



MEMORANDUM

Date: 1-18-23

To: Honorable Board of County Commissioners
Planning & Zoning Board

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

Subject: A Large Scale Text Amendment, Petition Number TCP-22-04

Request:

A privately initiated request to amend Future Land Use (FLU) Appendix VI: Developments of Regional Impact by removing permitted "Public Marina" land use/developer right, and increasing the total acreage of "Open Space, Preservation and Recreational Uses" to 169 acres, from the Harborview Development of Regional Impact (DRI).

Applicants:

RDL Associates, LLC
Peace River Associates, LLC
Peace River East II, LLC
Post Falls Management Associates, LLC
7978 Cooper Creek Boulevard
University Park, FL 34201

Agent:

Alexis Crespo, AICP
28100 Bonita Grande Drive, Suite 305
Bonita Springs, FL 34315

Analysis:

Data and Analysis:

The applicants and property owners, Centennial Bank, RDL Associates, LLC, Peace River Associates, LLC, and Peace River East II, LLC, are requesting a text amendment to amend the County's Comprehensive Plan, Future Land Use (FLU) Appendix VI: Developments of Regional Impact, to:

- Remove permitted "Public Marina" land use/developer right from the Harborview Development of Regional Impact (DRI).
- Increase the total acreage of "Open Space, Preservation and Recreational Uses" from 136 acres to 169 acres.

Reason for This Text Amendment

In November 2022, the applicants submitted an application (Petition Number is 22LAD-00000-00007) to amend various sections of Development Order (DO), Resolution Number 2010-083, for Harborview Development of Regional Impact (DRI), including revisions to the development rights to remove “Public Marina” land use/developer right, and to increase the total acreage of “Open Space, Preservation and Recreational Uses” to 169 acres.

The applicants are also concurrently seeking a Planned Development (PD) rezoning (Application Number is PD-22-00015), which is a major modification to the existing Harborview DRI PD, Ordinance Number 2010-071, to revise development standards, and its associated PD Concept Plan in order to be consistent with the proposed revisions to the Harborview DRI DO.

The Harborview DRI is generally located generally located north of the Peace River, south of Madras Court, east of Danforth Drive, and west of Discovery Drive, in the Port Charlotte area, and within Commission District I.



TCP-22-04 Area Image

It is staff's professional opinion that the proposed text amendment does not create any negative impacts on the County's infrastructure such as roadways and utilities, nor surrounding existing residential and future residential neighborhoods. Furthermore, the proposed development will potentially increase the acreage for “Open Space, Preservation and Recreational Uses” from 136 acres to 169 acres. Therefore, the proposal is generally consistent with goals, objectives, and policies set forth in the County's Comprehensive Plan.

All development rights within DRIs in Charlotte County are adopted in the County's Comprehensive Plan; therefore, the applicants must apply for a text amendment to incorporate all proposed revisions to development rights within this DRI into FLU Appendix VI: Developments of Regional Impact if the Board of County Commissioners approves the requested amendments to the Harborview DRI DO and the Harborview DRI PD.

The Planning and Zoning Board proposed recommendation for February 13, 2023:

*A motion to forward application TCP-22-04 to the Board of County Commissioners with a recommendation of **Approval/Denial** of transmittal of TCP-22-04 to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment, based on the findings and analysis in the Comprehensive Planning staff memorandum dated January 18, 2023, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

FLU APPENDIX VI: DEVELOPMENTS OF REGIONAL IMPACT

Harborview

Land Use	Development Right
Residential	3,859 Units
Office	50,000 Square Feet
Commercial	655,000 Square Feet
Hotel Rooms	350 Rooms
Public Marina	260 Wet Boat Slips 192 Dry Storage Boat Slips 20 Single-family boat slips qualifying under Section 403.813, F.S.
Open Space, Preservation and Recreational Uses	436 169 Acres

Notes:

1. In the West Village, the base density in the Coastal High Hazard Area is 398 units; maximum allowed density in the CHHA is 733 units. Any development in excess of 398 units requires a transfer of density from an equivalent Coastal High Hazard Area.
2. Non-residential land uses approved by the Development Order may be increased in one land use category and concurrently reduced in another land use category, if a Land Use Equivalency Matrix is adopted as part of the Harborview DRI Development Order.