

BOARD OF COUNTY COMMISSIONERS

MAY 27, 2025

A Regular and Land Use Meeting was held at the Murdock Administration Complex in Commission Chambers; Room 119, Port Charlotte, Florida.

The following members were present: Chair Tiseo, Commissioner Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Welsh. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by **Chair Tiseo**, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-5, BCC Schedule Change. Approve the following BCC Meeting schedule change: Schedule Utilities Financial Update Meeting on June 19, 2025, at 9:00 a.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

Requested by: County Administration

Change #1: R-4, Added attachment – Presentation.

Requested by: Community Services

Change #2: F-1, Updated wording: b) Set **9 10** public hearings for June 24, 2025 at 10:00 am., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider Resolutions adopting the final assessment for the first time assessed properties for Charlotte County Sanitation Unit, Barrier Islands Fire Service Unit, Charlotte County Fire Rescue Department, Greater Port Charlotte Street and Drainage, Grove City Street and Drainage, Rotonda Meadows/Villas Street and Drainage, Tropical Gulf Acres Street and Drainage, South Charlotte Stormwater Utility Unit, and West Charlotte Stormwater Utility Unit, **and to consider a Resolution adopting the rate of collection pertaining to applicable properties for a payment due upon receipt of invoice for the Hospital Special Assessment;** and.

Requested by: Budget & Admin Services

Change #3: R-2, Added attachment – Water Authority Agenda - Final.

Requested by: Utilities

Change #4: N-1, Added attachment - Zemel Road Roundabout map.

Requested by: Public Works

COMMISSIONER CONSTANCE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

Proclamations - Commissioner Bill Truex

COMMISSIONER DOHERTY MOVED TO APPROVE THE PROCLAMATIONS, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

Men's Health Month

Proclamation to be mailed to Men's Health Network.

Summer Camp Month

Community Services Director Tommy Scott accepted the Proclamation.

Code Enforcement Appreciation Week

Code Compliance Supervisor Gail Gursky and Manager Shawn Horton accepted the Proclamation.

National Garden Week

Punta Gorda Garden Club Mary Yeomans, Port Charlotte Garden Club Barbara Miller, and Lemon Bay Garden Club Sue Burke accepted the Proclamation.

Hurricane Awareness Month

Emergency Management Director Patrick Fuller and Staff accepted the Proclamation.

Employee Recognition

Employee of the Month - April 2025

Lonne Moore
Community Services

Mr. Scott highlighted Mr. Moore's career, qualifications, commitment, community service, and presented the Award.

Award Presentations

Commissioners' Award for Customer Service - Commissioner Deutsch

Fourth Quarter Commissioners' Award

Paul Brereton
Public Safety

Commissioner Deutsch highlighted Mr. Brereton's career, community service and impact, commitment, dedication, leadership, integrity, professionalism, efforts, and presented Award.

PUBLIC INPUT - AGENDA ITEMS ONLY - None

COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

Barrier Island Fire Service Municipal Service Benefit Unit (MSBU) Advisory Board is seeking a volunteer to fill a vacant position with term ending October 31, 2025. Applicants must be residents of Charlotte County and reside within the Unit. Submit applications to Public Safety Department, 26571 Airport Road, Punta Gorda, Florida 33982; call 941-833-5602 or email Carole.Thomas@CharlotteCountyFL.gov.

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941-575-3600 or e-mail MSBU-TU@CharlotteCountyFL.gov.

- **Boca Grande Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2026.

- **Buena Vista Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026.

- **Edgewater North Waterway Unit** is seeking one member to fill a position with a term through October 31, 2028.

- **Englewood East Non-Urban Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.

- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.

- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2027.

- **Gulf Cove Waterway Unit** is seeking two members to fill positions with terms through October 31, 2028.

- **Harbour Heights Waterway Unit** is seeking one member to fill a position with a term through October 31, 2027.

- **Manasota Key Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2027.

· **Manchester Waterway Utility Unit** is seeking one member to fill a position with a term through October 31, 2027, and one member to fill a position with a term through October 31, 2028.

· **Placida Area Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.

· **Rotonda Sands Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.

· **South Burnt Store Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2028.

· **Suncoast Waterway Unit** is seeking one member to fill a position with a term through October 31, 2026, and one member to fill a position with a term through October 31, 2028.

REPORTS RECEIVED AND FILED

Clerk of Court's County Quarterly Investment Report

Comptroller Division

Clerk of Court's County Quarterly Investment Report, March 31, 2025.

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

Clerk of the Circuit Court

A. Comptroller Division

1. Finance

Recommended Action: Approve the Clerk's Finance Memorandum.

Budgeted Action: No action needed.

B. Minutes Division

1. Minutes

Recommended Action: Approve the following Minutes:

April 22, 2025 BCC Regular & Land Use Meeting

May 8, 2025 BCC Focus Area Workshop- Public Services

May 8, 2025 BCC Pre-Agenda

May 13, 2025 BCC Regular Meeting

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

1. Appointment - South Burnt Store Street & Drainage Advisory Board

Recommended Action: Approve the appointment of Elisabeth Geltz to fill the unexpired term of Thomas Freimark as well as an additional new three-year term on the South Burnt Store Street & Drainage Advisory Board. This appointment will be effective immediately and will expire on October 31, 2028.

Budgeted Action: No action needed.

D. County Administration

1. MOU with Gasparilla Island Bridge Authority for Water Elevation Monitoring

Recommended Action: Approve Memorandum of Understanding with the Gasparilla Island Bridge Authority (GIBA) allowing for installation and maintenance of county-operated water elevation monitoring devices on GIBA property. **AGR 2025-107**

Budgeted Action: No action needed.

E. County Attorney

F. Budget and Administrative Services

Fiscal Services

1. MSBU Assessment Rates and Mailing

(Change #2) Updated wording: b) Set ~~9~~ 10 public hearings for June 24, 2025 at 10:00 am., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider Resolutions adopting the final assessment for the first time assessed properties for Charlotte County Sanitation Unit, Barrier Islands Fire Service Unit, Charlotte County Fire Rescue Department, Greater Port Charlotte Street and Drainage, Grove City Street and Drainage, Rotonda Meadows/Villas Street and Drainage, Tropical Gulf Acres Street and Drainage, South Charlotte Stormwater Utility Unit, and West Charlotte Stormwater Utility Unit, and to consider a Resolution adopting the rate of collection pertaining to applicable properties for a payment due upon receipt of invoice for the Hospital Special Assessment; and.

Recommended Action: a) Approve and authorize the mailing of required first-class notification of proposed Municipal Services Benefit Unit (MSBU) assessment rate for FY25/26 for properties assessed for the first time in the Charlotte County Sanitation Unit, Barrier Islands Fire Service Unit, Charlotte County Fire Rescue Department, Greater Port Charlotte Street and Drainage, Grove City Street and Drainage,

Rotonda Meadows/Villas Street and Drainage, Tropical Gulf Acres Street and Drainage, South Charlotte Stormwater Utility Unit, and West Charlotte Stormwater Utility Unit; and b) Set 9 public hearings for June 24, 2025 at 10:00 am., or soon thereafter as may be heard, in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida, to consider Resolutions adopting the final assessment for the first time assessed properties for Charlotte County Sanitation Unit, Barrier Islands Fire Service Unit, Charlotte County Fire Rescue Department, Greater Port Charlotte Street and Drainage, Grove City Street and Drainage, Rotonda Meadows/Villas Street and Drainage, Tropical Gulf Acres Street and Drainage, South Charlotte Stormwater Utility Unit, and West Charlotte Stormwater Utility Unit; and c) Approve proposed rate increases for Charlotte County Sanitation MSBU, Charlotte County Fire Rescue Department, Barrier Islands Fire Service Unit, and Alligator Creek Waterway Unit.

Budgeted Action: No action needed. Funding for mailing costs comes from assessments within the respective MSBU, as applicable.

Information Technology

Purchasing

2. 19-159, Approve Cancellation, Design - Burnt Store Water Reclamation Facility Replacement/Expansion (Utilities)

Recommended Action: Approve the cancellation of Contract #19-159, Burnt Store Water Reclamation Facility Replacement/Expansion with McKim & Creed, Inc.

Budgeted Action: No action needed. No additional financial impact at this time.

3. 25-338, Approve, Design - Rehabilitation and Repairs of Tom Adams Movable Bascule Bridge (Public Works)

Recommended Action: Approve Request for Letter of Interest #25-338, Work Order #344, Design - Rehabilitation and Repairs of Tom Adams Movable Bascule Bridge, with DRMP, Inc, of Tampa, Florida, for the not-to-exceed amount of \$182,143.50.

Budgeted Action: No action needed. Budgeted in the Public Works Bridge Capital Maintenance Plan as approved in the FY25 budget process. Funding is supplied from Capital Projects, ad valorem.

4. 25-453, Award, Park Upgrades at Various Locations (Community Services)

Recommended Action: Approve award of "Piggyback" to File #25-453, for Playground Equipment upgrades, improvements and additions for the following parks: Larry Taylor Kiwanis Park, Harold Avenue Park, South Gulf Cove Park and Centennial Park, per School District of Manatee Contract #21-0053-MR, awarded to Rep Services, Inc of Longwood, Florida for a total cost of \$213,254.50.

Budgeted Action: No action needed. Budgeted in the Community Services Capital Maintenance Plan as approved in the FY25 budget process. Funding is provided from Capital Projects, ad valorem.

Real Estate Services

5. Land Lease Agreement Terminations for Charlotte County Sheriff's Office and Charlotte County Fire/EMS in Babcock Ranch

Recommended Action: a) Approve the Land Lease Agreement Terminations for Charlotte County Sheriff's Office and Charlotte County Fire/EMS in Babcock Ranch; and b) Authorize the Chairman to sign the Land Lease Agreement Terminations. **AGR 2025-108/AGR 2025-109**

Budgeted Action: No action needed. No financial impact.

Risk Management

Transit

G. Community Development

H. Community Services

I. Economic Development

J. Facilities Management

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

1. Certificate of Financial Capability for Perpetual Operations and Maintenance Entities for Zemel Road Roundabout

(Change #4) Added attachment - Zemel Road Roundabout map.

Recommended Action: a) Approve the Certification of Financial Capability for Perpetual Operations and Maintenance Entities for Zemel Road Roundabout; and b) Authorize the Chairman to sign the Certification of Financial Capability for Perpetual Operations and Maintenance Entities. **AGR 2025-110**

Budgeted Action: No action needed. Budget available for annual estimated operating and maintenance in the amount of \$2,543 will be funded by South Charlotte Stormwater MSBU assessments.

2. Traffic Signal Improvement Agreement between Charlotte County and Tuckers Developers, LLC

Recommended Action: Approve a Development Agreement between Charlotte County and Tuckers Developers, LLC, for the design and construction of a traffic signal at their own cost at Tuckers Grade and Willow Leaf Boulevard, the main entrance to the Willow development. **AGR 2025-111**

Budgeted Action: No action needed.

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. 25-231, Approve Contract, School Speed Zone Enforcement Program (Public Works)

Budget & Admin Services

a) Approve contract for Request for Proposal #25-231, School Speed Zone Enforcement Program, to Redspeed Florida, LLC, of Sarasota, Florida; and b) Authorize the Chairman to sign the contract. **AGR 2025-112**

Kim Corbett, Purchasing Senior Division Manager highlighted 25-231, Approve Contract, School Speed Zone Enforcement Program.

Commissioner Constance discussed Exhibit B: Service Fee Schedule, school speed zone calendar, film footage request cost, public safety, Task Force Members, and communication. **Commissioner Truex** mentioned City of Cape Coral, challenges, and RedSpeed Florida.

Deputy County Administrator Emily Lewis replied to collected revenue distribution, Florida Statutes, school speed zone calendar, safety, partnership, communication, Charlotte County Sheriff's Office (CCSO), traffic citation challenges, Charlotte County School Board, and enforcement.

COMMISSIONER CONSTANCE MOVED TO APPROVE CONTRACT AGREEMENT 2025-112 FOR REQUEST FOR PROPOSAL #25-231, SCHOOL SPEED ZONE ENFORCEMENT PROGRAM, TO REDSPEED FLORIDA, LLC, OF SARASOTA, FLORIDA; AND AUTHORIZE THE CHAIRMAN TO SIGN THE CONTRACT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. Water Authority Agenda - June 4, 2025

(Change #3) Added attachment – Water Authority Agenda – Final.

Utilities

Discussion and direction on the Peace River Manasota Regional Water Supply Authority Board agenda for the upcoming June 4, 2025 meeting.

Dave Watson, Utilities Director highlighted Water Authority Agenda - June 4, 2025.

Commissioner Constance commented on demand increase and credit line extension. **Commissioner Doherty** noted guaranteed maximum price (GMP), Peace River Regional Reservoir No. 3 (PR3) Project, Construction Manager at Risk (CMAR), plant expansion and 3 million gallons per day (MGD) costs, and August 6, 2025 Peace River Manasota Regional Water Supply Authority (PRMRWSA) Meeting.

3. Primary Public Safety Answering Point (PSAP) Task Force Update

Commission Office

Update on the Primary Public Safety Answering Point (PSAP) Task Force.

County Administrator Flores highlighted Primary Public Safety Answering Point (PSAP) Task Force Update, remarked on meeting schedule and location, Englewood Fire Department Chief Kevin Easton, and July 22, 2025 Regular and Land Use Meeting.

Chair Tiseo spoke to fact-finding mission, 911 consolidation process, Joint Meeting with City of Punta Gorda, and PSAP Task Force. **Commissioner Constance** discussed meeting schedule and locations, committee members, Sunshine Law, and public attendance and notification. **Commissioner Doherty** mentioned meeting schedule, July 22, 2025 Regular and Land Use Meeting, Resolution, critical aspects, 911 dispatch consolidation, CCSO additional positions, fact-finding component, Joint Meeting with City of Punta Gorda, flexibility, and Sunshine Law. **Commissioner Truex** commented on Englewood Fire District, Sarasota County, consolidated Computer-Aided Dispatch (CAD), call transfer process, PSAP, and Englewood Fire Chief Easton.

County Attorney Knowlton interjected on Sunshine Law and fact finding objective.

COMMISSIONER CONSTANCE MOVED TO ADD ENGLEWOOD FIRE DEPARTMENT CHIEF KEVIN EASTON AS A PUBLIC SAFETY ANSWERING POINT TASK FORCE MEMBER, SECONDED BY COMMISSIONER DOHERTY

COMMISSIONER CONSTANCE MOVED TO AMEND THE MOTION TO ADD A COMPLETE LISTING OF PUBLIC SAFETY ANSWERING POINT COMMITTEE MEMBERS, AS WELL AS THE MEETING SCHEDULE WITH THE DATE, TIME, AND LOCATION OF EACH MEETING, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

4. South County Regional Park Pool Update

(Change #1) Added attachment – Presentation.

Community Services

Update on the South County regional park pool.

Mr. Scott gave a brief overview of South County Regional Park Pool: April 2024 - Request for Quotation (RFQ) was issued, April 2024 - Request for Bid (RFB) was issued, May 2024 - Addendum to RFQ tile work, May 2024 - bids for pool resurfacing work, Timeline of communication, and responded to communication efforts.

Chair Tiseo noted May 2024 – bids for pool resurfacing work, penalties, completion timeframe, stipulations, price consideration, enforcement remedies, insurance declarations and policy requirements, performance, CCSO Firing Range, contractor responsibility, inspection, extension requests, liability, public safety, project management, third-party independent documentation and forensic inspection, administrative approval, deficiencies, procurement process, public notification, construction and maintenance projects, statutory requirements, and meeting attendance request. **Commissioner Constance** spoke to AuMiller Pool LLC, timeline, project management, manager, and payment, community impact, total cost, liquidated damages, contract language policy, service delivery, responsive and responsible bidders, penalties, Florida Association of Counties (FAC), non-responsible bidder registry, third-party independent forensic engineering inspection, transportation options, June 10, 2025 Regular and Land Use Meeting, original quoted bid prices, statutory requirements, payment performance bond, and meeting attendance. **Commissioner Deutsch** discussed contractor, communication levels, suggested solutions, inconvenience, public safety, meeting attendance, and potential legal action. **Commissioner Doherty** mentioned May 2024 - Addendum to RFQ tile work, May 2024 - bids for pool resurfacing work, contract payment, workmanship, bond, policy changes, forensic engineering inspection and determination, deficiencies, flexibility, Consultants' Competitive Negotiation Act (CCNA), and meeting attendance. **Commissioner Truex** commented on AuMiller Pool LLC, extension requests, project management team and documentation, incompetency, subcontractors, construction complaint, work product, public safety, legal action, insurance requirements, contract payment, photographic documentation, daily records, protections, process improvement, and meeting attendance.

Ms. Corbett responded to contract payment and language, total project cost, liquidated damages, statutory requirements, reference checks, submitted invoice, bid form, timeframe, insurance and payment performance bond requirements, construction and maintenance projects, and original quoted bid price.

County Attorney Knowlton interjected on legal review and expedited process.

County Administrator Flores replied to project review June 10, 2025 Regular and Land Use Meeting.

(Addition #1) 5. BCC Schedule Change

County Administration

Approve the following BCC Meeting schedule change: Schedule Utilities Financial Update Meeting on June 19, 2025, at 9:00 a.m. in Room 119 at 18500 Murdock Circle, Port Charlotte, Florida.

COMMISSIONER DOHERTY MOVED TO APPROVE THE FOLLOWING BCC MEETING SCHEDULE CHANGE: SCHEDULE UTILITIES FINANCIAL UPDATE MEETING ON JUNE 19, 2025, AT 9:00 A.M. IN ROOM 119 AT 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Ordinance Amending the Code Relating to Authorization of Life Support Transport and Non-Transport Services within the County

Public Safety

Conduct a public hearing to consider and approve Ordinance Amending and restating Article III Chapter 2-3 of the Code of Laws and Ordinances of Charlotte County, Florida; Regarding the Authorization of Life Support Transport and Non-Transport Services within the County. **ORD 2025-014 / RES 2025-171**

Chief Jason Fair, Public Safety Director highlighted Ordinance Amending the Code Relating to Authorization of Life Support Transport and Non-Transport Services within the County.

Commissioner Constance spoke to compliance standards.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE RESOLUTION 2025-171 ESTABLISHING FEES FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; PROVIDING STANDARD APPLICATION PACKET ESTABLISHED BY THE DEPARTMENT OF PUBLIC SAFETY; AND PROVIDING FOR AN EFFECTIVE DATE; AND ORDINANCE 2025-014 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING AND RESTATING ARTICLE III OF CHAPTER 2-3 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; REGARDING THE AUTHORIZATION OF LIFE SUPPORT TRANSPORT AND NON-TRANSPORT SERVICES WITHIN THE COUNTY; MAKING RELATED FINDINGS; DEFINING CERTAIN TERMS; REQUIRING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR LIFE SUPPORT TRANSPORT AND NON-TRANSPORT SERVICES; PROVIDING EXEMPTIONS; ESTABLISHING THE AUTHORITY OF THE COUNTY EMS MEDICAL DIRECTOR; ESTABLISHING STANDARDS FOR APPLICATIONS, RENEWALS AND AMENDMENTS OF CERTIFICATES; PREVENTING DISCONTINUATION OR INTERRUPTION OF LIFE SUPPORT TRANSPORT AND NON-TRANSPORT SERVICES; PROVIDING FOR INSURANCE REQUIREMENTS; REGULATING RATES; ESTABLISHING RIGHTS AND DUTIES GRANTED BY CERTIFICATION; REQUIRING VEHICLE PERMITS FOR AMBULANCES AND AIR AMBULANCES; ESTABLISHING CONDITIONS OF VEHICLE OPERATING PERMITS FOR AMBULANCES AND AIR AMBULANCES; PROVIDING FOR RESPONSE IN A STATE OF EMERGENCY OR DISASTER; PROVIDING FOR VIOLATIONS, PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR APPEALS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

2. Ordinance Amending Hazardous Material Cost Recovery

Public Safety

Conduct a public hearing to consider and approve Ordinance Amending Chapter 2 “Emergencies”, adopting Article II “Hazardous Materials Cost Recovery”; adopting Section 2-1-16 “Authority and Purpose”; 2-1-19 “Cost Recovery”; 2-1-21 “Penalties”; providing for codification; providing for conflicts; providing for severability and providing for an effective date. **ORD 2025-015 / RES 2025-173**

Chief Fair highlighted Ordinance Amending Hazardous Material Cost Recovery.

Chair Tiseo noted hazardous materials release and definition. **Commissioner Constance** discussed hazardous material definition.

Assistant County Attorney Brandon Hackbarth interjected on Ordinance language, responsible parties, and hazardous material definitions.

Public Input

Jeff Lustig remarked on Mosaic Fertilizer, hazardous material definition, service payment responsibility, weather impacts, Tampa Bay, and toxic waste discharge.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2025-172 AMENDING RESOLUTION 2019-109 WHICH ESTABLISHED THE MAXIMUM RATES FOR TOW TRUCK OPERATORS FOR NONCONSENSUAL TOWING SERVICES; DELETING THE HAZARDOUS MATERIAL CLEANUP AND DISPOSAL FEES FROM THE SCHEDULE OF OTHER RATES, FEES AND CHARGES FOR EXTRAORDINARY SERVICES; PROVIDING FOR AN EFFECTIVE DATE; AND ORDINANCE 2025-015 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 2 – “EMERGENCIES”; ADOPTING ARTICLE II – “HAZARDOUS MATERIALS COST RECOVERY”; ADOPTING SECTIONS 2-1-16 “AUTHORITY AND PURPOSE”; 2-1-17 “JURISDICTION”; 2-1-18 “DEFINITIONS”; 2-1-19 “HAZARDOUS MATERIALS RESPONSE TEAM”; 2-1-20 “COST RECOVERY”; 2-1-21 “PENALTIES”; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

1. Cultural Center Update

Update on Cultural Center.

Travis Perdue, Facilities Management Director gave a brief overview of Cultural Center, Progress, Public Input Data, Demolition Overview, Master Plan and Programming Outline, Master Plan and Program

Schedule, Site Feasibility, Library/Historical Programming, Cultural Center Programming, Theater, responded to Mid-County Regional Library, museum components, and flexibility.

Chair Tiseo mentioned demolition cost, funding source, Mid-County Regional Library, Public Input Data, Family Services Center, site plan development, programming, spatial requirements, vertical design, Centennial Park Pool, Port Charlotte High School, community benefit, Charlotte County School Board, Theater, seating capacity, facility operations, fundraising, marketing, and master stormwater design. **Commissioner Constance** commented on terminology, demolition, Progress, Mid-County Regional Library, timing, library and stormwater components, growth, Site Feasibility, elevation study, Charlotte Performing Arts Center (CPAC), community theatre, and time constraints. **Commissioner Deutsch** noted demolition cost, hazardous site remediation, library component, Mid-County Regional Library, timeline, Young Men's Christian Association (YMCA), facility management, accountability, and reporting criteria. **Commissioner Doherty** spoke to facility operations and management, hybrid option, site planning, programming, and vertical expansion. **Commissioner Truex** discussed Process, demolition, bid process, contractor catalog, hybrid option, and facility management and operations.

Assistant County Administrator Claire Jubb replied to Capital Projects Fund and demolition cost.

RECESS: 11:21 am – 1:00 pm

1 P.M. PUBLIC INPUT - ANY SUBJECT

Shirley Stewart mentioned CCSO Firing Range, Waterford Estates, post-traumatic stress disorder (PTSD), excessive noise, gun range enclosure study, weaponry usage, and noise protection.

Jim Krause commented on Harbor Village, Maronda Homes, proposed zoning changes, traffic impacts, waterway design, water quality, hurricane season, evacuation challenges, and roadway improvements.

John Osanitsch noted May 20, 2025 Municipal Services Benefit Units (MSBUs) Workshop, proposed tax increases, infrastructure improvements, millage rates, Impact Fees, new development, South Gulf Cove (SGC), traffic impacts, Lennar Homes, policy changes, density, Harbor Village, single-family units, neighboring counties, commercial and industrial uses, and rezoning requests.

Toby Delbridge spoke to Englewood Beach, recovery efforts, Barefoot Trader, Beach Company, beach access, parking challenges, visitor feedback, business and employee impacts, contingency plans, and Manasota Key.

Jeff Lustig remarked on South County Regional Park Pool, sales and property taxes, Harborview Road improvement costs, developer cost contribution, Englewood Beach, parking challenges, affordable housing, apartment ownership, and intergenerational wealth.

Dreama Doolittle discussed Land Use Staff Report language, Comprehensive Plan, Coastal Planning (CST) Goal 3: Development in High Hazard Areas, inconsistencies, rezoning requests, Harborview Development of Regional Impact (DRI) Planned Development (PD), and compliance.

Mike Doolittle mentioned April 14, 2025 Planning and Zoning Board Meeting and Members, voting procedures, Harborview Road improvement schedule, funding sources, compatibility improvements, Peace River, Charlotte Harbor, Comprehensive Plan, consistency, and Harbour Heights residents.

Rebecca Scholl commented on community involvement, Harborview DRI PD, Buc-ee's, West Village, residential and commercial mixed-use developments, and deviations.

John Stike noted Deep Creek, zoning variances, Buc-ee's, residential and commercial development, apartment complex, noise and light pollution, traffic impacts, flood zones and risks, Punta Gorda, Harbour Heights, Port Charlotte, Jim Cantore, hurricanes, and Charlotte Harbor.

Taken Out of Order

AA. County Administrator Comments - None

BB. County Attorney Comments

County Attorney Knowlton spoke to Agriculture & Natural Resource Advisory Committee (ANRAC) Members and May 8, 2025 Meeting, email communications, zoning changes, application presentation and review, Rural Land Use Policy, Planning and Zoning Board, responsibilities, due process rights, Quasi-Judicial procedures, Planning and Zoning Official Shaun Cullinan, and meeting attendance and comments.

Chair Tiseo discussed ANRAC, Planning and Zoning Board Meetings, Staff Report review, and testimony.

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Chair Tiseo mentioned Joint Meeting with the City of Punta Gorda, meeting options, Englewood Beach, parking lot reopening process, contingency plans, hurricane impacts, recovery efforts, sand recipient site, roadway cleanup, Public Works, improvements, Sales Tax, Florida Statutes, referendum process, Capital Needs Assessment (CNA), project funding options, Staff Reports, public comments, application review and approval process, Comprehensive Plan, feedback, Harbor Village, and July 22, 2025 Regular and Land Use Meeting. **Commissioner Constance** commented on Joint Meeting with City of Punta Gorda, July 8, 2025 PSAP Task Force Committee Meeting, and meeting options. **Commissioner Deutsch** noted National Garden Week Proclamation, Englewood Beach, Port Charlotte Beach Complex, boat ramps, hurricane and flooding damages and impacts, public safety, Federal Emergency Management Agency (FEMA) reimbursements, Rolling Thunder Florida Chapter 5, and Memorial Day Weekend event attendance. **Commissioner Doherty** spoke to ANRAC Members, email communications, zoning application review, Planning and Zoning Board and Land Use Hearings, testimony, Joint Meeting with City of Punta Gorda, meeting schedules and options, July 22, 2025 Regular and Land Use Meeting, CCSO hiring activities, 911 dispatch consolidation, and 2025 National Association of Counties (NACo) Annual Conference. **Commissioner Truex** discussed cooperation, City of Punta Gorda, National Garden Week Proclamation, Mr. Delbridge comments, Englewood Beach, parking lot reopening process and timeline, Don Pedro Knight Island, beach renourishment project and access, public safety, security, improvements, hurricane damages and recovery, coordinated efforts, and community impacts.

County Administrator Flores responded to City of Punta Gorda, meeting options and schedule, and coordination.

RECESS: 1:50 pm - 2:00 pm

2 P.M. LAND USE AGENDA

Shaun Cullinan, Planning and Zoning Official remarked on Harbor Village, July 22, 2025 Regular and Land Use Meeting, and publications.

Minutes Clerk Welsh administered oath for testimony.

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY – None

Consent Agenda

COMMISSIONER DOHERTY MOVED TO APPROVE THE LAND USE CONSENT AGENDA, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

UA1. DRC-24-221, West Port Marketplace

Community Development

Approve the Resolution regarding Campo Engineering Inc.'s request for PD Final Detail Site Plan approval for West Port Marketplace. The project consists of a 47,240 sq. ft. Publix grocery with an attached 2,100 sq. ft. liquor store and a detached 9,800 sq. ft. retail building with associated parking, landscaping, utility connections, and stormwater conveyance system. This project site is 14.351± acres and is located at 1871 El Jobean Road, Port Charlotte, Florida in Murdock Village. Located in Commission District IV. **RES 2025-174**

Quasi-Judicial

UA2. DRC-24-229, Willow Townhomes

Community Development

Approve the Resolution regarding RESPEC Company LLC's request for Final Detail Site Plan approval for Willow Townhomes. The project consists of a 360-unit townhome development within Tuckers Pointe Phase 1. This project site is 31.41± acres (Tract F-3) and is located at 11740 Tamiami Trail, Punta Gorda, Florida. Located in Commission District II. **RES 2025-175**

Quasi-Judicial

UA3. DRC-24-233, Charlotte Behavioral Health Care Center Expansion

Community Development

Approve the Resolution regarding Southwest Engineering and Design's request for a PD Modification to DRC-PD-90-7 for the Charlotte Behavioral Health Care Center CRF Expansion. The project consists of a 5,578 sq. ft. building expansion, modifying the dumpster enclosure, and expanding the existing southern stormwater pond. This project site is 3.62± acres within a property boundary of 18.96± acres and is located at 1740 Education Avenue, Punta Gorda, Florida. Located in Commission District II. **RES 2025-176**

Quasi-Judicial

UA4. STN-25-01, Como St. to Seaspray St.

Community Development

Approve a Resolution regarding Charlotte County Community Development Department's, on behalf of Morris Engineering & Consulting LLC, request to approve the street name change for the portions of Como Street, North of El Jobean Road and South of US 41, to Seaspray Street. The road segment serves as a key connector for major roadways, SR 776 and US 41. The proposed street name aims to improve clarity for residents, emergency responders, and visitors, while enhancing navigational efficiency in this area of the county. Located in Commission District IV. **RES 2025-177**

Quasi-Judicial

UA5. FP-24-02, Webbs Reserve - Phase 2

Community Development

Approve a Final Plat for a subdivision to be named, Webbs Reserve - Phase 2, consisting of 142 residential lots and 10 tracts. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. This site contains 58.85± acres and is generally located south of Bermont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area, and in Commission District I. **AGR 2025-112**

Quasi-Judicial

Public Hearing

UB1. PAS-24-07, Darst Park

Community Development

Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, adopting a Small-scale Plan Amendment amending Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Parks and Recreation (PKR); for property located at 537 Darst Avenue, in the Punta Gorda area and within the South County area, containing 0.483± acres; Petition No. PAS-24-07; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date. Located in Commission District II. **ORD 2025-016**

Legislative

Mr. Cullinan gave a brief overview of Proposed Changes, PAS-24-07 and Z-24-16: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, Existing Future Land Use Map (FLUM) Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and Flood Zones (Subject Property - 13VE, 12VE & 11AE Flood Zones).

Public Input for Petition Number PAS-24-07, Darst Park and Petition Number Z-24-16, Darst Park

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2025-016 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) TO PARKS AND RECREATION (PKR); FOR PROPERTY LOCATED AT 537 DARST AVENUE, IN THE PUNTA GORDA AREA AND WITHIN THE SOUTH COUNTY AREA, CONTAINING 0.483± ACRES; COMMISSION DISTRICT II; PETITION NO. PAS-24-07; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

UB2. Z-24-16, Darst Park

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 5 (RSF-5) to Parks and Recreation (PKR), for property located at 537 Darst Avenue, in the Punta Gorda area and in the South County area, containing 0.483± acres; Petition No. Z-24-16; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date. Located in Commission District II. **ORD 2025-017**

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty,** and **Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Mr. Cullinan gave a brief overview of Proposed Changes, PAS-24-07 and Z-24-16: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and Flood Zones (Subject Property - 13VE, 12VE & 11AE Flood Zones).

Public Input for Petition Number PAS-24-07, Darst Park and Petition Number Z-24-16, Darst Park

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2025-017 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 125.66, FLORIDA STATUTES, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL SINGLE-FAMILY 5 (RSF-5) TO PARKS AND RECREATION (PKR); FOR PROPERTY LOCATED AT 537 DARST AVENUE, IN THE PUNTA GORDA AREA AND WITHIN THE SOUTH COUNTY AREA, CONTAINING 0.483± ACRES; COMMISSION DISTRICT II; PETITION NO. Z-24-16; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE

MOTION CARRIED 5:0.

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a Major Modification amending Ordinance Number 2024-012, the adopted General PD Concept Plan and its associated PD conditions, to amend the maximum building square footage of "Storage" pursuant to County Code sec. 3-9-2: Rules of Construction; Definitions, from 145,000 square feet to 200,000 square feet, specifically, 1) to reduce the number of buildings from 11 to eight; 2) to increase the maximum square footage for mini-storage uses from 77,000 square feet to 110,000 square feet; 3) to increase the maximum square footage of storage units from 68,000 square feet to 90,000 square feet dedicated to indoor storage of recreational vehicles as defined in Code sec. 3-9-2 and boats on trailers, along with reasonably related private goods; and 4) to adjust the parking area and internal roadways, for property located at 5221 and 5225 Taylor Road, in the Punta Gorda area, containing 10.33± acres; Petition No. PD-25-04; Applicant: Derek Rooney, Esq. of Gary Robinson, P.A.; providing an effective date. Located in Commission District II. **ORD 2025-018**

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Mr. Cullinan gave a brief overview of Proposed Changes, PD-25-04: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, FLUM Designations, Zoning Designations, Flood Zones (Subject Property - X Flood Zone), Adopted General PD Concept Plan, and Proposed General PD Concept Plan.

Attorney Derek Rooney, Applicant Representative commented on drive aisles, building consolidation, buffers, increased storage, height limitations and reduction, and joined in the Staff Report.

Commissioner Constance mentioned building levels and plans and stormwater consolidation.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2025-018 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION AMENDING ORDINANCE NUMBER 2024-012, THE ADOPTED GENERAL PD CONCEPT PLAN AND ITS ASSOCIATED PD CONDITIONS, TO AMEND THE MAXIMUM BUILDING SQUARE FOOTAGE OF "STORAGE" PURSUANT TO COUNTY CODE SECTION 3-9-2: RULES OF CONSTRUCTION; DEFINITIONS, FROM 145,000 SQUARE FEET TO 200,000 SQUARE FEET, SPECIFICALLY: (1) TO REDUCE THE NUMBER OF BUILDINGS FROM 11 TO EIGHT; (2) TO INCREASE THE MAXIMUM SQUARE FOOTAGE FOR MINI-STORAGE USES FROM 77,000 SQUARE FEET TO 110,000 SQUARE FEET; (3) TO INCREASE THE MAXIMUM SQUARE FOOTAGE OF STORAGE UNITS FROM

68,000 SQUARE FEET TO 90,000 SQUARE FEET DEDICATED TO INDOOR STORAGE OF RECREATIONAL VEHICLES AS DEFINED IN CODE SECTION 3-9-2 AND BOATS ON TRAILERS, ALONG WITH REASONABLY RELATED PRIVATE GOODS; AND (4) TO ADJUST THE PARKING AREA AND INTERNAL ROADWAYS, FOR PROPERTY LOCATED AT 5221 AND 5225 TAYLOR ROAD, IN THE PUNTA GORDA AREA, CONTAINING 10.33± ACRES; COMMISSION DISTRICT II; PETITION NO. PD-25-04; APPLICANT: DEREK ROONEY, ESQ. OF GRAY ROBINSON, P.A.; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB4. PD-24-18, Crosswinds PD - Major Modification to Simple Life PD

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD; this is a major modification to the PD conditions and its associated PD Concept Plan as established in Ordinance Number 2022-022, and adopt the General PD Concept Plan, in order to have a residential development up to 230 dwelling units (a reduction of 48 units); requiring a transfer of 96 density units from the Coastal High Hazard Area (CHHA) (The property contains 230 non-CHHA density units via Resolution Number 2021-107); for property located at 12150 Burnt Store Road, within the boundary of the Burnt Store Area Plan and in the Punta Gorda area, containing 68.43± acres; Petition No. PD-24-18; Applicant: DR Horton; providing an effective date. Located in Commission District II. **ORD 2025-019**

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Mr. Cullinan gave a brief overview of Proposed Changes, PD-24-18: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, FLUM Designations, Zoning Designations, Brief History, Coastal High Hazard Area, Flood Zones (Subject Property – 9AE, X & D Zones), and Master Concept Plan.

Dan DeLisi, Applicant Representative commented on density reduction, Brief History, Comprehensive Plan, and requested approval.

Public Input

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE ORDINANCE 2025-019 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION TO THE PD CONDITIONS AND ITS ASSOCIATED PD CONCEPT PLAN AS ESTABLISHED IN ORDINANCE NUMBER 2022-022, AND ADOPT THE GENERAL PD CONCEPT PLAN, IN ORDER TO HAVE A RESIDENTIAL DEVELOPMENT UP TO 230

DWELLING UNITS (A REDUCTION OF 48 UNITS); REQUIRING A TRANSFER OF 96 DENSITY UNITS FROM THE COASTAL HIGH HAZARD AREA (CHHA) (THE PROPERTY CONTAINS 230 NON-CHHA DENSITY UNITS VIA RESOLUTION NUMBER 2021-107); FOR PROPERTY LOCATED AT 12150 BURNT STORE ROAD, WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AND IN THE PUNTA GORDA AREA, CONTAINING 68.43± ACRES; COMMISSION DISTRICT II; PETITION NO. PD-24-18; APPLICANT: DR HORTON; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

UB5. PAS-24-04, Paradise RV Small Scale Plan Amendment

Community Development

Approve an Ordinance, pursuant to Section 163.3187, Florida Statutes, adopting a Small-scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) (16.85± acres) and Commercial (COM) (16.81± acres), to LDR with an annotation to the 2030 Future Land Use Map stating that 1) the base density of the entire site is 16 units, and 2) the use of the entire site for a recreational vehicle park will be limited to 138 recreational vehicles and will not require a transfer of density; for subject property, including six parcels, five parcels are located at 2201, 2271, 2301, 2351 and 3011 Duncan Road (US 17), one parcel is generally located south of Sam Way, north of Taralane Drive, east of the Seminole Gulf Railway, and west of US 17, in the Punta Gorda area, containing 33.66± acres; Petition No. PAS-24-04; Applicant: Paradise Palms RV LLC; providing an effective date. Located in Commission District I.

Legislative

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, PAS-24-04 and PD-24-11: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Flood Zones (Subject Property - X Zone), Paradise Palms Recreational Vehicle (RV) Park: PD Concept Plan, Scrub Jay Habitat Map, and PD Open Space.

Chair Tiseo noted commercial development and use, calculation, amenities, septic to sewer policy, wells, City of Cape Coral, density, grease interceptor, sewer and water concurrency, property listing and rights, TAG Lakeside, regulatory agency approval, zoning change request and rights, citizen input, elected officials, entitlements, process, and Staff Reports. **Commissioner Constance** spoke to Scrub Jay Habitat Map, Staff Report, mitigation and preservation requirements, Burnt Store Corridor, commercial development, Proposed Zoning Designations, utility service availability, property size and ownership, Proposed FLUM Designations, PD Open Space, citizen input, and US-17 Area Plan. **Commissioner Deutsch** discussed septic permit approval, inspection process, property ownership and development rights, elected official responsibility, community feedback, and density and water capacity concerns. **Commissioner Doherty** mentioned Proposed Changes, base density, property occupancy, septic and well systems, commercial properties, water usage, zoning change, septic to sewer conversion, nitrogen removal and impairment, Charlotte Harbor, plan amendment, traffic impacts, water and wastewater infrastructure improvements, and Comprehensive Plan. **Commissioner Truex** commented on septic and drainage systems, PD Open Space, water quality, nitrogen removal, availability listing, citizen input, conservation easements, property acquisitions and access points, environmentally sensitive lands, flood

requirements, Placida parcel, Habitat Conservation Plan (HCP), tax payer dollars, millage rates, voter referendum, density, traffic impacts, RV parks, and US-17 Area Plan.

Mr. Cullinan replied to certificated service area, Sunriver Utilities, Florida Department of Health (FDOH) requirements, and area availability.

Attorney Rob Berntsson, Applicant Representative noted Comprehensive Plan Amendment, preservation lands, commercial zoning and development, site plan review process, proposed use impacts, responded to Scrub Jay HCP, conservation easement, property listing and development, intent, septic tanks, wastewater impacts, nutrient reduction PD condition, traffic impacts, and requested approval.

Reed McKown, Southwest Engineering & Design Project Engineer spoke to Scrub Jay Habitat Map, preservation requirements, Southwest Florida Water Management District (SWFWMD) owned lands and well permit, HCP, septic system design, setback requirements, service guidelines, legal description, PD Open Space, special exception, and PD condition.

Public Input for Petition PAS-24-04, Paradise RV Small Scale Plan Amendment and Petition PD-24-11, Paradise Palms RV PD Rezoning

The following citizens spoke against Petition PAS-24-04, Paradise RV Small Scale Plan Amendment and Petition PD-24-11, Paradise Palms RV PD Rezoning: Chris Frohlich, Joseph Schortz, Jessie Tanksley, Brandon Tanksley, Sam Burchers, Peggy Rawls, Debbie Degrove, Charles Brown, Anne MacFadyen, Ken Miller, Camilla Spicer, Karina Draghi, Cort Frohlich, and Courtney Mason.

Jeff Lustig discussed waste and potable water, traffic impacts, road management, Community Land Trust (CLT), affordable housing, and septic tank placement.

Minutes Clerk Welsh administered oath for testimony.

Tim Ritchie, March Against Mosaic President mentioned drought impacts, property location, Peace River, hurricanes, water quality crisis, Richard Russell, legal concerns, fecal matter, City of Punta Gorda, building moratorium, Lake Okeechobee, and environmental protections.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE DENIAL OF AN ORDINANCE, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL-SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) (16.85± ACRES) AND COMMERCIAL (COM) (16.81± ACRES), TO LDR WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP STATING THAT 1) THE BASE DENSITY OF THE ENTIRE SITE IS 16 UNITS, AND 2) THE USE OF THE ENTIRE SITE FOR A RECREATIONAL VEHICLE PARK WILL BE LIMITED TO 138 RECREATIONAL VEHICLES AND WILL NOT REQUIRE A TRANSFER OF DENSITY; FOR SUBJECT PROPERTY, INCLUDING SIX PARCELS, FIVE PARCELS ARE LOCATED AT 2201, 2271, 2301, 2351 AND 3011 DUNCAN ROAD (US 17), ONE PARCEL IS GENERALLY LOCATED SOUTH OF SAM WAY, NORTH OF TARALANE DRIVE, EAST OF THE SEMINOLE GULF RAILWAY, AND WEST OF US 17, IN THE PUNTA GORDA AREA,

CONTAINING 33.66± ACRES; PETITION NO. PAS-24-04; APPLICANT: PARADISE PALMS RV LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER CONSTANCE

MOTION CARRIED 5:0.

UB6. PD-24-11, Paradise Palms RV PD Rezoning

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estate 1 (RE-1) (16.85± acres) and Commercial General (CG) (16.81± acres) to Planned Development (PD) to allow for a RV park to have recreational vehicles up to 138 units, and also adopt a General PD Concept Plan; for property, including six parcels, five parcels are located at 2201, 2271, 2301, 2351 and 3011 Duncan Road (US 17), one parcel is generally located south of Sam Way, north of Taralane Drive, east of the Seminole Gulf Railway, and west of US 17, in the Punta Gorda area, containing 33.66± acres; Petition No. PD-24-11; Applicant: Paradise Palms RV LLC; providing an effective date. Located in Commission District I.

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, PAS-24-04 and PD-24-11: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, Flood Zones (Subject Property - X Zone), Paradise Palms RV Park: PD Concept Plan, Scrub Jay Habitat Map, and PD Open Space.

Chair Tiseo commented on commercial development and use, calculation, amenities, septic to sewer policy, wells, City of Cape Coral, density, grease interceptor, sewer and water concurrency, property listing and rights, TAG Lakeside, regulatory agency approval, zoning change request and rights, citizen input, elected officials, entitlements, process, and Staff Reports. **Commissioner Constance** spoke to Scrub Jay Habitat Map, Staff Report, mitigation and preservation requirements, Burnt Store Corridor, commercial development, Proposed Zoning Designations, utility service availability, property size and ownership, Proposed FLUM Designations, PD Open Space, citizen input, and US-17 Area Plan. **Commissioner Deutsch** noted septic permit approval, inspection process, property ownership and development rights, elected official responsibility, community feedback, and density and water capacity concerns. **Commissioner Doherty** discussed Proposed Changes, base density, property occupancy, septic and well systems, commercial properties, water usage, zoning change, septic to sewer conversion, nitrogen removal and impairment, Charlotte Harbor, plan amendment, traffic impacts, water and wastewater infrastructure improvements, and Comprehensive Plan. **Commissioner Truex** mentioned septic and drainage systems, PD Open Space, water quality, nitrogen removal, availability listing, citizen input, conservation easements, property acquisitions and access points, environmentally sensitive lands, flood requirements, Placida parcel, HCP, tax payer dollars, millage rates, voter referendum, density, traffic impacts, RV parks, and US-17 Area Plan.

Mr. Cullinan replied to certificated service area, Sunriver Utilities, FDOH requirements, and area availability.

Attorney Rob Berntsson, Applicant Representative commented on Comprehensive Plan Amendment, preservation lands, commercial zoning and development, site plan review process, proposed use impacts, responded to Scrub Jay HCP, conservation easement, property listing and development, intent, septic tanks, wastewater impacts, nutrient reduction PD condition, traffic impacts, and requested approval.

Reed McKown, Southwest Engineering & Design Project Engineer spoke to Scrub Jay Habitat Map, preservation requirements, SWFWMD owned lands and well permit, HCP, septic system design, setback requirements, service guidelines, legal description, PD Open Space, special exception, and PD condition.

Public Input for Petition PAS-24-04, Paradise RV Small Scale Plan Amendment and Petition PD-24-11, Paradise Palms RV PD Rezoning

The following citizens spoke against Petition PAS-24-04, Paradise RV Small Scale Plan Amendment and Petition PD-24-11, Paradise Palms RV PD Rezoning: Chris Frohlich, Joseph Schortz, Jessie Tanksley, Brandon Tanksley, Sam Burchers, Peggy Rawls, Debbie Degrove, Charles Brown, Anne MacFadyen, Ken Miller, Camilla Spicer, Karina Draghi, Cort Frohlich, and Courtney Mason.

Jeff Lustig noted waste and potable water, traffic impacts, road management, CLT, affordable housing, and septic tank placement.

Minutes Clerk Welsh administered oath for testimony.

Tim Ritchie, March Against Mosaic President remarked on drought impacts, property location, Peace River, hurricanes, water quality crisis, Richard Russell, legal concerns, fecal matter, City of Punta Gorda, building moratorium, Lake Okeechobee, and environmental protections.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARREID 5:0.

RECESS: 3:56 pm - 4:01 pm

UB7. PAL-23-00004, Tarpon Waterfront Village Large Scale Plan Amendment

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; the request is to 1) amend Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 14.52± acres of the property; and 2) amend Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Revitalizing Neighborhood for 11.51± acres of the property and Managed Neighborhood for 3.01± acres; for property including three parcels, two parcels located at 4331 and 4399 Willow Street, in the Port Charlotte area, and one undressed parcel generally located north of the Peace River, south of Edgewater Drive, west of Bayshore Road, east of Lister Street and southeast

of Crews Court, in the Charlotte Harbor Community Redevelopment area and in the Port Charlotte area, containing 14.51± acres; Petition No. PAL-23-00004; Applicant: Tarpon Waterfront Village LLC; providing an effective date. Located in Commission District V.

Legislative

Minutes Clerk Welsh administered the oath for testimony.

Ms. Shao gave a brief overview of Proposed Changes: A Large Scale Plan Amendment to, The proposed High Density Residential Future Land Use Map, Concurrent Applications, PAL-23-00004: 1,000 Mailed Notice Map, Location Map, Area Image (Mid-Range), Area Image, Existing Service Area Delineation, Existing Framework, Existing FLUM Designations, Existing Zoning Designations, 1997-2010 Future Land Use Map Prior to Adoption of PA-07-11-88, Existing FLUM Designations, 1997 Urban Service Area (USA) Map, Map #12: Areas Removed from the (1997-2010) Urban Service Area, Coastal High Hazard Area, Subject Property - 9AE, 10AE, 11AE, and 12VE Zones, Proposed Service Area Delineation, Proposed Framework, Proposed FLUM Designations, Proposed Zoning Designations, General PD Concept Plan, Open Space Exhibit, Lister Street, Willow Street, Edgewater Village Condominium, Edgewater Manor Condominium, and Staff's Professional Opinion.

Attorney Michael Haymans, Applicant Representative gave a brief overview of Project Team, Subject Property, responded to Charlotte Harbor Yacht Club memberships and programs, Hurricane Milton, water levels, invasive exotic vegetation removal, wetlands functionality and protections, Lister Street, flooding barriers, PD conditions, open space requirements, community meetings, Willow Street, service level standards, traffic impacts and improvements, Charlotte Harbor Community Redevelopment Area (CRA) Advisory Committee, elevation, Sea Lake and Overland Surges from Hurricanes (SLOSH) Models, density reduction, and requested approval of transmittal.

Ben Smith, Morris-Depew Associates Planning Director gave a brief overview of Map #1: 2030 Future Land Use, Map #3 - 2030 Service Area Delineation, Map #3 - 2050 Framework Map, CST Goal 3: Development in High Hazard Areas, CST Objective 3.2: Development and Redevelopment in the Coastal High Hazard Area (CHHA), CST Policy 1.2.6: Development of Coastal, Water-dependent Uses, General PD Concept Plan, Proposed and Approved Multi-Family in CHHA, Open Space Plan, and Utilities.

Bill Morris, Morris-Depew Associates Civil Engineer gave a brief overview of Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Development Summary, Structure Flood Protection Design, Retain Existing Stormwater Drainage Pattern, Impede Storm Surge Migration Inland, Data Sources, and Stormwater Management.

Paul Owen, Owen Environmental Consulting Ecologist gave a brief overview of Wetlands, Vegetation Map, Site Plan, and Protected Species Survey.

Reid Fellows, TR Transportation Consultants Transportation Engineer gave a brief overview of Transportation.

Chair Tiseo discussed Charlotte Harbor Yacht Club, Comprehensive Plan, 2007 Small Scale Plan Amendment, property purchase and entitlements, intent, zoning, Staff's Professional Opinion, Hurricanes Helene and Milton impact, and Staff Report. **Commissioner Constance** mentioned Proposed and Approved Multi-Family in CHHA, density, Coastal High Hazard Area, and property acquisitions and uses. **Commissioner Deutsch** commented on Charlotte Harbor Yacht Club, Hurricane Milton, wetlands, density

reduction, unit quantity, estimated building height, Willow Street, traffic study and impacts, Transportation, Lister Street, transmittal, and environmental lands preservation. **Commissioner Doherty** noted transmittal and land use change process, 1997 USA Map, site plan, finished floor elevation, SLOSH Model, traffic and evacuation concerns, July 22, 2025 Regular and Land Use Meeting, CHHA, Harborview Road, Hurricane Ian, storm surge review, property owner responsibility, protections, public safety, and Port Charlotte Beach Complex. **Commissioner Truex** spoke to Lister Street, property access and acquisitions, traffic impacts, intersection concerns, waterfront ordinances, heights, open space, environmentally sensitive lands, wetlands protections and improvements, evasive species removal, CHHA, Florida Building Code standards and requirements, elevation, USA, multi-step process, Comprehensive Plan, and consistency.

Public Input

Minutes Clerk Welsh administered the oath for testimony.

Tim Ritchie spoke against PAL-23-00004, Tarpon Waterfront Village Large Scale Plan Amendment.

Jeff Lustig spoke in support of PAL-23-00004, Tarpon Waterfront Village Large Scale Plan Amendment.

Douglas Foster, Charlotte Harbor Yacht Club Member spoke in support of PAL-23-00004, Tarpon Waterfront Village Large Scale Plan Amendment.

Joe Bishop, Charlotte Harbor Yacht Club Member spoke in support of PAL-23-00004, Tarpon Waterfront Village Large Scale Plan Amendment.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE TRANSMITTAL OF A LARGE SCALE PLAN AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMERCE AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THE REQUEST IS TO 1) AMEND CHARLOTTE COUNTY FLUM SERIES MAP #3: 2030 SERVICE AREA DELINEATION, TO EXTEND THE URBAN SERVICE AREA BOUNDARY TO INCLUDE 14.52± ACRES OF THE PROPERTY; AND 2) AMEND CHARLOTTE COUNTY FLUM SERIES MAP #2: 2050 FRAMEWORK, FROM AGRICULTURAL/RURAL TO REVITALIZING NEIGHBORHOOD FOR 11.51± ACRES OF THE PROPERTY AND MANAGED NEIGHBORHOOD FOR 3.01± ACRES; FOR PROPERTY INCLUDING THREE PARCELS, TWO PARCELS LOCATED AT 4331 AND 4399 WILLOW STREET, IN THE PORT CHARLOTTE AREA, AND ONE UNDEVELOPED PARCEL GENERALLY LOCATED NORTH OF THE PEACE RIVER, SOUTH OF EDGEWATER DRIVE, WEST OF BAYSHORE ROAD, EAST OF LISTER STREET AND SOUTHEAST OF CREWS COURT, IN THE CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AREA AND IN THE PORT CHARLOTTE AREA, CONTAINING 14.51± ACRES; PETITION NO. PAL-23-00004; APPLICANT: TARPON WATERFRONT VILLAGE LLC; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT V., SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 3:2., CHAIR TISEO AND COMMISSIONER CONSTANCE OPPOSED

UB8. LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO

Community Development

Approve a Resolution, pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending the DO for the Harborview DRI, Resolution Number 2010-083, to 1) revise for internal and statutory consistency to reflect updates to Florida Statutes, as applicable; 2) amend "Specific Conditions": "Vegetation and Wildlife"; "Wetlands"; "Stormwater Management/Water Quality"; "Transportation"; "Education"; "Dock Facilities" (existing "Marina and Dock Facilities"); "Energy"; "Flood Plain/Hurricane Preparedness"; and "Recreation and Open Space"; 3) update the "Land Use" condition to delete marina uses; 4) revise Map H as Exhibit "A" to be consistent with the proposed development rights; 5) revise the buildout date; 6) revise Exhibit "B" to include a "Land Use Equivalency Matrix"; 7) replace the existing Exhibit "D": "Harborview DRI Land Management Plan, a Manual of Best Management Practices for Preserve Areas, Wetland Buffers, Green Zone, Nutrient Management, Wildlife Utilization Area, and Listed Species Prepared by EarthBalance, February 25, 2010" with the new Exhibit "D": "Harborview DRI Land Management Plan, a Manual of Best Management Practices for Preservation Prepared by Water Resource Associates, November 2023"; 8) replace Exhibit "E": Wetland Impact/Preservation and Wildlife Areas/Green Zone Map (Map F-1) with a new Map F-1: Wetland Impact & Wildlife Utilization Map; and 9) delete Exhibit "F": Marina Environmental Measures and Best Management Practices, Clean Marina Plan - Harborview Marina; for property general located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in the Port Charlotte area; containing 653± acres; Petition No. LAD-25-02; Applicant: Benderson Development Company, LLC; providing an effective date. Located in Commission District I. **RES 2025-178**

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Minutes Clerk Welsh administered oath for testimony.

Ms. Shao provided credentials, gave a brief overview of Proposed Amendments: An Amendment to the Harborview Development of Regional Impact (DRI) Development Order (DO), A Planned Development (PD) rezoning, LAD-25-02 and PD-25-03 (Original Applications 22LAD-00000-00007 and PD-22-00015): 1,000 Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, History, History - Continued: On April 13, 2004, On June 20, 2006, Current Entitlements, Approved and Proposed Development Rights, Area Image - Subject Property, Area Image - North and East Village, Area Image - East and West Village, Coastal High Hazard Area, Flood Zones (Subject Property - 10AE, 11AE and 13 VE Zones), Proposed Major Changes, Exhibit A, Adopted and Proposed Map H, Exhibit B, Exhibit I, Proposed Major Changes - Continued, Vegetation and Wildlife, Wetlands, Exhibit E, Wetlands - Continued, Stormwater Management/Water Quality, Transportation, Transportation - Continued: To update the options listed in the binding commitment by, For the Proportionate Share Payments, To remove the requirement of relocation of Discovery Drive, Police and Fire Protection & Education, Dock Facilities, Flood Plain/Hurricane Preparedness, Recreation and Open Space, Exhibit D Harborview DRI Land Management Plan, General Housekeeping, Rezone Site Plan, replied to HCP, proposal changes, DeSoto Canal, and park maintenance.

Chair Tiseo discussed Current Entitlements, Approved and Proposed Development Rights, Staff Report, scrivener's error, June 11, 2024 Regular and Land Use Meeting, affordable housing component and ratio

framework, Impact Fee timing and required distribution, partial share payments, proportionate share and developer agreements, performance bond, environmental and wildlife impacts, Florida Fish and Wildlife Conservation Commission (FWC), Comprehensive Plan Amendment, smalltooth sawfish, regulatory agency review comments and conditions, Florida Department of Environmental Protection (FDEP), site plan application review, South Florida Water Management District (SFWMD), permitting process, transportation improvements, Affordable Housing Advisory Committee (AHAC), state mandated tank material, monitoring, and inspection requirements, backup and on-site generators, transfer switch, Florida Statutes, lighting fixture review, flood insurance community rating system, public comments, negotiations, Buc-ee's, entitlement units, meeting times and agenda order, Federal Highway Administration (FHWA) Interstate System, I-75, rest stops, preservation lands, existing entitlements, and additional gas station prohibition. **Commissioner Constance** mentioned Current Entitlements, Approved and Proposed Development Rights, Adopted and Proposed Map H, HCP, June 11, 2024 Regular and Land Use Meeting, Wetlands - Continued, airplant relocation process, transportation, language, developer responsibility and presentation, Deep Creek Elementary School, Impact Fee distribution, community benefits, Recreation and Open Space, park maintenance, Scheduled Improvements, weather financial impacts, detailed site plans, affordable housing component and definitions, residential units, smalltooth sawfish, federal regulatory assessment, lighting fixtures and standards, wildlife regulations, Charlotte Harbor Water Association, sewer and water connection availability, tank placement and materials, building size, traffic mitigation, property rights, CHHA, Board of Zoning Appeals (BZA), Buc-ee's, Florida Department of Transportation (FDOT) requirements, storm surge, safeguards, elevation, and final detail site plan. **Commissioner Deutsch** commented on property segments, Buc-ee's, construction timeline, community impacts, traffic impacts and improvements, cost responsibility, Harborview Road, Project Improvements - FDOT, environmental concerns, public input, Peace River, and Tuckers Grade. **Commissioner Doherty** spoke to Approved and Proposed Development Rights, property rights and entitlements, transportation and affordable housing components, PD application process and conditions, roadway improvements, language, affordability threshold, CHHA, finished floor elevation analyzation and PD condition, FEMA, Florida Building Code, National Oceanic and Atmospheric Administration (NOAA) SLOSH models, housing ratio, residential units and final detail site plan, fueling facility spills and runoff concerns, environmental protection requirements, hydrocarbon disposal facility, Comprehensive Land Use Plan compliance, and Staff Report. **Commissioner Truex** noted Buc-ee's, shoreline proximity, existing entitlements, and Adopted and Proposed Map H.

Mr. Cullinan responded to affordable housing component and requirement, pipelining, DRIs, Impact Fees, proportionate fair share and developer agreements, application review process and changes, Exhibit A, Approved and Proposed Development Rights, lighting standards, PD, height, zoning classification special exceptions, BZA, and Adopted and Proposed Map H.

Tina Powell, Parks and Natural Resources Manager replied to smalltooth sawfish, NOAA Fisheries, FWC education and outreach, permitting, delegated authority, regulatory agency review, site plan, wetlands preservation, HCP species and requirements, FDEP, and airplant relocation.

Attorney Derek Rooney, Applicant Representative agreed with the Staff Report, accepted Ms. Shao, Ms. Powell, and Mr. Cullinan as experts, remarked on improvements, DRI, Development Agreement, affordable housing requirements and policy, Florida Building Code, language, Approved and Proposed Development Rights, obligations, Scheduled Improvements, Buc-ee's, traffic equivalency matrix and studies, development phases, final detail site plan, Impact Fee Credits and distribution, finished floor elevation, DO, PD conditions, Deep Creek Elementary School, Charlotte County School Board, parent pick-up and drop-off alternative routes, concurrency, water availability letter, Charlotte Harbor Water

Association, commercial intensity relocation, light pollution concerns, park development and maintenance, PD Concept Plan Benefits, framework, Rezone Site Plan, and existing development rights.

Jem Frantz, RVI Planning Project Director provided credentials, gave a brief overview of Project Team, Benderson Development, Request Benefits, Proposed Map H Benefits, PD Concept Plan Benefits, Compatibility - East Village, Civil Engineering, Coastal High Hazard Areas and Evacuation Routes, Coastal High Hazard Areas and Evacuation Routes (Zoom In), Charlotte County Storm Surge Evacuation Routes, FEMA Flood Zone Map (Effective 12/15/2022), SLOSH Data (NOAA) - Category 1, SLOSH Data (NOAA) - Category 2, and SLOSH Data (NOAA) – Categories 3, 4 & 5.

Deputy County Attorney Thomas David interjected on developer presentation, public record, affordable housing, Florida Statutes Section 420.0004, DRI Resolution, language, suggested amendment and ratio framework, and Florida Statutes Section 420.0004.

Matthew Miller, WRA Engineering Environmental Services Director gave a brief overview of Environmental Benefits, responded to smalltooth sawfish impacts, FWC, US Fish and Wildlife Service (FWS), Army Corps of Engineers Clean Water Act Section 404 permitting program and process, NOAA Fisheries, gopher tortoise habitats and relocation, and quality coastal mangroves and marshes.

Becca Bond, Kimley-Horn Transportation Engineer gave a brief overview of Approved Traffic Study, Trip Cap, Scheduled Improvements, Traffic Monitoring Report, Project Improvements, Project Improvements - FDOT, replied to proportionate share agreements, cost responsibility, Impact Fee distribution, DRI requirements, Buc-ee's, PD site plans, timeline, and interchange modification review requirements.

Stan Beard, Buc-ee's Real Estate Director responded to Project Improvements - FDOT, cost responsibility, employment opportunities, revenues, DRI Amendment, timeline, property entitlements, permitting, and Scheduled Improvements.

County Attorney Knowlton interjected on applicant presentation, rebuttal procedures, minimum affordable housing, and mutual agreement.

Todd Mathes, Benderson Development Real Estate Development Director replied to affordable housing requirement and policy, housing recession, Buc-ee's benefits, Sales and Gas Tax impacts, ratio proposal, residential final detail site plan phased approach, environmental concerns, additional gas stations, and Rezone Site Plan.

Scott Ratcliff, Buc-ee's Engineering Director responded to state and county mandated monitoring and protection requirements, oil water separator installation, hydrocarbon removal processes, storm surge concerns, Peace River, FEMA National Flood Insurance Program (NFIP) permitting requirements, backup generation, Hurricane Harvey, and first responder recovery efforts and support.

Assistant County Administrator Jubb remarked on NFIP community rating system impacts, minimum standards, Florida Building Code, Floodplain Ordinance, flood way no rise certificates, and flood zones.

Public Input for Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD

The following citizens spoke against Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD: Tim Ritchie, Matthew Gray, Scott Mitchell, Larry Rand, Mike Doolittle, Dreama Doolittle, Greg Dyer, Virginia Bryant, Pauline Klein, Chris Newitts, Riley Newitts, Anthony Horabin, Bob Beiter, Edie Driest, Irene Brewster, Jim Debor, Denise DeGennaro, Trevor Harris, Zachary Frohn, Patricia Devisse, Cheryl Deuley, Rob Robbins, Erick Frohn, Laura Johnson, Brenda Curtis, Rebecca Scholl, Sharon Pineo, Maureen Depaula, Andrew Wooley, Jeff Lustig, Dan Mojzak, Dustin Meador, Denise Gentile, Kaitlynn Brode, Randy Harris, and Camilla Spicer.

Minutes Clerk Welsh administered the oath for testimony.

Dr. Charne Adams spoke in support of Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2025-178 AMENDING RESOLUTION 2010-083, AS AMENDED PREVIOUSLY BY RESOLUTION NOS. 92-62, 93-66, 2004-071 AND 2006-093, APPROVING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE HARBORVIEW DEVELOPMENT OF REGIONAL IMPACT; AND PROVIDING FOR AN EFFECTIVE DATE, WITH THE CONDITION MODIFICATION “THE DEVELOPER SHALL SET ASIDE 10% OF THE TOTAL HOUSING UNITS IN THE HARBORVIEW DRI FOR AFFORDABLE HOUSING AS DEFINED IN SECTION 420.0004, FLORIDA STATUTES, WHICH UNITS SHALL BE ALLOCATED AS FOLLOWS: 20% FOR VERY LOW INCOME PERSONS, 40% FOR LOW INCOME PERSONS, 40% FOR MODERATE INCOME PERSONS,” AND THE LANGUAGE “FOR FAMILIES EARNING NOT MORE THAN 120% OF AREA MEDIAN INCOME” TO BE DELETED, SECONDED BY COMMISSIONER TRUEX

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

UB9. PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD

Community Development

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD; this is a major modification to the existing Harborview Development of Regional Impact (DRI) PD, Ordinance Number 2010-071, by revising the development rights, removing the public marina, updating development standards, and adopting a General PD Concept Plan; for property generally located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in the Port Charlotte area; containing 653± acres; Petition No. PD-25-03; Applicants: Benderson Development Company, LLC; providing an effective date. Located in Commission District I. **ORD 2025-020**

Quasi-Judicial

Chair Tiseo polled the Board for Ex Parte Disclosures. **Chair Tiseo, Commissioner Deutsch, Commissioner Doherty, and Commissioner Truex** advised they submitted the required forms to the Clerk's Office.

Minutes Clerk Welsh administered oath for testimony.

Ms. Shao provided credentials, gave a brief overview of Proposed Amendments: An Amendment to the Harborview Development of Regional Impact (DRI) Development Order (DO), A Planned Development (PD) rezoning, LAD-25-02 and PD-25-03 (Original Applications 22LAD-00000-00007 and PD-22-00015): 1,000 Mailed Notice Map, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, History, History - Continued: On April 13, 2004, On June 20, 2006, Current Entitlements, Approved and Proposed Development Rights, Area Image - Subject Property, Area Image - North and East Village, Area Image - East and West Village, Coastal High Hazard Area, Flood Zones (Subject Property - 10AE, 11AE and 13 VE Zones), Proposed Major Changes, Exhibit A, Adopted and Proposed Map H, Exhibit B, Exhibit I, Proposed Major Changes - Continued, Vegetation and Wildlife, Wetlands, Exhibit E, Wetlands - Continued, Stormwater Management/Water Quality, Transportation, Transportation - Continued: To update the options listed in the binding commitment by, For the Proportionate Share Payments, To remove the requirement of relocation of Discovery Drive, Police and Fire Protection & Education, Dock Facilities, Flood Plain/Hurricane Preparedness, Recreation and Open Space, Exhibit D Harborview DRI Land Management Plan, General Housekeeping, Rezone Site Plan, replied to HCP, proposal changes, DeSoto Canal, and park maintenance.

Chair Tiseo discussed Current Entitlements, Approved and Proposed Development Rights, Staff Report, scrivener's error, June 11, 2024 Regular and Land Use Meeting, affordable housing component and ratio framework, Impact Fee timing and required distribution, partial share payments, proportionate share and developer agreements, performance bond, environmental and wildlife impacts, FWC, Comprehensive Plan Amendment, smalltooth sawfish, regulatory agency review comments and conditions, FDEP, site plan application review, SFWMD, permitting process, transportation improvements, AHAC, state mandated tank material, monitoring, and inspection requirements, backup and on-site generators, transfer switch, Florida Statutes, lighting fixture review, flood insurance community rating system, public comments, negotiations, Buc-ee's, entitlement units, meeting times and agenda order, FHWA Interstate System, I-75, rest stops, preservation lands, existing entitlements, and additional gas station prohibition. **Commissioner Constance** mentioned Current Entitlements, Approved and Proposed Development Rights, Adopted and Proposed Map H, HCP, June 11, 2024 Regular and Land Use Meeting, Wetlands - Continued, airplant relocation process, transportation, language, developer responsibility and presentation, Deep Creek Elementary School, Impact Fee distribution, community benefits, Recreation and Open Space, park maintenance, Scheduled Improvements, weather financial impacts, detailed site plans, affordable housing component and definitions, residential units, smalltooth sawfish, federal regulatory assessment, lighting fixtures and standards, wildlife regulations, Charlotte Harbor Water Association, sewer and water connection availability, tank placement and materials, building size, traffic mitigation, property rights, CHHA, BZA, Buc-ee's, FDOT requirements, storm surge, safeguards, elevation, and final detail site plan. **Commissioner Deutsch** commented on Buc-ee's, construction timeline, community impacts, traffic impacts and improvements, cost responsibility, Harborview Road, Project Improvements - FDOT, environmental concerns, public input, Peace River, and Tuckers Grade. **Commissioner Doherty** spoke to Approved and Proposed Development Rights, property rights and entitlements, transportation and affordable housing components, PD application process and conditions, roadway improvements, language, affordability threshold, CHHA, finished floor elevation analyzation, FEMA, Florida Building Code, NOAA SLOSH models, housing ratio, residential units and final detail site plan, fueling facility spills and runoff concerns, environmental protection requirements, hydrocarbon disposal facility, Comprehensive

Land Use Plan compliance, and Staff Report. **Commissioner Truex** noted Buc-ee's, shoreline proximity, existing entitlements, and Adopted and Proposed Map H.

Mr. Cullinan responded to affordable housing component and requirement, pipelining, DRIs, Impact Fees, proportionate fair share and developer agreements, application review process and changes, Exhibit A, Approved and Proposed Development Rights, lighting standards, PD, height, zoning classification special exceptions, BZA, and Adopted and Proposed Map H.

Tina Powell, Parks and Natural Resources Manager replied to smalltooth sawfish, NOAA Fisheries, FWC education and outreach, permitting, delegated authority, regulatory agency review, site plan, wetlands preservation, HCP species and requirements, FDEP, and airplant relocation.

Attorney Derek Rooney, Applicant Representative agreed with the Staff Report, accepted Ms. Shao, Ms. Powell, and Mr. Cullinan as experts, remarked on improvements, DRI, Development Agreement, affordable housing requirements and policy, Florida Building Code, language, Approved and Proposed Development Rights, obligations, Scheduled Improvements, Buc-ee's, traffic equivalency matrix and studies, development phases, final detail site plan, Impact Fee Credits and distribution, finished floor elevation, DO, PD conditions, Deep Creek Elementary School, Charlotte County School Board, parent pick-up and drop-off alternative routes, concurrency, water availability letter, Charlotte Harbor Water Association, commercial intensity relocation, light pollution concerns, park development and maintenance, PD Concept Plan Benefits, framework, Rezone Site Plan, and existing development rights.

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Deputy County Attorney Thomas David interjected on developer presentation, public record, affordable housing, Florida Statutes Section 420.0004, DRI Resolution, language, suggested amendment and ratio framework, and Florida Statutes Section 420.0004.

Matthew Miller, WRA Engineering Environmental Services Director gave a brief overview of Environmental Benefits, responded to smalltooth sawfish impacts, FWC, FWS, Army Corps of Engineers Clean Water Act Section 404 permitting program and process, NOAA Fisheries, gopher tortoise habitats and relocation, and quality coastal mangroves and marshes.

Becca Bond, Kimley-Horn Transportation Engineer gave a brief overview of Approved Traffic Study, Trip Cap, Scheduled Improvements, Traffic Monitoring Report, Project Improvements, Project Improvements - FDOT, replied to proportionate share agreements, cost responsibility, Impact Fee distribution, DRI requirements, Buc-ee's, PD site plans, timeline, and interchange modification review requirements.

Stan Beard, Buc-ee's Real Estate Director responded to Project Improvements - FDOT, cost responsibility, employment opportunities, revenues, DRI Amendment, timeline, property entitlements, permitting, and Scheduled Improvements.

County Attorney Knowlton interjected on applicant presentation, rebuttal procedures, minimum affordable housing, and mutual agreement.

Todd Mathes, Benderson Development Real Estate Development Director replied to affordable housing requirement and policy, housing recession, Buc-ee's benefits, Sales and Gas Tax impacts, ratio proposal, residential final detail site plan phased approach, environmental concerns, additional gas stations, and Rezone Site Plan.

Scott Ratcliff, Buc-ee's Engineering Director responded to state and county mandated monitoring and protection requirements, oil water separator installation, hydrocarbon removal processes, storm surge concerns, Peace River, FEMA NFIP permitting requirements, backup generation, Hurricane Harvey, and first responder recovery efforts and support.

Assistant County Administrator Jubb remarked on NFIP community rating system impacts, minimum standards, Florida Building Code, Floodplain Ordinance, flood way no rise certificates, and flood zones.

Public Input for Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD

The following citizens spoke against Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD: Tim Ritchie, Matthew Gray, Scott Mitchell, Larry Rand, Mike Doolittle, Dreama Doolittle, Greg Dyer, Virginia Bryant, Pauline Klein, Chris Newitts, Riley Newitts, Anthony Horabin, Bob Beiter, Edie Driest, Irene Brewster, Jim Debor, Denise DeGennaro, Trevor Harris, Zachary Frohn, Patricia Devisse, Cheryl Deuley, Rob Robbins, Erick Frohn, Laura Johnson, Brenda Curtis, Rebecca Scholl, Sharon Pineo, Maureen Depaula, Andrew Wooley, Jeff Lustig, Dan Mojzak, Dustin Meador, Denise Gentile, Kaitlynn Brode, Randy Harris, and Camilla Spicer.

Minutes Clerk Welsh administered the oath for testimony.

Dr. Charne Adams spoke in support of Petition LAD-25-02 (Original Application Number 22LAD-00000-00007), Revisions to the Harborview DRI DO and Petition PD-25-03 (Original Application PD-22-00015), Major Modification to Harborview DRI PD.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2025-020 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION TO THE EXISTING HARBORVIEW DEVELOPMENT OF REGIONAL IMPACT (DRI) PD, ORDINANCE NUMBER 2010-071, BY REVISING THE DEVELOPMENT RIGHTS, REMOVING THE PUBLIC MARINA, UPDATING DEVELOPMENT STANDARDS, AND ADOPTING A GENERAL PD CONCEPT PLAN; FOR PROPERTY GENERALLY LOCATED NORTH OF THE PEACE RIVER, SOUTH OF MADRAS COURT AND MAURITANIA ROAD, EAST OF DANFORTH DRIVE, AND WEST OF DISCOVERY DRIVE, IN THE PORT CHARLOTTE AREA, CONTAINING 653 ACRES

MORE OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT I; PETITION PD-25-03; APPLICANT, BENDERSON DEVELOPMENT COMPANY, LLC; PROVIDING AN EFFECTIVE DATE, WITH THE ADDITION OF THE ANALYSIS OF FINISHED FLOORS INCLUDING THE NOAA SLOSH MODEL TO THE PD CONDITIONS, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:1., COMMISSIONER DEUTSCH OPPOSED

UB10. TCP-22-04, Revisions to the Harborview DRI DO

Community Development

Approve an Ordinance, pursuant to Section 163.3184(3), Florida Statutes, adopting a Large Scale Plan Amendment to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by 1) removing permitted "Public Marina" land use/development right from the Harborview Development of Regional Impact (DRI), 2) increasing the total minimum acreage of "Open Space, Preservation and Recreational Uses" to 226.55 acres for this DRI, and 3) updating "Notes" to remove Note #1 for the West Village residential development rights and to revise and renumber Note #2 to new Note #1 to reflect a new Land Use Equivalency Matrix; Petition No. TCP-22-04; Applicants: RDL Associates, LLC; Peace River Associates, LLC; Peace River East II, LLC; and Post Falls Management Associates, LLC; providing an effective date. The Harborview DRI is located within Commission District I. **ORD 2025-021**

Legislative

Ms. Shao gave a brief overview of Proposed Changes, TCP-22-04: Area Image, Future Land Use (FLU) Appendix VI: Developments of Regional Impact, Existing Map H Adopted via Resolution Number 2010-083, replied to June 11, 2024 Regular and Land Use transmittal and continuance motion, and Comprehensive Plan.

Chair Tiseo discussed preservation, public comments, Land Use Equivalency Matrix, residential unit reduction, negotiations, net benefit, affordable housing, entitlements, and property rights. **Commissioner Constance** mentioned June 11, 2024 Regular and Land Use Meeting, FLU Appendix VI: Developments of Regional Impact, preservation, Proposed Changes, traffic impacts, Buc-ee's, residential unit reduction, Sunshine Law, and public comments.

Mr. Cullinan responded to June 11, 2024 Regular and Land Use Meeting transmittal and continuance motion, FLU Appendix VI: Developments of Regional Impact, scriveners' error, Land Use Equivalency Matrix, and Buc-ee's.

Deputy County Attorney David interjected on adopted Land Use Equivalency Matrix.

Public Input

Dreama Doolittle commented on Land Use Equivalency Matrix and FLU Appendix VI: Developments of Regional Impact.

COMMISSIONER CONSTANCE MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

COMMISSIONER TRUEX MOVED TO APPROVE ORDINANCE 2025-021 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN TO REVISE FUTURE LAND USE (FLU) APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT BY: (1) REMOVING THE PERMITTED "PUBLIC MARINA" LAND USE/DEVELOPMENT RIGHT FROM THE HARBORVIEW DEVELOPMENT OF REGIONAL IMPACT (DRI); (2) INCREASING THE TOTAL MINIMUM ACREAGE OF "OPEN SPACE, PRESERVATION AND RECREATIONAL USES" TO 226.55 ACRES; AND (3) DELETING NOTE #1, WEST VILLAGE RESIDENTIAL DEVELOPMENT RIGHTS, AND REVISING AND RENUMBERING NOTE #2 TO NOTE #1 TO INSERT A NEW LAND USE EQUIVALENCY MATRIX; PETITION TCP-22-04; APPLICANTS: RDL ASSOCIATES, LLC; PEACE RIVER ASSOCIATES, LLC; PEACE RIVER EAST II, LLC; AND POST FALLS MANAGEMENT ASSOCIATES, LLC; LOCATED IN COMMISSION DISTRICT I; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

ADJOURNED: 10:39 pm

Joseph M. Tiseo, Chair

DATE ADOPTED: _____

ATTEST:

ROGER D. EATON, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO OF THE BOARD
OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk