



MEMORANDUM

Date: 6-16-25

To: Honorable Board of County Commissioners

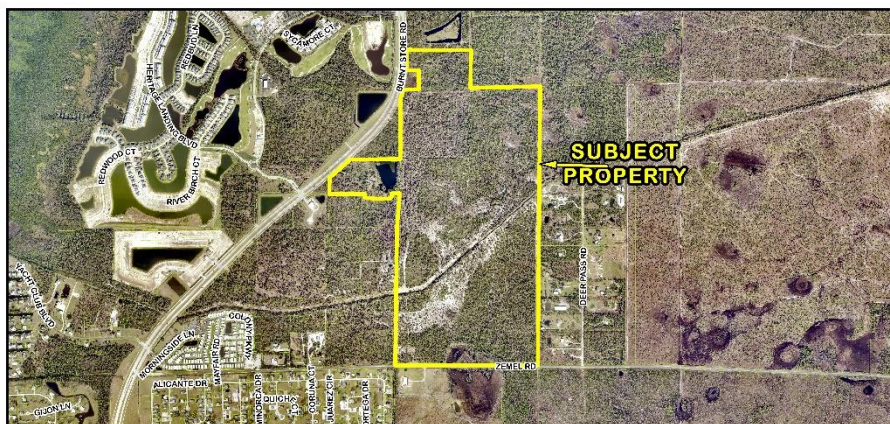
From: Jie Shao, AICP, MCP, Planner, Principal (see attached Exhibit 1 for professional qualifications)

Subject: TDU-25-03, a petition to transfer 94 density units to property (Receiving Zone) located east of Burnt Store Road, in the Punta Gorda area

Purpose of This Application:

Petition TDU-25-03 involves a request by Zemel Land Partners LLC to transfer 94 density units to approximately 349.1 acres, including four parcels, three parcels located at 15162 and 15170 Burnt Store Road and 26000 Zemel Road, and one unaddressed parcel generally located north of Zemel Road, south of Shotgun Road, and east of Burnt Store Road, in the boundary of the Burnt Store Area Plan area and in the Punta Gorda area.

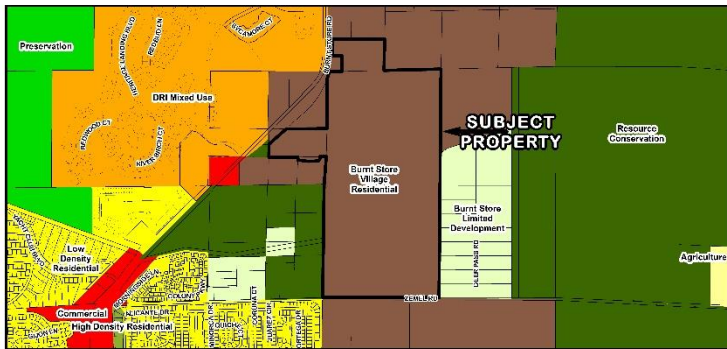
The base density for approximately 315 acres of the subject property was 31 units, and the base density for the remaining approximately 34.1 acres of the subject property was three units. On August 1, 2023, the Board of County Commissioners (Board) approved a TDU application via Resolution Number 2023-139 (Attachment 1) to transfer 187 units on approximately 315 acres of the subject property. Now the base density for the entire subject property is 221 units. If the Board approves this TDU application, this proposed transfer will allow for residential development up to 315 dwelling units to be built on the subject property (receiving zone).



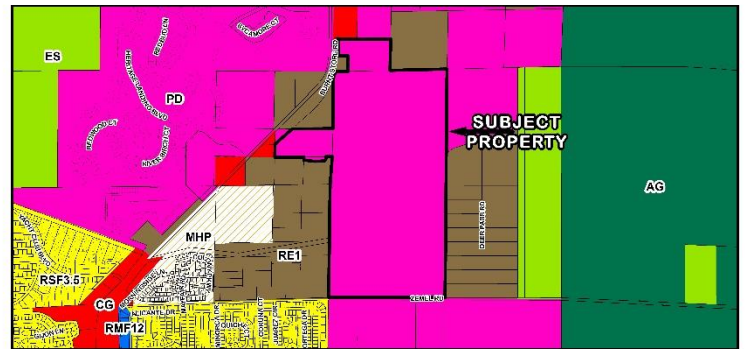
TDU-25-03 Area Image

Analysis:

The subject property has a Future Land Use Map (FLUM) designation of Burnt Store Village Residential and a zoning designation of Planned Development (PD) via Ordinance Number 2024-033 (Attachment 2) to allow residential development up to 1,000 units or a mixture of residential and commercial development up to a maximum of 466 residential units with 100,000 square feet of commercial uses using the adopted Land Use Equivalency Matrix.



TDU-25-03 FLUM Designations



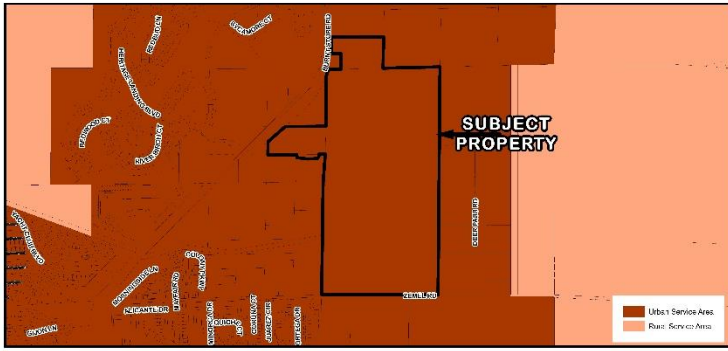
TDU-25-03 Zoning Designations

Consistency with the County's Comprehensive Plan and Section 3-9-150 of the Charlotte County Code of Laws and Ordinances:

The intent of the Transfer of Density Units (TDU) program is established in ***Future Land Use (FLU) Policy 1.2.7: Transfer of Density Units (TDU) Program Intent***, which states that, among other items, the intent of the program is to “assist and encourage the removal of old, outdated, platted lots and subdivisions throughout the County” and to “assist and encourage the replacement of an unsustainable and inefficient form of development with compact, higher density, mixed use development that is more sustainable and efficiently utilizes resources.” In this case, the transferred density came from substandard platted lots and the subject property will have higher density development which was approved via Ordinance Number 2024-033 (Attachment 2).

The subject property is designated as an Emerging Neighborhood on ***FLUM Series Map #2: 2050 Framework***. 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 on Burnt Store Road, which is one of the County's major thoroughfares in the South County area. The transfer of density to the subject property will allow, and is required, for any development above the base density.

The criteria for a Receiving Zone within the TDU program are established in ***FLU Policy 1.2.11: TDU Receiving Zones***, which states that, among other areas, Emerging Neighborhoods qualify as Receiving Zones. As detailed above, the subject site is located within an Emerging Neighborhood.



TDU-25-03 Service Area Delineation



TDU-25-03 Framework

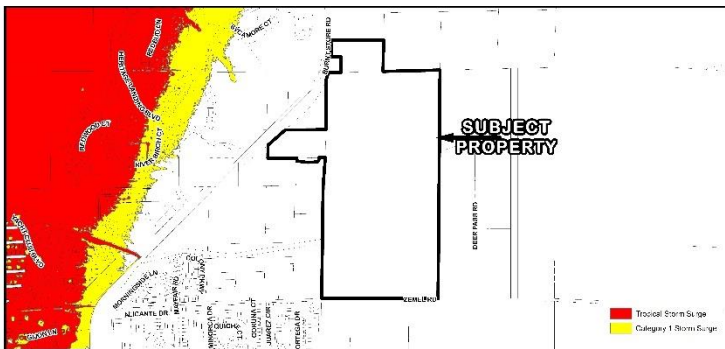
Section 3-9-150(e)(1) of the TDU Code establishes the criteria for becoming a Receiving Zone and states that “to qualify as an RZ, the proposed RZ must comply with all of the following criteria.” These include being located within the Urban Service Area and being designated one of several Framework designations, including Emerging Neighborhood.

The subject property is located within the Urban Service Area, and within an Emerging Neighborhood.

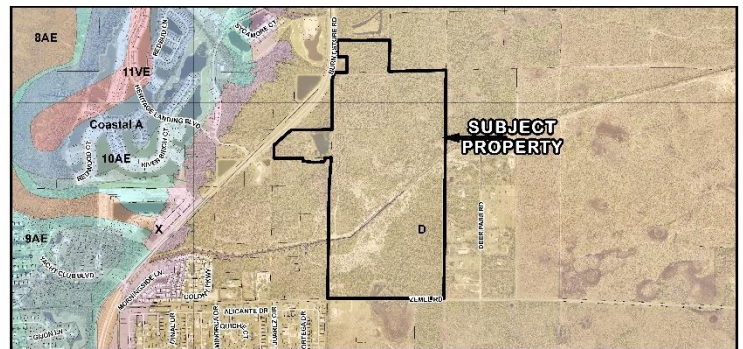
Section 3-9-150(g)(4) of the TDU Code states that “for a plan amendment with a PD rezoning or a PD rezoning, an applicant may submit the TDU application subsequent to the adoption of the PD rezoning. The TDU must be approved by the board of county commissioners, and the density transferred to the RZ, prior to submittal by the applicant for preliminary plat approval, or, if platting will not be requested, prior to submittal for any permits to develop. A project which proposes to phase development in over time may submit individual TDU applications to transfer density equivalent to that necessary for development of that phase.” This TDU application was submitted concurrently with one Certificate of Transferrable Density Credit which will come from the following certificate:

- Certificate No. CSZ-063.1 represents 94 units, and the certificate holder is Zemel Land Partners, LLC.

The subject property is located outside of the Coastal High Hazard Area. The site is located in FEMA Flood Zone D.



TDU-25-03 Coastal High Hazard Area



TDU-25-03 Flood Zones (Subject Property - D Zone)

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff’s professional opinion, this TDU application is consistent with the intent of the County’s TDU Program as established in County’s

Comprehensive Plan, and with all requirements of the program established in County's Comprehensive Plan and the County's Code of Laws and Ordinances, and other applicable guidelines.

Attachment 1
Resolution Number 2023-139

Attachment 2
Ordinance Number 2024-033