM Designations**

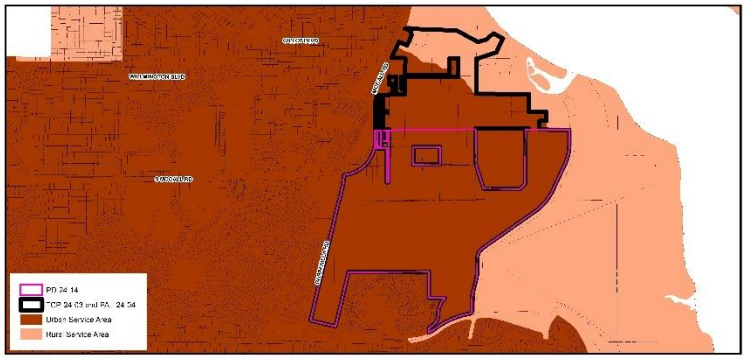
The Framework designations and the Urban Service Area (USA) boundary must match the proposed CGMU and PR Future Land Use Map categories. Therefore, the applicant is also requesting to amend both Charlotte County ***FLUM Series Map #2: 2050 Framework***, and Charlotte County ***FLUM Series Map #3: 2030 Service Area Delineation*** from Agricultural/Rural to Emerging Neighborhood and extending the USA boundary for 28.01± acres; and concurrently amending the designation of 99.13± acres from Emerging Neighborhood to Agricultural/Rural and removing them from the USA.



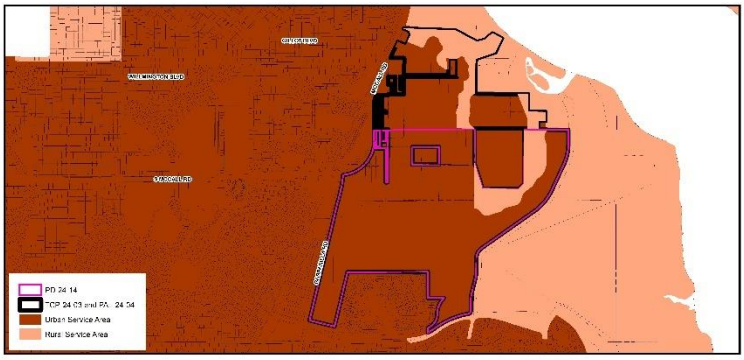

**TCP-24-03, PAL-24-04 and PD-24-14 Existing Framework**




**TCP-24-03, PAL-24-04 and PD-24-14 Proposed Framework**




**TCP-24-03, PAL-24-04 and PD-24-14 Existing Service Delineation Area**




**TCP-24-03, PAL-24-04 and PD-24-14 Proposed Service Area Delineation**

Although the USA boundary will be expanded to add approximately 28.01 acres of lands, a total of approximately 71.12 acres of lands are proposed to be removed from the USA. The developable lands, containing approximately 1,010.69 acres, for this project are located within the USA. and are designated Emerging Neighborhood as shown on the proposed 2050 Framework Map. According to the County's Comprehensive Plan, *"Emerging" Neighborhoods include large areas of undeveloped lots or other undeveloped lands in locations that are appropriate for residential and mixed use development. Emerging Neighborhoods are generally near regional transportation corridors, typically have central water and sewer infrastructure, and are in the path of future urban development. These neighborhoods have the opportunity to create a sense of identity for the community and to introduce planning principles supporting more sustainable neighborhoods prior to further development.*

The subject property is located at the southeast corner of SR 776 and CR771, two of the County's major thoroughfares. The proposed development is a mixture of residential, commercial and light industrial uses.

In addition, Item 2 under ***FLU Policy 2.4.3: Conservations Measures at the Area-Wide Planning Scale***, states that "*apply standards for Revitalizing and Emerging Neighborhoods (See FLU Goal 4) that focus on infill development and redevelopment, the re-positioning of underdeveloped platted lands to create compact, mixed use development patterns, and higher densities that reduce vehicle miles traveled and will support multimodal transportation networks*." The developable portion of the subject property will be designated as CGMU on the 2030 FLUM if the Board approves the requested changes of the subject property's FLUM designations. The

FLUM category of CGMU is one of appropriate designations to fulfill the intent of "Emerging Neighborhoods."

The proposed development must achieve the proposed Conceptual Land Use Plan which illustrates locations for residential, commercial, mixed use, wetland, preservation, residential with water based uses, and wharf mixed use. The proposed development must comply with the proposed Pattern Book which establishes the vision of this mixed-use development, the development and preservation principals for "recreation/open space," "saltwater marsh," "residential visioning," "commercial visioning," and "typical roadway cross sections."

The proposed PD rezoning for approximately 840.30 acres, if approved by the Board, will allow for:

- Residential development up to 2,000 units.
- Commercial and light industrial use up to:
  - 250,000 square feet of commercial.
  - 150,000 square feet of mini warehouse.
  - 200,000 square feet of office.
  - 400,000 square feet of light industrial.
  - 200 hotel rooms

The applicant is also proposing to include a new non-residential Land Use Equivalency Matrix:

**Exhibit C**

Land Use Equivalency Matrix

| | | | | | TO | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Trip Generated By | ITE Code | PM Peak Hour Trip Rate | | General Light Industrial (KSF) | Hotel (ROOM) | Shopping Center (KSF) | Mini-Warehouse (KSF) | General Office Building (KSF) |
| FROM | 1 KSF General Light Industrial | 110 | 0.65 | is equal to | 1.00 | 1.10 | 0.19 | 4.33 | 0.45 |
| | 1 ROOM Hotel | 310 | 0.59 | is equal to | 0.91 | 1.00 | 0.17 | 3.93 | 0.41 |
| | 1 KSF Shopping Center | 820 | 3.40 | is equal to | 5.23 | 5.76 | 1.00 | 22.67 | 2.36 |
| | 1 KSF Mini Warehouse | 151 | 0.15 | is equal to | 0.23 | 0.25 | 0.04 | 1.00 | 0.10 |
| | 1 KSF General Office Building | 710 | 1.44 | is equal to | 2.22 | 2.44 | 0.42 | 9.60 | 1.00 |

Equivalency Matrix is based on trip rates published in the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11th Edition.

KSF = 1,000 square feet

Example (Convert Hotel to General Office Building): 100 ROOM Hotel = 100 x 0.41 = 41 KSF General Office Building

Note: Land uses allowed per PD zoning district include but are not limited to the land uses provided in the Equivalency Matrix.

The proposed matrix will provide flexibility for non-residential development such as hotels and ensure that the maximum square footage for light industrial shall not increase above the approved square footage for light industrial within this PD. The proposed development is consistent with the proposed CGMU FLUM designation.

As mentioned above, the proposed residential, commercial, and light industrial development is located within a designated Emerging Neighborhood. Per ***FLU Policy 1.2.10: TDU Receiving Zones***, if the Board approves this PD rezoning the applicant/property owner must transfer residential dwelling units for any residential development above 1,114 units onto the subject site per the County's Transfer of Density Units (TDU) Code.

***Item 1 under CST Policy 3.2.3: Density of Development within CHHA*** states that the platted density of new development shall not exceed 3.5 units per acre. The proposed PD condition will ensure that the platted density of new development shall not exceed 3.5 units per acre. In addition, ***CST Policy 3.2.5: Development Requiring Special Needs Assistance*** states that *the County shall strongly discourage the development of any institutional uses, such as assisted living facilities, group homes for handicapped persons, hospitals and such similar uses, from developing in the CHHA. This will help limit public expenditures for pre- and post-disaster assistance. Charlotte County shall continue to amend and implement its Code of Laws and Ordinances to require all newly-constructed nursing homes, adult congregate living facilities, and hospitals to include shuttering or the use of shatterproof glass, as well as independent emergency power supplies located above base flood elevation or otherwise protected from flooding, as part of such facilities' design and construction*. Therefore, the following PD condition related to permitted uses is proposed to address the above requirement and align with ***CST Policy 3.2.5: Development Requiring Special Needs Assistance***:

*Assisted living facility (ALF) or day care center, nursing home. For ALF or nursing home, the following requirements shall apply:*

- *The facility shall have a direct access to McCall Road (SR 776) or Gasparilla Road (CR 771).*
- *The proposed building will be constructed to provide for either shuttering or shatterproof glass in all windows.*
- *The facility will include an independent emergency power supply.*
- *The facility will provide a written emergency plan under State of Florida rules with the plan being submitted to and approved by the Charlotte County Emergency Management Director.*

***CST Policy 3.2.4: Applications for Development within the CHHA*** states that *the County shall require development within the CHHA proposing greater than one single dwelling unit to plan for and mitigate the effects and impacts of evacuation issues for the project site. In addition, the development may also be required to comply with the County's current Shelter-in-Place Development Policy.* The applicant or property owner is required to transfer density for any residential development above 1,114 dwelling units from other Coastal High Hazard Areas (CHHAs) located in West County, onto the subject site which must be consistent with the County's TDU Ordinance. The proposed development shall not increase the total evacuating residential units in West County. Furthermore, new residential construction will meet strict building standards as set forth in the Florida Building Code.

In addition, ***Item 8: Shelter Requirement, of Special Provisions*** under the CGMU FLUM designation states that *where the project is located within the Coastal High Hazard Area or Category II Storm Surge Zone, all residents shall be required to evacuate and the developer is required to provide monetary contributions to the County's shelter system. If outside these areas, sufficient shelter shall be created in each development to support the residential population of the development in the event of a natural disaster.*

The calculation of the shelter impact of the proposed project is as follows:

The proposed development for the PD rezoning contains a maximum of 2,000 residential units x 73% [Occupancy Rate: percent of site-built dwelling units occupied in 2024 was derived from the most updated 2017 Evacuation Transportation Supplemental Data Report] = 1,460 units x person

per household (2.14, per the County's Comprehensive Plan) = 3,125 people x 8% (Percent Seeking Shelter comes from Charlotte County Public Safety and may be adjusted based on further discussion with Public Safety) = 250 people (who will seek shelter).

A generator to cover a facility which can host approximately 500 people will cost approximately $530,000. Therefore, the developer is required to provide a total of $265,000 [($530,000/500) x250] as a monetary contribution to meet the shelter requirement, which should be $132.50 per unit. This calculation method has been confirmed with the Charlotte County Emergency Management Department on April 3, 2024. Therefore, the following PD condition is proposed to address "Shelter Requirement" and ***CST Policy 3.2.4: Applications for Development within the CHHA***:

*Per Special Provisions Item 8. Shelter Requirement set forth in the CGMU FLUM designation, the developer/property owner is required to pay $134.85 per residential dwelling unit contained within the Final Detail Site Plan, as a monetary contribution to meet the Shelter Requirement, concurrently with submission of Final Detail Site Plan application*.

It is staffs' professional opinion that the combination of building elevation and compliance with the TDU related policies set forth in the County's Comprehensive Plan and TDU Code complies with the requirements of "Shelter Requirement" and ***CST Policy 3.2.4: Applications for Development within the CHHA***.

***Item 9: Implementing Zoning***, ***of Special Provisions*** under the CGMU FLUM designation states that *the implementing zoning district under CGMU shall be a Planned Development district or a Compact Mixed Use district, as may be developed and adopted into the Land Development Regulations.* Therefore, the proposed PD rezoning is required by the CGMU FLUM category. The proposed PD conditions are drafted to implement the proposed development guidelines which are subject to the Board review.

*Density and Intensity*

The existing residential development rights for the entire subject property are 3,960 units. The applicant is proposing to decrease the approved maximum residential development rights by 485 units, which is consistent with the County's Comprehensive Plan, such as Coastal Element (CST) Goal 3: Development in High Hazard Areas, which provides as follows: "Direct population concentrations away from the Coastal High Hazard Area (CHHA)…"

The approved commercial entitlements for the subject property are approximately 1.5 million square feet, or 0.0292 FAR. The applicant is proposing to add light industrial component up to 400,000 square feet to this development and concurrently to reduce the maximum commercial development rights to 1,000,000 square feet. The developable area of the subject property has been designated as CGMU on the 2030 FLUM, which encourages a mixture of residential, commercial, and industrial uses. It is staff's professional opinion that the proposed change is supported by this FLUM category.

*On-site Wetlands*

A Habitat Management Plan is proposed to make sure that the onsite wetlands identified on the General PD Concept Plan shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along all wetlands.

The subject property is located in an area which is classified as a preferred area for the expansion of docking facilities in the County by the" Charlotte County Manatee Protection Plan," allowing for 5 slips per 100 linear feet of shoreline owned by the applicant. All in-water work will follow standard manatee protection construction conditions. It is staff's professional opinion that the proposed changes include marina, docks and slips are not contrary to ***CST Policy 1.4.7: Manatee Protection Plan (MPP), stating that:*** *The County has implemented the Manatee Protection Plan (MPP) which was developed in coordination with and approved by the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. The MPP has been determined to balance the need for manatee protection and the need for recreational and commercial uses and was accepted by the Board of County Commissioners on February 14, 2017*."

In order to prevent any landlocked outparcels, the following PD condition is drafted:

*In order to provide connectivity to adjacent vacant property, the proposed development shall include rights-of-way that extend to undeveloped land that is adjacent to the PD site.*

***Surrounding Uses and Compatibility Issues as Well as Proposed Uses***

The subject property is located on the southeast corner of McCall Road (SR 776) and Gasparilla Road (CR 771), in the West County area and contains approximately 1,174.14 acres. The site is currently vacant. There are some outparcels within the subject site, one of them is the County-owned wastewater treatment plant. To the north and northwest is Gulf Cove Methodist Church, which is designated as Low Density Residential (LDR) with a Residential Single-family 2 (RSF-2) zoning. Across McCall Road (SR 776), to the northwest, there are vacant lands designated for commercial uses and some improved commercial; this area is designated as Commercial (COM) with a Commercial General (CG) zoning. Across Gasparilla Road (CR 771) to the west, there are improved commercial such as Publix at Gulf Cove and vacant commercial or light industrial lands, which areas are designated as COM and Low Intensity Industrial (LII) with a CG and an Industrial General (IG) zoning. Further to the west, there are single-family homes and vacant platted residential lots; this area is designated as LDR with a Single-family-3.5 (RSF-3.5) zoning. To the east, there are vacant lands designated for residential uses which have LDR FLUM designation with a RSF-2 zoning, and the Gulf Cove Sewer Plant owned by the County; this area is designated as LDR and Public Lands and Facilities (PL) with a RSF-2 zoning. Further to the east, there are environmentally sensitive lands owned by the State; this area is designated as Preservation (PR) with an Environmentally Sensitive (ES) zoning. A mobile home subdivision, called Village of Holiday Lake, is located immediately south of the subject site; this area is designated as Low Density Residential (LDR) with a Manufactured Home Conventional (MHC) zoning.

The following specific buffers are required in order to address any potential impacts on the existing residential community located immediately to the south of the subject property:

*For the commercial/industrial area abutting the existing single-family homes (Village of Holiday Lake community to the east and southeast), at a minimum, a 30-foot-wide natural buffer shall be required with supplemental planting if required to maintain standards*

*consistent with type D buffer requirements, and a 6-foot opaque fence or wall to be installed on the project side of the buffer.*

*For the residential area abutting the existing single-family homes (Village of Holiday Lake community to the south and southwest), at a minimum, a 30-foot-wide natural buffer shall be required with supplemental planting if required to maintain standards consistent with type C buffer requirements, and a 6-foot opaque fence or wall to be installed on the project side of the buffer.*

<u>*Concurrency Issues*</u>

- *Water and Sewer:* The proposed development will be served by Charlotte County Utilities. Reclaimed water is also available for the proposed development. Charlotte County Utilities has sufficient capacity to serve the proposed mixed-use development.
- *Traffic:* After reviewing the "Traffic Impact Analysis" report, prepared by Kimley-Horn and Associates, Inc., dated July 24, 2024, for the proposed PD rezoning, the County Transportation Engineer agreed that the following proposed PD conditions have sufficiently addressed the potential traffic impacts, the future widening project for Gasparilla Road, and the safety concerns:

*1. There are two proposed primary vehicle entrances located on Gasparilla Road, one entrance proposed on McCall Road (SR 776), and two entrances on Cattle Dock Point Road subject to Charlotte County and the Florida Department of Transportation approval. Each of these entrance points shall be allowed a maximum of one monument sign with the name of the development. Lighting shall be from an external source. There is one optional roundabout located on Cattle Dock Point Road.*

*2. The developer shall be responsible, at his own cost, for the improvements to Cattle Dock Point Road up to the project limits as shown on the General PD Concept Plan (Attachment 1). The improvements shall include the roadway and the required right of way.*

*3. The developer will be responsible, at his own cost, for Intersection control improvements at the developments access points on Gasparilla Road, Cattle Dock Point Road and SR 776.*

*4. One or more proportionate fair share agreements may be required by the County and/or FDOT.*

*5. As part of preliminary site plans and Final Detail Site Plan applications, a detailed access plan and revised cumulative TIS shall be submitted for approval. At each submittal, a detailed study including intersection operational analysis, signal warrant analysis, and turn lane analysis shall be required.*

*6. Each residential neighborhood shall have at least two vehicle entrances.*

*7. 20 feet of property within the required 30-foot PD setback along Gasparilla Road may be used as part of future right-of-way for the widening project for this roadway and will be dedicated to the County at such time if needed for the roadways' widening project. Entrances, paved driveways, landscaping and sod are allowed within the 20 feet set aside*

*for future road widening but structures or berms are prohibited in this area. This dedication/conveyance may be eligible for compensation or impact fee credits to be determined at the time dedication/conveyance. If property is acquired for road right-of-way, the total number of permitted residential, commercial, and light industrial uses as well as associated accessary uses will be considered legal-conforming and a reduction in the total number of residential units and non-residential square footage will not be required.*

*8. A traffic signal will be installed by the developer at its own expense at the proposed Access #1 on Gasparilla Road as shown on the General PD Concept Plan (Attachment 1: PD Concept Plan Harbor Village) prior to issuance of the 300th residential single-family CO.*

- *School:* The following PD condition is proposed to address the school concurrency issues:
  i. *If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.*
  ii. *If an agreement is required, the terms of both agreements shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.*

*<u>The Proposed Development - Not a Development of Regional Impact (DRI)</u>*

Item 10: DRI threshold, of Special Provisions under the CGMU FLUM designation states that: "*If a project developing under the CGMU FLUM designation meets the threshold of a Development of Regional Impact (DRI), a plan amendment to Mixed Use DRI is not required*."

The following table compares the applicable DRI thresholds per the Florida Administrative Code to the proposed development:

| DRI Thresholds | West County Town Center (Approved) | Harbor Village Proposal for 1,174.14 acres | Harbor Village PD for 840.30 acres | Meet DRI Thresholds |
|---|---|---|---|---|
| **Rule 28-24.010 Residential Developments:**<br>Any proposed residential development that is planned to create or accommodate more than the following number of dwelling units:<br>(d) In counties with a population between 100,001 and 250,000 – | Up to 3,960 units | Up to 3,475 units | 2,000 units | Yes |

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| 1,000 dwelling units.<br>The term "dwelling unit" shall mean a single room or unified combination of rooms, regardless of form of ownership, that is designed for residential use by a single family. This definition shall include, but not be limited to, condominium units, individual apartments and individual houses. | | | | |
| **Rule 28-24.026: Hotel or Motel Development:**<br>*Rulemaking Authority 380.0651(3)(g) FS. Law Implemented 380.06 FS. History– New 12-31-85, Formerly 27F-2.026,* ***Repealed 1-5-16****.Charlott [sic]* | N/A | N/A | 200 hotel rooms | Not applicable |
| ***Rule 28-24.025: Retail, Service, and Wholesale Development:***<br>*Subject to the provisions of Section 380.06(2)(d), F.S., any proposed retail, service, or wholesale business establishment or group of establishments operated under one common property ownership, development plan, or management that:*<br>*(1) Encompasses more than 400,000 square feet of gross area; or*<br>*(2) Occupies more than 40 acres of land; or*<br>*(3) Provides parking spaces for more than 2,500 cars; shall be a development of regional impact.* | 1.5 million square feet, or 0.0292 FAR | 496,000 square feet of commercial/office uses without hotel rooms; 451,000 square feet of commercial/office uses without ALFs; or 516,000 square feet of commercial/office uses without hotel rooms and ALFs. | 250,000 square feet of commercial. 150,000 square feet of mini warehouse. 200,000 square feet of office. 400,000 square feet of light industrial. | Yes |
| **28-24.029 Industrial Plants, Industrial Parks and Distribution, Warehousing or Wholesaling Facilities.**<br>*Rulemaking Authority 380.0651(3)(c) FS. Law Implemented 380.06 FS. History– New 7-25-89, Repealed 1-5-16.* | N/A | 400,000 square feet of light industrial | 400,000 square feet of light industrial | Not applicable |

The proposed development "is at or above 100 percent of" (sec. 380.06(2)(b), F.S.) the applicable DRI threshold, which is2,000 units (rule 28-24.010, Florida Administrative Code). Therefore, the proposed development is subject to sec. 380.06(12)(a), F.S., which provides: *A proposed development that exceeds the statewide guidelines and standards specified in s. 380.0651 and* ***is not otherwise exempt pursuant to s. 380.0651 must be approved by a local government*** *pursuant to s. 163.3184(4) in lieu of proceeding in accordance with this section. However,* ***if the proposed development is consistent with the comprehensive plan as provided in s. 163.3194(3)(b), the development is not required to undergo review pursuant to s. 163.3184(4) or this section.***

The proposed development for a PD rezoning is not subject to State review for at least two reasons: (1) it is located in "a detailed specific area plan prepared and adopted pursuant to s. 163.3245, F.S.," (see Sec. 380.0651, F.S.); and (2) staff's professional opinion is that the development, as conditioned, is consistent with the Comprehensive Plan.

Because the proposed maximum residential development is consistent with the Comprehensive Plan it may proceed with an appropriate PD rezoning.

Based on the above analysis, the proposed changes are consistent with the intent of the Emerging Neighborhood as well as the proposed CGMU & PR FLUM designations as well as the proposed development guidelines set forth in the County's Comprehensive Plan.

*General PD Concept Plan*

The General PD Concept Plan associated with this PD rezoning was submitted for Site Plan Review. The petition number is DRC-24-139. A recommendation letter (Attachment 6) was issued on December 20, 2024.

*Conclusion*

It is staff's professional opinion that this proposed Large Scale Plan Amendment and the PD rezoning with recommended conditions contained in Exhibit "A" attached is generally consistent with the County's Comprehensive Plan, Section 163.3177, F.S., and it should not create any detrimental impacts on the surrounding residential properties.

## Part 3 – Summary and Recommendation

**Staff Summary:**

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PAL-24-04) is generally consistent with Charlotte County's Comprehensive Plan, Section 163.3177 Florida Statutes (F.S.), and Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PD-24-14) is generally consistent, as conditioned, with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

**Planning and Zoning Board recommendation on February 10, 2025:**

*Approve a motion to forward application PAL-24-04 to the Board of County Commissioners with a recommendation of* ***Approval with a 3-0 vote*** *of transmittal of application PAL-24-04 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff report dated February 1, 2025, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

*Approve a motion to forward application PD-24-14 to the Board of County Commissioners with a recommendation of* ***Approval with conditions "a" through "aa" with a 3-0 vote****, based on the findings and analysis in the staff report dated February 1, 2025, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

## Part 4: Research and Findings

1. **2050 Framework Map Designation:** Maturing Neighborhood (FLUM Map #2 - 2050 Framework)

2. **2030 Service Area Delineation:** In the Urban Service Area

3. **Existing Land Use on the Site:** The subject property is currently vacant. (See attached Site Image and Boundary Survey.)

4. **Existing Future Land Use and Zoning Designations:**
   (See attached Future Land Use Map and Zoning Map)

| FLUM: | Development Standards: |
|---|---|
| **Compact Growth Mixed Use (CGMU)** | This land use designation is established to advocate compact, transit-oriented, walkable and bicycle-friendly, mixed-use development within the Urban Service Area. This type of development shall only be located within Revitalizing and Emerging Neighborhoods.<br>**General Range of Uses**<br>Single-family attached and detached residential dwelling units, multi-family residential dwelling units, commercial uses including professional office and institutional uses, industrial uses and public services and facilities.<br>**Maximum Density/Intensity**<br>Density: Maximum density is 65 dwelling units per acre, gross<br>Intensity:<br>• Commercial: 2.5 FAR of the commercial or mixed use acreage<br>• Industrial: 1.0 FAR of the industrial acreage |
| **Preservation (PR)** | These lands will be maintained as aquatic preserves, wilderness areas, wildlife sanctuaries, and similar uses for the protection of open spaces, natural lands, natural waterbodies, wetlands, and watersheds.<br>**General Range of Uses**<br>Allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as |

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| | applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation.<br>**Maximum Density/Intensity**<br>Density:<br>Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources.<br>Intensity:<br>The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent. |
| **Zoning:** | **Development Standards:** |
| **Planned Development (PD)** | The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.<br>*Minimum lot and yard requirements.* Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.<br>*Maximum height of structures.* The maximum height for structures shall be established through the PD rezoning process.<br>*Open space.* Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.<br>*Internal circulation.* All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations. |
| **Residential Single-family 2 (RSF-2)** | The purpose and intent of these districts is to provide for single-family residential dwellings and other uses normally associated therewith. Among RSF-2, RSF-3.5 and RSF-5 districts, there are variations in requirements for lot area, width, and certain yards.<br>• Minimum lot area is 20,000 square feet.<br>• Minimum lot width is 100 feet.<br>• Setbacks:<br>  ○ Front: 25 feet<br>  ○ Side (interior): 15 feet<br>  ○ Rear (interior): 20 feet |

| | |
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| | ○ Rear (interior): 10 feet for all accessory structures<br>○ Rear (street): 25 feet<br>○ Abutting greenbelt: 15 feet<br>○ Abutting greenbelt: 10 feet for all accessory structures<br>○ Abutting water: 20 feet<br>• Maximum lot coverage of all buildings is 40 percent.<br>• Maximum building height is 38 feet.<br>• Maximum density (units per acre): two unit per acre. |
| **Commercial General (CG)** | The purpose and intent of this district is to allow general commercial activity.<br>• Minimum lot area is 12,000 square feet.<br>• Minimum width is 100 feet.<br>• Setbacks:<br>○ Front: 15 feet<br>○ Side (interior): 0 feet<br>○ Side (street): 10 feet<br>○ Rear (interior or street): 10 feet<br>○ Abutting water: 20 feet<br>• Lot coverage of all buildings: 55%<br>• Height: 60 feet |

**Table 1**

**5. Proposed Future Land Use and Zoning Designations:**
(See attached Future Land Use Map and Zoning Map)

| FLUM: | Development Standards: |
|---|---|
| **Existing & Proposed Compact Growth Mixed Use (CGMU)** | This land use designation is established to advocate compact, transit-oriented, walkable and bicycle-friendly, mixed-use development within the Urban Service Area. This type of development shall only be located within Revitalizing and Emerging Neighborhoods.<br>**General Range of Uses**<br>Single-family attached and detached residential dwelling units, multi-family residential dwelling units, commercial uses including professional office and institutional uses, industrial uses and public services and facilities.<br>**Maximum Density/Intensity**<br>Density: Maximum density is 65 dwelling units per acre, gross<br>Intensity:<br>• Commercial: 2.5 FAR of the commercial or mixed use acreage<br>• Industrial: 1.0 FAR of the industrial acreage |
| **Existing & Proposed Preservation (PR)** | These lands will be maintained as aquatic preserves, wilderness areas, wildlife sanctuaries, and similar uses for the protection of open spaces, natural lands, natural waterbodies, wetlands, and watersheds.<br>**General Range of Uses**<br>Allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as |

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| | applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation.<br>**Maximum Density/Intensity**<br>Density:<br>Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources.<br>Intensity:<br>The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent. |
| **Zoning:** | **Development Standards:** |
| **Planned Development (PD)** | The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.<br>*Minimum lot and yard requirements.* Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.<br>*Maximum height of structures.* The maximum height for structures shall be established through the PD rezoning process.<br>*Open space.* Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.<br>*Internal circulation.* All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations. |

**Table 2**

## 6. Surrounding Land Uses and their Future Land Use and Zoning Designations:

| Direction: | Existing Land Use: | FLUM Designation: | Zoning District Designation: |
|---|---|---|---|
| **North** | Forest, parks, recreational areas<br>Golf Cove United Methodist Church | Preservation (PR)<br>Low Density Residential (LDR) | Environmentally Sensitive (ES)<br>Residential Single-family 2 (RSF-2) |

| | | | |
|---|---|---|---|
| **East** | Gulf Cove Sewer Plant owned by Charlotte County<br>Vacant lands owned by TIITF/State Lands | Public Lands and Facilities (PL)<br>Preservation (PR) | Residential Single-family 2 (RSF-2)<br>Environmentally Sensitive (ES) |
| **South** | Village of Holiday Lake for mobile homes | Low Density Residential (LDR) | Manufactured Home Conventional (MHC) |
| **West** | McCall Road (SR 776)<br>Gasparilla Road (CR 771)<br>Vacant lands designated for commercial uses<br>Improved commercial, such as Super Day Express and Public at Gulf Cove<br>Vacant lands designated for light industrial uses<br>Improved light industrial uses, such as Gasparilla Plumbing and Advanced Cabinetry Systems | Commercial (COM)<br>Low Intensity Industrial (LII) | Commercial General (CG)<br>Industrial General (IG) |

**Table 3**

**7. Buildout Calculations (square footage or density):**

The proposed Large Scale Plan Amendment would allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1,631 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-C under Section 1 of FLU Appendix VII: Compact Growth Mixed Use Master Development Plan to low impact recreational uses/passive recreational uses.

The proposed PD rezoning would allow for:

- Residential development up to 2,000 units.
- Commercial and light industrial use up to:
  - 250,000 square feet of commercial.
  - 150,000 square feet of mini warehouse.
  - 200,000 square feet of office.
  - 400,000 square feet of light industrial.
  - 200 hotel rooms.

The proposed development will occur on the portion of the property located within a designated Emerging Neighborhood. The subject property is qualified as a receiving zone based on the following:

- The site for residential development meets FLU Policy 1.2.10, TDU Receiving Zones, which states that Receiving Zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework: 1. Emerging Neighborhoods.
- FLU Policy 1.2.11. Prohibited Receiving Zones does not apply to the subject property because the subject property does not meet any criteria listed in FLU Policy 1.2.11. The policy states:

  Density shall not be transferred into:

  1. Lands within Managed Neighborhoods (FLUM Series Map #2).
  2. Lands within the Resource Conservation and Preservation FLUM categories.
  3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; except that when a portion of a property contains these resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet or may have the required 100-foot buffer reduced only if approved through an environmental resource permit or applicable State or Federal permit. Any development shall comply with Federal and State regulations as well as policies set forth in this Plan to protect environmentally sensitive resources. An historical or archaeological resource that is to be integrated into a development will not need to be buffered.
  4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
  5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
  6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7) unless public potable water and sanitary sewer services are available.
  7. Land on a barrier island, except that density may be transferred within Manasota Key or Sandpiper Key.

**8. Is subject property in a Community, Special Planning Area or Overlay District?**.....No

The subject property is located outside of any Community, Special Planning Area or Overlay District. (FLUM Maps #8, #9, #10 or #11)

**9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?** .....No

A portion of the subject property is located adjacent to any existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves. (SPAM Maps, #35, #74 and #75)

**10. Is the proposed land use designation consistent with the provisions of the:**

**a.** Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.

**b.** Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Lemon Bay Aquatic Preserve.

11. **Does subject property contain archaeological or historic resources?** (SPAM Map #3, #27 & #53)

A letter from the Florida Master Site File dated May 30, 2024 states that: "*In response to your inquiry of May 30, 2024, the Florida Master Site File lists one archeological site recorded for the designated Harbor Village project located in Charlotte County within T41S R21E Sections 03, 04, 08-10*

*When interpreting the results of this search, please consider the following information:*

- *This search area may contain unrecorded archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.*
- *Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.myFlorida.com."*

12. **Are there wetlands on the property?** .....Yes, according to the submitted "Listed Species Survey Report" prepared by Turrell, Hall & Associates, Inc. Marine & Environmental Consulting, dated May 2024, the subject property contains approximately 258.46 acres of wetlands.
    - **a.** Number of acres of Category I: .....The acreage will be determined during the Final Detail Site Plan Review process.
    - **b.** Number of acres of Category II: …… The acreage will be determined during the Final Detail Site Plan Review process.

13. **Natural Resources**:
    - **a. Significant natural resources or critical habitat for endangered species:**

The submitted "Listed Species Survey Report" prepared by prepared by Turrell, Hall & Associates, Inc. Marine & Environmental Consulting, dated May 2024, states that "*No eastern indigo snakes were observed during site surveys. Nonetheless, the federally threatened species could be utilizing the project area. Special construction guidelines to protect the eastern indigo snake will be followed by construction personnel during all phases of construction work performed on-site. Similarly, no Florida pine snakes were observed, however, they could potentially utilize gopher tortoise burrows observed on-site. Contractors will be educated on the Florida pine snake and will be required to comply with the Species Action Plan for the Florida Pine Snake.*

*Portions of the proposed project overlap potentially occupied and abandoned gopher tortoise burrows. Permits will be required to excavate and relocate all gopher tortoises before construction commences.*

*An active multi-species breeding wading bird colony was observed within the project boundary. Little blue herons, tricolored herons, snowy egrets and yellow-crowned night-herons were all observed breeding in the site. Roseate spoonbills were observed in the area and could have active nests as well. Any change to water levels, water quality, impact to nesting substrate or disturbing activities within 330 feet of the breeding site would result in take of the listed wading birds and/or their eggs and nests. The breeding site and*

*associated buffer area will be included in the project's preserve areas. Following permitting guidelines, no effect on listed wading birds or their nesting activities is expected in association with the project.*

*The project area is located within the Florida bonneted bat consultation area. A past survey of a previously permitted portion of the project area concluded that that the commuting and limited foraging activities of Florida bonneted bats would be unaffected by the development of the proposed project. Consultation and monitoring efforts for Florida bonneted bats in the unpermitted portion of the project area will be required prior to any development.*

*Eight cavity trees were recorded on-site that could potentially provide roosting habitat for multiple listed species. Any trees that need to be removed will be inspected by means of a small camera and a monitor system prior to any potential construction or exotic removal activity to ensure that they are unoccupied prior to being cut down.*

*The project is classified as a preferred area for the expansion of docking facilities in Charlotte County by the Charlotte County Manatee Protection Plan, allowing for 5 slips per 100 linear feet of shoreline owned by the applicant. All in-water work will follow standard manatee protection construction conditions.*

*The project is near several wood stork breeding colonies and may impact foraging habitat of wood storks. Mitigation for wood stork foraging habitat will be required to develop the site.*

*Based on THA's observations, if the development of this site provides for appropriate design and management guidelines, it will not adversely affect any endangered, threatened, or otherwise protected species. These management guidelines shall be coordinated with the appropriate local, state, and federal agencies to better ensure their protection."*

**b.** Possible impacts to groundwater, surface water, wetlands or other significant natural resources: No

**c.** Is subject property in the **Watershed Overlay District**? (FLUM Map #4) .....No

**d.** Is subject property in the **Surface Water Protection Overlay District**? (FLUM Map #5) .....No

**e.** Is subject property in the **Prime Aquifer Recharge Area**? (FLUM Map #6).....No

**f.** Is subject property in a **Wellhead Protection Area**? (FLUM Map #7).....No

**14. Coastal Planning:**

**a.** Is the subject site within the **Coastal Planning Area**? (FLUM Map #13).....Yes
The subject property is located Zone 2 of the Coastal Planning Area.

**b.** Could the proposed changes impact beach accessibility? .....No

**c.** Could the proposed change affect other waterfront access? .....No

**d.** Flood Zone: The subject site is in both Flood Zone "8AE" and "9AE" (per FEMA Codes).

**e.** Storm Surge Evacuation Zone: The site is located within both Evacuation Zones "B" and "C".

**f.** Is the subject site within the Coastal High Hazard Area? (FLUM Map #14) .....**Yes**
The majority of the subject property is located within the Coastal High Hazard Area.

**g.** Could the proposed changes impact evacuation times? .....**No**

**15. Charlotte County Facilities and Services:**

**a.** Nearest Park: .....**Ann & Chuck Dever Regional Park** (SPAM Map #74)
*Address:.....6961 San Casa Drive, Englewood*
*Distance: .....approximately 7.1 miles to the southwest of subject property*

**b.** Nearest Police Station:.....**District 4 Charlotte County Sheriff's Office** (SPAM Map #25)
*Address:.....11051 Willmington Boulevard, Englewood*
*Distance: .....approximately 4.5 miles to the northwest of subject property*

**c.** Nearest Fire/EMS Station: .....**Charlotte County Fire Station No. 6** (SPAM Map #22)
*Address:.....13600 Marathon Boulevard, Gulf Cove*
*Response Time: .....approximate response time is 4-6 minutes (SPAM Map #39)*

**d.** Nearest Library:.....**Englewood Charlotte Library** (SPAM Map #73)
Address: .....3450 North Access Road, Englewood
Distance: .....approximately 4.9 miles to the west of the subject site

**e.** Nearest Hospital: .....**ShorePoint Health Port Charlotte** (SPAM Map #24)
*Address:.....2500 Harbor Boulevard, Port Charlotte*
*Distance: .....approximately 13.1 miles to the northeast of subject property*

**f.** Nearest Emergency Shelter: .....**Myakka River Elementary School** (SPAM Map #38)
*Address:* .....12650 Willmington Boulevard, Port Charlotte
*Distance:* .....approximately 2.1 miles to the northwest of the subject site

**g.** Public School Attendance Boundary:

1. Elementary School:.....**Myakka River Elementary School** (SFAM Map #1)
   *Address:*.....12650 Willmington Boulevard, Port Charlotte
   *Distance:* .....approximately 2.1 miles to the northwest of the subject site
2. Middle School:.....**L.A. Ainger Middle School** (SFAM Map #2)
   *Address:*.....245 Cougar Way, Rotonda West
   *Distance:* .....approximately 5.9 miles to the southwest of subject property
3. High School:.....**Lemon Bay High School** (SFAM Map #3)
   *Address:*.....2201 Placida Rd, Englewood
   *Distance:* .....approximately 8.5 miles to the southwest of the subject site

**16. Concurrency:**

**a. Roads Level of Service:**.....After reviewing the "Traffic Impact Analysis" report, prepared by Kimley-Horn and Associates, Inc., dated July 24, 2024, for the proposed PD rezoning, the County Transportation Engineer agreed that the proposed transportation PD conditions have sufficiently addressed the potential traffic impacts, the future widening project for Gasparilla Road, and the safety concerns.

**b. Potable Water Level of Service:**

1. *Provider's Name*: Charlotte County Utilities (SPAM Map #83)
2. *Analysis*: The subject property is located within the Charlotte County Utilities service area. The Charlotte County Utilities has sufficient capacity to serve the proposed development.

**c. Sanitary Sewage Level of Service:**

1. *Provider's Name*: Charlotte County Utilities (SPAM Map #84)
2. *Analysis:* The subject property is located within the Charlotte County Utilities service area. The Charlotte County Utilities has sufficient capacity to serve the proposed development.

**d. Park and Recreation Level of Service:**

1. *Level of Service*:.....**Adopted Level of Service is 16 Park, Recreation & Open Space points (16 PROS points) per 1,000 population.**
2. *Analysis*: .....**A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 population.**

**e. Schools:**.....School concurrency will be determined at Final Detail Site Plan review process.

**f. Solid Waste:**

1. *Refuse Collector*: .....**Waste Management Inc. of Florida or another provider**
2. *Solid Waste Provider*:.....**Public Works Dept. - Municipal Solid Waste Management**
3. *Level of Service*: Zemel Road landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.
   - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
   - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident

**g. Drainage:** *Level of Service*:

<u>New arterials</u>: flood free in the 100-year rainfall event.

<u>New and improved collectors</u>: not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.

<u>New local residential streets</u>: designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall.

<u>Storm-water management facilities</u>: in all new subdivisions manage a 25-year, 24-hour rainfall.

<u>New parking facilities</u>: maximum temporary detention depth of nine inches (9") resulting from a 5-year, 24-hour rainfall.

<u>New development on existing platted lots (except single-family, duplex, and triplex dwellings)</u>:
on-site storm-water management for a 25-year, 24-hour rainfall.

**<u>Analysis</u>:** The SW Florida Water Management District and the Community Development Department review storm-water management plans on a project specific basis.

**17. Capital Improvements Program:**

Are any updates to the CIP required because of this petition? .....**No**

**18. Intergovernmental Coordination:**

Does this amendment require comments from, or coordination with adjacent governments or other governmental agencies? .....**Yes**

The large scale plan amendment application will require comments from the State review agencies and the City of Punta Gorda for review and comment.

**19. Has a public hearing been held on this property within the last year?** .....**No**

**20. 2050 Comprehensive Plan:** Goals, Objectives, and Policies that may be relevant to the proposed amendment:

Various goals, objectives, and policies set forth in the County's Comprehensive Plan as analyzed above.

## Part 5 – Approval Criteria

**21. Standards for Rezoning Approval:** For the rezoning of land, the final action of the Board shall be made after giving due consideration to the following criteria:

**a. Would the proposed change be consistent with the Comprehensive Plan?**

**Finding:** The proposed developable area is designated as Compact Growth Mixed Use (CGMU). The proposed PD rezoning will be consistent the County's Comprehensive Plan only inf the Board approves the associated Large Scale Plan Amendment (Text Amendment) (TCP-24-03) to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan for the project and the Large Scale Plan Amendment to amend 1) Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR) (92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres); 2) Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties and for 99.13± acres of properties from Emerging Neighborhood to Agricultural/Rural; and 3) Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 28.01± acres of properties and to concurrently remove the 99.13± acres of properties from the Urban Service Area.

**b. The existing land use pattern in adjacent areas:**

**Finding:** The subject property is located on the southeast corner of McCall Road (SR 776) and Gasparilla Road (CR 771), in the West County area and contains approximately 1,174.14 acres. The site is currently vacant. There are some outparcels within the subject site, one of them is the County-owned wastewater treatment plant. To the north and northwest, there is a church, called Gulf Cove Methodist Church. Across McCall Road (SR 776), to the northwest, there are vacant lands and some improved commercial. Across Gasparilla Road (CR 771) to the west, there are improved commercial such as Publix at Gulf Cove and vacant commercial or light industrial lands. Further to the west, there are single-family homes and vacant platted residential lots. To the east, there are vacant lands designated for residential uses and the Gulf Cove Sewer Plant owned by the County. Further to the east, there are environmentally sensitive lands owned by the State. A mobile

home subdivision, called Village of Holiday Lake, is located immediately south of the subject site.

**c. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and storm-water drainage facilities:**

**Finding:** The proposed PD rezoning will increase the maximum residential density on subject property from 1,114 units to 2,000 units, so student populations are expected to increase. It is premature at the plan amendment and rezoning stage to address the school concurrency issue. The following PD condition is proposed to address the school concurrency issue:

> *If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the developer/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.*
>
> *If an agreement is required, the terms of the agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.*

After reviewing the "Traffic Impact Analysis" report, prepared by Kimley-Horn and Associates, Inc., dated July 24, 2024, for the proposed PD rezoning, the County Transportation Engineer agreed that the proposed transportation PD conditions have sufficiently addressed the potential traffic impacts, the future widening project for Gasparilla Road, and the safety concerns.

The proposed development will be served by Charlotte County Utilities. Reclaimed water is also available for the proposed development. The Charlotte County Utilities has sufficient capacity to serve the proposed mixed-use development.

**d. Would the proposed change adversely influence living conditions or property values in adjacent areas?**

**Finding:** The proposed development will include residential, commercial and light industrial uses, the proposed commercial and light industrial uses will be generally located along McCall Road (SR 776) and Gasparilla Road (CR 771), which are major thoroughfares in the County. The proposed development contains a 25-foot setback requirement along the subject property boundary and on-site wetlands will be preserved in perpetuity via the proposed Habitat Management Plan. The enhanced landscape buffer is required between the proposed development and the existing residential neighborhood. Therefore, it is staff's professional opinion that the proposed development should not adversely influence living conditions or property values in adjacent area.

**e. Would the proposed change affect public safety?**

**Finding:** The proposed transportation PD conditions will ensure that the traffic concurrency and safety will be met and addressed. Therefore, public safety should not be affected by this proposed zoning change PD.

# Attachment 1
# Multiple Owners

**HARBOR VILLAGE**
**Property Ownership Table**
**Comprehensive Plan Amendment**

| Ownership Entity | Person/Entity Authorizing | Authorized Agent |
|---|---|---|
| Dennis J. Fullenkamp | RVi/Atwell/Rob Berntsson | Dennis J. Fullenkamp |
| Charlotte Sarasota Holdings, LLC | Charlotte 246 Holdings, LLC | Dennis J. Fullenkamp |
| Charlotte 246 Holdings, LLC (Sharma) | Maronda Homes, LLC | Ron Greenland/Neekaytan Sharma |
| MAR McCall 37, LLC | RVi/Atwell/Rob Berntsson | Dennis J. Fullenkamp |
| Fullenkamp Dennis J Trustee | Maronda Homes, LLC | Dennis J. Fullenkamp |
| 2008 FL Recovery Limited Partnership | Maronda Homes, LLC | Russell (Rusty) Richardson |

**HARBOR VILLAGE**
**Property Ownership Table**
**Zoning**

| Ownership Entity | Person/Entity Authorizing | Authorized Agent |
|---|---|---|
| Dennis J. Fullenkamp | Maronda Homes, LLC | Dennis J. Fullenkamp |
| Charlotte Sarasota Holdings, LLC | Charlotte 246 Holdings, LLC | Dennis J. Fullenkamp |
| Charlotte 246 Holdings, LLC (Sharma) | Maronda Homes, LLC | Ron Greenland/Neekaytan Sharma |
| McCall 37, LLC | Maronda Homes, LLC | Dennis J. Fullenkamp |
| DJF Charlotte NO 1, LLC | Maronda Homes, LLC | Dennis J. Fullenkamp |
| Cape Latcha, LLC | Maronda Homes, LLC | Dennis J. Fullenkamp |
| Fullenkamp Dennis J Trustee | Maronda Homes, LLC | Dennis J. Fullenkamp |
| 2008 FL Recovery Limited Partnership | Maronda Homes, LLC | Russell (Rusty) Richardson |

# Attachment 2
# Ordinance Number 2020-049

#6
BCC

FILED WITH THE DEPARTMENT OF STATE: December 9, 2020

ORDINANCE
NUMBER 2020-049

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) (56.6± ACRES) AND RESIDENTIAL SINGLE-FAMILY 2 (RSF-2) (351.4± ACRES), TO PLANNED DEVELOPMENT (PD), INCREASING THE BASE DENSITY FROM 702 UNITS TO 1,475 UNITS; FOR PROPERTY GENERALLY LOCATED NORTH OF DELAMERE BOULEVARD, SOUTHEAST OF MCCALL ROAD (SR 776), EAST OF GASPARILLA ROAD (CR 771), AND WEST OF BUTTERFORD WATERWAY, IN THE WEST COUNTY AREA, CONTAINING 408 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-20-00005; APPLICANT, 2008 FL RECOVERY LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4674 PAGE 1457 PAGE 1 OF 25
INSTR # 2881275 Doc Type: GOV
Recorded: 12/9/2020 at 3:44 PM
Rec. Fee: RECORDING $214.00
Cashier By: NLANE

## RECITALS

WHEREAS, in a public hearing held on Tuesday, December 8, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-20-00005, submitted by applicant, 2008 FL Recovery Limited Partnership ("Applicant"), which requested a rezoning from Commercial General (CG) (56.6± acres) and Residential Single-family 2 (RSF-2) (351.4± acres) to Planned Development (PD) for property generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area, containing 408 acres more or less; Commission District IV, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and



25
MIN

WHEREAS, the Residential Single-family 2 (RSF-2) (351.4± acres) portion of the Property is more particularly described in Exhibit "A-1" which is attached hereto and provided herein; and

WHEREAS, the Applicant seeks a rezoning from Commercial General (CG) and Residential Single-family 2 (RSF-2) to Planned Development (PD) in order to bring zoning into compliance with the existing Compact Growth Mixed Use (CGMU) FLUM designation; and

WHEREAS, Petition PD-20-00005 has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, has been recommended for approval with conditions on November 9, 2020; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board has found that approval of Petition PD-20-00005 with conditions is consistent with the County's Comprehensive Plan, and that it meets the requirements for the granting of a rezone; and

WHEREAS, based on the above findings, the Board has determined it to be in the best interests of the County to rezone the subject property from Commercial General (CG) and Residential Single-family 2 (RSF-2) to Planned Development (PD).

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

SECTION 1. The following petition, made by applicant, 2008 FL Recovery Limited Partnership, for an amendment to the Charlotte County Zoning Atlas is hereby approved subject to the conditions contained in the attached Exhibit "B":

> Petition PD-20-00005 requesting rezoning from Commercial General (CG) (56.6± acres) and Residential Single-family 2 (RSF-2) (351.4± acres) to Planned Development (PD) for property generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area, containing 408 acres more or less; Commission District IV, Charlotte County, Florida, and more particularly described in Exhibit "A" and Exhibit "A-1".

SECTION 2. That the zoning for this property shall run with the property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 8th day of December, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman

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

By: Michelle DiBernardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2020-0571

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LR2020-0571

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 4 AND 9, T-41-S, R-21-E,
CHARLOTTE COUNTY, FLORIDA

PD LIMITS

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 4 AND 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, BEING A PART OF THE NORTH HALF OF SAID SECTION 9 TOGETHER WITH A PORTION OF THE TOWN OF McCALL, AS RECORDED IN PLAT BOOK 1 AT PAGE 4, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE S.00°05'24"E. ALONG THE EAST LINE OF SAID SECTION 9, FOR 2653.96 FEET TO THE SOUTH LINE OF NORTH HALF OF SAID SECTION 9; THENCE S.89°39'19"W., ALONG THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 9, FOR 5258.86 FEET TO THE WEST LINE OF SAID SECTION 9; THENCE N.00°54'47"E. ALONG THE WEST LINE OF SAID SECTION 9, FOR 1944.07 FEET TO THE EAST LINE OF COUNTY ROAD 771; THENCE N.13°24'14"E. ALONG THE EAST LINE OF COUNTY ROAD 771, FOR 740.90 FEET; THENCE CONTINUE ALONG SAID EAST LINE OF COUNTY ROAD 771 FOR THE FOLLOWING THREE CALLS; N.89°31'51"E. FOR 10.30 FEET; THENCE N.13°24'14"E. FOR 449.67 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2964.81 FEET, DELTA ANGLE OF 10°15'47", CHORD BEARING N.08°16'21"E., CHORD DISTANCE 530.37 FEET, THENCE ALONG THE ARC OF SAID CURVE, FOR 531.07 FEET TO THE SOUTH LINE OF STATE ROAD 776 ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1250.00 FEET, DELTA ANGLE OF 38°04'02", CHORD BEARING N.66°03'00"E., CHORD DISTANCE 815.30 FEET, THENCE ALONG THE ARC OF SAID CURVE, FOR 830.50 FEET; THENCE CONTINUE ALONG THE SOUTH LINE OF COUNTY ROAD 776 THE FOLLOWING THREE CALLS; S.89°36'07"E. FOR 9.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1256.56 FEET, DELTA ANGLE OF 17°49'34", CHORD BEARING N.38°16'36"E., CHORD DISTANCE 389.37 FEET, THENCE ALONG THE ARC OF SAID CURVE, FOR 390.94 FEET TO THE BEGINNING OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 1259.84 FEET, DELTA ANGLE OF 17°07'00", CHORD BEARING N.20°20'26"E., CHORD DISTANCE 374.97 FEET, THENCE ALONG THE ARC OF SAID CURVE, FOR 376.37 FEET; THENCE S.89°36'07"E. FOR 471.96 FEET; THENCE S.00°20'08"W. FOR 1260.62 FEET; THENCE S.89°31'35"E. FOR 655.64 FEET TO THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 4 ALSO BEING POINT "A"; THENCE S.00°42'19"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 4, FOR 661.37 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.89°58'27"E., ALONG THE SOUTH LINE OF SAID SECTION 4, FOR 2622.80 FEET TO THE POINT OF BEGINNING.

AND



SERVING THE STATE OF FLORIDA

4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com

EXHIBIT

PARCEL "B"

COMMENCING FROM THE AFOREMENTIONED POINT "A"; THENCE N.00°42'19"E., ALONG SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4, FOR 330.68 FEET TO THE POINT OF BEGINNING; THENCE N.89°55'26"W., FOR 588.94 FEET; THENCE N.00°24'17"E. FOR 988.70 FEET; THENCE N.89°45'27"E. FOR 257.50 FEET; THENCE N.00°42'17"E. FOR 330.90 FEET; THENCE S.89°47'42"W. FOR 259.23 FEET; THENCE N.00°24'17"E. FOR 281.06 FEET; THENCE N.00°05'42"W. FOR 50.00 FEET TO THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 4; THENCE N.89°50'01"E, ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 4, FOR 598.07 FEET TO THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4; THENCE S.00°42'19"W., ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4 FOR 661.37 FEET; THENCE N.89°52'12"E. FOR 327.28 FEET; THENCE S.00°41'19"W. FOR 661.56 FEET; THENCE S.89°54'17"W. FOR 327.47 FEET TO SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4; THENCE S.00°42'19"W., ALONG SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4, FOR 330.68 FEET TO THE POINT OF BEGINNING.

CONTAINING A COMBINED TOTAL OF 408.39 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA". WHEREIN THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST BEARS N.00°54'47"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

Richard M. Ritz

RICHARD M. RITZ. R.L.S.
REGISTERED LICENSED SURVEYOR
FLORIDA CERTIFICATION NO. 4009

Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies. Date: 2020.05.26 16:00:43 -04'00'

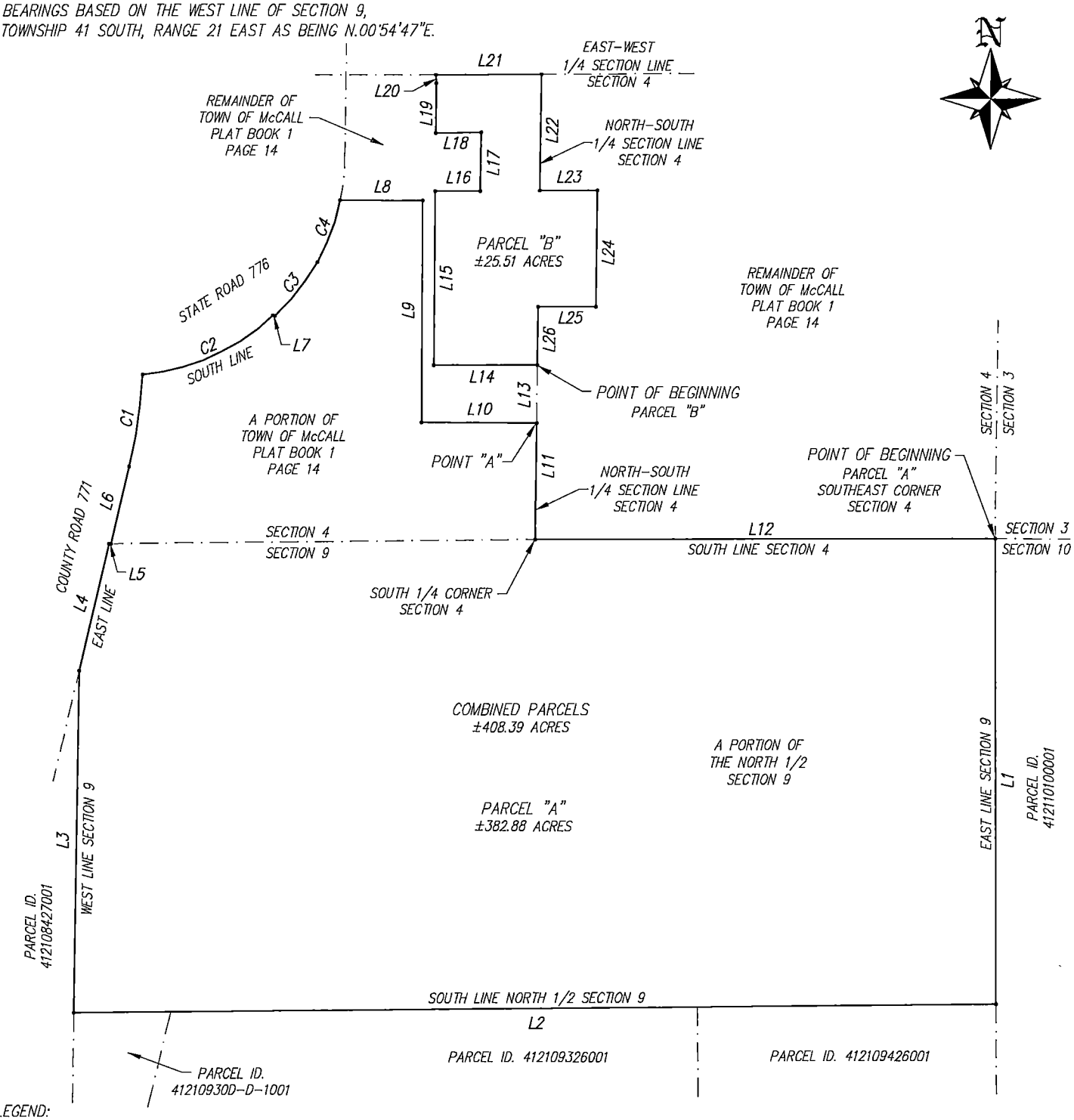
MAY 26, 2020



SERVING THE STATE OF FLORIDA

4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com

NOTE:
BEARINGS BASED ON THE WEST LINE OF SECTION 9,
TOWNSHIP 41 SOUTH, RANGE 21 EAST AS BEING N.00°54'47"E.




LEGEND:
EB ENGINEERING BUSINESS
LB LICENSED BUSINESS
L2 SEE LINE TABLE
C2 SEE CURVE TABLE
ID. IDENTIFICATION
± MORE OR LESS
RLS REGISTERED LAND SURVEYOR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DESCRIPTION AND SKETCH

# PD LIMITS

CHARLOTTE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 05-26-20 | 4196 | PD LIMITS | N/A | DDB | BJC | 1"=800' | 3of4 |

NOTE:
BEARINGS BASED ON THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST AS BEING N.00°54'47"E.

## CURVE TABLE

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|---|---|---|---|---|---|
| C1 | 2964.81' | 531.07' | 530.37' | N 08°16'21" E | 10°15'47" |
| C2 | 1250.00' | 830.50' | 815.30' | N 66°03'00" E | 38°04'02" |
| C3 | 1256.56' | 390.94' | 389.37' | N 38°16'36" E | 17°49'34" |
| C4 | 1259.84' | 376.37' | 374.97' | N 20°20'26" E | 17°07'00" |

## LINE TABLE

| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | S 00°05'24" E | 2653.96' |
| L2 | S 89°39'19" W | 5258.86' |
| L3 | N 00°54'47" E | 1944.07' |
| L4 | N 13°24'14" E | 740.90' |
| L5 | N 89°31'51" E | 10.30' |
| L6 | N 13°24'14" E | 449.67' |
| L7 | S 89°36'07" E | 9.52' |
| L8 | S 89°36'07" E | 471.96' |
| L9 | S 00°20'08" W | 1260.62' |
| L10 | S 89°31'35" E | 655.64' |
| L11 | S 00°42'19" W | 661.37' |
| L12 | N 89°58'27" E | 2622.80' |
| L13 | N 00°42'19" E | 330.68' |
| L14 | N 89°55'26" W | 588.94' |
| L15 | N 00°24'17" E | 988.70' |
| L16 | N 89°45'27" E | 257.50' |
| L17 | N 00°42'17" E | 330.90' |
| L18 | S 89°47'42" W | 259.23' |
| L19 | N 00°24'17" E | 281.06' |
| L20 | N 00°05'42" W | 50.00' |
| L21 | N 89°50'01" E | 598.07' |
| L22 | S 00°42'19" W | 661.37' |
| L23 | N 89°52'12" E | 327.28' |
| L24 | S 00°41'19" W | 661.56' |
| L25 | S 89°54'17" W | 327.47' |
| L26 | S 00°42'19" W | 330.68' |

LEGEND:
EB ENGINEERING BUSINESS
LB LICENSED BUSINESS
L2 SEE LINE TABLE
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DESCRIPTION AND SKETCH
PD LIMITS
CHARLOTTE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 05-26-20 | 4196 | PD LIMITS | N/A | DDB | BJC | N/A | 4 of 4 |

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTIONS 4 & 9, T-41-S, R-21-E,
CHARLOTTE COUNTY, FLORIDA.

RSF-2 AREA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 4 AND 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST, BEING A PART OF THE NORTH 1/2 OF SAID SECTION 9 AND A PART OF THE TOWN OF MCCALL, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 14 OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE S.00°05'24"E., ALONG THE EAST LINE OF SAID SECTION 9, FOR 2653.96 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 9; THENCE S.89°39'19"W., ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION 9, FOR 5258.86 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 9; THENCE N.00°54'47"E., ALONG THE WEST LINE OF SAID SECTION 9, FOR 1944.07 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 771; THENCE N.13°24'14"E., ALONG THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 771, FOR 740.90 FEET TO THE NORTH LINE OF SAID SECTION 9; THENCE N.89°31'51"E., ALONG THE NORTH LINE OF SAID SECTION 9, FOR 1781.83 FEET; THENCE N.00°36'07"E. FOR 672.01 FEET; THENCE S.89°31'35"E. FOR 648.39 FEET TO THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 4, ALSO BEING POINT "A"; THENCE S.00°42'19"W., ALONG THE NORTH-SOUTH 1/4 SECTION LINE OF SAID SECTION 4, FOR 661.37 FEET TO SAID NORTH LINE OF SECTION 9; THENCE N.89°58'27"E., ALONG SAID NORTH LINE OF SECTION 9, FOR 2622.80 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE AFOREMENTIONED POINT "A"; THENCE N.00°42'19"E., ALONG SAID NORTH-SOUTH 1/4 SECTION LINE OF SECTION 4, FOR 330.68 FEET TO THE POINT OF BEGINNING; THENCE N.89°55'26"W. FOR 213.94 FEET; THENCE N.00°42'19"E. FOR 329.21 FEET; THENCE S.89°40'52"W. FOR 376.75 FEET; THENCE N.00°24'17"E. FOR 662.11 FEET; THENCE N.89°45'27"E. FOR 257.50 FEET; THENCE N.00°42'17"E. FOR 330.90 FEET; THENCE S.89°47'42"W. FOR 259.23 FEET; THENCE N.00°24'17"E. FOR 331.06 FEET TO THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 4; THENCE N.89°50'01"E., ALONG THE EAST-WEST 1/4 SECTION LINE OF SAID SECTION 4, FOR 597.63 FEET TO SAID NORTH-SOUTH 1/4 SECTION LINE OF SECTION 4; THENCE S.00°42'19"W., ALONG SAID NORTH-SOUTH 1/4 SECTION LINE, FOR 661.37 FEET; THENCE N.89°52'12"E. FOR 327.28 FEET; THENCE S.00°41'19"W. FOR 661.56 FEET; THENCE S.89°54'17"W. FOR 327.47 FEET TO SAID NORTH-SOUTH 1/4 SECTION LINE OF SECTION 4; THENCE S.00°42'19"W., ALONG SAID NORTH-SOUTH 1/4 SECTION LINE, FOR 330.68 FEET TO THE POINT OF BEGINNING.

COMBINED PARCELS CONTAIN 351.40 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK, SITE CODE "PNTA". WHEREIN THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST BEARS N.00°54'47"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

JULY 28, 2020

RICHARD M. RITZ, R.L.S.
REGISTERED LICENSED SURVEYOR
FLORIDA CERTIFICATION NO. 4009

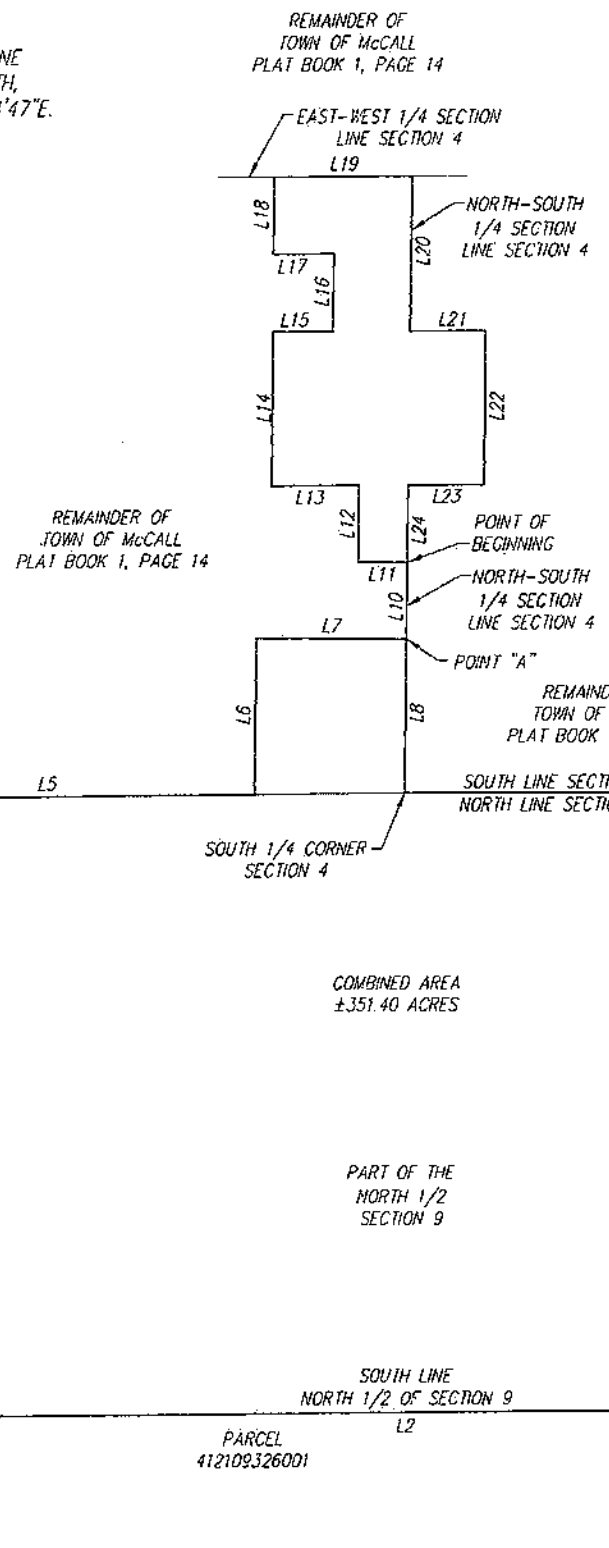
Digitally signed by Richard M. Ritz, R.L.S. #4009 State of Florida using an SHA-1 authentication code. Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies. Date: 2020.07.28 09:05:07 -04'00'

SHEET 1 OF 2



EXHIBIT "A-1"

NOTE:
BEARINGS BASED ON THE WEST LINE OF SECTION 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST AS BEING N.00°54'47"E.

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| L24 | S 00°42'19" W | 330.68' |

LEGEND:
LB LISENCED BUSINESS
EB ENGINEERING BUSINESS
RLS REGISTERED LAND SURVEYOR
L2 SEE LINE 2 IN TABLE

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DESCRIPTION AND SKETCH
RSF-2 AREA
CHARLOTTE COUNTY, FLORIDA

| DATE | PROJECT | DRAWING | DESIGN | DRAWN | CHECKED | SCALE | SHEET |
|---|---|---|---|---|---|---|---|
| 07-28-20 | 4196 | RSF-2 AREA | N/A | DDB | BJC | 1"=800' | 2of2 |

# PD Conditions for PD-20-00005

a. Development on the subject property and development standards, such as setback and buffer requirements, shall occur as illustrated in the PD Concept Plan (Attachment 1: Harbor Village PD Concept Plan) submitted by the applicant, prepared by Banks Engineering, dated, May 20, 2020, revised October 6, 2020, except such modifications as may be required to meet the conditions of the PD zoning district.

b. The base density for the subject property is 702 units which was calculated based on the existing Residential Single-family 2 (RSF-2) and Low Density Residential designation on the County's Future Land Use Map set forth in the County's 1997-2010 Comprehensive Plan prior to adoption of Application PA-08-05-29-LS and the total acreage of that portion of the site is approximately 351.4 acres (351.4 acres X 2 =702 units). The proposal is to develop a total of 1,000 units. However, the site can be developed up to 1,475 units based on maximum density approved per Application PA-08-05-29-LS. Any residential development above 702 units shall require transferred density units. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval for each applicable phase, whichever occurs first. The combined Platted density for neighborhoods 1 through 4 shall not exceed 832 units.

As shown on the Figure, below, which is set forth in FLU Appendix VII: Compact growth Mixed Use master Development Plan, Section 1: West County Town Center as Figure 1-B, the density from Area A (159 units) which was removed from the Urban Service Area via the adoption process for Application PA-08-05-29-LS of the site was removed and transferred to Area B of the site. However, these 159 density units shall not be used for this proposed development because the applicant, property owner, and the developer for this project do not own the property identified as Area A; therefore, the requirement for a Perpetual Conservation Easement for Area A and the building permit restriction are not applicable for this proposed development.

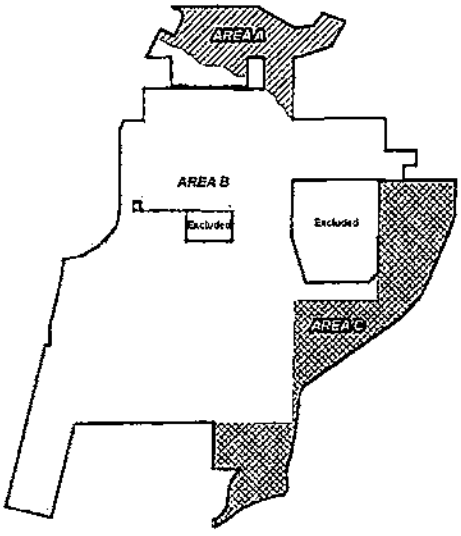





EXHIBIT "B"

c. There shall be no outside storage of items in the commercial areas except as specifically allowed by Section 3-9-61, Accessory outdoor retail sales, display, and storage, of the Charlotte County Code.

d. Permitted uses:

i. For the areas identified as Neighborhood:

1) Assisted living facility (ALF) or day care center. For ALF, the following requirements shall apply:

a) The facility shall have a direct access to McCall Road (SR 776) or Gasparilla Road (CR 771).

b) The proposed building will be constructed to provide for either shuttering or shatterproof glass in all windows.

c) The facility will include an independent emergency power supply.

d) The facility will provide a written emergency management plan under State of Florida rules with the plan being submitted to and approved by the Charlotte County Emergency Management Director.

2) Clubhouse.

3) Minor Home Occupation.

4) Model home.

5) Multi-family, including duplexes and townhomes.

6) Single-family attached and detached, which may have a guest suite that is structurally attached, with or without cooking facilities.

7) Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures.

8) Active and passive parks and playgrounds.

ii. For areas identified as Town Square:

1) Amphitheater.

2) Animal hospital, boarding facility.

3) Art, dance, music, photo studio or gallery.

4) Assisted living facility or day care center.

5) Auditorium, convention center, performing arts center.

6) Bank, financial services.

7) Bar, cocktail lounge, nightclub, tavern.

8) Business services.

9) Clubhouse, community center.

10) Day care center, child.

11) Drug store, pharmacy.

12) Dry cleaner.

13) Emergency services.

14) Essential services.

15) Funeral homes, crematoria.

16) General offices.

17) General retail sales and services.

18) Government uses and facilities.

19) Homeless shelter.

20) Laboratories, class 1, 2, 3.
21) Laundromat.
22) Liquor, package store.
23) Medical or dental office, clinic.
24) Nursing home, the following requirements shall apply:
    a) The facility shall have a direct access to McCall Road (SR 776) or Gasparilla Road (CR 771).
    b) The proposed building will be constructed to provide for either shuttering or shatterproof glass in all windows.
    c) The facility will include an independent emergency power supply.
    d) The facility will provide a written emergency management plan under State of Florida rules with the plan being submitted to and approved by the Charlotte County Emergency Management Director.
25) Outdoor market or exhibition space.
26) Park, public or not-for-profit.
27) Personal services.
28) Place of worship.
29) Post office.
30) Private club.
31) Professional services.
32) Recreation, indoor.
33) Recreation, outdoor.
34) Restaurant.
35) Telecommunications facility.
36) Vocational, trade, or business school.

iii. For areas identified as Parcel 1 through 9 (commercial and mixed-use areas):
1) Multi-family within mixed-use areas, including duplexes and townhomes.
2) Amphitheater.
3) Animal hospital, boarding facility.
4) Art, dance, music, photo studio or gallery.
5) Assisted living facility or day care center.
6) Auditorium, convention center, performing arts center.
7) Bank, financial services.
8) Bar, cocktail lounge, nightclub, tavern.
9) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
10) Boat, travel trailer and motor vehicle repair, services, including recreational vehicles and campers, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
11) Business services.

12) Building trades contractor's office, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
13) Clubhouse, community center, which cannot be located on the "Main Street" identified on the PD Concept Plan.
14) Commercial vehicle rental, which cannot be located on the "Main Street" identified on the PD Concept Plan.
15) Day care center, child which cannot be located on the "Main Street" identified on the PD Concept Plan.
16) Drug store, pharmacy.
17) Dry cleaner.
18) Elementary, middle, or high school, which cannot be located on the "Main Street" identified on the PD Concept Plan.
19) Emergency services.
20) Essential services.
21) Funeral homes, crematoria which cannot be located on the "Main Street" identified on the PD Concept Plan.
22) Gas station, which cannot be located on the "Main Street" identified on the PD Concept Plan.
23) General offices.
24) General retail sales and services.
25) Government uses and facilities.
26) Homeless shelter.
27) Hotel, motel, inn.
28) Laboratories, class 1, 2, 3, which cannot be located on the "Main Street" identified on the PD Concept Plan.
29) Laundromat, which cannot be located on the "Main Street" identified on the PD Concept Plan.
30) Leisure vehicle rental, which cannot be located on the "Main Street" identified on the PD Concept Plan.
31) Liquor, package store.
32) Light manufacturing and assembly in a completely enclosed building, which cannot be located on the "Main Street" identified on the PD Concept Plan.
33) Mass transit station, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
34) Medical or dental office, clinic.
35) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids, which cannot be located on the "Main Street" identified on the PD Concept Plan.
36) Model home which cannot be located on the "Main Street" identified on the PD Concept Plan.
37) Motor vehicle wash, which cannot be located on the "Main Street" identified on the PD Concept Plan.

38) Noncommercial vehicle rental, which cannot be located on the "Main Street" identified on the PD Concept Plan.
39) Nursing home, the following requirements shall apply:
    a) The facility shall have a direct access to McCall Road (SR 776) or Gasparilla Road (CR 771).
    b) The proposed building will be constructed to provide for either shuttering or shatterproof glass in all windows.
    c) The facility will include an independent emergency power supply.
    d) The facility will provide a written emergency management plan under State of Florida rules with the plan being submitted to and approved by the Charlotte County Emergency Management Director.
40) Outdoor market or exhibition space.
41) Paid or public parking lot, garage, structure which cannot be located on the "Main Street" identified on the PD Concept Plan.
42) Park, public or not-for-profit.
43) Personal services.
44) Place of worship.
45) Post office.
46) Printing facilities.
47) Private club.
48) Professional services.
49) Recreation, indoor.
50) Recreation, outdoor.
51) Restaurant.
52) Storage of boat, travel trailer and motor vehicle, including recreational vehicles and campers, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
53) Telecommunications facility, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
54) University or college, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
55) Vocational, trade, or business school, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.
56) Wholesale sales, which cannot be located on the "Main Street" identified on the PD Concept Plan nor immediately adjacent to residential uses within the mixed-use areas.

e. Maximum density and Intensity:
- Under the Compact Growth Mixed Use (CGMU) Future Land Use Map (FLUM) designation:
    - 1,475 residential dwelling units.
    - 518,956 square feet of commercial/office uses.

- The proposed project:
- 1,000 residential dwelling units.
- 150 beds of Assisted Living Facilities (ALFs).
- 200 hotel rooms.
- 431,000 square feet of commercial/office uses, 496,000 square feet of commercial/office uses without hotel rooms, 451,000 square feet of commercial/office uses without ALFs, or 516,000 square feet of commercial/office uses without hotel rooms and ALFs.

Any residential development above 1,000 residential dwelling unit or any commercial/office uses above 516,000 square feet, a traffic impact statement is required to address any potential traffic concurrency issues as well as any additional on-site and/or offsite improvements.

f. Heights:
   i. The maximum building heights for all non-residential and multi-family is 60 feet.
   ii. The maximum building heights for all accessory structures is 38 feet.
   iii. The maximum building heights for single-family homes and townhomes is 38 feet.
g. Each neighborhood shall have its own design characteristics including but not limited to material, color, architectural styles, etc., which is unique from other neighborhoods and shall be approved as part of the Final Detail Site Plan approval.
h. The site must be served by a central potable water and sanitary sewer system. No Certificate of Occupancy shall be issued for any building not served with potable water and sanitary sewer. Common areas shall be irrigated with non-potable water.
i. The 25-foot PD setback is required as shown on the PD Concept Plan. Multi-modal paths, roads, stormwater facilities may be located within the 25-foot PD setback.
j. Landscaping and Buffers:
   i. At a minimum, a type B buffer shall be required along the property boundary except for wetlands as shown on the PD Concept Plan, and such buffer shall be located along the northern side of the future right-of-way identified as F80 on the PD Concept Plan and must be immediately adjacent to residential neighborhoods.
   ii. At a minimum, a type C buffer is required for all non-residential development which is immediately adjacent to any single-family homes.
   iii. At a minimum, a type B buffer is required for all non-residential development which is immediately adjacent to any multi-family development.
   iv. All other landscaping and buffers shall follow Section 3-9-100, Buffers, Landscaping, and Tree Requirements.
k. Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified on the PD Concept Plan shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along all wetlands.
l. All common areas within this development shall be developed with a unified landscaping theme for at least each neighborhood, town square or mixed-use areas.
m. When non-canopy native trees are planted in landscape buffers, they must be planted in groups of three or more.
n. Best Management Practices (BMP) and Low Impact Development (LID) techniques for stormwater management may be used within the development if applicable. Examples for BMPs and LID techniques include one or more of the following techniques:
   i. Use of pervious paving surfaces on portions of select parking areas where weight loads will allow.

ii. Use of pervious construction materials for trails, walkways and other non-vehicular travel ways.
iii. Use of pervious construction materials for parking spaces for recreation areas.

o. Stormwater ponds may be designed to include Low Impact Development (LID) techniques, such as the following:
   i. Rain gardens.
   ii. Littoral zones planted with native vegetation.
   iii. Entrapment systems.
   iv. Extended hydraulic residence times and increased flow paths in storm water design.

p. Project access:
   i. There are three proposed primary vehicle entrances located on Gasparilla Road and two entrances proposed on McCall Road (SR 776) subject to Charlotte County and the Florida Department of Transportation approval. Each of these entrance points shall be allowed a maximum of one monument sign with the name of the development. Lighting shall be from an external source.
   ii. The applicant/property owner must provide a traffic impact statement as part of the Final Detail Site Plan application, and such statement shall include at least SR 776 at Coliseum Boulevard and McCall Road (SR 776) at Gasparilla Road (CR 771) intersection analysis, turn lane analysis at all project entrances, and a detailed analysis of SR 776. The applicant/property owner shall work with Charlotte County and consult with the Florida Department of Transportation to finalize the location of the project accesses on SR 776 at the Final Detail Site Plan review level.
   iii. It is strongly encouraged to use Cattle Dock Point Road and/or Foxglove Lane as a primary vehicle entrance(s) to McCall Road (SR 776).
   iv. Each neighborhood shall have at least two vehicle entrances.

q. In order to provide connectivity to adjacent vacant property which is designated as Compact Growth Mixed Use (CGMU) on the 2030 Future Land Use Map, the proposed development shall include rights-of-way that extend to undeveloped land that is adjacent to the PD site. Those rights-of-way are shown on the PD Concept Plan. The future right-of-way identified as F80 and as shown on the PD Concept Plan will not be constructed by the property owner/developer for this proposed development. However, such right-of-way must be platted and dedicated to the public via the first platting application for residential development of this proposed development.

r. A sidewalk/pedestrian path shall be placed throughout the entire development, with a minimum width of five feet along at least one side of all internal roadways. A multi-modal path with a minimum width of 10 feet for use by non-automotive traffic, such as bicycles, golf carts, pedestrians, and skaters, is required and as shown on the PD Concept Plan.

s. The parking or shared parking shall comply with Section 3-9-79, Off-street Parking and Loading Facilities, as may be amended. Sharing parking is strongly encouraged for all commercial development areas.

t. All primary free-standing signs shall be monument signs and no more than ten feet in height. All other signage requirements shall be in compliance with the existing County Sign Ordinance, Section 3-9-85, as may be amended.

u. The non-residential buildings and multi-family structures are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code, as may be amended.

v. For the school concurrency issues:
   i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.
   ii. If an agreement is required, the terms of both agreements shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

w. No development in any phase shall occur prior to Final Detail Site Plan approval of that phase.

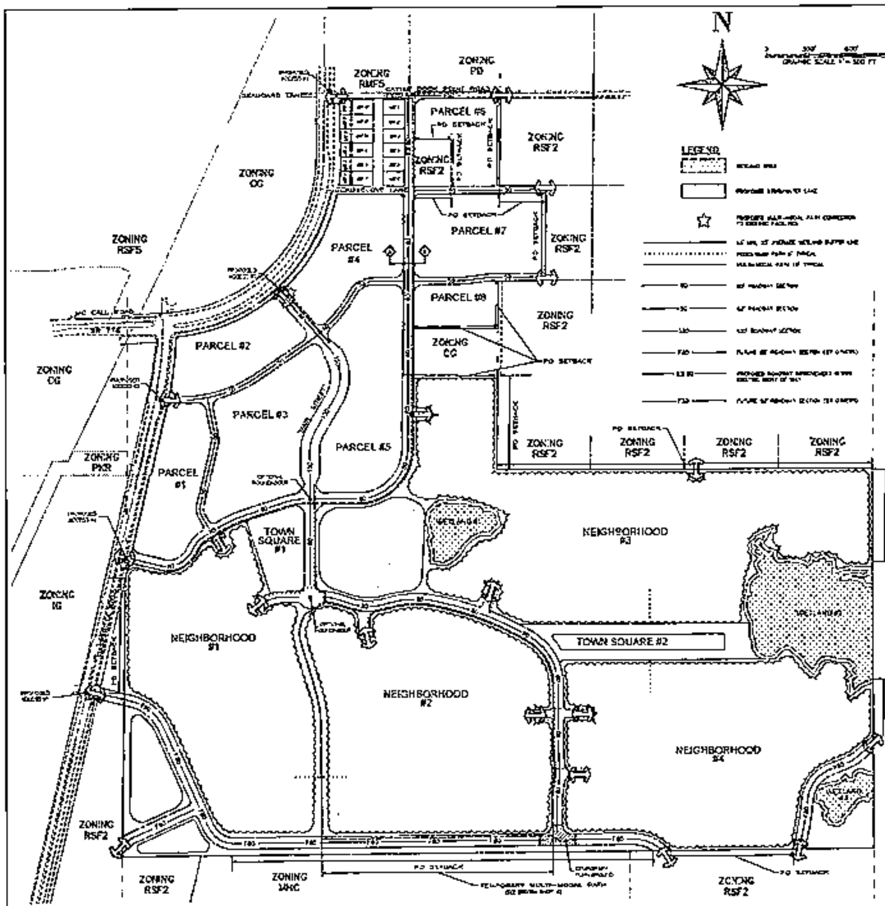
x. As part of submission of the Final Detail Site Plan application, the following items shall be included:
   i. Residential neighborhoods shall contain a discernible amenity, such as a park or square.
   ii. Blocks of residential lots shall be separated every 600 feet by a sidewalk, green strips or green belt, passive park, mini park, etc.
   iii. A pedestrian connection shall be finalized to connect each neighborhood with the overall multi-modal path system.
   iv. The various neighborhoods shall contain differing lot sizes.
   v. There shall be a minimum of two town squares to serve all of the residential communities located within Neighborhoods 1-4, which can contain amenities for active or passive recreation. A detailed plan for the recreation areas is required.
   vi. "Main Street" Design Requirements:
      1) The "Main Street" identified on the PD Concept Plan shall be designed as a pedestrian-oriented street, which shall contain ample space, at a minimum of 10 feet, for pedestrian promenade which may contain outdoor seating, street trees, planters, benches, seat walls, unique shop signage, pedestrian scaled lighting, small fountains, etc.
      2) Colorful bricks, stones, tile ceramics or similar pavers are required to create an atmosphere for the Main Street.
      3) Awnings or similar features are required for all retail shops and restaurants to create shade and to add color and attractiveness to the Main Street.
      4) At a minimum, an outdoor gathering place, at least 1,000 square feet but not to exceed 2,500 square feet, is required on the "Main Street".
      5) Parking lot(s)/area(s) shall not be located directly on the "Main Street", and such area shall be located behind buildings.
      6) A unified landscaping plan for the "Main Street" shall be provided.
      7) No drive-through shall be permitted on the front façade on any building(s) abutting the "Main Street".

y. In order to satisfy Special Provisions Item 2. Mix of land uses, sub-item b and Item. 4 which is set forth in the Compact Growth Mixed Use (CGMU) FLUM designation, at a minimum, for every 100 residential Certificates of Occupancy (CO), there will be 5,000 square feet of non-residential development within this development, from the uses under conditions d.ii. and d.iii. above.

z. The multi-modal path system must be completed at the time of 500 residential CO within this development. For purpose of this condition, multi-family dwelling units in a building shall count toward the number of CO in this condition.

aa. Per Special Provisions Item 8. Shelter Requirement set forth in the CGMU FLUM designation, the developer/property owner is required to pay $132.50 per residential dwelling unit contained within the Final Detail Site Plan, as a monetary contribution to meet the Shelter Requirement, concurrently with submission of Final Detail Site Plan application.

# Attachment 1:
# Harbor Village PD Concept Pan




## PD CONCEPT PLAN NOTES:

## DEVELOPMENT STANDARDS:

## SITE DATA TABLE:

## LAND USE BREAKDOWN:

## LANDSCAPING AND BUFFERS:

## FLOOD ZONE:

## DENSITY:

## PARKING REQUIREMENTS:

## OPEN SPACE:

## OPEN HABITAT AREA:

## LAND USE SCHEDULE:

## ACCESS LEGEND

2008 FL RECOVERY LIMITED PARTNERSHIP
GBR PROPERTIES, INC.

BANKS ENGINEERING

PD CONCEPT PLAN
HARBOR VILLAGE
CHARLOTTE COUNTY, FLORIDA

SHEET 3

# Attachment 2:
# Native Habitat Management Plan

# NATIVE HABITAT MANAGEMENT PLAN

## WEST COUNTY TOWN CENTER
### Charlotte County, Florida

**June 2020**

**Prepared by:**

Ian Vincent & Associates
Environmental Consulting Services

4050 Rock Creek Drive, Port Charlotte, FL 33948
(941) 457-6272
www.IVAenvironmental.com

## INTRODUCTION

The following Native Habitat Management Plan has been prepared to address the long-term management of the wetland and upland preservation areas for the proposed development.

The subject property (Charlotte County Parcel ID#s 412109100001, 412104355001, 412104376001, 412104377003, 412104377001, 412104329004, 412104400005, 412104328001, 412104329003, and 412104329001.) is located in Sections 4 & 9, Township 41S, Range 21E within Charlotte County, Florida.

## NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN

An aggressive maintenance plan shall be implemented to ensure that the preserve areas remains relatively free (<5% aerial coverage) of exotic and nuisance vegetative species, and maintain a minimum 80% aerial coverage of desirable native vegetative species. The maintenance plan will consist of an initial exotic/nuisance vegetation treatment and removal event, with scheduled maintenance events to ensure that regrowth of exotic and nuisance vegetation is limited. All maintenance activities will be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved aquatic herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted.

### Prohibited Activities

Filling, excavating, alteration, trimming or removal of native vegetation within the preservation area will be prohibited. Except as provided in the next paragraph, only activities necessary to implement the maintenance plan described above will be allowed within the preservation areas.

### Measures to Protect Wildlife and Integrity of the Native Habitat

Entrance to the preservation area will be limited to the homeowners and guests of the homeowners for purposes of viewing the area or performing maintenance activities, and contractors hired to perform maintenance activities required or permitted by this plan. Public access to the preservation area will not be permitted. In the case of any entrance to the preservation area, care shall be taken to protect wildlife and the integrity of the habitat. Habitat for wildlife, as well as overall increase in the ecological value of the preservation areas will be ensured through implementation of the maintenance plan.

### Monitoring Plan

To ensure that the preservation areas meet the success criteria described above, a Time Zero Monitoring Event will be conducted within 45 days of the initial exotic removal event. Subsequent monitoring events will be conducted annually for a period of no less than 3 years. If, at the end of three years, the preserve areas have met or exceeded the success criteria described above, monitoring requirements for the preserve areas shall be suspended. However, additional monitoring may be required if the success criteria of native or invasive/nuisance pant coverage has not been achieved.

If assessment of the preserve areas demonstrates that the success criteria have been achieved, the responsible party shall provide written certification by an Environmental Scientist, Biologist, or registered Engineer, or Landscape Architect that the maintenance efforts have met applicable success criteria. If certification of success is not submitted or is not approved by the County, then annual monitoring shall continue until the criteria has been met and deemed successful. The monitoring program and any corrective actions to maintain the preserve areas shall be at the sole expense of the property owner(s) or developer.

The results of these monitoring events will be compiled in monitoring reports which will include:

-Qualitative overview of vegetative species present
-Percent coverage by exotic/nuisance vegetation
-Wildlife observations
-Permanent fixed-point photo stations
-Discussion of ongoing maintenance activities
-Identification of insufficiencies and recommendations for future remediation

Such monitoring report must be provided to the County within 45 days of monitoring inspection event, unless an extension by the County is granted.

# FLORIDA DEPARTMENT of STATE

**RON DESANTIS**
Governor

**LAUREL M. LEE**
Secretary of State

December 9, 2020

Mr. Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-049, which was filed in this office on December 9, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

SUN NEWSPAPERS

RECEIVED
PURCHASING
2020 NOV 32 AM 10:56
CHARLOTTE COUNTY
FLORIDA

PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Clerk of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** was published in said newspaper in the issues of:

**11/30/2020**

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or shehas neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 30th day of November, 2020.

Laura M Robins
(Signature of Notary Public)

Personally known _X_ OR ___ Produced Identification

Notary Public State of Florida
Laura M Robins
My Commission GG 262759
Expires 09/26/2022

RECEIVED
PURCHASING
2020 DEC -2 AM 11:01
CHARLOTTE COUNTY
FLORIDA

# NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON **TUESDAY, DECEMBER 8, 2020, at 2:00 P.M.** OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: http://www.charlottecountyfl.gov/boards-committees/planning-zoning-board/agenda.stml

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

**PETITIONS**

**LAND USE CONSENT AGENDA**

**FP-20-01-01** **Quasi-judicial** **Commission District I**

Lennar Homes, LLC has requested Final Plat approval for a subdivision to be named, Babcock National Phase 2, consisting of 15 single-family lots. Lennar Homes, LLC. is also requesting approval of a Developer's Agreement and bond to ensure completion of the subdivision improvements. The site is 42.81± acres and is located north of Greenway Boulevard and Northwest of Bluebird Trail, and east of Leaning Pine Lane within Babcock Ranch Community Increment 1 DRI, in the East County area.

**DRC-20-00059** **Final Detail Site Plan** **Map Page 5A06S** **District I**

Cad Jazz LLC. is requesting Final Detail Site Plan approval for Take 5 Quick Oil Change vehicle services with associated infrastructure. This project site is 0.53 ±acres and is located at 24150 Veterans Blvd., FL. within the Sandhill DRI.

**LAND USE REGULAR AGENDA**

**TCP-20-05** **Legislative** **Commission District IV**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large-scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; the request is to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center, 1.C: Maximum Floor Area Ratio (FAR) to correct a scrivener error of FAR which should be 0.0292; 1.D: Perpetua Conservation Easement to clarify the requirement of Perpetual Conservation Easement, and 1.E: Master Development Plan to correct date which should be July 11 2008; Commission District IV; Petition No. TCP-20-05; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

**PD-20-00005** **Quasi-Judicial** **Commission District IV**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) (56.6± acres) an Residential Single-family 2 (RSF-2)(351.4± acres) to Planned Development (PD), increasing the base density from 702 units to 1,475 units; for property generall located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West Count area, containing 408± acres; Commission District IV; Petition No. PD-20-00005; Applicant: 2008 FL Recovery Limited Partnership; providing an effective date.

**TLDR-20-03** **Legislative** **County-Wide**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code, Chapter 3-9: Zoning, Article II: District Regulations, (1) by revisin Land Development Regulations Table of Contents to add new Section 3-9-26.5: Use Table - Mixed Use Districts, and to rename Section 3-9-46 from Compa Mixed Use (CGM) to Mixed-Use (MU); (2) by creating new Section 3-9-26.5: Use Table - Mixed Use Districts; (3) by creating Section 3-9-46: Mixed-Use (M to provide for intent; provide for applicability; provide for mixed-use categories; provide for uses and structures permitted; and provide for development standar and (4) by amending Section 3-9-69: Conditional uses and structures, to add conditional uses under Section 3-9-46: Mixed-Use (MU) to this section, and to provi for standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte Cour Board of County Commissioners.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERI AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

# Attachment 3
# PP-20-10-15

CHARLOTTE COUNTY
FLORIDA

**February 9, 2021**

2008 FL Recovery Limited Partnership by: GBR Properties Inc.
6060 American Plaza, Suite 330
Tulsa, OK. 74135

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held January 26, 2021, at 2:00 P.M., regarding the following petition:

**PP-20-10-15** **Quasi-judicial** **Commission District IV**
2008 FL Recovery Limited Partnership has requested Preliminary Plat approval for subdivision to be named, Harbor Village. The site is 408.39± located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area., in Section 04 & 09, Township 41, Range 21.

It was the decision of the Charlotte County Board of County Commissioners that Petition **PP-20-10-15** be approved with one condition.

If you require specific information regarding this matter, please contact me.

Sincerely,

Maryann Franks

Maryann Franks, Zoning Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-743-1208
Fax: 941-743-1598

cc: Banks Engineering, Todd Rebol, 4161 Tamiami Trail, Bldg. 5 Unit 501, Port Charlotte, FL. 33952

Tara Prince, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD-Addressing
David Vance, SPD
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Kelly Danielson, CCU
Judy Hunter, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

# Attachment 4
# FP-20-10-15

CHARLOTTE COUNTY
FLORIDA

**October 12, 2021**

2008 Florida Recovery Limited Partnership
6060 American Plaza, Suite 330
Tulsa Ok, 74135

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **September 14, 2021, at 2:00 P.M.**, regarding the following petition:

**FP 20-10-15** **Quasi-judicial** **Commission District IV**
2008 FL Recovery Limited Partnership has requested Preliminary Plat approval for subdivision to be named, Harbor Village. The site is 408.39± acres located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-20-10-15** be approved. The plat is recorded **in Plat Book 24, Pages 18-A Thru 18-E.**, of the Public Records of Charlotte County, Florida.

If you require specific information regarding this matter, please contact me.

Sincerely,

**Rick Dalton**

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954

CHARLOTTE COUNTY
FLORIDA

cc: Todd Rebol, P.E., Banks Engineering,
Faith Danielson, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD
David Vance, SPD
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Jeanine Fullerton, Real Estates Services
Kelly Danielson, CCU
Judy Hunter, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

# ROGER D. EATON
# CHARLOTTE COUNTY CLERK OF THE CIRCUIT COURT AND COMPTROLLER
# 350 EAST MARION AVENUE
# PUNTA GORDA, FLORIDA33950

| CUSTOMER INFORMATION | TRANSACTION INFORMATION | | | |
|---|---|---|---|---|
| BANKS ENGINEERING | **Transaction #:** | 1607655 | Source Code: | InterOffice |
| 10511-101 SIX MILE CYPRESS PKWY. | **Receipt #:** | 2021109890 | Return Code: | InterOffice |
| | Cashier Date: | 09/30/2021 | Comments: | |
| FORT MYERS,FL 33966 | Print Date: | 09/30/2021 | | |
| | Cashier By: | JOHNH | | |

**PLAT** **CFN:** **3003897** **Book:** 4850 **Page:** 623

**From:** HARBOR VILLAGE **To:**

PLAT REC FEE $90.00

**ADDITIONAL CLERK NOTCFN:** **Book:** **Page:**

**From:** **To:**

**PAYMENT:** **CHECK** 32965 AMOUNT: $90.00

**Total Payments:** **$ 90.00** **Total Fees:** **$ 90.00** **Shortage:** **$ 0.00** **Overage:** **$ 0.00**

ROGER D. EATON
Clerk of the Circuit Court and County Comptroller
350 E. Marion Ave. Punta Gorda, FL 33950 • 941.505.4716

**MEMORANDUM**

**TO:** Official Records – Punta Gorda

**FROM:** Michelle DiBerardino

**RE:**

**DATE:** September 16, 2021

---

Attached for recording in the Public Records is the final plat approved on Tuesday, September 14, 2021 by the Board of County Commissioners:

1. Check #32965, in the amount of $90.00
2. The Department of Business and Professional Regulation Form
3. Mylar
4. Please fill in the Plat Book and Page Number on the form to the State and return a copy of the Subdivision Plat recorded page, the Developers Agreement, and a receipt.

***Should you have any questions, please call Shaun Cullinan, Community Development Department at x1922.***

***** PLEASE RETURN DEVELOPERS AGREEMENT & RECORDING INFO TO MINUTES *****

Attachments

**ROGER D. EATON**
**CHARLOTTE COUNTY CLERK OF THE CIRCUIT COURT AND COMPTROLLER**
**350 EAST MARION AVENUE**
**PUNTA GORDA, FLORIDA 33950**

**SUBDIVISION PLAT**

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4850 PAGE 623 PAGE: 1 OF 1
INSTR # 3003897 Doc Type: PL
Recorded: 9/30/2021 at 8:59 AM
Rec. Fee:
Cashier By: JOHNH

**FILING FEE:** $90.00

**SUBDIVISION NAME:** **Harbor Village**

**PLAT BOOK:** 24 **PAGE(S):** 18-A **THRU** 18 – E

**LEGAL DESCRIPTION:**

SECTIONS 4 AND 9, TOWNSHIP 41 SOUTH, RANGE 21 EAST
CHARLOTTE COUNTY, FLORIDA

**RESTRICTIONS (AMENDMENT)**

**YES:** ___ **OFFICIAL RECORD BOOK #** _____ **PAGE(S)** _____ **THRU** _____

**NO:** X

REVISED 8/31/2017 VT

# Attachment 5
# PP-21-11-22

**March 23, 2022,**

2008 FL Recovery Limited Partnership by: GBR Properties Inc.
6060 American Plaza, Suite 330
Tulsa, OK. 74135

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **March 22, 2022, at 2:00 P.M.**, regarding the following petition:

**PP-21-11-22** **Quasi-judicial** **Commission District IV**

2008 FL Recovery Limited Partnership has requested Preliminary Plat replat approval for a subdivision to be named, Harbor Village Phase 1. It previously received Final Plat approval as Harbor Village on September 14, 2021 from the Board of County Commissioners. The site is 315.56 ± acres, consisting of 283 lots. It is located North of Delamere Boulevard, Southeast of McCall Road (SR 776), East of Gasparilla Road (CR 771), and West of Butterford Waterway, in the West County area, located in Commission District IV.

Please address the following comments with you Final Plat submission.

1. **SCADL**: Prior to Final Plat approval, the applicant shall obtain a School Concurrency Availability Determination Letter (SCADL) from the Charlotte County School District indicating that sufficient capacity exists, or has been accounted for, through a binding and enforceable agreement, at elementary, middle, and high school levels.

2. **E-911**: **and Addressing**-Missing Street names.

3. **Zoning**: Revise County Surveyors signature block for Mr. James Davis.

4. **CCU** – Asked for clarification verifying if roads are private, they will need easements for the gravity sewer. Banks Engineering provided the following response -The ROW is private. Separate easements or easements dedicated to CCU will be provided at final turnover/final plat. Also, sheet 18 P.U.E should be 10 feet not 11 feet in width.

If you require specific information regarding this matter, please contact me.

Sincerely,

**Rick Dalton**

Rick Dalton, Project Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954

CC: Todd Rebol Banks Engineering

Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Kathleen Duffy - Goodwin, GIS
Patty Stefan, Real Estate Services
Jeannine Fullerton, Real Estate Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Kathleen Goodwin, MSBU
Christine Broughman, MSBU
Jerry Olivio, CCPS
Tracey Roberts, CCPS

# Attachment 6
# DRC Recommendation Letter

CHARLOTTE COUNTY
FLORIDA

December 20, 2024

Atwell LLC
Attn: Heather Polito
4161 Tamiami Trail, Bldg. 5 Unit 501
Port Charlotte, FL. 33952

Re: DRC-24-139 Harbor Village – General PD Concept Plan
August 15, 2024, Site Plan Review agenda

County staff has reviewed the General PD Concept plan for Harbor Village. The project consists of a PD with a mix of residential, commercial, industrial and marina-based uses. This project site is 840.30± acres and is located at 1600 McCall RD, Port Charlotte, FL.

**It is the decision of the Zoning Official to forward DRC-24-139 to the Board of County Commissioners with a recommendation of approval. The following comments must be met prior to submit Final Detail Site Plan:**

1. Roadways shall be at least 20' wide of clear space for fire department access.
2. Gates shall be installed with an EVAC System for emergency operation use.
3. Fire hydrant required within 800' between each fire hydrant.
4. Gates/access arms shall be installed with an EVAC System for emergency operation use.
5. Plans will need to show our facilities at all 4 locations driveways are purposed. Contact Jody Mansell Lighting District Superintendent for any information. Send plans to jody.mansell@charlottecountyfl.gov when completed for approval.
6. Charlotte County and owns and maintains roadway lighting and Fiber Optic facilities within the rights-of-way areas of this permit application. These facilities are in very close proximity to this project and are not reflected on the plan sheets. Any alteration, relocation, or repair, whether identified prior to construction or unforeseen made necessary by this permit, will be made by Charlotte County, forces contracted by Charlotte County or forces contracted by the permit holder that install traffic signal and/or roadway lighting facilities to all applicable standards at the applicant's expense. All work and materials shall conform to Charlotte County Supplemental Specifications for Traffic Signal Installations and Charlotte County Supplemental Specifications for Roadway Lighting Systems.

7. In the event a cable is cut or damaged, splice(s) will not be permitted. The cable(s) shall be completely replaced from point to point. Point to point is defined as the closest original termination or splice point within the run. The permit holder must make every effort to avoid damage to these facilities.

8. In the event conduit damage occurs, the use of split duct pipe will not be accepted. The applicant shall be responsible for all costs associated to remove the cable(s) from the conduit, the necessary repairs made to the conduit and the re-installation of the cable(s), including any terminations.

9. In the event alterations, relocations, or repairs become necessary, the applicant shall cease work within the right-of-way and apply for a Right of Way Internet Utilities permit. Specific stipulations or conditions will be imposed at the time of permit application. All work towards the damaged or relocated facility will be performed or supervised by Charlotte County's Lighting District staff.

10. The permit holder should be made aware that Charlotte County owns and maintains buried junction boxes roadway lighting and fiber optic facilities within the rights-of-way areas of this project. These facilities will be clearly identified when the contractor calls for utility locates. Extreme care should be used not to damage these boxes. Any alteration, relocation, or repair to these facilities, whether identified prior to construction or unforeseen made necessary by this permit, will be made by Charlotte County or forces contracted by Charlotte County to all applicable standards at the applicants' expense.

11. Prior to any excavations, the excavator must contact the Sunshine State One Call System and adhere to all conditions of Florida Statutes Chapter 556. The applicant shall notify the Charlotte County Lighting District (941.575.3648 or 941.628.9300) a minimum of 48 hours prior to the start of any work.

12. By acceptance of these permit conditions, the applicant acknowledges the fact that there is buried facilities maintained by Charlotte County in the immediate area of this permit application. After requesting utility locates if there are any questions concerning the path(s) of the buried facilities, the contractor shall contact Charlotte County Lighting District to assist in locating the facilities. The contractor can use the telephone numbers shown above to contact the Charlotte County Lighting District.

13. Please be advised that the subject project will require Stormwater Plan Approval per Charlotte County Stormwater Management Ordinance No. 89-37 / County Code 3-5-111 to 3-5-123. The following link provides the Stormwater Plan Approval submittal procedures & requirements, and a downloadable Stormwater Plan Approval Application:

    https://www.charlottecountyfl.gov/departments/community-development/building-construction/permits/stormwater-plan-approval.stml

14. No public easements were shown on the site plan, or survey provided. No landscape plans were provided. Tract W has easements as per the plat. Any encroachment into public easements will require an occupation or release of easement. Permanent structures and retention area require a release, moveable items require an occupation of easement.

15. The proposed General PD Concept Plan is subject to change during the PD rezoning process.

16. Internal street names will need to be assigned to all proposed streets.

17. Level of detail not enough to perform a review. Please be aware of flood zone and FBC-Accessibility requirements. Subject to further review in future submittals.

18. CCU approves the PD Concept Plan only. Full CCU plan submission and approval will be required prior to utility construction.

19. All utilities construction must be performed in accordance with the Utilities Department approved and signed plans and in accordance with any conditions specified in the Utility Department plans approval letter.

20. Utility Agreement must be executed, and all applicable utility connection fees must be paid prior to construction of utilities.

21. Use CCU Application for Plans Review and Utility Agreement and Minimum Technical & Drawing Standards found at Engineering Services | Charlotte County, FL (charlottecountyfl.gov).

22. The wetlands onsite may provide potential nesting habitat for state listed wading birds including the little blue heron, reddish egret, roseate spoonbill, and tricolored heron; and possibly the Florida sandhill crane. A preconstruction survey shall be conducted prior to land clearing activities and in the breeding season to document the presence or absence of nesting.

23. Please be aware that a Charlotte County Manatee Protection Plan may be required for the proposed marina area.

24. Destroyed nest CO051 should be re-inspected before any construction takes place. Current surveys will need to be done to ensure the eagles have not renested elsewhere.

25. Staff recommends the applicant conduct an acoustic survey for the FBB and coordinate with the FWS if needed.

26. Eight cavity trees were recorded on-site that could potentially serve as roosting habitat for kestrels. These cavities will need to be inspected prior to any potential construction or exotic removal activity to ensure that they are unoccupied prior to being cut down.

27. Eight cavity trees were recorded on-site that could potentially serve as roosting habitat for kestrels. These cavities will need to be inspected prior to any potential construction or exotic removal activity to ensure that they are unoccupied prior to being cut down.

28. Per ENV Policy 3.1.3: Wetland Categories, please provide staff with a report categorizing each wetland onsite as either category 1 or 2. A Habitat management Plan shall be implemented to make sure that the onsite wetlands shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along all wetlands.

29. Prior to or at the time of building permit application, provide a completed Tree Permit Application as appropriate for this site, along with a tree inventory of location, types, sizes of trees overlaid on a site plan of the building, parking, and other site amenities. Identify the trees proposed to be removed and preserved. All trees to be preserved or removed must be in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements, of the County Code. Tree permits must be obtained prior to any land clearing/ fill activity or the issuance.

30. The Final Site Plan should comply with the requirements as established in 3-9-45 Open Space and Article XVI Open Space/ Habitat Reservation.

31. Landscaping, buffers, and tree requirements must be consistent with the conditions established in the PD rezoning and meet all applicable regulations of Section 3-9-100: Buffers, Landscaping, and Tree Requirements.

32. A full landscape plan will be required for review at the time of Final PD Detail.

33. Additional review will be required as part of PD Final Detail.

Sincerely,

Shaun Cullinan

Shaun Cullinan
Planning and Zoning Official

# Exhibit “A”
# Proposed PD Conditions

# PD Conditions for PD-24-14

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

a. Development of the subject property shall occur as generally illustrated on the General PD Concept Plan (Attachment 1: PD Concept Plan Harbor Village) submitted by the applicant, prepared by ATWELL, LLC, dated July 17, 2024, revised June 30, 2025, except such modifications as may be required to meet the conditions of the PD zoning district. The open space area shall be no less than 250.8± acres. The General PD Concept Plan includes 101.2± acres of wetland/wetland buffer area and 57.3± acres of common open space area which shall not include any stormwater areas. In addition, the General PD Concept Plan Site Plan Review (Petition No. DRC-24-139) is subject to the comments and conditions contained in the letter dated December 20, 2024, and signed by Shaun Cullinan, Charlotte County Planning and Zoning Official. The General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Code Section 3-9-45.

b. The base density for the subject property is 1,114 units which was calculated based on the existing Residential Single-family 2 (RSF-2) and Residential Multi-family 5 (RMF-5), and Low Density Residential designation on the County's Future Land Use Map set forth in the County's 1997-2010 Comprehensive Plan prior to adoption of Application PA-08-05-29-LS. The proposal is to develop a total of 2,000 units. Any residential development above 1,114 units shall require transferred density units and any residential development above five units in Area A as shown on the General PD Concept Plan shall require transfer density units. The transfer of density units must be approved by the Board of County Commissioners subject to the County's Land Development Regulations 3-9-150: Transfer of Density Units, as may be amended, prior to Final Detail Site Plan or Preliminary Plat approval for each applicable phase, whichever occurs first.

c. The maximum commercial and light industrial uses:
   i. 376,600 square feet of commercial/shopping center.
   ii. 150,000 square feet of mini warehouse (approximately 6,600 square feet of commercial/shopping center) by using the Land Use Equivalency Matrix.
   iii. 200,000 square feet of office (approximately 85,000 square feet of commercial/shopping center) by using the Land Use Equivalency Matrix.
   iv. 400,000 square feet of light industrial.
   v. 200 hotel rooms (approximately 35,000 square feet of commercial/shopping center) by using the Land Use Equivalency Matrix.

d. Permitted uses and structures:
   i. There shall be no outside storage of items in the commercial areas except as specifically allowed by Section 3-9-61, Accessory outdoor retail sales, display, and storage, of the Charlotte County Code.
   ii. All boat docks shall be located within the marina boat basin. Boat docks are prohibited along the Interconnector Waterway and Butterford Waterway.
   iii. For tracts identified as Single Family Residential:

1) Accessory uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in this area.
2) Amenities such as clubhouse, community pool, tennis course or other similar non-commercial.
3) Community garden.
4) Park, public or not-for-profit.
5) Residential single-family detached.
6) Residential single-family attached.
7) Recreational uses and structures.
8) Townhouses.

iv. For the tract identified as Residential with Water-based Uses:

1) Accessory uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in this area.
2) Amenities such as docks/wet slips, clubhouse, community pool, tennis course or other similar non-commercial recreational uses and structures.
3) Community garden.
4) Multi-Family, including duplexes and townhouses.
5) Park, public or not-for-profit.
6) Residential single-family detached.
7) Residential single-family attached.

v. For the tract identified as Wharf Mixed Use:

1) Accessory uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in this tract.
2) Active and passive parks and playgrounds.
3) Art, dance, music, photo studio or gallery.
4) Auditorium, convention center, performing arts center.
5) Bar, cocktail lounge, nightclub, tavern.
6) Boat sales.
7) Clubhouse, community center.
8) Emergency services.
9) Essential services.
10) General offices.
11) General retail sales and services.
12) Government uses and facilities.
13) Hotel, motel, inn.
14) Leisure vehicle rental.
15) Marina including wet and dry boat slips.
16) Multi-Family, including duplexes and townhouse.
17) Noncommercial vehicle rental.
18) Outdoor market or exhibition space.
19) Park, public or not-for-profit.
20) Personal services.
21) Private club.

22) Recreation, indoor.
23) Recreation, outdoor.
24) Restaurant.
25) Uses and structures which are constantly accessory and clearly incidental to permitted uses and structures in this tract.
26) Residential single-family attached.

vi. For tracts identified as Mixed Use:

1) Accessory uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in this area.
2) Amenities such as clubhouse, community pool, tennis course or other similar non-commercial recreational uses and structures.
3) Animal hospital, boarding facility.
4) Art, dance, music, photo studio or gallery.
5) Assisted living facility or day care center.
6) Auditorium, convention center, performing arts center.
7) Bank, financial services.
8) Bar, cocktail lounge, nightclub, tavern.
9) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers.
10) Business services.
11) Car wash.
12) Clubhouse, community center.
13) Community garden.
14) Essential services.
15) Gas station.
16) General offices.
17) General retail sales and services.
18) Government uses and facilities.
19) Hotel, motel, inn.
20) Laundromat.
21) Leisure vehicle rental.
22) Liquor, package store.
23) Medical or dental office, clinic.
24) Multi-family, including duplexes and townhouse.
25) Outdoor market or exhibition space.
26) Paid or public parking lot, garage
27) Park, public or not-for-profit.
28) Personal services.
29) Place of worship.
30) Post office.
31) Park, public or not-for-profit.
32) Printing facilities.
33) Private club.

34) Professional services.
35) Recreation, indoor.
36) Recreation, outdoor.
37) Residential single-family detached.
38) Residential single-family attached.

vii. For tracts identified as Commercial:

1) Animal hospital, boarding facility.
2) Art, dance, music, photo studio or gallery.
3) Auditorium, convention center, performing arts center.
4) Assisted living facility (ALF) or day care center, nursing home. For ALF or nursing home, the following requirements shall apply:
   a) The facility shall have a direct access to McCall Road (SR 776) or Gasparilla Road (CR 771).
   b) The proposed building will be constructed to provide for either shuttering or shatterproof glass in all windows.
   c) The facility will include an independent emergency power supply.
   d) The facility will provide a written emergency plan under State of Florida rules with the plan being submitted to and approved by the Charlotte County Emergency Management Director.
5) Bank, financial services.
6) Bar, cocktail lounge, nightclub, tavern.
7) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers.
8) Business services.
9) Clubhouse, community center.
10) Commercial vehicle rental.
11) Day care center, child.
12) Drug store, pharmacy.
13) Dry cleaner.
14) Car wash.
15) Emergency services.
16) Essential services.
17) Funeral homes, crematoria.
18) Gas station.
19) General offices.
20) General retail sales and services.
21) Government uses and facilities.
22) Hotel, motel, inn.
23) Laundromat.
24) Leisure vehicle rental.
25) Liquor, package store.
26) Medical or dental office, clinic.
27) Noncommercial vehicle rental.

28) Outdoor market or exhibition space.
29) Park, public or not-for-profit.
30) Personal services.
31) Place of worship.
32) Post office.
33) Private club.
34) Printing facilities.
35) Private club.
36) Professional services.
37) Recreation, indoor.
38) Recreation, outdoor.
39) Restaurant.
40) Telecommunications facility.
41) Vehicle sales, service and rental subject to item (c)(8) under Section 3-9-69.
42) Vocational trade, trade, or business school.
43) Uses and structures which are constantly accessory and clearly incidental to permitted uses and structures in these areas.

viii. For the Tract identified as Commercial/Light Industrial:
1) All uses permitted under item d.vi.
2) Building trades contractor's office.
3) Laboratories, class 1, 2, 3.
4) Light manufacturing and assembly.
5) Mini-warehouses or storage facilities.
6) Storage of boat, travel trailer and motor vehicle, including recreational vehicles and campers.
7) Wholesale sales.

ix. Kayak/nature path may be permitted within the proposed preservation areas.

e. The platted density of new development shall not exceed 3.5 units per acre.

f. Non-Residential Land Use Equivalency Matrix:

## Exhibit C

Land Use Equivalency Matrix

| | | | | | TO | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Trip Generated By | ITE Code | PM Peak Hour Trip Rate | | General Light Industrial (KSF) | Hotel (ROOM) | Shopping Center (KSF) | Mini-Warehouse (KSF) | General Office Building (KSF) |
| FROM | 1 KSF General Light Industrial | 110 | 0.65 | is equal to | 1.00 | 1.10 | 0.19 | 4.33 | 0.45 |
| | 1 ROOM Hotel | 310 | 0.59 | is equal to | 0.91 | 1.00 | 0.17 | 3.93 | 0.41 |
| | 1 KSF Shopping Center | 820 | 3.40 | is equal to | 5.23 | 5.76 | 1.00 | 22.67 | 2.36 |
| | 1 KSF Mini Warehouse | 151 | 0.15 | is equal to | 0.23 | 0.25 | 0.04 | 1.00 | 0.10 |
| | 1 KSF General Office Building | 710 | 1.44 | is equal to | 2.22 | 2.44 | 0.42 | 9.60 | 1.00 |

Equivalency Matrix is based on trip rates published in the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 11th Edition.

KSF = 1,000 square feet

Example (Convert Hotel to General Office Building): 100 ROOM Hotel = 100 x 0.41 = 41 KSF General Office Building

Note: Land uses allowed per PD zoning district include but are not limited to the land uses provided in the Equivalency Matrix.

Approved commercial and light industrial entitlements may be increased in one land use category and concurrently reduced in another land use category to achieve the final development entitlements according to the Non-Residential Land Use Equivalency Matrix. All applications for Final Detail Site Plan Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.

g. Heights:
   i. The maximum building heights for all non-residential and multi-family is 60 feet in addition to five feet of resilient freeboard.
   ii. The maximum building heights for all accessory structures is 38 feet.
   iii. The maximum building heights for single-family homes and townhouse is 38 feet in addition to five feet of resilient freeboard.
   iv. All structure within this PD must be constructed with a minimum finished floor elevation of 10.7 feet (NAVD) per the storm surge elevation study provided by the applicant.

h. Residential development must comply with the approved pattern book.

i. The site must be served by a central potable water and sanitary sewer system. No Certificate of Occupancy shall be issued for any building not served with potable water and sanitary sewer. Common areas shall be irrigated with non-potable water.

j. The 25-foot PD setback except for 30-foot PD setback along Gasparilla Road is required as shown on the PD Concept Plan. Sidewalks, roads, stormwater facilities may be located within the PD setback.

k. Landscaping and Buffers:
   i. At a minimum, planting equivalent to type B buffer shall be required along the property boundary except for wetlands as shown on the PD Concept Plan.
   ii. For all non-residential development which is immediately adjacent to any single-family homes and townhouse, at a minimum, planting equivalent to type C buffer for accent trees and canopy trees shall be required, additionally, a perimeter hedge row shall be required, which must be a minimum 36 inches in height upon planting (with a minimum

maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting .

iii. For all non-residential development which is immediately adjacent to any multi-family development, at a minimum, planting equivalent to type B buffer for accent trees and canopy trees shall be required, additionally, a perimeter hedge row shall be required, which must be a minimum 36 inches in height upon planting (with a minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting.

iv. For the commercial/industrial area abutting the existing single-family homes (Village of Holiday Lake community to the east and southeast), at a minimum, a 30-foot-wide natural buffer shall be required with supplemental planting if required to maintain standards consistent with type D buffer requirements, and a 6-foot opaque fence or wall to be installed on the project side of the buffer.

v. For the residential area abutting the existing single-family homes (Village of Holiday Lake community to the south and southwest), at a minimum, a 30-foot-wide natural buffer shall be required with supplemental planting if required to maintain standards consistent with type C buffer requirements, and a 6-foot opaque fence or wall to be installed on the project side of the buffer.

vi. If Conditions k.i. through k.v., regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.

vii. For “boat, travel trailer and motor vehicle sales, including recreational vehicles and campers’, “car wash” and “gas station” adjacent to any residential uses:

1) At a minimum, a 25-foot setback from the property line shall be required with an architecturally designed eight-foot-high masonry wall or opaque fence, and landscaped with a minimum of five canopy or understory trees and 18 shrubs per 100 linear feet; or
2) A 30-foot wide Type D buffer with planting equivalent to Type D buffer for accent trees and canopy trees shall be required, additionally, a perimeter hedge row shall be required, which must be a minimum 36 inches in height upon planting (with a minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required.

l. Habitat management plan (Attachment 2: Native Habitat Management Plan) shall be implemented to make sure that the onsite wetland identified on the General PD Concept Plan shall be restored and preserved in perpetuity. At a minimum, a 25-foot buffer is required along all wetlands. Within the project boundary, per County Code, all exotics shall be removed and any shoreline exposed as a result of the exotic removal shall be stabilized with appropriate native plantings.

m. All common areas within each development area shall be developed with a unified landscaping theme for at least each neighborhood, town square or mixed-use areas.

n. When non-canopy native trees are planted in landscape buffers, they must be planted in groups of three or more.

o. Best Management Practices (BMP) and Low Impact Development (LID) techniques for stormwater management may be used within the development if applicable. Examples for BMPs and LID techniques include one or more of the following techniques:
   i. Use of pervious paving surfaces on portions of select parking areas where weight loads will allow.
   ii. Use of pervious construction materials for trails, walkways and other non-vehicular travel ways.
   iii. Use of pervious construction materials for parking spaces for recreation areas.
p. Stormwater ponds may be designed to include Low Impact Development (LID) techniques, such as the following:
   i. Rain gardens.
   ii. Littoral zones planted with native vegetation.
   iii. Entrapment systems.
   iv. Extended hydraulic retention times and increased flow paths in storm water design.
q. Pursuant to the County's laws, rules and regulations, Florida and federal laws, rules and regulations, project access and roadway improvements:
   i. There are two proposed primary vehicle entrances located on Gasparilla Road, one entrance proposed on McCall Road (SR 776), and two entrances on Cattle Dock Point Road subject to Charlotte County and the Florida Department of Transportation approval. Each of these entrance points shall be allowed a maximum of one monument sign with the name of the development. Lighting shall be from an external source. There is one optional roundabout located on Cattle Dock Point Road.
   ii. The developer shall be responsible, at his own cost, for the improvements to Cattle Dock Point Road up to the project limits as shown on the General PD Concept Plan (Attachment 1). The improvements shall include the roadway and the required right of way.
   iii. The developer will be responsible, at his own cost, for Intersection control improvements at the developments access points on Gasparilla Road, Cattle Dock Point Road and SR 776.
   iv. One or more proportionate fair share agreements may be required by the County and/or FDOT.
   v. As part of preliminary site plans and Final Detail Site Plan applications, a detailed access plan and revised cumulative TIS shall be submitted for approval. At each submittal, a detailed study including intersection operational analysis, signal warrant analysis, and turn lane analysis shall be required.
   vi. Each residential neighborhood shall have at least two vehicle entrances.
   vii. 20 feet of property within the required 30-foot PD setback along Gasparilla Road may be used as part of future right-of-way for the widening project for this roadway and will be dedicated to the County at such time if needed for the roadways' widening project. Entrances, paved driveways, landscaping and sod are allowed within the 20 feet set aside for future road widening but structures or berms are prohibited in this area. This dedication/conveyance may be eligible for compensation or impact fee credits to be determined at the time dedication/conveyance. If property is acquired for road right-of-way, the total number of permitted residential, commercial, and light industrial uses as

well as associated accessary uses will be considered legal-conforming and a reduction in the total number of residential units and non-residential square footage will not be required.

viii. A traffic signal will be installed by the developer at its own expense at the proposed Access #1 on Gasparilla Road as shown on the General PD Concept Plan (Attachment 1: PD Concept Plan Harbor Village) prior to issuance of the 300th residential single-family CO.

r. In order to provide connectivity to adjacent vacant property, the proposed development shall include rights-of-way that extend to undeveloped land that is adjacent to the PD site.

s. A sidewalk/pedestrian path shall be placed throughout the entire development, with a minimum width of five feet along at least one side of all internal roadways. A multi-modal path with a minimum width of 10 feet for use by non-automotive traffic, such as bicycles, golf carts, pedestrians, and skaters, is required along the proposed boulevard and as shown on the PD Concept Plan.

t. Off-street parking shall comply with Section 3-9-79, Off-street Parking and Loading Facilities, as may be amended. Shared parking is strongly encouraged for all commercial development areas. On-street parking is permitted; it may be landscaped, but shall not be subject to Section 3-9-79.

u. All primary free-standing signs shall be monument signs. All free-standing signs facing internal rights-of-way shall be no more than ten feet.

v. Commercial development is subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code.

w. For the school concurrency issues:

i. If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.

ii. If an agreement is required, the terms of such agreement shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

x. No development in any phase shall occur prior to Final Detail Site Plan approval of that phase.

y. In order to satisfy Special Provisions Item 2. Mix of land uses, sub-item b and Item. 4 which is set forth in the Compact Growth Mixed Use (CGMU) FLUM designation, at a minimum, for every 100 residential Certificates of Occupancy (CO), there will be 5,000 square feet of non-residential development within this development, from the uses under conditions d.iii though d.viii. above.

z. The multi-modal path system must be completed at the time of 500 residential CO within this development. For purpose of this condition, multi-family dwelling units in a building shall count toward the number of CO in this condition.

aa. Per Special Provisions Item 8. Shelter Requirement set forth in the CGMU FLUM designation, the developer/property owner is required to pay $132.50 per residential dwelling unit

contained within the Final Detail Site Plan, as a monetary contribution to meet the Shelter Requirement, concurrently with submission of Final Detail Site Plan application.

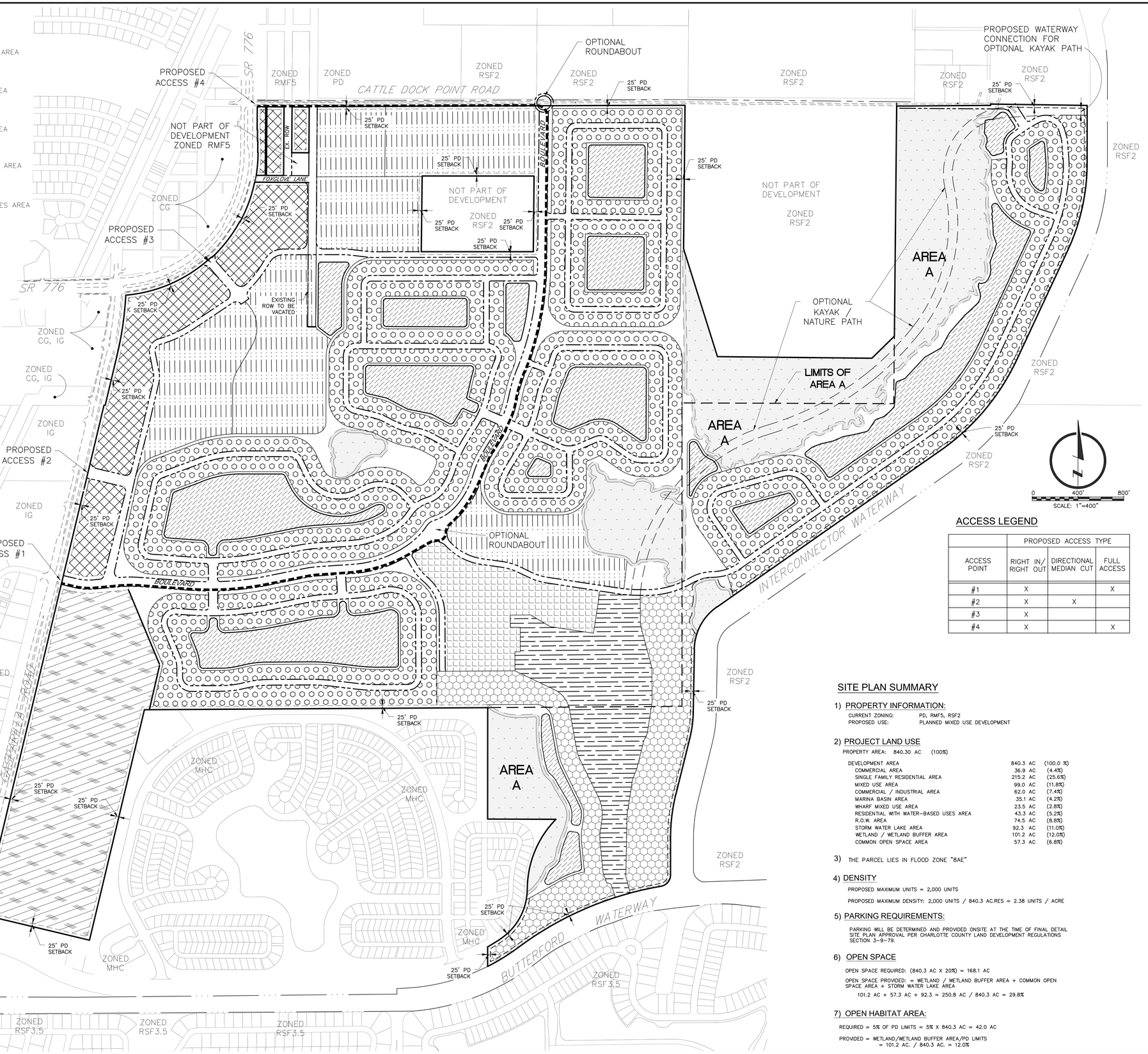
# Attachment 1:
# PD Concept Plan Harbor Village

## LEGEND

- COMMERCIAL AREA
- SINGLE FAMILY RESIDENTIAL AREA
- MIXED USE AREA
- COMMERCIAL / INDUSTRIAL AREA
- WETLAND AREA
- WETLAND BUFFER AREA
- STORM WATER AREA
- MARINA BASIN AREA
- WHARF MIXED USE AREA
- RESIDENTIAL WITH WATER-BASED USES AREA
- 10' MULTI-USE TRAIL

## PLANNED DEVELOPMENT NOTES:

1. ALL TRACT LINES SHOWN ARE PRELIMINARY & MAY BE CHANGED DUE TO MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENTS AT FINAL DETAIL SITE PLAN APPROVAL.
2. WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER TO WORK WITH COUNTY STAFF TO DETERMINE IF EXISTING TREES & VEGETATION MEET BUFFER REQUIREMENTS & DETERMINE WHAT ADDITIONAL TREES WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
3. ALL ON-SITE LAKES WILL BE A PART OF THE STORM WATER MANAGEMENT SYSTEM.
4. PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
5. ALL INTERNAL STREETS ARE PROPOSED TO BE PRIVATE.
6. PARALLEL PARKING IS PROPOSED WITHIN R.O.W. TO SERVE COMMUNITY FACILITIES.
7. PROPOSED ACCESS POINTS FOR COMMERCIAL/INDUSTRIAL AREA WILL BE PROVIDED AT FINAL DETAIL SITE PLAN
8. BASE DENSITY OF AREA A LABELED HEREON IS 5 DWELLING UNITS.




## ACCESS LEGEND

| ACCESS POINT | PROPOSED ACCESS TYPE: RIGHT IN/ RIGHT OUT | DIRECTIONAL MEDIAN CUT | FULL ACCESS |
|---|---|---|---|
| #1 | X | | X |
| #2 | X | X | |
| #3 | X | | |
| #4 | X | | X |

## SITE PLAN SUMMARY

### 1) PROPERTY INFORMATION:

CURRENT ZONING: PD, RMF5, RSF2
PROPOSED USE: PLANNED MIXED USE DEVELOPMENT

### 2) PROJECT LAND USE

PROPERTY AREA: 840.30 AC (100%)

| | | |
|---|---|---|
| DEVELOPMENT AREA | 840.3 AC | (100.0 %) |
| COMMERCIAL AREA | 36.9 AC | (4.4%) |
| SINGLE FAMILY RESIDENTIAL AREA | 215.2 AC | (25.6%) |
| MIXED USE AREA | 99.0 AC | (11.8%) |
| COMMERCIAL / INDUSTRIAL AREA | 62.0 AC | (7.4%) |
| MARINA BASIN AREA | 35.1 AC | (4.2%) |
| WHARF MIXED USE AREA | 23.5 AC | (2.8%) |
| RESIDENTIAL WITH WATER-BASED USES AREA | 43.3 AC | (5.2%) |
| R.O.W. AREA | 74.5 AC | (8.8%) |
| STORM WATER LAKE AREA | 92.3 AC | (11.0%) |
| WETLAND / WETLAND BUFFER AREA | 101.2 AC | (12.0%) |
| COMMON OPEN SPACE AREA | 57.3 AC | (6.8%) |

### 3) THE PARCEL LIES IN FLOOD ZONE "8AE"

### 4) DENSITY

PROPOSED MAXIMUM UNITS = 2,000 UNITS

PROPOSED MAXIMUM DENSITY: 2,000 UNITS / 840.3 AC.RES = 2.38 UNITS / ACRE

### 5) PARKING REQUIREMENTS:

PARKING WILL BE DETERMINED AND PROVIDED ONSITE AT THE TIME OF FINAL DETAIL SITE PLAN APPROVAL PER CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS SECTION 3-9-79.

### 6) OPEN SPACE

OPEN SPACE REQUIRED: (840.3 AC X 20%) = 168.1 AC

OPEN SPACE PROVIDED: = WETLAND / WETLAND BUFFER AREA + COMMON OPEN SPACE AREA + STORM WATER LAKE AREA

101.2 AC + 57.3 AC + 92.3 = 250.8 AC / 840.3 AC = 29.8%

### 7) OPEN HABITAT AREA:

REQUIRED = 5% OF PD LIMITS = 5% X 840.3 AC = 42.0 AC

PROVIDED = WETLAND/WETLAND BUFFER AREA/PD LIMITS = 101.2 AC. / 840.3 AC. = 12.0%


ATWELL
866.850.4200 www.atwell-group.com
4161 TAMIAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165


# PD CONCEPT PLAN
# HARBOR VILLAGE NORTH
PORT CHARLOTTE, FLORIDA

PREPARED FOR:
MARONDA HOMES LLC OF FLORIDA

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 8-22-24 | REV PER COUNTY COMMENTS | FLS |
| 2 | 1-10-25 | REV PER COUNTY COMMENTS | FLS |
| 3 | 5-1-25 | REV PER PD COMMENTS | TRR |
| 4 | 6-30-25 | REV PER PD COMMENTS | TRR |

811 Know what's below. Call before you dig.

ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE AT THE TIME. THERE IS NO GUARANTEE ALL FACILITIES ARE SHOWN OR THAT THE LOCATION, DEPTH, AND SIZE ARE EXACT OR CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND SERVICE LINES PRIOR TO CONSTRUCTION.

NOT RELEASED FOR CONSTRUCTION

TODD R. REBOL P.E.
FLORIDA LIC. #64040

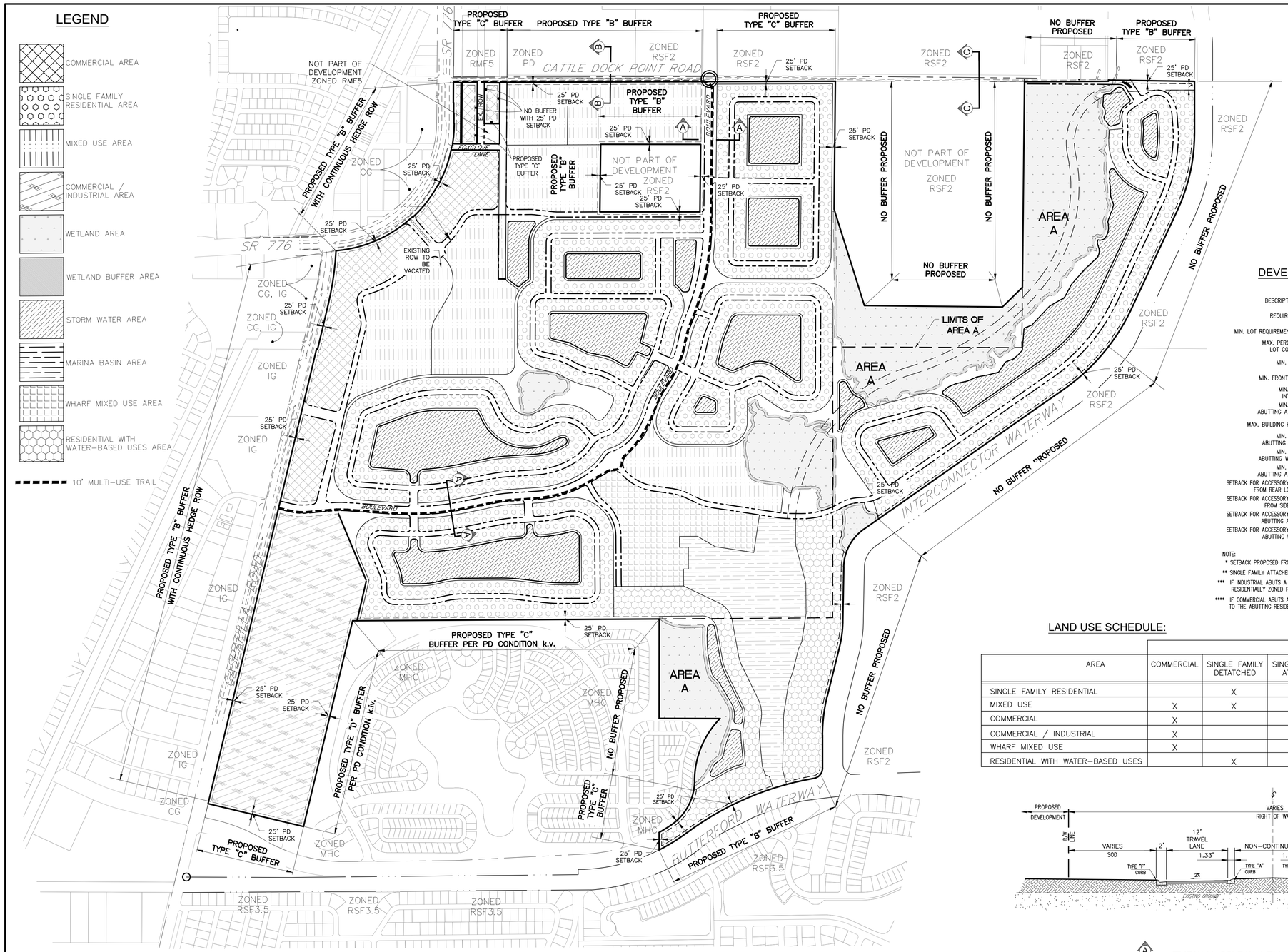
| DRAFTED BY: | DESIGNED BY: | REVIEWED BY: |
|---|---|---|
| FLS | TRR | TRR |
| PROJECT NUMBER: 4196A | COMPLETION DATE: – | SURVEY DATUM: NAVD 1988 |
| BOOK AND PAGE: | | |

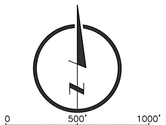
SHEET 3

S:\2024\41xx\4196A\ENGINEERING\PD CONCEPT PLAN\Conceptual_Plan-1-10-25\4196A-CP-01.dwg, 6/30/2025 8:53:37 AM, TODD REBOL, BRIAN5 ENGINEERING

## LEGEND

- COMMERCIAL AREA
- SINGLE FAMILY RESIDENTIAL AREA
- MIXED USE AREA
- COMMERCIAL / INDUSTRIAL AREA
- WETLAND AREA
- WETLAND BUFFER AREA
- STORM WATER AREA
- MARINA BASIN AREA
- WHARF MIXED USE AREA
- RESIDENTIAL WITH WATER-BASED USES AREA
- 10' MULTI-USE TRAIL



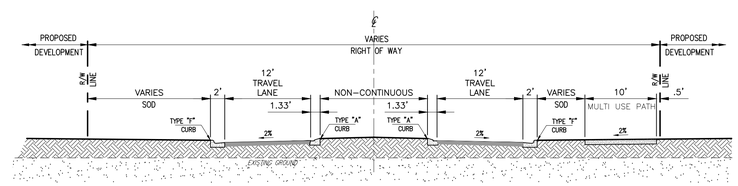

## DEVELOPMENT STANDARDS:

| DESCRIPTION OF USE | SINGLE FAMILY DETATCHED | SINGLE FAMILY ATTACHED | MULTI FAMILY | TOWNHOMES | COMMERCIAL | INDUSTRIAL |
|---|---|---|---|---|---|---|
| REQUIRED PARKING | 2 / UNIT | 2 / UNIT | PER CC CODE 3-9-79 | 2 / UNIT | PER CC CODE 3-9-79 | PER CC CODE 3-9-79 |
| MIN. LOT REQUIREMENT (SQ. FT.) | 4,000 | 3,200 | 7,500 | 2,000 | 12,000 | 12,000 |
| MAX. PERCENTAGE OF LOT COVERAGE (%) | 65 | 70 | 45 | 75 | 55 | 60 |
| MIN. WIDTH (FT.) | 40 | 30 | 80 | 18 | 100 | 100 |
| MIN. FRONT YARD (FT.) | 20 | 20 | 20 | 20 | 20**** | 20*** |
| MIN. SIDE YARD INTERIOR (FT.) | 5 | 5/0** | 1/2 BLDG HT BUT NOT < 15' | 5 EXTERIOR 0 INTERIOR | 10**** | 10 *** |
| MIN. SIDE YARD ABUTTING A ROAD (FT.) | 10 | 10 | 10 | 10 | 10**** | 10 *** |
| MAX. BUILDING HEIGHT (FT.) | 38 | 38 | 60 | 38 | 60 | 60 |
| MIN. REAR YARD ABUTTING A LOT (FT.) | 10 | 10 | 1/2 BLDG HT BUT NOT < 15' | 10 | 10**** | 10 *** |
| MIN. REAR YARD ABUTTING WATER (FT.)* | 20 | 20 | 20 | 20 | 20**** | 20 *** |
| MIN. REAR YARD ABUTTING A ROAD (FT.) | 15 | 15 | 15 | 15 | 10**** | 10 *** |
| SETBACK FOR ACCESSORY STRUCTURE FROM REAR LOT LINE (FT.) | 5 | 5 | SAME AS PRINCIPAL BUILDING | | | |
| SETBACK FOR ACCESSORY STRUCTURE FROM SIDE YARD (FT.) | SAME AS PRINCIPAL BUILDING | | | | | |
| SETBACK FOR ACCESSORY STRUCTURE ABUTTING A ROAD (FT.) | SAME AS PRINCIPAL BUILDING | | | | | |
| SETBACK FOR ACCESSORY STRUCTURE ABUTTING WATER (FT.)* | SAME AS PRINCIPAL BUILDING | | | | | |

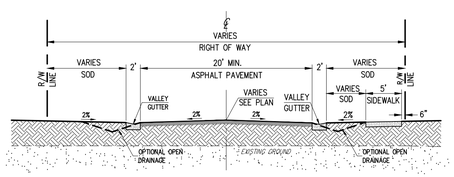
NOTE:
* SETBACK PROPOSED FROM PHYSICAL LOCATION OF SEASONAL HIGH WATER LINE.
** SINGLE FAMILY ATTACHED WILL HAVE 0' SIDE SETBACK ON ONE SIDE.
*** IF INDUSTRIAL ABUTS A RESIDENTIAL AREA, NO STRUCTURE OTHER THAN SCREENING, SHALL BE ERECTED CLOSER TO THE ABUTTING RESIDENTIALLY ZONED PROPERTY THAN 25 FEET OR THE BUILDING HEIGHT, WHICHEVER IS GREATER.
**** IF COMMERCIAL ABUTS A RESIDENTIAL AREA, NO STRUCTURE OTHER THAN SCREENING, SHALL BE ERECTED CLOSER TO THE ABUTTING RESIDENTIALLY ZONED PROPERTY THAN 25 FEET OR HALF THE BUILDING HEIGHT, WHICHEVER IS GREATER.

## LAND USE SCHEDULE:

| AREA | PROPOSED LAND USE | | | | | | |
|---|---|---|---|---|---|---|---|
| | COMMERCIAL | SINGLE FAMILY DETATCHED | SINGLE FAMILY ATTACHED | TOWNHOMES | MULTI-FAMILY | RECREATIONAL | INDUSTRIAL |
| SINGLE FAMILY RESIDENTIAL | | X | X | X | | X | |
| MIXED USE | X | X | X | X | X | X | |
| COMMERCIAL | X | | | | | X | |
| COMMERCIAL / INDUSTRIAL | X | | | | | X | X |
| WHARF MIXED USE | X | | X | X | X | X | X |
| RESIDENTIAL WITH WATER-BASED USES | | X | X | X | X | X | |




A — TYPICAL 80' BOULEVARD SECTION — A
NTS




TYPICAL 50' MIN. ROADWAY SECTION
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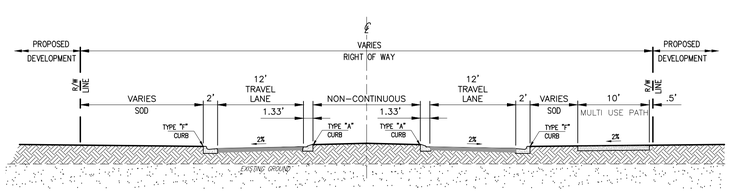
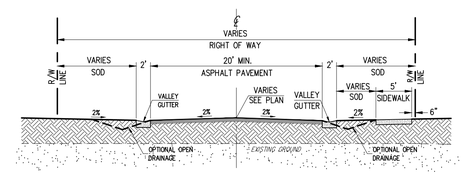



B — CATTLE DOCK POINT ROAD SECTION #1 — B
NTS




C — CATTLE DOCK POINT ROAD SECTION #2 — C
NTS


ATWELL
866.850.4200 www.atwell-group.com
4161 TAMIAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165


# PD CONCEPT PLAN DETAILS & BUFFERS

# HARBOR VILLAGE NORTH

PORT CHARLOTTE, FLORIDA

PREPARED FOR: MARONDA HOMES LLC OF FLORIDA

| NO. | DATE | REVISION DESCRIPTION | BY |
|---|---|---|---|
| 1 | 8-22-24 | REV PER COUNTY COMMENTS | FLS |
| 2 | 1-10-25 | REV PER COUNTY COMMENTS | FLS |
| 3 | 5-1-25 | REV PER PD COMMENTS | TRR |
| 4 | 6-30-25 | REV PER PD COMMENTS | TR |

811 Know what's below. Call before you dig.

ALL UTILITIES ARE SHOWN BASED ON THE INFORMATION AVAILABLE TO ATWELL. THERE IS NO GUARANTEE ALL FACILITIES ARE SHOWN OR THAT THE LOCATION, DEPTH, AND SIZE ARE ACCURATE OR CORRECT. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND SERVICE LINES PRIOR TO CONSTRUCTION.

NOT RELEASED FOR CONSTRUCTION

TODD R. REBOL P.E.
FLORIDA LIC. #64040

| DRAFTED BY: | DESIGNED BY: | REVIEWED BY: |
|---|---|---|
| FLS | TRR | TRR |
| PROJECT NUMBER: 4196A | COMPLETION DATE: – | SURVEY DATUM: NAVD 1988 |
| BOOK AND PAGE: | | |

SHEET 4

S:\2024\41xx\4196A\ENGINEERING\PD CONCEPT PLAN\Conceptual_Plan-1-10-25\4196A-CP-01-2.dwg, 6/30/2025 8:59:57 AM, TODD REBOL, BAKER ENGINEERING

# Attachment 2:
# Native Habitat Management Plan

# NATIVE HABITAT MANAGEMENT PLAN

## WEST COUNTY TOWN CENTER
## Charlotte County, Florida

**June 2020**

**Prepared by:**

Ian Vincent & Associates
Environmental Consulting Services

4050 Rock Creek Drive, Port Charlotte, FL 33948
(941) 457-6272
www.IVAenvironmental.com

## INTRODUCTION

The following Native Habitat Management Plan has been prepared to address the long-term management of the wetland and upland preservation areas for the proposed development.

The subject property (Charlotte County Parcel ID#s 412109100001, 412104355001, 412104376001, 412104377003, 412104377001, 412104329004, 412104400005, 412104328001, 412104329003, and 412104329001.) is located in Sections 4 & 9, Township 41S, Range 21E within Charlotte County, Florida.

## NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN

An aggressive maintenance plan shall be implemented to ensure that the preserve areas remains relatively free (<5% aerial coverage) of exotic and nuisance vegetative species, and maintain a minimum 80% aerial coverage of desirable native vegetative species. The maintenance plan will consist of an initial exotic/nuisance vegetation treatment and removal event, with scheduled maintenance events to ensure that regrowth of exotic and nuisance vegetation is limited. All maintenance activities will be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved aquatic herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted.

### Prohibited Activities

Filling, excavating, alteration, trimming or removal of native vegetation within the preservation area will be prohibited. Except as provided in the next paragraph, only activities necessary to implement the maintenance plan described above will be allowed within the preservation areas.

### Measures to Protect Wildlife and Integrity of the Native Habitat

Entrance to the preservation area will be limited to the homeowners and guests of the homeowners for purposes of viewing the area or performing maintenance activities, and contractors hired to perform maintenance activities required or permitted by this plan. Public access to the preservation area will not be permitted. In the case of any entrance to the preservation area, care shall be taken to protect wildlife and the integrity of the habitat. Habitat for wildlife, as well as overall increase in the ecological value of the preservation areas will be ensured through implementation of the maintenance plan.

### Monitoring Plan

To ensure that the preservation areas meet the success criteria described above, a Time Zero Monitoring Event will be conducted within 45 days of the initial exotic removal event. Subsequent monitoring events will be conducted annually for a period of no less than 3 years. If, at the end of three years, the preserve areas have met or exceeded the success criteria described above, monitoring requirements for the preserve areas shall be suspended. However, additional monitoring may be required if the success criteria of native or invasive/nuisance pant coverage has not been achieved.

If assessment of the preserve areas demonstrates that the success criteria have been achieved, the responsible party shall provide written certification by an Environmental Scientist, Biologist, or registered Engineer, or Landscape Architect that the maintenance efforts have met applicable success criteria. If certification of success is not submitted or is not approved by the County, then annual monitoring shall continue until the criteria has been met and deemed successful. The monitoring program and any corrective actions to maintain the preserve areas shall be at the sole expense of the property owner(s) or developer.

The results of these monitoring events will be compiled in monitoring reports which will include:

-Qualitative overview of vegetative species present
-Percent coverage by exotic/nuisance vegetation
-Wildlife observations
-Permanent fixed-point photo stations
-Discussion of ongoing maintenance activities
-Identification of insufficiencies and recommendations for future remediation

Such monitoring report must be provided to the County within 45 days of monitoring inspection event, unless an extension by the County is granted.

**Qualifications of Jie Shao**

*Position*: Principal Planner

*Years with Charlotte County*: 21

*Position Summary & Experience*: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County' Comprehensive Plan in 2007, 2014, and 2022.

*Education*:

- September 1997 to December 2001
  University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
  Chongqing University China; Obtained a B.S. degree in Architecture

*Professional Associations and Certifications*:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

*Related Past Experience:*

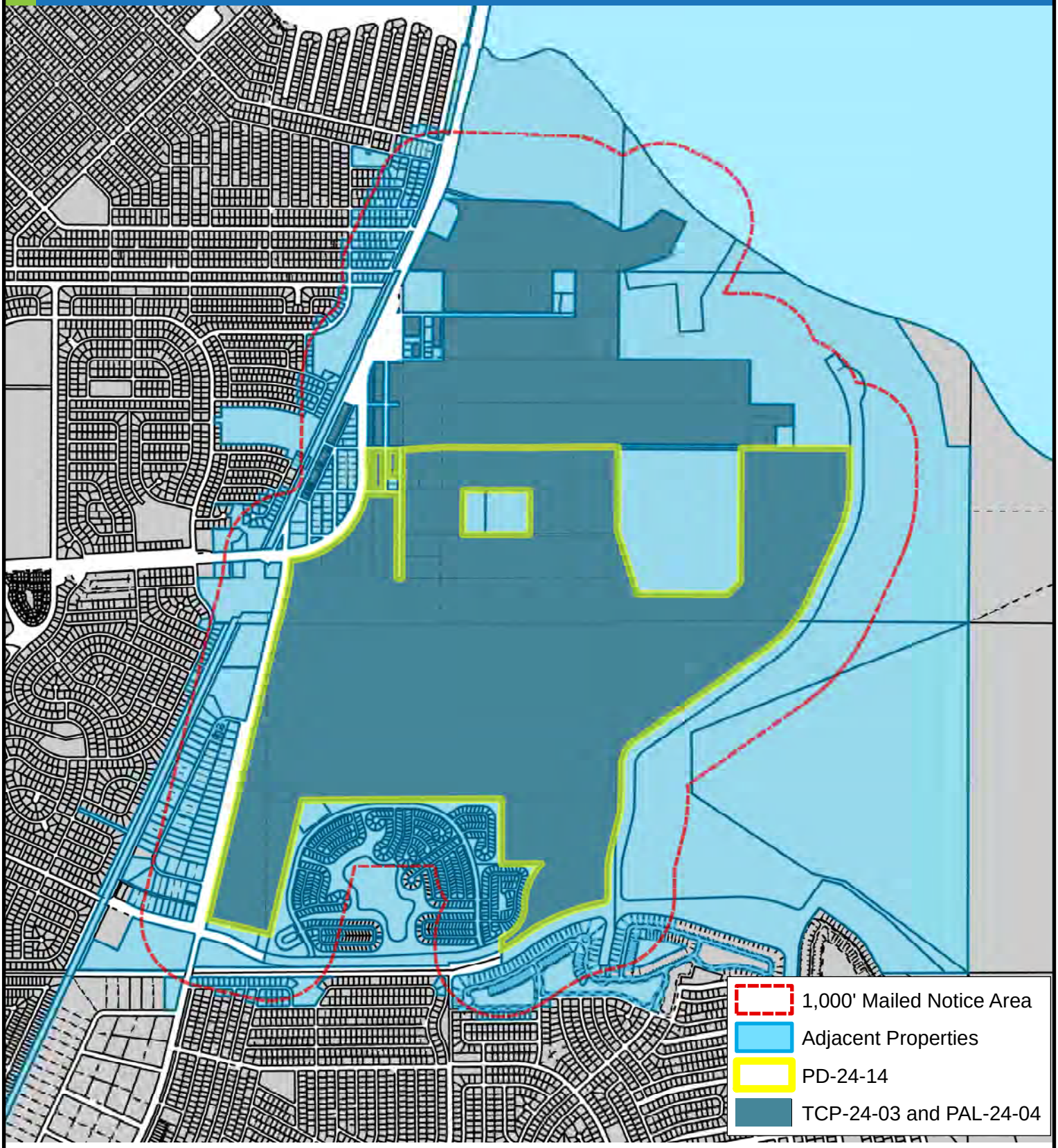
- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

**Exhibit 1**

# CHARLOTTE COUNTY

*1,000' Foot Mailed Notice of*
*TCP-24-03, PAL-24-04, and PD-24-14*

CHARLOTTE COUNTY
Community Development




## 03, 04, 08, 09, 10, 33/40, 41/21 West County

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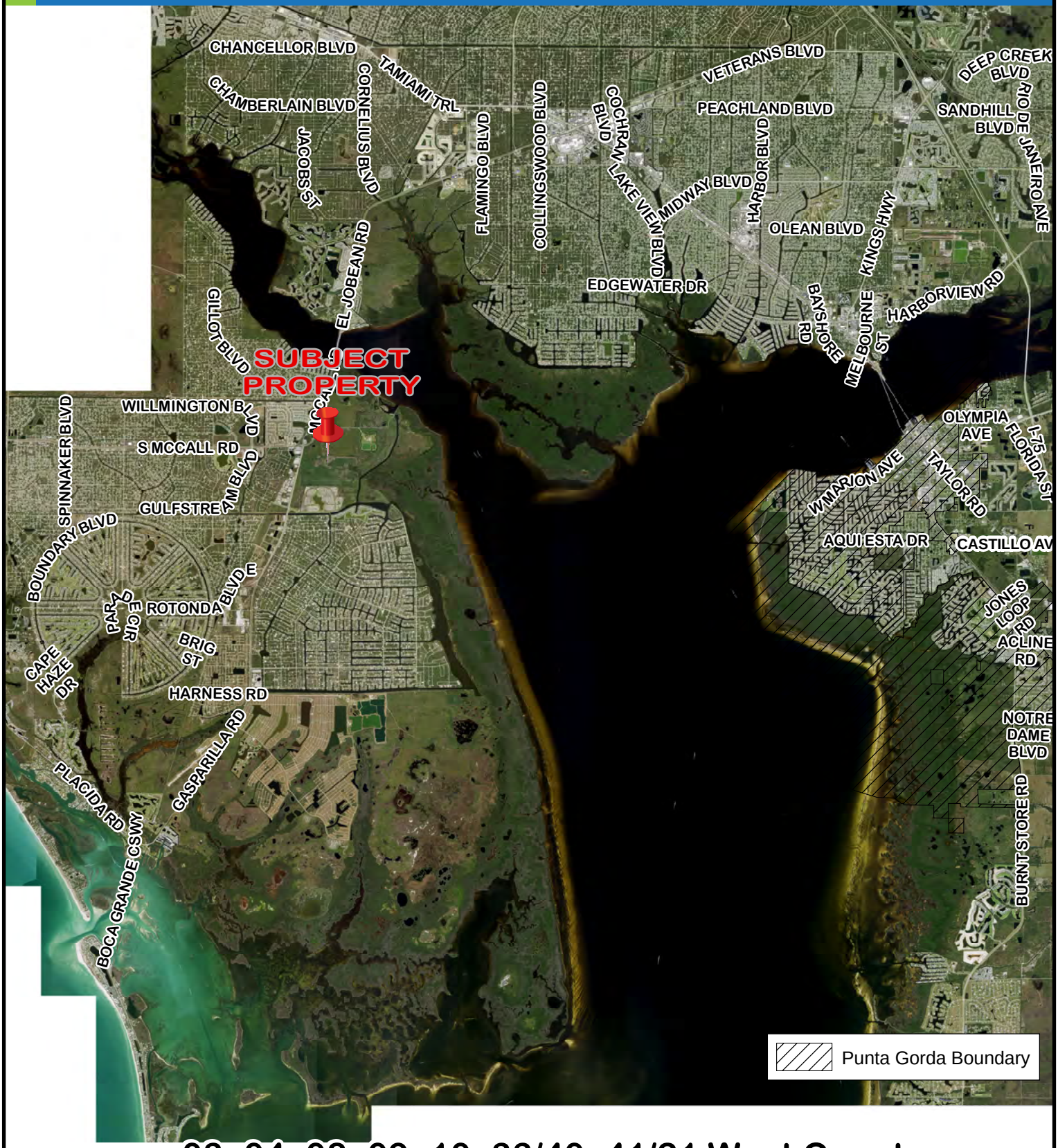
# CHARLOTTE COUNTY

*Location Map for TCP-24-03, PAL-24-04 and PD-24-14*

CHARLOTTE COUNTY
Community Development




## 03, 04, 08, 09, 10, 33/40, 41/21 West County

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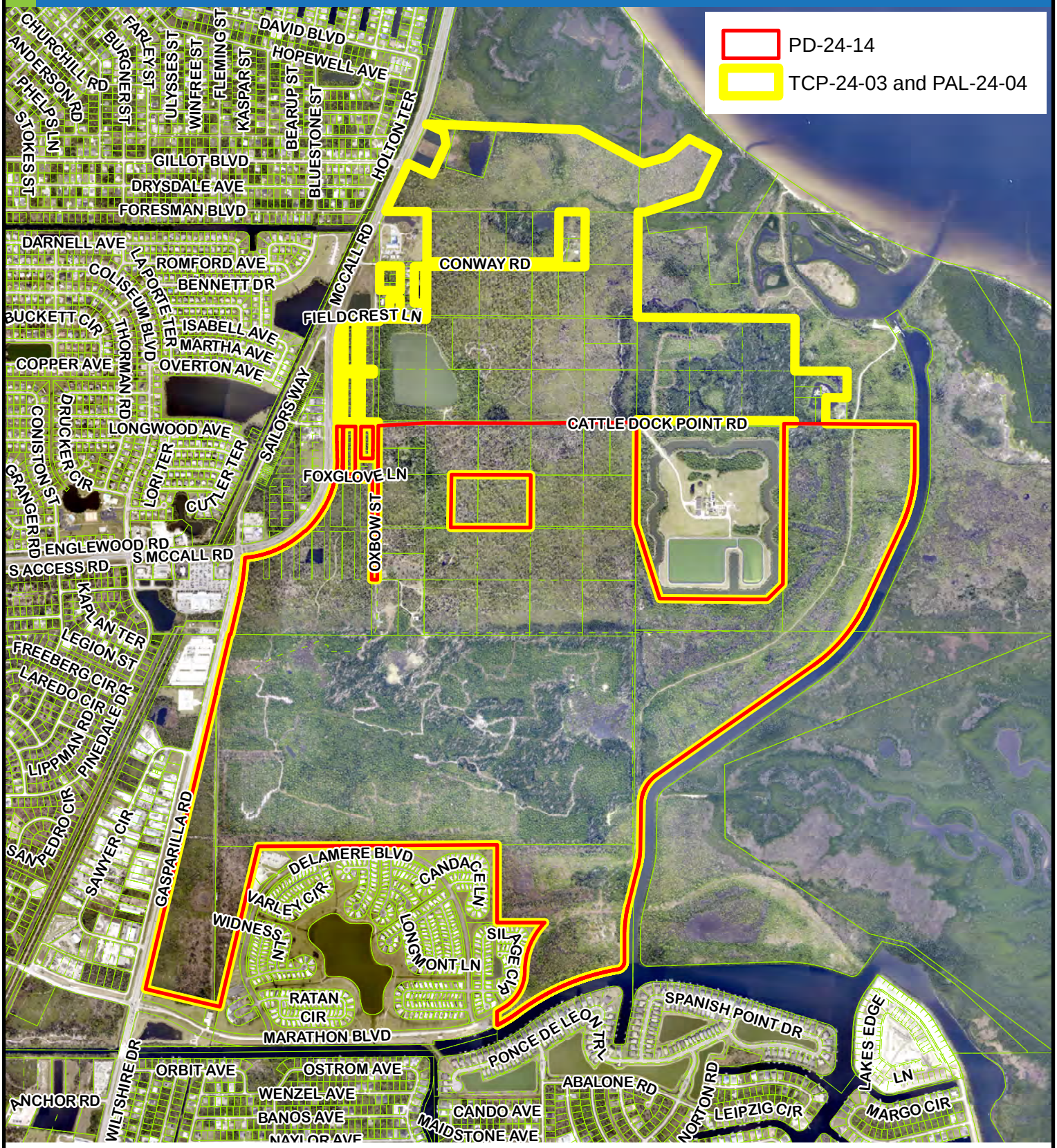
# CHARLOTTE COUNTY

*Area Image for TCP-24-03, PAL-24-04, and PD-24-14*

CHARLOTTE COUNTY
Community Development

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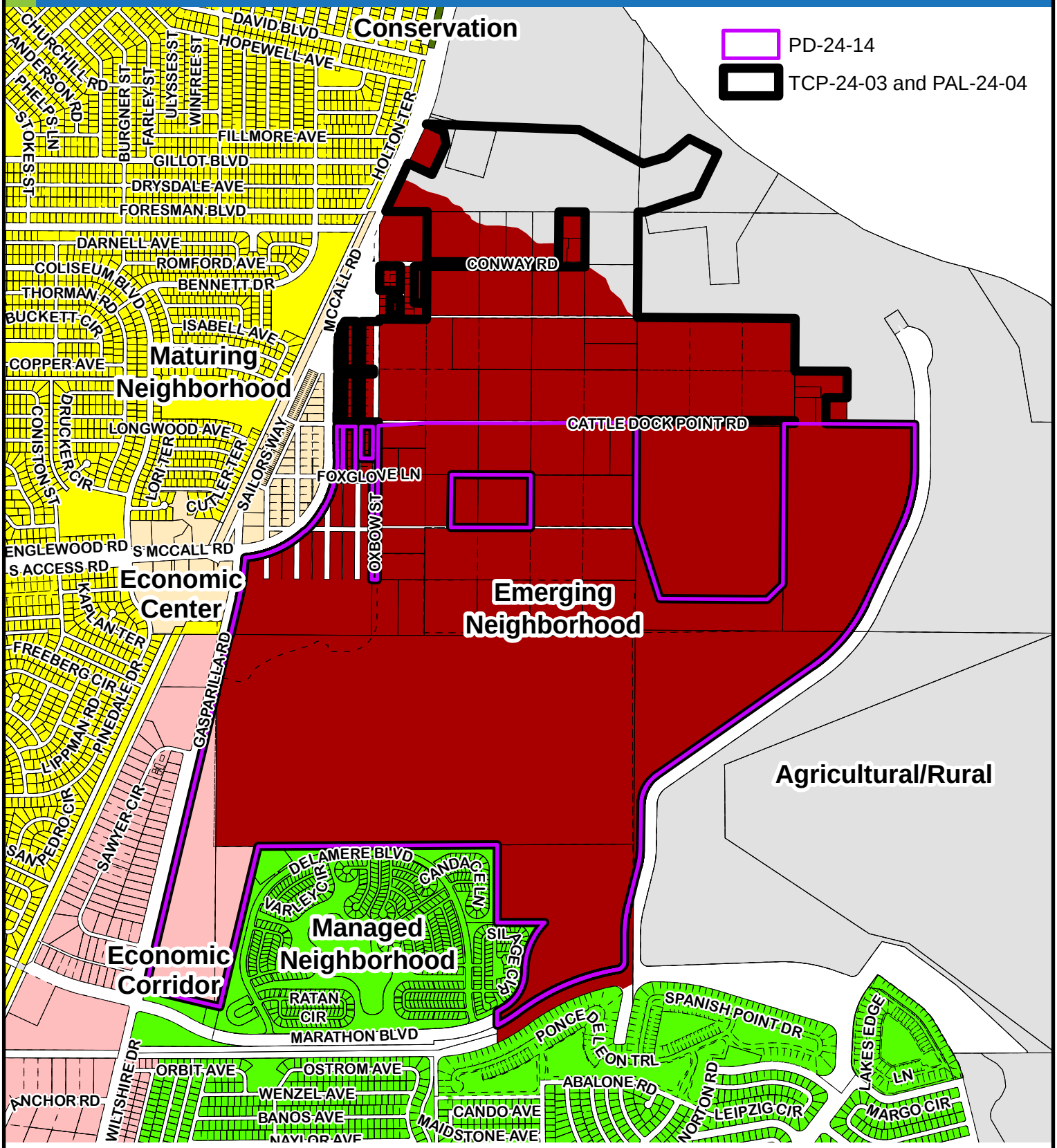
# CHARLOTTE COUNTY

*Framework for TCP-24-03, PAL-24-04, and PD-24-14*

CHARLOTTE COUNTY
Community Development

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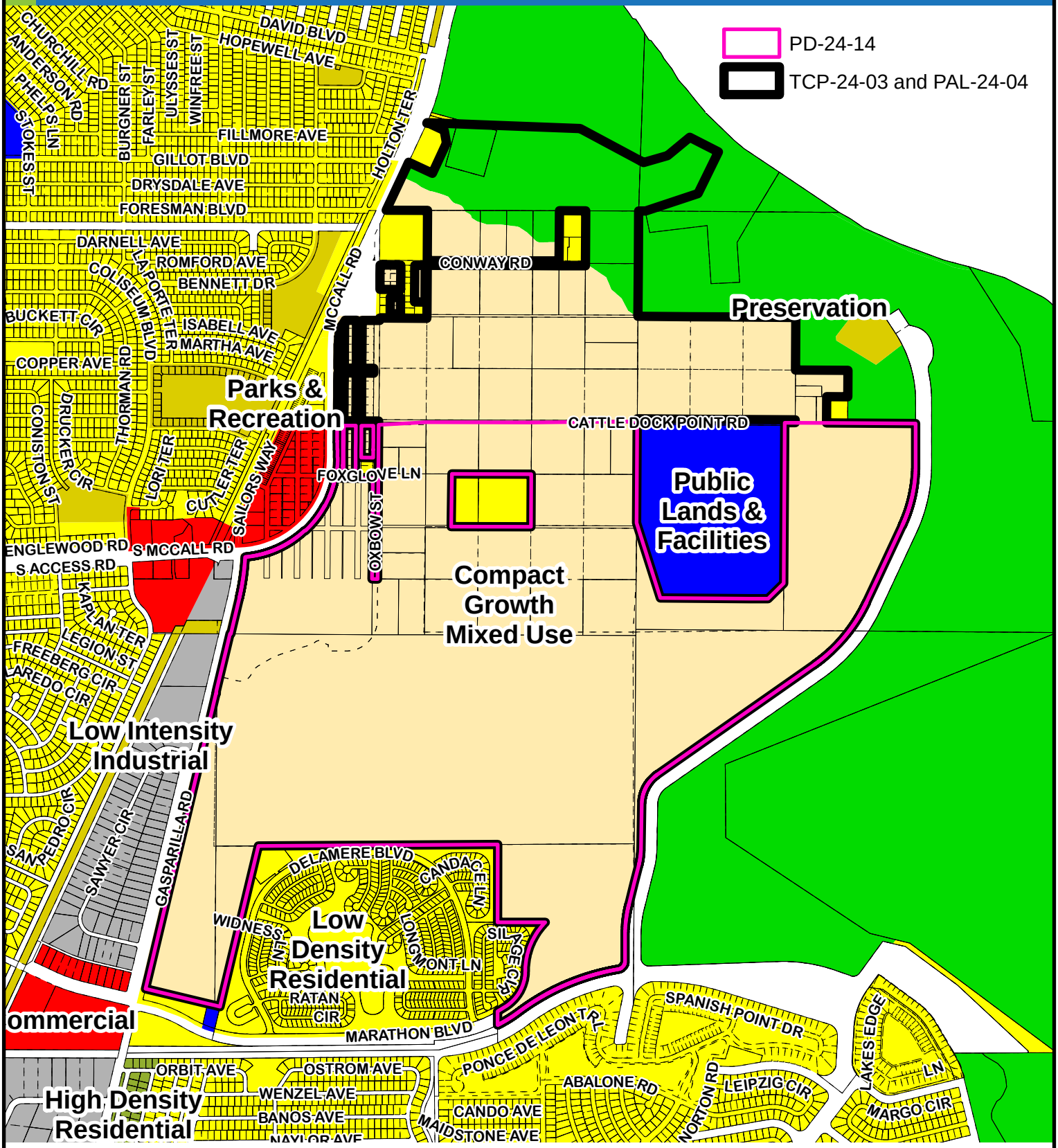
# CHARLOTTE COUNTY

*FLUM Designations for TCP-24-03, PAL-24-04, and PD-24-14*

CHARLOTTE COUNTY
Community Development

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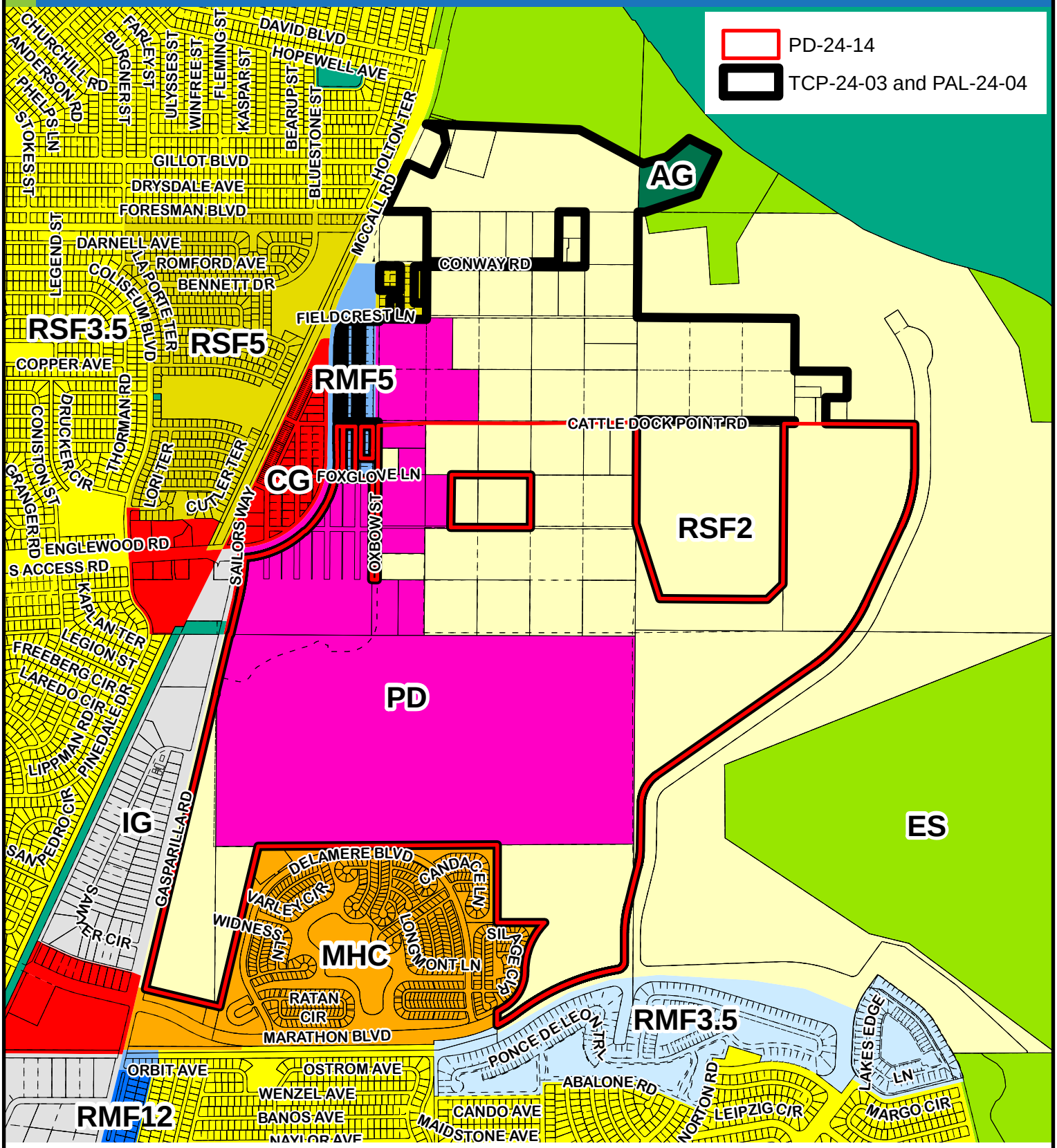
# CHARLOTTE COUNTY

*Zoning Designations for TCP-24-03, PAL-24-04, and PD-24-14*

CHARLOTTE COUNTY
Community Development

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