



MEMORANDUM

Date: 06-21-25

To: Honorable Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal

Subject: A Large Scale Plan Amendment (Text Amendment) to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan, Petition Number TCP-24-03

Request:

A privately initiated request to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by:

- 1) Changing the name of Section 1 from “West County Town Center” to “Harbor Village”.
- 2) Amending the total acreage of this project from 1,187± to 1,174.14± acres.
- 3) Amending:
 - 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.

Based on the technical comments from the State review agencies and comments received during the transmittal hearing for this Large Scale Plan Amendment (Text Amendment), further amendments are proposed as follows:

- 4) creating:
 - a) 1.F: Traffic Concurrency.
 - b) 1.G: Buffer Between the Proposed Development Areas and State-owned Lands.
 - c) 1.H: Slip Count Approval.

Applicant:

Maronda Homes LLC, of Florida
4005 Maronda Way
Sanford, FL 32771

Agents:

Attorney Robert H. Berntsson & Alexis Crespo, AICP
3195 S. Access Road
Englewood, FL 34224

Current Status:

On February 10, 2025, the Planning and Zoning Board recommended approval of the request large scale plan amendment (text amendment) to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan, Section 1. Subsequently, on March 25, 2025, the Board of County Commissioners (Board) transmitted this application and its associated large scale map amendment (Petition Number PAL-24-04) 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.

1. Please amend the CPA text amendment (TCP-24-03) to include the following regarding cumulative impact analysis:

"Prior to approval of any developer agreement or mitigation agreement and permit approval, the applicant will coordinate with the County and FDOT Systems Planning to produce a traffic study accounting for the cumulative impacts of all developments within the Harbor Village master plan. 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.

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 FDOT."

Staff's Response: 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 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.

Department Comments

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.

CONCLUSION

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:

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.

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

- The area which was removed from the USA shall be placed under a perpetual conservation easement.

The County's Comprehensive Plan was rewritten in 2009-2010, which was adopted on July 20, 2010 and took effect on June 15, 2011. The Compact Growth Mixed Use (CGMU) Type I FLUM category was replaced by the Compact Growth Mixed Use (CGMU); however, the approved development rights and development guidelines for the site remain unchanged.

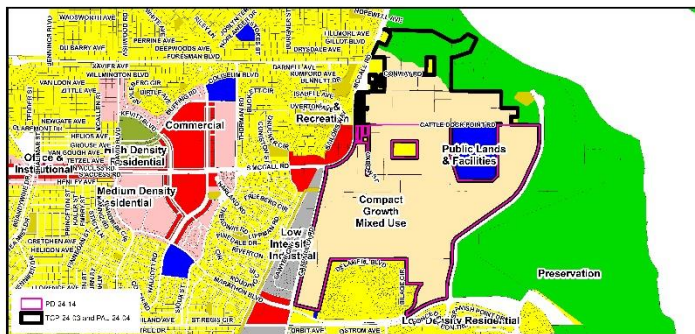
On February 23, 2021, the Board approved a Large Scale Text Amendment via Ordinance Number 2021-005 (Attachment 2) in order to amend Section 1: West County Town Center by:

- Revising 1.C: Maximum Floor Area Ratio to correct the maximum Floor Area Ratio (FAR) for this proposed development which should be 0.0292, not 0.2929.
- Revising 1.D: Perpetual Conservation Easement to clarify the timing and requirement for the recording of a Perpetual Conservation Easement.
- Amending 1.E: Master Development Plan to correct date which should be July 11, 2008, not May 15, 2008.

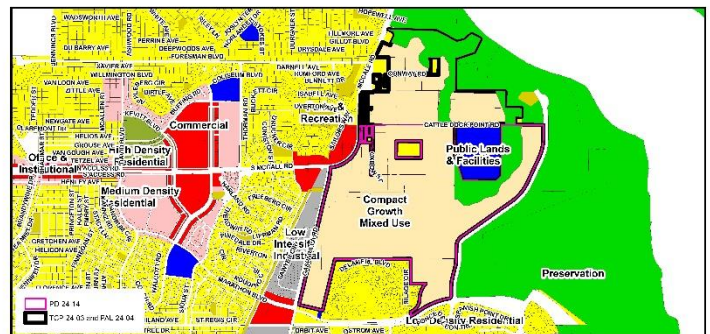
According to the application, the market demand and conditions have changed since the project was originally approved and adopted in the County's Comprehensive Plan in 2009, the applicant, who is the contract purchaser, is requesting this Text Amendment.

The applicant is concurrently seeking a Large Scale Plan Amendment (Application Number PAL-24-04), specifically,

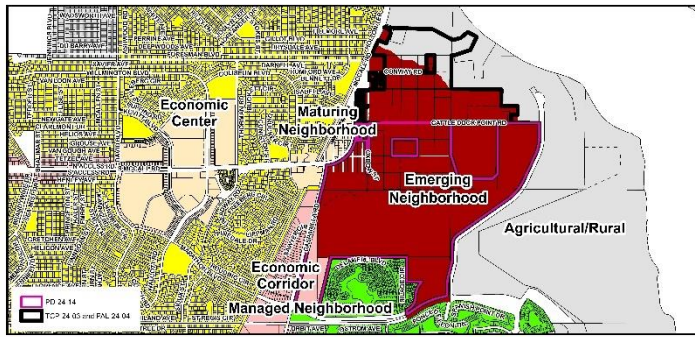
- Amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR) (92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres).
- Amending Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties and 99.13± acres of properties from Emerging Neighborhood to Agricultural/Rural.
- Amending 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.



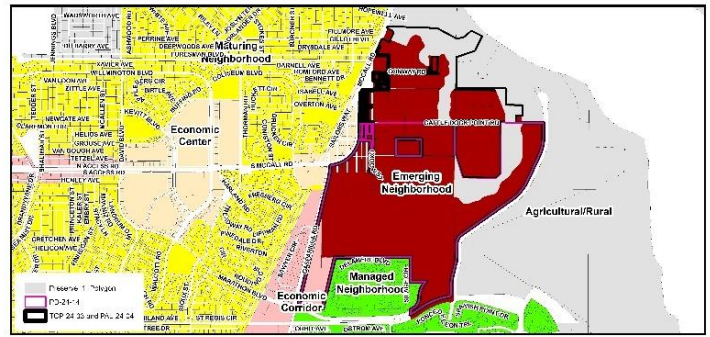
TCP-24-03, PAL-24-04 and PD-24-14 Existing FLUM Designations



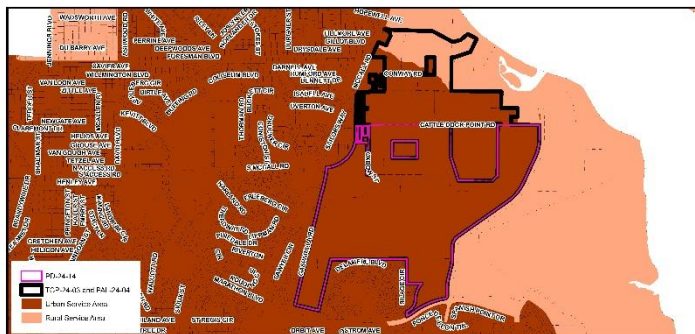
TCP-24-03, PAL-24-04 and PD-24-14 Proposed FLUM Designations



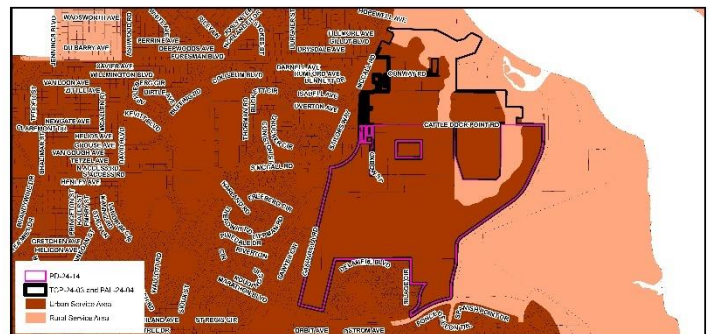
TCP-24-03, PAL-24-04 and PD-24-14 Existing Framework



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

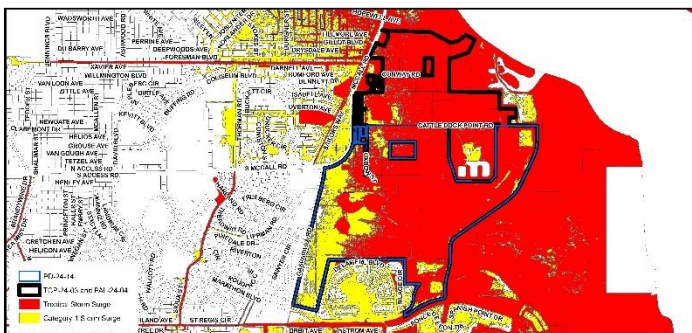


TCP-24-03, PAL-24-04 and PD-24-14
Existing Service Delineation Area

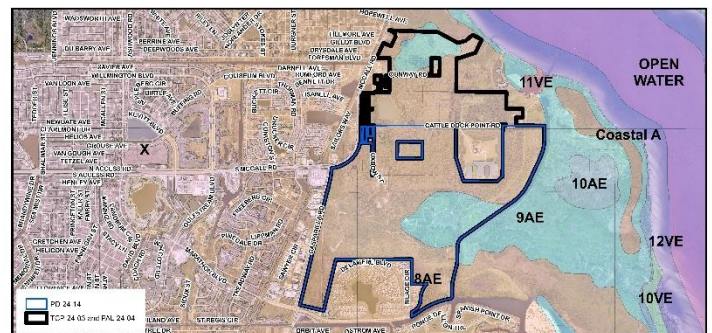


TCP-24-03, PAL-24-04 and PD-24-14
Proposed Service Area Delineation

The majority of the subject property is located in the Tropical Storm surge of the Coastal High Hazard Area (CHHA), and within both FEMA Flood Zones 8AE and 9AE.



TCP-24-03, PAL-24-04 and PD-24-14
Coastal High Hazard Areas



TCP-24-03, PAL-24-04 and PD-24-14 Flood Zones
(Subject Property - 8AE and 9AE Zones)

Detailed Revisions:

- Name Change and Project Acreage

The applicant is proposing to change the project name from “West County Town Center” to “Harbor Village”. The project contains approximately 1,174.14 acres; however, there is an error in the previous staff report, the County’s Comprehensive Plan and the adopted ordinances, which show that the project contains approximately 1,187 acres. The applicant is proposing to correct that error.

- 1.A. Base Residential Density

The base density has been recalculated based on the new acreage. Therefore, the base density is now 1,790 units instead of 1,831 units. In addition, ***Future Land Use (FLU) Series Map # 14: Coastal High Hazard Areas and Evacuation Routes*** was updated and adopted by the Board via Ordinance Number 2018-009 in order to reflect the new storm surge zones. The majority of the subject property is now located within the Coastal High Hazard Area (CHHA). Therefore, 1,727 base density units are located in the CHHA, and Figure 1-A has been updated accordingly.

Furthermore, the County and the Water Management Districts generally no longer wish to accept easements and maintenance responsibilities. Therefore, the requirement of Perpetual Conservation Easement is proposed to be amended to only require a wetland and natural resource management plan and specific passive recreational uses which may be permitted via a Planned Development rezoning process in the preservation area. Therefore, a new paragraph is proposed to address:

1. Area A for preservation area is proposed to be amended via the requested Large Scale Plan Amendment (Application Number PAL-24-04) to increase from 92.39± acres to 163.45± acres, and Area B and Area C have been decreased, which will be shown on the newly created Figure 1-C.

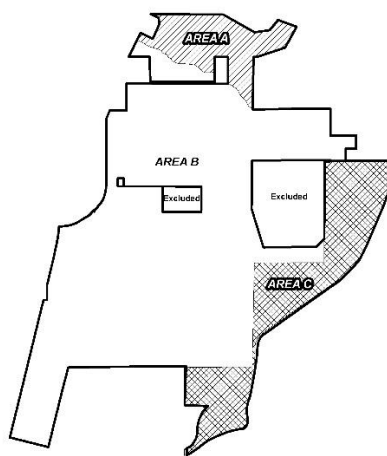


Figure 1-B

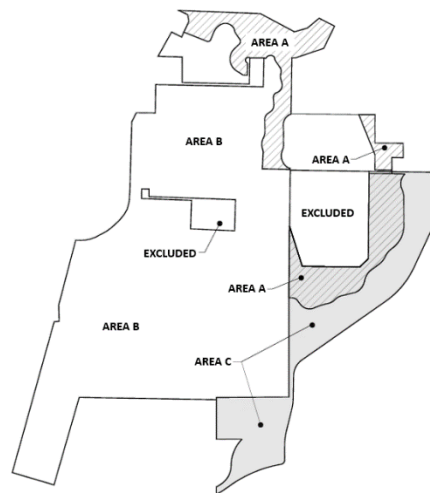


Figure 1-C

2. The base density and its associated TDU requirements have been updated.

- 1.B: Maximum Residential Density

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)..."

- 1.C: Maximum Floor Area Ratio

The applicant is proposing to amend the title of this subsection to "Maximum Commercial and Light Industrial Square Footage." The existing approved commercial development entitlements are 1,509,807 square feet (FAR of 0.0292 of the subject property). The applicant is proposing to add a 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 Compact Growth Mixed Use (CGMU) on the 2030 Future Land Use Map, which encourages a mixture of residential, commercial, and industrial uses. It is staff's professional opinion that the proposed change is supported by this Future Land Use Map category.

In addition, the applicant is proposing to allow for "Land Use Equivalency Matrix" as part of Planned Development (PD) rezoning to provide flexibility for non-residential development such as hotels and at the same time to make sure that the maximum square footage for light industrial shall not increase above the approved square footage for light industrial within each PD.

- 1.D: Perpetual Conservation Easement

As mentioned above, the County and the Water Management Districts generally no longer wish to accept easements and maintenance responsibilities. Therefore, the applicant is proposing to remove the required Perpetual Conservation Easement and replace this easement requirement with a Wetland and Natural Resource Management Plan to protect and preserve onsite wetlands and natural resources in perpetuity. The title of this subsection is also revised to be "Uses Permitted Within Area A As Shown on Figure 1-C above". In addition, "passive recreational activities and uses" have been defined and only permitted under a PD zoning.

- 1.E: Master Development Plan

A "Conceptual Land Use Plan" is proposed to illustrate locations for residential, commercial, mixed use, wetland, preservation, residential with water based uses, and wharf mixed use. In addition, a "Pattern Book" is proposed to establish the vision of this mixed-use development, and development and preservation principals for "recreation/open space," "preservation/open space," "saltwater marsh," "residential visioning," "commercial visioning," "mixed-use visioning," and "typical roadway cross sections."

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. TCP-24-03) is generally and sufficiently consistent with the vision established in Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances, Section 163.3177, Florida Statutes, and other applicable guidelines to be transmitted to the Florida Department of Commerce and other State review agencies for review and comment.

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

*A motion to forward application TCP-24-03 to the Board of County Commissioners with a recommendation of **Approval with a 3-0 vote** of transmittal of TCP-24-03 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the Comprehensive Planning staff memorandum dated February 1, 2025, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Attachment 1
Ordinance Number 2009-002

CHARLOTTE COUNTY CLERK OF THE CIRCUIT COURT OR BOOK 3507, PGS 165-174 10 pg(s)
 INSTR # 1961348 Doc Type GOV, Recorded 08/31/2010 at 10:51 AM Rec. Fee:
 \$86.50 Cashier By: MARGEC

FILED WITH THE DEPARTMENT OF STATE January 29, 2009

ORDINANCE
 NUMBER 2009 - 002

AN ORDINANCE PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, ADOPTING A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CHARLOTTE COUNTY COMPREHENSIVE PLAN FOR 1,187 ACRES MORE OR LESS OF PROPERTY LOCATED IN THE ENGLEWOOD AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III; EXPANDING THE URBAN SERVICE AREA TO INCLUDE 214.09 ACRES MORE OR LESS INTO THE SUBURBAN AREA; REDUCING THE URBAN SERVICE AREA BY 92.30 ACRES MORE OR LESS ELSEWHERE ON THE SITE AND CHANGING THE FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL TO PRESERVATION ON 79.60 ACRES MORE OR LESS OF THOSE 92.30 ACRES; CHANGING THE FUTURE LAND USE MAP FROM PRESERVATION, PUBLIC LANDS & FACILITIES, COMMERCIAL CENTER, COMMERCIAL CORRIDOR, RECREATIONAL VEHICLE PARK, AND LOW DENSITY RESIDENTIAL TO COMPACT GROWTH MIXED USE TYPE 1 ON 1,094.70 ACRES MORE OR LESS; ADDING AN APPENDIX TO THE FUTURE LAND USE ELEMENT TO DECLARE SITE SPECIFIC DEVELOPMENT STANDARDS AND LIMITATIONS; PETITION PA-08-05-29-LS, APPLICANT, DENNIS J. FULLENKAMP; PROVIDING FOR TRANSMITTAL; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, January 20, 2009, the Board of County Commissioners of Charlotte County, Florida, reviewed land use amendment Petition PA-08-05-29-LS, which is a large scale plan amendment to the Future Land Use Map of the 1997-2010 Charlotte County Comprehensive Plan (such plan shall herein be referred to as "the Charlotte County Comprehensive Plan"), and which includes an appendix to the Future Land Use Element of the Charlotte County Comprehensive Plan

****NOTE : This Ordinance is being re-recorded to reflect the corrected Exhibit "B"**

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
 OR BOOK 3356, PGS 2047-2056 10 pg(s)
 INSTR # 1824901
 Doc Type GOV, Recorded 02/06/2009 at 03:34 PM
 Rec. Fee: \$86.50
 Cashiered By: MARIANNE Doc. #1

1

IMAGED

2-26-09 AP

10 mins

1 declaring site specific development standards and limitations which is attached hereto as
2 Exhibit "A" and by this reference provided herein; and

3 WHEREAS, Dennis J. Fullenkamp ("Applicant") has filed Petition
4 PA-08-05-29-LS seeking a large scale plan amendment to the Future Land Use Map of the
5 Charlotte County Comprehensive Plan for 1,187 acres more or less of property located
6 East of South McCall Road (SR 776) and Gasparilla Road (CR 771), North of Delamere
7 Boulevard and Marathon Boulevard, West of Butterford Waterway, and South of the
8 Myakka River, in the Englewood area, Charlotte County, Florida, Commission District III,
9 and more fully described in Exhibit "B" attached hereto and by this reference provided
10 herein; and

11 WHEREAS, more specifically, Petition PA-08-05-29-LS is seeking to expand
12 the Urban Service Area to include 214.09 acres more or less into the Suburban Area; and

13 WHEREAS, more specifically, Petition PA-08-05-29-LS is seeking to reduce
14 the Urban Service Area by 92.30 acres more or less elsewhere on the site to protect
15 environmentally sensitive lands and change the Future Land Use Map from Low Density
16 Residential to Preservation on 79.60 acres more or less of those 92.30 acres; and

17 WHEREAS, more specifically, Petition PA-08-05-29-LS is seeking to change
18 the Future Land Use Map from Preservation, Public Lands & Facilities, Commercial Center,
19 Commercial Corridor, Recreational Vehicle Park, and Low Density Residential to Compact
20 Growth Mixed Use Type I on 1,094.70 acres more or less of the site; and

21 WHEREAS, on August 11, 2008, Petition PA-08-05-29-LS was heard before
22 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings
23 and analysis presented in the Planning Division staff report, dated July 25, 2008, regarding

1 the proposed Petition PA-08-05-29-LS and the evidence presented to the P&Z Board, the
2 proposed amendment was found to be consistent with the Charlotte County
3 Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition
4 PA-08-05-29-LS to the Department of Community Affairs ("DCA") for an Objections,
5 Recommendations, and Comments report; and

6 WHEREAS, on September 16, 2008, Petition PA-08-05-29-LS was heard by
7 the Board of County Commissioners of Charlotte County, Florida ("Board"), and was
8 approved for transmittal to DCA for an Objections, Recommendations, and Comments
9 report; and

10 WHEREAS, on November 24, 2008, DCA issued an Objections,
11 Recommendations, and Comments report which is provided in the Planning Division staff
12 report dated January 2, 2009 ("Staff Report"); and

13 WHEREAS, after due consideration and based on the findings and analysis
14 presented in the Staff Report regarding Petition PA-08-05-29-LS and the evidence
15 presented to the Board, the Board has found that the requirements and conditions of
16 Chapter 163, Florida Statutes, as they relate to this Petition, have been met, and that it is
17 in the best interests of the County to approve Petition PA-08-05-29-LS with an appendix to
18 the Future Land Use Element of the Charlotte County Comprehensive Plan declaring site
19 specific development standards and limitations as provided in Exhibit "A."

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

22 Section 1. Approval. The following petition for amendment to the Future Land
23 Use Map of the Charlotte County Comprehensive Plan be and hereby is approved with an

1 appendix to the Future Land Use Element of the Charlotte County Comprehensive Plan
 2 declaring site specific development standards and limitations as provided in Exhibit "A":

3 Petition PA-08-05-29-LS requesting a large scale plan
 4 amendment to the Future Land Use Map of the Charlotte
 5 County Comprehensive Plan for 1, 187 acres more or less of
 6 property located East of South McCall Road (SR 776) and
 7 Gasparilla Road (CR 771), North of Delamere Boulevard and
 8 Marathon Boulevard, West of Butterford Waterway, and South
 9 of the Myakka River, in the Englewood area, Charlotte County,
 10 Florida, Commission District III, and more fully described in
 11 Exhibit "B" attached hereto and by this reference provided
 12 herein in order to: 1) expand the Urban Service Area to include
 13 214.09 acres into the Suburban Area; 2) reduce the Urban
 14 Service Area by 92.30 acres more or less elsewhere on the
 15 site and change the Future Land Use Map from Low Density
 16 Residential to Preservation on 79.60 acres more or less of
 17 those 92.30 acres; and 3) change the Future Land Use Map
 18 from Preservation, Public Lands & Facilities, Commercial
 19 Center, Commercial Corridor, Recreational Vehicle Park, and
 20 Low Density Residential to Compact Growth Mixed Use Type I
 21 on 1,094.70 acres more or less.

22
 23 Section 2. This plan amendment shall constitute a partial
 24 waiver of Charlotte County's Transfer of Density Units Ordinance.

25 Section 3. Effective date. The effective date of this plan amendment shall
 26 be the date a final order is issued by the Department of Community Affairs or the
 27 Administration Commission finding the adopted amendment to be in compliance with
 28 Section 163.3184, Florida Statutes, whichever occurs earlier; provided this ordinance has
 29 been filed in the Office of the Secretary of State, State of Florida. No development orders,
 30 development permits, or land uses dependent on this amendment may be issued or
 31 commenced before it has become effective.

32 Section 4. Transmittal. County staff is hereby directed to forward a copy of
 33 this ordinance and its attachments to the Florida Department of Community Affairs, 2555
 34 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and to the Executive Director,

1 Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort
2 Myers, FL 33918-3909.
3

4 PASSED AND DULY ADOPTED this 20 day of January, 2009.
5

6 BOARD OF COUNTY COMMISSIONERS
7 OF CHARLOTTE COUNTY, FLORIDA
8

9
10 By: Patricia M. Duffy
11 Patricia M. Duffy, Chair
12
13

14 ATTEST:
15 Barbara T. Scott, Clerk of Circuit
16 Court and Ex-officio Clerk to the
17 Board of County Commissioners
18

19
20 By: Anne L. Fuller
21 Deputy Clerk
22
23

24 APPROVED AS TO FORM
25 AND LEGAL SUFFICIENCY:
26

27
28 By: Janette S. Knowlton
29 Janette S. Knowlton, County Attorney
30 LR2008-500
31 RB
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43 p:\wpdata\public\karen\ord\large scale\PA-08-05-29-LS.Dennis Fullenkamp
44 LR2008-500

APPENDIX III

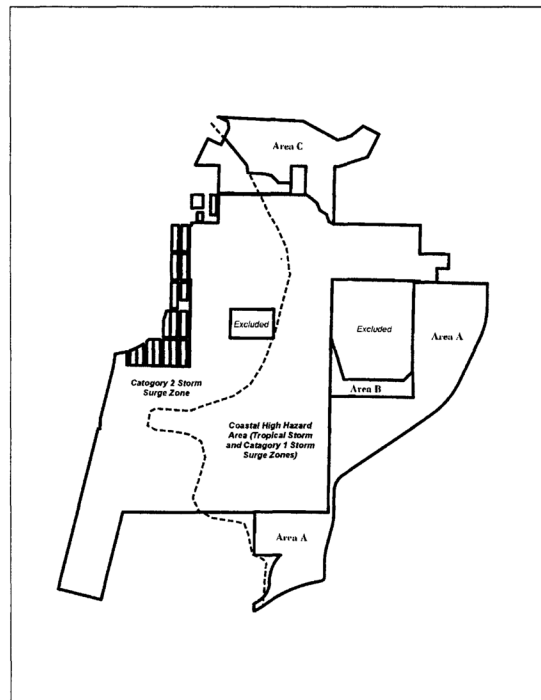
- A. Site-specific standards for the subject site of PA-08-05-29-LS; 1,187± acres located east of South McCall Road (SR 776) and Gasparilla Road (CR 771), north of Delamere Boulevard and Marathon Boulevard, west of Butterford Waterway, and south of the Myakka River.

A.1: Base Residential Density

The site retains a base residential density of 1,831 units (inside the USA), of which 977 units are located in the Coastal High Hazard Area. Any increase to this base density shall require a transfer of density units as established in the Charlotte County Transfer of Density Units (TDU) ordinance. Additionally, areas A and B specified in the table below and outlined on the accompanying figure have their densities limited to those shown in the table. In conjunction with the Planned Development rezoning, the 149 units of CHHA density removed from Area C may be transferred to Areas A and B, any density beyond that amount shall come from property outside the subject site and be transferred to them in accordance with the TDU ordinance.

	Acreage	Density Units Permitted
Area A	214.09	5
Area B	20.80	0

Figure A



A.2: Maximum Residential Density

The site shall have a maximum residential density of 3,960 units.

EXHIBIT A

1 of 2

1 **A.3: Maximum Floor Area Ratio**

2 The site shall have a maximum Floor Area Ratio (FAR) of 0.0292.

3

4 **A.4: Perpetual Conservation Easement**

5 The density from that portion of the site being removed from the Urban Service Area is being
6 transferred to that portion of the site inside the Urban Service Area. That area shall be placed
7 under a perpetual conservation easement, allowing no development except that it may allow some
8 low impact recreational uses. No development permits, as that term is defined by Chapter
9 163.3164, State Statutes, shall be issued until the easement is placed.

Exhibit A - 2 of 2

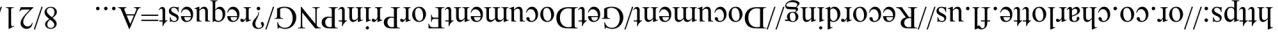


EXHIBIT "B"

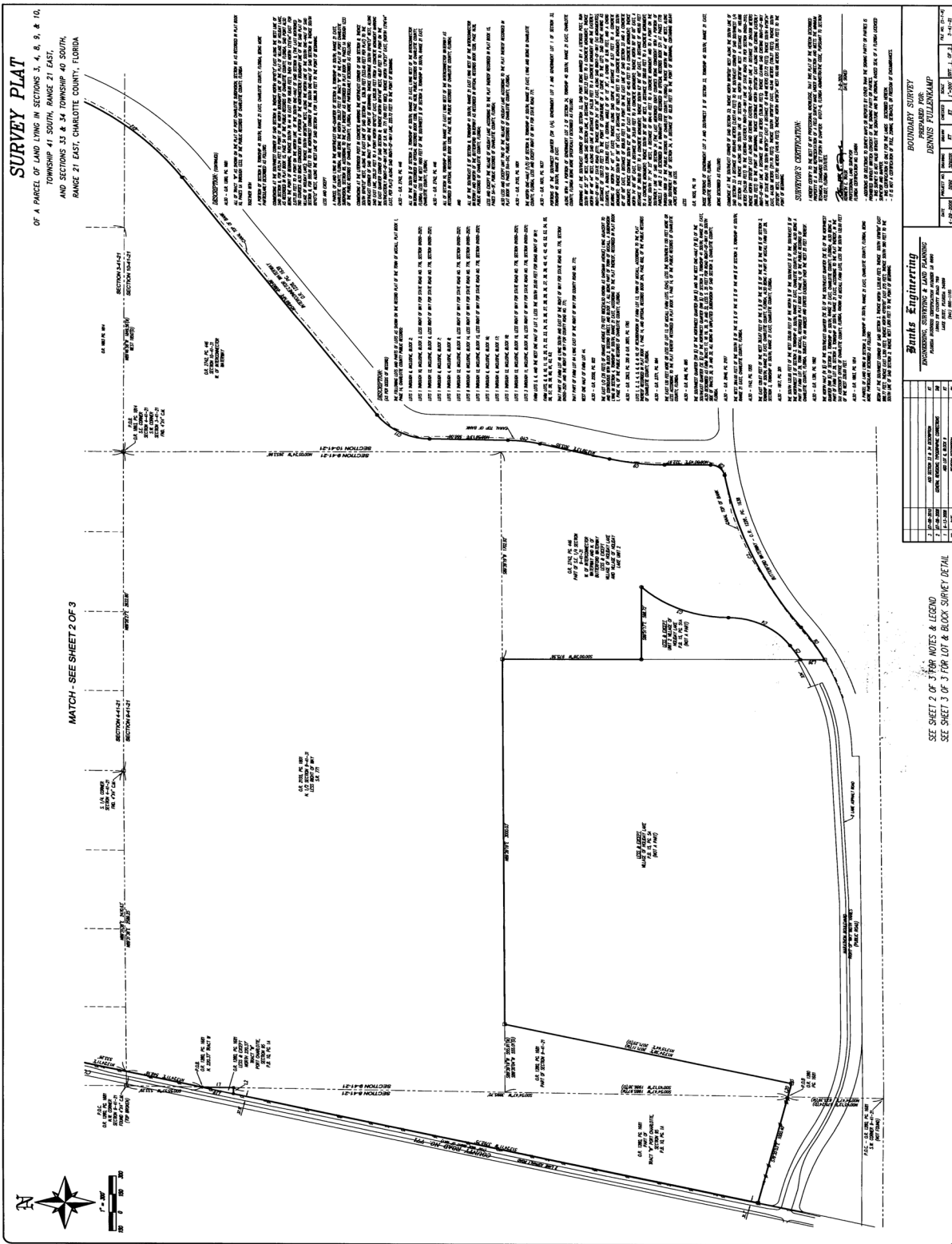
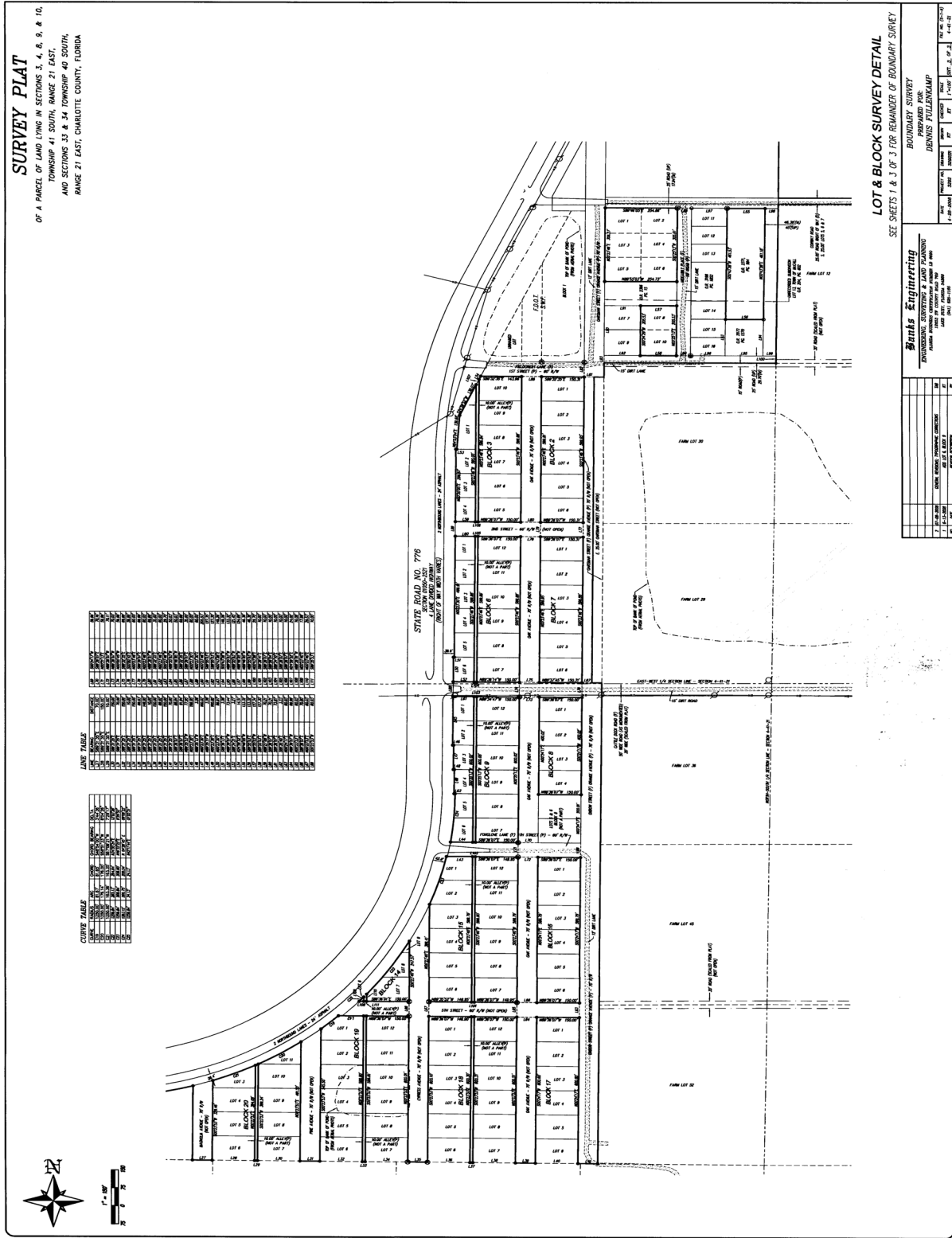


EXHIBIT "B"



Attachment 2
Ordinance Number 2021-005

CHG
BCC

FILED WITH THE DEPARTMENT OF STATE February 24, 2021

ORDINANCE
NUMBER 2021 - 005

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE 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'S ERROR OF FAR WHICH SHOULD BE 0.0292; 1.D: PERPETUAL CONSERVATION EASEMENT TO CLARIFY THE REQUIREMENT OF PERPETUAL CONSERVATION EASEMENT; AND 1.E: MASTER DEVELOPMENT PLAN TO CORRECT THE DATE WHICH SHOULD BE JULY 11, 2008; COMMISSION DISTRICT IV; PETITION TCP-20-05; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4715 PAGE 581 PAGE: 1 OF 17
INSTR # 2308467 Doc Type: GOV
Recorded: 2/25/2021 at 1:59 PM
Rec. Fee: RECORDING \$146.00
Cashier By: CARLENEG

RECITALS

WHEREAS, on January 20, 2009, the Board of County Commissioners of Charlotte County, Florida ("Board") adopted Ordinance Number 2009-002, which was a large scale plan amendment to the County's Comprehensive Plan to allow a mixture of residential and commercial uses on 1,187 acres more or less of property located in the West County area, known as West County Town Center; and

WHEREAS, Charlotte County Staff ("County Staff") has recently identified certain scrivener's errors and the need for clarification of the Perpetual Conservation Easement Requirement in Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Development Plan, specifically in Section 1: West County Town Center, of the County's Comprehensive Plan; and

MIN
17

WHEREAS, in order to resolve the issues stated above, County Staff is proposing revisions to Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan which will correct the Floor Area Ratio (FAR) for the commercial development on the site, clarify the requirement of Perpetual Conservation Easement, and correct the date for the development guidelines for the West County Town Center project, all as provided by the deletion of the strike through language and addition of the underlined language in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, on November 9, 2020, Petition TCP-20-05 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 TCP-20-05 was found to be consistent with the County's Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition TCP-20-05 to the Department of Economic Opportunity ("DEO") and other state agencies for review and comment; and

WHEREAS, in a public hearing held on Tuesday, December 8, 2020, the Board reviewed plan amendment Petition TCP-20-05 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 TCP-20-05 to DEO and other state agencies for review and comment; and

WHEREAS, Petition TCP-20-05 was transmitted to DEO and other state agencies for review and comment; and

WHEREAS, any comments received by the reviewing agencies 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 TCP-20-05 in a public hearing held on February 23, 2021, and based on the findings and analysis presented to the Board, the Board has found that the proposed amendments are consistent with the County's Comprehensive Plan, and that the requirements and conditions of Chapter 163, Florida Statutes, as they relate to this Petition have been met, and that it is in the best interests of the County to approve Petition TCP-20-05.

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

Section 1. Approval. Petition TCP-20-05 requesting a large scale plan amendment to the County's Comprehensive Plan by amending 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's error of FAR which should be 0.0292; 1.D: Perpetual Conservation Easement to clarify the requirement of Perpetual Conservation Easement; and 1.E: Master Development Plan to correct the date which should be July 11, 2008; all as shown by the deletion of the strike through language and addition of the underlined language in Exhibit "A", which is attached hereto and by this reference provided herein.

Section 2. Severability. If any section, subsection, clause, phrase, or provision of this ordinance is for any reason held invalid or unconstitutional by any court or

body of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this ordinance invalid or unconstitutional.

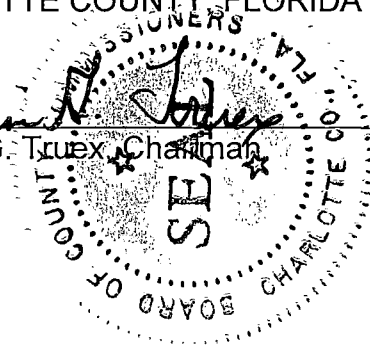
Section 3. Effective date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective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

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

PASSED AND DULY ADOPTED this 23rd day of February, 2021.

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 D. Berardin
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2020-0654

FLU APPENDIX VII: COMPACT GROWTH MIXED USE MASTER DEVELOPMENT PLAN

Section 1: West County Town Center

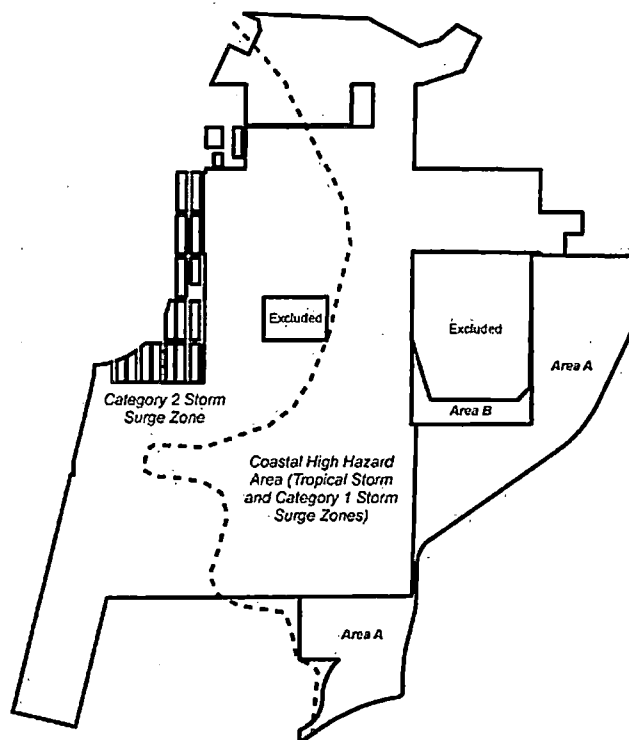
1. Site-specific standards for the subject site of PA-08-05-29-LS; 1,187± acres located east of South McCall Road (SR 776) and Gasparilla Road (CR 771), north of Delamere Boulevard and Marathon Boulevard, west of Butterford Waterway, and south of the Myakka River.

1.A: Base Residential Density

The site retains a base residential density of 1,831 units, of which 977 units are located in the Coastal High Hazard Area. Any increase to this base density shall require a transfer of density units as established in the Charlotte County Transfer of Density Units (TDU) ordinance. Additionally, the areas specified in the table below and outlined on the accompanying Figure 1-A, below, have their densities limited to those shown in the table until such time that density units from property outside the subject site is transferred to them in accordance with the TDU ordinance.

	Acreage	Density Units Permitted
Area A	214.09	5
Area B	20.80	0

Figure 1-A



1.B: Maximum Residential Density

The site shall have a maximum residential density of 3,960 units.

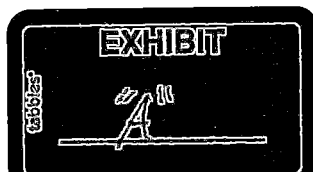
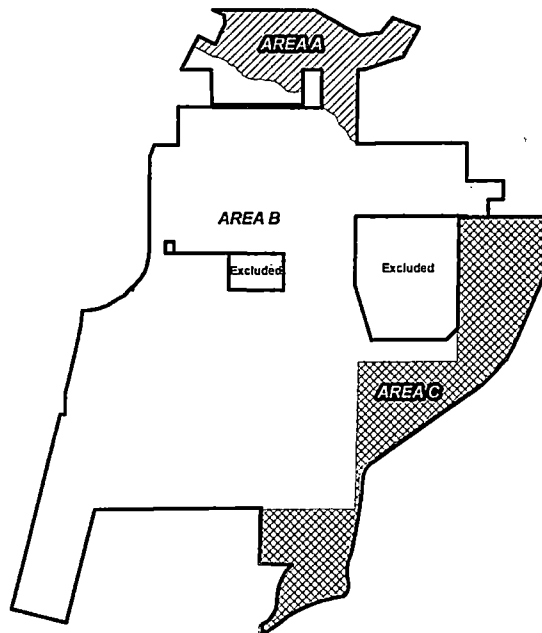
1.C: Maximum Floor Area Ratio

The site shall have a maximum Floor Area Ratio (FAR) of 0.0292.

1.D: Perpetual Conservation Easement

The base density for the site was 1,672 units. As shown on Figure 1-B, below, the density from Area A which was removed from the Urban Service Area via the adoption process for Application PA-08-05-29-LS of the site is being was removed and transferred to Area B of the site. Therefore, the base density for the site could be increased to 1,831 units only if Area A shall be placed under a perpetual conservation easement, allowing no development except that it may allow some low impact recreational uses. No development permits, as that term is defined by Chapter 163.3164, Florida Statutes, shall be issued for any residential development over 1,672 units until either: 1) the recordation of a perpetual conservation easement restricting development on Area A to low impact recreational uses only, in which case, 159 units will be added to the base density, increasing the base density to 1,831 units; or 2) a transfer of units in accordance with the County's Land Development Regulation, Section 3-9-150, Transfer of Density Units (TDU) until the easement is placed.

Figure 1-B

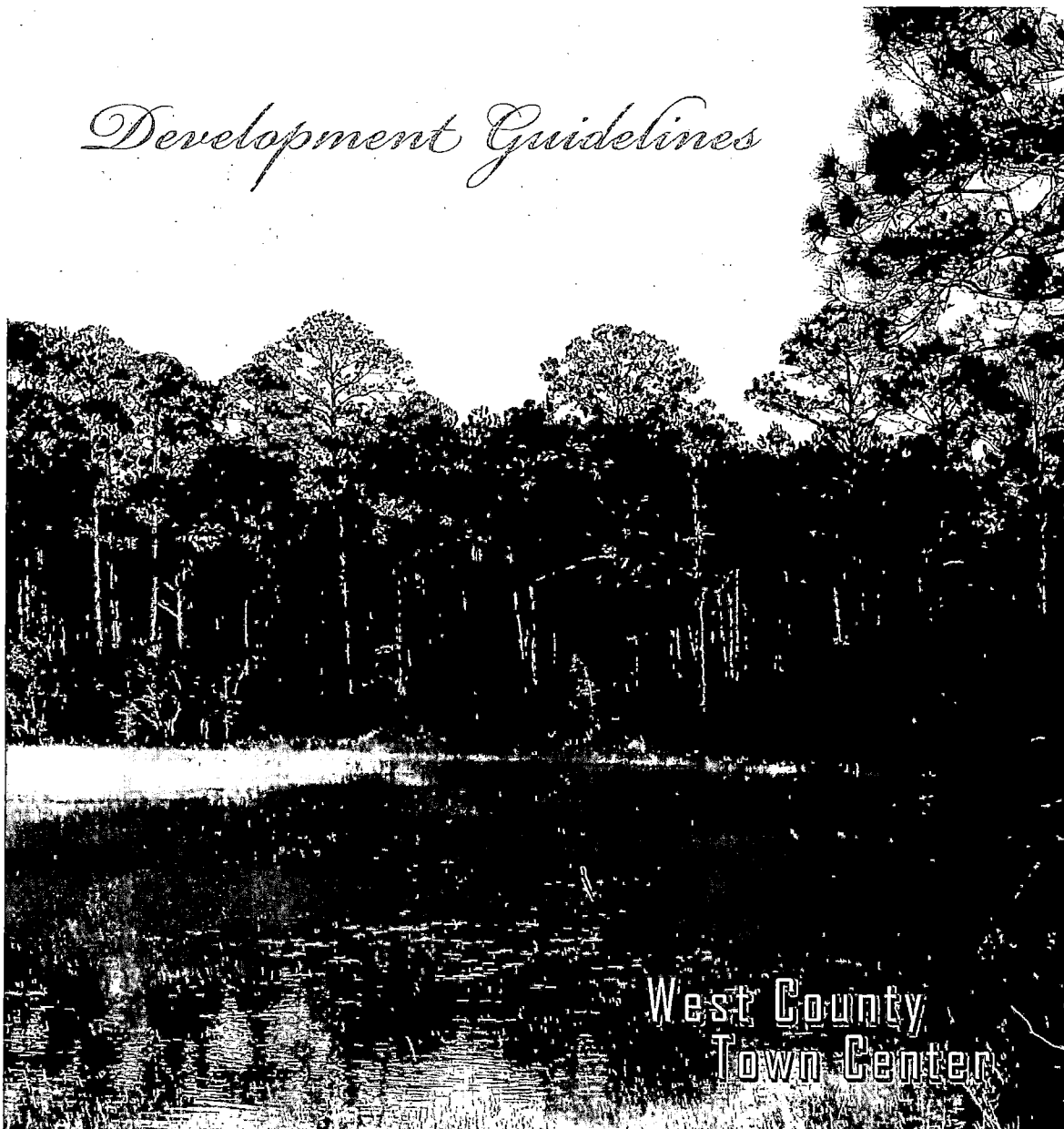


1.E: Master Development Plan

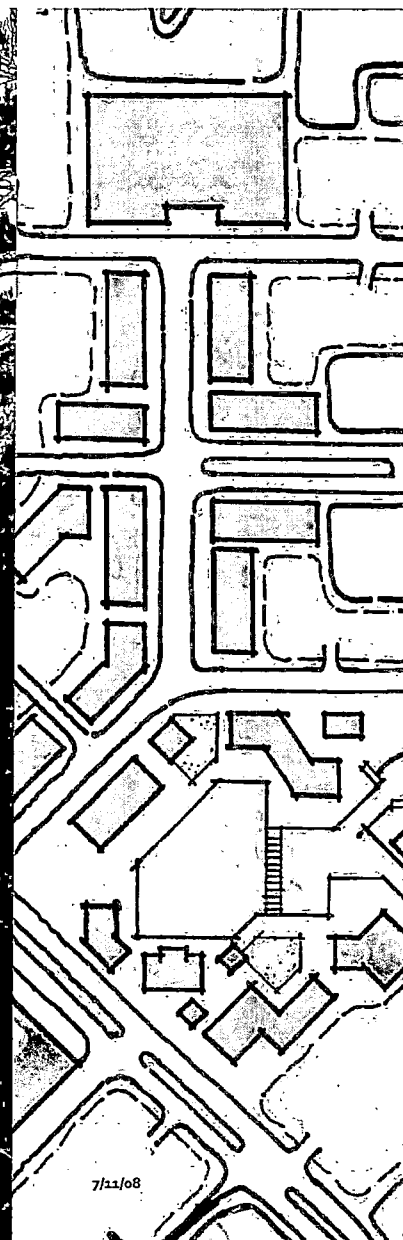
The West County Town Center conceptual plan and development guide, dated 5/4507/11/08, is hereby adopted into this Plan.



Development Guidelines



West County
Town Center



7/21/08

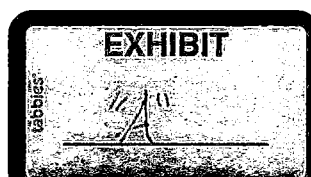
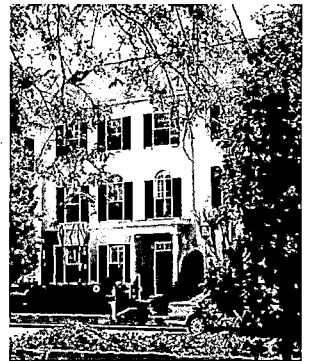
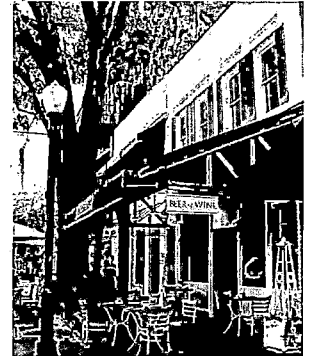
EXHIBIT

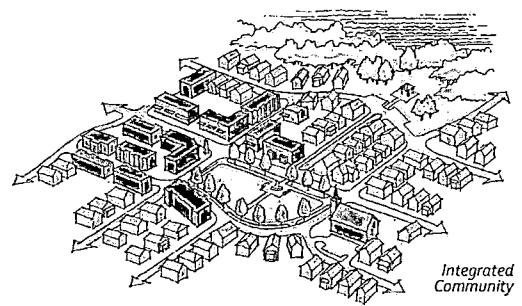
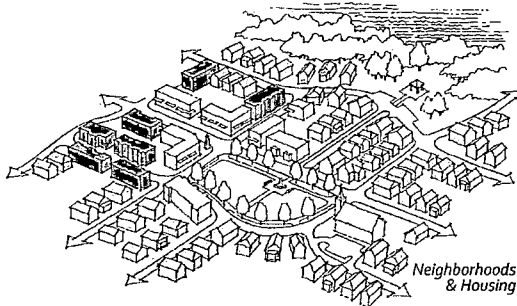
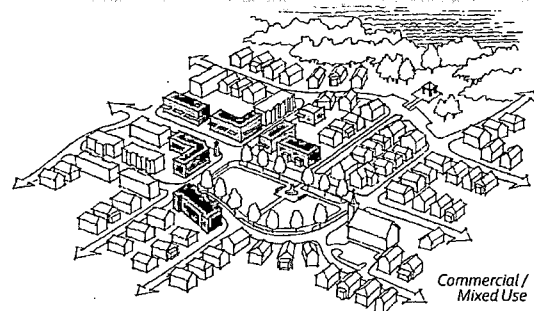
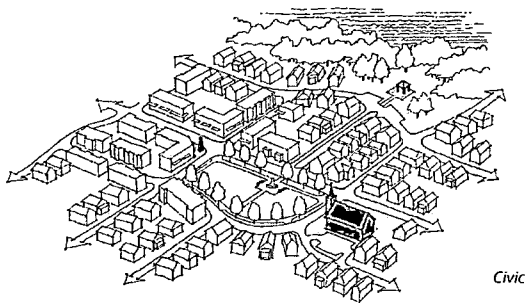
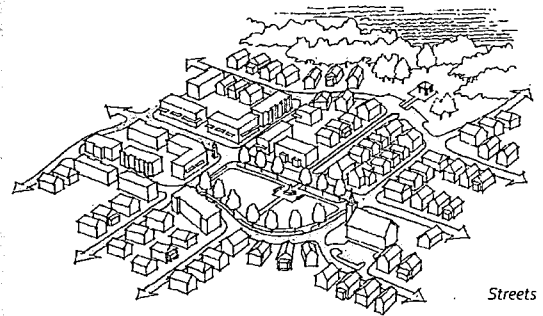
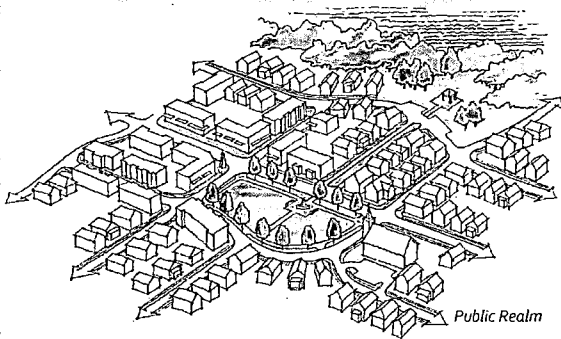
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"A"

Planning Principles for Good Community Design

1. Well organized neighborhoods are the basic building blocks of a unique community.
2. Neighborhoods have a discernible center such as a park or square.
3. Neighborhoods are limited in size. Ideally the edge of the neighborhood is no more than a 5 minute walk from its center – approximately $\frac{1}{4}$ mile. Block lengths should remain less than 600 LF.
4. Street pattern is conceived as an interconnected NETWORK which provides multiple routes of travel from one area to another. These streets are defined by a hierarchy which includes boulevards, commercial streets, residential streets, lanes etc....
5. Enduring and timeless communities have a mix of land uses and housing types. The mix and placement of density encourages a diversity of home types, lifestyles, income levels, varied housing price points and overall variety.
6. Buildings shall relate to the streets and public open space networks to encourage pedestrian activity and define a sense of place.
7. Open Space Corridors and Connectivity define the boundaries of neighborhoods, while at the same time serving to connect them. Commonly these take the form of boulevards, open space connectors or naturalized areas.
8. Parks and squares are distributed throughout the community. There is both a variety in and a discernible hierarchy among these spaces.
9. Equal consideration is given to all modes of transportation – public transit, the car, bicycles, and pedestrians. Tree lined streets are designed with appropriately sized right-of-ways that accommodate cars while encouraging bicycle and pedestrian activity.





Components of Authentic Places



Creating Livable Streets

- Streets are a major part of the public realm and play a key role in placemaking for livable environments
- Context sensitive design – streets are designed appropriately according to the adjacent land uses
- An interconnected network allows for reduction in pavement widths, thus creating human scaled streets
- Multiple access routes to each location in the community spreads trips
- Concept of shared space where streets are designed with all users/ modes in mind – pedestrians, bicyclists and automobiles
- Defined hierarchy of residential streets, lanes, avenues, main streets, drives and boulevards
- Design speeds closely match the street type, vehicle use and proposed speed limit
- On-street parking is encouraged for functional purposes as well as for traffic calming
- Planting strips and street trees are standard



Retail Edges



Median Parks



Residential Scale

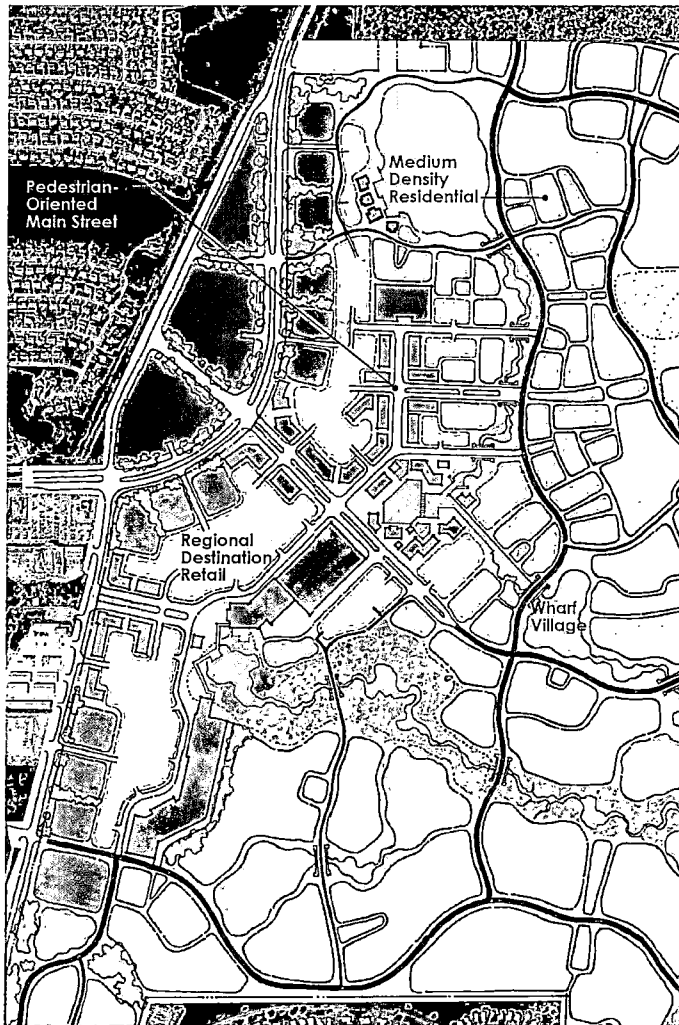


Commercial Districts

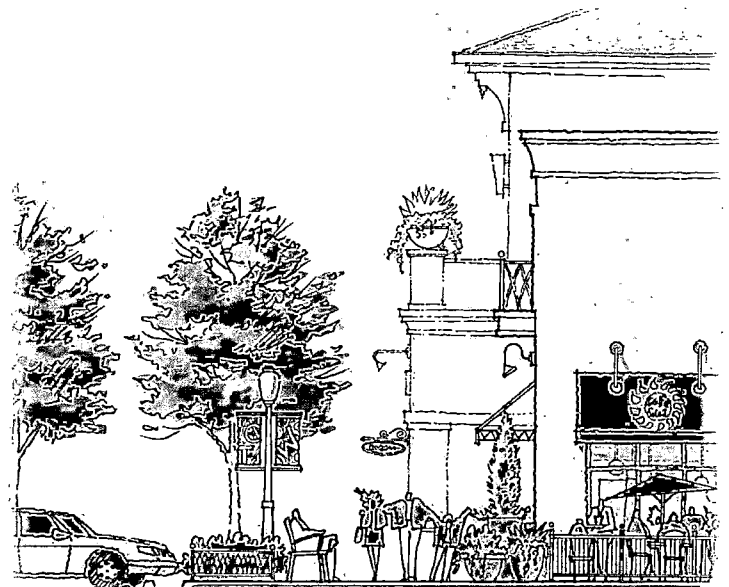
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Commercial Character



DIAGONAL PARKING

PEDESTRIAN PROMENADE

OUTDOOR DINING

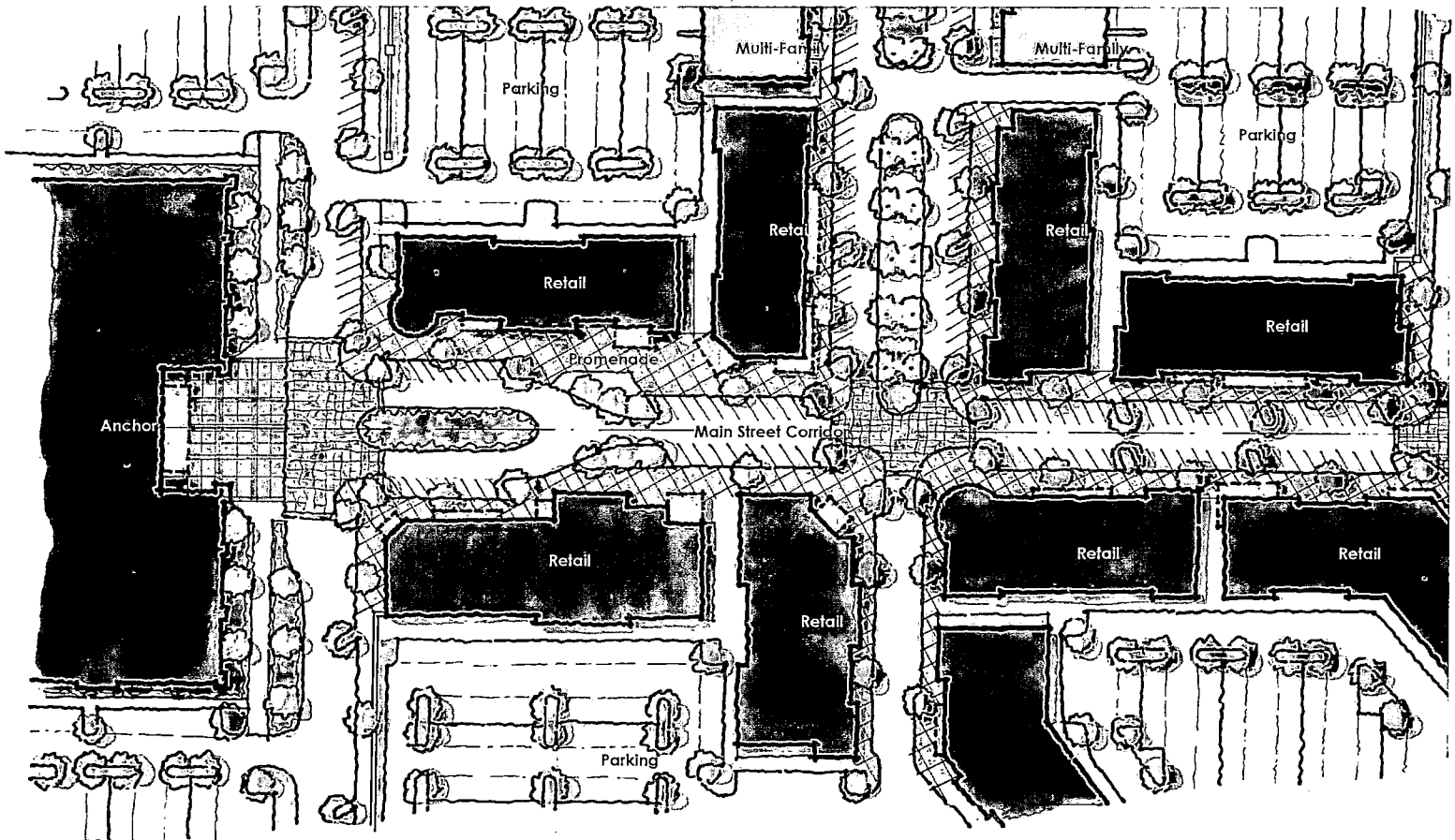
The project has the opportunity to fill many retail needs, as the surrounding communities have minimal commercial services available. These include big box tenants, smaller shop retailers and restaurants. All of these are designed as part of an integrated, walkable environment that fits within the greater context of the community.



EXHIBIT

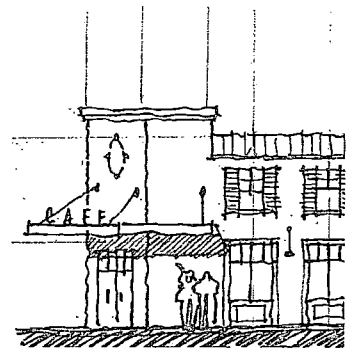
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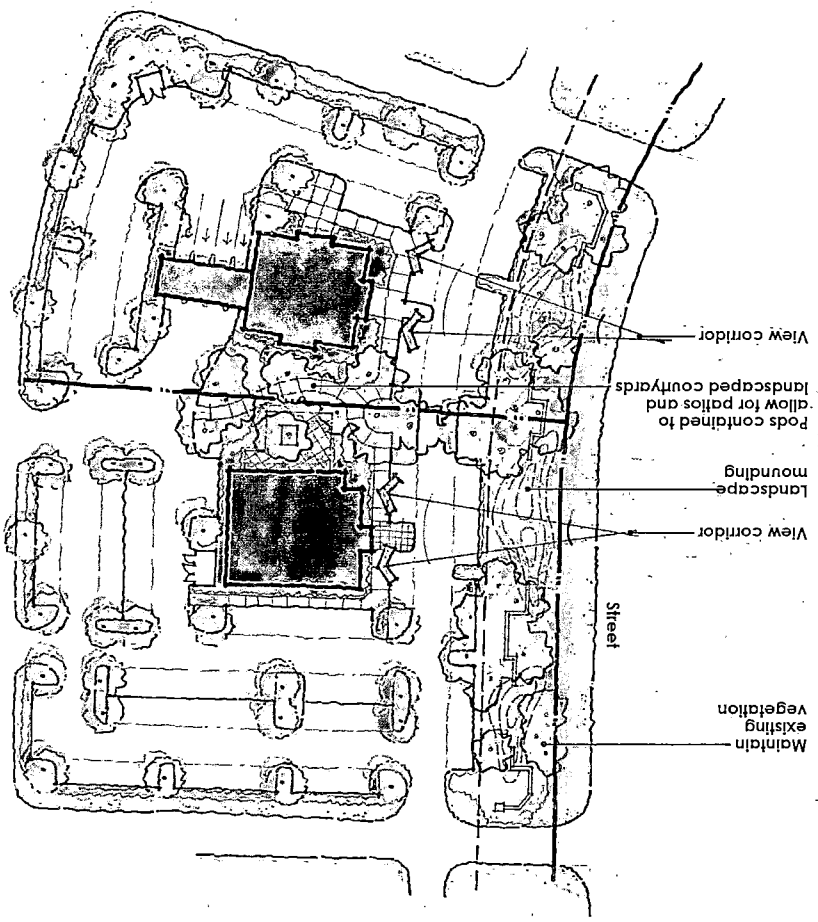
Pedestrian Oriented Retail Environments

- Reminiscent of old downtown "main streets."
- Buildings are brought close to the street are typically two-story or an exaggerated single story that form a "building wall" which defines the public realm.
- Ample space is provided for a pedestrian promenade along the front of the shops which includes café seating, street trees, planters, benches, seat walls, music, unique shop signage, pedestrian scaled lighting, small fountains etc... All of these help to create a lively, activated edge along the front of the shops that expands the pedestrian experience beyond shopping.
- Parking is provided via diagonal spaces on the main street in front of the shops or in parking lots located behind the buildings.



Landscape Treatments

Along Highway 776 scenic corridor



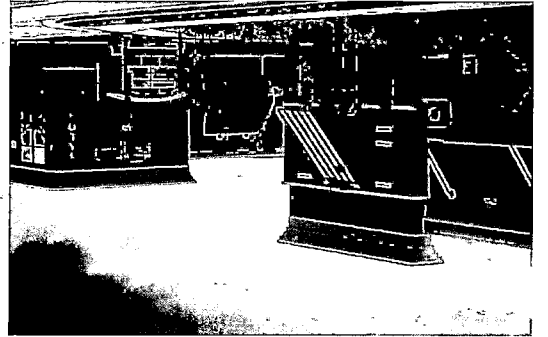
Architectural detail



Building wall

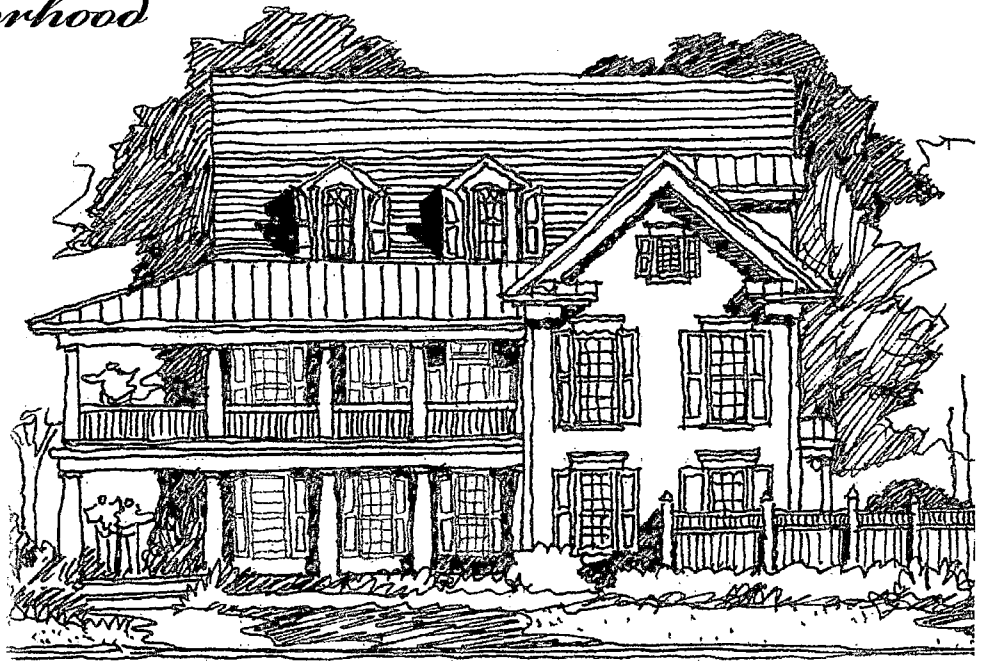


Corner treatments



Residential Neighborhood Character

- Fine grained mix of housing densities, products, types and styles
- Some TND (traditional neighborhood development) neighborhoods are located closest to commercial area
- Houses address the street and public realm in an appropriate fashion
- Basic rules of architectural proportion for various architectural styles are adhered to
- Garages are recessed or side loaded (in front loaded lot conditions) or front onto an alley (closest to commercial area)



Traditional neighborhood home



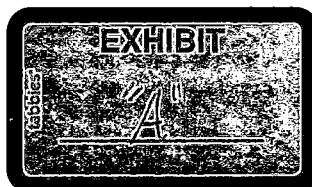
Conventional neighborhood home

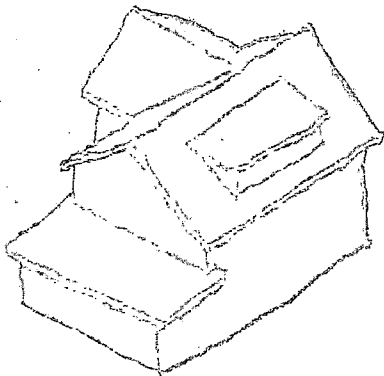
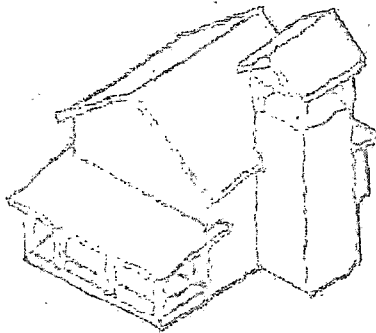
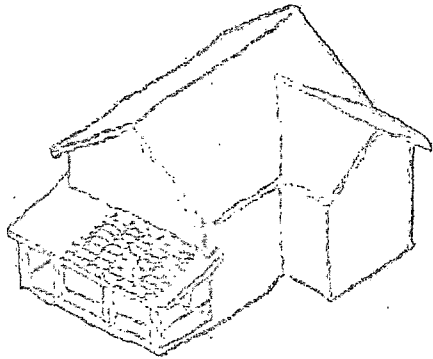


Street oriented

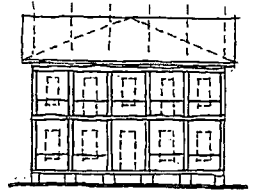
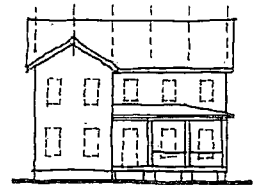


Recessed garages





Garden courts



Appropriate proportions



Tuck under parking



Street oriented



Attached homes

EXHIBIT

"A"

tabbles



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 24, 2021

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. 2021-005, which was filed in this office on February 24, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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 Advertising Representative of
the Sun Newspapers, a newspaper published at
Charlotte Harbor in Charlotte County, Florida;
that the attached copy of advertisement, being a
Legal Notice that was published in said
newspaper in the issue(s)

02/08/2021

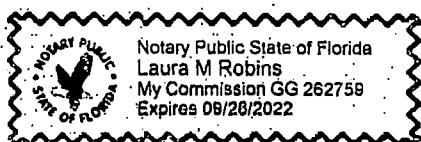
as well as being posted online at www.yoursun.com
and www.floridapublicnotices.com.
Affiant further says that the said newspaper is a
newspaper published at Charlotte Harbor, in said
Charlotte County, Florida, and that the said
newspaper has heretofore been continuously
published in said Charlotte County, 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 she
has 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 8th
day of February, 2021.

Laura M Robins
(Signature of Notary Public)

Personally known ☒ OR ☐ Produced
Identification



RECEIVED
PURCHASING DEPT.
2021 FEB 11 AM 10:24
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, February 23, 2021, 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.shtml>

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 REGULAR AGENDA

- | | | |
|---|-----------------------|------------------------------|
| PA-19-08-17 | Legislative | Commission District I |
| Pursuant to Section 163.3184(3), Florida Statutes, adopt a Small-scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to High Density Residential (HDR), increasing density from 37 units to 112 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PA-19-08-17; Applicant: P. F. Poinciana LLC; providing an effective date. | | |
| PD-20-00002 | Quasi-Judicial | Commission District I |
| An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multifamily 5 (RMF-5) to Planned Development (PD), increasing density from 37 units to 112 units, for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PD-20-00002; Applicant: P. F. Poinciana LLC; providing an effective date. | | |
| FP-20-10-14 | Quasi-judicial | Commission District V |
| Casto Port Charlotte Cochran, LLC has requested Preliminary & Final Plat approval for a two-lot commercial subdivision to be named Veterans Corner. The site is 1.32 ± acres and located south of Kenilworth Boulevard, north of Veterans Boulevard, east of the Pellam Waterway, and west of Cochran Boulevard, in the Port Charlotte area. | | |
| FP-20-11-17 | Quasi-judicial | Commission District I |
| Blue Broadway Land, LLC. has requested Preliminary and Final Plat approval for a Two-lot subdivision to be named, Jacaranda. The site is 15.48 ± acres and is located at 1200 Loveland Boulevard, within the Sandhill DRI, in the Port Charlotte area. | | |

SV-20-10-05**Legislative****Commission District III**

Michael & Lynda Lee is requesting to vacate an undeveloped portion of Pelican Road, within Pine Lake Subdivision, a total of 0.18 ± acres as recorded in Plat Book 3, Page 37B, of the Public Records of Charlotte County, Florida, and located south of Cypress Road, north and east of Placida Road, and west of Everington Road, in the West County area.

TLDR-20-05**Revisions to Earthmoving Code****Legislative****Countywide**

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-5, Planning and Development, Article XXIII: Earthmoving by renaming Section 3-5-477 from "Operation standards" to "Operation standards; Public Nuisance; Enforcement and Remedies", and Section 3-5-489 from "Earthmoving permit modifications" to "Modifications to approved permits"; deleting Section 3-5-483: Roadway service life reduction fee (RSLR) in their entirety; and revising Section 3-5-473: Application requirement, Section 3-5-474: Staff review and action, Section 3-5-475: Nonconformities, Section 3-5-476: Exempt earthmoving operations, Section 3-5-477: Operation standards; Public Nuisance; Enforcement and Remedies, Section 3-5-478: Standard earthmoving and construction permits, Section 3-5-479: Specific earthmoving permits, Section 3-5-481: Specific earthmoving permit application requirements, Section 3-5-482: Performance assurance for land reclamation (PALR), Section 3-5-484: Specific earthmoving permit process and procedures, Section 3-5-489: Modifications to approved permits, Section 3-5-490: Earthmoving permit inspections, and Section 3-5-493: Earthmoving permit violations; providing for inclusion in the Charlotte County Code; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

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

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large-scale Plan; 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: Perpetual 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-20-00008**Quasi-Judicial****Commission District II**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD to allow for development of a manufactured home community, increasing density from six units to 230 units, for property located at 12150 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 68.43± acres; the subject property is part of the property for a PD rezoning, Ordinance Number 2007-059, which contains 78.56± acres; Commission District II; Petition No. PD-20-00008; Applicant: Simple Life Ventures, LLC; providing an effective date.

Z-20-32-22**Quasi-Judicial****Commission District II**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Estate 1 (RE-1), for property located at 12100 Burnt Store Road, in the Burnt Store Area Plan area and in the Punta Gorda area, containing 10.04± acres; Commission District II; Petition No. Z-20-32-22; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

PD-20-00007**Quasi-Judicial****Commission District IV**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Planned Development (PD), this is a major modification to an approved PD Concept Plan and its associated PD conditions via Ordinance Number 2017-004; for property located northeast of Biscayne Drive, southeast of the Crestwood Waterway, east of Tulip Street, and, northwest of El Jobean Road (SR 776), south and southwest of Murdock Village, and northwest of Charlotte County Fairgrounds, in the Port Charlotte area, containing 125.40± acres; Commission District IV; Petition No. PD-20-00007 Applicant: Lennar Homes, LLC; providing an effective date.

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

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

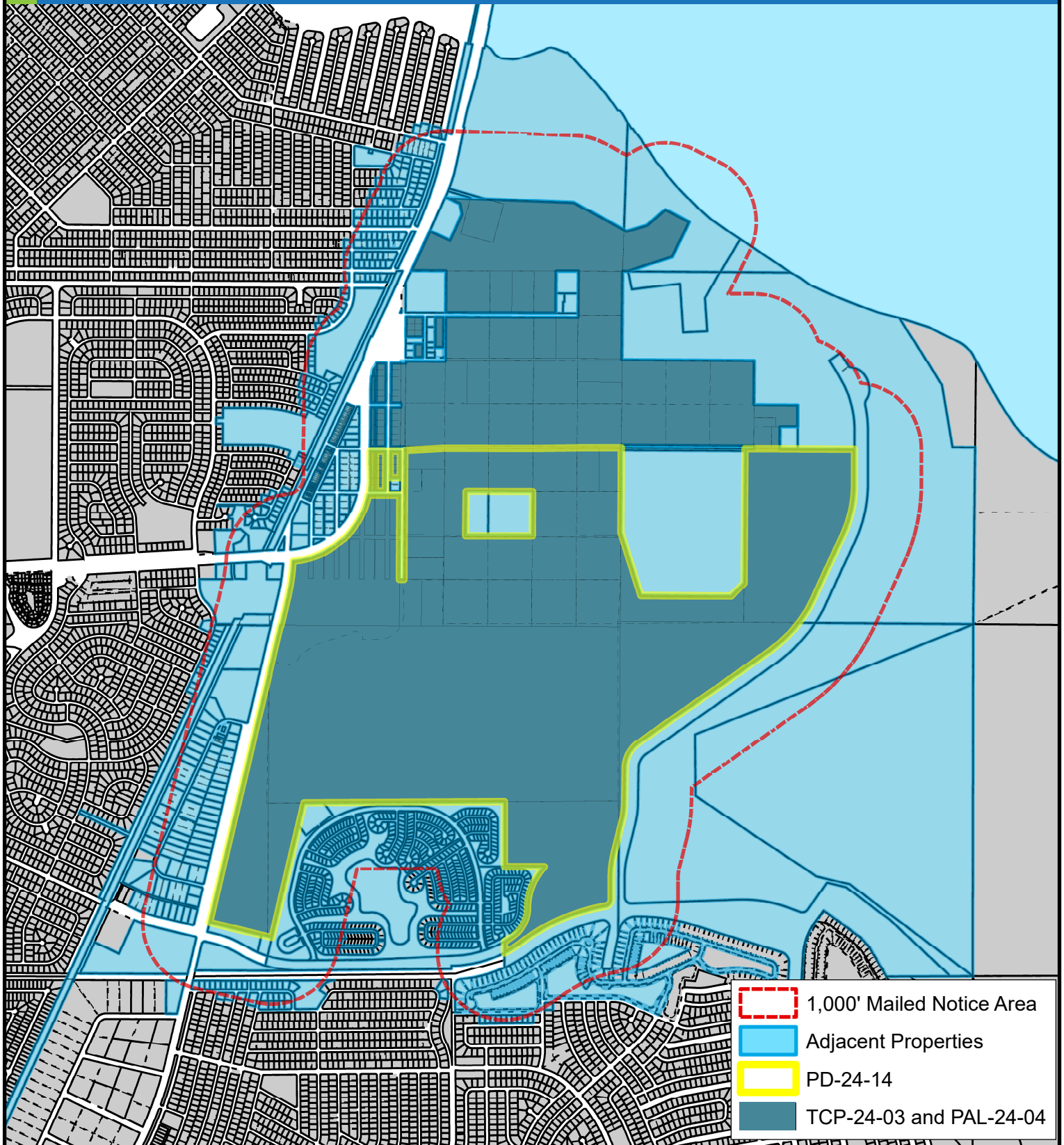
Publish: February 8, 2021



adno=3784299-1

CHARLOTTE COUNTY

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



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
CHARLOTTE COUNTY

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



CHARLOTTE COUNTY
Community Development



 Punta Gorda Boundary

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



(NOT TO SCALE)

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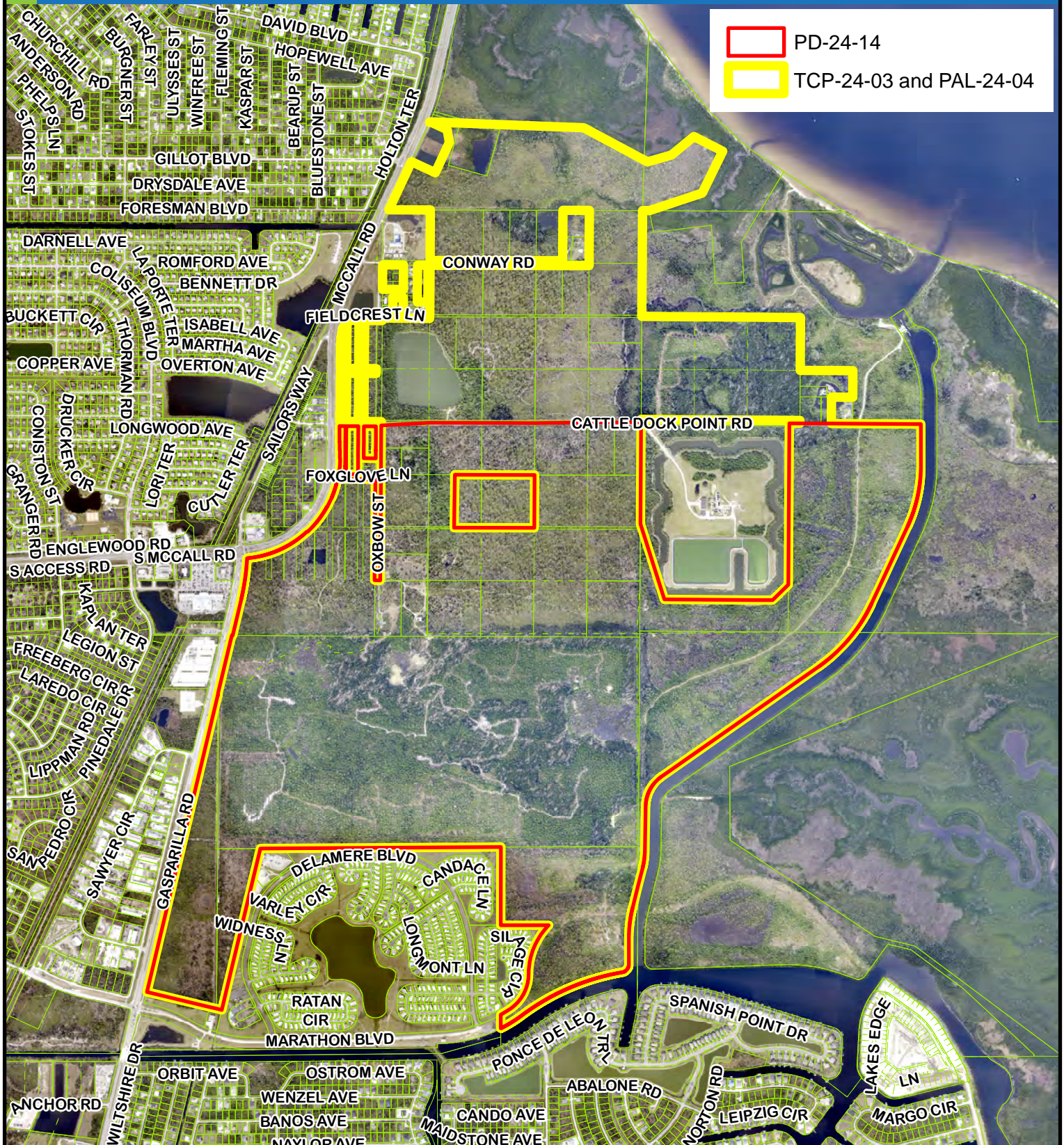
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CHARLOTTE COUNTY

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



- PD-24-14
- TCP-24-03 and PAL-24-04

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



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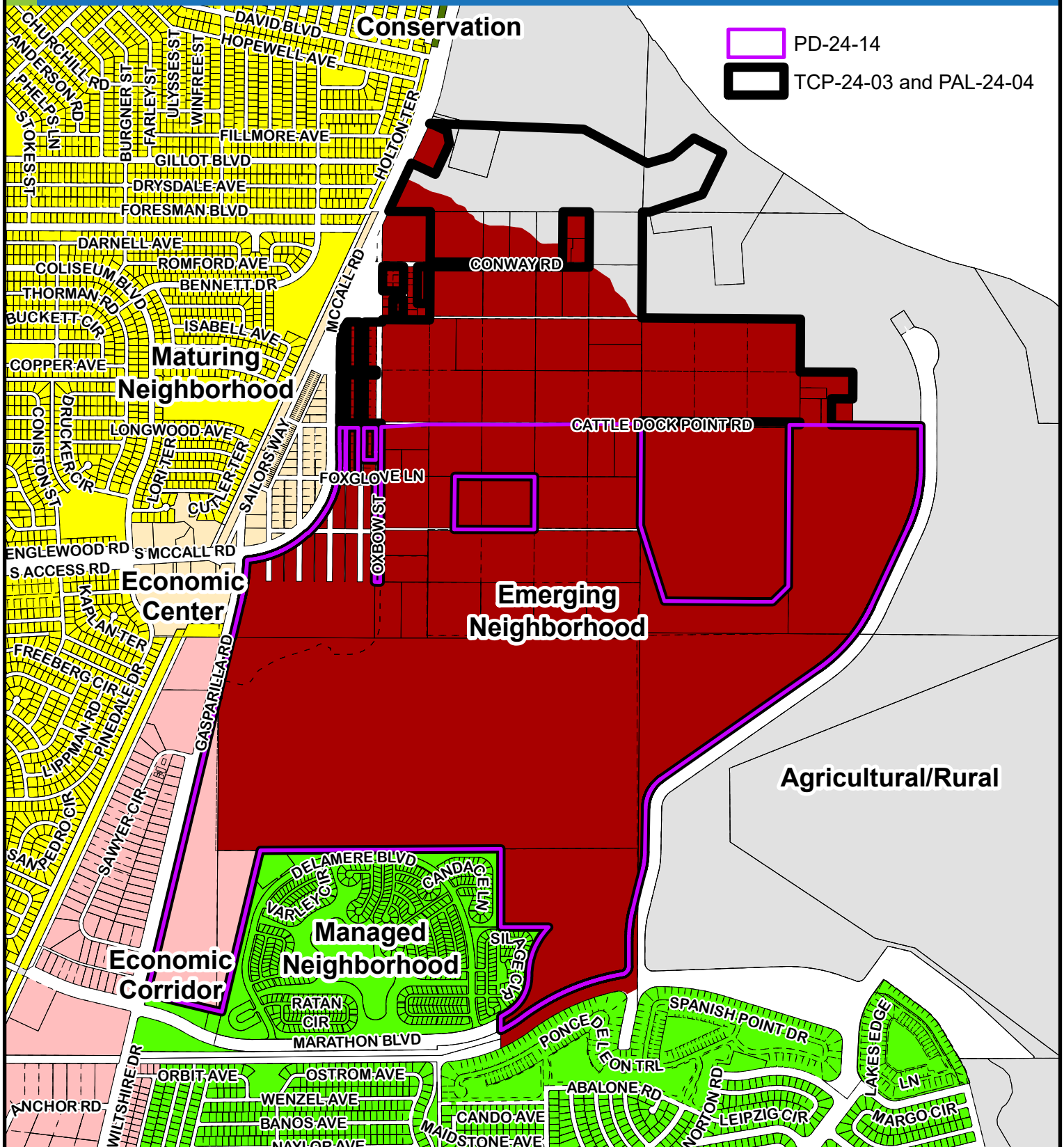
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CHARLOTTE COUNTY

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



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



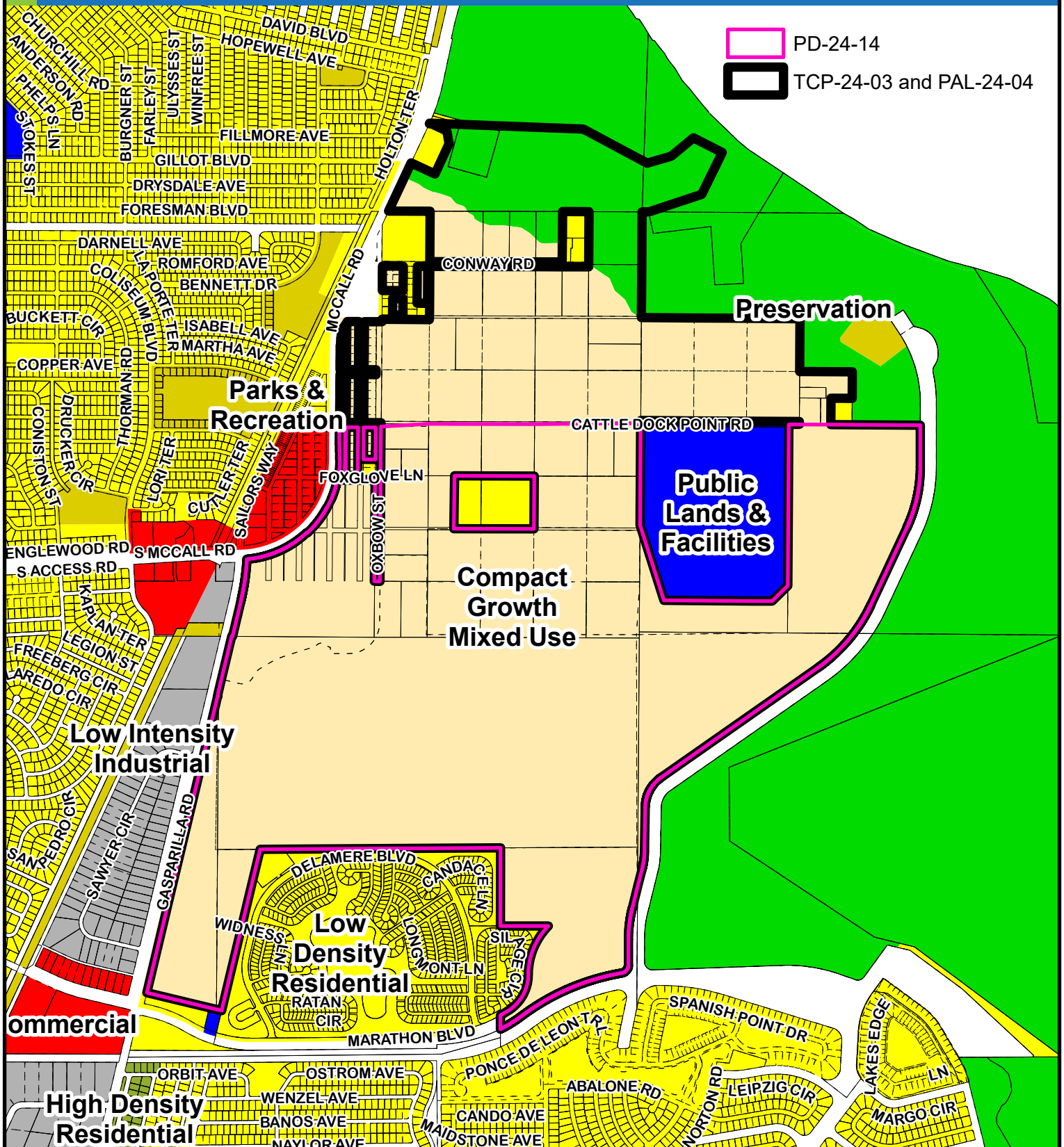
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CHARLOTTE COUNTY

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



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



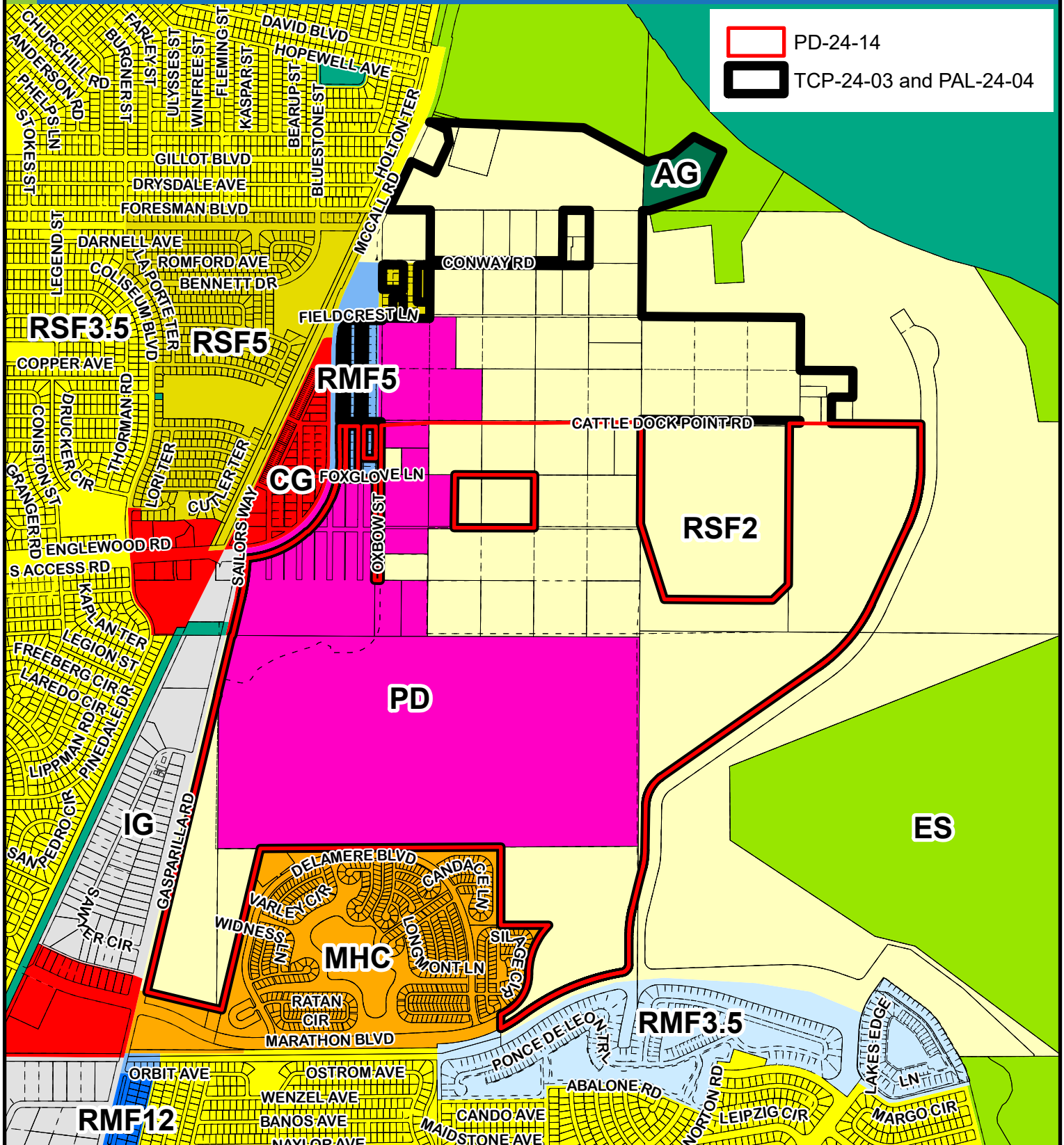
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CHARLOTTE COUNTY

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



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



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