

BOARD OF COUNTY COMMISSIONERS

OCTOBER 25, 2022

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 Truex (departed at 11:19 am), Vice Chair Constance, Commissioner Deutsch, Commissioner Doherty, and Commissioner Tiseo. Also in attendance were: County Administrator Flores, County Attorney Knowlton, and Minutes Clerk Johnston. The following members were absent: None.

The Meeting was called to order at 9:00 am

The Invocation was given by **Commissioner Stephen R. Deutsch**, followed by the Pledge of Allegiance.

Changes to the Agenda

Addition #1: R-5, a) Discussion and direction for the removal of Charlotte County one-year cumulative timeframe in the "substantial improvement" definition found in Charlotte County Code Section 3-2-274.5; and b) Set a public hearing to be held on November 8, 2022, to consider an ordinance amending Charlotte County Code Section 3-2-274.5 "substantial improvement" definition and reference in Section 3-2-237.

Requested by: Community Development

Change #1: Reports Received & Filed, Added attachment – COVID-19 Report.

Requested by: Administration

Change #2: A-2, Added attachment – Final Closing Package.

Requested by: Comptroller Division

Deletion #1: C-2, Approve the appointment of Wayne L'Heureux to the Manasota Key Street & Drainage Advisory Board. This will be a three-year term replacing Raymond Orozco who has chosen not to seek reappointment. This appointment will be effective November 1, 2022 and will expire on October 31, 2025.

Requested by: Commission Office

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

MOTION CARRIED 5:0.

Proclamations - Commissioner Joseph Tiseo

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

MOTION CARRIED 5:0.

Family Court Awareness Month

Proclamation will be mailed to Florida Protective Parents Association.

Gold Star Memorial Marker

Lee Ann Ferriola, Port Charlotte Garden Club and Shannon Messenberg, Gold Star Mothers Organization accepted the Proclamation.

National American Indian Heritage Month

Proclamation will be mailed to Deborah Harrington.

Employee Recognition

Award Presentations

PUBLIC INPUT - AGENDA ITEMS ONLY - None

COMMITTEE VACANCIES

The **Construction Industry Licensing Board** is seeking a volunteer to represent the general contractor category. Volunteer must be an active licensed general contractor and be a resident of Charlotte County for at least two years. Length of term is four years. To obtain an application, please contact Diane Whidden at 941-743-1298 or Diane.Whidden@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.

- **Alligator Creek Waterway MSBU** is seeking one member to fill a position with term through October 31, 2025.

- **Boca Grande Street & Drainage Unit** is seeking four members to fill positions with terms through October 31, 2024, and October 31, 2025.

- **Buena Vista Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025.

- **Burnt Store Village Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025
- **Deep Creek Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Don Pedro & Knight Islands** is seeking two members to fill positions with terms through October 31, 2025.
- **Edgewater North Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Englewood East Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Greater Port Charlotte Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2023, and October 31, 2025.
- **Grove City Street & Drainage Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Gulf Cove Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Harbour Heights Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2023, and October 31, 2025.
- **Harbour Heights Waterway Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Manasota Key Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Manchester Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Mid-Charlotte Stormwater Utility Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2025.

- **Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Pirate Harbor Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Pirate Harbor Waterway Unit** is seeking two members to fill positions with terms through October 31, 2023, and October 31, 2025.
- **Placida Area Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Rotonda Heights Street & Drainage Unit** is seeking four members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Rotonda Lakes Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **Rotonda Sands Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **Rotonda West Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **South Burnt Store Street & Drainage Unit** is seeking two members to fill positions with terms through October 31, 2025.
- **South Charlotte Stormwater Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **South Gulf Cove Street & Drainage Unit** is seeking three members to fill positions with terms through October 31, 2024, and October 31, 2025.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a position with a term through October 31, 2025.
- **Suncoast Waterway Unit** is seeking five members to fill positions with terms through October 31, 2023, October 31, 2024, and October 31, 2025.
- **West Charlotte Stormwater** is seeking three members to fill positions with terms through October 31, 2023, and October 31, 2025.

REPORTS RECEIVED AND FILED

1. COVID-19 Response Update

(Change #1) Added attachment – COVID-19 Report.

2. Monthly Housing Division Report - September 2022

CONSENT AGENDA

COMMISSIONER CONSTANCE MOVED TO APPROVE THE CONSENT AGENDA WITH THE EXCEPTION OF A-2, E-1, AND F-1, 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.

2. Roll Forward Commercial Paper Note A-8-2

(Change #2) Added attachment – Final Closing Package.

Recommended Action: Approve the roll forward of Commercial Paper Note A-8-2 in the amount of \$5,433,000. **RES 2022-141**

Budgeted Action: No action needed.

Commissioner Constance commented on exhibits and Agreement.

Susan Gervais, Clerk of the Circuit Court and County Comptroller Finance Director replied to Agreement and exhibits.

COMMISSIONER CONSTANCE MOVED TO APPROVE RESOLUTION 2022-141 AUTHORIZING THE BORROWING OF NOT EXCEEDING \$5,433,000 FROM THE POOLED COMMERCIAL PAPER LOAN PROGRAM OF THE FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION PURSUANT TO THE TERMS OF THE LOAN AGREEMENT AMONG THE COUNTY, JPMORGAN CHASE BANK, N.A., AND THE COMMISSION IN ORDER TO REFINANCE A PORTION OF A LOAN PREVIOUSLY MADE TO FINANCE

VARIOUS TRANSPORTATION RELATED CAPITAL IMPROVEMENTS WITHIN THE COUNTY; AUTHORIZING THE EXECUTION OF A LOAN NOTE OR LOAN NOTES TO EVIDENCE SUCH BORROWING AND AGREEING TO SECURE SUCH BORROWING WITH A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES OF THE COUNTY, ALL AS PROVIDED IN THE LOAN AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH OTHER DOCUMENTS AS MAY BE NECESSARY TO EFFECT SUCH BORROWING; AND PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

B. Minutes Division

1. Minutes

Recommended Action: Approve the following Minutes:

September 13, 2022 BCC Regular and Land Use Meeting
September 26, 2022 BCC Emergency Meeting
September 26, 2022 BCC Public Hearing on Proposed County Budget FY2022-2023
October 4, 2022 BCC Regular
October 6, 2022 BCC Pre-Agenda

Budgeted Action: No action needed.

Board of County Commissioners

C. Commission Office

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

Recommended Action: Approve the appointment of Patrick Hurd to the Burnt Store Village Street & Drainage Advisory Board. This will be a three-year term replacing Harold Sarver who has chosen not to seek reappointment. This appointment will be effective November 1, 2022 and will expire on October 31, 2025.

Budgeted Action: No action needed.

~~(Deletion #1) 2. Appointment- Manasota Key Street & Drainage Advisory Board~~

~~**Recommended Action:** Approve the appointment of Wayne L'Heureux to the Manasota Key Street & Drainage Advisory Board. This will be a three-year term replacing Raymond Orozco who has chosen not to seek reappointment. This appointment will be effective November 1, 2022 and will expire on October 31, 2025.~~

Budgeted Action: No action needed.

3. Appointment – Deep Creek Street & Drainage Advisory Board

Recommended Action: Approve the appointment of Art Seymour to the Deep Creek Street & Drainage Advisory Board. This will be a three-year term replacing Craig Deidrick who has chosen not to seek reappointment. This appointment will be effective November 1, 2022 and will expire on October 31, 2025.

Budgeted Action: No action needed.

4. Reappointments- MSBU/MSTU Advisory Boards

Recommended Action: The following list of Municipal Service Benefit Units & Municipal Service Taxing Units Advisory Board members terms expire on October 31, 2022 and have requested re-appointment. Approve the reappointments to the following Advisory Boards:

- Alligator Creek Waterway: Bob Simmons
- Buena Vista Waterway: Richard Russell
- Burnt Store Village Street & Drainage: Roy McElwee
- Deep Creek Street & Drainage: Stephen Rabinowitz
- Don Pedro & Knight Island Street & Drainage: Linda Cotherman & Lindsay Yates
- Englewood East Street & Drainage: Glen Burnap & Shaun O'Rourke
- Gardens of Gulf Cove Street & Drainage: Benjamin Sinclair
- Greater Port Charlotte Street & Drainage: Greg Carney & Bob Logan
- Grove City Street & Drainage: Jerry Deems
- Gulf Cove Street & Drainage: James Wernicke
- Harbour Heights Street & Drainage: Richard Kelley
- Harbour Heights Waterway: Lee Phillips
- Manasota Key Street & Drainage: Lorraine Johannessen
- Manchester Waterway: Dennis Peck
- Mid-Charlotte Stormwater: Bob Logan & David Marshall
- Northwest Port Charlotte Street & Drainage: Robert Cable & Rick Chial
- Northwest Port Charlotte Waterway: Gregg Smith
- Pirate Harbor Street & Drainage: Andy Wolf & George Herl
- Rotonda Heights Street & Drainage: Kitty Saddler & James Harper
- Rotonda Lakes Street & Drainage: Paul McGinley
- Rotonda Sands Street & Drainage: Kevin Cote
- Rotonda West Street & Drainage: Carol Delucca & Nicholas Kotzalas
- South Burnt Store Street & Drainage: Dave Evans
- South Charlotte Stormwater: Dave Evans
- South Gulf Cove Street & Drainage: Peter Watson & Ron Wozniak
- West Charlotte Stormwater: Geoffrey Norton

These reappointments will be effective November 1, 2022 and expire on October 31, 2025.

Budgeted Action: No action needed.

D. County Administration

E. County Attorney

1. Amendment to Public Seating Agreement

Recommended Action: a) Approve First Amendment to Amended and Restated Agreement for Public Seating with Creative Outdoor Advertising of America, Inc.; and b) Authorize the Chairman to execute the Agreement. **A.AGR 1988-093**

Budgeted Action: No action needed.

COMMISSIONER DOHERTY MOVED TO APPROVE FIRST AMENDMENT TO AMENDED AND RESTATED AGREEMENT 1988-093 FOR PUBLIC SEATING WITH CREATIVE OUTDOOR ADVERTISING OF AMERICA, INC.; AND AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:1., COMMISSIONER CONSTANCE OPPOSED

F. Budget and Administrative Services

Fiscal Services

Information Technology

Purchasing

Real Estate Services

1. Direct Sale - Parcel ID# 412006330003

Recommended Action: Approve Resolution declaring parcel surplus to County needs and authorizing a direct sale of property in accordance with the provisions of Section 125.35(2) Florida Statutes.

Budgeted Action: No action needed.

Chair Truex discussed value, property, and tax roll. **Commissioner Constance** mentioned property, sale, and lease. **Commissioner Deutsch** noted bid, property, best use and price, parking, County cost, and home and lot value. **Commissioner Doherty** spoke to interested party, price, process, communication, appraisals, bid, and restaurant value. **Commissioner Tiseo** commented on valuation, proposal, Return of Investment (ROI), interested party, bid, and property.

Stephen Kipa, Real Estates Services Manager responded to bid, process, restaurant owner, appraisals, direct sale, timeline, communication, statute, Land Use Restriction Agreement (LURA), and deed.

COMMISSIONER CONSTANCE MOVED TO DENY DIRECT SALE - PARCEL ID# 412006330003, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:1., CHAIR TRUEX OPPOSED

Risk Management

Transit

G. Community Development

H. Community Services

I. Economic Development

J. Facilities Construction and Maintenance

K. Human Resources

L. Human Services

M. Public Safety

N. Public Works

O. Tourism Development

P. Utilities

Q. Other Agencies

REGULAR AGENDA

R. Regular Agenda

1. Hurricane Ian Update

County Administration

Update on Hurricane Ian.

Patrick Fuller, Emergency Management Director highlighted recovery efforts, critical needs, American Red Cross, Ann and Chuck Dever Recreation Center, shelters, direct housing, Florida Department of Emergency Management (FDEM), Community Organizations Active in Disaster (COAD), survey, needs, Transitional Sheltering Assistance Program, availability, Disaster Recovery Center, Tringali Center, Federal Emergency Management Agency (FEMA), Disaster Survivor Teams, Mobile Recovery Intake Center (MRIC), damage home inventory, Operation Blue Roof, extension, non-profits, mitigation, opportunities, grant funds, storm surge, and yellow zones.

John Elias, Public Works Director highlighted debris, removal, AshBritt, estimates, cubic yards, heat map, loads, operation pace, private roads and communities, public assistance request, FEMA, citizen drop areas, estimated dollar figure, reimbursement extension, navigable and non-navigable waterways, zones, sites, shoaling, illegal dumping, monitoring, Right of Way (ROW), Little Gasparilla, barge, dumpsters, burning, signals, Florida Department of Transportation (FDOT), video detection, synchronization, signage, replacements, emergency contract, and Personal Property Debris Removal (PPDR) Program.

Chair Truex discussed Little Gasparilla, Palm Island Transit, Florida Power and Light (FPL), barge, burning, debris, aftermath, Justice Center, and transfer switch. **Commissioner Constance** mentioned Joint Information Center (JIC), mitigation, efforts, scope, storm surge, strategies, grant opportunities, funds, Port Charlotte Middle School, yellow zone, shelter, website, debris, removal, private roads, FEMA, citizen drop areas, Property Owners Associations (POA), Homeowners Associations (HOA), Justice Center, generator, chiller system, power, railway outage, bridges, supply shortages, and FDOT. **Commissioner Deutsch** noted staff, storm preparation, General Development, lots, elevation, shelters, Port Charlotte Middle School, yellow zone, Charlotte County School Board, funds, timeline, FEMA, estimated dollar figure, debris, removal, reimbursement extension, canals, pollution, Manchester Association, private roads and communities, ROW, Forrest Nelson Boulevard, and Quesada Boulevard. **Commissioner Doherty** spoke to Little Gasparilla, barge, debris, and removal. **Commissioner Tiseo** commented on Public Information Office (PIO), generator, transfer switch, Justice Center, system bypass, FEMA, PPDR, reimbursement, process, and waivers.

Assistant County Administrator Claire Jubb interjected on Justice Center, power, generator, transfer switch, chiller system, and replacement.

Gordon Burger, Budget and Administrative Services Director remarked on public assistance request, extension, FEMA, FDEM, process, and audit.

Taken Out Of Order

PUBLIC HEARING AGENDA

S. 10:00 A.M. Public Hearing

1. Charlotte County Code Chapter 2-3, Article VI "Vaping Prohibited in Certain Areas"

Community Services

Conduct a public hearing to approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Chapter 2-3 of the Code of Laws and Ordinances of Charlotte County, Florida, to restrict vaping on County beaches and smoking on County Parks and Beaches; providing for inclusion in the Charlotte County Code; providing for severability; and providing for an effective date. **ORD 2022-036**

Tommy Scott, Community Services Director highlighted Charlotte County Code Chapter 2-3, Article VI "Vaping Prohibited in Certain Areas".

Public Hearing

Monica Babcock, Drug Free Punta Gorda Executive Director spoke in favor of Charlotte County Code Chapter 2-3, Article VI "Vaping Prohibited in Certain Areas", discussed community safety, Ordinance, amendment, and Drug Free Punta Gorda mission.

Tim Ritchie mentioned beaches, cigarette butts, vaping, older community, medical marijuana, card holders, City of Punta Gorda, drug free, and freedom.

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

MOTION CARRIED 5:0.

Commissioner Constance inquired to language. Commissioner Tiseo spoke to Drug Free Punta Gorda and Drug Free Charlotte County.

County Attorney Knowlton replied to language.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-036 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 2-3 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, TO RESTRICT VAPING ON COUNTY BEACHES AND SMOKING ON COUNTY OWNED PUBLIC BEACHES AND PARKS; PROVIDING FOR INCLUSION IN THE CHARLOTTE COUNTY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

2. Year Two of a Hospital Assessment Resolution

Commission Office

Pursuant to the Charlotte County Local Provider Participation Fund Ordinance Number 2021-025, as adopted on July 13, 2021, conduct a public hearing to approve the three attached releases from the three affected hospitals and consider approval of a resolution setting the rate of collection pertaining to applicable hospital properties for a payment due on November 30, 2022. **AGR 2022-133 / AGR 2022-134 / AGR 2022-135 / RES 2022-143**

Deputy County Administrator Emily Lewis highlighted Year Two of a Hospital Assessment Resolution.

Public Hearing

Andy Romine, Shore Point Port Charlotte and Punta Gorda Market Chief Executive Officer (CEO) spoke in support of Year Two Hospital Assessment Resolution, commented on assessment, Federal matching dollars, resources, and benefits.

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

MOTION CARRIED 5:0.

Commissioner Constance discussed presentation, Money to Your County's Hospitals, and match. **Commissioner Tiseo** mentioned program, hospitals, and net results.

Colleen Ernst, Adelanto HealthCare Ventures noted hospitals, presentation, assessment, rate, returns, reports, funds, and Federal match.

COMMISSIONER CONSTANCE MOVED TO APPROVE THE THREE ATTACHED RELEASES FROM THE THREE AFFECTED HOSPITALS AND CONSIDER APPROVAL OF RESOLUTION 2022-143 SETTING THE RATE OF COLLECTION PERTAINING TO APPLICABLE HOSPITAL PROPERTIES FOR A PAYMENT DUE ON NOVEMBER 30, 2022, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

3. Adopt FY 2023 Capital Improvements Program

Budget & Admin Services

Conduct a public hearing to consider adopting an Ordinance updating and modifying the Capital Improvements Program Schedule FY22/23 through FY27/28. **ORD 2022-037**

Pamela Kirchner, Financial Manager highlighted Adopt Fiscal Year (FY) 2023 Capital Improvements Program.

Public Hearing

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

MOTION CARRIED 5:0.

Commissioner Constance inquired to Cultural Center.

Assistant County Administrator Jubb responded to Cultural Center.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-037 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AUTHORIZING AND APPROVING MODIFICATIONS TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CHARLOTTE COUNTY COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3177(3)(B), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

4. Revisions to Chapter 3-3.5 - Impact Fees

Community Development

Approve an Ordinance of the Board of County Commissioners of Charlotte County, Florida; Amending Section 3-3.5-9 of Chapter 3-3.5 Impact Fees, of the Code of Laws and Ordinances of Charlotte County, Florida; Providing for Severability; Providing for Incorporation of Exhibits; and Providing for an Effective Date. Applicant: Charlotte County Board of County Commissioners. **ORD 2022-038**

Shaun Cullinan, Planning and Zoning Official gave a brief overview of Request and Proposed Revisions.

Public Hearing

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

MOTION CARRIED 5:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-038 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING SECTION 3-3.5-9 OF CHAPTER 3-3.5 IMPACT FEES OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION OF EXHIBITS; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

5. Emergency Ordinance Adding Section 2-1-45 of the Charlotte County Code of Laws and Ordinance

County Administration

Conduct a public hearing to consider an emergency ordinance of the Board of County Commissioners adding Section 2-1-45 of the Charlotte County Code of Laws and Ordinances governing the temporary suspension of code provisions. **ORD 2022-039**

Assistant County Administrator Jubb highlighted Emergency Ordinance Adding Section 2-1-45 of the Charlotte County Code of Laws and Ordinance.

Public Hearing

Tim Ritchie spoke to Recreational Vehicles (RV), parking, hurricane repairs, County staff, performance, and traffic.

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

MOTION CARRIED 5:0.

COMMISSIONER CONSTANCE MOVED TO APPROVE EMERGENCY ORDINANCE 2022-039 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ENACTING CHAPTER 2-1, ARTICLE III, SECTION 2-1-45 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA GOVERNING THE TEMPORARY SUSPENSION OF CODE PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

R. Regular Agenda (Continued)

2. Recreational Vehicles (RV's) in Residential Zoning Districts - Temporary Suspension

County Administration

Consider Resolution to temporarily suspend the prohibition of occupying recreational vehicles (RV's) in residential zoning districts. **RES 2022-142**

Assistant County Administrator Jubb gave a brief overview of Current Situation, Rebuilding, Our Community, Authorization of Suspension, Proposed Suspension, Code Section proposed for suspension, Applicability, and Non-Residential Temporary Offices.

Chair Truex commented on workers, contractors, hotel costs, resources, permit, private land, rules, vacant property, and RV pump outs. **Commissioner Constance** discussed Code Section proposed for suspension, language, and private land. **Commissioner Doherty** mentioned Proposed Suspension, Code Section proposed for suspension, language, enforcement, and resources. **Commissioner Tiseo** noted Proposed Suspension, language, rules, workforce, housing, vehicles, materials, and DOT.

County Attorney Knowlton interjected on rules, language, and Resolution.

COMMISSIONER DOHERTY MOVED TO APPROVE RESOLUTION 2022-142 PROVIDING FOR THE TEMPORARY SUSPENSION OF A PORTION OF SECTION 3-9-79.1(D) OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE, AND LANGUAGE EDITS, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 5:0.

3. Appoint by Ballot- South Gulf Cove Waterway Advisory Board

Commission Office

Appoint by ballot to fill the expiring term of Jenna Ginsberg on the South Gulf Cove Waterway Advisory Board. This will be new three-year terms effective November 1, 2022 and will expire on October 31, 2025.

County Administrator Flores announced ballot majority vote for Jenna Ginsberg.

COMMISSIONER CONSTANCE MOVED TO APPOINT BY BALLOT JENNA GINSBERG TO THE SOUTH GULF COVE WATERWAY ADVISORY BOARD, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

4. Phasing Out of Local Specialty Contractor Licenses

Community Development

a) Discussion and direction on phasing out local specialty contractors before the July 1, 2023 deadline enacted by HB 735 in F.S. 489.117 4(a); and b) Set public hearing for November 8, 2022 to phase out certain local specialty contractor licenses.

Ben Bailey, Community Development Director gave a brief overview of Effects of House Bill (HB) 735, Licenses that substantially match and will remain a local registered license include, Charlotte County licenses phasing out and needing to be state certified, State or local licenses will no longer be required for the following licenses, and Options.

Chair Truex spoke to State or local licenses will no longer be required for the following licenses. **Commissioner Constance** commented on Licenses that substantially match and will remain a local registered license include, Charlotte County licenses phasing out and needing to be state certified, State or local licenses will no longer be required for the following licenses, protections, licenses, and Options. **Commissioner Doherty** discussed resources and Options. **Commissioner Tiseo** mentioned State or local licenses will no longer be required for the following licenses.

COMMISSIONER CONSTANCE MOVED TO SET A PUBLIC HEARING FOR NOVEMBER 8, 2022 TO PHASE OUT CERTAIN LOCAL SPECIALTY CONTRACTOR LICENSES, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 5:0.

(Addition #1) 5. Substantial Improvement and Substantial Damage Determination Amendments to Charlotte County Code Sections 3-2-237 and 3-2-374.5

Community Development

a) Discussion and direction for the removal of Charlotte County one-year cumulative timeframe in the "substantial improvement" definition found in Charlotte County Code Section 3-2-274.5; and b) Set a public hearing to be held on November 8, 2022, to consider an ordinance amending Charlotte County Code Section 3-2-274.5 "substantial improvement" definition and reference in Section 3-2-237.

Mr. Bailey gave a brief overview of Substantial Improvement/Damage: (SI/SD), Look back timeframe, and Options.

Chair Truex noted benefits. Commissioner Constance spoke to changes, look back, and ratings. Commissioner Doherty commented on look back. Commissioner Tiseo discussed initiation, changes, and rating.

COMMISSIONER CONSTANCE MOVED TO SET A PUBLIC HEARING TO BE HELD ON NOVEMBER 8, 2022, TO CONSIDER AN ORDINANCE AMENDING CHARLOTTE COUNTY CODE SECTION 3-2-274.5 "SUBSTANTIAL IMPROVEMENT" DEFINITION AND REFERENCE IN SECTION 3-2-237, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 5:0.

PRESENTATION AGENDA

T. 10:00 A.M. Presentations

RECESS: 11:19 AM – 1:00 PM

1 P.M. PUBLIC INPUT - ANY SUBJECT

Tim Ritchie mentioned October 8, 2022 Daily Sun article, Mosaic, Hurricane Ian, breaches, radioactive waste, gypsum stacks, City of North Port, flooding, Peace River, Myakka River, Peace River Water Supply Authority, and reservoir.

Richard Russell noted Mosaic, DeSoto County, damages, liability, mining, Bayshore Like Oak Park, Sunseeker, Hurricane Ian, oak preservation, Melbourne Street, intersection, FDOT, estuaries, funding, sediment, testing, Port Charlotte Beach Complex, parking, County Code, and attendance limits.

Taken Out of Order

AA. County Administrator Comments

County Administrator Flores spoke to staff support and efforts.

BB. County Attorney Comments - None

CC. Economic Development Director Comments - None

DD. County Commissioner Comments

Vice Chair Constance commented on Medical Examiner Committee, West Coast Inland Navigation District (WCIND) Executive Director Justin McBride, vessels, storm impacts, Supervisor of Elections, voting, parking, sites, Jarrett Ford Dealership, Cultural Center, Mid-County Library, mitigation, Charlotte County School Board, Capital Improvement Projects (CIP) budget, funding, Canvassing Board, and alternate. **Commissioner Deutsch** discussed Veterans Day Parade, City of Punta Gorda, parade route, debris, William R. Gaines Jr. Veterans Memorial Park, staffing, Charlotte County Sheriff's Office (CCSO), Veteran's Month, programs, Comcast, FPL, and storm impacts. **Commissioner Doherty** mentioned Comcast, communication, restoration, Verizon, cellphones, service, recycling, Waste Management, Port Charlotte Middle School, property size, capacity, shelter, and Canvassing Board. **Commissioner Tiseo** noted Comcast, County role, Statute 610.104, Franchise Agreement, Mosaic, DeSoto County, damage liability, Bayshore Live Oak Park, tree preservation and survey, water quality, funding, Port Charlotte Beach Complex, County Code, parking, Canvassing Board, Executive Order, early voting, Supervisor of Elections, private sector, Jarrett Ford Dealership, Port Charlotte Middle School, Charlotte County School Board, process, FEMA, Board of County Commissioners (BOCC) support, and revitalization.

RECESS: 1:28 PM – 2:00 PM

2 P.M. LAND USE AGENDA

PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY - None

Consent Agenda

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

MOTION CARRIED 4:0.

UA 1. CSZ-22-08, Cape Haze Resort

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zones located at 8401, 8415, 8419, and 8423, and 8429 Placida Road, within the Cape Haze Resort development, in the Placida area; within Commission District III; containing 22.59± acres; for calculation and severance of 68 density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-22-08; Applicants: Cape Haze Resort Community

Association, Inc. joined by CHR Improvement, LLC and CHR Properties, LLC, providing an effective date. Located in Commission District III. **RES 2022-144**

Quasi-Judicial

UA 2. FP-19-07-11, Veterans Commons

Community Development

Approve a Bond Release for the Final Plat of a commercial subdivision named, Veterans Commons. The site is 12.10± acres and generally located north of Veterans Boulevard, south of Kenilworth Boulevard, east of Pellam Waterway and west of Cochran Boulevard, in the Port Charlotte area. Located in Commission District V.

Quasi-Judicial

UA 3. FP-19-11-16, Hammocks at West Port Phase IIIB

Community Development

Approve a Final Plat for a subdivision to be named, Hammocks at West Port Phase IIIB. The subdivision is to consist of all of Tract C of Hammocks at West Port Phase I (Plat Book 24, Pages 8A through 8J), which includes 61 lots, two right-of-way tracts, and Tract A. The site contains 11.636± acres and is generally located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway. Located in Commission District IV.

Quasi-Judicial

UA 4. FP-20-03-10, Heritage Landing Phase II-A

Community Development

Approve a Bond Reduction request and Second Amendment to a Development Agreement to reduce the surety amount provided by Irrevocable Standby Letter of Credit No. FGAC-20587 to \$121,151.80 for the completion of the remaining second lift of asphalt for Heritage Landing Phase II-A. The site is 386.35± acres and generally located east of Peace River, south of the City of Punta Gorda, northwest of the Burnt Store Road. Located in Commission District II. **A.AGR 2021-012**

Quasi-Judicial

UA 5. FP-20-07-14, Babcock Ranch Community Village III Southwest

Community Development

Approve a Bond Reduction request and First Amendment to a Development Agreement to reduce the amount of the approved surety provided under Bond No. 59BSBIL7939 from \$1,704,106.66 to \$107,131.20 for Babcock Ranch Community Village III Southwest. The site is 48.91± acres and is generally located south of Greenway Boulevard, northeast of Curry Preserve Drive, and northwest of Bluebird Trail,

in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1. Located in Commission District I. **A.AGR 2020-138**
Quasi-Judicial

UA 6. FP-21-01-01, Landings at West Port

Community Development

a) Approve a Bond Reduction request and First Amendment to a Development Agreement for Landings at West Port; and b) Authorize the Chairman to execute the General-Purpose Bond Rider. The site is 18.89± acres and is generally located north of El Jobean Road, south of South Port Harbour Boulevard, east of Centennial Boulevard and west of the Flamingo Waterway, in the Port Charlotte area. Located in Commission District IV. **A.AGR 2021-134**

Quasi-Judicial

UA 7. FP-21-01-02, Palms at West Port

Community Development

Approve a Bond Release for the Final Plat of a residential subdivision named, Palms at West Port. The site is 65.6± acres and generally located north of El Jobean Road, south of Tamiami Trail, east of the Crestview Waterway, west of Centennial Blvd. Located in Commission District IV.

Quasi-Judicial

UA 8. TDU-22-09, Placida Point LLC

Community Development

Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 65 density units to a Receiving Zone located at 13000, 13110, 13120, and 13140 Fishery Road, in the Placida Revitalizing Neighborhood; containing 14.82± acres; in accordance with Part III, Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County Commission, District III; Petition No. TDU-22-09; Applicant: Placida Point, LLC. Located in Commission District III. **RES 2022-144**

Quasi-Judicial

Public Hearing

Minutes Clerk Johnston administered the oath for testimony.

UB 1. PP-22-06-01, Creekside Run

Community Development

Approve a Preliminary Plat for a subdivision to be named, Creekside Run, to consist of 291 single-family residential lots and 25 tracts with associated infrastructure. This site contains 101.89± acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County and east of Bluebird Trail, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area Located in Commission District I.

Quasi-Judicial

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

Mr. Cullinan provided credentials, requested to be accepted as an expert, gave a brief overview of PP-22-06-01, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, Future Land Use Map (FLUM) Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Public Hearing

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, CREEKSIDE RUN, TO CONSIST OF 291 SINGLE-FAMILY RESIDENTIAL LOTS AND 25 TRACTS WITH ASSOCIATED INFRASTRUCTURE. THIS SITE CONTAINS 101.89± ACRES AND IS GENERALLY LOCATED SOUTH OF BERMONT ROAD, NORTH OF THE COUNTY LINE WITH LEE COUNTY, WEST OF THE COUNTY LINE WITH GLADES COUNTY AND EAST OF BLUEBIRD TRAIL, IN THE BOUNDARY OF THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI) INCREMENT 2, WITHIN THE EAST COUNTY AREA LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB 2. PP-22-06-03, Babcock Ranch Community Village II Parcel 1-Phase 1

Community Development

Approve a Preliminary Plat for a subdivision to be named, Babcock Ranch Community, Village II, Parcel 1 - Phase 1, to consist of 228 lots and 22 tracts for residential development, roadway, drainage, and open space. This site contains 148.323± acres and is generally located south of Bermont Road, north of the County line with Lee County, 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. Located in Commission District I.

Quasi-Judicial

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

Mr. Cullinan gave a brief overview of PP-22-06-3, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Public Hearing

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

MOTION CARRIED 4:0.

Commissioner Tiseo spoke to proposed changes, density, and original Agreement.

Vice Chair Constance called the question.

MOTION CARRIED 4:0.

UB 3. PP-22-07-02, Townwalk

Community Development

Approve a Preliminary Plat for a subdivision to be named, Townwalk, to consist of 242 townhouse lots and nine tracts for roadway, utility, and common area. This site contains 26.28± acres and is generally located south of Lake Babcock Drive, northwest of Cypress Parkway and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, within the East County area. Located in Commission District I.

Quasi-Judicial

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

Mr. Cullinan gave a brief overview of PP-22-07-02, Location Map, 2020 Aerial Location Map (Full Range), 2020 Aerial Location Map (Mid-Range), 2020 Aerial Location Map, 2021 Google Earth Image, FLUM Designations, Zoning Designations, 1000' Buffer Map, Proposed Changes, and Proposed Changes (Aerial).

Vice Chair Constance commented on Aerial Location Map and plats.

Public Hearing

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE A PRELIMINARY PLAT FOR A SUBDIVISION TO BE NAMED, TOWNWALK, TO CONSIST OF 242 TOWNHOUSE LOTS AND NINE TRACTS FOR ROADWAY, UTILITY, AND COMMON AREA. THIS SITE CONTAINS 26.28± ACRES AND IS GENERALLY LOCATED SOUTH OF LAKE BABCOCK DRIVE, NORTHWEST OF CYPRESS PARKWAY AND EAST OF SR 31, IN THE BOUNDARY OF THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI) INCREMENT 1, WITHIN THE EAST COUNTY AREA. LOCATED IN COMMISSION DISTRICT I, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB 4. PAS-22-00004, P. F. Poinciana LLC

Community Development

Approve an Ordinance, pursuant to Section 163.3184(3), Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Medium Density Residential (MDR), increasing density from 37 units to 74 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PAS-22-00004; Applicant: P. F. Poinciana LLC; providing an effective date.

Legislative

Attorney Geri Waksler, Applicant Representative requested a continuance, discussed vote, rezoning, hearings, density, property location, uses, Tala Lake Condominiums, Harborview Road, Hurricane Ian, FLUM map and designations, housing, studies, Staff Report, developments, Charlotte County Utilities (CCU), traffic, analysis, level of service, turn lane, signal, Coastal High Hazard Area (CHHA), site plan, evacuation route and times, road widening, stormwater, easement, drainage, units, heights, landscape, setbacks, public safety, Transfer of Density Units (TDU) Ordinance, private property rights, Charlotte County Code, Comprehensive Plan, Planning and Zoning Board, affordable housing, Joint Ventures, Inc. v. DOT, 536 So. 2d 622, 626 (Fla.1990), citizen input, impacts, affordable housing goals, Palladium property, flooding, infrastructure, transportation, commercial services, and requested approval.

County Attorney Knowlton responded to continuance, Board Rules, and good cause.

Vice Chair Constance noted Legislative, Quasi-Judicial, and presentation. **Commissioner Deutsch** spoke to application, proposal, units, boundaries, Harborview Road, widening, Constitution, property, rights, citizen input, widening, traffic, housing, developers, profit, community, needs, density, and Hurricane Ian. **Commissioner Doherty** commented on votes, hearing, presentation, Legislative, Quasi-Judicial, citizen input, drainage issues, Tala Lakes, stormwater facility, density, Hurricane Ian, Staff Report, Planning and Zoning, data, new standards, CHHA, inundation maps, elevations, and public safety. **Commissioner Tiseo** discussed Board Rules, votes, presentation, Legislative, Quasi-Judicial, Staff Report, Framework, zoning, Geographic Information System (GIS), coastal planning, FLU Policies 2.4.8 and 2.4.6, flood maps, Hurricane Ian, CHHA, notice area, Staff Report, citizen input, property rights and history, units, developer, subject property, entitlements, housing needs, rebuttal, commercial services, public safety, units, data, and storm surge.

Attorney Michael Hayman's interjected on administrative matters.

Assistant County Attorney Thomas David interjected on presentation, votes, Legislative, and Quasi-Judicial.

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and Planned Development (PD) Concept Plan.

Mr. Cullinan responded to Framework, maturing and emerging neighborhoods, zoning, coastal planning, Comprehensive Plan, Urban Service Area (USA), infrastructure, CHHA Map, data, and Neighborhood Framework Map.

Alexis Crespo, RVI Planning Vice President provided credentials, requested to be accepted as an expert, gave a brief overview of Surrounding FLUM, Seventh Amendment to Tala Lake Condominium, Typical Section, PD Concept Plan, and Joint Ventures, Inc. v. DOT, 536 So. 2d 622, 626 (Fla.1990).

Public Input for Petition Number PAS-22-00004, P. F. Poinciana LLC and Petition Number PD-20-00006, P. F. Poinciana LLC

Nancy Plymale spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, provided credentials, mentioned Tala Lake, development, River Club, zoning, property value, impacts, Hurricane Ian, and storm surge.

Joanne Dower, River Club Resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted traffic, study, River Club North, Tala Lakes, development entrance, and bus lines.

Larry Wosik provided credentials, spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on zoning, 2010 Master Plan, community development, density, subject property, access, intersection, small-scale plan amendment, and turn out.

Phil, a Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on developer, zoning, request, Master plan, housing, new residents, units, private property rights, and condominiums.

Valsa George spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, discussed housing, needs, September 22, 2022 Charlotte Sun article, Palladium, and zoning.

Rosemary Edwards, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, mentioned view, open space, units, cost, Harborview Road, road widening, developer, and zoning.

Lisa Wosik spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted development, emerging and maturing neighborhood, zoning, due diligence, housing needs, Harborview Road, traffic, routes, and Oakview Road.

Lydia Rist, Marylou Mobile Home Park resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on full-time residency, Harborview Road, traffic, routes, and Oakview Road.

Gail Athinakis spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on zoning, Roland Drive, private property, Tala Lakes, density, flooding, Hurricane Ian, and units.

Thomas Workman, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, discussed Tala Lake, ownership, Poinciana concept plan, size, footprint, height, greenspace, capacity, appearance, architecture, easement, run-off, flooding, impacts, rebuttal, zoning, and lake access.

Jerry Wilson, Riverfront Community resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, mentioned community, entrance gate, security, access, traffic,

Judy McGlinchey, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted zoning.

Jack Cooley spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on developer, rebuttal, hearings, building height, Tala Lake buildings, density, Board of County Commissioners, Comprehensive Plan, citizen input, reimbursement, property value, profit, and zoning.

Attorney Michael Haymans provided credentials, spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on river proximity, height, platting, coastal construction, storm surge, units per acre, limits, public safety, TDU, PD, Comprehensive Plan, zoning, density, Harborview Road, widening, litigations, land taking, property rights, value increase, lake, and easement.

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO DENY AN ORDINANCE, PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, ADOPT A SMALL SCALE PLAN AMENDMENT TO CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR), INCREASING DENSITY FROM 37 UNITS TO 74 UNITS; FOR PROPERTY LOCATED AT 24258 HARBORVIEW ROAD AND 4088 OAKVIEW DRIVE, IN THE PORT CHARLOTTE AREA, CONTAINING 7.48± ACRES; COMMISSION DISTRICT I; PETITION NO. PAS-22-00004; APPLICANT: P. F. POINCIANA LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY VICE CHAIR CONSTANCE

MOTION CARRIED 3:1., COMMISSIONER DEUTSCH OPPOSED

UB 5. PD-20-00006, P. F. Poinciana LLC

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multifamily 5 (RMF-5) to Planned Development (PD), and also adopting its associated General PD Concept Plan, increasing density from 37 units to 74 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PD-22-00006; Applicant: P. F. Poinciana LLC; providing an effective date. Located in Commission District I.

Quasi-Judicial

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

Attorney Geri Waksler, Applicant Representative requested a continuance, discussed vote, rezoning, hearings, density, property location, uses, Tala Lake Condominiums, Harborview Road, Hurricane lan, FLUM map and designations, housing, studies, Staff Report, developments, CCU, traffic, analysis, level of service, turn lane, signal, CHHA, site plan, evacuation route and times, road widening, stormwater, easement, drainage, units, heights, landscape, setbacks, public safety, TDU Ordinance, private property rights, Charlotte County Code, Comprehensive Plan, Planning and Zoning Board, affordable housing, Joint Ventures, Inc. v. DOT, 536 So. 2d 622, 626 (Fla.1990), citizen input, impacts, affordable housing goals, Palladium property, flooding, infrastructure, transportation, commercial services, and requested approval.

County Attorney Knowlton responded to continuance, Board Rules, and good cause.

Vice Chair Constance noted Legislative, Quasi-Judicial, and presentation. **Commissioner Deutsch** spoke to application, proposal, units, boundaries, Harborview Road, widening, Constitution, property, rights, citizen input, widening, traffic, housing, developers, profit, community, needs, density, and Hurricane lan. **Commissioner Doherty** commented on votes, hearing, presentation, Legislative, Quasi-Judicial, citizen input, drainage issues, Tala Lakes, stormwater facility, density, Hurricane lan, Staff Report, Planning and Zoning, data, new standards, CHHA, inundation maps, elevations, and public safety. **Commissioner Tiseo** discussed Board Rules, votes, presentation, Legislative, Quasi-Judicial, Staff Report, Framework, zoning, GIS, coastal planning, FLU Policies 2.4.8 and 2.4.6, flood maps, Hurricane lan, CHHA, notice area, Staff Report, citizen input, property rights and history, units, developer, subject property, entitlements, housing needs, rebuttal, commercial services, public safety, units, data, and storm surge.

Attorney Michael Haymans interjected on administrative matters.

Assistant County Attorney Thomas David interjected on presentation, votes, Legislative, and Quasi-Judicial.

Jie Shao, Principal Planner provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Mr. Cullinan responded to Framework, maturing and emerging neighborhoods, zoning, coastal planning, Comprehensive Plan, USA, infrastructure, CHHA Map, data, and Neighborhood Framework Map.

Alexis Crespo, RVI Planning Vice President provided credentials, requested to be accepted as an expert, gave a brief overview of Surrounding FLUM, Seventh Amendment to Tala Lake Condominium, Typical Section, PD Concept Plan, and Joint Ventures, Inc. v. DOT, 536 So. 2d 622, 626 (Fla.1990).

Public Input for Petition Number PAS-22-00004, P. F. Poinciana LLC and Petition Number PD-20-00006, P. F. Poinciana LLC

Nancy Plymale spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, provided credentials, mentioned Tala Lake, development, River Club, zoning, property value, impacts, Hurricane Ian, and storm surge.

Joanne Dower, River Club Resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted traffic, study, River Club North, Tala Lakes, development entrance, and bus lines.

Larry Wosik provided credentials, spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on zoning, 2010 Master Plan, community development, density, subject property, access, intersection, small-scale plan amendment, and turn out.

Phil, a Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on developer, zoning, request, Master plan, housing, new residents, units, private property rights, and condominiums.

Valsa George spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, discussed housing, needs, September 22, 2022 Charlotte Sun article, Palladium, and zoning.

Rosemary Edwards, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, mentioned view, open space, units, cost, Harborview Road, road widening, developer, and zoning.

Lisa Wosik spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted development, emerging and maturing neighborhood, zoning, due diligence, housing needs, Harborview Road, traffic, routes, and Oakview Road.

Lydia Rist, Marylou Mobile Home Park resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on full-time residency, Harborview Road, traffic, routes, and Oakview Road.

Gail Athinakis spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on zoning, Roland Drive, private property, Tala Lakes, density, flooding, Hurricane Ian, and units.

Thomas Workman, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, discussed Tala Lake, ownership, Poinciana concept plan, size, footprint, height, greenspace, capacity, appearance, architecture, easement, run-off, flooding, impacts, rebuttal, zoning, and lake access.

Jerry Wilson, Riverfront Community resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, mentioned community, entrance gate, security, access, traffic,

Judy McGlinchey, Tala Lakes resident spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, noted zoning.

Jack Cooley spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, remarked on developer, rebuttal, hearings, building height, Tala Lake buildings, density, Board of County Commissioners, Comprehensive Plan, citizen input, reimbursement, property value, profit, and zoning.

Attorney Michael Haymans provided credentials, spoke against Petition Number PAS-22-00004, P. F. Poinciana LLC, Petition Number PD-20-00006, P. F. Poinciana LLC, commented on river proximity, height, platting, coastal construction, storm surge, units per acre, limits, public safety, TDU, PD, Comprehensive Plan, zoning, density, Harborview Road, widening, litigations, land taking, property rights, value increase, lake, and easement.

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

MOTION CARRIED 4:0.

UB 6. CDD-22-02, Establishment of the Coral Lakes Community Development District (CDD)

Community Development

Approve an ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Taxing Units, Chapter 4-3.5 Municipal Service Districts, by creating new Article XVI: Coral Lakes Community Development District (CDD); providing for new Section 4-3.5-210, Authority; providing for new Section 4-3.5-211, District Name; providing for new Section 4-3.5-212, District External Boundaries; providing for new Section 4-3.5-213, District Powers and Functions; providing for new Section 4-3.5-214, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-22-02; Applicant: CC Burnt Store, LLC; providing for an effective date. The proposed CDD is located at 12300 and 13000 Burnt Store Road, in the Punta Gorda area, and it is also located within the boundary of the Burnt Store Area Plan. The site contains 306.51± acres. Located in Commission District II. **ORD 2022-040**

Legislative

Ms. Shao gave a brief overview of Request, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, and Coral Lakes Community Development District (CDD) Proposed Infrastructure Plan.

Public Hearing

COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH
MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-040 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XVI: CORAL LAKES COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-210, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-211, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-212, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-213, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3.5-214, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS; PROVIDING FOR SEVERABILITY, PETITION NO. CDD-22-02; APPLICANT CC BURNT STORE, LLC, PROVIDING FOR AN EFFECTIVE DATE. THE PROPOSED CDD IS LOCATED AT 12300 AND 13000 BURNT STORE ROAD, IN THE PUNTA GORDA AREA, AND IT IS ALSO LOCATED WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN. THE SITE CONTAINS 306.51± ACRES, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 7. CDD-22-03, Establishment of The Cove at Rotonda Community Development District (CDD)

Community Development

Approve an ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Taxing Units, Chapter 4-3.5 Municipal Service Districts, by creating new Article XVII: The Cove at Rotonda Community Development District (CDD); providing for new Section 4-3.5-220, Authority; providing for new Section 4-3.5-221, District Name; providing for new Section 4-3.5-222, District External Boundaries; providing for new Section 4-3.5-223, District Powers and Functions; providing for new Section 4-3.5-224, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-22-03; Applicant: The Cove At Rotonda Golf Center, LLC; providing for an effective date. The proposed CDD is located at 12455 S. Access Road, in the Port Charlotte area, within the West County Area. The site contains 88.08± acres. Located in Commissioner District IV. **ORD 2022-041**

Legislative

Ms. Shao gave a brief overview of Request, Location Map, Area Image, Framework, FLUM Designations, Zoning Designations, and The Cove at Rotonda Community Development District Proposed Facilities and Services.

Public Hearing

COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH
MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-041 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, AMENDING PART IV, MUNICIPAL SERVICE BENEFIT AND TAXING UNITS, CHAPTER 4-3.5 MUNICIPAL SERVICE DISTRICTS, BY CREATING NEW ARTICLE XVII: THE COVE AT ROTONDA COMMUNITY DEVELOPMENT DISTRICT (CDD); PROVIDING FOR NEW SECTION 4-3.5-220, AUTHORITY; PROVIDING FOR NEW SECTION 4-3.5-221, DISTRICT NAME; PROVIDING FOR NEW SECTION 4-3.5-222, DISTRICT EXTERNAL BOUNDARIES; PROVIDING FOR NEW SECTION 4-3.5-223, DISTRICT POWERS AND FUNCTIONS; PROVIDING FOR NEW SECTION 4-3 5-224, BOARD OF SUPERVISORS; PROVIDING FOR ADDITIONAL REQUIREMENTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB 8. 22LAD-00000-00002, Amendment to the Murdock Center DRI Increment IV Development Order (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 Regulation, amending Development Order (DO), Resolution Number 2020-089, for Increment IV of the Murdock Center Development of Regional Impact (DRI) to a) revise Exhibit C: Murdock Center Increment IV Land Uses Table 10-1A-1 Project Description by amending the adopted Land Use Equivalency Matrix to add Mini-warehouse to this matrix; and using the revised Land Use Equivalency Matrix 1) to exchange approved 32 hotel rooms for 155,730 square feet of mini-warehouse; 2) to exchange approved 118 hotel rooms for 25,334 square feet of retail uses; 3) to exchange approved 125 beds of assisted living for 8,825 square feet of retail uses; and 4) to exchange approved 150 dwelling units of senior adult housing for 11,025 square feet of retail uses, on Parcel 2 of Increment IV of the Murdock Center DRI; b) amend Land Uses Table 10-1A-1 Project Description to reflect changes of development rights; and c) revise the buildout date and the expiration date to reflect the extension of the buildout date and the expiration date of this DO per the Governor's Executive Orders; for property generally located northeast of Tamiami Trail (U.S.41), southeast of Veterans Boulevard, and west of Cochran Boulevard, containing 98.36± acres, in the Port Charlotte area; Petition No. 22LAD-00000-00002; applicant: Land America, LLC. Located in Commission District IV and V. **RES 2022-145**

Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Amendments, Land Use Equivalency Matrix, Exhibit C Murdock Center Increment IV Land Uses, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, and Zoning Designations.

Attorney Rob Berntsson, Applicant Representative accepted Ms. Shao as an expert, discussed rezoning, and uses.

Public Hearing

COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH
MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-145 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 REGULATION, AMENDING DEVELOPMENT ORDER (DO), RESOLUTION NUMBER 2020-089, FOR INCREMENT IV OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) TO A) REVISE EXHIBIT C: MURDOCK CENTER INCREMENT IV LAND USES TABLE 10-1A-1 PROJECT DESCRIPTION BY AMENDING THE ADOPTED LAND USE EQUIVALENCY MATRIX TO ADD MINI-WAREHOUSE TO THIS MATRIX; AND USING THE REVISED LAND USE EQUIVALENCY MATRIX 1) TO EXCHANGE APPROVED 32 HOTEL ROOMS FOR 155,730 SQUARE FEET OF MINI-WAREHOUSE; 2) TO EXCHANGE APPROVED 118 HOTEL ROOMS FOR 25,334 SQUARE FEET OF RETAIL USES; 3) TO EXCHANGE APPROVED 125 BEDS OF ASSISTED LIVING FOR 8,825 SQUARE FEET OF RETAIL USES; AND 4) TO EXCHANGE APPROVED 150 DWELLING UNITS OF SENIOR ADULT HOUSING FOR 11,025 SQUARE FEET OF RETAIL USES, ON PARCEL 2 OF INCREMENT IV OF THE MURDOCK CENTER DRI; B) AMEND LAND USES TABLE 10-1A-1 PROJECT DESCRIPTION TO REFLECT CHANGES OF DEVELOPMENT RIGHTS; AND C) REVISE THE BUILDOUT DATE AND THE EXPIRATION DATE TO REFLECT THE EXTENSION OF THE BUILDOUT DATE AND THE EXPIRATION DATE OF THIS DO PER THE GOVERNOR'S EXECUTIVE ORDERS; FOR PROPERTY GENERALLY LOCATED NORTHEAST OF TAMiami TRAIL (U.S.41), SOUTHEAST OF VETERANS BOULEVARD, AND WEST OF COCHRAN BOULEVARD, CONTAINING 98.36± ACRES, IN THE PORT CHARLOTTE AREA; COMMISSION DISTRICT IV, PETITION NO. 22LAD-00000-00002; APPLICANT: LAND AMERICA, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 9. 22LAD-00000-00003, Amendment to the Heritage Landing DRI Development Order (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 Regulation, amending the Development Order (DO) for the Heritage Landing Development of Regional Impact (DRI), Resolution Number 2019-134, to amend the approved development rights by 1) decreasing single-family dwelling units from 860 to 810

units, and concurrently increasing multi-family dwelling units from 950 to 1,000 units, a total of 1,810 dwelling units (no change); 2) increasing the square footage of spa and tennis club from 7,500 to 9,000 square feet; 3) increasing tennis and pickleball courts from 10 to 12; revise Map H to be consistent with the proposed development rights; and revise the buildout and expiration date to reflect the extension of the buildout and expiration date of this DO per the Governor's Executive Orders; for property located northwest of Burnt Store Road, in portions of Sections 13, 17, 18, 19, and 20, Township 42 South, Range 23 East, containing 1,778± acres, in the Punta Gorda area and the boundary of the Burnt Store Area Plan area; Commission District II; Petition No. 22LAD-00000-00003 Applicant: Lennar Homes, LLC; providing an effective date. Located in Commission District II. **RES 2022-146**

Quasi-Judicial

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

Ms. Shao gave a brief overview of Proposed Amendments, Detailed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, Zoning Designations, Map H Heritage Landing, and PD Concept Plan.

Attorney Rob Berntsson accepted Ms. Shao as an expert, mentioned living units, zoning, and pools.

Vice Chair Constance noted living units.

Public Input for Petition Number 22LAD-00000-00003, Amendment to the Heritage Landing DRI Development Order (DO) and Petition Number PD-22-00005, Lennar Homes, LLC (MM to Existing Heritage Landing DRI PD)

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE RESOLUTION 2022-146 AMENDING THE DEVELOPMENT ORDER (DO) FOR THE HERITAGE LANDING DEVELOPMENT OF REGIONAL IMPACT (DRI), RESOLUTION NUMBER 2019-134, TO AMEND THE APPROVED DEVELOPMENT RIGHTS BY 1) DECREASING SINGLE-FAMILY DWELLING UNITS FROM 860 TO 810 UNITS, AND CONCURRENTLY INCREASING MULTIFAMILY DWELLING UNITS FROM 950 TO 1,000 UNITS, A TOTAL OF 1,810 DWELLING UNITS (NO CHANGE); 2) INCREASING THE SQUARE FOOTAGE OF SPA AND TENNIS CLUB FROM 7,500 TO 9,000 SQUARE FEET; 3) INCREASING TENNIS AND PICKLEBALL COURTS FROM 10 TO 12; REVISE MAP H TO BE CONSISTENT WITH THE PROPOSED DEVELOPMENT RIGHTS; AND REVISE THE BUILDOUT AND EXPIRATION DATE TO REFLECT THE EXTENSION OF THE BUILDOUT AND EXPIRATION DATE OF THIS DO PER THE GOVERNORS EXECUTIVE ORDERS; FOR PROPERTY LOCATED NORTHWEST OF BURNT STORE ROAD, IN PORTIONS OF SECTIONS 13, 17, 18, 19, AND 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CONTAINING ACRES, IN THE PUNTA GORDA AREA AND THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA, COMMISSION DISTRICT II; PETITION NO 22LAD-00000-00003 APPLICANT: LENNAR HOMES, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 10. PD-22-00005, Lennar Homes, LLC (MM to Existing Heritage Landing 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 an existing PD, Ordinance Number 2019-022, for the Heritage Landing Development of Regional Impact (DRI) to 1) amend the development rights as set forth in the PD Concept Plan and PD conditions in to be consistent with development rights and Map H adopted via Petition 22LAD-00000-00003, specifically, a. decreasing single-family dwelling units from 860 to 810 units, and concurrently increasing multi-family dwelling units from 950 to 1,000 units, a total of 1,810 dwelling units (no change); b. increasing the square footage of spa, and tennis club from 7,500 to 9,000 square feet; c. increasing tennis and pickleball courts from 10 to 12; 2) revise the accessory structure setback requirement; and 3) adopt the General PD Concept Plan; for property located northwest of Burnt Store Road, in portion of Sections 17, 19, and 20, Township 42 South, Range 23 East, containing 913.97± acres, in the Punta Gorda area and the boundary of the Burnt Store Area Plan area; Commission District II; Petition No. PD-22-00005; Applicant: Lennar Homes, LLC; providing an effective date. Located in Commission District II. **ORD 2022-042**

Quasi-Judicial

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

Ms. Shao gave a brief overview of Proposed Amendments, Detailed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, FLUM Designations, Zoning Designations, Map H Heritage Landing, and PD Concept Plan.

Attorney Rob Berntsson accepted Ms. Shao as an expert, mentioned living units, zoning, and pools.

Vice Chair Constance noted living units.

Public Input for Petition Number 22LAD-00000-00003, Amendment to the Heritage Landing DRI Development Order (DO) and Petition Number PD-22-00005, Lennar Homes, LLC (MM to Existing Heritage Landing DRI PD)

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-042 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PO) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE EXISTING PD, ORDINANCE NUMBER 2019-022, FOR THE HERITAGE LANDING DEVELOPMENT OF REGIONAL IMPACT (DRI) TO: (1) AMEND THE DEVELOPMENT RIGHTS AS SET FORTH

IN THE PD CONCEPT PLAN AND PD CONDITIONS TO BE CONSISTENT WITH DEVELOPMENT RIGHTS AND MAP H ADOPTED VIA PETITION 22LAD-00000-00003, SPECIFICALLY: (A) DECREASING SINGLE-FAMILY DWELLING UNITS FROM 860 TO 810 UNITS, AND CONCURRENTLY INCREASING MULTIFAMILY DWELLING UNITS FROM 950 TO 1,000 UNITS, A TOTAL OF 1,810 DWELLING UNITS (NO CHANGE); (B) INCREASING THE SQUARE FOOTAGE OF SPA AND TENNIS CLUB FROM 7,500 TO 9,000 SQUARE FEET; (C) INCREASING TENNIS AND PICKLEBALL COURTS FROM 10 TO 12; (2) REVISE THE ACCESSORY STRUCTURE SETBACK REQUIREMENT; AND (3) ADOPT THE GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED NORTHWEST OF BURNT STORE ROAD, IN PORTIONS OF SECTIONS 17, 19, AND 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CONTAINING 913.97 ACRES MORE OR LESS, IN THE PUNTA GORDA AREA AND WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00005; APPLICANT, LENNAR HOMES, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

UB 11. PAS-22-00003, Taylor Road Residential Development

Community Development

Approve an Ordinance Pursuant to Section 163.3187, Florida Statutes, amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Commercial (COM) for 9.2± acres to Medium Density Residential (MDR) with an annotation to the 2030 Future Land Use Map limiting the residential development up to 258 units for the entire property, including seven parcels; for six parcels located at 3426, 3430, 3432, 3434, 3436, and 3444 Taylor Road, and one parcel located southeast of Technology Boulevard, northeast of Taylor Road, and west of Tuscany Isles Drive, in the Punta Gorda area, containing 35.7± acres; Petition No. PAS-22-00003; Applicant: Sage Communities 3, LLC; providing an effective date. Located in Commission District II. **ORD 2022-043**

Legislative

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Attorney Geri Waksler, Applicant Representative spoke to rezoning, existing entitlements, Comprehensive Plan, units, density, traffic, service level, and requested approval.

Vice Chair Constance commented on Proposed FLUM Designations. **Commissioner Tiseo** discussed Proposed Changes.

Public Input for Petition Number PAS-22-00003, Taylor Road Residential Development and Petition Number PD-22-00004, Taylor Road Residential Development

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

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-043 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP 2030 FUTURE LAND USE, FROM COMMERCIAL (COM) TO MEDIUM DENSITY RESIDENTIAL (MDR) FOR 9.2 ACRES MORE OR LESS, WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP LIMITING THE RESIDENTIAL DEVELOPMENT UP TO 258 UNITS FOR THE ENTIRE PROPERTY, CONTAINING A TOTAL OF SEVEN PARCELS, WITH SIX PARCELS LOCATED AT 3426, 3430, 3432, 3434, 3436, AND 3444 TAYLOR ROAD, AND ONE PARCEL LOCATED SOUTHEAST OF TECHNOLOGY BOULEVARD, NORTHEAST OF TAYLOR ROAD, AND WEST OF TUSCANY ISLES DRIVE, IN THE PUNTA GORDA AREA, CONTAINING 35.7 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION PAS-22-00003; APPLICANT, SAGE COMMUNITIES 3, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY VICE CHAIR CONSTANCE

MOTION CARRIED 4:0.

UB 12. PD-22-00004, Taylor Road Residential Development

Community Development

Approve an Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10)(26.5± acres) and Commercial General (CG)(9.2± acres) to Planned Development (PD) to allow for residential development up to 258 units, requiring no transferring of density units; and also adopting a General PD Concept Plan; for property including seven parcels, for six parcels located at 3426, 3430, 3432, 3434, 3436, and 3444 Taylor Road, and one parcel located southeast of Technology Boulevard, northeast of Taylor Road, and west of Tuscany Isles Drive, in the Punta Gorda area, containing 35.7± acres; Petition No. PD-22-00004; Applicant: Sage Communities 3, LLC; providing an effective date. Located in Commission District II. **ORD 2022-044**

Quasi-Judicial

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

Ms. Shao provided credentials, gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, Proposed Zoning Designations, and PD Concept Plan.

Attorney Geri Waksler, Applicant Representative spoke to rezoning, existing entitlements, Comprehensive Plan, units, density, traffic, service level, and requested approval.

Vice Chair Constance commented on Proposed FLUM Designations. **Commissioner Tiseo** discussed Proposed Changes.

Public Input for Petition Number PAS-22-00003, Taylor Road Residential Development and Petition Number PD-22-00004, Taylor Road Residential Development

COMMISSIONER DOHERTY MOVED TO CLOSE PUBLIC INPUT, SECONDED BY COMMISSIONER DEUTSCH
MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-044 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 10 (RMF-10) (26.5± ACRES) AND COMMERCIAL GENERAL (CG) (9.2± ACRES) TO PLANNED DEVELOPMENT (PD), AND ADOPTING THE GENERAL PD CONCEPT PLAN IN ORDER TO ALLOW FOR RESIDENTIAL DEVELOPMENT UP TO 258 UNITS FOR THE ENTIRE PROPERTY, CONTAINING A TOTAL OF SEVEN PARCELS; WITH SIX PARCELS LOCATED AT 3426, 3430, 3432, 3434, 3436, AND 3444 TAYLOR ROAD, AND ONE PARCEL LOCATED SOUTHEAST OF TECHNOLOGY BOULEVARD, NORTHEAST OF TAYLOR ROAD, AND WEST OF TUSCANY ISLES DRIVE, IN THE PUNTA GORDA AREA, CONTAINING 35.7 ACRES MORE OR LESS; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00004; APPLICANT, SAGE COMMUNITIES 3, LLC; PROVIDING AN EFFECTIVE DATE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 13. PAL-22-00004, Lemon Bay Conservancy, Inc.

Community Development

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks and Recreation (PKR) to Preservation (PR) with an annotation to the 2030 Future Land Use Map limiting the residential development rights to 0 units; for property, including two parcels, located at 3120 and 6812 Gasparilla Pines Boulevard, in the Englewood area, containing 79.62± acres; Commission District III; Petition No. PAL-22-00004; Applicant: Lemon Bay Conservancy, Inc.; providing an effective date. Located in Commission District III.

Legislative

Ms. Shao gave a brief overview of Proposed Changes, Location Map, 1000' Buffer Map, Area Image, Framework, Existing FLUM Designations, Proposed FLUM Designations, Existing Zoning Designations, and Proposed Zoning Designations.

Public Hearing

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, TRANSMIT A LARGE SCALE PLAN AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND OTHER STATE AGENCIES FOR REVIEW AND COMMENT; THE AMENDMENT REQUEST IS TO

CHANGE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM PARKS AND RECREATION (PKR) TO PRESERVATION (PR) WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP LIMITING THE RESIDENTIAL DEVELOPMENT RIGHTS TO 0 UNITS; FOR PROPERTY, INCLUDING TWO PARCELS, LOCATED AT 3120 AND 6812 GASPARILLA PINES BOULEVARD, IN THE ENGLEWOOD AREA, CONTAINING 79.62± ACRES; COMMISSION DISTRICT III; PETITION NO. PAL-22-00004; APPLICANT: LEMON BAY CONSERVANCY, INC.; PROVIDING AN EFFECTIVE DATE. LOCATED IN COMMISSION DISTRICT III, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

UB 14. TCP-21-03, EAR-based Amendments - Revisions to the County's Comprehensive Plan

Community Development

Pursuant to Section 163.3191 (2), Florida Statutes (F.S.) and Section 163.3184(4), F.S., adopt a Large Scale Plan, the request is to amend nine elements of the County's Comprehensive Plan (Plan), including Future Land Use Element, Coastal Element, Natural Resources Element, Housing Element, Infrastructure Element, Capital Improvement Element, Recreation and Open Space Element, Transportation Element, and Public School Facilities Element, which consist of: adding new branding for all adopted FLUM Series Maps, FTRAM Series Maps, and SFAM Series Maps; minor policy revisions to update references to State Statutes and codes; amendment or deletion of policy language where an action has been completed; revisions to policies containing dates that have already expired and objectives and policies which are still pertinent; amendments to goals, objectives, and policies for better flow and clarity; revisions to goals, objectives and policies to reflect updates to names of referenced agencies or organizations or their programs; amendments to policy language to correct scrivener's errors; amendments to a limited number of policies to reflect changes in initiatives and processes since certain policies were originally adopted; revisions to the timeline of programs to match the planning horizon or other deadlines; County-wide. Applicant: Charlotte County Board of County Commissioners. Application Number: TCP-21-03. **ORD 2022-045 / ORD 2022-046 / ORD 2022-047 / ORD 2022-048 / ORD 2022-049 / ORD 2022-050 / ORD 2022-051 / ORD 2022-052 / ORD 2022-053**

Legislative

Ms. Shao gave a brief overview of Current Status, Background, Proposed Revisions, Proposed Major Changes: Future Land Use Element, Revisions to Policies Related to the Burnt Store Area Plan, Revisions to Policies Related to the Babcock Ranch Development of Regional Impact (DRI), Charlotte County FLUM Series Map #2: 2050 Framework, Map #14: Coastal High Hazard Areas and Evacuation Routes, Map #15: Sea Level Rise, Map #18: Wetlands, Coastal Element, Natural Resources Element, Housing Element, Infrastructure Element – Four Sub-elements, Capital Improvement Element, Recreation and Open Space Element, Transportation Element, Map #1: Roadway Functional Classification, Map #2: Road Systems – Number of Lanes, Map #3: Roadway Level of Service 2022, Map #5: Airport Imagery Surfaces, and Map #3: Existing High School Locations and Attendance Boundary.

Vice Chair Constance mentioned Charlotte County FLUM Series Map #2: 2050 Framework, Map #14: Coastal High Hazard Areas and Evacuation Routes, Map #15: Sea Level Rise, public safety, data, accuracy, and workshop. **Commissioner Deutsch** noted figures and data. **Commissioner Doherty** remarked on time

constraints, Department of Economic Opportunity (DEO), and compliancy. Commissioner Tiseo commented on natural disasters, options, policy, revisions, process, West County, and density.

Assistant County Administrator Jubb interjected on Coastal and Heartland Natural Estuary Partnership (CHNEP), assessment, assets, storm surge, vulnerabilities, Department of Environmental Protection (DEP), data, revisions, Comprehensive Plan, Evaluation and Appraisal Review (EAR) process, Capital Group Municipal Income (CGMU), and neighborhood framework.

Assistant County Attorney David responded to adoption, Ordinances, amendments, Chapter 163, Comprehensive Plan, Statute requirements, data, process, and policies.

Public Hearing

Attorney Rob Berntsson spoke in favor of TCP-21-03, EAR-based Amendments - Revisions to the County's Comprehensive Plan discussed amendments, compliancy, workshops, roundtable meetings, and process.

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

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-045 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE COASTAL PLANNING (CST) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY ADDING GOAL 5, OBJECTIVE 5.1 AND POLICIES 5.1.1 TO 5.1.4; AND CLARIFYING POLICIES RELATED TO EVACUATION; PETITION TCP-21-03 AS IT RELATES TO THE COASTAL PLANNING (CST) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 3:1., COMMISSIONER CONSTANCE OPPOSED

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-046 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE RECREATION AND OPEN SPACE (REC) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY REVISING POLICIES TO REFLECT THE 2015-2050 CHARLOTTE COUNTY PARKS AND RECREATION MASTER PLAN UPDATE, AS ACCEPTED BY THE BOARD, AND AMENDING THE DUE DATE FOR THE COUNTY-WIDE PARKS AND RECREATION MASTER PLAN UPDATE; PETITION TCP-21-03 AS IT RELATES TO THE RECREATION AND OPEN SPACE (REC) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-047 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE CAPITAL IMPROVEMENTS (CIE) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY UPDATING REFERENCES TO CURRENT STATE LAWS, REVISING POLICIES TO INCLUDE "ANNUALLY UPDATE A CAPITAL IMPROVEMENTS PROGRAM (CIP)" TO BE CONSISTENT WITH THE STATE REQUIREMENTS, ADDING NEW CIE POLICY 2.2.2: DEBT AFFORDABILITY MEASURES, AND REVISING CIE POLICY 2.2.3: DEBT LIMITS TO REFLECT THE COUNTY'S DEBT POLICY; PETITION TCP-21-03 AS IT RELATES TO THE CAPITAL IMPROVEMENTS (CIE) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DOHERTY

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-048 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE INFRASTRUCTURE ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN AND ITS FOUR SUB-ELEMENTS: STORMWATER (SWM), WATER & SEWER (WSW), SOLID WASTE (MSW), AND GROUNDWATER & AQUIFER RECHARGE (ARQ); PETITION TCP-21-03 AS IT RELATES TO THE INFRASTRUCTURE ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-049 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE PUBLIC SCHOOL FACILITIES (SCH) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY REVISING SCHOOL FACILITIES MAP SERIES; PETITION TCP-21-03 AS IT RELATES TO THE PUBLIC SCHOOL FACILITIES (SCH) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-050 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE HOUSING (HSG) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY REVISING HOUSING (HSG) POLICY 1.1.8: AFFORDABLE HOUSING INCENTIVES AND ADDING NEW HOUSING (HSG) POLICY 1.1.9: AFFORDABLE HOUSING TRUST FUND; PETITION TCP-21-03 AS IT RELATES TO THE HOUSING (HSG) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER TISEO

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-051 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE NATURAL RESOURCES (ENV) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY REVISING ENV POLICY 1.4.1: WATER QUALITY STANDARDS, ENV POLICY 1.4.3: PROTECTION GUIDELINES, ENV POLICY 1.4.6: NATIONAL ESTUARY PROGRAM, AND ENV POLICY 1.4.9: WATERSHED OVERLAY DISTRICT (WOD); PETITION TCP-21-03 AS IT RELATES TO THE NATURAL RESOURCES (ENV) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

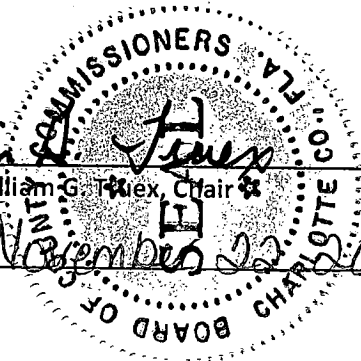
COMMISSIONER DOHERTY MOVED TO APPROVE ORDINANCE 2022-052 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE TRANSPORTATION (TRA) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY: (1) REVISING TRA POLICY 1.1.1: LEVEL OF SERVICE (LOS) STANDARDS; TRA OBJECTIVE 1.3: AVIATION FACILITIES; TRA POLICY 1.3.1: LAND USES AND AIRPORT MASTER PLAN; TRA POLICY 1.3.2: OBSTRUCTIONS TO AVIATION OPERATIONS; TRA POLICY 1.3.3: PROTECT AIRPORT FROM ENCROACHMENTS; TRA POLICY 2.6.1: EXISTING AND PLANNED CORRIDORS; TRA POLICY 5.2.2: IMPACT FEE METHODOLOGY AND ORDINANCE; TRA POLICY 2.10.5: CRASH DATA AND REDUCTION; AND (2) REVISING FTRAM SERIES MAPS; PETITION TCP-21-03 AS IT RELATES TO THE TRANSPORTATION (TRA) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY, PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 4:0.

COMMISSIONER TISEO MOVED TO APPROVE ORDINANCE 2022-053 OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, AND SECTION 163.3184(4), FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE (FLU) ELEMENT OF THE COUNTY'S COMPREHENSIVE PLAN BY REVISING MISCELLANEOUS GOALS, OBJECTIVES, AND POLICIES, AMENDING POLICIES SPECIFICALLY RELATED TO THE BURNT STORE AREA PLAN, REVISING POLICIES SPECIFICALLY RELATED TO THE BABCOCK RANCH COMMUNITY DEVELOPMENT OF REGIONAL IMPACT (DRI), REVISING FLUM SERIES MAP #2, #14, #15, AND #18, AND DELETING FLU APPENDIX IV POLICY 1.1.6; PETITION TCP-21-03 AS IT RELATES TO THE FUTURE LAND USE (FLU) ELEMENT; APPLICANT: BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE, SECONDED BY COMMISSIONER DEUTSCH

MOTION CARRIED 3:1., COMMISSIONER CONSTANCE OPPOSED

ADJOURNED: 5:56 pm

The seal is circular with a dotted border. The outer ring contains the text "COMMISSIONERS" at the top, "FLA" on the right, "COUNTY" on the left, and "BOARD OF" at the bottom. The inner circle contains the text "CHARLOTTE COUNTY, FLORIDA".
William G. Tiseo
William G. Tiseo, Chair
DATE ADOPTED: November 22, 2022

ATTEST:

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

By: R. Eaton

Deputy Clerk