

ORDINANCE  
NUMBER 2025 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE) FOR PROPERTY LOCATED AT 45030 and 45450 FARABEE ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 140.70± ACRES; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-24-05; APPLICANT, FARABEE MINE & SHELL LLC; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, applicant, Farabee Mine & Shell LLC ("Applicant"), filed Petition PAL-24-05, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 45030 and 45450 Farabee Road, in the Punta Gorda area and within the East County area, containing 140.70 acres more or less, which is owned by Applicant, and more particularly described in Exhibit "A" attached hereto; and

WHEREAS, on December 9, 2024, Petition PAL-24-05 was heard before 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, Petition PAL-24-05 was found to be consistent with the County's Comprehensive Plan and the P&Z

Board recommended approval for transmittal of Petition PAL-24-05 to the Florida Department of Commerce and other state agencies for review; and

WHEREAS, in a public hearing held on Tuesday, January 28, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed plan amendment Petition PAL-24-05 and, based on the findings and analysis provided by County Staff regarding the amendment and the evidence presented to the Board, approved transmittal of Petition PAL-24-05 to the Florida Department of Commerce and other state agencies for review and comment; and

WHEREAS, Petition PAL-24-05 was transmitted to the Florida Department of Commerce and other state agencies for review and comment; and

WHEREAS, the comments received by the reviewing agencies, if any, have been considered and addressed by the Applicant and incorporated into the findings and analysis provided by County Staff; and

WHEREAS, after due consideration regarding Petition PAL-24-05 in a public hearing held on April 22, 2025, and based on the findings and analysis presented to the Board, the Board finds that the proposed amendment is consistent with the County's Comprehensive Plan, and that the requirements of Chapter 163, Florida Statutes, as they relate to the Petition have been met, and that it is in the best interests of the County and its citizens to approve Petition PAL-24-05.

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

Section 1. Approval. Petition PAL-24-05 requesting a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM

58 Series Map #1: 2030 Future Land Use, from AG to MRE, for property located at 45030 and  
59 45450 Farabee Road, in the Punta Gorda area and within the East County area, containing  
60 140.70 acres more or less, Charlotte County, Florida, Commission District I, and more  
61 particularly described in Exhibit "A" attached hereto and by this reference incorporated  
62 herein, is hereby approved.

63           Section 2. Effective date. The effective date of this plan amendment, if the  
64 amendment is not timely challenged, shall be 31 days after the state land planning agency  
65 notifies the local government that the plan amendment package is complete. If timely  
66 challenged, this amendment shall become effective on the date the state land planning  
67 agency or the Administration Commission enters a final order determining this adopted  
68 amendment to be in compliance. No development orders, development permits, or land  
69 uses dependent on this amendment may be issued or commence before its effective date.

70           Section 3. Transmittal. County Staff is hereby directed to forward a copy of  
71 this Ordinance and its attachments to the Florida Department of Commerce, 107 East  
72 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest  
73 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL  
74 33907.

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76                                   [SIGNATURE PAGE FOLLOWS]  
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PASSED AND DULY ADOPTED this 22nd day of April, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: \_\_\_\_\_  
Joseph M. Tiseo, Chairman

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

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney

LR2024-0785

Km✓

