



Legislation Text

File #: 2020-1674, Version: 1

Title

TLDR-20-02, Revisions to Section 3-9-45: Planned Development

Requested Motion/Action

Department Making Request

Community Development

Hold the first of two public hearings to discuss revisions to Section 3-9-45, Planned Development (PD); and request the Board to set the second public hearing for October 27, 2020, at 2:00 p.m., in accordance with Section 125.66, Florida Statutes. The proposed revisions are to amend Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use Future Land Use Map (FLUM) designation; and providing for development requirements within the Rural Community Mixed Use FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Legislative

Agenda Item Type

Public Hearing

Budgeted Action:

No action needed.

Background (Why is this Action Necessary, and What Action will be accomplished)

Background:

Staff initiated application TLAD-20-02 to amend Charlotte County Land Development Regulations, Chapter 3-9: Zoning, Article II: District Regulations, by:

- 1) Revising the Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements.
- 2) Revising Section 3-9-45: Planned Development (PD).
- 3) Creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements.

The County's existing Planned Development (PD) code was originally created via Ordinance No. 89-46, was amended in 2002 via Ordinance No. 2002-008, and in 2008 via Ordinance No. 2008-053.

The County's current Comprehensive Plan was adopted on July 20, 2010 and became effective on June 15, 2011. The existing PD code contains some outdated requirements and regulations, and some subsections of the PD code are not consistent with the County's Comprehensive Plan. In 2014, staff held several months' worth of roundtable meetings to discuss revisions to this PD zoning district. However, no actions have been taken by Board of County Commissioners (Board) since that time. Staff resumed discussions on amendments to the existing PD code in 2019, with a couple of roundtable meetings to discuss the proposed changes.

The proposed detailed major changes:

Detailed Major Changes

The proposed amendments are:

- Revising the goals to achieve various purposes of this unique zoning district.
- Simplifying and updating design criteria and development standards to clarify what specific design elements are required as part of submission.
- Adding a new subsection to include different percentages of the proposed residential development whereby the County may grant Incentive Density at no cost to the developer(s) in order to promote better development within the County.
- Revising procedures and criteria for rezoning to PD to include a General PD Concept Plan and a Detail PD Concept plan in order to make the PD rezoning process more productive.
- Revising the time limitation for the PD Concept Plan.
- Revising the criteria of major modification to the PD Concept Plan and the Final Detail Site Plan and the PD conditions to be logical, practicable and flexible.
- Adding subsection regarding the owner's authorization to codify the requirement of the owner's authorization for a major modification of an existing PD which has been in process for years.
- Adding new section 3-9-45.1: PD Open Space and Setback Special Requirements, to be consistent with such requirements set forth in the County's Comprehensive Plan.

What Action will be accomplished?

If the Board of County Commissioners approves this application, the PD code will be consistent with the County's Comprehensive Plan and the code will be more friendly, practicable, flexible, and meaningful.